

Tompkins County Industrial Development Agency

Standards of Conduct/Code of Ethics

Definition: (a) Board Member or Employee means a board member, employee, or administrator of the Tompkins County Industrial Development Agency (TCIDA), whether paid or unpaid.

(b) Interest means a pecuniary or material benefit accruing to a board member, employee or administrator unless the context otherwise requires.

Policy: The Board of Directors of the Tompkins County Industrial Development Agency recognizes that there are rules of ethical conduct for board members, employees, or administrators that must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained. It is the purpose of this Standard of Conduct to promulgate these rules of ethical conduct for the board members, employees, or administrators of the Tompkins County Industrial Development Agency. These rules shall serve as a guide for official conduct of the board members, employees, or administrators of the Tompkins County Industrial Development Agency.

Procedure:

Standards of conduct

Every the board member, employee, or administrator of the Tompkins County Industrial Development Agency shall be subject to and abide by the following standards of conduct.

(a) Gifts

Shall not directly or indirectly solicit any gifts. Shall not accept or receive any gifts having a value of \$75.00 or more or the limit set by New York State whichever is higher, 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 expected to influence the performance of official duties or was intended as a reward for any official action.

(b) Confidential Information

Shall not disclose confidential information or use such information to further a personal interest.

For the purposes of the Code of Ethics, all information falls into one of three categories: the class of information which is never confidential, the class of information which is always confidential, and the class of information which may be confidential.

Some internal or interagency records, communications, and reports are never confidential. According to the Public Officers Law, this is true of information that is:

the result of an external audit; or
statistical data; or
an instruction to staff that affects the public; or

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making public a final policy or determination made by the county or one of its departments.

Disclosure or use of such information is not restricted by the Code of Ethics.

Information is always confidential when its disclosure would:

impair current or imminent contract awards or collective bargaining negotiations; or
impair a business's ability to compete in the market place such as proprietary financial or business information; or
interfere with law enforcement investigations or judicial proceedings; or
deprive a person of their right to a fair trial or impartial adjudication; or
constitute an unwarranted invasion of privacy; or
endanger the life or safety of any person.

Information that is always confidential also includes:

- information that is specified as non-disclosable by federal or state law.

No board member, employee, or administrator of the Tompkins County Industrial Development Agency may ever disclose such information or use such information to further a personal interest.

Any information that does not clearly fall into just one of the above categories may be confidential.

(c) Representation before one's own agency: shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter brought before the TCIDA for consideration.

(d) Representation before any agency for a contingent fee: Shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the TCIDA for consideration, 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) Investments in conflict with official duties: shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transactions, which creates a conflict with official duties.

(f) Private employment: shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of official duties.

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Disclosure

Board members, employees, or administrators of the Tompkins County Industrial Development Agency shall file by May 15 of each year an annual disclosure statement. This shall be submitted to the Clerk of the Tompkins County Board of Representatives in the form prescribed by resolution of the Tompkins County Board of Representatives upon recommendation of the Ethics Advisory Board. The Clerk shall retain the forms on behalf of the Ethics Advisory Board and make them available for inspection as detailed below.

The Clerk of the Tompkins County Board shall make the information submitted on Annual Disclosure Statements available, on request, to the members of the Ethics Advisory Board, County Attorney, County Administrator, Director of Finance, State Auditor and Commissioner of Personnel. The Clerk shall also make the information submitted on Annual Disclosure Statements available to any other individual submitting a request to see it, as required by the Freedom of Information Law, but shall withhold from their inspection the range of market value of investments.

The County Attorney shall confirm filing by all required filers. Requests for determination regarding conflicts shall be referred by the County Attorney to the Ethics Advisory Board. If the County Attorney determines that any required filers have not completed and filed an accurate and complete disclosure form the County Attorney shall report this to the appropriate supervisor.

Distribution of code of ethics

The chairman of the Board of the Tompkins Industrial Development Agency shall cause a copy of this code of ethics to be distributed to every board member, employee, or administrator of the Tompkins County Industrial Development Agency within thirty (30) days after the effective date of this local law.

Penalties

Any person who shall knowingly and intentionally violate any of the provisions of this code may be suspended or removed from office or employment, as the case may be, in the manner provided by law.
