

CODE OF ETHICS - TOWN OF MIDDLEBURGH

SECTION A - INTRODUCTION

Pursuant to the provisions of Section 806 of the General Municipal Law, the Town Board of the Town of Middleburgh, 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 rules of ethical conduct for the officers and employees of the Town of Middleburgh. 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 of municipal officers and employees.

SECTION B - DEFINITIONS

- (a) "Municipal Officer or Employee" means an officer or employee of the Town of Middleburgh, 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.

- (b) "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee.

SECTION C - STANDARDS OF CONDUCT

Every officer or employee of the Town of Middleburgh 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 seventy-five dollars or more, whether in the form of money, services, loans, 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 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) Representation Before Any agency for A Contingent Fee - 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 agency of his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter.
- (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 Middleburgh, 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.

- (f) Investments in Conflict with Official Duties - He shall not invest or hold any investment or interest, directly or indirectly, in any financial, business, commercial, private transaction or contract to which the Town is a party, subject, however, to the exceptions contained in Section 802 of the General Municipal Law.
- (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 service creates a conflict with or impairs the proper discharge of his official duties.
- (h) Future Employment - He shall not, after the termination of service or employment with the Town of Middleburgh, appear before any board or agency of the Town of Middleburgh, 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 - BOARD OF ETHICS

The Town of Middleburgh hereby creates a local Board of Ethics to consist of three members to be appointed by the Town Board, a majority of whom shall not be officers or employees of the Town, but said Board shall include at least one member who is an elected or appointed municipal officer or employee. The members shall serve at the pleasure of the Town Board. The Board of Ethics shall have all the powers and duties of and shall be governed by the same conditions as a County Board of Ethics.

SECTION E - DISTRIBUTION OF CODE

The Clerk of the Town of Middleburgh shall cause a copy of this code of ethics to be distributed to all employees and appointed and elected officials of the Town and signed documentation shall be obtained substantiating such distribution.

SECTION F - PENALTIES

In addition to any penalty contained in any other provisions 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.

SECTION G - EFFECTIVE DATE

This resolution shall take effect on July 9, 1992.