

OFFICIAL  
BOROUGH OF CONWAY  
RESOLUTION No. 012010-4

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF CONWAY, COUNTY OF BEAVER AND COMMONWEALTH OF PENNSYLVANIA, ADOPTING A CODE OF ETHICS RELATING TO BOROUGH OFFICIALS AND EMPLOYEES.

WHEREAS, the Borough of Conway has numerous elected and appointed officials to serve the Borough and to perform essential Borough functions; and

WHEREAS, the Borough of Conway employs both full time and part time staff to perform essential Borough functions; and

WHEREAS, the Borough desires to implement a Code of Ethics, which will be applicable to all elected and appointed Borough officials and to all Borough employees.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Conway as follows:

Section 1. The Council hereby adopts the Conway Borough Code of Ethics attached to this Resolution as the policy of the Borough, which Code of Ethics and the form thereof are hereby approved.

Section 2. All Borough appointed boards and commissions annually shall review the Conway Borough Code of Ethics with its members at its organization meeting or at its first regular meeting.

Section 3. The provisions of this Resolution are severable, and if any section, sentence, clause, part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Resolution. It is hereby declared to be the intent of the Borough Council that this Resolution would have been adopted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

NOW THEREFORE, this Resolution is hereby approved and adopted by the Borough Council.

RESOLVED this 20<sup>th</sup> day of January, 2010.

ATTEST:

BOROUGH OF CONWAY:

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Diane McKay  
Borough Secretary

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Scott D. Levenson  
President of Council

## CODE OF ETHICS

### BOROUGH OF CONWAY

All elected and appointed officials and all employees of Conway Borough, Beaver County, Pennsylvania, shall be guided in their actions by the following:

Conflict of interest.

A. No elected or appointed official or employee of the Borough shall:

1. Engage in any activity or take any action by virtue of his official position from which activity or action the official, or any other person or entity in whose welfare the official is interested, shall benefit or realize a gain or advantage. Such benefit, gain or advantage shall not, however, be construed to be prohibited if the action in question is in behalf of a group of citizens of the Borough and such benefit and relationship is generally known and acknowledged.
2. Solicit or accept, directly or indirectly, any gift, favor, service, commission or other consideration that might reasonably tend to influence that official in the discharge of the duties of office or appointment.
3. Seek to influence, directly or indirectly, the awarding of any contract, plan or document where such official or employee is interested or would benefit directly or indirectly, financially or otherwise, from said contract. Such action is not intended to apply to actions of a member of Borough Council on behalf of a group or class of citizens of the Borough who would benefit from the contract and such benefit and relationship is generally known and acknowledged and acting under the authority of the Pennsylvania Borough Code.

B. Appointed Borough volunteers and/or other acknowledged (by the Borough Council) representative(s) shall disclose to the Borough Council, in writing, any time there is knowledge of a circumstance where either their employer or members of their family may be seeking to do business with the Borough or where their proximity and /or relationship to another property owner or resident in the Borough may unduly influence, directly or indirectly, their official action. Upon such disclosure, the Borough Council may determine that such appointed Borough volunteer and/or representative be separated from participation in such business. Willful failure of an appointed Borough volunteer and/or representative to make such disclosure is cause for the Borough Council to seek the resignation and/or removal of such person from the Borough appointment.

C. Any elected or appointed official of the Borough or employee thereof (or any other person or entity in whose welfare the official or employee is interested) having any direct or indirect financial interest as a partner or a stockholder of a corporation or an employee of a business entity which proposes to contract with the Borough for the purchase or sale of land, materials, supplies or services of any kind shall fully disclose said interest and shall not vote on said contract. Holdings in a privately-held company or partnership of less than \$1,000 or 0.1% of a publicly traded corporation are exempt. Violation of this section shall render the contract void at the discretion of the Borough Council.

## Guidelines for Ethical Performance

Elected officials and appointed volunteers (including Borough Council acknowledged representatives) of the Borough shall:

1. To the best of their ability, learn and observe the laws governing the conduct of officials and employees of the municipalities of Pennsylvania.
2. Serve first the advancement of the public interest before the interest of any persons, factions or parties.
3. Abide by policies duly established by the Borough Council and adhere to the standard rules and procedures relating to the performance of Conway Borough governmental functions.
4. Strive at all times for civil conduct in keeping with the trust and dignity vested in public service.
5. Strive to increase their knowledge and understanding of municipal government and improve their competence in the performance of the functions necessary to the operation of local government.
6. Respect all Borough equipment, books, records and information.
7. Not use confidential information, to which they have access by virtue of their public office or position, to their personal advantage nor to the advantage or disadvantage of others.
8. Not make available to anyone any services, tangible or intangible, that are not equally available under the law to others.
9. Refuse personal gifts, favors, loans, services, payments and other inducements, made either directly to the official or employee or to a family member of the official or employee where there is reason to believe such gifts, favors or inducements are offered to influence their official actions in favor of the donor. Any in-kind and/or cash gift, favor, tip, service or other with a value over \$25.00 shall be disclosed to the Borough Council who may require that such item be refused or returned. Nominal token gifts including holiday food baskets, calendars, lunches and similar items may be accepted.
10. Not convey to any person any information or advice not generally available to the public in any transaction, negotiation or litigation to which the Borough is a party.
11. Not use, or permit others to use, the power of public office or employment to solicit contributions from employees on behalf of any candidate for political office or any demand or infer that any Borough employee should solicit contributions on behalf of any candidate for political office.
12. Disclose any potential conflict in the discourse of legislative action, which would serve to bring some special benefit by the particular vote/action being rendered. Borough officials should conduct their official and personal affairs in such a

manner as to give the clear impression that they cannot be improperly influenced in the performance of their official duties.

I have read the policy adopted by the Borough Council of the Borough of Conway entitled "Code of Ethics". I accept the Code of Ethics and agree to comply with the Code of Ethics. I understand that it is my responsibility to disclose in writing a full description of any activity, interest, or relationship on my part that could create or create the appearance of a conflict of interest or otherwise violate the provisions of the Code of Ethics or applicable state law as soon as practical after the inception of the activity, interest or relationship.

To the best of my knowledge and belief, I am not now engaged in any activity, interest or relationship that would create or appear to create a conflict of interest or violation of the Code of Ethics except as indicated below. I therefore expressly agree to act in accordance with this Code of Ethics.

The only situations that could possibly give rise to the appearance of a conflict of interest or violation of the Code of Ethics is/are as follows:

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Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_