

July 13, 1970

Effective July 1st, 1970 it is mandatory a code of ethics is adopted. On motion of Walter Stryker, second by Donald Craig the following Code of Ethics was adopted. All voted in favor: Raymond G. Champlin, aye; Kenneth Dayton, aye; Donald Craig, aye; Walter Stryker, aye; Parker Utter, aye.

TOWN OF HARPERSFIELD

RESOLUTION NO. 1, 1970

A resolution relating to a Code Of Ethics for the Town of Harpersfield.

Be it enacted by the Town Board of the Town of Harpersfield as follows:

ARTICLE I

INTENT OF TOWN BOARD

Section 1. Statement of legislative intent.

The Town Board of the Town of Harpersfield recognizes that there are State statutory provisions mandating Towns to establish rules and standards of ethical conduct for public officers and employees which, if observed, can enhance public confidence in local government. In the light of a tendency today on the part of some people to downgrade our local governments and to discredit our public servants and our free institutions generally, it appears necessary that every effort be made to assure the highest caliber of public administration of this Town as a part of our State's important system of local government. It is the purpose of this resolution to implement this objective through the establishment of standards of conduct, to provide for punishment of violation of such standards.

Section 2. The standards, prohibited acts and procedures established herein are in addition to any prohibited acts, conflicts of interest provisions or procedures prescribed by statute of the State of New York and also in addition to common law rules and judicial decisions relating to the conduct of town officers to the extent that the same are more severe in their application than this resolution.

ARTICLE II

CODE OF ETHICS

Section 1. Definitions.

As used in this resolution, the term "Town" shall mean any Board, Commission, District, Council or other agency, department or unit of the government of the Town of Harpersfield.

The term "Town Employee" shall mean any officer or employee of the Town of Harpersfield whether paid or unpaid, whether serving in a full-time, part-time or advisory capacity.

Section 2. Rule with respect to conflicts of interest.

No Town Employee shall 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 his duties in the public interest.

Section 3. Standards.

A. No Town Employee shall accept other employment which will impair his independence of judgement in the exercise of his official duties.

B. No Town Employee shall accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority.

C. No Town Employee shall use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.

D. No Town Employee shall engage in any transaction as representative or agent of the Town with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.

E. A Town Employee shall not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank position or influence of any party or person.

F. Each Town Employee shall abstain from making personal investments in enterprises which he has reason to believe may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.

G. Each Town Employee shall endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.

H. No Town Employee employed on a full-time basis nor any firm or association of which such employee is a member nor

corporation a substantial portion of the stock of which is owned or controlled directly or indirectly by such employee, shall sell goods or services to any person, firm, corporation of association which is licensed or whose rates are fixed by the Town in which such Employee services or is employed.

#### Section 4. Violations.

In addition to any penalty contained in any other provision of law, any such Town Employee who shall knowingly and intentionally violate any of the provisions of this resolution may be fined, suspended or removed from office or employment in the manner provided by law.

### ARTICLE III

#### ADMINISTRATION

Section 1. Upon adoption of this resolution the Town Supervisor shall cause a copy thereof to be distributed to every Town Employee of this Town. Failure to distribute any such copy or failure of any Town Employee to receive such copy shall have no effect on the duty of compliance with this code, nor the enforcement of provisions hereof. The Town Supervisor shall further cause a copy of this resolution to be kept posted conspicuously in each public building under the jurisdiction of the Town. Failure to so post this resolution shall have no effect on the duty of compliance herewith, nor the enforcement provisions hereof.

Section 2. Within thirty days of the adoption of this resolution, the Town Clerk shall file a copy thereof in the office of the State Comptroller.

### ARTICLE IV

#### SEVERABILITY CLAUSE

Section 1. If any clause, sentence, paragraph, section or part of this resolution shall be judged by any court of competent jurisdiction to be invalid, such judgement shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgement shall have been rendered.

### ARTICLE V

#### EFFECTIVE DATE

Section 1. This resolution shall take effect immediately.



STATE OF NEW YORK  
DEPARTMENT OF AUDIT AND CONTROL  
ALBANY

ARTHUR LEVITT  
STATE COMPTROLLER

IN REPLYING REFER TO

August 14, 1970

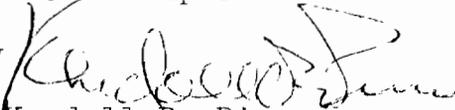
Evangeline MacLaury  
Town Clerk  
Town of Harpersfield  
Delaware County, New York

Dear Madam:

This is to acknowledge the receipt, on August 11, 1970  
1970, of ~~Local Law No. 19~~ (an ordinance)  
(a resolution) establishing a code of ethics for your  
municipality.

