

2014 HOLDEN SELECTBOARD

CODE OF CONDUCT

This Code of Conduct sets forth a standard of conduct for the Holden Board of Selectmen under the laws of the Commonwealth of Massachusetts and the Town Charter. As an elected public official, a Selectboard member has taken an oath to adhere to all federal laws, the laws of the Commonwealth of Massachusetts and the bylaws of the Town of Holden.

This Code of Conduct outlines three general areas of a member's responsibility:

- (1) community responsibility;
- (2) responsibility to Town Administration; and
- (3) relationship to fellow Selectboard members, and other persons appearing before the Selectboard.

1. Community Responsibility: A member in his/her relations with the community should:

- A. Realize that his/her primary responsibility is to all Holden citizens.
- B. Recognize that his/her function is policy-making and not administrative or executive.
- C. Remember that he/she is one of a team and must abide by, and carry out, all Selectboard decisions once they are made.
- D. Be well informed concerning the duties of a Selectboard member on both a local and state level and on the municipal issues in Holden.
- E. Remember that he/she represents the entire community at all times.
- F. Accept the office of Selectboard member as a means of unselfish public service with no intent to "play politics" in any sense of the word, or to benefit personally from his/her Selectboard activities.

2. Responsibility To Town Administration: A member in his/her relations with the Town Administration should:

- A. Endeavor to establish through the Board sound, clearly defined policies with which to govern and support the Administration.
- B. Recognize and support the Administrative chain of command and refuse to act on complaints as an individual outside of the Administration.
- C. In accordance with the Town Charter, recognize that the town manager has full responsibility for discharging his/her professional duties as the Chief Executive Officer and hold him/her responsible for acceptable results.
- D. Refer all complaints to the Administration for solution and only pursue satisfactory results through the frameworks of the Selectboard structure if such solutions fail.

3. Relationship To Fellow Selectboard Members And Other Persons: A member in his/her relations with fellow Selectboard members and other persons shall:

- A. Accept differences of opinion as building blocks of our democratic process.
- B. Always treat other members, the Town Manager, Town administrators and employees with personal respect and act in a civil manner towards them.
- C. Concentrate all dialogue on the issue and refrain from personal criticism.
- D. Recognize that Board action at official meetings is binding and that he/she alone cannot bind the Selectboard outside such meetings.
- E. Realize that statements or promises should not be made regarding how he/she will vote on matters that will come before the Selectboard.
- F. Uphold the confidentiality of executive sessions and documents presented during same, and respect the privileged communications that exists in executive sessions.
- G. Not withhold pertinent information on municipal matters or personnel problems, either from members of his/her own Selectboard or from members of other bodies who may be seeking help and information on problems.
- H. Make decisions only after all facts on an issue have been presented and discussed by the Selectboard.
- I. Cooperate with the Chair of the Board in the conduct of meetings.
- J. Treat persons who appear before the Board with respect, and dignity and in a manner free from discrimination, abuse and harassment.
- K. Act in a civil and professional manner at all Board meetings.
- L. Speak in a civil manner and not harass or bully citizens, other Board members, the Town Manager, Town administrators, and employees.

4. Enforcement of Code of Conduct.

- A. The Selectboard shall enforce the Code of Conduct.
- B. Any Selectman violating the Code of Conduct may be removed from Committee assignments and from Board assignments by the Chairman, and may be subject to public censure by the Selectboard.
- C. During a meeting the Chairman may, after an initial warning, remove a member from a meeting who acts in an inappropriate manner, is unruly or disorderly.

APPROVED AND ADOPTED BY THE BOARD OF SELECTMEN 4/7/14

Responsibilities of the Chair

The Chair of the Board shall: Preside at all meetings of the Board.
Sign official documents that require the signature of his/her office. Prepare agendas with the Clerk and Town Administrator

Arrange orientation for new members.

Represent the Board at meetings, conferences and other gatherings unless otherwise determined by the Board or delegated by the Chair.

Serve as spokesperson of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the Chair.

The Chair shall have the same rights as other members to offer resolutions, to discuss questions and to vote thereon. In the absence of the Chair, the Board shall designate an Acting Chair.

Internal Operation - Members Interaction

The Board functions as a body in all policy decisions and all other matters as required by law or determined by vote of the Board in formal session.

Board members will report back to other Selectmen and the Manager on significant meetings or hearings which they have attended and especially on issues on which Board action will later be required.

The Chair will notify Board members prior to the meeting if a particular strategy or approach has been suggested for dealing with potentially explosive agenda items.

