

TOWN OF COCHECTON CODE OF ETHICS

A Resolution establishing standards of conduct for officers and employees of the Town of Cochection. Be it enacted by the Town Board of the Town of Cochection as follows:

Section 1. Pursuant to the provisions of section eight hundred six of the general municipal law, the Town Board of the Town of Cochection 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 Cochection. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Cochection. The rules of ethical conduct of this Resolution as adopted, shall not conflict with, but shall be in addition to any prohibition of article eighteen 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 Cochection, 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.

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

Section 3. Standards of Conduct. Every officer or employee of the Town of Cochection shall be subject to and abide by the following standards of conduct:

- (a) Gifts. He/she 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 the gift was intended to influence him/her, or could reasonably be expected to influence him/her in the performance of his/her official duties or was intended as a reward for any official action on his/her part.
- (b) Confidential information. He/she shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.
- (c) Representation before one's own agency. He /she 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 municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.
- (d) Representation before any agency for a contingent fee. He/she 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/her municipality, whereby his/her 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/she knows thereof, a member of the Town Board and any officer or employee of the Town of Cochection, 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/she has in such legislation.
- (f) Investments in conflict with official duties. He/she 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/her official duties.

- (g) Private employment. He/she 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/her official duties.
- (h) Future employment. He/she shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Town of Cochection in relation to any case, proceeding or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

Section 4. 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 Cochection, or any agency thereof on behalf of him/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.

Section 5. Distribution of Code of Ethics. The Supervisor of the Town of Cochection shall cause a copy of this code of ethics to be distributed to every officer and employee of the Town within thirty (30) days after the effective date of this Resolution. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon 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 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 7. Effective date. This resolution shall take effect ten (10) days after it is filed as provided in section twenty-seven of the municipal home rule law.

Moved by Councilman Robert Nearing
Seconded by Councilman Gilbert Schmidt
Unanimously Carried.

Dated: December 14, 1970

TOWN OF COCHECTON
REVISIONS TO CODE OF ETHICS

WHEREAS, on December 14, 1970, the Town of Cochection adopted by Resolution, a Code of Ethics; and WHEREAS, the Town Board has determined to revise the Code of Ethics to allow the Code Enforcement Officer/Building Inspector of the Town to engage in construction projects within the Town, provided that there is a Code Enforcement Officer of another town to inspect the construction project engaged in by the Town Code Enforcement, and to issue all applicable building permits and Certificates of Occupancy, and provided further that such construction activities does not conflict with his/her official duties as Code Enforcement Office/Building Inspector of the Town;

NOW, THEREFORE, it is hereby

RESOLVED by the Town Board of the Town of Cochection, that the Code of Ethics of the Town of Cochection is hereby amended, to permit the Code Enforcement Officer/Building Inspector of the Town to engage in a limited number of construction projects within the Town, provided that there is a qualified Code Enforcement Officer/Building Inspector available from another town to inspect the construction project engaged in by the Town Code Enforcement Officer/Building Inspector, and to issue all applicable permits, including, but not limited to, building permits and Certificates of Occupancy, and provided further that the activities of engaging in construction projects by the Town Code Enforcement Officer/Building Inspector does not conflict with such persons official duties to the Town; and it is hereby further

RESLOVED by the Town Board of the Town of Cochection that any conflict between the resolution set forth above, and the provisions of the Code of Ethics of the Town of Cochection, including the provisions of paragraphs "3 (c)" and "3 (g)" shall be resolved in favor of the provisions of the above resolution; and it is further

RESOLVED, by the Town Board of the Town of Cochection that the above resolution shall take effect immediately upon its adoption and filing of same with the New York State Comptroller's Office in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

This resolution was moved by Councilman Indelicato, seconded by Councilman Hofer, and unanimously adopted by all members of the Town Board.

Dated: Lake Huntington, New York
December 14, 1994

TOWN OF COCHECTON
ROBERT GRUND, SUPERVISOR
ALINE PALMER, TOWN CLERK