

Policy Regarding Conflicts of Interest and Ethical Conduct
For the Town of Strafford
March 2025

Article 1. Authority. Under the authority granted in 24 V.S.A. § 2291(20), the Town of Strafford, through its Select Board, hereby adopts the following policy concerning conflicts of interest and ethical conduct.

Article 2. Purpose. The purpose of this policy is to ensure that the business of this municipality will be conducted in such a way that no public officer, agent, or employee of the municipality will gain a personal or financial advantage from his or her work for the municipality, so that the public trust in its officers will be preserved and to ensure that all members of the municipality are treated equitably. It is also the intent of this policy to ensure that all decisions made by public officers, agent, or employees are based on the best interests of the municipality.

Article 3. Application. This policy applies to all employees, and individuals elected or statutorily appointed to perform executive, administrative, legislative, or quasi-judicial functions of the Town of Strafford.

Article 4. Definitions. For the purposes of this policy, the following definitions shall apply:

A. Conflict of interest means any of the following:

1. A real or seeming incompatibility between a public officer, agent, or employee's private interests and their public or fiduciary interests to the municipality they serve. A conflict of interest arises when there is a direct or indirect personal or financial interest of a public officer, agent, or employee or a person or group closely tied with the officer including their spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, sibling of their parent, sibling-in-law, business associate, or employer or employee in the outcome of an official act or action, or any other matter pending before the officer or before the public body in which the public officer, agent, or employee holds office. A conflict of interest may take any of the four following forms:
 - a. A direct financial conflict of interest arises when a public officer, agent, or employee acts on a matter that has a direct financial impact on that officer.
 - b. An indirect financial conflict of interest arises when a public officer, agent, or employee acts on a matter that has a financial impact on a person or group closely tied to the officer.
 - c. A direct personal conflict of interest arises when a public officer, agent, or employee acts on a matter that has a direct impact on the officer in a non-financial way but is of significant importance to the officer.
 - d. An indirect personal conflict of interest arises when a public officer, agent, or employee acts on a matter in which the officer's judgment may be affected because of a familial or personal relationship or membership in some organization and a desire to help that person or organization further its own interests.
2. A situation where a public officer, agent, or employee has publicly displayed a prejudgment of the merits of a particular quasi-judicial proceeding. This shall not apply to a member's particular political views or general opinion on a given issue.
3. A situation where a public officer, agent, or employee has not disclosed ex parte communication related to a quasi-judicial proceeding that is before the body to which that officer belongs.

K. **Public officer, agent, or employee** means a person elected or statutorily appointed to perform executive, administrative, legislative, or quasi-judicial functions for the municipality. This term does not include municipal employees.

L. **Quasi-judicial proceeding** means a case in which the legal rights of one or more persons who are granted party status are adjudicated, which is conducted in such a way that all parties have opportunities to present evidence and to cross-examine witnesses presented by other parties, and which results in a written decision, the result of which is appealable by a party to a higher authority.

Article 5. Prohibited Conduct.

- A. A public officer, agent, or employee shall not participate in any official act or action if they have a conflict of interest, whether real or perceived, in the matter under consideration.
- B. A public officer, agent, or employee shall not personally – or through any member of their household, business associate, employer or employee – represent, appear for, or negotiate in a private capacity on behalf of any person or organization that has an interest in an official act or action pending before the public body in which the public officer, agent, or employee holds office.
- C. A public officer, agent, or employee shall not accept gifts or other offerings for personal gain by virtue of their public office that are not available to the public in general.
- D. A public officer, agent, or employee will not request or accept any reward, gift, or favor for taking an official act or action or advocating for or against an official act or action.
- E. A public officer, agent, or employee shall not use resources unavailable to the general public – including but not limited to municipal staff time, equipment, supplies, or facilities – for private gain or personal purposes.
- F. A public officer, agent, or employee who is a member of a public body shall not give the impression that they have the authority to make decisions or take actions on behalf of that body.
- G. No town officer shall, while engaged in the discharge of their obligations as a town official, engage in Discrimination or Harassment of others on the basis of a Protected Class, as defined above.

Article 6. Disclosure. A public officer, agent, or employee who, while serving on a public body, may have a conflict of interest, whether real or perceived, in a matter under consideration by that public body shall, prior to taking an official act or action or participating in any official act or action on the matter, publicly disclose at a public meeting or public hearing that they have an actual or perceived conflict of interest in the matter under consideration and disclose the nature of the actual or perceived conflict of interest. Alternatively, a public officer, agent, or employee may request that another public officer, agent, or employee recuse themselves from a matter due to a conflict of interest, whether real or perceived.

Article 7. Consideration of Recusal. Once there has been a disclosure of an actual or perceived conflict of interest, other public officers, agent, or employees shall be afforded an opportunity to ask questions or make comments about the situation. If a previously unknown conflict is discovered during a meeting or hearing conducted by a public body of the municipality, the public body shall take evidence pertaining to the conflict and, if appropriate, adjourn to an executive session to address the conflict.

B. Enforcement Against Appointed Officers. The Town of Strafford Select Board may choose to follow any of the steps articulated in Article 11A. In addition to or in lieu of any of those steps, the Select Board may choose to remove an appointed officer from office, subject to state law.

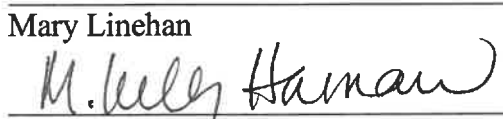
Article 12. Exception. The recusal provisions of Article 8 shall not apply if the Town of Strafford Select Board determines that an emergency exists or that actions of a quasi-judicial public body otherwise could not take place, except for the selection, award, or administration of a contract supported by a federal award. In the event of emergency not involving the award, or administration of a contract supported by a federal award, a public officer, agent, or employee who has reason to believe they have a conflict of interest shall only be required to disclose such conflict as provided in Article 6.

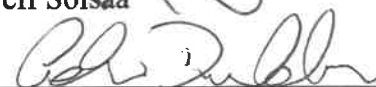
Article 13. Effective Date. This policy shall become effective immediately upon its adoption by the Town of Strafford.

Signatures:


Toni Pippy


Jeff Solsaa


Mary Linehan


Andrew Duncklee


Kelly Harman

Date: March 13, 2025