

September 17, 2014

The Honorable John Clarkson
Town Supervisor
Bethlehem Town Hall
445 Delaware Avenue
Delmar, New York 12054

Dear Supervisor Clarkson,

The Town of Bethlehem Board of Ethics is happy to deliver to the Bethlehem Town Board its 2014 Annual Report. The Town of Bethlehem Code of Ethics was adopted on June 13, 2012 and amended during 2013 to its current status. Five residents appointed by the Town Board, three serving a three year term and, initially, two serving a two year term, are authorized to render advisory opinions to officers and employees of the Town, receive complaints, conduct investigations and make recommendations to the Town Board regarding such complaints.

In 2013-2014, the Board held three meetings. During these meetings the Board worked on updating the Town of Bethlehem Code of Ethics flyer, which is attached to this report. This flyer is available to all employees and on the Ethics Board page of the Town website. We also completed the procedures for the Board upon receipt of a complaint. These are also attached and on the Town website. These procedures were approved at our October 10, 2013 meeting.

In the last 12 months the Board has had no requests for opinions or complaints to review. We continue to meet, quarterly, stay in touch with the town Human Resources Department and will offer our services for training of new employees. Plans for the upcoming year will be to discuss more ways to highlight that the Ethics Board is available for all town employees and to be a more visible presence.

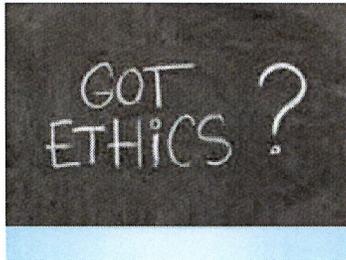
Finally, we would like to thank the Town Board for revitalizing the Town Code of Ethics and for giving each member of the Ethics Board the opportunity to serve our Town. We look forward to the year ahead and building on what has been started.

Respectfully Submitted,

Lisa O. Allendorph, Chair
Loretta Simon, Secretary
Michael Fallon
Peter Lauricella
Theresa A. Schillaci

Code of Ethics

Bethlehem's Code of Ethics is intended to enhance public confidence and respect in the integrity of Town government by establishing standards of ethics conduct that all town officers and employees are expected to meet or exceed.



Get Ethics Advice

Town officers and employees are encouraged to seek guidance if they have questions. The Town Ethics Board is authorized to issue advisory opinions.

Town of Bethlehem, NY

Town Ethics Board
445 Delaware Avenue
Delmar, NY 12054

518-439-4955
EthicsBoard@townofbethlehem.org

Updated Jan. 24, 2014

Town of Bethlehem, NY



Code of Ethics

A Guide for Town Officers
and Employees



Overview

This Guide provides general information concerning the Town of Bethlehem Ethics Code. For specific information concerning the Code, please refer to the Town of Bethlehem Local Law Chapter 16.

You may also contact the Department of Human Resources or the Board of Ethics for additional information and guidance.

Who Is Covered?

The Town Ethics Code applies to all town elected officials, employees and unpaid officials.

Standards of Conduct

No town officer or employee may engage in outside employment that is in conflict with his/her official duties.

No town officer or employee may solicit or accept an employment opportunity with any person or entity that has a matter pending before the officer or employee.

Town officers and officials are subject to post-employment restrictions. You cannot appear before your former office, board or department on behalf of another for one year. If you personally and substantially participated in a transaction on the Town's behalf, you are permanently barred from representing anyone else in that transaction.

Enforcement

Any officer or employee who violates this Code may be censured, fined, suspended or removed from office or employment.

Use of Town Resources

No officer or employee may use or permit the use of Town resources for personal purposes. Town policy authorizes the occasional and incidental use of telephone and computers for family and personal matters.

Confidential Information

No officer or employee who acquires confidential information in the course of his/her official duties may disclose or use such information unless required by law or when performing one's official duties.

