

**TOWN OF BUTTERNUTS  
OTSEGO COUNTY, NEW YORK**

**ETHICS POLICY**

The Town of Butternuts is dependent on the trust of its community to successfully achieve its mission. Therefore, it is crucial that all Board members and employees conduct business on behalf of the Town with the highest level of integrity, avoiding any impropriety or the appearance of impropriety.

**Guiding Principles:**

- Board members and employees should uphold the integrity of the Town of Butternuts and should perform their duties impartially and diligently.
- Board members and employees should not engage in discrimination of any kind including that based on race, class, ethnicity, religion, sex, sexual orientation or belief system.
- Board members and employees should avoid situations in which their personal interests, activities or financial affairs are, or are likely to be perceived as being in conflict with the best interests of the Town of Butternuts.
- Board members and employees should avoid having interests that may reasonably bring into question their position in a fair, impartial and objective manner.
- Board members and employees should not knowingly act in any way that would reasonably be expected to create an impression among the public that they are engaged in conduct that violates their trust as Board members or employees.
- Board members and employees should not use or attempt to use their position with the Town to obtain unwarranted privileges or advantages for themselves or others.
- Board members and employees should not be swayed by partisan interests, public pressure or fear of criticism.
- Board members and employees should not denigrate the organization or fellow Board members or employees in any public arena.

**Compliance:**

If any Board member or the Town Supervisor appears to be in conflict of the “Guiding Principles” above, he or she will be asked to meet with the Town Board to discuss the issue and take action to correct the issue according to state and civil service laws. Employees who are or appear to be in conflict with the “Guiding Principles” will be asked to meet with the Town Supervisor who will make a determination as to discipline or termination based on his or her findings and in accordance with state and civil service laws.

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**CONFLICT OF INTEREST POLICY**

In their capacity as the Town Board, the members of the Board (the Board) of the Town of Butternuts must act at all times in the best interests of the Town. The purpose of this policy is to help inform the Board about what constitutes a conflict of interest, assist the Board in identifying and disclosing actual and potential conflicts, and help ensure the avoidance of conflicts of interest where necessary. This policy may be enforced against individual Board members as described below:

1. Board members have fiduciary duty to conduct themselves without conflict to the interests of the Town of Butternuts. In their capacity as Board members, they must subordinate personal, individual business, third-party, and other interests to the welfare and best interests of the Town of Butternuts.
2. A conflict of interest is a transaction or relationship which presents or may present a conflict between a Board member's obligations to the Town and the Board member's personal, business or other interests.
3. All conflicts of interest are not necessarily prohibited or harmful to the Town. However, full disclosure of all actual and potential conflicts, and a determination by the disinterested Board members with the interested Board member(s) recused from participating in debates and voting on the matter - are required.
4. All actual and potential conflicts of interests shall be disclosed by Board members to the Town Board whenever a conflict arises. The disinterested members of the Town Board shall make a determination as to whether a conflict exists and what subsequent action is appropriate (if any).

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**EMPLOYEES  
CONFLICT OF INTEREST POLICY**

This policy establishes conflict of interest guidelines that pertain to all employees.

The observance of high ethical standards by employees is essential to the conduct of the Town of Butternuts business. Employees hold their position as a trust, and any effort to realize personal gain through official conduct is a violation of the trust.

Decisions about the Town of Otego's business and the use or disposition of its property are to be made solely in terms of the benefits to the Town and are not to be influenced by any private profit or other direct or indirect benefit to staff who take part in such decisions.

Examples of prohibited conflicts of interest include, but are not limited to, the following:

- An employee shall not directly or indirectly receive or agree to receive any payment of expense, compensation, consideration, gift, contest prize, reward, gratuity, favor, service, or promise of future employment or other future benefit from any source except the Town of Butternuts for any activity related to the duties and/or activities of the employees as a staff member, including outside training activities.
  - However, acceptance of any of the following shall not be a violation of this rule:
    - Advertising gifts of minimal value (not to exceed a total value of \$75 per year);
    - Mementoes recognizing individual service (i.e. plaque);
    - Reimbursement of expenses for travel or meals, not to exceed actual expenses incurred, which are not reimbursed;
    - Honoraria or reimbursement of actual employee expenses paid for papers, talks, demonstrations, or appearances approved by the Town of Butternuts and made by employees on their own time for which they are not compensated by the Town but are representing the Town of Butternuts shall not be a violation of this rule.
- An employee shall not enter into business negotiations on behalf of the Town of Butternuts directly or indirectly, with close relatives, with members of the employee's immediate household, or with any legal entity owned in any regard by the employee, close relatives of the employee, or members of the employee's immediate household.

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**WHISTLEBLOWER POLICY**

Employees are encouraged to come forward with credible information on illegal practices or serious violations of adopted policies of the Town of Butternuts.

Appropriate subjects to raise under this policy would include financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies.

The Town of Butternuts prohibits retaliation by or on behalf of the Town against staff for making good faith complaints, reports or inquiries under this policy or for participating in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. However, employees who file reports or provide evidence which they know to be false or without a reasonable belief in the trust and accuracy of such information will be subject to disciplinary action, including termination of employment.

Complaints, reports or inquiries may be made under this policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the basis of the complaint, report or inquiry. Such reports should be directed to the Town Supervisor unless he/she is implicated in the complaint in which case the report should be directed to the Town Attorney.

The Town Supervisor will conduct a prompt review of the complaint. Employees should be aware that the Town may be unable to fully evaluate a vague or general complaint, report or inquire that is made anonymously.

- An employee shall not be retained as or otherwise act as a consultant or contractor by an organization that seeks to do business with the Town of Butternuts.
- An employee shall not disclose proprietary and confidential information, shall not use such information to directly or indirectly further the employee's private interest, and shall not accept outside employment or involvement in any business activity that would benefit from the disclosure or use of such proprietary and/or confidential information.

Any conflict of interest, potential conflict of interest or appearance of a conflict of interest should immediately be reported in writing by any employee with knowledge of the conflict to the Town Supervisor. The Supervisor will determine an appropriate response following an investigation of the situation.