

TOWN OF SALISBURY, CONNECTICUT

CODE OF ETHICS

I. STATEMENT OF PURPOSE

Public office is a public trust. The trust of the public is essential for government to function effectively. Public officials and public employees are expected to act on behalf of the Town of Salisbury as a whole rather than on behalf of their own private interests. Government service must be free from threats, favoritism, undue influence, and all forms of impropriety so that the confidence of the public is not eroded. This Code establishes the minimum ethical standards that public officials and public employees must observe. By adhering to this Code, public officials and public employees will avoid both actual and potential conflicts of interest, and the Town of Salisbury will maintain and increase the confidence of its citizens in the integrity and fairness of government.

II. DISTRIBUTION OF CODE

The Town Clerk shall distribute a copy of this Code of Ethics to every public employee and public official within 30 days of the Code's enactment. Each public employee and public official shall receive a copy before entering upon the duties of his or her office or employment and shall sign a receipt, which shall be returned to the Town Clerk and retained on file.

III. CODE OF CONDUCT FOR PUBLIC EMPLOYEES AND PUBLIC OFFICIALS

(1) No public employee or public official shall engage in or participate in any business or transaction, including outside employment with a private business, or have an interest, direct or indirect, that is (a) incompatible with the proper discharge of the employee's or official's responsibilities to the Town of Salisbury; or (b) which would tend to impair the employee's or official's independent judgment or action in the performance of the employee's or official's responsibilities.

(2) No public employee or public official shall solicit or accept any gift from any person who, to the employee's or official's knowledge, is interested in any pending matter within such individual's official responsibility. If a prohibited gift is offered, the employee or official shall refuse it.

(3) (A) A public employee or public official shall refrain from voting upon or otherwise participating in any matter on behalf of the Town of Salisbury if the employee or official, or a business with which he or she is associated, or a member of his or her

immediate family has a financial interest in the matter, including, but not limited to, the sale of real estate, material, supplies or services to the Town of Salisbury.

(B) If such participation is necessary and within the scope of the public employee's or public official's official responsibility, the employee or official shall, prior to such participation, provide a disclosure and then, immediately after such participation, provide written disclosure, both of which set forth in detail the nature and extent of such interest.

(C) Notwithstanding the prohibition in subparagraph (A) of this subdivision, a public employee or public official may vote or otherwise participate in a matter that involves a determination of general policy if the employee's or official's interest in the matter is shared with a substantial segment of the population of the Town of Salisbury.

(4) (A) Selectmen. A Selectman may appear on behalf of constituents before municipal agencies in the course of duties as a representative of the electorate or in the performance of public civic obligations.

(B) Selectmen and Employees. Notwithstanding paragraph (A) above, no Selectman and no public employee shall appear or represent, as an attorney or agent for or on behalf of any private person (other than himself or herself, a spouse or minor children, or adult companion living in the same household), before any municipal agency.

(C) Other Elected and Appointed Officials. No elected or appointed public official shall appear or represent, as an attorney or agent for or on behalf of any private person (other than himself or herself, a spouse or minor children, or adult companion living in the same household), before the municipal agency upon which he or she serves, nor any other board that has appellate jurisdiction over such agency. Such officials may appear as attorney or agent for others before other municipal agencies.

(5) No public employee or public official shall disclose confidential information concerning municipal affairs, nor shall a public employee or public official use such information for the financial benefit of the employee or official or others.

(6) No public employee or public official shall use or permit the use of municipally owned vehicles, equipment, facilities, materials or property for personal convenience or profit, except when such are available to the public generally or with written permission of the employee's department head.

(7) (A) No public employee or public official may use the employee's or official's position or office for the financial benefit of the employee or official, a business with which he or she is associated or a member of his or her immediate family.

(B) No public employee or public official or a business with which he or she is associated or a member of his or her immediate family shall enter into a contract with the Town of Salisbury unless the contract is awarded through a process of public notice, competitive quotes or competitive bidding (unless by majority vote of both the Board of Selectmen and Board of Finance, it is determined that such competitive processes are not in the best interest of the Town).

