

Village of Fairport
Office of Community + Economic Development

31 South Main Street
Fairport, New York 14450

CODE OF ETHICS POLICY

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The Office of Community and Economic Development (OCED) comprises the Village of Fairport Urban Renewal Agency, Village of Fairport Industrial Development Agency (both established by acts of the Legislature of the State of New York) and the Fairport Housing Assistance Payments Program. The agencies operate under a common Board of Directors (Members) appointed by the Mayor of the Village. Day-to-day activities of the OCED are managed by an Executive Director (employee), selected by the Board, and a staff (employees) serving under the direction of the Executive Director.

Article I. Purpose

OCED exists to serve the interests of the residents, merchants and visitors to the Village of Fairport. The office works in partnership with Village government and agencies of governments at other levels, private business interests and community organizations in pursuit of common goals. OCED and our constituents expect all Members and employees to observe high ethical standards of conduct in performance of their duties, to comply and cause the OCED to comply with all laws and regulations governing business transactions and to cause the funds and assets of the OCED and its agencies only for legal and appropriate public purposes.

This Code of Ethics governs the day-to-day actions of all Members and employees of the OCED and its agencies. To the extent that a matter falls within the scope of both this policy and the OCED's Conflict of Interest Policy, the provisions of the Conflicts of Interest Policy shall govern.

Article II. Policies

1. Discharge of Duties

In the course of performing their duties, Members and employees shall:

- endeavor to perform the duties of their positions to the best of their ability and in a spirit of service to all persons and concerns for which the OCED and its agencies were formed;
- support and encourage fellow Members and employees in the proper execution of their duties;
- seek the advice of the Executive Director, Board Chairperson and/or the OCED attorney whenever a question of conduct or regulation occurs.

2. Prohibited Conduct

In the course of performing their duties, Members and employees shall not:

- receive any compensation for or have an interest, financial or otherwise, direct or indirect, or incur any obligation that is in substantial conflict with the proper discharge of their duties to OCED;
- engage in other employment that might impair the independence of their judgment in the execution of their duties with OCED;
- disclose confidential information acquired in the course of official duties or use such confidential information to further their own personal financial interests;
- directly or indirectly solicit or accept any gifts, entertainment, discounts, services, loans or anything of value totaling \$ 50 or more in any calendar year from suppliers, contractors, consultants, clients or other persons or corporations with whom OCED does business.

Pursuant to section 2824(5) of the Public Authorities Law, OCED shall not, directly or indirectly, including through any subsidiary, extend or maintain credit, arrange for the extension of credit or renew an extension of credit, in the form of a personal loan to or for any officer, board member or employee (or equivalent thereof) of OCED.

3. Specifically Prohibited Actions

Unless otherwise permitted by the Ethics Board (as formed pursuant to Article 4 hereof), no Member or employee shall engage in the following actions to the extent they create a conflict of interest with OCED's interests:

- Receipt of gifts or other items described in Section 2 of this article by a family member of a Member or employee (family being defined as related by blood, marriage or domestic partnership);
- Borrowing money from suppliers, contractors, consultants or other persons with whom OCED does business (loans or mortgages from banks or individuals doing business with OCED are exempted if the terms are at current rates and customary collateral for such transactions is provided);
- Acquiring interest in real estate in which it is known that OCED or its agencies also has a current or anticipated interest;
- Misusing information to which the individual has access by reason of his or her position, such as disclosing confidential information to others outside of OCED or using such information for his or her own or family's benefit;

- Soliciting funds or other items of value from suppliers, contractors, consultants or other persons with whom the OCED does business for oneself or to the benefit of any other person or organization.
- Serving as an officer, director or manager with a company or business organization directly or indirectly related to OCED without specific authorization from the OCED Board.

4. Duty to Disclose

Each Member and employee shall have the duty to report to the Board of Ethics (as defined below) in writing any violation or possible violation of the terms of this policy, including instances of conduct prohibited by this Article. The following situations are some, but not all of those situations that must be disclosed:

- Holding more than one percent financial interest, directly or indirectly (as owner, stockholder, securities holder in a publicly owned corporation, partner, joint venturer, creditor, guarantor, director, trustee or beneficiary of a trust) in a firm with which the OCED or its agencies does business;
- Serving as an employee, owner or consultant of another organization providing goods and/or services to OCED or one of OCED's major business partners;
- Membership on or employment with any entity where such employment, service or membership is incompatible with proper discharge of official duties or would impair independent judgment or action in performance of official duties for OCED;
- Selling goods, services or other items of value to OCED suppliers, contractors or consultants for oneself or to benefit any other person or organization.

Article III. Disclosure Statements

On an annual basis, OCED shall obtain a completed Conflict of Interest Statement from each Member and employee. The contents of the Conflict of Interest Statement will be defined as Attachment A to this policy.

Article IV. Procedures

1. Ethics Board

The OCED Board shall rely on and defer to the Ethics Board as outlined by the policy of the Village of Fairport. The Ethics Board shall interpret and make recommendations in regard to any question or purported violations of this policy and any statutory enacted ethics standards affecting Members and employees.

At its discretion, the Ethics Board may recommend appropriate disciplinary action, which may include, but is not limited to:

- For employees, a reprimand, suspension or termination of employment (any such recommendation will only be final after any hearing required by the Civil Service Law);
- For members, a reprimand, suspension, request for resignation or recommendation to the Mayor for termination of service.

Article V. Distribution of this Policy

This Code of Ethics shall be distributed to each Member and employee of OCED annually. It shall also be distributed to each new Member and employee as soon as practicable following commencement of such position.

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CONFLICTS OF INTEREST

As a member of the Board of Directors of the Office of Community and Economic Development (collectively the Industrial Development Agency, Urban Renewal Agency and the Section 8 Housing Program), I shall not

- have any interest - financial or otherwise, direct or indirect, or
- engage in any business or transaction or professional activity or
- incur any obligation of any nature,

which is in substantial conflict with the proper discharge of my duties in the public interest.

Printed Name

Signature

Date