

Town of Paris, Maine
Application for
Board/Commission/Committee Membership

Please Print

NAME: _____ **TEL. NO.** _____

MAILING ADDRESS: _____

PHYSICAL ADDRESS: _____

E-MAIL: _____ **US CITIZEN** _____ **REGISTERED VOTER** _____

RESIDENT OF PARIS _____

APPLYING FOR MEMBERSHIP ON: _____

APPLICABLE BACKGROUND EXPERIENCE: _____

My signature below certifies: (1) that the information above is true and correct; (2) that I have read, I understand, I have signed, and I agree to be bound by, the **Town of Paris' Ethics Policy**, which is incorporated as part of this application.

SIGNATURE: _____ **DATE:** _____

For Town Use Only

___ **APPROVE** ___ **DISAPPROVE** ___ **TABLE** ___ **Compliance with By-Laws or Ordinances**

Town Clerk Signature

PARIS SELECTBOARD MEMBERS

DATE: _____

Application approved by: Town of Paris Board of Selectmen, January 26, 2009

Town of Paris, Maine
Policy for
Appointment Process
Standing Boards and Committees; Ad Hoc Committees

1. Pre-Appointment

PURPOSE: The purpose of this policy is to standardize the procedure used by the Board of Selectmen in considering eligible applicants for appointments as permanent or alternate members to various Boards, standing Committees or Ad Hoc (study) Committees for the Town of Paris, and to monitor and oversee the efficiency, effectiveness and productivity of such committees.

The Select Board shall have final authority over appointments of qualified citizens to all Boards and Committees that are instruments of government for the Town of Paris.

STANDING BOARDS AND COMMITTEES: Standing Boards and Committees, as well as those required by state law, have a perpetual assignment and members must take an oath of office before their term.

AD HOC COMMITTEES: Ad Hoc Committees, sometimes referred to as study committees, are advisory in nature and are formed by the Board of Selectmen to perform a specific function usually within a set amount of time. After the task is completed and the end result reported to the Board of Selectmen, an Ad Hoc Committee will be formally dissolved. An Ad Hoc Committee may be initiated by the Board of Selectmen or requested of the Board of Selectmen by a standing committee chair.

ELIGIBLE APPLICANT: To be an eligible applicant for membership on Boards and Committees shall mean:

- a) Any person who is a permanent resident of the Town of Paris as established by mailing address, domicile and

voting registration for the length of the term of the appointment.

- b) A board or committee member's term automatically terminates upon ceasing to be a permanent resident of the Town.
- c) The Town Clerk shall maintain an eligible applicant pool consisting of current members whose terms are expiring and new persons requesting to serve on boards and committees.
- d) Appointments are for definite terms and neither carries nor implies any right or entitlement to reappointment.
- e) Non-resident property owners and non-resident municipal employees may serve as ex-officio members of boards and committees at the discretion of the Board of Selectmen.

NOTIFICATION OF VACANCY: The chair of each board or committee shall notify the Town Clerk when an opening occurs on a board or committee, which the chair represents. The chair shall also supply the Town Clerk with the title of the position to be filled, a brief outline of the duties of the position, and the length of term of the position.

ADVERTISING AND POSTING: The Town Clerk shall be responsible for advertising from time-to-time in media of general circulation in the Town, and on the Town website, those openings that have occurred or are due to occur on the Town's boards and committees, or newly-created vacancies on those ad hoc committees which are being established by the Board of Selectmen. The advertisements shall list the title of the positions, the length of terms of appointment and the deadline and address for submission of applications.

APPOINTMENT PROCESS-QUALIFICATIONS: Members of a board or committee shall be appointed by the Board of Selectmen according to the appointment provisions of the statute or ordinance or resolve that created the multiple member board or committee.

- a) All candidates (first appointments or reappointments) shall submit such written applications, supporting documents

and information as may be required by the Board of Selectmen or which the applicant considers pertinent in order to be considered for appointment. Candidates shall be required to sign indicating their agreement and compliance with the Town's Ethics Policy when submitting the application.