(8) No public employee or public official shall accept a fee or honorarium for an article, appearance or speech or for participation at an event in the employee's or official's capacity.

(9) No public employee or public official or member of such individual's immediate family or business with which he or she is associated shall solicit or accept anything of value, including, but not limited to, a gift, loan, political contribution, reward or promise of future employment based on any understanding that the vote, official action or judgment of the public employee or public official would be or had been influenced thereby.

(10) No public employee, public official or candidate for elected office of the Town of Salisbury shall: (a) engage in any activity for, or on behalf of, any political party while on municipal duty or within any period of time during which such person is expected to perform services for which such person receives compensation from the Town of Salisbury; (b) or utilize municipal funds, supplies, vehicles or facilities for the purpose of any activity for any political party.

IV. CODE OF CONDUCT FOR MUNICIPAL CONSULTANTS

(1) No paid consultant of the Town of Salisbury shall represent a private interest in any action or proceeding against the interest of the Town of Salisbury that is in conflict with the performance of said person's duties as a consultant.

(2) No such paid consultant may represent anyone other than the Town of Salisbury concerning any matter in which the consultant participated personally and substantially as a consultant to the Town of Salisbury.

(3) No such paid consultant shall disclose confidential information learned while performing the consultant's duties for the Town of Salisbury nor shall the consultant use such information for the financial benefit of the consultant or others.

V. CODE OF CONDUCT FOR FORMER PUBLIC EMPLOYEES AND FORMER PUBLIC OFFICIALS

(1) No former public employee or public official shall appear for compensation before any municipal board or agency in which the employee or official was formerly employed at any time within a period of one year after termination of the employee's or

official's service with the Town of Salisbury, unless such employment has been approved by a majority of that board or agency and the Board of Selectmen.

(2) For a period of two years after termination of the employee's or official's service with the Town of Salisbury, no former public employee or public official shall represent, for compensation, anyone other than the Town of Salisbury concerning any particular matter in which the employee or official participated personally and substantially while in municipal service.

(3) No former public employee or public official shall disclose or use confidential information acquired in the course of and by reason of the employee's or official's official duties for financial gain for himself or herself or others.

(4) No former public employee or public official who participated substantially in the negotiation or award of a municipal contract obliging the Town of Salisbury to pay an amount of one hundred thousand dollars or more or who supervised the negotiation or award of such a contract shall accept employment with a party to the contract other than the Town of Salisbury for a period of one year after such contract is signed.

VI. DEFINITIONS

(1) "Business" means any entity through which business for profit is conducted, including a corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization or self-employed individual.

(2) "Business with which he or she is associated" means a business of which a public official or public employee or a member of his or her immediate family is a director, officer, owner, employee, compensated agent or holder of stock which constitutes five percent or more of the total outstanding stock of any class.

(3) "Confidential information" means information, whether transmitted orally, electronically, or in writing, which is obtained by reason of the public position or office held and is of such nature that it is not, at the time of transmission, a matter of public record or public knowledge.

(4) "Financial interest or benefit" means any interest or benefit with a monetary value of one hundred dollars or more or which generates a financial gain or loss of one hundred dollars or more in a calendar year.

(5) "Gift" means anything of value, including entertainment, food, beverage, travel and lodging given or paid to a public official or public employee to the extent that consideration of equal or greater value is not received. A gift does not include:

- (A) A political contribution otherwise reported as required by law or a donation or payment as described and regulated in Chapter 155 of the Connecticut General Statutes;
- (B) Services provided by persons volunteering their time for a political campaign;
- (C) A commercially reasonable loan made on terms not more favorable than loans made to others in the ordinary course of business;

