

**TOWN OF ESPERANCE
CODE OF ETHICS
AMENDED JAN. 2, 2002**

Pursuant to the provisions of Section 806 of the General Municipal Law, the Town of Esperance; Schoharie County, New York 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 resolution to promulgate these rules of ethical conduct for the officers and employees of the Town of Esperance. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Esperance. 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 B-Definitions

- (a) “Municipal Officer or Employee” means an officer or employee of the Town of Esperance, whether paid or unpaid, including any 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.
- (b) “Interest” means pecuniary or material benefit according to a municipal officer or employee unless the context otherwise requires.

Section C-Standards of Conduct

Every officer or employee of the Town of Esperance 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 over seventy-five dollars, 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 with the 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, expressed 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 of or employee of or any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.
- (d) **Representation before any agency for contingent fee-** He shall not receive, or enter into any agreement, expressed or implied for compensation for services to be rendered in relation to any matter before any agency of this 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,
- (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 Esperance, whether paid or unpaid, who participates in the discussion of 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.
- (f) **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.
- (g) **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 services create a conflict with or impairs the proper discharge of his official duties.
- (h) **Future employment-** He shall not, after the termination of services of employment with such municipality, appear before any board or agency of the Town of Esperance, 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.

Section D-Distribution of Code

The Clerk of the Town of Esperance shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the Town of Esperance within 10 days of this resolution. Each officer elected or appointed thereafter shall be furnished a copy of the Code of Ethics by the Town Clerk. Each employee shall be furnished a copy of the Code of Ethics by the department head of the particular department within which such person is employed.

Section E-Penalties

In addition to any penalty contained in any other provision of the law, any person who shall knowingly and intentionally violate any of the provisions of this code be fined, suspended or removed from office or employment, as the case may be in the manner provided by law.

Section F-Effective Date

This resolution shall take effect January 1, 2002