Board members will keep each other informed of all investigations they are conducting or issues they are pursuing that are of concern to the Board.

Board members agree not to surprise each other by last minute agenda items about which others have no warning or knowledge except in the case of emergency items or those of a strictly routine nature which need action prior to next scheduled meeting.

Board members who wish to take issue with another member's conduct, behavior, procedures, will do so first privately with the member concerned or will notify him/her prior to first doing so at a public meeting.

When individual members make request of the Administrator for information of concern to the whole Board, the Manager is to report back to the whole Board - not only the member raising the question.

Standard of Conduct

An individual member of the Board, including the Chair, may act independently only if specifically authorized by the Board. Members of the Board will behave with civility and courtesy.

The Chair will preserve decorum and prevent personal attacks. No one in attendance at the meeting will be allowed to make disparaging remarks about anyone including staff.

The Chair will rule inappropriate comments out of order and issue warnings to the offending parties.

Lexington, MA with editorial changes



Code of Conduct for Town of Sudbury Committees Whose Members are appointed by the Sudbury Board of Selectmen or the Sudbury Town Manager

A member of any Committee who has accepted appointment by the Board of Selectmen or the Town Manager to a Committee position is expected to comply with the following code of conduct. Failure to adhere to this code will be considered by the Board and Town Manager when making re-appointment decisions.

1. Realize that your function is to follow the mission statement of the Committee.
2. Accept the role of a Committee member is a means of unselfish service, not to benefit personally or politically from his or her Committee activities.
3. Abide by the ethics guidelines established by the State.
4. Conflicts of interest: Refrain from participating as either a member of the Committee or as a member of the public in Committee matters in which you have a personal interest.
5. Abide by all policies established by the Board of Selectmen, PARTICULARLY the email communications policy.
6. Realize that you are one of a team and should abide by all decisions of the Committee once they are made.
7. Be well informed concerning the duties and responsibilities of the Committee.
8. Remember that you represent the entire community at all times.
9. Request assistance from Town staff only through the staff person assigned to the Committee.
10. Not make statements or promises of how you will vote on matters that will come before the Committee until you have had an opportunity to hear the pros and cons of the issue during a public meeting of the Committee.
11. Make decisions only after all facts on a question have been presented and discussed.
12. Refrain from communicating the position of the Committee to reporters or state officials unless the full Committee has previously agreed on both the position and the language of the statement conveying the statement.
13. Treat with respect and courtesy all members of the Committee despite differences of opinion.
14. Treat with respect and courtesy any member of the public, including anyone they have brought to represent them, who comes before the Committee for any reason, but particularly in matters related to regulatory issues.
15. Never publicly criticize an employee of the Town. Concerns about staff performance should only be made to the Town Manager through private conversation.
16. Insure that any materials or information provided to a Committee member from Town staff should be made available to all Committee members.
17. If circumstances change so that meeting attendance on a regular basis becomes difficult, the Committee member will offer his or her resignation to the Board, so that someone who can regularly attend meetings can be selected by the Board.

Adopted by the Board of Selectmen July 11, 2006; revised September 8, 2009.

Please note: This code of conduct was originally developed based on similar codes used by other elected boards and Committees in other communities.

TWELVE WAYS TO INCREASE PUBLIC CONFIDENCE IN BOARD LEADERSHIP

People have varying degrees of confidence in the Select Board. Some people have a great deal of confidence, and others have very little. What can you and your fellow members do to generate more confidence? Board's that generate confidence project an image of professionalism, fairness and efficiency. In order to be effective, you need to understand that:

It's the Board's role to set policy.

That's why Board members need to keep asking, "What's this got to do with policy?" The Town Administrator needs to ask the same question. Both the Board and the Administrator need to agree that it's okay. – In fact, desirable – to alert one another to activities which are outside one's assigned role.

Being prepared makes everyone look good.

Remember, the perception is reality. If the first sound after the gavel is the Board members opening their packets, it's a good bet the meeting will not be one in which your best foot is forward.

How the Board conducts their business is as important as the business they conduct.

Public confidence should increase as people see you in action. If the Board meetings are the hottest programs on Cable TV, seek help.

Asking Questions is okay.

Sincere questions demonstrate that you want to learn more. Most Board members will tell you that it took a year or more before they felt informed about issues and comfortable with the responsibilities of being a member.

Boards are responsible to all the people in their community.

Every decision about each item must be made with the interest of everyone in mind. Every decision is interrelated. People who do not serve on Board find this difficult to understand.