- b) When reviewing an application for appointment, Selectmen shall consider and give weight to an applicant's educational background, training and experience, to comment received from Board members, Committee members or general public relating to service, or to other qualifications relevant to the position for which the person has applied.
- c) The Board of Selectmen may require an interview with a candidate for appointment in executive session prior to taking action on that candidacy.
- d) No person shall be appointed to any Board or Committee if that person would, by virtue of the appointment, have supervisory control, authority over, or would review the actions of any town official or employee, to whom he or she has an existing relationship as in the case of an immediate family member or significant other.
 - 1) "Significant Other": Is a gender-neutral term to refer to a person's partner in an intimate relationship without disclosing or presuming anything about a person's marital status or sexual orientation.
 - 2) "Immediate Family": Is defined as a person's spouse, domestic partner, grandparent, parent, brother, sister, child, grandchild, or the same relationships of the person's spouse or domestic partner or the spouse or domestic partner of any of them. This also includes individuals for whom the person is current guardian.
- e) The Selectmen shall not appoint or reappoint an applicant to a position in which the applicant will likely have a frequent or recurring conflict of interest, or

appearance of conflict of interest, as defined by Town Policy and Maine law.

- f) All individuals appointed to the Planning Board or the Board of Appeals are required to complete the basic workshop for new Planning Board or Board of Appeals members on the first offering following appointment.

2. SELECTION-ACTION

NOMINATION: Upon satisfactory application, fulfillment of any other request by selectmen and interviewing if required, applicants will be nominated by being placed on the agenda of a regular meeting of the Board of Selectmen.

ELECTION: The Board of Selectmen shall be sole judge of the qualifications of persons seeking appointment. A majority affirmative vote is required to make an appointment.

In the case of Board consideration of multiple candidates for fewer than the same number of vacancies, votes will be taken on individuals according to the dating of their initial application.

TERMS: All appointments by the Board of Selectmen to multiple member bodies shall be for up to five year terms, with a six month probationary period commencing on the effective date of appointment. In the case of a newly -appointed board or Committee, terms will be staggered.

REMOVAL: The Board of Selectmen may remove any member of any board or committee or other multiple member board which it has appointed during the six-month probationary period without cause, notice or hearing for any reason whatsoever. After the six-month probationary period expires, the Board of Selectmen may remove for cause after notice and hearing.

Approved by: Town of Paris Board of Selectmen, February 9, 2009.

Town of Paris, Maine
ETHICS POLICY
For Town Officers, Employees and Appointees

I. INTRODUCTION: PURPOSE

It is of critical importance that the public have confidence in the integrity of its municipal government and that town officers and employees have an opportunity to respond on those occasions

in which a conflict of interest appears, or is thought to exist. This Policy establishes rules and a standard of conduct by which town officers and employees may be educated about potential ethical issues, and the violation of which may justify the removal or discharge of officers or employees who violate the ethical standards of conduct established by this Policy.

Thus, the fundamental purpose of this Policy is to establish enforceable ethical standards of conduct for town officers and employees with the hope that the Policy will assist all officers and employees as to identify and avoid conflicts of interest. To that end, every town official and employee as defined in this policy should aspire:

A. to act in the best interests of the town when executing that person's duties as a town officer or employee;

B. to disclose any personal, pecuniary or other self-interest in any matter coming before that person for action as a town officer or employee;

C. to remove him/herself from consideration of or action on any

matter which places that person in a prohibited conflict of interest;

D. to be independent, impartial, and mindful of being ultimately responsible to fellow townspeople for all actions taken as a town official or employee.

II. DEFINITIONS

As used in this Policy, the following terms shall have the meanings stated:

Conflict of Interest: The actual or apparent existence of a personal or pecuniary interest, or both, which would be deemed by an objective and reasonable third person to have the capacity to influence an officer or employee in the exercise of that person's public duty.

