

## **Village of Ilion Code of Ethics**

The Board of Trustees of the Village of Ilion recognizes that there are rules of ethical conduct for public officers and employees that 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.

The Village of Ilion Codes in Chapter 15 entitled Ethics, Codes of, has established a Codes of Ethics whose purpose is stated as follows:

### **§ 15-1. Purpose.**

Pursuant to the provisions of § 806 of the General Municipal Law, the Board of Trustees of the Village of Ilion 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 code to promulgate these rules of ethical conduct for the officers and employees of the Village of Ilion. These rules shall serve as a guide for official conduct of the officers and employees of the Village of Ilion. The rules of ethical conduct of this code, as adopted, shall not conflict with but shall be in addition to any prohibition of Article 18 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.

In addition to the Code of Ethics as currently found in Chapter 15 of the Village of Ilion Codes, several policies have been adopted by the Village Board effective November 18, 2009.

### **Acknowledgement and Certification**

The Mayor of the Village of Ilion shall require a copy of this Code of Ethics along with the Policies Booklet to be distributed to every Village Trustee, Officer, Employee, Administrative board members, commission members or other Village agencies; copies shall be distributed to any individual seeking electoral or appointive office in the Village, employment by the Village. In addition, a copy of the code will be posted in each public building in the Village.

Every Trustee, Officer, Employee, Administrative board members, commission members or other Village of Ilion agencies, whether paid or unpaid, shall certify in writing that they have read and understand this Code of Ethics Policy.

Cover to:

**Codes of Ethics Chapter 15 Village of Ilion Codes  
Village of Ilion Ethics Additional Policies  
Acknowledgement Certification**

## Chapter 15 ETHICS, CODE OF

### § 15-1. PURPOSE.

Pursuant to the provisions of § 806 of the General Municipal Law, the Board of Trustees of the Village of Ilion 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 code to promulgate these rules of ethical conduct for the officers and employees of the Village of Ilion. These rules shall serve as a guide for official conduct of the officers and employees of the Village of Ilion. The rules of ethical conduct of this code, as adopted, shall not conflict with but shall be in addition to any prohibition of Article 18 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.

### § 15-2. DEFINITIONS.

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

**INTEREST** -- A direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the municipality which such officer or employee serves. For the purposes of this chapter, a municipal officer or employee shall be deemed to have an "interest" in the contract of:

- A. A spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves.
- B. A firm, partnership or association of which such officer or employee is a member or employee.
- C. A corporation of which such officer or employee is an officer, director or employee.
- D. A corporation, any stock of which is owned or controlled directly or indirectly by such officer or employee.

**MUNICIPAL OFFICER OR EMPLOYEE** -- An officer or employee of the Village of Ilion, 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 Fire Chief or Assistant Fire Chief.

### § 15-3. STANDARDS OF CONDUCT.

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

- A. **Gifts.** Every officer or employee shall not directly or indirectly solicit any gift or 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 that person or could reasonably be expected to influence that person in the performance of their official duties or was intended as a reward for any official action on their part.
- B. **Confidential information.** Shall not disclose confidential information acquired by that officer or employee 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 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 that person is an officer, member or employee or of any municipal agency over which that person has jurisdiction or to which that person 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, express or implied, for compensation for services to be rendered in relation to any matter before any agency of this municipality whereby that person's 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. **Disclosure of interest in legislation.** To the extent that an officer or employee knows thereof, a member of the Board of Trustees and any officer or employee of the Village of Ilion, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Trustees 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.
- F. **Investments in conflict with official duties.** An officer or employee shall not invest or hold any investment, directly or indirectly, in any financial, business, commercial or other private transaction which creates a conflict with their official duties.
- G. **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.

- H. **Future employment.** An officer or employee shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Village of Ilion in relation to any case, proceeding or application in which that person personally participated during the period of their service or employment or which was under their active consideration.

#### **§ 15-4. PROVISIONS NOT TO PREVENT CERTAIN 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 Village of Ilion or any agency thereof 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.

#### **§ 15-5. DISTRIBUTION OF COPIES.**

The Mayor of the Board of Trustees of the Village of Ilion shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the Village of Ilion within thirty (30) days after the effective date of this code. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of office or employment.

#### **§ 15-6. PENALTIES FOR OFFENSES.**

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

**CHARTER C71 Officers not to be interested.**

- A. No number of the Board of Trustees or other officer having power or authority to contract, either individually or as a member of any board or body, shall be interested in any contract to which the village shall be a party. Any violation of this provision shall be a misdemeanor and punishable as such.
- B. Prior membership to a board, body or commission of the village shall not preclude a former member from being appointed or named to a paid position with such board, body or commission, provided that such person is not a member at the time named or appointed and provided further that at least sixty (60) days have expired from the date of termination of such person's membership on such board, body or commission.

## Village of Ilion Ethics Additional Policies.

1. **Use of Village Employees or Property:** Village Officers or Employees may not use village property, perform services for or direct any Village Trustee, Officer or Employee to perform services for any person's personal convenience or profit. Nothing in this subsection is meant to exclude the doing of business with the Village of Ilion under contract or otherwise after full disclosure, or the performance of or acceptance of services available to the general public.
  
2. **Employment of Relatives:** Members of Village Officers' or Employees' immediate family may be considered for employment by the Village, providing the applicant possess all of the qualifications of employment.
  - a. Definition of an "**immediate family**" member is: Spouse, partner or significant other, brother (in-law), sister (in-law), parents (in-law), children (step), and any other member of the Village Officer or Employee's household.
  
  - b. Members of Village Officers' or Employees' "immediate family" may not be hired, however, if for a position within the Municipal accounting financial function.
  
3. **Acknowledgement and Certification:** The Mayor of the Village of Ilion shall require a copy of this Code of Ethics to be distributed to every Village Trustee, Officer, Employee, Administrative board members, commission members or other Village agencies; copies shall be distributed to any individual seeking electoral or appointive office in the Village, employment by the Village.
  - a. In addition, a copy of the code will be posted in each public building in the Village.
  
  - b. Every Trustee, Officer, Employee, Administrative board members, commission members or other Village of Ilion agencies, whether paid or unpaid, shall certify in writing that they have read and understand this Code of Ethics Policy.
  
4. **Suspension or Removal for Violation:** 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 of Ethics may be subject to penalties and / or disciplinary procedures as provided for by Law and / or the appropriate Collective Bargaining Agreement.

## Annual Acknowledgment Certification

### ACKNOWLEDGEMENT:

I hereby acknowledge that I have received a copy of the Village of Ilion's most current Code of Ethics and Village of Ilion Ethics Additional Policies.

I further acknowledge that I have read and understand all of my obligations, duties, and responsibilities under each principle and provision of the Village of Ilion's current Code of Ethics and Village of Ilion Ethics Additional Policies.

I certify by my signature below that this is a true and correct statement.

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Printed Name

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Signature

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Date

Please sign and return to the Village Clerk