

**MONTGOMERY-OTSEGO-SCHOHARIE  
SOLID WASTE MANAGEMENT AUTHORITY**

**ETHICS POLICY**

*Established by Resolution No. 28 of 2007*

**A. CODE OF ETHICS**

The Governing Board of the Authority has adopted the following Code of Ethics:

1. No board member or employee of the Authority, whether paid or unpaid, shall:
  - a. Without the knowledge of an officer of the Board (i.e. Chair, Vice-Chair or Treasurer), directly or indirectly solicit or accept any gift during any one-month period having a value of twenty-five dollars or more whether in the form of meals, drinks, money, service, loan, travel, tickets, entertainment, hospitality, things or promises, or gifts in any form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him/her or could reasonably be expected to influence him/her in the performance of his/her official duties or was intended as a reward for any official action.
  - b. Disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interests.
  - c. Enter into any agreement, express or implied, for compensation of services to be rendered in relation to any matter before the authority, whereby the board member or employee's compensation is to be dependent or contingent upon any action by the authority with respect to such matter.
  - d. During employment with the Authority or Board membership, accept other employment or engage in any business transaction directly or indirectly which might tend to affect his/her judgment in any official act or create a conflict with his/her official duties.
  - e. During employment with the Authority or Board membership, knowingly enter into an investment or interest, legal or beneficial, directly or indirectly, in any property, real or personal in conflict with his/her official duties.
  - f. For a one (1) year period after the termination of service or employment, without prior disclosure, appear before this Authority or render services on behalf of any person, firm, corporation or association, other than the Authority itself, in relation to any matter with respect to which such board member or employee was directly concerned or in which he/she personally participated during the period of his/her



- b. Employees are required to sign a form acknowledging receipt and review of the policy, which is placed in their personnel file. This is in keeping with Section 306 of the Authority's Employee Handbook and Policies. Employees will also be reminded of the provisions of the Ethics Policy by way of organizational newsletters or other communications distributed with paychecks.
2. The function of the Governance and Ethics Committee regarding ethical conduct shall be:
  - a. To counsel in confidence, employees and board members who seek advice about ethics issues;
  - b. To receive and investigate complaints about ethics violations in the Authority and report such complaints to the Chairman of the Board who will advise all board members;
  - c. If there is no substance to the ethics complaint, to dismiss it with a letter to the complainant and notation in the minutes of the Governance and Ethics Committee;
  - d. If the Governance and Ethics Committee determines that a probable Code of Ethics violation has occurred involving an Authority employee or former employee, the committee shall forward the complaint with an investigative report and recommendation to the Executive Director. If the Governance and Ethics Committee determines that a probable Code of Ethics violation has occurred involving a board member or former board member, or the Executive Director or former Executive Director, the Committee shall advise an officer of the Board for possible Board action and/or referral to the appointing Board per 2041-b of the Public Authorities Law;
  - e. To advise the Executive Director of any situation where an employee has reported an unusual or unacceptable number of gifts or gratuities received, whether from one or several sources.
3. As to alleged Ethics Code violations involving Authority employees or former employees, the Executive Director shall then either:
  - a. Dismiss the complaint, or
  - b. Take appropriate disciplinary action up to and including termination, and/or
  - c. Forward the complaint to the appropriate authorities for possible criminal review and/or action.
  - d. Recommend to the Board that legal action be taken to enjoin the violation or seek money damages on behalf of the Authority.

**C. PUBLIC AUTHORITIES LAW PROHIBITION AGAINST INTEREST IN CONTRACTS**

New York Public Authority Law Section 2041-p provides as follows:

“It shall be a misdemeanor for any member of the governing body or the officer, agent, servant or employee of the Authority to be in any way or manner interested, directly or indirectly, in the furnishing of work, materials, supplies or labor, or in any contract therefore which the authority is empowered by this title to make.”