

Bensseler

TOWN OF HOOSICK

P.O. BOX 17
HOOSICK FALLS, NEW YORK 12090
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TOWN COUNCIL
Mark Surdam
Robert Ryan
Louis Schmigel
Jeff Wysocki

KEITH P. CIPPERLY
Supervisor

WILLIAM SHILAND
Highway Superintendent

SUSAN STRADINGER
Town Clerk

ED KING
Building Inspector

ANTHONY RICE
Sole Assessor

November 23, 2011

Executive Deputy Attorney General
Division of Regional Offices
Office of the Attorney General
The Capitol
Albany, New York 12224-0341

Dear Martin Mack,

Enclosed you will find a copy of our Town's adopted Code of Ethics. If there are any questions please feel free to contact me.

Sincerely yours,

Keith Cipperly

Town of Hoosick Supervisor

- (b) Such disclosure statements shall be kept on file as public record by the Town Clerk. Public notice of the existence and availability of such file shall be made annually.
- (c) Matters to be disclosed shall include holdings or associations with any or all of the following within the 12 months period up to and including the time of filing:

(i) the location of any real property within the Town of Hoosick, in which the Officer or Employee has whole or part ownership or any other significant financial interest. For this purpose, a "significant financial interest" shall mean an ownership interest of more than 10% of a security interest in the property (such as a mortgagee) of more than \$100,000; (ii) the name of any partnership, unincorporated association, or unincorporated business, (located in the State of New York or which does business in the State of New York) of which the officer of employee or family member is a member, officer, or employee or has a significant propriety interest (for his purpose a "significant proprietary interest" is an ownership interest of more than (10%), and a description of the nature (position, duties) of their affiliation; (iii) the name of any corporation, whether for-profit or non-for-profit, (located in the State of New York or which does business in the State of New York) of which the officer or employee or family member is an officer, director, or employee, or owns or controls, individually or in combination, more than ten percent of the outstanding stock, and a description of the nature (position, duties) of their affiliation; (iv) the nature of any self employment from which the officer or employee or a family member has derived gross income of more than \$5000 during the previous 12 months.

- (d) Interest in any contract held with the Town.

Section 4. Gifts.

(a) Officers, employees, or any person or entity acting on their behalf may not solicit or accept monetary gifts or loans of any amount or promise thereof, or any gift, including services, entertainment, thing, or promise thereof, having a value of \$75 or more, from any person or agent of a person, corporation, partnership, unincorporated association or other entity who the officer or employee knows is considering or has had, within the previous 12 months, any business dealing with the Town of Hoosick that involves any discretionary act by the officer or employee.

(b) Refreshments or meals that are provided as part of an informational presentation in a group setting or as part of a reception shall not be considered gifts under this section.

Section 5. Confidentiality.

Except as required by law, officials and employees may not disclose confidential information acquired during the course of their official duties or use such

for any official duties, or was intended as a reward for any official action on his part.

- (viii) No Town Officer or Employee shall use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.

No Officer or Employee shall engage in a conflict of interest as defined in this Section.

Interpretation. All instances involving the appropriateness of abstention from discussion and voting by a member of a board by virtue of conflict of interest may be referred to the Ethics Board, who will render an opinion on the existence of conflict of interest within 30 days. Such interpretive opinion may be requested by any member of the board.

Section 7. Disclosure of Interest.

- (a) Each Town Officer or Employee shall, to the extent that he is cognizant thereof, disclose any interest he may have in legislation before the Town Board
- (b) To the extent that he knows thereof, any Town Officer or Employee, who participates in the discussion or gives official opinion to or is in a position to influence the Town Board on any legislation before the Town Board, or who has an interest in any action of the legislative body, or who participates in the discussion or gives official opinion to any official board, agency, officer or employee on any matters being considered by any such official board, agency, officer or employee, shall publicly disclose on the record the nature and extent of any interest he has in such legislation, or in any action of the legislative body or in such matters being considered by any official board, agency, officer or employee, as the case may be.

