

CODE OF ETHICS  
TOWN OF NANTICOKE  
BROOME COUNTY, NEW YORK

An Ordinance establishing standards of conduct for officers and employees of the Town of Nanticoke

Be it enacted by the Town Board of the Town of Nanticoke in regular session duly convened 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 Nanticoke (hereinafter referred to as "Town") 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 ordinance to promulgate these rules of ethical conduct for the officers and employees of the Town. These rules shall serve as a guide for official conduct of the officers and employees of said Town. The rules of ethical conduct of this ordinance 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 whether paid or unpaid, including members of an 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 be a municipal officer or employee unless the context otherwise requires.

**SECTION 3. Standards of Conduct.**

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

(a) **Gifts.** He 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, 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) **Confidential Information.** He shall not disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interest.

(c) **Representation Before One's Own Agency.** He 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 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.

(d) **Representation Before any Agency for a Contingent Fee.** He 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 municipality, whereby his 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.

(c) Disclosure of Interest in Town Legislation or Agency Decision. To the extent that he knows thereof, every municipal 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 said Board or who participates in the discussion or gives official opinion to any administrative board, commission or other agency of said Town shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation or decision.

(f) Investments in Conflict with Official Duties. He 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 official duties. Prior to acceptance of public office he shall divest himself of any such investments.

(g) Private Employment. He 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 his official duties. Such conflict shall be deemed to exist in private employment when the private interests being served are subject to regulation by license or permit by the Town or by any agency of the Town. Further, he shall not use the powers of his official duties to obtain outside employment.

(h) Future Employment. He shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Town in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his 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, or any agency thereof on behalf of himself or any member of his 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 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 ordinance. 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 ordinance shall take effect ten (10) days after publication and posting or immediately upon personal service as provided in Section 133 of the Town Law.

STATE OF NEW YORK )  
COUNTY OF BROOME )  
TOWN OF NANTICOKE )

I, JOANNE COSTLEY, Town Clerk of the Town of Nanticoke, Broome County, New York, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance passed and enacted by the Town Board of the Town of Nanticoke, Broome County, New York, on the ~~10th~~ day of *July* 1979, and entered in the minutes of the said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said Town of Nanticoke this *13th* day of *July* 1979.

JOANNE COSTLEY  
Town Clerk  
Town of Nanticoke  
Broome County, New York

(Seal of the Town of Nanticoke)