

07/21/03

Chapter 17
ETHICS, CODE OF

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[HISTORY: Adopted by the Town Board of the Town of Farmington 8-25-1970 by L.L. No. 2-1970 (Ch. 11 of the 1969 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Officers and employees — See Ch. 28.

Personnel policies — See Ch. 32.

§ 17-1. Short title.

This chapter shall be known as the "Farmington Code of Ethics Local Law."

§ 17-2. Purpose.

Pursuant to the provisions of § 806 of the General Municipal Law, the Town Board of the Town of Farmington 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 or local government. It is the purpose of this chapter to promulgate these rules of ethical conduct for the officers and employees of the Town of Farmington. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Farmington. The rules of ethical conduct of this chapter as adopted shall not conflict with, but shall be in addition to any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

§ 17-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

INTEREST — A pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires.

MUNICIPAL OFFICER OR EMPLOYEE — An officer or employee of the Town of Farmington, 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.

§ 17-4. Standards of conduct.

Every officer or employee of the Town of Farmington shall be subject to and abide by the following standards of conduct:

- A. Gifts. He shall not directly or indirectly solicit any gift; or accept or receive any gift having a value of \$25 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 this official duties or was intended as a reward for any official action on his part.
- 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.
- C. Representation before Town Board or 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 board, court or agency of which he is an officer, member or employee, or for which he is employed to give professional advice, or of any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.
- D. 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 of Farmington, 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.
- E. 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.
- F. 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.
- G. 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 Farmington 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.

§ 17-5. Exception for certain filings.

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 of Farmington, 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.

§ 17-6. Distribution.

The Supervisor of the Town of Farmington shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the Town within 30 days after the effective date of this chapter. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his office or employment.

§ 17-7. Penalties for offenses.

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.

§ 17-8. Board of Ethics.

- A. There is hereby established a Board of Ethics consisting of three members to be appointed by the Town Board of the Town of Farmington. The members of the Board of Ethics shall serve without compensation and at the pleasure of the Town Board. Two of such members shall be persons other than officers and employees of the Town of Farmington, and the third member shall be an elected or appointed officer or employee of the Town.
- B. The Board of Ethics shall have the powers and duties prescribed by Article 18 of the General Municipal Law and shall render advisory opinions to the officers and employees of the Town of Farmington pursuant to the written request of such officer or employee with respect to Article 18 of the General Municipal Law and the foregoing Code of Ethics, under such rules and regulations as the Board may prescribe.

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Policy Statement - Pursuant to the provisions of Section 806 of the General Municipal Law, the Town Board of the Town of Farmington 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 or local government. It is the purpose of this local law to promulgate these rules of ethical conduct for the officers and employees of the Town of Farmington. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Farmington. The rules of ethical conduct of this local law as adopted shall not conflict with, but shall be in addition to any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct or interest in contracts of municipal officers and employees.

Definitions - For the purpose of the Town of Farmington Code of Ethics, the following terms shall have the following meanings:

- **Municipal Officer or Employee** – Means an officer or employee of the Town of Farmington, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person will 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 Farmington shall be subject to, and abide by the following standards of conduct:

- **Gifts** – He shall not directly or indirectly solicit any gift; or accept or receive any gift having a value of twenty-five dollars (\$25) 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;
- **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;
- **Representation before Town Board or 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 board, court or agency of which he is an officer, member or employee, or for which he is employed to give professional advice, or of any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee;

- **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 of Farmington, 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;
- **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;
- **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;
- **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 Farmington 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.

Penalties for Offenses - In addition to any penalty contained 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.

(Note: Refer to Town Code Book, Chapter 11, for more information)