
TOWN OF LYMAN

Municipal Code of Ethics

SECTION 1: STATEMENT OF POLICY

The Town of Lyman is committed to the highest ethical standards and practices, protecting employees, partners, volunteers, elected and appointed officials, and the organization from unethical, illegal, or damaging actions and statements by individuals, either knowingly or unknowingly. When the Town of Lyman acts in an ethical manner, addresses issues proactively, and uses best business judgement and practices, it establishes a positive reputation and protects the interest of our citizens.

The proper operation of the Town requires that all Town officials whether elected or appointed, be impartial, equitable, and responsive to the needs of the people and each other in the performance of their respective functions and duties; that proper conduct of Town officials will promote public confidence in the integrity of government and ensure a culture of transparency, openness, fairness, and equity; that public office not be used for personal or financial gain or advantage; that the structure of government be used properly in decision and policy making. In recognition of these goals, this Code of Ethics is hereby established for all Town officials of elected office, appointed members of boards and committees, volunteers, and employees. All ethical policies that are created outside of this code of ethics shall be null and void.

SECTION 2: PURPOSE

The purpose of this Code of Ethics is to establish ethical standards of conduct expected of all Town elected officials, appointed members of boards and committees, volunteers, and employees by setting forth those acts or actions deemed to be in conflict or incompatible, or to create the appearance of impropriety, with the best interests of the Town of Lyman.

SECTION 3: RESPONSIBILITY OF PROPER CONDUCT AND COMMITTEMENT TO ETHICS

The Town of Lyman elected officials, appointed members of boards and committees, volunteers and employees will treat everyone with respect, fairness, promote a team environment, and will consistently avoid the intent and appearance of unethical or compromising practices. For the purpose of this code of ethics, "Town official" shall mean any elected, appointed, volunteer, or employee of the Town that in their capacity serve a role in the functions or business operations of the municipality or provide any such services related to municipal affairs.

- a. Every Town official needs to apply effort in maintaining ethical standards.
- b. Town officials shall treat each other with mutual respect and strive for a collaborative, team environment that enhances fairness, impartiality, and is responsive to the needs of the people they serve and each other in the performance of their duties.

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- c. Town officials must, at all times, disclose any potential conflict of interest that may arise regarding their position or duties with the Town.
 - d. Town officials will support the Town to increase its citizens, public, and vendor satisfaction by providing quality services.
 - e. Public office will not be used by any Town official for personal gain.
 - f. All Town officials will maintain a standard of conduct that will inspire public confidence and fortify the integrity of the Towns' government.
 - g. Decisions and policy making will be made within the proper channels of the Town government structure, and will uphold federal, state, and local law.

The Town will not tolerate any wrongdoing or impropriety at any time.

SECTION 4: TOWN MANAGER RESPONSIBILITY OF ADMINISTRATION

The Town Manager shall perform their duties with professionalism, civility, respect, and with the duty of avoiding impropriety whenever possible. With respect to the administration of the day-to-day affairs of the Town, the Town Manager shall conduct his/her duties to the extent possible:

- a. Affirm the dignity and worth of the services rendered by local government and maintain a constructive, creative, and practical attitude toward local municipal affairs and a responsibility as a trusted public servant.
- b. Conduct his/her official affairs in such a manner as to give a clear impression that they cannot be improperly influenced in the performance of their duties.
- c. Uphold and implement local policies adopted by the Select Board; and submit policy proposals to the Select board.
- d. Refrain from political activities, which undermine public confidence in the integrity of government.
- e. Uphold the duty to continually improve his/her professional ability and to develop the competence of associates in the use of management techniques.
- f. Emphasize friendly and courteous service to the public and seek to improve the quality and image of public service.
- g. Handle all matters of personnel on the basis of merit so that fairness and impartiality govern decisions pertaining to appointments, pay adjustments, promotions, and discipline. Concerns of employee performance should only be made directly with the affected individuals through private conversation.
- h. Uphold all sections of this code of ethics as well as the International City/County Management Association Code of Ethics.

