

# Town of Amsterdam

## Town Board Resolution

### Adopting Conflict of Interest Policy

Resolution No. \_\_\_\_\_

At a regular meeting of the Town Board of the Town of Amsterdam, held at the Town Hall on the \_\_\_ day of \_\_\_\_\_, 20.

#### WHEREAS

The Town Board recognizes the importance of maintaining the highest standards of integrity and ethical conduct in the operation of municipal government; and

#### WHEREAS

New York State **General Municipal Law Article 18 (§800-§809)** establishes standards governing conflicts of interest for municipal officers and employees; and

#### WHEREAS

The Town Board wishes to adopt a formal Conflict of Interest Policy to ensure transparency, accountability, and compliance with New York State law;

#### NOW THEREFORE BE IT RESOLVED

1. The Town Board of the Town of Amsterdam hereby adopts the **Conflict of Interest Policy** attached hereto.
2. The policy shall apply to all **Town officials, employees, board members, contractors, consultants, and vendors doing business with the Town.**
3. All applicable individuals shall complete and sign a **Conflict of Interest Disclosure Form.**
4. The Town Clerk shall maintain all disclosure forms as part of the official records of the Town.
5. This policy shall take effect immediately upon adoption.

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Vote

Supervisor: \_\_\_\_\_

Councilmember: \_\_\_\_\_

Councilmember: \_\_\_\_\_

Councilmember: \_\_\_\_\_

Councilmember: \_\_\_\_\_

**Adopted this \_\_\_ day of \_\_\_\_\_, 20**

Town Clerk

# Town of Amsterdam

## Conflict of Interest Policy

### Applicable to All Officials, Employees, and Vendors

#### 1. Purpose

The purpose of this policy is to ensure that all officials, employees, agents, contractors, consultants, and vendors of the Town of Amsterdam conduct Town business with integrity, impartiality, and transparency.

Public service requires that all decisions be made solely in the best interest of the Town and its residents, free from improper influence or personal gain.

This policy establishes procedures to identify, disclose, and manage conflicts of interest.

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#### 2. Legal Authority

This policy is adopted in accordance with and intended to comply with the following provisions of New York State law:

- **New York State General Municipal Law Article 18 (§800–§809)** relating to conflicts of interest of municipal officers and employees.
- **General Municipal Law §801**, which prohibits certain interests in municipal contracts.
- **General Municipal Law §802**, which outlines exceptions to prohibited interests.
- **General Municipal Law §803**, requiring disclosure of interests in municipal contracts.
- **General Municipal Law §805-a**, prohibiting the use of municipal position for personal financial gain.
- **New York State Public Officers Law**, including ethical conduct standards applicable to public officials.

Where any provision of New York State law is stricter than this policy, the requirements of State law shall control.

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#### 3. Scope

This policy applies to:

- All elected officials of the Town of Amsterdam
- All full-time, part-time, and seasonal employees
- Members of Town boards, commissions, and committees
- Independent contractors and consultants
- Vendors, suppliers, and service providers doing business with the Town

Compliance with this policy is a condition of employment and a condition of doing business with the Town.

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#### **4. Definition of Conflict of Interest**

A conflict of interest exists when an individual's personal, financial, or business interests could influence, or appear to influence, the performance of their official duties.

Conflicts may include but are not limited to:

- Direct or indirect financial interest in a contract with the Town
  - Employment relationships that create bias
  - Personal or family relationships affecting decision-making
  - Accepting gifts or favors from parties doing business with the Town
  - Using Town property, equipment, or confidential information for personal gain
- 

#### **5. Financial Interests in Contracts**

Pursuant to **New York General Municipal Law §801**, no Town officer or employee shall have an interest in any contract with the Town when such interest is prohibited by law.

If a permissible interest exists under **§802**, the interest must still be disclosed pursuant to **§803**.

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#### **6. Disclosure Requirement**

Whenever a Town officer, employee, or vendor has, or will have, an interest in any actual or proposed contract with the Town, they must:

1. Disclose the nature and extent of the interest in writing.
2. File the disclosure with the **Town Clerk**.
3. Ensure the disclosure becomes part of the official Town record.

The disclosure must be made **as soon as the interest becomes known**.

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## **7. Recusal**

Any individual who has a financial or personal interest in a matter before the Town must:

- Refrain from participating in discussions
- Abstain from voting or influencing the decision
- Remove themselves from any deliberations regarding the matter

Such recusals shall be documented in official meeting minutes when applicable.

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## **8. Gifts and Gratuities**

In accordance with **General Municipal Law §805-a**, no Town officer or employee shall solicit, accept, or receive any gift or benefit having a value that could reasonably be inferred to influence official duties.

This includes gifts from:

- Contractors
- Vendors
- Developers
- Any party seeking to do business with the Town

Nominal items of minimal value or refreshments at public events are generally permissible but should be avoided if they create the appearance of impropriety.

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## **9. Use of Position for Personal Gain**

No Town officer or employee shall use or attempt to use their official position to secure unwarranted privileges, employment, or financial benefits for themselves, family members, or associates.

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## **10. Vendor Responsibilities**

All vendors, contractors, and consultants doing business with the Town must:

- Disclose any relationships with Town officials or employees
- Avoid actions that could improperly influence Town decisions

- Comply with this Conflict of Interest Policy

Failure to disclose conflicts may result in contract termination or disqualification from future Town contracts.

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## **11. Enforcement**

Violations of this policy may result in:

For Employees or Officials:

- Disciplinary action
- Suspension or removal from office where applicable
- Referral for investigation under New York State law

For Vendors:

- Termination of contracts
  - Removal from vendor eligibility lists
  - Possible legal action
- 

## **12. Policy Acknowledgment**

All Town officials, employees, and vendors must sign a Conflict of Interest Disclosure Form acknowledging compliance with this policy.

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## Conflict of Interest Disclosure Form

Name: \_\_\_\_\_

Position / Title / Vendor Name: \_\_\_\_\_

Department (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Phone / Email: \_\_\_\_\_

### Disclosure of Interest

Do you or any member of your immediate family have a financial or personal interest in any contract, agreement, vendor relationship, or transaction involving the Town of Amsterdam?

No

Yes (If yes, please describe below)

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### Relationship Disclosure

Do you have any family or business relationship with any Town official, employee, board member, or vendor that could create a potential conflict of interest?

No

Yes (If yes, explain)

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### Certification

I certify that the information provided above is true and complete to the best of my knowledge. I agree to comply with the Conflict of Interest Policy of the Town of Amsterdam and will disclose any future conflicts that may arise.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_