

**BOROUGH OF PARKESBURG
CHESTER COUNTY, PENNSYLVANIA
RESOLUTION NO. 2023-8**

**A RESOLUTION OF THE BOROUGH OF PARKESBURG
ADOPTING A CODE OF CONDUCT FOR ELECTED AND APPOINTED
OFFICIALS**

WHEREAS the Borough Council of the Borough of Parkesburg recognizes the benefits of and seeks to establish a Code of Conduct setting forth general standards of conduct for its Elected Officials and Appointed Officials and providing a means for disciplining those who refuse to abide by its terms; and,

WHEREAS, the Borough Council of the Borough of Parkesburg recognize that such a Code of Conduct will supplement and will not replace relevant provisions of state law;

NOW, THEREFORE BE IT RESOLVED, AS FOLLOWS:

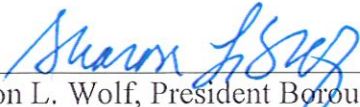
Section 1. Adoption of Code of Conduct attached hereto as Exhibit "A".

The Parkesburg Borough Code of Conduct for Elected and Appointed Officials of attached hereto as Exhibit "A" is incorporated herein by reference as though set forth at length and made the Code of Conduct for Elected and Appointed Officials of the Borough of Parkesburg.

Section 2. Severability

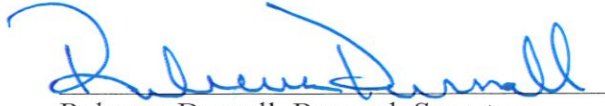
If any sentence, clause, section, or part of this Resolution is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution. It is hereby declared as the intent of the Borough Council of the Borough of Parkesburg that this Resolution would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

ADOPTED this 17th day of April, 2023.



Sharon L. Wolf, President Borough Council
of the Borough of Parkesburg

ATTEST:



Rebecca Durnall, Borough Secretary

Parkesburg Borough Code of Conduct for Elected and Appointed Officials

The Borough of Parkesburg hereby establishes a Code of Conduct for its Elected and Appointed Officials (hereinafter "Officials") recognizing that a Code of Conduct will: (1) encourage high ethical standards for conduct by Officials; 2) establish guidelines for ethical standards for all Officials by setting forth those acts or actions that are incompatible with the interests of the Borough; 3) require disclosure by Officials of private financial or other interest in matters affecting the Borough; and, 4) serve as a basis for disciplining those who refuse to abide by the terms of the Code of Conduct. Notwithstanding anything herein to the contrary, state law shall be controlling in the event of an actual conflict with the provisions of this Code of Conduct and such laws. The Resolution approving this Code of Conduct shall be interpreted to supplement and not to replace said provisions of state law.

1. Officials serve for the benefit of the entire community and shall at all times strive to do what is best for the Borough as a whole and shall never use the prestige or power of their offices or positions - or Borough confidential information - to benefit themselves their relatives or their business associates.
2. Officials must comply with the governing documents of the Borough and all relevant Laws. Officials shall use their best efforts at all times to make reasonable decisions that are consistent with the Borough Code, the Constitution and Laws of the Commonwealth of Pennsylvania and shall make every effort to become familiar with these documents.
3. Borough staff shall never be used for political or other partisan purposes, nor may they ever be coerced to make contributions or engage in activities in support of such purposes.
4. Officials recognize the need for clarity of management hierarchy as it relates to all employees/professional contractors in service of the Borough. Accordingly, all queries, performance concerns/needs shall be submitted consistent with said hierarchy. In the case of non-uniformed employees/professional services providers (contractors), all queries will be made through the office of the Borough Manager and the Council President. All queries related to uniformed employees are made through the office of the Mayor.
5. Concerns by Officials with respect to performance related issues of any Borough employee/professional contractor shall first be raised with said employee/professional contractor's direct report supervisor/manager, as detailed herein in paragraph 4 above. An executive session may be called if determined appropriate.
6. While disagreements will routinely occur between Officials and residents and others, personal attacks by Officers against Board Members, residents, employees, or others are not consistent with the best interest of the Borough and will not be tolerated. Language at public meetings shall be kept professional and differences of opinions should be expressed in a professional business-like and calm manner.
7. Any Council Member who believes he or she has a conflict of interest shall disclose the same to the other members of the Committee or Council body addressing an issue relevant to the conflict¹. Members in general shall immediately disclose to the governing body of the Borough or their

¹ Pursuant to the Pennsylvania Public Official and Employee Ethics Act, Act 170 of 1978 as amended (enforced by the State Ethics Commission), a "conflict of interest" is - "Use by a public official or public employee of the authority of his office or employment or any confidential information received through his holding public office or employment for the private pecuniary benefit of himself, a member of his immediate family or a business with which he or a member of his immediate family is associated. The term does not

Committee, any proceeds or potential conflict of interest regarding any aspect of the business operations of the Borough. Any questions regarding conflicts of interest shall be directed to the Borough Solicitor for an official opinion in accordance with governing law.

8. Officials should refrain from harassing, threatening or otherwise attempting to intimidate anyone with business before the Borough Council and /or within the Borough proper.
9. Appointed officials who violate this Code of Conduct shall be subject to penalties ranging from private admonition to removal from office by Borough Council. Members of Borough Council who violate this Code of Conduct shall be subject to formal public censure by Borough Council, and other disciplines as allowable by state law.
10. This Code of Conduct will be adopted in the form of a Resolution by the Borough and shall be posted on the website and maintained at the Borough offices.

include an action having a de minimis economic impact or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the public official or public employee, a member of his immediate family or business with which he or a member of his immediate family is associated.” In the circumstance where a Council member is required to abstain from a Council vote due to a conflict of interest, the Ethics Act requires that the Council member - “...prior to the vote being taken, publicly announce and disclose the nature of his interest as a public record in a written memorandum filed with the person responsible for recording the minutes of the meeting at which the vote is taken...”