

Amended Arlington Fire District Code of Ethics

The Board of Fire Commissioners of the Arlington Fire District hereby adopts a code of ethics to read as follows:

Section 1. Purpose.

Employees of the Arlington Fire District hold their positions to serve and benefit the public, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. The board of fire commissioners recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This code of ethics establishes those standards.

Section 2. Definitions.

- a. "Employee" means each paid or volunteer member of the fire district including, but not limited to, an officer of the fire district, each member of the board of fire commissioners, the treasurer, bookkeeper, secretary, business manager, and the chief.
- b. "Family member" means a parent, sibling, spouse, child, uncle, aunt, first cousin, or household member of an employee.
- c. "Fire district" means the Arlington Fire District.
- d. "Interest" means a direct or indirect monetary, financial or other material benefit, but does not include any benefit arising from the provision or receipt of fire protection or other emergency services generally available to the residents of the fire district. A person is deemed to have an interest in the contracts of any firm, partnership or corporation of which he or she is an owner, partner, director, officer, employee or stockholder.

Section 3. Appearance of impropriety.

No employee of the fire district shall create an appearance of impropriety, by giving the impression that he or she will exercise or perform his or her official duties on the basis of family, private business or social relationships, or any consideration other than the welfare of the fire district.

Section 4. Use of position for personal or private gain.

- a. No employee of the fire district may use his or her position to secure unwarranted personal or private gain for himself or herself, or for any other person or any organization. Unwarranted personal or private gain does not include any payment, benefit or opportunity that is available to any of the following groups of people:
 - i. all of the employees
 - ii. all of the eligible residents of the fire district or a duly established zone of the fire district; or
 - iii. the general public.
- b. No employee of the fire district may use or permit the use of fire district resources for personal or private purposes. Fire district resources include, but are not limited to, use of fire district personnel, or use of the fire district's money, equipment, materials, supplies or other property.
- c. Use of District vehicles shall be governed by the "Arlington Fire District Vehicle Use Policy".
- d. No officer or employee of the fire district, and no member of the fire district fire department, shall cause the fire district to spend more than is reasonably necessary for transportation, meals or lodging in connection with official travel.

Section 5. Disclosure of interest in Board Action.

Every employee of the fire district must disclose the nature of any interest, in any matter coming before the board of fire commissioners for action, which any of the following people have:

- a. the employee
- b. a family member of the officer, employee; or
- c. a family member of the spouse of the employee.

For purposes of this section, a “matter coming before the board of fire commissioners for action” means a motion, resolution or any other issue or question requiring a vote of the board.

The disclosure required by this section must be in writing and must be made publicly to the board of fire commissioners. The board of fire commissioners must cause the disclosure to be included in the minutes of the meeting at which the disclosure is made. Disclosure is not required with respect to interests in the following actions by the board of fire commissioners:

- a. adoption of the fire district’s annual budget;
- b. authorization of lawful compensation for services as an officer or employee of the fire district;
- c. authorization of lawful payment or reimbursement for actual and necessary expenses incurred by an employee in the performance of his or her official duty;
or
- d. authorization of lawful benefits to the volunteer members of the fire district including, but not limited to, service awards, group life insurance, and benefits under the Volunteer Firefighters Benefit Law.

Section 6. Annual Statement of Financial Disclosure for Calendar Year

The Code of Ethics of the Arlington Fire District requires all elected Commissioners, Business Manager and all Chief Officers to file this statement prior to May 15 for the preceding calendar year. Please answer all questions completely. Indicate not applicable (N/A) where appropriate. Attach additional pages if necessary.

Are you requesting a time stamped receipt of the filing of this document?

Yes

No

1) Reporting individual

Name: _____

Title of Position Held: _____

Department, Agency, or Committee: _____

Office Address (Employees Only): _____

Office Telephone Number and Extension (Employees Only): _____

2) To the best of your knowledge and belief, do you, or your family member, as defined in Section 2(b) above, have any of the following relationships with the Arlington Fire District?

Yes No

 Do business with the Arlington Fire District.

