

Proposed Local Law  
Amending  
Chapter 27 “Code of Ethics”

§ 27-3 Definitions.

As used in this chapter, the following terms shall have the following meanings:

**INTEREST**

A direct or indirect pecuniary or material benefit accruing to a municipal officer, employee or contract professional as the result of a business or professional transaction with the Town of Glenville. For the purpose of this chapter, a municipal officer, employee or contract professional shall be deemed to have an interest in the affairs of his or her spouse, minor children and dependents; a firm, partnership or association of which such officer, employee or contract professional is a member or employee; a corporation of which such officer, employee or contract professional is an officer, director or employee; and a corporation, any stock of which is owned or controlled directly or indirectly by such officer, employee or contract professional.[1]

**TOWN**

Any board, commission, district, council or other agency, department or unit of the government of the Town of Glenville.

**TOWN EMPLOYEE**

Any officer or employee of the Town of Glenville, whether paid or unpaid, whether serving in a full-time, part-time or advisory capacity.

[1] Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 27-4 Conflicts of interest.

No Town employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature which is in substantial conflict with the proper discharge of his duties in the public interest.

§ 27-5 Standards. [1]

No municipal officer or employee shall:

- A. Directly or indirectly, solicit any gift, or accept or receive any gift having a value of \$10 or more, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in 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. Disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interests;

C. 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; or

D. 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, provided that this subsection shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered;

E. Simultaneously with his or her Town employment, hold another public sector office or position or employment which regularly does business with the Town or which is deemed incompatible with his or her town office or employment.

F. During his or her tenure as a municipal officer or employee, engage in any private employment, including the rendition of any business, commercial, professional or other types of services, when the employment can be reasonably expected to create a conflict with or impairs his or her independence of judgment or the proper discharge of his or her official duties;

G. At any time after serving as a municipal officer or employee, represent or render services to a private person or organization in connection with any particular transaction in which he or she personally and substantially participated while serving as a municipal officer or employee.

H. Hold investments that would otherwise impair the person's independence of judgment in the exercise or performance of his or her official powers and duties.

I. Fail to disclose any interest in legislation. To the extent that he or she knows thereof, a member of the Town Board and any officer or employee of the Town, whether paid or unpaid, who participates in the discussion or gives official opinion to the Town Board on any legislation before the Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other personal interest he or she has in such legislation. The disclosure shall be made when the matter requiring disclosure first comes before the municipal officer or employee, or when the municipal officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.

[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 27-6 Penalties for offenses.

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