SECTION 5: DISCLOSURE OF CONFIDENTIALITY

No Town official shall, to the detriment of the Town, disclose confidential information concerning the property, government or affairs of the Town; nor shall he or she use such information for the advancement of their own financial, special, or private interests or the financial, special, or private interest of others. Information received and discussed during an executive session of any Town agency called pursuant to

1 M.R.S.A § 405 et seq. shall be considered within the constraints of this section and shall not be disclosed to any third party unless permitted by an affirmative vote of such body. For the purpose of this section, the term “Confidential information” shall mean any information, oral or written, that comes to the attention of, or is available to a Town Official only because of their position with the Town and is not a matter of public record.

SECTION 6: GIFTS AND FAVORS

The conduct of public business shall be free of any influence arising from gifts, favors, donations, or special privileges. It is the obligation of all Town officials to refuse personal gifts, favors, donations, or special privileges in every instance where favor or special privilege would not have been extended but for the position of such Town official; where there exists a reasonable belief that the giver’s interests are likely to be affected by the actions of the Town official; or where the gift is or may reasonably be considered to be designed to influence the actions of the Town official.

This does not prohibit the following:

- a. The acceptance of gifts or social courtesies related to a family relationship or friendship between the Town official and the donor, which are not designated to influence the proper judgement or action of the Town official in a matter within his/her authority.
- b. Public, government-sponsored or informational events, generally accepted as a condition of office, where refreshments are served or other sponsored gifts are provided, which are not designed to influence the proper judgement or action of the Town official in a matter within his/her authority.
- c. “De Minimis” Things of Value, which shall initially be defined as Things of Value that do not exceed \$25 in total value.
- d. Gifts associated with holidays or special events to the extent that such gifts are made available and/or shared with all employees in a department/office. Gifts made available for the purpose of customary performance, merit awards or honorariums, consistent with municipal practices. Nor shall it extend to reasonable gifts made to employees to recognize their service at time of retirement or separation.
- e. Political contributions received in compliance with law.

In determining whether a violation of this section has occurred, the following may be taken into consideration: the monetary or pecuniary value of the Thing of Value received; the act and/or item that constitutes the Thing of Value; any special economic value the Thing of Value received may have to the recipient; and the circumstance of which the Thing of Value was receive.

For the purpose of this section, “Thing of Value” shall mean any gift, favor, service, loan, event, promise, or other thing of value.

SECTION 7: INCOMPATIBLE EMPLOYMENT

No Town official shall engage in or accept private employment or render or sell services or goods for private interests when such employment or services is incompatible with the proper discharge of his/her official duties.

SECTION 8: CONFLICT OF INTEREST

All Town officials must be fair and impartial in carrying out their duties and responsibilities. All Town officials must ensure that their official actions are not intended to create actual or the potential for personal or financial gain, either directly or indirectly, for themselves, family members, personal friends, or other related parties. Any actual or potential conflicts between personal interests and Town business must be fully disclosed in a timely manner. If it is determined that a conflict of interest does exist, the Town official shall recuse themselves from officially participating in any discussion or decision-making action on the issue. For the purpose of this section, the Table of Consanguinity in Appendix A outlines the degrees of relationships in conflict with each other.

SECTION 9: POLITICAL ACTIVITIES

No Town official shall participate in any political activity that would be in conflict or incompatible with the performance of their official functions and duties for the Town. No Town official may use their official authority or position for the purposes of influencing, interfering with, or affecting the results of any election, nor shall they solicit or accept funds or contributions during the workday from other Town officials for political purposes. Nothing herein shall prohibit any Town official from participating in the political process in their capacity as a private citizen or as candidates for elected office.

SECTION 10: USE OF TOWN PROPERTY

No Town official shall use or authorize others to use Town-owned property, including but not limited to, motor vehicles, equipment, and buildings for any private purposes. Nothing herein shall prohibit the use of Town-owned property for the following:

- a. The purpose of Town business.
- b. For purposes and on terms generally available to other persons.
- c. In accordance with a contract of employment with the Town in which the use of such property is part of the compensation or a term of employment.

