

VILLAGE OF COHOCTON LOCAL LAW NO. 1 OF 1970

A local law relating to a *Code of Ethics* and a *Board of Ethics* for the Village of Cohocton.

Be it enacted by the Village of Cohocton;

ARTICLE I Intent of the Village Board

Section 1. *Statement of legislation intent.* The Village Board of the Village of Cohocton recognizes that there are state statutory provisions mandating Villages to establish rules and standards of ethical conduct for public officers and employees which, if observed, can enhance public confidence in local government. In the light of a tendency today on the part of some people to downgrade our local government and to discredit our public servants and our free institutions generally, it appears necessary that every effort be made to assure the highest caliber of public administration of this Village as part of our states important system of local government, it is the purpose of this local law to implement this objective through the establishment of standards of conduct, to provide for punishment of violation of such standards and to create a *Board of Ethics* to render advisory opinion to the Village Officers and employees as provided for herein.

Section 2. *The standards.* Prohibited acts and procedures established herein are in addition to any prohibited acts, conflicts of interest provisions or procedures prescribed by statute of the State of New York and also in addition to common law rules and judicial decisions relating to the conduct of Village Officials to the extent that the same are more severe in their application than this local law.

ARTICLE II Code of Ethics

Section I. *Definitions.* As used in this local law, the term "Village" shall mean any board, commission, district, council or other agency, department or unit of the government of the Village of Cohocton. The term "Village Employee" shall mean any officer or employee of the Village of Cohocton, whether paid or unpaid, whether serving in a full time, part time or advisory capacity.

Section II. *Rule with respect to conflict of interest.* No Village 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 proper discharge of his duties in the public interest.

Section III. Standards. No Village employee shall accept other employment, which will impair his independence of judgment in the exercise of his official duties. No Village employee shall accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority. No village employee shall use or attempt to use his official position to secure unwanted privileges or exemptions for himself or others. No Village employee shall engage in any transaction as representative or agent of the Village with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties. A village employee shall not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, Position or influence of any party or person. Each Village employee shall abstain from making personal investments in enterprises which he has reason to believe may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest. Each Village employee shall endeavor to pursue a course of conduct, which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust. No Village employee employed on a full time basis nor any firm or association of which such employee is a member nor corporation a substantial portion of the stock of which is owned or controlled directly or indirectly by such employee, shall sell goods or services to any person, firm, corporation or association which is licensed or whose rates are fixed by the Village in which such employee serves or is employed.

Section IV. Violations. In addition to any penalty contained in any other provision of law, any such Village employee who shall knowingly and intentionally violate any of the provisions of this local law may be fined, suspended or removed from office or employment in the manner provided by law.

ARTICLE III Board of Ethics

Section I. There is hereby established a Board of Ethics consisting of three members, appointed by the Village Board, all of whom reside in the he Village of Cohocton and who shall serve without compensation and at the pleasure of the Village Board. A majority of such members shall be persons other than Village employees but shall include at least one member who is elected or appointed by the Village of Cohocton.

Section II. The Board of Ethics established here shall render advisory opinions to Village employees on written request and upon request of the Village Board make recommendations to such Village Board as to any amendments of this local law. The opinion of the Board of Ethics shall be advisory and confidential and in no event shall the identity of the Village employee be disclosed except to authorized persons and agencies, such opinions shall be on the advice of counsel employed by the Board of Ethics, or if none, the Village Attorney.

**SECTION IV
Administration**

Section I. Upon adoption of this local law, the Village Board shall cause a copy thereof to be distributed to every Village employee. Failure to distribute any such copy or failure of any Village employee to receive such copy shall have no effect on the duty of the compliance with this code, or the enforcement of provisions hereof. The Village Board shall further cause a copy of this local law to be kept posted conspicuously in each public building under the jurisdiction of the Village. Failure to so post this local law shall have no effect on the duty of compliance herewith, or the enforcement provisions hereof.

Section II. Within thirty days of the adoption of this local law, the Village Clerk shall file a copy thereof in the Office of the State Comptroller.

Section III. The Village Board may appropriate moneys from the general Village funds for the maintenance of and for the personnel services to the Board of Ethics established thereunder, but such Board of Ethics may not commit the expenditures of Village moneys except within the appropriations provided herein.

**ARTICLE V
Severability Clause**

Section I. If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation of the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**ARTICLE VI
Effective Date**

Section I. This local law shall take effect immediately.

Dated: January 6, 1971

BY ORDER OF THE COHOCTON VILLAGE BOARD OF THE VILLAGE OF
COHOCTON.

Doris Spas, Village Clerk