Section 8. Establishment of Local Ethics Board

(a) The Town of Hoosick does hereby establish a local Ethics Board of five persons to review the annual disclosures and cause copies to be filed with the Town Clerk; to review this Code of Ethics and recommend to the Town Board any changes which it deems appropriate; to render advisory opinions on any matter of ethical conduct of Town Officers and Employees, on its own initiative or at the written request of any Town Board, Officer, Employee, or private citizen. The Ethics Board shall have the power to conduct investigations or to commence suit in the Supreme Court of the State of New York on behalf of the Town for injunctive relief to enjoin a violation or compel compliance with this law. The Ethics Board may establish rules for its own operations, but whether included or not, the following procedures shall pertain to its activities:

- (i) The Ethics Board shall state in writing the disposition of every request for opinion and every investigation it conducts, and the reasons for the

disposition. All such statements and written requests shall be kept on file as public record.

(ii) The Town Board may make available to the Ethics Board such meeting space, clerical support, and expense reimbursement as the Town Board, in its discretion and consistent with budgetary constraints, deems advisable.

(iii) The Ethics Board may not conduct investigations of itself or any of its members. Complaints against any member of the Ethics Board shall be made to the Town Board.

(b) Appointment and removal.

(i) Members of the Ethics Board shall be appointed by the Town Board of the Town of Hoosick.

(ii) Ethics Board members may be removed by the Town Board for reasons of gross misconduct, substantial neglect of duty, or inability to perform the duties of office.

(c) Term of office. The term of office of Ethics Board members shall be five years, except that for the first five appointees, terms shall expire on December 31 of the year in which the Board was created, and of the first, second, third, and fourth year thereafter, respectively. No member shall serve more than two consecutive terms.

(d) Qualifications.

(i) Members of the Ethics Board shall be chosen from among Town of Hoosick residents.

(ii) No Ethics Board member shall hold office in any political party.

(iii) No more than two Ethics Board members may be from the same political party.

(iv) From the period of 12 months prior to the appointment throughout his or her term of office, no Ethics Board member or member of his or her family shall hold elected or any other appointed office or employment with the Town of Hoosick except as a member of a citizen's advisory board.

(v) From the period of 12 months prior to the appointment throughout his or her term of office, no Ethics Board member shall be a party to any proceeding before the Town of Hoosick or have business dealings with the Town of Hoosick other than normal, routine, ministerial requests such as applications for building permits, certificates of occupancy, marriage license, or other similar ministerial matters.

(vi) Members of the Ethics Board shall be subject to the provisions of this law.

Section 9. Distribution of Code of Ethics

Within ten days of this law's enactment, the Town Clerk shall post a copy of this law conspicuously and permanently in the Town Hall in a manner allowing public perusal of its provisions. Copies of the law shall also be made available by the Town Clerk to members of the public upon request under provisions of the Freedom of Information Act.

Within 30 days of this law's enactment, the Town Clerk shall distribute a copy of this law to all Officers and Employees and Officers and Employees elected or appointed thereafter shall be given a copy of this law before entering upon the duties of his or her office.

The Town Clerk shall distribute copies of this law to the members of the Ethics Board upon their taking office.

The Town Clerk shall file a copy of this law and any amendment in the office of the State Comptroller.

Section 10. Political Activity

No appointed Town Officer or Employee shall directly or indirectly solicit any assessment, subscription or contribution to any political party or candidate from any Town Employee or Officer.

Section 11. Claims Against the Town

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former Town Officer or Employee of any claim, account, demand or suit against the Town, on behalf of himself or any member of his family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Section 12. Violations

Any person who shall knowingly and intentionally violate any of the provisions of this local law shall be guilty of a violation and subject to the penalties set forth in the New York State Penal Law and in addition may be suspended or removed from office or employment, as the case may be, in the manner provided by law.

Section 13. Invalidity of portion of the law

If any provision of this law is held by a court of competent jurisdiction to be invalid, that decision shall not affect the validity and effectiveness of the remaining provisions of this law.

Section 14. Effective date

This law shall become effective immediately upon its filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 6 of 2000 of the ~~(County)~~(City)(Town)(Village) of HOOSICK was duly passed by the TOWN BOARD on NOV. 2, 2000, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of _____ of the City of _____ having been submitted to referendum pursuant to the provision section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.

Susan Stadler
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: Nov 2 2000

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF BENSSLAER

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Thomas V. Kennedy
Signature
Attorney
Title

County
City of Hoosick
Town
Village

Date: Nov 2 2000