



Telephone (603) 673-8855
Fax (603) 673-8136

TOWN OF BROOKLINE, NEW HAMPSHIRE

P.O. BOX 360 – 1 Main Street
BROOKLINE, NH 03033-0360

<http://www.brooklinen nh.us>

Town of Brookline Code of Conduct *Elected and Appointed Officials*

It is the desire of the Town of Brookline to operate in a manner that demonstrates the highest level of professionalism and public service and to avoid all circumstances, which may create the appearance of impropriety or otherwise undermine this stated objective. Accordingly, all members of the Selectboard, Planning Board, Zoning Board of Adjustment, Board of Assessors, Conservation Commission, Recreation Commission, all other members of Boards, Commissions or Committees established by the Town of Brookline (hereinafter "Officials"), shall conduct all business of the Town of Brookline in accordance with this policy.

Officials

All elected and appointed Officials must take all reasonable steps to instill confidence in the general public that their votes, actions and/or decisions are unbiased and are based solely upon merits of the matter and the materials and/or evidence presented. Accordingly, Officials shall recuse themselves from acting on any matter in which they cannot be impartial. To this end, Officials shall avoid acting on matters in which they are biased, have preconceived points of view, have direct interest in the outcome or under circumstances where they have prejudged the issue at hand. This is not to say Officials acting in such capacity cannot have predisposed views about public safety, public works or other interests/concerns. Similarly, Officials may have some background knowledge and general familiarity with the facts, parties and/or circumstances. It is sufficient if the Official can lay aside his/her personal impressions or opinions and render an unbiased decision based on the merits of the matter and the materials and/or evidence.

Code of Conduct

Officials shall anticipate and avoid incidents of potential conflict, or the appearance of conflict, when a matter comes before them that involves a spouse, significant other, close family member, friend or partner and to refrain from participating in any discussions or taking any action with regard to such a matter. Similarly, Officials shall anticipate and avoid incidents of potential conflict, or appearance of conflict, when a matter that comes before them involves a supplier, business associate, prospective customer/client, under circumstances where the Official may ultimately receive some pecuniary gain, employment, advantage, contract or favor as a direct result of, or in exchange for, any actions or inaction in their capacity as a Town Official. Any such gain must be immediate, definite or the gain must be of the type or magnitude that would influence individuals of ordinary capacity, intelligence and means. Other Officials and Town Employees are encouraged to raise questions of potential conflict in public or nonpublic session as the situation warrants.

Business Transactions

No Official shall have any direct personal or pecuniary interest in a contract or transaction with the Town of Brookline, nor shall they directly furnish any equipment, goods, materials or supplies to the Town of Brookline in exchange for any form of pecuniary gain, compensation or benefit, except as otherwise permitted by this Code. In the event an Official obtains employment with, or an interest in, any company or business which furnishes goods or services to the Town of Brookline, the Official must declare their interest to the Selectboard, through the Town Administrator, and refrain from recommending, debating, discussing, acting or ultimately voting on a question of contracting with the business or company. After such disclosure is made, the Selectboard shall determine, in public session, whether it is in the best interests of the Town to continue the contracting with such business or company. Ultimately, the determination of whether to continue the contractual relationship will be determined based upon whether continuation of the relationship creates the appearance of impropriety or a conflict of interest.

Misuse of Information

No Official shall utilize or dispense information gained through their official capacity in a manner that gives them any type of personal profit or pecuniary gain not otherwise available to members of the general public. Similarly, Officials shall not share such information with family members, significant others, partners, clients, customers, friends, business associates or members of the general public in exchange for any pecuniary gain, interest, employment, personal advantage or contract. This provision shall not apply to information that has already been made part of the public record.

Nepotism - Selectboard

Once a member of the Town of Brookline Selectboard has been elected, members of his/her immediate family, including father, mother, brother, sister, wife, husband, significant other, son, daughter, son-in-law, daughter-in-law, sister-in-law, brother-in-law shall not, thereafter, be hired by the Town of Brookline so long as the Selectboard member serves on the Board. However, this policy shall not prevent the immediate family member of a Town Employee from running for the Selectboard. Further, once elected the preexisting Town Employee may continue to retain his/her employment with the Town.

Collection of Fees or Gifts

No Official shall collect any fees, salaries, favors or other payments in exchange for work performed within their scope of official duties, except as provided by ordinance or State law. No Official shall solicit or accept any employment, fee, gift, favor or gratuity that could, in any manner, be construed to affect, influence, diminish or impair the performance of his/her official duties. This shall include referral fees, finder's fees, commissions or other miscellaneous kickbacks. Similarly, no Official shall be involved in contracting with any vendor under circumstances where the Official will personally receive in exchange for any such purchase any pecuniary gain, free gifts, favors, commissions, employment, kickbacks, discounts on subsequent personal purchases or any other incentives that do not directly benefit the Town of Brookline. This provision shall not be construed to prohibit Officials from accepting any bonafide incidental gift (less than \$25 value), community award or recognition. Similarly, this provision does not prevent Officials from recognizing each other through the exchange of incidental holiday or other gifts, awards, plaques, trophies or retirement presents.

Appeal and Public Review

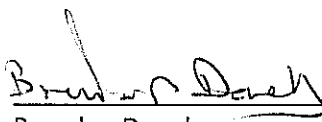
In the event of a situation or circumstance that may not meet the requirements of this Code, the involved party shall notify the Selectboard, through the Town Administrator, about the matter on a timely basis. The Selectboard will then review the matter, in public session, to determine if the situation or circumstance is permitted, prohibited or warrants some modification or conditions.

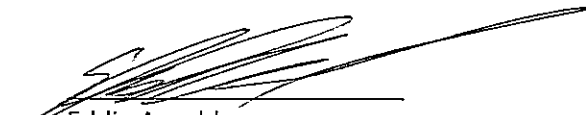
Violations

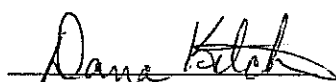
Violations of this Code undermine the confidence that the general public has in Town government. The Town must operate effectively and efficiently, so that we will encourage individuals and businesses to become, or remain, a part of our community. Accordingly, all Officials must avoid circumstances that damage public confidence. Violations of this Code that occur under circumstances where the Official knew, or should have known, that the conduct in question violated this Code of Conduct, must have strong consequences. Accordingly, violations of this Code may subject the Official to sanctions and/or removal proceedings pursuant to NH RSA 41, NH RSA 673:13, or other applicable local or State law. This policy shall be enforced by a Court of competent jurisdiction with regard to members of the Selectboard or other elected officials and by the Selectboard as it pertains to individuals appointed to various Boards, Commissions and Committees.

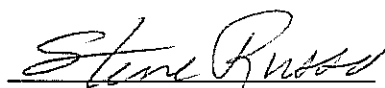
Adopted by the Selectboard on December 27, 2021 for implementation effective March 1, 2022

Drew Kellner


Brendan Denehy


Eddie Arnold


Dana Ketchen


Steve Russo