

**CODE OF ETHICS**

**A. Prohibited Activities**

It is the policy of the County Legislature that all officers and employees must avoid conflict or potential conflicts of interest. A conflict or a potential conflict exists whenever an officer or employee has an interest, direct or indirect, which conflicts with their duty to the County or which could adversely affect an individual's judgment in the discharge of his or her responsibilities. No officer or employee shall:

1. Take action or participate in any manner whatsoever in his or her official capacity in the discussion, negotiation or the awarding of any contract or in any business or professional dealings with the County of Herkimer or any agency thereof in which the official or employee has or will have an interest, direct or indirect, in such contract or professional dealings.
2. Engage in, solicit, negotiate for or promise to accept private employment or render services for his or her personal benefit when such employment or service creates a conflict or impairs the proper discharge of his or her official duties.
3. Solicit, directly or indirectly, any gifts, or receive or accept any gift having the value of Seventy-five (\$75.00) Dollars, or more, whether in the form of money services, loan, travel, entertainment, hospitality, thing or promises, or in any other form, under circumstances in which it could be reasonably inferred that the gift was intended to influence him or her, 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.
4. Disclose confidential financial information acquired in the course of his or her official duties or use such information to further his or her personal interest.
5. Take action on a matter before the County of any instrumentality thereof, when, to his or her knowledge, the performance of that action would provide a pecuniary or material benefit to himself or herself.

**IV. DISCLOSURE OF INTEREST**

1. Any officer or employee who has, will have or intends to acquire a direct or indirect interest in any matter being considered by the Legislature of the County of Herkimer or by any other official, Board, Agency, officer or employee of the County of Herkimer, and who participates in the discussion before or who gives an opinion or gives advice to any Board, Agency, or individual considering the same, shall publicly disclose on official record the nature and the extent of such interest.
2. Any officer or employee of the County of Herkimer who has knowledge of any matter being considered by any Board, Agency, officer or employee of the County of Herkimer in which matter he or she has or will have or intends to acquire any direct or indirect interest, shall be required immediately to disclose, in writing, his or her interest to such Board, Agency, officer of employee, and the nature and the extent thereof, to the degree that such disclosure gives substantial notice of any potential conflict of interest.

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Attestation Form

As required by Article V of the Herkimer County Ethics Law, the undersigned attests that he/she has, during the current year, received a copy of the Code of Ethics and Disclosure of Interest requirements of Herkimer County.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

Witness to Signature:

\_\_\_\_\_  
Printed Name

\_\_\_\_\_

\_\_\_\_\_  
Position with County

\_\_\_\_\_  
Department or Board

## HERKIMER COUNTY ETHICS LAW

The Herkimer County Legislature has enacted an Ethics Law pursuant to Article 18 of the New York State General Municipal Law.

The Law requires that certain officers, department heads, policy-making officials and board members file a Financial Disclosure Form each year. Those required to file will be notified and given a copy of the Local Law and the form they must use in filing.

While officers and employees of Herkimer County, who are not on the list, which was adopted by Resolution No. 339 on December 17, 1990, are not required to file the Financial Disclosure Form, there are certain requirements of the Ethics Law which pertain to them.

Article III of the Local Law Sets forth a Code of Ethics which applies to all officers and employees. That Code of ethics is attached hereto.

Article IV of the Local Law, in paragraphs "1" and "2", sets forth requirements as to Disclosure of Interest. Those sections of the Local Law are attached hereto.

Article V of the Local Law requires that every official and employee is required to attest each year that he or she has reviewed the Code of Ethics, said attestation to be made on or before May 1 of the year for which employment is in effect. Those required to file a Financial Disclosure Form should note that this requirement is in addition to such filing.

A form for attestation as to review of the Code of Ethics is attached hereto. Each official and employee, after review of the Code, should sign and date the form, have it witnessed by another person and hand the Attestation Form in to his/her department head or board chairman. The department head or board chairman shall deliver the said forms to the Board of Ethics.

Department heads shall deliver to each new employee a copy of the Code of Ethics. The new employee should sign and deliver the Attestation Form to the department head before commencing work. The department head shall cause the Attestation Forms to be delivered to the Board of Ethics.

Any official or employee who has a question concerning the requirements of the Ethics Law may submit the question in writing to the County Attorney's Office. A determination will then be made as to whether the question can be answered by the County Attorney's Office or whether the questions should be submitted to the Board of Ethics for a formal opinion.