

Chapter 13

ETHICS, CODE OF

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[HISTORY: Adopted by the Board of Trustees of the Village of Camden at time of adoption of Code (see Ch. 1, General Provisions, Art. I). Amendments noted where applicable.]

GENERAL REFERENCES

Defense and indemnification of village employees — See
Ch. 8.

Residency requirements for appointed officials — See Ch.
38.

§ 13-1. Legislative intent.

Pursuant to the provisions of § 806 of the General Municipal Law, the Board of Trustees of the Village of Camden recognizes that certain rules of ethical conduct for public officers and employees must be observed in order to maintain a high degree of professionalism and conduct in the village. The proper operation of the village government requires that its officers and employees be independent, impartial, objective, unbiased and responsible to the people of the Village of Camden; that public office not be used for personal gain; that public officers and employees maintain the highest standard of integrity and discharge faithfully the duties of their office, regardless of personal consideration; and that the public have confidence in the officers and employees thereof. It is the purpose of this chapter to promulgate these rules of ethical conduct for the officers and employees of the Village of Camden. These rules shall serve as a guide for official conduct of the officers and employees of the village and shall not conflict with, but shall be in addition to, any prohibition or provision of Article 18 of the General Municipal Law or any other general or special law relating to the ethical conduct, interests in contracts and personal interests of municipal officers and employees.

§ 13-2. Definitions.

All words and phrases used herein shall have their ordinary meanings unless the context requires otherwise or unless set forth below.

CONTRACT — Any claim, account or demand against or agreement with a municipality, expressed or implied, and shall include the designation of a depository of public funds and a designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution or other proceeding where such publication is required or authorized by law.

FAMILY — The officer or employee himself, his/her spouse or their brothers, sisters, parents, children, grandchildren or the spouse of any of the foregoing.

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 purpose of this chapter, an officer or employee shall be deemed to have an "interest" in the contract of:

- A. His or her spouse, minor children and dependents, except a contract of employment with the municipality which such officer 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, whether paid or not, including members of any administrative advisory board, commission or other agency of the village. No person shall be deemed to be a village officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a fire chief or assistant fire chief.

VILLAGE — The Village of Camden or any of its boards, commissions or agencies, whether operated solely by the village or jointly with one or more other municipalities.

§ 13-3. Standards of conduct.

- A. **Gifts.** No officer or employee of the village shall directly or indirectly solicit any gift or accept or receive any gift having a value of more than \$75, whether in the form of money, services, loan, travel, entertainment, hospitality, promise or thing or any other form under circumstances in which it could reasonably be inferred that the gift was intended to influence the officer or employee or could reasonably be expected to influence him or her in the performance of his or her official duties or was intended as a reward for any official action on his or her part.
- B. **Disclosure of confidential information.** No officer or employee of the village shall disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interests or the personal interests of others.
- C. **Rendering of services.**
 - (1) No municipal officer or employee of the village shall receive compensation or enter into any agreement, expressed or implied, to receive compensation with respect to any matter which is, was or will be before him or her for determination in his or her official capacity as a municipal officer or employee of the village. This provision shall not apply to compensation received from the village for services rendered to the same.

- (2) No municipal officer or employee shall appear as attorney or counsel against the interest of the village in any matter in which the village is a party or complainant.
- D. Use of position to achieve preferential treatment. No officer or employee of the village shall use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or herself or others or grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.
- E. Disclosure of interest in legislation or other matters involving potential conflict of interest.
 - (1) Any member of the Board of Trustees, Planning Board or Zoning Board of Appeals of the Village of Camden who has a direct or indirect interest in any matter before the Board of which he or she is a member or any officer or employee who has a direct or indirect interest in any matter before the Board of Trustees and who participates in the discussion before or who makes a recommendation or gives an opinion to said Board of Trustees shall publicly disclose on the official record of the relevant board or boards the nature and extent of such interest.
 - (2) The following individuals and/or individuals holding the following positions shall disclose, in writing, to the Board of Ethics all land holdings in the Village of Camden, whether held by the individual or his family or jointly with any family member or jointly in partnership with others or as a corporation or trust in which partnership, corporation or trust the officer or employee or his or her spouse is an officer, director or employee or in which he or she or his or her spouse legally or beneficially owns or controls more than 5% of the outstanding stock or interest. In the event of land holdings involving a partnership, corporation or trust, the officer or employee shall provide the name of the partnership, corporation or trust and his or her position and his or her spouse's position with the same. Said disclosure shall be made within 10 days of taking the oath of office or, if no oath of office is required, within 10 days of commencing employment. The individuals to which this requirement applies are:
 - (a) All municipal officers and employees.
 - (b) The Village Engineer.
 - (c) The Village Attorney.
 - (d) Village consulting engineers.
 - (e) Village consulting attorneys.
 - (3) In the event that a change occurs with respect to any of the information required on the aforesaid disclosure statement, the individual required to file such a statement shall file an amended statement reflecting any such change in circumstances. Such amended statement shall be filed within the earlier of 10 days of the individual's knowledge of such change in circumstance or within 10 days of a request for an amended statement by the Board of Ethics.
- F. Investments, private employment or other interests. Any officer or employee who believes a personal interest may possibly conflict with his or her official duties shall apply to the Board of Ethics for a determination thereon.

- G. Future employment. No officer or employee, after termination of service or employment with the village, shall appear before any board or agency of the village in relation to any case, proceeding or application in which he or she personally participated during the period of his or her service or employment or which was under his or her active consideration.

§ 13-4. Discrimination.

No officer or employee of the village and no organization or service chartered by or directly or indirectly sponsored or supported by the village shall:

- A. Discriminate or cause segregation, directly or indirectly, based upon gender, creed, race or national origin or allow said factors to affect the recruitment, selection, placement, assignment, compensation or promotion of any officer, employee or member of said organization or service.
- B. Permit, directly or indirectly, the use of any village property, equipment or service by any person or persons, organizations, corporations or any other group which directly or indirectly discriminates as set forth in Subsection A above.
- C. Allow the village to knowingly possess any financial or business interest or dealings with any organization which discriminates as set forth in Subsection A above.

§ 13-5. Distribution of Code of Ethics.

The Village Clerk shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the village. Failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with such code nor the enforcement of provisions thereof.

§ 13-6. Penalties for offenses.

In addition to any penalty contained in any other provision of law, any person who knowingly violates any of the provisions of this code may be fined, suspended or removed from office or employment in the manner provided by law.