

VILLAGE OF WATKINS GLEN
Municipal Offices
303 North Franklin Street
Watkins Glen, New York 14891
TELEPHONE: (607) 535-2736

CODE OF ETHICS

ARTICLE I

ETHICAL STANDARDS AND CONDUCT

SECTION 1: PURPOSE AND INTENT

- a) To establish high ethical standards for the guidance of office holders, employees and representatives of the Village.
- b) To assist such officials and employees to follow proper courses of conduct and action and contemplated actions by setting forth standards of conduct reasonably expected of them.
- c) To assure, inspire and increase public confidence in the integrity of the office holders and employees of the Village.
- d) To inspire in public officials and employees the worth and value of ethical public service and to protect innocent officials and employees from unwarranted accusations or assaults on their integrity.
- e) To implement, supplement and comply with Article 18 of General Municipal Law.
- f) To supersede prior Village Codes of Ethics.
- g) This act should be liberally construed to effectuate its objectives and purposes.

If any provisions hereof shall be held to be unconstitutional, invalid, ineffective or inapplicable for any reason, it is intended that all other provisions shall be separable and fully effective.

SECTION 2: DEFINITIONS

Whenever the following terms shall be employed they shall mean the following:

- a) "VILLAGE": The Village of Watkins Glen and all of its governmental and administrative departments, boards, commissions or agencies, and the interests therein of the citizens and residents of the Village.
- b) "OFFICIALS AND EMPLOYEES": Office holders, employees, consultants, advisors and representatives of the Village, elected or appointed, whether paid or unpaid, who hold positions provided for by the Village, or who may be members of one or more boards, commissions, committees, agencies or the like, which now serve or may

hereafter be in the service of the Village. 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 fire chief or assistant fire chief.

- c) "INTEREST": Any direct or indirect pecuniary or material benefit accruing to an official or employee personally as the result of any agreement, contract, business, commercial or professional transaction or activity in which the Village is a party or which involves the village.

An interest will be implied and an official or employee shall be deemed to have interest in the affairs of.

- 1) His or her spouse, unemancipated children, other member of his or her household or any other relatives or persons whereby it can be reasonably inferred or determined that a conflict of interest does or may exist.
 - 2) A partnership, company, firm or association in which an official or employee is a member or has an interest.
 - 3) A corporation in which an official or employee is an officer, director or employee or has an ownership interest of 5% or more of the corporation's stock.
- d) "CONFLICT OF INTEREST": Any beneficial personal interest an official or employee may have in any matter or transaction which may result in an unnecessary expense or loss to the Village or may be adverse to or detrimental to and not in the best interest of the Village.

NOTE: Incorporated herein by reference are all other "DEFINITIONS" set forth in Sections 800 and 810 of Article 18 of General Municipal Law; and all Section Numbers of said Article 18.

ARTICLE II

CODE OF ETHICS

It is the policy of the Village that all officials and employees must avoid conflicts or potential conflicts of interest.

A conflict of interest will exist whenever an official or employee has an interest, direct or indirect, which conflicts with his/her duty owed to the Village or which could adversely affect or influence his/her judgment in the proper discharge of his/her duties and responsibilities due the Village.

SECTION 3: APPLICABILITY

- a) The provisions of this code shall apply to officials and employees and such other agents or representatives of the Village. 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 fire chief or assistant fire chief.
- b) Said provisions shall not apply to the Village Court Judge or Assistant Judges which are governed by separate provisions of law for ethical conduct of Judges.

- c) The provisions of this code shall not apply to the Municipal Employees Association (MEA) or to any of its officers or members, provided however, that they are acting only in respect to or in connection with MEA meetings, negotiations, or lawful activities.

SECTION 4: PROHIBITED ACTIVITIES

No official or employee shall:

- a) Participate in the discussion, negotiation or the awarding of any contract or take any action in any business or professional dealings with the Village in any matter which such official or employee has or will have any interest.
- b) Accept or engage in private employment or personal services for his or her benefit, nor solicit or negotiate for the same, when such employment will or may create a conflict of interest or impair the proper discharge of his/her duties, nor act in behalf of another having a claim or interest adverse to the interests of the Village.
- c) Solicit or accept, directly or indirectly, any gift, in any form having a value in excess of that allowed by the statute of the General Municipal Law in the State of New York, or any other favor, service, promise or anything under circumstances by which it could reasonably be inferred that a gift was intended or was received as a reward to influence one in making any decision or taking any action on behalf of the Village. Any gift, favor or service accepted in any form must be reported to the Mayor, failure to do so, regardless of the value, may result in disciplinary action, including dismissal, in accordance with Civil Service Laws and Regulations and any contractual obligations.
- d) Disclose confidential information acquired in the course of one's official duties or as such Village official or employee, or use such information for personal benefit, or in any way adverse to the interests of the Village, unless otherwise required to do so by law, or allowed to do so for a lawful purpose.
- e) Accept employment or engage in any business or professional activity which will require disclosure of confidential information gained by reason of official position or authority.
- f) Use or attempt to use an official position to secure unwarranted privileges or exemptions personally or for others.
- g) By personal conduct knowingly create the impression that any person can improperly influence or unduly enjoy favor in the performance of his/her official duties, or that the employee is affected by the kinship, rank, position or influence of any party or position.
- h) Intentionally or knowingly pursue a course of conduct which is likely to raise reasonable suspicion among the public that the employee may be or become engaged in acts that are in violation of trust.
- i) Commit acts prohibited by Section 805-a.

SECTION 5: DISCLOSURE OF INTEREST

- a) Any official or employee who has, may have, will have or intends to acquire any personal interest in any matter contemplated or being considered by the Village, shall publicly disclose the nature and extent of such interest for the record and in writing before participating in any discussion, giving any advice, rendering any opinion or taking any action in any decision affecting the Village.
- b) Any official or employee who is informed of or has knowledge of any matter being considered by any department or agency of the Village in which they may not be a participant, but in which matter they may have or intend to acquire an interest, shall be required to disclose such interest and the nature and extent thereof in writing to such Village department or agency.

SECTION 6: PENALTIES FOR VIOLATIONS

Any person to whom this Code shall apply who makes or files any false or fraudulent statements, who fails to make or file a required statement, who makes any willful misrepresentations of any kind, or who is otherwise found or determined to be in violation of any provisions of this code, may be:

- a) Admonished, cautioned, reprimanded, censured, suspended or removed from office or employment by the appointing officer or governing agency or in any manner otherwise ordered or authorized by the Board of Trustees, in accordance with Civil Service Rules, Law and Regulations.
- b) Liable in damages for losses to or incurred by the Village as the result of such violation; and/or
- c) Penalized and required to pay to the Village a sum equal to three times the sum of any unlawful or improper material benefit received by one as the result of such a violation; and/or
- d) Fined in an amount not to exceed \$10,000; and/or
- e) Subject to any other civil or criminal applicable fine or penalty imposed by law.
- f) Nothing in this Code of Ethics is intended to conflict with or to supersede the provisions of any negotiated employees' contract with the Village, particularly any provisions or procedures thereof relating to grievances.

SECTION 7: NOTICE OF CODE

The Mayor shall cause a copy of this Code of Ethics to be distributed to each official and employee of the Village to which this Code shall apply, pursuant to Section 806 of the General Municipal Code.

Dated: January 16, 2002