

TOWN OF HILLSDALE

ETHICS POLICY



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Town of Hillsdale, Columbia County, New York

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ARTICLE I: Code of Ethics

§ 1-1. Purpose.

The purpose of this Article is to promulgate the rules of ethical conduct as set forth herein, to be observed by all officers and employees of the Town of Hillsdale. Said rules shall serve as a guide for official conduct of the officers and employees of the Town of Hillsdale. Said rules of ethical conduct, as set forth herein, shall not conflict with but shall be interpreted to 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 interests in contracts of municipal officers and employees.

§ 1-2. Definitions.

As used in this Article, 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 Hillsdale.

TOWN EMPLOYEE - Any officer or employee of the Town of Hillsdale, whether paid or unpaid, serving in a fulltime, part-time or advisory capacity.

INTEREST - A pecuniary or material benefit accruing to a municipal officer or employee or any pecuniary or material benefit accruing to:

- A. The municipal officer's or employee's spouse, minor children and dependents;
- 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; or
- D. A corporation, any stock of which is controlled, directly or indirectly, by such officer or employee.

§ 1-3. 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 or her duties in the public interest.

§ 1-4. Nepotism in hiring and contracting.

- A. No individual covered by this policy may take part in any hiring or employment decision relating to a family member. If a hiring or employment matter arises relating to a family member, then the employee must advise his or her supervisor of the relationship, and must be recused from any and all discussions or decisions relating to the matter.
- B. No individual covered by this policy may take part in any contracting decision, relating to a family member; or relating to any entity in which a family member is an officer, director or partner.

§ 1-5. Standards of conduct.

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

- A. Gifts. He or she shall not directly or indirectly solicit any gift or accept or receive any gift having a value of seventy-five dollars (\$75.00) 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 her or could reasonably be expected to influence him or her in the performance of official duties or was intended as a reward for any official action on his or her part.
- B. Confidential information. He or she shall not disclose confidential information acquired in the course of the performance official duties or use such information to further his or her personal interest.
- C. 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 before 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.
- D. 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 the Town of Hillsdale whereby 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.
- E. Disclosure of interest in legislation. To the extent that he or she knows thereof, a member of the Town Board and any officer or employee of the Town of Hillsdale, whether paid or unpaid, who participates in the discussion or gives an 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 he or she has in such legislation.
- F. 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.
- G. Private employment. He or she 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 substantial conflict with or impairs the proper discharge of his or her official duties.
- H. Future employment. 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 Hillsdale 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.

§ 1-6. Employee Bill of Rights.

- A. Consideration of politics in employment and contracting. No individual covered in this policy who is involved in recruiting, interviewing or hiring applicants for town employment, or making appointments to town boards or commissions or making promotional, disciplinary or other employment decisions relating to town employees, may ask any such applicant or employee to reveal the party affiliation of the applicant; whether the applicant has made campaign contribution to any party, elected official or candidate for elective office; or whether the candidate voted for any elected official or candidate for elective office. The provisions of this paragraph shall not apply to circumstances where such inquiry is necessary for the proper application of State law or approved Town agency or public authority rules, policies or practices. (e.g., inquiring about party affiliation where State law limits the number of members of a town board who can be from the same party.)

No individual covered by this policy who is involved in awarding of town contracts or making decisions relating to town contracts, may ask any officer or director of such current or prospective contractor to reveal the party affiliation of the individual; or whether the individual or entity has made campaign contributions to any party, elected official or candidate for elective office.

- B. Campaign contribution and political volunteerism. No individual covered by this policy while on town property, real or personal, may require or demand any other person to volunteer for a political affiliated event or activity as an incidence of or as a condition of their employment.

No individual covered by this policy while on town property, real or personal, may require or demand that any other person make or offer to make any monetary contribution to any political campaign or committee as an incidence of or as a condition of their employment.

No town official or employee, whether elected or appointed, shall threaten the dismissal from any town position as a reward or punishment for any political activity unless otherwise authorized by law.

§ 1-7. Claims against town.

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 Hillsdale or any agency thereof on behalf of him- or herself or any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

§ 1-8. Distribution of Code of Ethics.

The Supervisor of the Hillsdale Town Board shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the town within forty-five (45) days after the adoption of this Policy. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment.

§ 1-9. 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 an amount not to exceed One Thousand dollars (\$1,000), suspended or removed from office or employment, as the case may be, in the manner provided by law.