Gifts

No officer or employee shall solicit, accept or receive a gift of any value. There are some limited exceptions to this rule, such as gifts from family and promotional items of little value.

Political Solicitation or Activity

No officer or employee shall use his or her position to compel another to make a political contribution, or shall engage in political activity during his or her assigned workday.

Town of Bethlehem Ethics Board Procedure Upon Receipt of a Complaint

When a written complaint is made to the Board of Ethics alleging violations of the Town Ethics Code and/or the General Municipal Law (GML) of New York State, the Board of Ethics shall follow these procedures in carrying out its duties under NYS GML Article 18 and the Bethlehem Town Code.

Approved by the Ethics Board {insert date}.

General Protocol

1. Complaints will be reviewed by the Board of Ethics in a closed session within one month of receipt.
2. The Board of Ethics may undertake an investigation to obtain additional information on matters before it.
3. Discussions held in closed session shall remain confidential and will not be disclosed.
4. Ethics Board members shall recuse themselves from participation in discussions, deliberations, or voting in any matter in which they have an actual or potential conflict of interest, or where there may be the appearance of a conflict of interest.
5. All actions, decisions and recommendations of the Board of Ethics shall be by majority vote.
6. Except to the extent such records must be disclosed under the Freedom of Information Law, the complaint records shall remain confidential.

The procedure for Receipt and Investigation of Complaints shall be as follows:

A. Receipt of Complaints

A written complaint should be signed, include the individual complainant's address, and set forth reasonable detail and any documentation of the facts alleged to constitute a violation of Chapter 16 of the Bethlehem Town Code (Code of Ethics).

After the complaint has been filed and prior to any investigation undertaken of a complaint before the Board of Ethics, no member of the Board of Ethics or any of the Board's authorized agents may communicate directly or indirectly with any party or other persons about any issue of fact or law regarding the complaint, except that:

1. The members of the Board of Ethics may discuss the complaint among themselves;
2. The members of the Board may interview witnesses and experts in its investigation;
- and
3. The members of the Board may obtain legal advice from the Town Counsel or special counsel, as appropriate.

If any person attempts to contact or influence member of the Board of Ethics regarding a pending complaint, the Board member shall report the substance of the communication to the Board of Ethics at or before its next regular meeting.

B. Initial Review of Complaint

The Board of Ethics shall conduct an initial Complaint Review resulting in one of the following actions:

1. Incomplete Complaint – Complaint is returned for more information or clarification;
2. Dismiss – In the event the Board of Ethics finds no substance to the complaint, it will be dismissed;
3. Refer to the Town Board – Should the written complaint allege a violation of law under the jurisdiction of the District Attorney or other law enforcement agency, the matter shall be forwarded to the Town Board to take the appropriate action;
4. Accept Complaint for Investigation - The Board proceeds to Complaint Review.

C. Informal Complaint Review

1. The Board of Ethics shall conduct an Informal Complaint Review and determine whether it warrants further investigation.
2. If the complaint is determined in the informal review to be within the jurisdiction of The Board of Ethics and provides a factual basis for investigation, the complainant will be notified of the receipt of the complaint. Otherwise, the Board of Ethics will advise complainant that the complaint does not warrant investigation.
3. If the complaint is accepted The Board of Ethics shall then proceed to the Formal Complaint Review.

D. Formal Complaint Review

1. The Board of Ethics shall then conduct an investigation of the complaint against the officer, employee, or member of the Town Board.
2. The officer, employee, or member of the Town Board who is the subject of the complaint, shall have the right to be represented by counsel at any required appearance before the Board of Ethics.
3. The officer, employee, or member of the Town Board who is the subject of the complaint, shall be afforded an opportunity to present evidence to the Board of Ethics. In the absence of such evidence, the Board may conduct its investigation and reach its conclusions based on the evidence available.

E. Recommendation

At the conclusion of its investigation, the Board of Ethics shall provide a written recommendation to the Town Board.