Every issue is special, even when it is not special to you. When people address the Board, they are expressing something of interest to them and they will judge you by the courtesy and skill with which you respond.

Board members are simply citizens until there's a quorum and the meeting is called to order. Unless it's an official Board meeting, everything an individual Board member does is unofficial. **The Board is not well-served by members who act unilaterally or independently of Board deliberation.**

It's important to have a Board "understanding." Understand how your Board "does business". When things are going well these things are not important. But guess what! Lack of attention to these issues can derail a Board, and when things start to go down hill, these are the details that get really important.

When a majority of the Board votes to support A, it's time to stop lobbying for B. In a democratic society, the majority rules. There is dialog and debate and then a vote. The vote determines the outcome and direction. Those that can't shift their thinking to the next discussion undermine the democratic process.

Executive sessions are permitted by law so that certain matters can be discussed in confidence. Leaking confidential information is a violation of the public trust and generally bad behavior. Enough said.

When Board members play "Stump the Stars", everyone looks bad. Ambushes and sniping are terrorist techniques, and surprises should be saved for birthdays.

Communication means different things to different people. Sometimes people say, "You didn't communicate, when what they really mean is "I didn't get my way". Do not let people blame things on "poor communication". When things go wrong, it is usually the result of the way you do business or how people get treated in the process.

Adapted from William Banach

You're Elected: Now What?

BY THEIR ACTION AT THE POLLS, the people of your community have given you a vote of confidence and expressed faith in your ability to act in their best interest. Your willingness to serve hopefully demonstrates you already possess a very important quality in becoming an effective legislator: you take your job seriously.

Here are some practical "tips".

The first thing a new Selectmen should ask for is an orientation. I don't mean that the administrator or clerk handing you a box of books containing old studies or budgets is an orientation. You will be able to glean much information from documents around town hall but **nothing will substitute for a well-planned and well-executed orientation session with your manager and department heads.**

Once you have had your orientation, you are ready to assume your new role as a director of one of your locality's largest corporations. Your stockholders, the citizens, will expect big things of you. Go slowly at first, and take time to settle into your new role.

Be prepared to devote sufficient time to your job. Do your "homework" before each meeting and plan to go to bed each night with a study resting on your chest. If you read all the material that comes to you, you will be a very effective Selectmen. Study the agenda in advance of each meeting. If you need more information, go get it. It might mean an on-site view or placing some phone calls to people. The most important thing to do is to read, read, read.

Take the necessary time to develop an esprit de corps with your fellow board members. You will be seeing a great deal of them during the next several years, and you will need to build a spirit of teamwork and cooperation. A board acts collectively, not independently, and personality conflicts can be very damaging to the harmony you need to function.

Most matters are decided not by consensus, but by actual voting which sometimes creates a win-lose atmosphere. Sometimes an adversarial relationship develops. It is terribly important to remember that you are the only person you are going to agree with 100 percent of the time. Each and every person on your governing body is entitled to his or her viewpoint and opinion. There is an old saying that the squeaky wheel gets the grease. Try to beware of the "politics of intensity." There are many special-interest groups. They can be well financed, well informed, and very vocal. Often they represent very good causes. **But remember, they do not always represent as many people in the community as their number in your meeting room would seem to suggest.**

Their requests must be weighed against the needs of the whole locality.

Don't be stampeded into quick action. Hasty action taken at a meeting without sufficient time for public opinion to develop and without the consequences being fully explored almost always

results in bad legislation. When some individual sweeps into your meeting with a deal that "If you don't take it right now, it will be gone.", the red flag should go up in your mind. No deal is so good that government can take quick action without incurring great risk.

Be aware of what the public expects of local government. When a citizen comes storming into a governing-body meeting, riled up over a certain issue, if that person is given a fair and courteous hearing and a chance to state his or her case, often that person will accept the decision, even if it goes against them. People expect due process, which is having their day in court or-in this instance-their say in a public meeting. After sufficient time passes, most people: will no longer be angry with you over your vote if they realize you were doing what you thought best for the greatest number of people in your community.

Remember that what you say, publicly and privately, is considered news and will be repeated. Be especially careful with your comments about municipal employees. Either be prepared to defend your employees or find a clear reason why you can't defend them. Also, it is very important to avoid criticizing a fellow Board member's stand on an issue. There is a terrible temptation to commiserate with a constituent who says, "Why in the world did Joe vote that way? Boy, I sure agreed with you on that one." That constituent is obviously a very discerning person with whom you want to agree. It really is better policy, however to try to explain why you think your fellow members voted the way they did, without putting them down.

