

Town of Bethel, NY  
Wednesday, November 23, 2011

## Chapter 30. ETHICS, CODE OF

**[HISTORY: Adopted by the Town Board of the Town of Bethel as Ch. 9 of the 1979 Code (Ch. 15 of the 1990 Code). Amendments noted where applicable.]**

### § 30-1. Statutory authorization; purpose.

Pursuant to the provisions of § 806 of the General Municipal Law, the Town Board of the Town of Bethel, Sullivan County, recognizes that there are rules of ethical conduct for public officers and employees which 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 chapter to promulgate these rules of ethical conduct for the officers and employees of the Town of Bethel, Sullivan County, New York. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Bethel, Sullivan County. The rules of ethical conduct of this chapter, as adopted, 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 and interest in contracts of municipal officers and employees.

### § 30-2. Definitions.

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

#### **INTEREST**

A direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the municipality which such officer or employee serves. For the purposes of this chapter, a municipal officer or employee shall be deemed to have an interest in the contract of:**[Amended 8-18-1990 by L.L. No. 2-1990]**

- A. His spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves.
- B. A firm, partnership or association of which such officer or employee is a member or employee.
- C. A corporation of which such officer or employee is an officer, director or employee.
- D. A corporation, any stock of which is owned or controlled directly or indirectly by such officer or employee.

#### **MUNICIPAL OFFICER OR EMPLOYEE**

An officer or employee of a municipality, whether paid or unpaid, including members of any administrative board, commission, committee or other agency thereof where the members of which are appointed by the Town Board of the Town of Bethel. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a fire chief or assistant fire chief.

*Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. 1).*

### § 30-3. Standards of conduct.

Every officer or employee of the Town of Bethel, Sullivan County, shall be subject to and abide by the following standards of conduct:

- A. Gifts. He shall not, directly or indirectly, solicit any gift or accept or receive any gift having a value of \$75 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 the gift was intended to influence him or could reasonably be expected to influence him in the performance of his official duties or was intended as a reward for any official action on his part.

**[Amended 8-18-1990 by L.L. No. 2-1990]**

- B. Confidential information. He shall not disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interest.
- C. Investments in conflict with official duties. He shall not invest or hold any investment, directly or indirectly, in any financial, business, commercial or other private transaction which creates a conflict with his official duties.
- D. Private employment. He 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 his official duties. *Editor's Note: Original § 9-4, Distribution of code, which immediately followed this subsection, was deleted 8-18-1990 by L.L. No. 2-1990.*
- E. He 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 municipal agency of which he is an officer, member or employee or of any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee. *Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. 1).*
- F. He 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 his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this subsection shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered. *Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. 1).*

#### **§ 30-4. Penalties for offenses.**

*Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1).* 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 chapter may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

#### **§ 30-5. Distribution of Code of Ethics.**

*Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. 1).* The Town Supervisor shall cause a copy of the Town's Code of Ethics to be distributed to every officer and employee of the Town of Bethel. Failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty or compliance with such code, nor the enforcement of provisions thereof.