

Chapter 10

ETHICS, CODE OF

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[HISTORY: Adopted by the Town Board of the Town of New Hartford 6-17-1970 by L.L. No. 3-1970. Amendments noted where applicable.]

§ 10-1. Legislative intent; purpose.

The Town Board of the Town of New Hartford 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 part of our state's important system of local government. It is the purpose of this chapter to implement this objective through the establishment of standards of conduct, to provide for punishment of violation of such standards and to create a Board of Ethics to render advisory opinions to the town's officers and employees as provided for herein.

§ 10-2. Applicability of other provisions.

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 chapter.

§ 10-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

TOWN — Any board, commission, district, council or other agency, department or unit of the government of the Town of New Hartford.

TOWN EMPLOYEE — Any officer or employee of the Town of New Hartford, whether paid or unpaid, whether serving in a full-time, part-time or advisory capacity.

§ 10-6. Violations.

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

§ 10-7. Board of Ethics.

- A. There is hereby established a Board of Ethics consisting of three members to be appointed by the Town Board, all of whom shall reside in the Town of New Hartford and who shall serve without compensation and at the pleasure of the Town Board of the Town of New Hartford. A majority of such members shall be persons other than town employees but the members shall include at least one member who is an elected or appointed town employee of the Town of New Hartford.
- B. The Board of Ethics established hereunder shall render advisory opinions to town employees on written request, and upon request of the Town Board shall make recommendations to such Town Board as to any amendments of this chapter. The opinions of the Board of Ethics shall be advisory and confidential and in no event shall the identity of the town employee be disclosed except to authorized persons and agencies. Such opinions shall be on the advice of counsel employed by the Board of Ethics, or if none, of the Town Attorney.
- C. Such Board of Ethics, upon its formation, shall promulgate its own rules and regulations as to its form and procedures and shall maintain appropriate records of its opinions and proceedings.

§ 10-8. Administration of provisions.

- A. Upon the adoption of this chapter, 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 chapter to be kept posted conspicuously in each public building under the jurisdiction of the town. Failure to so post this chapter shall have no effect on the duty of compliance herewith, nor the enforcement provisions hereof.
- B. Within 30 days of the adoption of this chapter the Town Clerk shall file a copy thereof in the office of the State Comptroller.
- C. The Town Board may appropriate moneys from the general town funds for the maintenance of and for personnel services to the Board of Ethics established hereunder, but such Board of Ethics may not commit the expenditure of town moneys except within the appropriations provided herein.