Very truly yours,

ARTHUR LEVITT  
State Comptroller

By   
Kendall R. Pirro  
Senior Attorney

KRP/rl

TOWN  
OF  
HARPERSFIELD  
EMPLOYEE  
HANDBOOK

2005

TOWN OF HARPERSFIELD  
EMPLOYEE HANDBOOK

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misconduct complained of and described in the charges would, if proved in a court of appropriate jurisdiction, constitute a crime.

FILING REQUIREMENTS - In the event the employee is found to be guilty, a copy of the charges, the employee's written answer, the transcript of the hearing and the determination will be filed in the office of the department in which the employee is employed. A copy will also be filed with the Delaware County Personnel Office.

### 307 CODE OF ETHICS.

POLICY STATEMENT - Pursuant to the provisions of Section 806 of the General Municipal Law, the Town Board of the Town of Harpersfield recognizes that there are rules of ethical conduct for public officers and employees that must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this Code of Ethics to promulgate these rules of ethical conduct for the officers and employees of the Town of Harpersfield. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Harpersfield. The rules of ethical conduct of this code shall not conflict with, but shall be in addition to, any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct or interest in contracts of municipal officers and employees.

DEFINITIONS - For the purpose of the Town of Harpersfields' Code of Ethics, the following shall have the meanings indicated:

- A. Municipal Officer Or Employee - means an officer or employee of the Town of Harpersfield, whether paid or unpaid, including any administrative board, commission or other agency thereof.
- B. Interest - means a pecuniary or material benefit accruing to a municipal officer or employee, unless the context otherwise requires.

STANDARDS OF CONDUCT - An officer or employee is subject to, and must abide by, the following standards of conduct:

- A. Gifts - An officer or employee shall not

directly or indirectly solicit any gift or accept or receive any gift having a value of two hundred fifty dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise or any other form, under circumstances in which it could reasonably be inferred that such gift was intended to influence the officer or employee, or could reasonably be expected to influence the officer or employee, in the performance of official duties or was intended as a reward for any official action on the officer or employees part;

- B. Confidential Information - An officer or employee shall not discuss or disclose confidential information acquired in the course of official duties or use such information to further personal interest;
- C. Representation Before Any Agency For A Contingent Fee - An officer or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of the Town, whereby the officer's or employee's compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered;
- D. Disclosure Of Interest In Legislation - To the extent that an officer or employee knows thereof, a member of the Town Board, and any officer or employee of the Town of Harpersfield, whether paid or unpaid, who participates in the discussion or gives official opinion to the Town Board on any legislation before the Town Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest the officer or employee has in such legislation;
- E. Investments In Conflict With Official Duties - An officer or employee shall not invest or hold any investment, directly or indirectly in any financial, business, commercial, or other private transaction which creates a conflict with official duties;

- F. Private Employment - An officer or employee shall not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of official duties;
- G. Future Employment - An officer or employee shall not, after the termination of service or employment with the Town, appear before any board or agency of the Town of Harpersfield in relation to any case, proceeding, or application in which the officer or employee personally participated during the period of service or employment or which was under the officer's or employee's active consideration;

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee any claim, account, demand or suit against the Town of Harpersfield, or any agency thereof, on behalf of the officer or employee or any member of the officer or employee's family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

PENALTIES FOR OFFENSES - In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

308 PERSONNEL FILE.

POLICY STATEMENT - It is the policy of the Town to balance its need to obtain, use and retain employment information with concern for each employee's privacy. To this end, the Town will endeavor to maintain only that personnel information necessary for the conduct of the Town's business or required by Federal, State or Local Law. Personnel records will be maintained for current and past employees in order to document employment related decisions and comply with government record keeping and reporting requirements.

CONTENT - The personnel records maintained by the Town include, but are not limited to, Employment Applications, Report of Personnel Change Forms, copies of job-related licenses and certificates, Federal and State Withholding Tax Forms, Retirement Enrollment/

November 7, 2005

The Town Board of the Town of Harpersfield held a public hearing and regular meeting on November 7, 2005.

Present were:	James Eisel Sr.	Supervisor
	Harold Bedford	Councilman
	Morris Riddell Jr.	Councilman
	David Ogborn	Councilman
	Catherine Straus	Councilwoman

Also present:	Philip E. Simmons	Supt. of Highways
	Linda E. Goss	Town Clerk

Others present:	Celon Schoen,	Reporter for The Walton
		Reporter
	Elizabeth Page,	Editor for The Mountain
		Eagle

The public hearing for the Preliminary Budget for the year 2006 was opened at 7:31 PM.

