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# TOWN OF LYMAN

## Select Board Code of Conduct

### 1. Purpose

This Code of Conduct is designed to describe the manner in which Select Board members should treat one another, Town employees, appointees, constituents, and others they come into contact with in representing the Town of Lyman. It reflects the work of the Lyman Select Board with defining more clearly the behavior, manners, rules of order, and courtesies that are suitable for various occasions. All members of the Select Board have equal votes, and all should be treated with equal respect. Board members shall demonstrate civility and respect at all times and shall not use their elected position for personal gain, for that of themselves or others, or for any conduct of a self-serving nature. The Select Board serve in their capacity as representatives of Lyman and shall endeavor to work for the benefit of the citizens and of the Town.

### 2. Board Meetings

**Board Meetings** will be held at the Town Hall unless otherwise designated by the Chair or Vice Chair. A suitable alternative location that meets the needs of public attendance will be designated as needed. All meetings are open to the public, except under such provisions of executive session Title 1 M.R.S.A §405 et seq.

**Presiding Officer:** The Chair shall be the presiding officer during Board meetings. In the absence of the Chair, the Vice Chair shall be the presiding officer. In the absence of the Chair and Vice Chair, the next senior Board member shall preside. For the purpose of this section, a senior Board member shall be defined as a Board member currently serving the longest, consecutive term of all other Board members present.

**Agendas:** will be prepared by the Town Manager and approved by the Chair or Vice Chair before being posted. All reports, communications, resolutions, documents or other matters to be submitted to the Board shall be delivered to the Town Manager's Office by Thursday before noon prior to the regular meeting for consideration at that meeting and following the approval of the Chair or Vice Chair. In matters of extenuating circumstances, where items not on the agenda are brought to the Board, then the Board shall have discretion by a majority vote to consider the item and the reason for the extenuation shall be recorded and documented in the minutes. No votes or decisions shall be taken on any items or topics not on the agenda and such items shall be tabled and placed on the next agenda for continued consideration.

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**Executive Sessions:** The Board may only enter into executive session by a majority (3/5) vote of the Board. No orders, rules, resolutions, regulations, contracts, appointments, or other official action shall be finally approved during executive sessions. Any discussion of matters in executive session shall not be shared outside of the executive session.

### 3. Conduct of Public Meetings

**Decorum and Order:** All comments and questions shall be directed to the Chair or otherwise presiding officer of the meeting. A public member who wishes to address the board may do so during public comment or if called upon by the Chair or presiding officer.

The Chair or presiding officer has the right to prohibit public comment that is disorderly, inappropriate, offensive, disruptive, or threatening in any way. Any Select Board member has the right to call a point of order requesting the Chair or presiding officer to take corrective action of any disorderly conduct. Side conversations, whispering, or other distractions should be addressed by the Chair or presiding officer, to maintain order and limit disruptions.

Any persons who disrupt a Board meeting may be required to leave in order to permit orderly consideration of the matter for which the meeting was called. If the Chair or presiding officer requests any persons to leave and they do not do so, any member of the Board may call for an adjournment. In the event of an early adjournment, all remaining items not addressed will be tabled to the next meeting unless the Chair determines to hold an additional meeting sooner.

Matters pertaining to the day-to-day operations of the Town, that is not specifically on the agenda, should be redirected to the Town Manager. This is to help aid residents or any interested party in obtaining information being requested and limit time constraints on Board meetings.

**Practice Civility and Professionalism in Discussions and Debate:** Select Board members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings. They shall demonstrate effective problem-solving approaches to find common ground and seek compromise when disparate points of view are expressed.

**Confidentiality of Executive Sessions:** Select Board members must take care to preserve the confidentiality of information received or discussed in duly-called executive sessions. Information received or discussed in a duly-called executive session shall not be discussed with or communicated to members of the public, the press, or other persons (except Town employee(s) as needed in connection with the item concerned), unless disclosure is approved by a majority of the Select Board and is not prohibited by applicable Maine or federal law; or as may be required by court order, subpoena, or litigation discovery request.

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#### 4. Select Board Conduct with Town Employees

**Developing Effective Working Relationships:** Firsthand information obtained from random and carefully planned observation of Town activities can be useful in providing proper oversight of the Town's activities and responsibilities. However, too frequent involvement in Town administrative activities or overzealous pursuit of information can undermine the efficiency and effectiveness of the Town Manager and other properly appointed department heads and supervisors. Therefore, Select Board members shall not stop, disrupt or unduly preoccupy any Town employee in the proper conduct of their activities, nor shall Select Board members excessively occupy any Town employee's personal working space such that their presence interferes with the proper and efficient conduct of their duties.

The Board subscribes to the concept that effective working relationships between Board members and the Town Manager are based on a clear understanding of respective roles, responsibilities and an appreciation for the value of constructively working through differences. Both the Board and the Manager should additionally embrace the goal of working together as associates with a common purpose without stifling independent thinking.

To that end, Select Board members should adhere to the following:

- Treat all employees with mutual respect, demonstrate clear and honest communication, and promote professionalism among the workplace.
- Limit contact to specific personnel. Requests for follow-up or directions to employees should be made only through the Town Manager. When in doubt about what employee follow-up or directions are appropriate, Select Board members should ask the Town Manager for direction.
- Do not disrupt Town employees from their jobs. Select Board members should not disrupt Town employees while they are in meetings, on the phone, or when performing their respective functions in order to meet the needs of an individual Select Board member.
- Never publicly criticize a Town employee. Critical comments about an employee's performance should be made only to the Town Manager and in confidentiality.
- Demonstrate the same mutual respect and limited interference, as outlined for employees, for Volunteers serving on boards, committees, and commissions.

#### 5. Select Board Conduct with the Public

**Make no promises on behalf of the Select Board or the Town:** Select Board members may be broached on topics or issues pertaining to Town Business as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Town policy and to refer to the Town Manager for further information. It is inappropriate to overtly or implicitly promise Select Board action, or to promise Town employees will take specific action.

**Potential Access of Written Notes, Voicemail/Text Messages, and e-mail:** Freedom of Access laws describe public access to Town communications; written, voice, or electronic

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communication. Any Select Board members' communications should recognize potential access and evaluate communication with an exception of public dialog.

It is important Select Board members know that any written, electronic or digital communication pertaining to Town business is public record under Maine law, if the communication is one that is stored in a retrievable form, regardless of the device used to send, receive or store the communication. Furthermore, all Select Board members are expected to adhere to all rules governing in accordance with the Maine State Archives Local Government Record Retention Schedules.

## 6. Response to Violations of Select Board Code of Conduct

Select Board members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Select Board. Serious infractions of the Code of Conduct could lead to other sanctions as deemed appropriate by the Select Board. Board members should point out to the offending Select Board member infractions of the Code of Conduct.

## 7. Amendment

These rules may be amended by a majority vote of the Board. An amendment must be submitted in writing at a preceding meeting and shall be placed on the next agenda under the order of new business.

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This Select Board Code of Conduct was adopted by a majority of the Lyman Select Board on this 7<sup>th</sup> day of MARCH, 2024

**Adopted:**

**Amended:**

  
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Ralph "Rusty" Blackington - Chair

  
\_\_\_\_\_  
Thomas Hatch – Vice Chair

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Jessica Picard

  
\_\_\_\_\_  
Amber Swett

  
\_\_\_\_\_  
Victoria Gavel

A Majority of the Board of Selectpersons

Lyman, Maine