SECTION 11: SOCIAL MEDIA POLICY

Town officials are responsible for their conduct on social media platforms and, in matters of the Town, shall refrain from defamatory, offensive, libelous or slanderous conduct that adversely affects any Town officials job performance or duties, suppliers, vendors, or contractors who work on behalf of the Town or conduct legitimate business for the Town; and shall not violate any section of this code of ethics, including but not limited to, section 5.

Town officials should have the utmost regard in the professional representation of the Town and its functions and shall conduct themselves in a manner that promotes civility, rectitude, competence, and respectability whether on any form of social media or other media exchanges, including but not limited to, emails, direct mail, flyers, websites, newspapers, social platforms, internet communities, or other types of publications. No Town official shall engage in any media forum exchanges while in the capacity of his/her

official duties. Nothing herein shall prohibit any Town Official from engaging in any media forum in their capacity as a private citizen.

SECTION 12: VIOLATIONS OF CODE OF ETHICS

Town officials have an affirmative obligation to report all suspected violations of this code of ethics. Reporting violations shall follow the Town's whistleblower and protection reporting policy.

Violations of this code of ethics, including failure to report violations of others, may result in disciplinary action, up to and including removal of appointment or termination of employment, in accordance with the disciplinary procedures outlined in the personnel policy.

SECTION 13: STATUTORY STANDARDS

There are certain provisions of the general statutes of the State of Maine which, while not set forth herein, should be considered an integral part of this Code of Ethics. Accordingly, the provisions of the following sections of general statutes of the State of Maine, as may be amended, are hereby incorporated in this Code of Ethics by reference to the extent applicable.

- 17 M.R.S.A § 3104, Conflicts of interest; purchase by the State.
- 17 M.R.S.A § 456, Tampering with public records or information.
- 17 M.R.S.A § 602, Bribery in official and political matters.
- 17 M.R.S.A § 603, Improper influence.
- 17 M.R.S.A § 604, Improper compensation for past action.
- 17 M.R.S.A § 605, Improper gifts to public servants.
- 17 M.R.S.A § 606, Improper compensation of services.
- 17 M.R.S.A § 607, Purchase of public office.
- 17 M.R.S.A § 608, Official oppression.
- 17 M.R.S.A § 609, Misuse of information.
- 17 M.R.S.A § 903, Misuse of entrusted property.
- 17 M.R.S.A § 504, Persons ineligible to serve.
- 17 M.R.S.A § 2605, Conflicts of interest.
- 17 M.R.S.A § 5122, Interests of public officials, trustees, or employees.

SECTION 14: SEPARABILITY

If any section, subsection, sentence, clause, or phrase, of this Code of Ethics is for any reason held to be invalid or unconstitutional, such validity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this code of ethics.

SECTION 15: AMENDMENT

This Code of Ethics may be amended or revised by a majority vote of the Town of Lyman Select Board.

SECTION 16: DEFINITIONS

Appointed Official: Anyone appointed to a board or committee to perform duties in the capacity of that board or committee.

Employee: An individual working for the Town on a permanent or temporary basis drawing wage or a stipend from the Town.

Financial Interest: A direct or indirect interest having monetary or pecuniary value, including, but not limited to, the ownership of shares of stock.

Immediate Family: Spouse, children, parents, siblings, including step, half, and in-law relations, a domestic partner of a Town official, or persons sharing the same household and intermingling financial assets with a Town official.






Special Interest: Any interest which will allow some form of personal gain, usually pecuniary in nature.

Town Official: Any elected, appointed, volunteer, or employee of the Town that in their capacity serve a role in the functions or business operations of the municipality or provide any such services related to municipal affairs.

Volunteer: Anyone conducting specific business and/or duties on behalf of the Town as delegated by the Town Manager or Select Board either on a temporary or permanent basis and does not receive wage or stipend from the Town.

Adopted: August 21, 2023

Amended:

	Ralph "Rusty" Blackington - Chair
	Thomas Hatch – Vice Chair
	Jessica Picard
	Amber Swett
	Victoria Gavel

A Majority of the Board of Selectpersons

Lyman, Maine

APENDIX A

TABLE OF CONSANGUINITY

Showing degrees of relationships

