

Chapter 16

ETHICS, CODE OF

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[HISTORY: Adopted by the Town Board of the Town of Boston 12-2-70 by resolution. Amendments noted where applicable.]

§ 16-1. Legislative declaration.

The citizens of Boston recognize that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct and public confidence is to be maintained in our town government. It is the purpose of this chapter to establish these rules of ethical conduct for the officers and employees of the Town of Boston. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Boston. The rules of ethical conduct of this chapter shall not conflict with but shall be in addition to any prohibition of Article 18 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.

§ 16-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

INTEREST — A pecuniary or material benefit accruing to a municipal officer or employee, unless the context otherwise requires.

MUNICIPAL OFFICER OR EMPLOYEE — An officer or employee of the Town of Boston, whether paid or unpaid, including members of any administrative board, commission, committee or other agency thereof. No person shall be deemed to be a "municipal officer or employee" solely by reason of being a volunteer fireman or civil defense volunteer, except a Chief Engineer or Assistant Chief Engineer.

TOWN AGENCY — Any administrative board, commission, committee, court or other agency of the Town of Boston.

§ 16-3. Standards of conduct.

Every officer or employee of the Town of Boston shall be subject to and abide by the following standards of conduct:

- A. Gifts. He shall not, directly or indirectly, solicit, accept or receive any gift, 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 could reasonably be expected to influence him in the performance of his official duties or was intended as a reward for any official action on his part.
- B. Confidential information. He shall not disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interest.
- C. Representation before one's own agency. He 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 town agency of which he is an officer, member or employee or before any town agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.

- D. Representation before any other agency. Any paid 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 town agency. Any unpaid 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 town agency whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.
- E. Disclosure of interest in matters before the Town Board or agency. To the extent that he knows thereof, any officer or employee of the Town of Boston who participates in the discussion or gives official opinion to the Town Board or any other town agency on any matter officially before such Board or agency shall publicly disclose on the official record of such Board or agency the nature and extent of any direct or indirect financial or other private interest he has in such matter.
- F. Investments in conflict with official duties. He 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.
- G. Private employment. He 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 his official duties.
- H. Future employment. He shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Town of Boston 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.

§ 16-4. Permitted claims.

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 Boston or any agency thereof 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.

§ 16-5. Distribution.

The Supervisor of the Town of Boston shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the town within thirty (30) days after the effective date of this chapter. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his office or employment.

§ 16-6. Violations and 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.