

RESOLUTION # 114_(2020) – APPROVE AMENDMENT TO PERSONNEL MANUAL – CODE OF ETHICS

RESOLVED, that the Town of Dryden Personnel Manual be amended to replace the current Code of Ethics Policy in the Town’s Personnel Manual with the following policy, and be it further

RESOLVED, that the Town Board hereby directs all employees, public officers, and agents, either elected or appointed, paid or unpaid, to sign the “*Code of Ethics Acknowledgement Form*” and submit it to the Office of the Town Supervisor.

CODE OF ETHICS

Pursuant to the provisions of Section 806 of the General Municipal Law, the Town Board recognizes that there are rules of ethical conduct for Elected Officials and Town employees, which must be observed so as to maintain a high degree of moral conduct and public confidence. Therefore, the Town Board has adopted rules of ethical conduct. These rules are in addition to Article 18 of the General Municipal Law and any other law pertaining to ethical conduct or interest in contracts.

Definitions - For the purpose of the Town of Dryden’s Code of Ethics, the following terms shall have the meanings indicated:

- **Municipal Officer or Employee** - will mean and refer to an officer, employee, or agent of the Town of Dryden, whether paid or unpaid, or elected or appointed, including members of any administrative board, commission committee, or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer firefighter ~~or civil defense volunteer~~, except as **fire** chief ~~engineer~~ or assistant **fire** chief(s) ~~engineer~~.
- **Interest** - will mean and refer to a pecuniary or material benefit accruing to an officer or employee, unless the context otherwise requires.

Standards of Conduct - Every officer or employee of the Town of Dryden shall be subject to and abide by the following standards of conduct:

- A. **Gifts** - An officer or employee may not directly or indirectly solicit any gift nor accept or receive any gift having a value of seventy-five dollars (\$75) 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 the officer or employee, or could reasonably be expected to influence them in the

performance of their official duties or was intended as a reward for any official action on the officer's or employee's part.

- B. **Confidential Information** - An officer, employee, or agent shall not disclose confidential information acquired by them in the course of their official duties or use such information to further their personal interest.
- C. **Representation Before One's Own Agency** - An officer or employee may 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 over which the officer or employee has jurisdiction or to which the officer or employee has the power to appoint any member, officer or employee.
- D. **Representation Before any Agency for a Contingent Fee** - An officer or employee 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 the Town, whereby the officer's or employee's compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this provision 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 an officer, employee, or agent knows thereof, the Town Board and any officer, employee, or agent of the Town of Dryden, whether paid or unpaid, or elected or appointed, who participates in the discussion or gives official opinion to the Town Board on any legislation before the Town Board must publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest they may have in such legislation.
- F. **Investments which Conflict with Official Duties** - An officer, employee, or agent shall not invest nor hold any investment, directly or indirectly, in any financial, business, commercial, or other private transaction, which creates a conflict with their official duties.
- G. **Appearance of Impropriety** – An officer, employee, or agent must avoid circumstances that compromise his/her ability to make decisions solely in the public interest or create an appearance of impropriety.
- H. **Recusal** – An officer, employee, or agent must recuse him/herself when faced with the above conflicts. Recusal means that the official may not deliberate, vote, or participate in any way in such matters. The official should disclose his/her conflict and remove him/herself from the discussion and actions related to the conflict.
- I. **Town Property** – No employee, officer or agent shall use town property or assets for personal purposes or profit or to benefit a private party. Use of town property or assets are restricted to the conduct of official business and for the benefit of all residents.
- J. **Nepotism** – Spouses and other family members may not serve in positions creating a conflict of interest, the appearance of a conflict, or consolidation of power in one board.

- K. **Private Employment** - An officer or employee 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 their official duties.
- L. **Respect in the Workplace** – Every employee, public officer and agent has the right to work in a respectful and dignified workplace, regardless of their status or position. Town employees, public officers and agents are expected to conduct themselves in a manner which exemplifies courtesy and respect to all, exhibiting professionalism, integrity, civility and courtesy on a consistent basis.
- M. **Subordinates** – No public official shall solicit political contributions from subordinates.
- N. **Incompatible Positions** – An officer is prohibited from (a) holding positions when one is subordinate to the other; and (b) holding positions when the duties of the positions conflict.
- O. **Right to File Claims** - 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 Dryden, or any agency hereto on behalf of themselves or any member of their family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.
- P. **Penalties for Offenses** - In addition to any penalty contained in any other provision of law, any person who knowingly and intentionally violates any of the provisions of this code may be suspended, or removed from office or employment, as the case may be, in the manner provided by law. Town employees or public officials may submit alleged ethical issues or concerns in writing to the Tompkins County Ethics Board for review and investigation. Infractions of the Code of Ethics that are confirmed by such investigation will be referred to the Town Board for action.”