

## **Town of Otego Ethics Policy**

The Town of Otego is dependent on the trust of its community to successfully achieve its mission. Therefore, it is crucial that all Board members and employees conduct business on behalf of the Town with the highest level of integrity avoiding any impropriety or the appearance of impropriety.

### **Guiding Principals:**

- Board members and employees should uphold the integrity of the Town of Otego and should perform their duties impartially and diligently.
- Board members and employees should not engage in discrimination of any kind including that based on race, class, ethnicity, religion, sex, sexual orientation, or belief system.
- Board members and employees should avoid situations in which their personal interests, activities or financial affairs are, or are likely to be perceived as being in conflict with the best interests of the Town of Otego.
- Board members and employees should avoid having interests that may reasonably bring into question their position in a fair, impartial and objective manner.
- Board members and employees should not knowingly act in any way that would reasonably be expected to create an impression among the public that they are engaged in conduct that violates their trust as Board members or employees.
- Board members and employees should not use or attempt to use their position with the Town to obtain unwarranted privileges or advantages for themselves or others.
- Board members and employees should not be swayed by partisan interests, public pressure, or fear of criticism.
- Board members and employees should not denigrate the organization or fellow Board members or employees in any public arena.

### **Compliance:**

If any Board member or the Town Supervisor appears to be in conflict of the “Guiding Principals” above, he or she will be asked to meet with the Town Board to discuss the issue and take action to correct the issue according to state and civil service laws. Employees who are or appear to be in conflict with the “Guiding Principals” will be asked to meet with the Town Supervisor who will make a determination as to discipline or termination based on his or her findings and in accordance with state and civil service laws.

# Code of Ethics

## Town of Otsego - - Local Law

**Section 1.** Pursuant to the provisions of Section 806 of the General Municipal Law, the Town Board of the Town of Otsego 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 local law to promulgate these rules of ethical conduct for the officers and employees of the Town of Otsego. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Otsego. The rules of ethical conduct of this resolution 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.

### **Section 2. Definition.**

(a) "Municipal Officer or Employee" means an officer or employee of the Town of Otsego, whether paid or unpaid including members of any administrative board, commission or other agency thereof.

(b) "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee or employee unless the contract otherwise requires.

### **Section 3. Standards of Conduct.**

Every officer or employee of the Town of Otsego 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 twenty-five (\$25.00) 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.

(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 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 of any municipal agency over which he has jurisdiction or to which he has the power to appoint any members, officer or employee.

(d) **Representation before any agency for a contingent fee.** He shall not receive, or enter into any agreement, express or implied for compensation for service to be rendered in relation to any matter before any agency of his municipality, whereby his compensation is to be dependant or contingent upon any action by such agency with

respect to such matter, provided that this paragraph shall not prohibit the fixing at anytime of such fees based upon the reasonable value of the services rendered.

(e) **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 Otsego whether paid or unpaid who participates in the discussion or gives official opinion to the Town Board or 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.

(f) **Investment 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.

(g) **Private employment.** He shall not engage in solicit, negotiate for or promise to accept private employment or render services for private interest when such employment or service creates a conflict with or impairs the proper discharge of his official duties.

(h) **Future employment.** He shall not, after the termination of services or employment with such municipality, appear before any board or agency of the Town of Otsego 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.

(i) **Representing third parties.** Members of the Town Board, Planning Board, Zoning Board of Appeals, Board of Assessment Review or any other authorized board or town employee is prohibited from representing the interest of a third party before any legal board conducting town business.

**Section 4.** Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee or any claim, account, demand, or suit against the Town of Otsego or any agency thereof on behalf of himself or any member of his family arising out of personal injury or property damage or for any lawful benefit authorized or permitted by law.

**Section 5. Distribution of Code of Ethics.** The Supervisor of the Town of Otsego shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the Town of Otsego within 30 days after the effective date of this resolution. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering into the duties of his office or employment.

**Section 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 provision of this Code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

**Section 7. Effective date.** This resolution shall take affect on December 30, 1970.

**Section 8. Prohibition.** Any person who is a member of the Town of Otsego's Planning Board, and/or elected official of the Town of Otsego is prohibited from serving on the Otsego County Planning Board.

**Section 9. Effective Date.** This resolution for addendum Section 8 shall take effect on August 21, 1984.

**Amended: 1/9/08  
(3. – (i) was added)**