

Introduced: 08/11/2014  
Second Read/Pub Hrg: 09/08/2014  
Adopted: 09/08/2014

## **ORDINANCE 2014-04**

### ***AN AMENDMENT TO THE MUNICIPAL CODE RELATING TO NEPOTISM AND CONFLICTS OF INTEREST***

***WHEREAS*** The Town of Londonderry and its citizens have a right to expect that public contracts and public employment, compensation and advancement are awarded and determined based solely upon merit and without undue influence by familiar relations; and

***WHEREAS*** The Town of Londonderry currently does not have a policy addressing nepotism in employment; and

***WHEREAS*** The Town of Londonderry does not want to prohibit relatives of existing employees or other Town officials from serving the community, but needs to avoid actual or perceived conflicts of interest; and

***WHEREAS*** The Town of Londonderry currently does not have a written policy prohibiting Town Councilors from participating in contract negotiations in which they or a member of their immediate family have a pecuniary interest; and

***NOW THEREFORE BE IT ORDAINED*** by the Town Council of the Town of Londonderry that the Municipal Code of the Town of Londonderry, Title VI, Chapter XXVI, Section II, is hereby amended as attached.

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***Tom Dolan***  
***Town Council Chairman***

***A TRUE COPY ATTEST:***

***Town Seal***

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***Sharon Farrell - Town Clerk***

## Town Nepotism Policy:

**a. Public Officials and Boards:** No person serving as an elected official, an elected or appointed member of any Town board or commission, or as Town Manager, shall participate in, appoint or vote on the appointment or hiring of any person in his/her immediate family to a position as a Town employee. If a prospective employee is a member of the immediate family of any elected official, elected or appointed member of any Town board or commission, or Town Manager, that elected official, elected or appointed member of any Town board or commission, or Town Manager, shall remove himself/herself completely from the appointment process. Compliance with this provision shall be a condition of holding office pursuant to Article 6 of the Town Charter.

**b. Employment of Family Members of Current Employees:** Any job applicant seeking employment with the Town or applicant for an appointed position on a Town board or commission shall be required to disclose immediate family relationships with existing employees, elected officials, and appointed board or commission members.

No Town employee shall take part in the hiring process of any member of the employee's immediate family who is seeking employment with the Town. Additionally, except when necessary in the course of daily operations within a department, no Town employee shall evaluate, supervise, or discipline any member of the employee's immediate family who is currently an employee of the Town. If an employee has an immediate family member in his or her chain of command, except when necessary in the course of daily operations within a department, the immediate family member shall take no part in the evaluation, supervision or discipline of that employee, with those responsibilities to be performed by the next highest person in the chain of command.

**c. Town Councilors and Town Manager:** To avoid any actual or perceived conflict of interest in the awarding of business and contracts with the Town, no person serving as a Town Councilor or Town Manager shall take part at any stage in any negotiations, or vote on any contract or agreement between the Town and any individual or entity in which he/she or his/her immediate family has any direct or indirect financial or gainful interest, however small. Compliance with this provision shall be a condition of holding office pursuant to Article 6 of the Town Charter.

**d. Immediate Family:** "Immediate family" is defined for purposes of this policy to include spouse, civil union partner, children, parents, stepparents, stepchildren, brothers, sisters, half-brothers, half-sisters, immediate in-laws, grandparents, grandchildren, or other person living in the household of the prospective employee, Town employee, elected official, elected or appointed member of any Town board or commission, or Town Manager.

**e. Effective Date:** The provisions of this policy shall become effective on passage by the Town Council and shall apply to all those elected, appointed or employed in any capacity by the Town after date of passage. The Town Manager shall take appropriate measures to limit the circumstances under which employees are supervised by members of their immediate family. To the extent such conflicts cannot be avoided, the Town Manager shall review and approve any performance evaluations, disciplinary actions, or changes in job status in order to assure that the public's interests are served.