

## Code of Ethics for the Town of Westville, State of New York

### Resolution #3 of 2023

Adoption of Code of Ethics for the Officers/Elected Officials, Appointed and Employees of the Town of Westville.

**Whereas,** The State of New York by Statute has made it mandatory for municipalities to adopt a Code of Ethics.

**Whereas,** Pursuant to the provisions of section eight hundred six of General Municipal Law, the Westville Town Board recognizes that there are rules of ethical conduct for public officers, elected officials, 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 resolution to promulgate these rules of ethical conduct for the elected officials, public officers and employees of the Town of Westville. These rules shall serve as a guide for official conduct, of this resolution 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, elected officials and employees.

**Whereas;** The definition of town shall mean the Town Board, elected officials, appointed officials, commission, district, council or other agency, department or unit of the government of the Town of Westville.

**Whereas;** The term "Town Employee" shall mean any officer or employee of the Town of Westville, whether paid or unpaid, whether serving in a full-time, part time or as advisory capacity.

**Whereas;** Rule with respect to conflict of interest, no Town employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his/her duties in the public interest.

**Whereas;** Every Employee of the Town of Westville shall be subject to and abide by the following standards of conduct:

- A. Gifts, he/she shall not directly or indirectly, solicit any gift; or accept or receive any gifts 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/her, or could reasonably be expected to influence him/her official duties or was intended as a reward for any official action on his/her part.
- B. Confidential information, He/she shall not disclose confidential information acquired by him/her official duties or use such information to further his/her personal interest.
- C. Representation before one's agency, He/she shall not receive, or enter into an agreement, express or implied, for compensation for services to be rendered in relations to any other matter before any municipal agency of which he/she is an officer, member, or employee or any municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.
- D. Representation before any agency for a contingent fee, he/she 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/her municipality, whereby his/her 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.
- E. Disclosures of interest in legislation, to the extent that he/she knows thereof, a member of the Westville Town Board and any officer elected or appointed, or employee of the Town of Westville, whether paid or unpaid, who participates in the discussion or gives official opinion to the Westville Town Board, on any legislation before the Town Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such legislation.

- F. Investments in conflict with official duties, he/she shall not invest or hold any investment directly or indirectly in any financial, business, commercial or private transaction, which created a conflict with his official duties.
- G. Private employment, he/she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his/her official duties.
- H. Future employment, he/she shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Town of Westville in relation to any case, proceeding or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

**Whereas;** Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer, elected or appointed, employee of any claim, account, demand or suit against the Town of Westville, or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

**Whereas:** The Town Clerk of the Town of Westville shall cause a copy of this code of ethics to be distributed to every officer, appointed or elected and employee of the Town of Westville within forty five (45) days after the effective date of January 10, 2022. Each officer, elected or appointed thereafter, shall be furnished a copy before entering upon their duties of his/her office or position of employment.

**Whereas;** Penalties, In addition, to any penalty contained in any other provision of law, any person who knowingly and intentionally violate any 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.

***Now, Therefore it Be Resolved the Code of Ethics is approved on this the 9<sup>th</sup> Day of January 2023*** and a copy be posted on the bulletin board and Town Website ***And be it Further Resolved,*** a copy be filed in the minutes of this meeting.

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Rodrique Lauzon

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Brenda St Hilaire

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Robert Reynolds

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Michael Armstrong

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Sean Barnes