Develop a policy manual. Bylaws are laws; resolutions are policy expressions. Every local government should have an agreed-upon policy manual so that you treat similar situations in a similar manner. One of the biggest frustrations you will find in local government is that we seem to spend 90 percent of our time on the smallest matters and 10 percent of our time on the most important matters. A policy manual can help reverse that.

Recognize that we are smack in the middle of a great consumer movement where government is concerned. People feel alienated because of their remoteness from government, so they look to the local level of government to become involved. They want a say in the decision-making process. Many grimace at the thought, because citizen's advisory groups are time-consuming and cumbersome. But they must be given a chance, encouraged, and made to feel that they have a role to play. Besides, they often are made up of people with expertise that would be expensive if you had to pay for it.

Know your community. This seems trite, but you must generally be aware of the physical, as well as the fiscal aspects of your locality. You should be in touch with the demographics that give important clues-income data, employment statistics, percentage of home ownership, minority percentages, religious affiliations, etc. Each community is unique and local leaders should be aware of the many facets of their communities.

Learn to disagree without being disagreeable. Words spoken in anger can hurt. They can't be taken back. There is no place in government for vindictive people who can't let bygones be bygones. Being terribly angry at other people is letting them control you and is a waste of time and energy.

There is an old saying that goes like this: “A politician looks ahead to the next election; a statesman looks ahead to the next generation.” When you start making decisions based on the next time you run for election, you have just compromised your effectiveness for your community. It is not bad politics to do what you perceive to be the right thing without worrying unduly about the political consequences.

Attend meetings and conferences. The Massachusetts Municipal Association and its affiliate members are a treasure of information and stands ready and able to help you with your questions.

It is important not only to always do the right thing, but also to give the appearance of doing the right thing. That may sound artificial and superficial, but there will be times when you will know what I mean. You will take great care to explain to the media or public why you did what you did

Some final thoughts: By now you are probably aware that local government has changed over the years. Historically, local governments provided those services considered absolutely essential, such as fire and police protection, streets, utilities, etc. The concept has changed, and now the public considers almost as essential parks, recreation, cultural arts, and human relations. Indeed, most of the things that directly affect our daily lives are based on decisions made by our local government’s fathers and mothers. Will we drive to work on good streets or pothole-ridden ones? Will our children have adequate parks near their homes, or will they play in the streets? Will we breathe clean air or smog? You cared enough about these concerns to offer yourself as a candidate and you were elected. I’ll bet you thought you were elected to a part-time job. Being a member of a governing body requires large amounts of study, preparation, investigation, and thought. You can’t turn it on for meetings and off for the rest of the week. Being a local official is an around-the-clock, 365-days-a-year transaction. You will find you can’t turn it off mentally. You are now a public person, one who got off the back side of his lap and decided to quit complaining about government and start doing something about it. Congratulations! You have ahead of you some of the most rewarding years of your life.

Excerpted from a talk given by Karen Graves with modifications. Reprinted with slight editorial changes

BOS Annual Workshop

- **Purpose - Goal setting, strategic planning, conflict resolution?**
- **Challenges**
 - **OPEN MEETING LAW**
 - Members run as individuals and now they are on a team
 - Lack of understanding about the role of the board
 - Different expectations
 - Not understanding how to deal with conflict
 - History and tradition - A dozen little things v the few important ones
 - Board is divided
 - One member is a jerk (or more)
 - Politics - election year
 - Accountability – If we have goals we will be responsible to achieve them
 - Easy to fall back to old ways
 - Turnover of board members
 - Fail to do it annually
- **Desired outcome**
 - Develop a short/long term game plan
 - Set expectations of Team
 - How is conflict handled among board members
 - How to handle conflict with TA?
 - Role of Board as Leaders and the “BIG PICTURE”
- **Setting**
 - A posted public meeting
 - Suggest that no votes take during workshop
 - Outside of Town Hall – senior center, library, other public building,
 - Time – either early evening or Saturday morning
Limited to 3 hours plus or minus
 - Round or square table if possible for the board, TA, Asst TA, and facilitator
–No citizen participation
 - Avoid Cable TV if possible
- **Do we use a facilitator? - It Depends**
 - Yes if it is the first time, new members, conflict among members or with TA, weak chair, just to make your life easier.
 - If you have stable board and have been doing a workshop annually you may just want to do it as a team.