NOTICE OF HEARING UPON PRELIMINARY BUDGET

NOTICE IS HEREBY GIVEN that the Preliminary Budget of the Town of Harpersfield for the Fiscal Year beginning January 1, 2006 has been completed and filed in the office of the Town Clerk of Harpersfield, NY where it is available for inspection by any interested person during office hours.

FURTHER NOTICE IS GIVEN that the Town Board of the Town of Harpersfield will meet at the Town Clerks Office at 7:30 PM on November 7, 2005 and at such hearing any person may be heard in favor or against any item or items therein contained.

Pursuant to Section 113 of the Town Law, proposed salaries of the elected Town Officers are specified as follows:

Supervisor	\$ 5,600.00
Justice (2 each)	\$ 4,600.00
Councilmen	\$ 1,500.00
Town Clerk/ Collector	\$20,500.00
Assessor, Chairman	\$ 7,250.00
Assessor	\$ 4,261.00
Assessor	\$ 3,500.00
Supt. of Highways	\$39,346.00

The above public hearing notice was read by the Town Clerk. The Town Clerk confirmed that the public hearing notice has been posted on the Town Hall bulletin board since October 24, 2005. Supervisor Eisel asked those present if anyone wished to be heard. No one came forth to be heard. Supervisor Eisel informed those present that he would leave the public hearing open in case someone else arrived and wanted to be heard.

The regular meeting was called to order at 7:33 PM Supervisor James Eisel Sr..

A motion to accept the minutes from the October meeting was made by David Ogborn seconded by Harold voting Aye.

wedding of Kate Lekstutis and Billy Eklund, to take place on July 1, 2005, at the Eklund Family Farm, at 9:30 PM, contingent of proof of proper insurance covering the Town of Harpersfield filed with the Town Clerk was made by Harold Bedford seconded by David Ogborn. All voting Aye.

Linda E. Goss read a letter from Joseph A. Falcone regarding the Seasonal Limited Use Highway sign on Quaker Hill Road Extension. Mr. Falcone wants the sign removed and the road maintained. Linda Goss read the Public Notice published in The Daily Star on October 19, 2005, designating six town roads as Seasonal Limited Use Highways. Philip Simmons, Highway Superintendent informed the Board that the roads will be kept open, but will not be plowed every time it snows. According to the Delaware County Department of Public Works the signs must be on the roads if they are not going to be plowed every time it snows. If a resident wants to contact Mr. Simmons at the Highway Garage and let him know that they will be using the designated road the Highway crew will make sure that the road is plowed. Mr. Simmons informed the Board that this will cut back on some of the cost of plowing snow. It was agreed that the Board will send a letter to Mr. Falcone letting him know that the sign will need to stay and that the road will remain open as discussed.

Linda E. Goss read a letter from Joseph Mirabito, President of the Mirabito Fuel Group. The letter is to notify the Town that payment for fuel must be within thirty (30) days from the date of delivery. The Board agreed to pay Mirabito Fuel Group within the thirty day requirement with the voucher to be on the next abstract.

A thank you card from the Stamford - Harpersfield Senior Club for the contribution was passed around to the Board. The card was signed by the members. They also sent a report of their activities for the year.

A thank you letter from the Hobart Village Board for the contribution to the Summer Recreation Program was passed around to the Board.

Linda E. Goss informed the Board that she had received a Notice Of Order from the New York State Department Of Transportation establishing a 45 MPH speed limit on Gunhouse Hill road from the Kortright Town line northerly for a distance of 0.61 +/- miles. A discussion was had on the distance and that the amount should be more than 0.61 +/- miles. James Eisel will contact the NYS DOT to check the distance.

Linda E. Goss read the Public Notice published in The Daily Star requesting residents keep obstructions out of the Town's right of way during the winter months.

Linda E. Goss presented the Board with the Western Catskills Community Revitalization Council, Inc. Annual Report for 2004 - 2005. A portion of the Town located in the Village of Stamford has received a \$200,000.00 award to substantially rehabilitate the interiors and exteriors of three of the large Queen Anne Victorian mixed use buildings on Main Street for use as commercial and apartment space and do minor repairs on several other Main Street buildings.

Supervisor Eisel reported to the Board that he has sent a letter on October 8, 2005 to John Potter, Stewardship Program Manager of the Land Acquisition and Stewardship Program for the NYS DEP. The letter requested that the

submitting a proposal for this property to please have them contact her. Copies of the Local Consultation/Land Acquisition letter, Mr. Eisel's letter and Ms. Lewis's letter will be sent on to the Central Catskill Trail Association Snowmobile Club, Inc.

A motion to pay the Town Election Inspectors and Election Custodians on Thursday, November 10, 2005 with the vouchers to be on the November Abstract was made by David Ogborn seconded by Morris Riddell Jr.. All voting Aye.

