

CERTIFICATION  
STATE OF NEW YORK        }  
COUNTY OF ONEIDA        } SS:  
TOWN OF MARCY            }

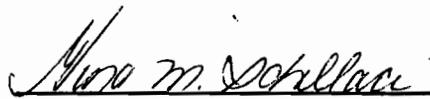
I, Gina M. Schillaci, the undersigned Clerk of the Town of Marcy, Oneida County, New York,

DO HEREBY CERTIFY, that I have compared the foregoing with the original Resolution No. 127 / 2010 and the attached code of ethics, adopted by the Town Board of the Town of Marcy at a meeting of said Board held on the 30<sup>th</sup> day of December, 2010, at 7:00 P.M. at Marcy Municipal Building, 8801 Paul Becker Road, Marcy, New York 13403; and that the foregoing is a true and correct transcript of said original resolution and of the whole thereof, and that said original resolution is on file in my office.

I DO FURTHER CERTIFY that each of the members of said Town Board had due notice of said meeting, and that Brian N. Scala, Supervisor, Keith P. Schuderer, Councilman, Brendon M. Candella, Councilman, James P. Goodman, Councilman, and Gregory J. Johnson, Councilman were present at such meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Marcy, this 13<sup>th</sup> day of December, 2011.



  
Gina M. Schillaci,     Marcy Town Clerk

**RESOLUTION NO. 127 / 2010** Adopt Employee Handbook for Town of Marcy effective 01/01/2011  
Upon a Motion by Councilman Johnson, seconded by Councilman Goodman,  
The Employee Handbook is hereby formally adopted, effective 01-01-2011, to replace any prior dated handbooks; and which includes a Code of Ethics section, of which repeals the 1970 Code of Ethics. The code of ethics can be amended by resolution of the Town Board from time to time.  
Adopted 12/30/2010.  
Roll call vote: 5 ayes: Schuderer, Candella, Johnson, Goodman, Scala 0 nays

## 408 Code of Ethics

**Policy Statement** – Pursuant to the provisions of Section 806 of the General Municipal Law, the Town Board recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this code to promulgate these rules of ethical conduct for the officers and employees of the Town of Marcy. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Marcy. The rules of ethical conduct shall not conflict with, but shall be in addition to any prohibition of Article 18 of the General Municipal Law and any other law relating to ethical conduct and interest in contracts of municipal officers and employees.

**Definitions** – For the purpose of the Town of Marcy's Code of Ethics, the following terms shall have the meanings indicated:

- **Municipal Officer or Employee** – means an officer or employee of the Town of Marcy, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a chief engineer or assistant chief engineer.
- **Interest** – means a pecuniary or material benefit accruing to a municipal officer or employee, unless the context otherwise requires.

**Standards of Conduct** – Every officer or employee of the Town of Marcy shall be subject to and abide by the following standards of conduct:

- **Gifts** – An officer or employee 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 such gift was intended to influence the officer or employee, or could reasonably be expected to influence the officer or employee, in the performance of official duties or was intended as a reward for any official action on the officer's or employee's part;
- **Confidential information** – An officer or employee shall not disclose confidential information acquired in the course of official duties or use such information to further personal interest;
- **Business before the Town or one's own agency** – An officer or employee 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/she is an officer, member, or employee or of any agency over which the officer or employee has jurisdiction or to which the officer or employee has the power to appoint any member, officer or employee;

- **Representation before the Town for a contingent fee** – An officer or employee 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 the Town, whereby the officer's or employee's compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this provision shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered;
- **Disclosure of interest in legislation** – To the extent that an officer or employee knows thereof, a member or the Town Board and any officer or employee of the Town of Marcy, 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 the officer or employee has in such legislation;
- **Investments which conflict with official duties** – An officer or employee shall not invest or hold any investment, directly or indirectly in any financial, business, commercial, or other private transaction which creates a conflict with official duties;
- **Private employment** – An officer or employee 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 official duties;
- **Future employment** – An officer or employee shall not, after the termination of service or employment with the Town, appear before any board or agency of the Town of Marcy in relation to any case, proceeding or application in which the officer or employee personally participated during the period of service or employment or which was under the officer's or employee's active consideration.

**Filing of Lawful Claims Not Barred** – Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the Town Marcy or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

**Penalties** – In addition to any penalty contained in any other provision of law, any person who shall knowingly 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.