

Code of Ethics

RESOLUTION ADOPTING CODE OF ETHICS FOR TOWN OF CANDOR

RESOLVED, pursuant to provisions of Section 806 of the General Municipal Law, that the following Code of Ethics to apply to all officers and employees of the Town of Candor, is hereby adopted:

1. Definitions. (a) "Town Officer or Employee" means an officer or employee of the Town, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a town officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a chief engineer or assistant chief engineer.

(b) "Interest" means a direct or indirect pecuniary or material benefit accruing to a town officer or employee as the result of a contract with the town. For the purposes of this code a town officer or employee shall be deemed to have an interest in the contract of (a) his spouse, minor children and dependents, except a contract of employment with the town, (b) a firm, partnership or association of which such officer or employee is a member or employee, (c) a corporation of which such officer or employee is an officer, director or employee and (d) a corporation any stock of which is owned or controlled directly or indirectly by such officer or employee.

(c) "Recusal" means that the official may not deliberate, vote or participate in any way in that matter. The official should disclose his conflict and remove him or herself from the board. He/she should not provide input regarding the matter from the audience in his/her capacity as a member of the public.

(d) Gifts do not include gifts from family members; attendance at local social events such as holiday festivities; benefits available to the general public; functions that officials routinely attend, such as the Chamber of Commerce events; and an event or activity fulfilling a public purpose.

2. Standards of Conduct. Every officer or employee of the town shall be subject to and abide by the following standards of conduct:

1. (a) Gifts. He shall not directly or indirectly, solicit any gift; or accept or receive any gift having a value of twenty five dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him, or could reasonably be expected to influence him, in the performance of his official duties or was intended as a reward for any official action on his part.
2. (b) Confidential information. He shall not disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interest.
3. (c) Representation before one's own agency. He shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any town agency of which he is an officer, member or employee or of any town agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.
4. (d) Appearance of Impropriety. An official must avoid circumstances that compromise his ability to make decisions solely in the public interest or create an appearance of impropriety.
5. (e) Conflicts of Interest. No Official may take action that provides a financial or other personal benefit to the official, relatives, customers, clients, an employer, or a person who has made campaign contributions to the official within a 12 month period.
6. (f) Disclosure of interest in legislation. To the extent that he knows thereof, a member of the

town board and any officer or employee of the town, whether paid or unpaid, who participates in the discussion or gives an official opinion to the town board on any legislation before it shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation.

7. (g) Investments in conflict with official duties. He shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction, which creates a conflict with his official duties.
8. (h) Recusal. An official must recuses himself when faced with the above conflicts.
9. (i) Town Property and Resources. No employee may use town-owned property, assets or any resources for personal purposes or profit or to benefit any person. Use of these resources is restricted to the conduct of official business, for the benefit of all residents and to further an authorized public purpose.
10. (j) Nepotism. Spouses and other family members of the municipal official may not serve in positions whose duties conflict or appear to conflict within the duties of the official. They may not serve on a commission, board or body of which the official is a member.
11. (k) Private employment. He shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his official duties.
12. (l) Future employment. He shall not, after the termination of service or employment with the town, appear before any board or agency of the town in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.

3. Nothing herein shall be deemed to bar or prevent the timely filing by a present or former town officer or employee of any claim, account, demand or suit against the town or any agency thereof on behalf of himself or any member of his family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

4. Distribution of Code of Ethics. The supervisor shall cause a copy of this code of ethics to be distributed to every officer and employee of the town within thirty days after the effective date of this resolution. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his office or employment.

5. Relationship to other laws. The rules of ethical conduct provided by this resolution shall not conflict with, but shall be in addition to, any provision of Article 18 of the General Municipal Law or of any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

6. Penalties. In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Motion Proposed by George Williams

Seconded by Joe Bish

5/10/2011

Roll Call Vote - Cobler - Bish - Dougherty - Lindsay - Williams - all Aye