

## **PUBLIC NOTICE**

Notice is hereby given that the Town Board of the Town of Bolton after holding a public hearing on April 5, 2022 did adopt AMENDED ORDINANCE #24 entitled "CODE OF ETHICS". The complete text of the ordinance is available for no fee at the Office of the Town Clerk or on the Town's website

[www.boltonnewyork.com](http://www.boltonnewyork.com)

Jodi Petteys  
Town Clerk  
Town of Bolton

## **NEW**

### ORDINANCE 24

ADOPTED: NOVEMBER 18, 1970  
PUBLISHED: NOVEMBER 28, 1970  
AMENDED: APRIL 5, 2022

### CODE OF ETHICS TOWN OF BOLTON

### ORDINANCE ESTABLISHING STANDARDS OF CONDUCT FOR OFFICERS AND EMPLOYEES OF THE TOWN OF BOLTON.

#### SECTION 1

Pursuant to the provisions of Section eight hundred six of the General Municipal Law, the Town Board of the Town of Bolton 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 ordinance to promulgate these rules of ethical conduct for the officers and employees of the Town of Bolton.

These rules shall serve as a guide for official conduct of the officers and employees of the Town of Bolton. The rules of ethical conduct of this ordinance as adopted, shall not conflict with, but shall be in addition to any prohibition of article eighteen 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.

#### SECTION 2

##### Definition:

- (a) "Municipal Officer or Employee" means an officer or employee of the Town of

Bolton, whether paid or unpaid, including members of any administrative board, commission or other officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except as chief engineer or assistant chief engineer,

(b) "Interest" means a pecuniary or material benefit accruing to an officer or employee of the Town of Bolton including a pecuniary or material benefit accruing to the officer's or employee's

(1) spouse, minor children and dependents:

(2) a firm, partnership or association of which such officer or employee is a member.

### SECTION 3

Standards of Conduct. Every Officer or employee of the Town of Bolton 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 value of twenty-five dollars 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 their official duties or was intended as a reward for any official action on their part.

(b) Confidential Information. He or she shall not disclose confidential information acquired by him in the course of their official duties or use such information to further their 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 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. This section shall prohibit the appearance or representation on behalf of any client or customer before any Board of the Town of Bolton by an officer or employee except where such appearance or representation is: 1. in the discharge of his or her official duties for the Town of Bolton; or 2. the substantive subject matter of the appearance or representation is the officer or employee's personal interest."

(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 their municipality, whereby their compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph 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 Bolton, whether paid or unpaid who participates in the discussion or gives 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) Disclosure of interest in certain applications. A member of the Town Planning Board and

any officer or employee of the Town of Bolton, whether paid or unpaid, who participates in the discussion or gives official opinions to the Planning Board on any application for review before the Planning 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 application.

(g) Disclosure of employment of relatives. No person who is related by blood or marriage to a public officer or department head of the Town of Bolton shall be employed by said public officer or department head before publicly disclosing the name, relationship and proposed employment to the Town Board and upon consent of a majority of said Board at a duly held meeting thereof.

(h) 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 their official duties.

(i) 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 conflict with or impairs the proper discharge of their official duties.

(j) Future employment. He or she shall not, after the termination of service or employment with the Town of Bolton appear before any board or agency of the Town of Bolton in relation to any case, proceeding or application in which he personally participated during the period of their service or employment, or which was under their active consideration.

#### SECTION 4

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

#### SECTION 5

Distribution of Code of Ethics. The Supervisor of the Town of Bolton shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the Town of Bolton within 30 days after the effective date of this resolution. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of their office or employment.

#### SECTION 6

Penalties. 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, suspended or removed from office or employment, as the case may be, in the manner provided by law.

#### SECTION 7

Effective date. This ordinance shall take effect 10 days after publication as required by law.