

Ashley M. Shade
North Adams City Councilor

Wednesday, June 22, 2022



Dear Fellow Councilors,

In February of 2022 I introduced a communication to discuss a code of conduct to be implemented into or along with our City Council Rules. Since this time, I have been researching and putting together some documents that will help cover many of the issues we currently face on the council and in our community.

There have been many open and public discussions about unprofessional and toxic behavior being an issue, and as elected officials we must hold ourselves to the highest standards when representing our city, our constituents, and ourselves. Many other municipalities across the commonwealth have instituted their own code of conduct for elected officials, and it's time for us to do the same. We must be willing to hold ourselves accountable for our behavior and actions, and we must always remember our duty is to our people, and our city.

I would like this code of conduct to be reviewed by General Government, IDEA Commission, the Mayor's Office, and the city solicitor. After review, the final draft will become an ordinance that requires all Elected Officials and Appointed board/committee/commission members to agree to and sign.

Thank you for your consideration of this
matter.

Sincerely,

Ashley M. Shade

City of North Adams Code of Conduct Policy

For Elected and Appointed Officials

I. PURPOSE

The City of North Adams recognizes that all individuals elected and/or appointed by the city must maintain and enforce respectful discourse with their fellow elected and/or appointed members, with those who work for the City, those who volunteer their time and services on behalf of the City and members of the public by striving at every meeting, forum, or other official interaction to treat every person fairly and with respect regardless of any differences of opinion. This also includes interactions in any public medium, including social media. This policy provides a centralized standard of conduct for all elected and appointed officials in the City of North Adams.

II. APPLICABILITY

This policy and all its sections shall apply to all elected and appointed officials acting on behalf of the City and covers all their actions and communications whether spoken or written including but not limited to all electronic communications including social media.

III. CODE OF CONDUCT

All City elected, and appointed officials are expected to act honestly, respectfully, reasonably and in good faith at all times having regard to their responsibilities, the interests of the City and the welfare of its residents. The City elected and appointed officials must refrain from communicating or acting in a disrespectful, abusive and/or threatening manner towards members of the community, other elected or appointed officials, and all city employees. Moreover, all elected and appointed officials must fully comply with the City's Anti-Harassment, Anti-Discrimination Policy and Social Media Policy.

Further, all elected and appointed officials of the city must assume the following responsibilities:

1. Conduct in Relation to the Community
 - Be well informed concerning the local and state duties of a board/committee member.
 - Never purport to represent the opinion of your board/committee except when specifically authorized by a recorded vote to do so.
 - Recognize that the chief function of local government at all times is to serve the best interests of all of the people.
 - Demonstrate respect for the public that you serve.
 - Safeguard confidential information.

- Conduct yourself so as to maintain public confidence in our local government
- Conduct official business in such a manner that you cannot be improperly influenced in the performance of your official duties.

- Unless specifically exempted, conduct the business of the public in a manner that promotes open and transparent government.
- Comply with all city policies, including, without limitation, the following:
 - Anti-harassment and Anti-discrimination Policy
 - Anti-fraud Policy
 - Social Media Policy
- Comply as fully as possible with all applicable laws, including, without limitation, the following:
 - The Open Meeting Law
 - Procurement Laws
 - The Ethics/Conflict of Interest Statute (G.L. c.268A).

2. Conduct in Relation to other elected and appointed officials

- Treat all members of the board/committee to which you belong with respect despite differences of opinion; keeping in mind that professional respect does not preclude honest differences of opinion but requires respect within those differences.
- Participate and interact in official meetings with dignity and decorum fitting those who hold a position of public trust.
- Recognize your responsibility to attend all meetings to assure a quorum and promptly notify the chairperson should you for any reason be unable or unwilling to continue to serve. Formal notice to resign from a board/committee shall require written notice to the Chairperson, Mayor, and City Clerk.
- Recognize that action at official legal meetings is binding and that you alone cannot bind the board/committee outside of such meetings.
- Refrain from making statements or promises as to how you will vote on quasi-judicial matters that will come before the board/committee until you have had an opportunity to hear the pros and cons of the issue during a public meeting.
- Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- Make decisions only after all facts on a question have been presented and discussed.

3. Conduct in Relation to City Staff

- Treat all staff as professionals and respect the abilities, experience, and dignity of each individual.
- Refrain from giving instructions to or requesting assistance from City staff in an official capacity, but rather channel all such activities through the appropriate supervisor.
- Never publicly criticize an individual employee or a department. Concerns about staff performance should only be made to the City Administrator through private communication.
- Officials who interact with city staff must do so in a respectful manner and understand employees should not be expected to take direction from any individual official on any matter.

4. DISTRIBUTION AND EDUCATION

- The City Clerk shall provide a copy of this policy, the City's Anti-Harassment and Anti-Discrimination policy, the Social Media policy and the Anti-fraud policy to all elected and appointed officials upon its issuance and upon the subsequent appointment or re-appointment of any individual. Policies shall be signed before the oath of office is administered.
- Each individual shall sign a statement that they have read this policy and will comply with all requirements set forth in this policy. In the event that any member declines to sign the form, that fact shall be noted by the City Clerk on the form and the individual shall be deemed unable to take their oath of office.

IV. ENFORCEMENT

1. In addition to any other remedies or enforcement options available under the law, each board/committee may vote to censure any elected member and the appointing authority may decline to reappoint an individual who violates any provision of this Code of Conduct.
2. If any elected or appointed official is accused of violating the City's Anti-Harassment and Anti-Discrimination Policy, or has inappropriate interactions with City employees, the City Administrator shall refer the matter for investigation to the contact named in the Anti-harassment and Anti-Discrimination policy or a disinterested outside firm or individual qualified to investigate the alleged conduct. The City Administrator shall not be obliged to obtain any additional authority; this Code shall be sufficient authority.
3. The firm or individual to whom the matter is referred shall promptly investigate the matter and report back findings of fact and recommendations to the City Administrator.
4. The City Administrator shall share the reported findings and recommendations with the elected official's board/committee. The board/committee shall then take such action as is authorized by law and as it deems fit in response to the matter.
5. If an elected or appointed official is accused of violating any other provision of this Code of Conduct, the board/committee that the official represents or if applicable, the appointing authority, may take such action as is authorized by

law and as it deems fit or it may vote upon request of the City Administrator or on its own to refer the matter to a disinterested outside firm or individual qualified to investigate the alleged conduct. This firm or individual shall promptly investigate the matter and report back findings of fact and recommendations to the City Administrator.

6. The City Administrator shall share the reported findings and recommendations with the board/committee. The board/committee shall then take such action as is authorized by law and as it deems fit in response to the matter. These remedies shall be in addition to, and not in substitution for, any other remedies that may be available by law.