

# Town of Auburn, Massachusetts

Julie A. Jacobson  
Town Manager

## Board of Selectmen

Kenneth A. Holstrom, Chairman  
Daniel S. Carpenter, Vice Chairman  
Doreen M. Goodrich  
Lionel R. Berthiaume  
Tristan J. Laliberte

Section 100

## BOARD OF SELECTMEN POLICY

### CODE OF CONDUCT

#### Introduction

The undersigned members of the Board of Selectmen adopt this Code as a guide to inform and govern our behavior toward each other, and toward town employees and volunteers, other government officials, and the citizens, businesses and taxpayers of Auburn. We have been elected by the citizens of Auburn to collectively exercise the powers and duties conferred upon us by the constitution and general laws of the commonwealth and by the Town Charter, except for authority assigned to another board, committee or individual. In the exercise of our authority, we commit ourselves to the faithful execution of the laws of the Commonwealth and the Charter of the Town and to the implementation of Town Meeting decisions. We will strive to conduct ourselves in a collegial and professional manner, mindful that our guiding principle is to act in the best interests of the town after thorough preparation and careful consideration of relevant facts and circumstances, and mindful also that there may be good faith disagreements over where the best interests of the town may lie within any decisions. We will strive to be the standard bearers of civil and productive discussion in our local governance. In addition to complying with the laws and regulations governing our office, including the letter and spirit of the State's Ethics Laws and Regulations, we will abide by this Code of Conduct. This policy shall be reaffirmed annually following each year's organizational meeting.

**Definitions and Applicability.** As incorporated in this Code of Conduct:

- The term "the board" and "the Selectmen" shall apply to the Board of Selectmen
- The term "member" shall apply to an individual of the Board of Selectmen
- The term "official" shall apply to a Board of Selectmen member or a member appointed by the Board of Selectmen or the Town Manager.
- All members of the board are subject to this policy.
- All commission, committee and board members appointed by the Board are subject to this Code of Conduct.

**Standards of Civility.** We acknowledge that as individual members and as a Board, our conduct influences the tone of discussion and debate on the issues before the town. We will treat each other, town employees, town volunteers, and members of the general public with courtesy and respect. We subscribe to the tradition of our Town Meeting that "no speaker will be allowed to indulge in personalities and must confine his or her remarks to the matter before the meeting." Personal attacks have no place in public debate in Auburn and we will not engage in nor condone

such conduct or permit such personal attacks to occur at our meetings. We will likewise expect all town employees, committees and boards who attend our meetings to treat people with courtesy and respect.

**Exercise of Board Authority.** The authority of the Board can only be exercised as a Board. We will conduct the business of the town in a manner that is inclusive, transparent and professional. Except for matters properly taken up in executive session, all decisions of the Board will be made in public. We will consider carefully the views expressed by each member of the Board and by those who appear before us and participate in our public hearings and meetings, mindful that we are not infallible and that the townspeople justifiably expect us to bring our collective, informed judgment to bear on the issues that come before the Board. We each represent the entire community and will strive to exercise our authority in the best interests of the town. Nothing in this policy shall be construed to limit an individual board member's right to express their opinion before or after a vote. Nothing in this policy shall prevent a member from joining any organization for or against a proposal. No individual member can or should speak for the Board as a whole unless authorized to do so by the Board, nor should a member suggest or imply that the member speaks for the Board in the absence of authority to do so. Once a decision of the Board has been made, we will abide by that decision regardless of our individual vote until and unless the decision is rescinded, set aside or amended.

We will strive to create an environment in which all committees and boards under the supervision of the Selectmen, or upon which a member of the Board may serve, are encouraged to exercise their best judgment in carrying out their charge or responsibility.

**Conducting Town Business.** We will abide by the Open Meeting Law and regulations and see that those requirements are communicated to and followed by all boards and committees within our supervision. In addition, we will adopt procedures to inform individuals serving the town at the request of the Board about the ethics and open meeting laws as well as our expectations for their service consistent with this Code.

We will post our meeting agendas in a timely fashion and in full compliance with the Open Meeting Law so that the public is informed of the matters to be considered at our meetings, the votes that may be taken, and whether we will enter and/or return from an executive session. We will be responsive to requests from the public for information to which the public is entitled and will post relevant public data on our website. We will endeavor to communicate openly and honestly and work together on the business of the town.

