

6.04 Conditions of Employment

A. Nepotism

No Town employee may appoint, employ, promote, advance, or recommend a relative to any position over which he has supervisory control unless full disclosure is made to the Department Head, Town Supervisor and the Ticonderoga Town Board. Any individual who is related to the employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepsister, half-brother, or half-sister, or person residing in the same household shall be considered a "relative" for the purpose of this section.

B. Code of Ethics

The intent of this code is to prohibit any public official or employee from having interests, from engaging in business activities, and from incurring any obligations which is in substantial conflict with the proper discharge of his or her duties in the public interest.

(1) Definitions

The term "Town " shall mean any board, commission, district, council or other agency, department or unit of the government of Town of Ticonderoga. The term "Town Employee" shall mean any officer, official, or employee of Town of Ticonderoga whether paid or unpaid, whether serving in a full-time, part-time or advisory capacity.

(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.

(3) Standards

(a) No Town employee shall accept other employment which will impair his independence of judgment 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 indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.

- (e) 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.
- (f) 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.
- (g) 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 in violation of his trust.
- (h) No Town employee employed on a full-time basis nor any firm or association of which such employee is a member nor corporation a substantial portion of the 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.
- (i) Each Town employee shall, to the extent that he is cognizant thereof, disclose any interest he may have in legislation or other official matters pending before the Town Ticonderoga Boards.

(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.

Exceptions to the above include the following:

- (a) The acceptance of meals of nominal value on infrequent occasions in the ordinary course of business meetings.
- (b) The acceptance of loans from banks, or other financial institutions on normal terms to finance proper and usual activities; e.g. home mortgage, automobile purchase, etc.
- (c) The acceptance of unsolicited promotional goods such as pens, pencils, notepads, and calendars as long as such materials do not exceed a retail value of \$100.00.

C. Conflict of Interest

The employee should also take note that the General Municipal Law, Section 801, spells out conflicts of interest as follows: Except as provided in section eight hundred two of this chapter, (1) no municipal officer or employee shall have an interest in any contract with the municipality of which he is an officer or employee, when such officer or employee, individually or as a member of a board, has the power or duty to (a) negotiate, prepare, authorize or approve the contract or authorize or approve payment there under (b) audit bills or claims under the contract, or (c) appoint an officer or employee who has any of the powers or duties set forth above and (2) no chief fiscal officer, treasurer, or his deputy or employee, shall have an interest in a bank or trust company

designated as a depository, paying agent, registration agent or for investment of funds of the municipality of which he is an officer or employee.

D. Political Activities

- (1) No employee in the classified service shall:
 - (a) Use his authority to interfere with an election or to influence another employee's vote.
 - (b) Coerce another employee to contribute money for political purposes.
 - (c) "Command and advise" another employee as to where he/she might purchase goods and services or interfere in any other way with his/her personal rights.
- (2) Any employee may hold a public office which does not involve an interest or conflict that interferes with his regular employment, or is in violation of the Hatch Act.
- (3) Employees shall otherwise be permitted to participate in all aspects of political activity as long as such participation is conducted during off duty hours and does not conflict or interfere with job performance.

E. Use of Property

(1) Definition and Policy

"Town Property" shall be defined as being any material, supply or any other article of value obtained with Town funds for use by the Town or gifts to the Town for use by the Town. Employees are strictly prohibited from using Town property outside the scope of their Town employment with the following exceptions:

- (a) Where off-duty service of Town employees requires wearing of uniform and/or operation of Town equipment for identification as a Town employee at public gatherings; at parades or exhibitions. Such action must be properly authorized by the Department Head.
- (b) Town employees who furnish their personal tools in the performance of their duties may use such tools after their official duty hours in performing jobs of a private nature, provided that no Town supplies are used on such jobs.

(2) Vehicles

Use and operation of Town owned vehicles shall be governed by Article 11 of this policy manual.

(3) Stationery/Postage

Town stationery or postage shall be used for official correspondence only. Employees may not use Town stationery or postage for personal correspondence which is unrelated to the transaction of official Town business.

(4) Telephone Usage

- (a) Employees should not make telephone calls of a personal nature unless authorized by the Department Head. All such authorized calls are to be held to a minimum and are to be no longer than three minutes.

- (b) Long distance telephone calls are to be used only in the transaction of official Town business. A complete record of all such calls must be maintained. Town employees are strictly prohibited from making long distance telephone calls of a personal nature.

F. Outside Employment

- (1) No employee shall accept outside employment or engage in any private business if such outside employment or private business interferes with the normal conduct of his regular Town position. Any employee accepting outside employment shall make arrangements with his outside employer to be relieved from his duties should he be called for an emergency by the Town. Any employee accepting such employment shall agree to respond to any emergency should his/her Department Head determine it necessary.
- (2) All employees who sustain injuries while performing outside employment duties are to report them to the appropriate Town Official as soon as possible.

6.05 Return of Property

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must return all Town property immediately upon request or upon termination of employment. Where permitted by applicable laws, the Town may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The Town Board may also take all action deemed appropriate to recover or protect its property.

6.06 Use of Equipment and Vehicles

- A. Equipment and vehicles essential in accomplishing job duties are expensive and me be difficult to replace. When using property, employees are expected to exercise care and follow all operating instructions, safety standards and guidelines.
- B. If any equipment, machines, tools or vehicles appear to be damaged, defective, or in need of repair it shall be reported to said employee's immediate supervisor as soon as reasonably possible. Prompt reporting of damages, defects, and the need for repair could prevent deterioration of equipment and possible injury to employees and others. The Department head can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.
- C. Town equipment and vehicles can only be used for Town work or purposes and are subject to Town inspection at the Town's discretion.
- D. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations should be avoided.

6.07 Hours of Work

- A. Highway Department - Buildings & Grounds
 - (1) The regular workweek shall be forty (40) hours per week, eight (8)hours per day, beginning on Mondays at 7:00 AM and ending on Fridays at 3:30 PM with an unpaid one-half (½) hour lunch period.