Supervisor Eisel asked the Board if they had any further changes or comments on the proposed Employee Handbook. A discussion was had. Changes are to be made on Page 5, Section 104. under STATUTES, LAWS AND ORDINANCES, added to this section: "The Town of Harpersfield currently has in effect a Mandatory Code of Ethics, Sexual Harassment Policy and Drug and Alcohol Policy. These policies are included at the end of the Employee Handbook". The second change will be Page 8, Section 303, under LENGTH OF PROBATIONARY PERIOD (COMPETITIVE CLASS), the end of the sentence will read "... shall be for a probationary period of twenty six (26) weeks in accordance with the DELAWARE COUNTY CIVIL SERVICE RULES." A motion to accept the Town Of Harpersfield Employee Handbook with the changes discussed was made by Harold Bedford seconded by Catherine Straus. All voting Aye. Supervisor Eisel informed the Board that a copy of the Handbook will be sent to John DiGiulio, President of the Teamsters Local #338.

Supervisor Eisel asked the Board if they had any further questions or comments on adding swimming pool inspections to the Building Permit Fee Schedule. A discussion was had. A motion to add swimming pool inspections to the Building Permit Fee Schedule in the amounts of \$25.00 for an above ground pool and \$50.00 for an in ground pool was made by Catherine Straus seconded by David Ogborn. All voting Aye.

Linda E. Goss informed the Board that the Town has received a proposal from Joseph Dianich to plow snow from the parking lots at the Town Hall and Post Office. There is a raise in cost from \$20.00 to \$25.00 per parking lot. A discussion was had. A motion to accept the proposal from Joseph Dianich of Dianich Excavating to plow the Town Hall and Post Office parking lots for a cost of \$25.00 per lot was made by Catherine Straus seconded by David Ogborn. All voting Aye.

A motion to accept the Town Clerk's report for the month of October was made by Harold Bedford seconded by David Ogborn. All voting Aye.

Linda E. Goss issued to the Board the Building Code Inspector's report for the month of October.

Linda E. Goss submitted to the Town Supervisor and Town Board her annual Tax Collector Report. Documents submitted were the Warrant to Collect taxes, receipt of payment to the Towns Financial Officer, receipt of payments made to the County Treasurer, daily cash sheets, checkbook register, deposit slips, deposit receipts from the bank, bank statements, proof of payment made to the County Treasurer from the utilities, worksheet compiled to cash up with the County Treasurer and Tax Collectors settlement sheet. A summery report was also issued to the Supervisor and Board. A motion to accept these documents as presented was made by

damage to one of the doors. An estimate has been faxed to the Insurance Company. The total of the damage is \$1,400.00. The Town has a \$500.00 deductible. He is waiting for word from the Insurance Company as to what will need to be done next. The second accident was a broken windshield to a different truck. The cost to replace the broken windshield will be approximately \$300.00. A discussion was had.

Mr. Simmons informed the Board that CHIP's money should be received by December 17, 2005.

Mr. Simmons reported to the Board that the Highway crew is ready for winter.

Supervisor Eisel informed the Board that a check for the Mortgage tax is due to arrive soon.

The abstract and vouchers for the month of October were presented to the Board. General Claims #252 to #281 in the amount of \$9,128.37; Highway Claims #185 to #206 in the amount of \$32,617.65 and Transfer Station Claims #053 to #061 in the amount of \$7,032.05 were audited and allowed on motion by David Ogborn seconded by Morris Riddell Jr.. All voting Aye.

The Supervisor's report for the month of September was issued to the Board.

At 9:10 PM a motion to go into executive session for personnel reasons was made by Harold Bedford seconded by Catherine Straus. All voting Aye.

At 9:49 PM a motion to come out of executive session was made by Catherine Straus seconded by Morris Riddell Jr.. All voting Aye.

Supervisor Eisel again asked those present if anyone else wished to be heard on the matter of the Town Budget. No one came forth to be heard. A motion to close the public hearing at 9:53 PM was made by David Ogborn seconded by Harold Bedford. All voting Aye.

Supervisor Eisel went over the final figures on the Town Budget. There will be a 4% increase in the budget. A motion to accept the 2006 Town Budget as presented was made by Harold Bedford seconded by Morris Riddell Jr.. All voting Aye.

Philip Simmons asked Supervisor Eisel who the County will be selling the compost from the landfill to. Cobleskill Stone is interested in the compost for reclamation. A discussion was had.

The meeting was adjourned at 10:09 PM.

The next regular meeting of the Board will be on Monday, December 5, 2005 at 7:30 PM.

Linda E. Goss  
Town Clerk