**Relations with Town Manager and Other Town Employees.** The Board has previously voted to implement the Town Charter setting forth Town Meeting's expectation about the delegation of authority to the Town Manager. We will oversee and evaluate the performance of the Town Manager and work cooperatively with him or her on the business of the town. We will set policy objectives, while respecting the Town Manager's responsibility to administer and supervise town departments. We understand that our role is primarily one of policy-making and general oversight of the town's executive branch, not one of day-to-day administration of the activities of town boards, departments, and employees. We will set policy goals for the Board of Selectmen annually and will undertake, direct, supervise, and delegate steps among the members of the Board to implement those goals as appropriate. We will establish sound, clearly defined policies

so that town administration and the public are well informed as to the Board's expectations within their authority under the current Town of Auburn Charter (As Amended in May 2009).

We will respect and support the administrative chain of command. An individual member cannot make decisions for the Board, so we must work as a group to marshal the resources of the town to address citizens' concerns and needs. In practice, this means that in the event an individual member has a question or receives a complaint, question or concern from citizens or others, we will work with the Town Manager to get answers to our questions. Frequently, it may be the Town Manager who responds on behalf of the Board to the public about complaints and concerns.

Members shall communicate directly with the Town Manager or Assistant Town Manager and not with department heads or employees on matters including town business. Individual members will not order specific actions or the expenditure of town resources or deployment of town employees because such instructions may be issued only by the Town Manager or by vote of Town Meeting as appropriate. Board members shall work through the chain of command, specifically through the Town Manager or Assistant Town Manager, to enlist the support and skills of town employees in addressing the needs of the community. Since it is important for all of us to be fully informed on matters affecting the town, we will (subject to any applicable confidentiality restriction) individually and as a Board share relevant information we have obtained ourselves or received from other sources with the Town Manager and the Town Manager will likewise keep members of the Board informed.

As provided by the Auburn Charter the Town Manager has the authority for the general administration of town departments and specifically for the hiring, supervision, discipline and termination of all town employees except those hiring and termination decisions reserved to the Board under the Charter.

We recognize the division of authority and we will support and cultivate an environment of professional growth within all town departments. We understand that town employees work for the Town and not for the Board. We further understand that the staff of the Selectmen's Office provides support to the Board as a whole. We will treat all employees as professionals, with clear, honest communication that reflects respect for the employee's abilities and experience and the dignity of the individual.

**Relations with Media.** Besides the Chairperson who may need to explain existing board policies, individual members will refrain from communicating the position of the Board to reporters or any media source unless the full Board has previously agreed on both the position and the language of the statement.

**Relations with Members of the Public.** We encourage the public to communicate to us their questions, comments, constructive criticism, and suggestions about all aspects of town government and about our individual and collective performance. We suggest that with respect to specific operational concerns, citizens initially communicate directly with the Town Manager or with the Assistant Town Manager. In the event the matter is not addressed satisfactorily, a citizen should feel free to communicate with the board or an individual selectman. Members will ordinarily field such complaints by asking the Town Manager for a report (except for issues involving the Town Manager personally, which will be dealt with pursuant to town personnel policies), with any additional investigation to be determined in the discretion and within the

authority of the Board. We will develop a protocol with the Town Manager to receive complaints, questions or concerns from the public. That protocol shall include an expectation that all members of the Board be informed of significant issues, that the Town Manager set out a timeline for a response, and that each Board member be informed of the resolution or response in accordance with the established protocol. We intend to be responsive and accountable for our stewardship of the town and welcome all information, advice, and commentary that will assist us in fulfilling the responsibilities of our office.


**Conclusion**

It is truly a privilege to serve as a member of the Board of Selectmen for the Town of Auburn. You, the citizens of the town, have placed your faith in us to serve in the best interests of the entire community. This Code is an expression of our expectations of one another and serves as our promise to you that we will strive to the best of our abilities to fulfill our duties as a Board in accordance with the highest standards of governance set by our predecessors since the founding of Auburn in 1778.

Signed,

  
Chairperson of the Board of Selectmen

8 / 29 / 2018  
Date

  
Vice Chair of the Board of Selectmen

8 / 29 / 2018  
Date

  
Member of the Board of Selectmen

9 / 4 / 2018  
Date

  
Member of the Board of Selectmen

9 / 10 / 2018  
Date

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Member of the Board of Selectmen

/ /   
Date