

TOWN OF MORIAH

Code of Ethics





A resolution establishing a code of ethics for the Town of Moriah.

Be it resolved by the town board of the Town of Moriah as follows:

ARTICLE I

Section 1. Statement of purpose. The town board of the Town of Moriah recognizes that there are state statutory provisions mandating towns to establish rules and standards of ethical conduct for public officers and employees which, if observed, can enhance public confidence in local government. In the light of a tendency today on the part of some people to downgrade our local governments and to discredit our public servants and our free institutions generally, it appears necessary that every effort be made to assure the highest caliber of public administration of this town as part of our state's important system of local government. It is the purpose of this resolution to implement this objective through the establishment of standards of conduct, to provide for punishment of violation of such standards and to create a code of ethics to render advisory opinions to the town's officers and employees as provided for herein.

Section 2. The standards, prohibited acts and procedures established herein are in addition to any prohibited acts, conflicts of interest provisions or procedures prescribed by statute of the state of New York and also in addition to common law rules and judicial decisions relating to the conduct of town officers to the extent that the same are more severe in their application than this resolution.

ARTICLE IV

SEVERABILITY CLAUSE

Section 1. If any clause, sentence, paragraph, section or part of this Code shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgement shall have been rendered.

ARTICLE V

EFFECTIVE DATE

Section 1. This resolution shall take effect immediately.

This resolution was adopted unanimously by the Town Board of the Town of Moriah on January 8, 1991.

stantial portion of stock of which is owned or controlled directly or indirectly by such employee, shall sell goods or services to any person, firm, corporation or association which is licensed or whose rates are fixed by the town in which such employee serves or is employed.

Section 4. Violations. In addition to any penalty contained in any other provision of law, any such town employee who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment in the manner provided by law.

ARTICLE III ADMINISTRATION

Section 1. Upon adoption of the resolution, the town supervisor shall cause a copy of this Code of Ethics to be distributed to every town employee of this town. Failure to distribute any such copy or failure of any town employee to receive any such copy shall have no effect on the duty of compliance with this code, nor the enforcement of provisions hereof. The town supervisor shall further cause a copy of this resolution to be posted conspicuously in each public building under the jurisdiction of the town. Failure to so post this resolution shall have no effect on the duty of compliance herewith, nor the enforcement provisions hereof.

Section 2. Within thirty days of the adoption of this resolution, the town clerk shall file a copy thereof in the office of the state comptroller.

ARTICLE II CODE OF ETHICS

Section 1. Definitions. As used in this Code, the term "town" shall mean any board, commission, district, council or other agency, department or unit of the government of the Town of Moriah.

The term "town employee" shall mean any officer or employee of the town of Moriah whether paid or unpaid, whether serving in a full-time, part-time or advisory capacity.

Section 2. Rule with respect to conflicts of interest. No town employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.

Section 3. Standards. a. No town employee shall accept other employment which will impair his independence of judgement in the exercise of his official duties.

b. No town employee shall accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority.

c. No town employee shall use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.

d. No town employee shall engage in any transaction as representative or agent of the town with any business entity in which he has a direct or indi-

rect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.

e. Gifts. He shall not, directly or indirectly, solicit any gift; or accept or receive any unsolicited gift having a value of twenty-five dollars or more, whether in 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.

f. 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 municipal agency of which he is an officer, member or employee, or of any municipal agency over which he has jurisdiction or to which has the power to appoint any member, officer or employee.

g. Representation Before Any Agency For A Contingent Fee. 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 agency of his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees, based upon the reasonable value of the services rendered.

h. Disclosure Of Interest In Legislation. To the extent that he knows thereof, a member of

the Town of Board and any officer or employee of the Town of Moriah, whether paid or unpaid, who participates in the discussion or gives official opinion to the Town Board on any legislation before the Town Board 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.

i. Future Employment. He shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Town of Moriah 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.

j. A town employee shall not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.

k. Each town employee shall abstain from making personal investments in enterprises which he has reason to believe may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.

l. Each town employee shall endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are violation of his trust.

m. No town employee employed on a full-time basis nor any firm or association of which such employee is a member nor corporation a sub-