- (D) A gift received from:
- (i) an individual's spouse, fiancé or fiancée, or adult companion residing in the individual's household;
 - (ii) the parent, brother or sister of such spouse or such individual; or
 - (iii) the child of such individual or the spouse of such child;
- (E) Goods or services that are provided to the Town of Salisbury and facilitate governmental action or functions;
- (F) A certificate, plaque or other ceremonial award costing less than one hundred dollars; or the courtesies associated with normal business routine including meals, valued at less than twenty-five (\$25.00) dollars.
- (G) A rebate or discount on the price of anything of value given in the ordinary course of business without regard to the recipient's status;
- (H) Printed or recorded informational material germane to governmental action or functions;
- (I) Items of nominal value, not to exceed ten (\$10.00) dollars, containing or displaying promotional material;
- (J) An honorary degree bestowed upon a public official or public employee by a public or private university or college;
- (K) A meal provided at an event or the registration or entrance fee to attend such an event, in which the public employee or public official participates in said person's official capacity;
- (L) A meal provided in the home by an individual who resides in the Town of Salisbury; or
- (M) Gifts in-kind of nominal value not to exceed twenty-five (\$25.00) dollars tendered on gift-giving occasions generally recognized by the public including Christmas, Hanukkah, birthdays, the birth or adoption of a child, weddings, confirmations or bar or bat mitzvahs, provided the total accumulative value of such gifts from an individual in any calendar year do not exceed fifty (\$50.00) dollars.
- (6) "Immediate family" means any spouse, child or dependent relative or adult companion who resides in the individual's household.
- (7) "Individual" means a single human being.
- (8) "Town" means the Town of Salisbury, Connecticut.
- (9) "Official responsibility" means the direct administrative or operating authority, whether intermediate or final and whether exercisable personally or through subordinates, to approve, disapprove or otherwise direct government action.
- (10) "Person" means an individual, a business, corporation, limited liability company, union, association, firm, partnership, committee, club or other organized group of persons.
- (11) "Political party" means a political party or organization defined as a "major party" or "minor party" in Connecticut General Statutes 9-372.

(12) "Public employee" means a person employed, whether full or part time, by the Town of Salisbury.

(13) "Public official" means an elected or appointed official, whether paid or unpaid or full or part time, of or for the Town of Salisbury or any political subdivision thereof, including candidates for any such office.

(14) "Paid consultant" means a person, firm or corporation hired by the Town of Salisbury to provide services to the Town of Salisbury for a fee.

VII DISPOSITION OF ETHICS VIOLATIONS

(1) In their capacities as representatives of Salisbury town government, public officials and employees have the duty to honor this Code of Ethics by acting on behalf of the Town of Salisbury rather than acting in pursuit of their own private interests.

(2) (a) Public Employees. In the event of any alleged violation of the Code of Ethics by public employees, the responsible elected Town official shall investigate and resolve the matter through normal administrative and management processes. In resolving violations of the Code, the responsible official shall have the authority to retain legal counsel and such other professional assistance as will enable such official to investigate and resolve the matter.

(b) Appointed Officials. In the event of any alleged violation of the Code of Ethics by appointed public officials, the First Selectman or Board of Selectmen shall investigate and resolve the matter through normal administrative and management processes. In resolving violations of the Code, the responsible official(s) shall have the authority to retain legal counsel and other outside professional assistance as will enable such official to investigate and resolve the matter. The Board of Selectmen shall have the authority to remove from office any appointed public official, with or without cause, during the official's term.

(c) Elected Officials. Elected officials who violate the Code of Ethics are directly responsible and accountable to the voters and should be subject to the judgment of the voters at the next municipal election or sanctioned as provided by law.

(3) Any appointed municipal officer or employee who violates this Code may, commensurate with the severity of the violation, be censured, or removed from office, or, in the case of an employee, suspended or terminated from employment.

VIII EFFECTIVE DATE AND AMENDMENT

(A) This Code of Ethics is effective on June 7, 2013.

(B) This Code of Ethics may be amended by a Town Meeting.

IX ADOPTION CLAUSE

This Code of Ethics has been approved and adopted by the Town of Salisbury at a Town Meeting called to approve the same on May 3rd, 2013.
This Code of Ethics is a public record and is filed in the offices of the Town Clerk.

Dated at Salisbury, Connecticut, this 7th day of June, 2013.