

GENERAL CODE



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Chapter 27. ETHICS, CODE OF

[HISTORY: Adopted by the Town Board of the Town of Glenville 6-16-1970 by L.L. No. 1-1970 (Ch. 18 of the 1966 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Administrator — See Ch. [5](#).

Alternate members of Planning Board and Zoning Board of Appeals — See Ch. [9](#).

Defense and indemnification — See Ch. [22](#).

Article I. Intent of Town Board

§ 27-1. Statement of legislative intent.

The Town Board of the Town of Glenville recognizes that there are state statutory provisions mandating or authorizing 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 should 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.

§ 27-2. Applicability of other laws.

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.

Article II. Code of Ethics**§ 27-3. Definitions.**

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

INTEREST

A direct or indirect pecuniary or material benefit accruing to a municipal officer, employee or contract professional as the result of a business or professional transaction with the Town of Glenville. For the purpose of this chapter, a municipal officer, employee or contract professional shall be deemed to have an interest in the affairs of his or her spouse, minor children and dependents; a firm, partnership or association of which such officer, employee or contract professional is a member or employee; a corporation of which such officer, employee or contract professional is an officer, director or employee; and a corporation, any stock of which is owned or controlled directly or indirectly by such officer, employee or contract professional. *Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. 1).*

TOWN

Any board, commission, district, council or other agency, department or unit of the government of the Town of Glenville.

TOWN EMPLOYEE

Any officer or employee of the Town of Glenville, whether paid or unpaid, whether serving in a full-time, part-time or advisory capacity.

§ 27-4. 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.

§ 27-5. Standards.

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1). No municipal officer or employee shall:

- A.** Directly or indirectly, solicit any gift, or accept or receive any gift having a value of \$10 or more, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in 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;
- B.** Disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interests;
- C.** 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; or
- D.** 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.

§ 27-6. Penalties for offenses.

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 chapter may be fined, suspended or removed from office or employment in the manner provided by law.

Article III. Board of Ethics

§ 27-7. Establishment.

There is hereby established a Board of Ethics consisting of at least three members to be appointed by the Town Board, all of whom reside in the Town of Glenville and who shall serve without compensation and at the pleasure of the Town Board of the Town of Glenville. A majority of such members shall be persons other than Town employees but shall include at least one member who is an elected or appointed Town employee of the Town of Glenville.

§ 27-8. Duties.

The Board of Ethics established hereunder shall render advisory opinions to Town employees on written request and upon request of the Town Board to 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.

§ 27-9. Rules and regulations.

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.

Article IV. Administration

§ 27-10. Distribution to Town employees.

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.

§ 27-11. Filing copy with State Comptroller.

Within 30 days of the adoption of this chapter, the Town Clerk shall file a copy thereof in the office of the State Comptroller.

§ 27-12. Appropriation of money.

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 with the appropriations provided herein.

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2011

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All Town Board Members of the Town of Glenville have been appointed as an ex-officio of each and every citizens committee at their meeting of 6/18/2003.

1yr. term
01/01/11