

CODE OF ETHICS

Resolution Establishing Standards of Conduct For Officers and Employees of the Town of Johnsburg

Section 1—Pursuant to the provisions of Section 806 of the General Municipal Law, the Town Board of the Town of Johnsburg recognizes that there are rules of ethical conduct for all public officers and employees, which must be observed if a high degree of moral conduct and 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 Johnsburg. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Johnsburg. The rules of ethical conduct of this resolution as adopted, shall not conflict with, but 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—Definitions.

1. “*Municipal Officer or Employee*” means an officer or employee of the Town of Johnsburg, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed a municipal officer or employee solely due to being a volunteer firefighter or civil defense volunteer.
2. “*Interest*” means a pecuniary or material benefit accruing to an officer or employee of the Town of Johnsburg including a pecuniary or material benefit accruing to the officer’s or employee’s:
 - a. Spouse, minor children and dependents and/or
 - b. A firm, partnership or association of which he/she is a member.

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

1. Gifts—He/She shall not, directly or indirectly, solicit, accept or receive any gift having value of twenty-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 or was intended as a reward for any official action on his/her part or could reasonably be expected to influence the performance of official duties
2. Confidential Information. He/She shall not disclose confidential information acquired by him in the course of his/her official duties or use such information to further his/her personal interest.
3. Representation before One’s Own Agency. He/She 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/she is an officer, member or employee or of any municipal agency over which he/she has jurisdiction or the power to appoint any member, officer or employee.
4. Representation before Any Agency for a Contingent Fee. He/She 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 his/her municipality if His/Her compensation is to be dependant or contingent upon any action by such agency with respect to such matter. This does not prohibit the fixing of fees based upon the reasonable value of the services rendered.

5. Disclosure of Interest in Legislation. Any member of the Town Board, officer or employee of the Town of Johnsburg, whether paid or unpaid, who participates in the discussion or gives official opinion to the Town Board on any legislation 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.
6. Disclosure of Interest in Certain Applications. Any member of the Town Planning Board, officer or employee of the Town of Johnsburg, whether paid or unpaid, who participates in the discussion or gives official opinion to the Planning Board on any application before the Planning Board for review 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 application.
7. Disclosure of Employment of Relatives. No person related by blood or marriage to a public officer or department head of the Town of Johnsburg shall be employed by said public officer or department head before the public officer or department head publicly discloses the name, relationship and proposed employment to the Town Board *and* upon consent of a majority of said Board at a duly held meeting thereof.
8. 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.
9. Private Employment. He/She 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 conflict with or impairs the proper discharge of his/her official duties.
10. Future Employment. He/She shall not, after the termination of service or employment with the Town of Johnsburg, appear before any board or agency of the Town of Johnsburg 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 bar or prevent the timely filing by the present or former officer or employee of any claim, account, demand or suit against the Town of Johnsburg, or any agency thereof on behalf of himself/herself or family member of arising out of any personal injury, property damage or lawful benefit authorized or permitted by law.

Section 5—Distribution of Code of Ethics. The Supervisor of the Town of Johnsburg shall cause a copy of the Code of Ethics to be distributed to every officer or employee of the Town of Johnsburg 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 upon the duties of his/her 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 violates 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 20 days after it is filed in the office of the State Comptroller.