



Town Of Hannibal

Code of Ethics for Elected and Appointed Officials

“INTEGRITY is doing the right thing even when no one is watching”

Hannibal

NY

**At a meeting of the Town Board of Hannibal Oswego County, New York,
held on the 17th day of August 2022.**

Be it resolved by the Town Board of the Town of Hannibal as follows:

Section 1. Purpose

The Town of Hannibal Town council adopts the updated Code of Conduct to assure that all elected and appointed officials, while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of Hannibal's Town government. This document will serve as a resolution establishing standards of conduct for officers and employees of the Town of Hannibal. Pursuant to the provisions of Section Eight Hundred Six of the General Municipal Law, the Town Board of the Town of Hannibal 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 resolution to promulgate these rules of ethical conduct for the officers and employees of the Town of Hannibal. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Hannibal. The rules of ethical conduct of this resolution 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 tracts of municipal officers and employees.

Section 2. Definitions.

(a) "Municipal Officer or Employee" means an officer or employee of the Town of Hannibal, 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 firemen or civil defense volunteer, except a chief engineer or assistant chief engineer.

(b) "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires.

Section 3. Standards of Conduct

The citizens and businesses of the Town of Hannibal are entitled to have fair, ethical and accountable local government. To this end, the public should have full confidence that their elected and appointed officials:

- Comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Are independent, impartial and fair in their judgment and actions;
- Use their public office for the public good, not for personal gain; and
- Conduct public deliberations and processes openly, unless required by law to be confidential, in an atmosphere of respect and civility.

Therefore, members of the Town Council, ~~Town Treasurer~~, Town Highway, Town Clerk and of all Boards, Committees and Commissions both elected and appointed shall conduct themselves in accordance with the following ethical standards:

1. Act in the Public Interest. Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of the Town of Hannibal and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before them.

2. Gifts. Municipal Officer or Employee shall not directly or indirectly, solicit any gift; or accept or receive any gift having a value of twenty five dollars 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 the Municipal Officer or Employee, in the performance of his official duties or was intended as a reward for any action of the Municipal Officer or Employee.

3. Comply with both the spirit and the letter of the Law and Town Policy. Members shall respect and adhere to the structure of the Town of Hannibal government. In this structure, the Town Council determines the policies of the Town with the advice, information and analysis provided by Town staff, Boards, Committees and Commissions, and the public. Except as provided by the Town Code, members shall not interfere with the administrative functions of the Town or the professional duties of Town staff; nor shall they impair the ability of staff to implement Council policy decisions. Members shall comply with the laws of the nation, the State of New York and the Town of Hannibal in the performance of their public duties.

4. Conduct of Members. The professional and personal conduct of members while exercising their office must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, Boards, Committees and Commissions, the staff or public.

5. Respect for Process. Members shall perform their duties in accordance with the processes and rules of order established by the Town Council.

6. Conduct at Public Meetings. Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. Conduct at public meetings should be professional and courteous of the board and all attendees at the meeting.

7. Decisions Based on Merit. Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations. When making adjudicative decisions (those decisions where the member is called upon to determine and apply facts peculiar to an individual case), members shall maintain an open mind until the conclusion of the hearing on the matter and shall base their decisions on the facts presented at the hearing and the law.

8. Communication. For adjudicative matters pending before the body, members shall refrain from receiving information outside of an open public meeting or the agenda materials, except on advice of the Town Attorney. Members shall publicly disclose substantive information that is relevant to a matter under consideration by the body which they may have received from sources outside of the public decision-making process.

9. Conflict of Interest. In order to assure their independence and impartiality on behalf of the common good and compliance with conflict of interest laws, members shall use their best efforts to refrain from creating an appearance of impropriety in their actions and decisions. Members shall not use their official positions to influence government decisions in which they have (a) a material financial interest, (b) an organizational responsibility or personal relationship which may give the appearance of a conflict of interest, or (c) a strong personal bias.

Representation before one's own agency. Municipal Officer or Employee 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 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.