Employee: Any person employed by the town in any capacity on a full-time or part-time basis.

Family Relationship: Any person who is related to the official or employee as a spouse, parent, grandparent, child, grandchild, sibling, or similar relation to the official's or employee's spouse. This includes all persons who are members of the same household as the official or employee in question, regardless of whether they are related by blood or by marriage.

Officer: Any person who holds an elected or appointed office of the Town of Paris that is established under State law, by vote of Town Meeting, or by vote or action of the Board of Selectmen or by any other board, commission, committee, or agency of the town, including any subcommittee or advisory committee thereto.

Personal Interest: An interest arising from the existence of a family relationship by blood or by marriage, close business

relationships, political or personal associations, or residence in the same household, without regard to whether a pecuniary interest is also present.

Pecuniary Interest: Any advantage in the form of money, property, goods, services, commercial interest, or any other thing the primary significance of which is economic gain; pecuniary interest does not include broad economic effects applicable to the general public such as the economic benefits arising from tax reductions or an increase in general prosperity.

Quasi-judicial Action: Any action where the public body has a duty to notify the parties, hear the parties, and can only decide the particular matter after weighing and considering such evidence and arguments as the parties choose to lay before the public body.

III. CONFLICTS OF INTEREST PROHIBITED

A. Generally

No town officer or employee shall participate in any matter in which that person has a personal or pecuniary interest which may directly or indirectly influence that person's decision-making. Where such a personal or pecuniary interest exists, the officer or employee has a duty to recuse him/herself completely from all further participation in the matter in question. The recused person shall immediately leave the room where the matter is under consideration, or shall be seated in the audience with other members of the public who are present. The recused person shall not participate in discussions about the pending matter unless that person first clearly states for the record that any comments or opinions are offered in that person's capacity as a general member of the public. No recused person shall deliberate or vote on the matter in question.

B. Matters Covered

The duty to avoid conflicts of interest and to recuse oneself when such a conflict exists attaches to any officer or employee acting in an executive, quasi-judicial, administrative or legislative capacity, and whether acting singly or as a member of a town board, commission, committee, agency, or other public body.

C. Specific Prohibitions

No officer or employee shall:

1. participate in any hearing, debate, discussion or vote, or in any manner otherwise attempt to influence the outcome of a matter in which he or she has a personal or pecuniary interest;
2. utilize information obtained in such capacity for his or her own personal benefit or that of his or her clients or the clients of the organization with which the public official is associated;
3. appear on behalf of a client before any governmental body of which the public official is a member or whose members have been appointed by the governmental body of which the public official is a member;
4. accept anything of value from any person or organization when the public officer or employee knows or reasonably should know that the offer is for the purpose of influencing the public officer's or employee's actions or decisions;
5. use his or her official position to influence or to attempt to influence any governmental body to act in favor of the officer or employee, or in favor of clients, or clients

of the organization with which the officer or employee is associated;

6. allow other individuals in the organization with which the officer or employee is associated to appear on behalf of the clients before the governmental body of which the officer or employee is a member, or any governmental body whose members have been appointed by the body of which the officer or employee is a member, unless the officer or employee publicly disqualifies himself or herself and refrains from participation in the matter.

D. Duty to Disclose

No officer or employee shall participate in the conduct of business on behalf of the town or enter into discussion or deliberation of any matter without first, publicly and on the record, disclosing business dealings, family relationships, personal friendships and social relationships, and any other personal or pecuniary interest which may influence the impartiality of the officer or employee regarding the matter under consideration.

E. Use of Town Property

No officer or employee of the Town of Paris shall use or enjoy town property, services, or labor for his or her personal benefit, or make available any of the same to others unless such use or enjoyment is available to members of the public upon request on equal terms.

F. Use of Confidential Information

No officer or employee of the Town of Paris shall use any confidential information acquired by virtue of that individual's position for personal benefit, or for the benefit of any other

person or business. This does not apply to information which is readily available to the general public.

