

Town of Rosendale, NY
Tuesday, December 20, 2011

Chapter 9. ETHICS, BOARD OF

[HISTORY: Adopted by the Town Board of the Town of Rosendale 9-2-1970 by L.L. No. 2-1970. Amendments noted where applicable.]

GENERAL REFERENCES

Code of ethics — See Ch. .

§ 9-1. Creation; membership.

There is hereby established a Board of Ethics consisting of three members to be appointed by the Town Board of the Town of Rosendale, who shall serve without compensation and at the pleasure of the Town Board of the Town of Rosendale. A majority of such members shall be persons other than officers or employees of the Town of Rosendale, but said Board shall include at least one member who is an elector or appointed officer or employee of the Town of Rosendale.

§ 9-2. Powers and duties.

The Board of Ethics shall have the powers and duties prescribed by Article 18 of the General Municipal Law and shall render advisory opinions to the officers and employees of the Town of Rosendale with respect to Article 18 of the General Municipal Law and any code of ethics adopted pursuant to such Article, under such rules and regulations as the Board may prescribe. *Editor's Note: See Ch. , Ethics, Code of.* In addition, the Board may make recommendations with respect to any amendments of this chapter.

Town of Rosendale, NY
Tuesday, December 20, 2011

Chapter 10. ETHICS, CODE OF

[HISTORY: Adopted by the Town Board of the Town of Rosendale 9-2-1970 by L.L. No. 1-1970. Amendments noted where applicable.]

GENERAL REFERENCES

Board of Ethics — See Ch. 10.

§ 10-1. Purpose.

Pursuant to provisions of § 806 of the General Municipal Law, the Town Board of the Town of Rosendale 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 Rosendale. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Rosendale. 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.

§ 10-2. Definitions.

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

INTEREST

The pecuniary or material benefit accruing to a municipal officer or employee or to his or her spouse, minor children and dependents or to a firm, partnership or association of which such officer or employee is a member or employee or to a corporation of which such officer or employee is an officer, director or employee or to a corporation any stock of which is accrued or controlled directly or indirectly by such officer or employee.

MUNICIPAL OFFICER or EMPLOYEE

An officer or employee of the Town of Rosendale, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. 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 chief engineer or assistant chief engineer.

§ 10-3. Standards of conduct.

Every officer or employee of the Town of Rosendale shall be subject to and abide by the following standards of conduct:

Gifts. He or she shall not directly or indirectly solicit any gift or accept or receive any gift having a value of \$25 or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing, promise or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her, or could reasonably be expected to influence him or her in the performance of his or her official duties, or was intended as a reward for any official action on his or her part.

Confidential information. He or she shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest.

Representation before one's own agency. He or she 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 or she is an officer, member or employee or of any municipal agency over which he or she has jurisdiction or to which he or she has the power to appoint any member, officer or employee.

Representation before any agency for a contingent fee. He or she 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 or her municipality, whether his or her 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.

Disclosure of interest in legislation. To the extent that he or she knows thereof, a member of the Town Board of the Town of Rosendale and any officer or employee of the Town of Rosendale, whether paid or unpaid, who participates in the discussion or gives official opinion to the Town Board of the Town of Rosendale on any legislation before the Town Board of the Town of Rosendale shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such legislation. This subsection shall be deemed to include and shall include any and all matters considered and to be considered by any other official board, agency, officer or employee of the Town of Rosendale.

Investments in conflict with official duties. He or she 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 or her official duties.

Private employment. He or she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interest when such employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

Appearance before boards, agencies after termination of services. He or she shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Town of Rosendale in relation to any case, proceeding or application in which he or she personally participated during the period of his or her service or employment or which was under his or her active consideration.

§ 10-4. Nonapplicability.

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

§ 10-5. Distribution of code.

The Supervisor of the Town of Rosendale shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the Town of Rosendale within 10 days after the effective date of this chapter. Each officer or employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his office or employment.

§ 10-6. 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 chapter may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.