Representation before any agency for a contingent fee. Municipal Officer or Employee 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 municipality, whereby his 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 reasonable value of the services rendered.

Investments in conflict with official duties. Municipal Officer or Employee 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 official duties.

Private Employment: Municipal Officer or Employee shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or services creates with or impairs the proper discharge of his official duties.

To the extent that he knows thereof, a member of the Town Board any any officer or employee of the Town of Hannibal, whether paid or unpaid, who participates in 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 has in such legislation.

A member who has a potential conflict of interest regarding a particular decision shall disclose the matter to the Town Attorney and reasonably cooperate with the Town Attorney to analyze the potential conflict. If advised by the Town Attorney to seek advice

from any state agency, a member shall not participate in a decision unless and until he or she has requested and received advice allowing the member to participate. A member shall diligently pursue obtaining such advice. The member shall provide the Town Supervisor and the Town Attorney a copy of any written request or advice, and conform his or her participation to the advice given.

In providing assistance to members, the Town Attorney represents the Town and not individual members. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and if they have a conflict of interest regarding a particular decision, shall not, once the conflict is ascertained, participate in the decision and shall not discuss or comment on the matter in any way to any person including other members unless otherwise permitted by law.

10. Confidential Information. Members must maintain the confidentiality of all written materials and verbal information provided to members which is confidential or privileged. Members shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

11. Use of Public Resources. Members shall not use public resources which are not available to the public in general (e.g., Town staff time, equipment, supplies or facilities) for private gain or for personal purposes not otherwise authorized by law.

12. Representation of Private Interests. In keeping with their role as stewards of the public interest, Municipal Officer or Employee's shall not appear on behalf of the private interests of third parties before the Council or any Board, Committee, Commission or proceeding of the Town, nor shall members of Boards, Committees and Commissions appear before their own bodies.

13. Advocacy. Members shall represent the official policies or positions of the Town Council, Board, Committee or Commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the Town of Hannibal, nor will they allow the inference that they do. Councilmembers and Board, Committee and Commission members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention or display endorsements during Council meetings, or Board, Committee and Commission meetings, or other official Town meetings.

14. Independence of Boards, Committees and Commissions. Because of the value of the independent advice of Boards, Committees and Commissions to the public decision-making process, members of Council shall refrain from using their position to unduly influence the deliberations or outcomes of Board, Committee and Commission proceedings.

15. Future Employment. Municipal Officer or Employee shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Town of Hannibal in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.

16. Positive Workplace Environment. Municipal Officer or Employee shall support the maintenance of a positive and constructive workplace environment for Town employees and for citizens and businesses dealing with the Town. Members shall recognize their special role in dealings with Town employees to in no way create the perception of inappropriate direction to staff.

Section 4. Timely Filing

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 Hannibal or any agency thereof on behalf of himself or any member of his family arising out of any personal injury or property damage or any lawful benefit authorized or permitted by law.

Section 5. Distribution of Code of Ethics.

The Town Board of Hannibal shall provide a copy of this Code of Ethics to every officer and employee of the Town of Hannibal within twenty days after the effective date of this resolution. Each Municipal Officer or Employee **elected or appointed** thereafter shall be furnished a copy before entering upon the duties of his office or employment. A copy of this Code of Ethics will also be provided on the Town of Hannibal website within twenty days after the effective date of this resolution.

Section 6. Penalties.

In addition to any penalty contained in any other provision of law, any person who knowingly and intentionally violates 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 resolution shall take effect twenty days after it is filed as provided by law.

State of New York
County of Oswego

I, the undersigned clerk of the Town of Hannibal, Oswego County, New York, do hereby certify:

That I have compared the annex abstract of minutes of the meeting of the Town board of Town of Hannibal including the resolution contained therein, held on the 17th day of August 2022, with the original thereof on file in my office and that the same is a true and correct transcript therefrom and of the whole of said originals so far as the same relates to the subject matters therein referred to.

I further certify that all members of the said Town Board of Hannibal had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set hand and affixed the seal of said Town of Hannibal this 17th day of August 2022.

Denise J. Hafner
Signature