No officer or employee of the Town of Paris shall violate the privacy of others by disclosing confidential information acquired in the course of official duties without authorization that would allow or require such disclosure.

G. Acceptance of Gifts

No officer or employee of the Town of Paris shall accept a gift, or allow acceptance of such gift by a family member, from any individual, group, or corporation which has or is likely to have a matter pending before the officer or employee, or before any town board, committee, commission, or agency on which the officer or employee serves. This provision of the Policy is not meant to apply to gifts traditionally exchanged between family members at holidays or birthdays, for example.

H. Duty to Cooperate

All officers and employees of the Town of Paris shall cooperate with any investigative authority regarding any complaint or inquiry alleging violation of this Policy.

I. Fair and Equal Treatment

Acting in their official capacity, all officers and employees of the Town of Paris shall give each and every person fair and equal treatment. No officer or employee shall in the course of official duties give or deny any person special consideration, advantage, because of the person's public status, position, sex, race, religion, creed, sexual orientation, national origin or age unless otherwise permitted or required under applicable law.

IV. EXCLUSIONS

The provisions of this Policy are not intended and shall not be interpreted to prohibit, interfere with, or regulate the following circumstances or transactions:

- A. the right to participate fully in any annual or special town meeting by any officer or employee who is a resident of the Town of Paris;
- B. acceptance of donations for the expressed purpose of financing a political campaign, provided such contributions are reported in accordance with all local, state and federal laws which pertain to such donations;
- C. participation in a matter which relates to a person or business from which an officer or employee has merely purchased goods or services, if the individual in question has no other conflict of interest relating to that person or business;
- D. the actions of police officers, fire fighters and other emergency personnel when responding to emergencies in accordance with the rules and regulations of their departments; and
- E. the implementation of personnel policies by supervisors of town employees.

Approved by: Town of Paris Board of Selectmen, February 9, 2009.

Town of Paris, Maine
Policy For
Establishment and Operation of Boards and Committees

ORGANIZATION: Boards and committees shall be free to establish their own rules of procedure, consistent with applicable laws and ordinances, but shall ensure that their procedures avoid unduly complex parliamentary procedures. They shall conduct their business in an orderly manner clearly understandable by the community and in a way that provides reasonable opportunity for public access and participation.

- a) All proceedings of all municipal boards and committees shall be conducted in accordance with the provisions of the Freedom of Access Law, Title 1, M.R.S.A., §401-410. Public notice and agenda shall be posted at the municipal office prior to meetings.
- b) All boards and committees shall keep written minutes of their meetings. In addition, the Board of Selectmen, Planning Board, Board of Appeals and (if extant) Historic Preservation Commission, shall tape record their meetings. All boards and committees shall tape record their public hearings. All minutes and original tapes will be submitted to the Town Clerk within five days of the approval of the minutes at the next meeting.
- c) No member appointed to a board or committee may be compensated for membership.
- d) All written and e-mail correspondence that is sent on behalf of a board or committee, and that is between any board or committee member and any other party, shall be considered a public record, pursuant to the Freedom of Access Law, Title 1, M.R.S.A., §401-410. All boards and committees shall furnish to the Town Clerk, within three days, a copy of all outgoing or incoming correspondence, and shall request that all incoming, written correspondence be addressed to the municipal office's mailing address. All boards and committees shall send the town office, at S_Jackson@town.paris.me.us, an electronic copy of all outgoing or incoming e-mails.

MISSION/PURPOSE: Each board or committee should have a mission statement and a general outline of its purpose, tasks and responsibilities, and the extent of its authority.

WORK PLANS AND REPORTS: Each Board or committee should prepare, for submission to the Board of Selectmen, an annual work plan containing a list of issues it can safely predict will arise in the coming year, work that it will attempt to accomplish, and requests for funds needed for such work. Each board or committee should then prepare an annual report, for submission to the Board of Selectmen, summarizing accomplishments or work that remains to be done.

Approved by: Town of Paris Board of Selectmen, January 26, 2009