 Receive any benefits, payments, or gifts in excess of that allowed, as defined in the Code of Ethics, from any person, firm, company or organization either doing business with the Arlington Fire District.

 Own five (5%) percent or more of stock in a firm doing business with the Arlington Fire District.

Signature: _____

File the Statement with:

Board of Fire Commissioners
c/o Arlington Fire District
11 Burnett Boulevard
Poughkeepsie, NY 12603

Section 7. Recusal and abstention.

Except as otherwise required by law, no employee of the fire district may participate in the discussion or vote on any matter, or exercise or perform any other official powers or duties in connection with, any matter, when any of the following people have an interest in the matter:

- a. the officer, employee or fire department member;
- b. a family member of the officer, employee or fire department member; or
- c. a family member of the spouse of the officer, employee or fire department member.

Section 8. Holding of investments in conflict with official duties.

No employee of the fire district may hold the following investments:

- a. personal investments that will be directly affected by the exercise or performance of the person's official powers and duties; or
- b. personal investments that would otherwise impair the person's independence of judgment in the exercise or performance of his or her official powers and duties.

Section 9. Private employment in conflict with official duties.

- a. No employee of the fire district may accept employment or engage in any business or professional activity which:
 - i. impairs the person's independence of judgment in the exercise or performance of his or her official powers and duties;
 - ii. is likely to require disclosure of confidential information gained by reason of serving as an employee; or
 - iii. requires representation of a person or organization other than the fire district in connection with litigation, negotiations or any other matter to which the fire district is a party.
- b. No employee of the fire district may:
 - i. represent another person or organization before the board of fire commissioners or any other body or officer of the fire district;
 - ii. render services to another person or organization in relation to any matter which must come before the board of fire commissioners or any other body or officer of the fire district; or
 - iii. render services to another person or organization in relation to any matter which is pending before the board of fire commissioners or any other body or officer of the fire district.
- c. This section does not prohibit an employee from:
 - i. representing him or herself, or his or her spouse or minor children before the board of fire commissioners or any other body or officer of the fire district;
 - ii. asserting a claim against the fire district on his or her own behalf, or on behalf of his or her spouse or minor children; or
 - iii. performing services pursuant to a lawful and duly authorized contract with the fire district, provided, that if the consideration payable under the contract exceeds \$1,000, the contract was awarded through competitive bidding or some other competitive process.

Section 10. Future employment.

No employee shall seek or engage in future employment that would otherwise result in a violation of this Code of Ethics or Article 18 of the General Municipal Law.

Section 11. Confidential Information.

No employee of the fire district, who acquires confidential information in the course of exercising or performing his or her official powers or duties may disclose such information unless the disclosure is required in the course of exercising or performing his or her official powers and duties.

Section 12. Gifts.

- a. No employee of the fire district may directly or indirectly solicit any gift.
- b. No employee of the fire district may accept or receive any gift having an aggregate value of seventy-five dollars or more when:
 - i. it appears that the gift is intended to influence the officer, employee or fire department member in the exercise or performance of his or her official powers or duties;
 - ii. the gift could reasonably be expected to influence the officer, employee or fire department member in the exercise or performance of his or her official powers or duties; or
 - iii. the gift is intended as a reward for any official action on the part of the officer, employee or fire department member.

For purposes of this section, a “gift” includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift’s fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater.

Section 13. Posting and distribution.

- a. The board of fire commissioners must promptly cause a copy of this code of ethics, and a copy of any amendment to this code of ethics, to be posted publicly and conspicuously in each building under the fire district’s control.
- b. The failure to post amendment to the code of ethics does not affect either the applicability or enforceability of the code or the amendment. The failure of an officer, employee or fire department member to receive a copy of this code of ethics or an amendment to the code, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the code or amendment to the code.

Section 14. Enforcement.

Any employee who violates this code of ethics may be fined, suspended or removed from office, employment or membership in the fire district in the manner provided by law. A violation of this code is deemed “misconduct” within the meaning of section 209-1 of the General Municipal Law.

Section 15. Effective date.

This amended code of ethics takes effect on 06/06/11.