CHAPTER 4: CODE OF ETHICS

§ 4.1 Purpose

Pursuant to the provisions of Section 806 of the General Municipal Law, the Town Board of the Town of Camillus 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 Chapter to promulgate these rules of ethical conduct for the officers and employees of this Town. It is intended that this Code of Ethics shall serve not only as a guide for official conduct of the Town's officers and employees, but also as a basis for discipline of those who refuse to abide by such Code of Ethics. The rules of ethical conduct of this Chapter as adopted shall not conflict with, but shall be in addition to, any prohibition of Article 18 of the General Municipal Law or of any other general or special law relating to ethical conduct of municipal officers and employees.

§ 4.2 Purpose of Board of Ethics

The establishment by this Chapter of a Board of Ethics as an arm of Town government, together with standards of ethical conduct, is intended to provide honest, efficient government to the citizens of the Town of Camillus.

§ 4.3 Definitions

When used in this Chapter, and unless otherwise expressly stated, or unless the context otherwise requires:

A. "Officer or employee" means an officer or employee of the Town of Camillus, 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 or assistant chief.

B. "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee as the result of a transaction with the Town of Camillus which such officer or employee serves. For the purposes of this Chapter, an officer or employee shall be deemed to have an interest in the affairs of (1) his or her spouse, minor children and dependents,(2) a firm, partnership or association of which such officer or employee is a member or employee, (3) a corporation of which such officer or employee is an officer, director or employee, and (4) a corporation, any stock of which is owned or controlled directly or indirectly by such officer or employee.

C. "Contract" means any claim, account or demand against or agreement with a municipality, express or implied, and shall include the designation of a depository of public funds and the designation of an official newspaper.

D. "Agency" means any Town department or division, board, commission or committee including the Town Board.

§ 4.4 Standards of conduct

The following standards of conduct shall be observed by all officers and employees of the Town of Camillus:

A. Representation of private interests in actions
No officer or employee shall represent private interests in any action or proceeding against the interests of the Town of Camillus, or in any litigation to which the Town is a party.

This provision shall not disqualify any officer or employee from grieving property taxes and appearing before the Board of Assessment Review as to any property in which he has an interest. (LL 12-1993, filed July 19, 1993)

B. Representation of private interest before Town Agency
No officer or employee shall represent a private interest before any agency of this Town.

C. Gifts
No officer or employee shall, directly or indirectly, solicit any gift; or accept any gift, favor or service having a value in excess of Twenty-five Dollars ($25.00) in connection with the discharge of his or her official duties, except payments of lawful compensation.

D. Confidential information
No officer or employee shall accept employment or engage in any business or professional activity which will require him or her to disclose confidential information which he or she has acquired by reason of his or her official position; nor shall any officer or employee disclose confidential information gained by reason of his or her official position, nor shall he or she otherwise use such information for his or her personal gain or benefit.

E. Investments
An officer or employee, except as otherwise permitted by law, shall abstain from making or holding investments in enterprises which he or she has reason to believe may be directly involved in decisions to be made by him or her or which will create conflict between his or her duty in the public interest and his or her private interest.

F. Employment
No officer or employee shall accept or engage in any other employment which might impair his or her independent judgment in the performance of his or her public duties.

G. Solicitation of employment
No officer or employee shall solicit, negotiate for or promise to accept employment with any person, firm or corporation with which he or she is engaged on behalf of the Town of Camillus in the transaction of business and which is or may be affected by his or her official action.

H. Use of position
No officer or employee shall use his or her official position to secure special privileges or exemption for himself or herself or for others, except as may otherwise be provided by law.

I. Improper conduct
An officer or employee shall not by his or her conduct give reasonable basis or impression that any person can improperly influence him or her or unduly enjoy his or her favor in the performance of his or her official duties.

J. Course of conduct
An officer or employee shall endeavor to pursue a course of conduct which will not raise suspicion among the public that he or she is likely to be engaged in acts that are in violation of his or her trust.

K. Future employment
No officer or employee shall, within the period of two (2) years, after the termination of his or her service or employment, appear before any agency of the Town or receive compensation for any services rendered on behalf of any person, firm, corporation or association in relation to any case, proceeding or application with respect to which such person was directly concerned or in which he or she personally participated during the period of his or her service or employment, or which was under his or her active consideration.

L. Conflict of Interest Recusal
No officer or employee shall participate in the processing, deliberations or decision making process of any matter in which he is interested as such an interest is defined in Section 4.3 B supra. Any such officer or employee shall disclose at the earliest possible time such conflicting interest and shall thereupon recuse himself from all proceedings thereon.

M. Assessment Board of Review
The Town Assessor shall not be present at nor in any manner participate in the deliberations or decision-making process of the Camillus Assessment Board of Review.

§ 4.5 Board of Ethics

A. Established
The Town Board of the Town of Camillus does hereby establish a Board of Ethics composed of three (3) members and shall appropriate money for maintenance and personal services in connection therewith. The members of such Board shall be appointed by the Town Board. The members of such Board shall receive no salary or compensation for their services as a member of the Board, and shall serve at the pleasure of the Town Board. One (1) member of such Board shall be an elected or appointed officer or employee of the Town of Camillus.

B. Powers and duties
The Board shall render advisory opinions to officers and employees of the Town of Camillus with respect to Article 18 of the General Municipal Law and this Code of Ethics adopted pursuant thereto. Such advisory opinion shall be rendered pursuant to the written request of any officer or employee under such rules and regulations as the Board may prescribe, and shall have the advice of counsel employed by the Board, or, if none, the Attorney for the Town of Camillus. In addition, it may make recommendations with respect to the drafting and adopting of a Code of Ethics or amendments thereto upon the request of the Town Board of the Town of Camillus.

§ 4.6 Contracts void

Any contract willfully entered into by or with the Town of Camillus in which there is an interest prohibited by this Chapter shall be null, void and wholly unenforceable.

§ 4.7 General Municipal Law to take precedence

In the event that any provision of this Chapter shall conflict with the provision of Article 18 of the General Municipal Law of the State of New York, then, in that event, the provisions of said Article 18 shall prevail.

§ 4.8 Distribution of Code of Ethics

The Supervisor of the Town of Camillus shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the Town of Camillus. Each officer and employee elected or appointed on or after the effective date of this Chapter shall be furnished said copy before entering upon the duties of his or her office or employment. Failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with this Chapter, nor with the enforcement of the provisions thereof.

§ 4.10 Penalties

Any violation of the provisions of this Chapter shall constitute cause for fine, suspension or removal from office or employment in accordance with the appropriate provisions of law.

Authority: Gen Mun L § 806 (1).

HISTORICAL NOTE

This Chapter is a codification of Local Law #3 of the year 1970 which was adopted by the Town Board on December 23, 1970 and was filed in the office of the Secretary of State on December 30, 1970.

This Chapter is a replacement, by Local Law #18 of 1992, for the purpose of establishing procedures for reclusal of town employees in conflict of interest situations and procedures during Assessment Board of Review deliberations. Said Law was adopted by the Town Board on December 8, 1992 and filed in the office of the Secretary of State. §4.4A amended 7/13/93, LL 12-93)

References:

Acts prohibited. Gen Mun L § 805-a
Code of ethics required. Gen Mun L § 806 (1).
Disclosure of interest. Gen Mun L § 803.
Zoning matters, disclosure required. Gen Mun L § 809

AS REVISED 1992, AMENDED 1993