

**CLAY CODE  
ARTICLE III  
Code of Ethics**

**§ 22-4. Adoption of code.**

There is hereby established and adopted a code of ethics containing the following standards of conduct for officers, employees and appointed officials of the Town of Clay.

**§ 22-5. Rule with respect to conflicts of interest. [Amended 2-7-2011 by L.L. No. 2-2011].**

No supervisory or management employees may participate in the appointment or recommend the appointment of an immediate family member, domestic partner and/or a person with whom they have a close personal or business relationship to a position in any department or office over which they have control.

**§ 22-6. Standards applying to all Town employees.**

- A. Outside employment. No Town employee shall accept other employment which will impair his judgment in the exercise of his official duties.
- B. Confidential information. No Town 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, nor disclose confidential information acquired by him in the course of his official duties, nor use such information to further his personal interest.
- C. Solicitations by Town employees. No Town employee shall directly or indirectly solicit any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him, or could reasonably be expected to influence him, in the performance of his official duties or was intended as a reward for any official action on his part. [Amended 8-20-2001 by L.L. No. 1-2001].
- D. Compensation prohibited. No Town employee shall 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 he is an officer, member or employee or of any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.
- E. Contingent compensation. No Town employee shall 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 municipality, whereby his 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.
- F. Use of position. No Town employee shall use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.

- G. Representing outside interests. No Town employee shall engage in any transaction as representative or agent of the Town with any business entity in which he has a direct or indirect financial interest. For the purpose of this subsection, a financial interest is defined as a transaction with a corporation or other legal entity in which a municipal employee has an interest by reason of stock holdings or otherwise of more than 5% of the outstanding stock or other controlling interest of the corporation or other legal entity.
- H. Disclosure of interest. Each Town employee shall, to the extent that he is cognizant thereof, disclose any interest he may have in any matter pending before any Town agency. No Town employee having made such disclosure shall enter into the deliberations upon any such matter or vote on any such matter.
- I. Disclosure of interest in contracts. Any municipal officer or employee who has, will have, or later acquire an interest in any actual or proposed contract with the municipality of which he is an officer or employee, shall publicly disclose the nature and extent of such interest in writing to the governing body thereof as soon as he has knowledge of such actual or prospective interest. Such written disclosure shall be made part of and set forth in the official record of the proceedings of such body. Once disclosure has been made by an officer or employee with respect to any interest in a contract with a particular person, firm or corporation or association, no further disclosures need be made by such officer or employee with respect to additional contracts with the same party during the remainder of the fiscal year.
- J. Subsequent employment. No Town employee shall within six months after the termination of his service or employment with the Town accept employment which will involve contacts with the Town which can work to his special advantage by virtue of his prior contact and relationship with the Town.
- K. No officers or employees may use government letterhead, personnel, equipment, supplies or resources for a nongovernmental purpose, nor may they do personal or private activities during required working hours. **[Added 2-7-2011 by L.L. No. 2-2011].**

**§ 22-7. Additional standards applying to certain Town employees.**

No Town employee who is an elected official, department head, deputy department head, member of the Zoning Board of Appeals or member of the Planning Board shall have a financial interest in any transaction or contract with the Town. For the purpose of this subsection, a financial interest is defined as a transaction or contract with a corporation or other legal entity in which a municipal employee has an interest by reason of stockholdings or otherwise of more than 5% of the outstanding stock or other controlling interest of the corporation or other legal entity. The provisions of this section, however, shall be subject to the exceptions set forth in § 802 of the General Municipal Law.

**§ 22-8. Penalties for offenses.**

Any such Town employee who shall knowingly and intentionally violate any of the provisions of this chapter may be fined, suspended or removed from office or employment in the manner provided by law.