

**Village Board Meeting
Minutes for the Annual Organizational Meeting April 18, 2017**

Board Members in Attendance:

Mayor Bud Shattuck
Trustee Case
Trustee Boyd
Trustee Cornell
Trustee Locastro

Village Attorney Chad Hayden
Clerk/Treasurer Joanne Fleming

Pledge to the Flag

Mayor Shattuck opened the meeting with the pledge to the flag.

5:00PM Call to Order

ANNUAL ORGANIZATIONAL MEETING

**OFFERED FOR CONSIDERATION BY TRUSTEES:
APPOINTMENTS**

One Year Term for the following:

Village Attorney	Chad R. Hayden
Village Tax Collector	Joanne Fleming
Village Deputy Clerk	Sharon Russell
Chestnut Hill Cemetery Registrar	Joanne Fleming
Historian	Jean Lanning
Registrar of Vital Statistics	Deborah Waldron
Code Enforcement Officer	Howard Tanner

Motion to approved by Cornell, 2nd by Locastro, passed.

NOTATION OF CURRENT TWO YEAR TERM for the following:

Village Clerk/Treasurer	Joanne Fleming	Term expires 4/19 (at the organizational
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meeting)

OFFICIAL NEWSPAPER, BANK & MEETING NIGHT

Newspaper	The Citizen
Meeting Night	Third Tuesday
Official Bank	Cayuga Lake National Bank

Official Undertakings: Pursuant to Village Law, the Village Clerk/Tax Collector/Treasurer, and Deputy Clerk are bonded as per NYMIR contract up to \$360,000 less a \$250 deductible, cost to be paid by the village.

No changes, moved to accept by Boyd

ESTABLISH THE DATE OF THE NEXT VILLAGE ELECTION: Tuesday, March 20, 2018.

Motion by Locastro, 2nd by Cornell.

ESTABLISH THE DATE OF THE NEXT ANNUAL ORGANIZATIONAL MEETING:
April 17, 2018.

Dates the Village Office and the Dept. of Public Works will be closed in 2018:

Jan. 1, 2018 New Year's Day	
Jan. 15, 2018 M.L.King	Sept. 3, 2018 Labor Day
Feb. 19, 2018 President's Day	Oct. 8, 2018 Columbus Day
Mar. 30, 2018 Good Friday	Nov. 12, 2018 Veteran's Day
May 28, 2018 Memorial Day	Nov. 22 & 23, 2018 Thanksgiving Day
July 4, 2018 Independence Day	Dec. 25, 2018 Christmas Day

AGREEMENTS WITH THE TOWN OF SPRINGPORT

The Village of Union Springs will participate with the Town of Springport in the Youth Program and the Mayor shall be authorized to sign a contract with the Town and make application to the NYS Division for Youth for matching Youth Program funds, and the Village will administer the Youth Program; new criteria, demographics.

PROCUREMENT POLICY

Adopt the existing procurement policy. Tighter reins on credit cards, Mayor will have possession of Home Depot, Lowe's, Staples, and Tompkins Trust Company cards. Employees will need to ask permission to use the card(s).

EMPLOYEE HANDBOOK

Personnel Committee to update the existing employee handbook and approve the policy that all employees (elected and appointed) sign the employee handbook annually in May. Each change should be copied within the page(s) and given to the Supervisors as adopted. Vacation request must be submitted six months in advance.

AGREEMENT TO ASSIST OTHER MUNICIPALITIES

Authorize the Superintendent of Public Works to render such assistance to other municipalities and to receive such assistance from other municipalities, as he deems necessary.

IMPLEMENTATION OF POLICIES

Whereas the board of trustees has determined to authorize payment in advance of audit claims for public utility services, postage, freight and express charges; and

Whereas all such claims must be presented at the next regular meeting for audit; and

Whereas the claimant and the office incurring or approving the claim are jointly and severally liable for any amount the board of trustees disallows.

NOW THEREFORE BE IT RESOLVED:

Advance Approval of Bills – Bills for postage, freight, utility payments, revolving credit accounts, express charges, attendance of Mayor, Trustees, Clerk, Village Counsel and Deputy Clerk at Cayuga Co. Assoc. of Villages monthly meeting, Blue Cross/Blue Shield premiums, NYCOM Fall Training School attendance, and NYS DOT highway work permit deposit shall be deemed to have been pre-approved for payment by the Board of Trustees.

Mileage Allowance Reimbursement – The Mileage Reimbursement rate for officers and employees using their personal vehicle while performing the official duties on behalf of the

Village at the current rate adopted by the U S Internal Revenue Service as amended by the IRS from time to time. As of January 1, 2017, the rate is \$.535 per mile.

ATTENDANCE AT SCHOOLS AND CONFERENCES:

Pursuant to General Municipal Law §77-b, municipal officials and employees may attend schools, conferences, and seminars conducted for the benefit of the local government. However, attendance not authorized by the Board cannot be reimbursed, unless the board of trustees approves of the attendance in advance. This would include such meetings as NYCOM’S Annual Meeting and Training School, the NYCOM Fall Training School for Fiscal Officers and Municipal Clerks, The NYCOM Public Works School, etc.

Whereas there is to be held during the coming official year a)the New York State Conference of Mayors Annual Meeting and Training School; b) the New York State Conference of Mayors and Fall Training School for Fiscal Advisors and Municipal Clerks; c) the New York Conference of Mayors Public Works School, d) the following county association meetings; etc. and

Whereas attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality;

NOW THEREFORE BE IT RESOLVED:

Section 1. The following officers and employees are authorized to attend schools: All Trustees, Mayor, Supervisor of Public Works, Clerk/Treasurer, WWTP Operator.

Section 2. This resolution is effective immediately.

APPOINTMENTS BY MAYOR

Deputy Mayor	2019 Case
Water Commissioner	2019 Boyd
Sewer Commissioner	2018 Cornell
Park Commissioner	2019 Case
Street Commissioner	2018 Locastro

Mayor Shattuck commented that the Governor is making 1 1/2 billion dollars available for water & sewer infrastructure improvements. Activity may ramp up for Commissioners.

Both ZBA and Planning Board will consist of five member boards with staggered 5 year expiring terms. Each Board member must obtain a minimum of four hours of annual training.

ZONING BOARD OF APPEALS:

Chris Zippel	Term expires 2018
Vacant	Term expires 2022
Jason Guy	Term expires 2021
Angela Kneaskern (Chair)	Term expires 2020
Vacant	Term expires 2019

Mayor Shattuck commented that the ZBA board has only met once in the last year.

PLANNING BOARD:

Dale Katovitch	Term expires 2018
Lloyd Dropkin	Term expires 2022
Chris Yorkey	Term expires 2021
Sidney Wolff (Chair)	Term expires 2020
John Becker	Term expires 2019

CODE OF ETHICS POLICY:

Adoption of existing policy.

Code of Ethics of the Village of Union Springs

Section 1. Purpose.

Officers and employees of the Village of Union Springs hold their positions to serve and benefit the public, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. The Village of Union Springs recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This code of ethics establishes those standards.

Section 2. Definitions.

(a) “Board” means the governing board of a municipality and any municipal administrative board (e.g. planning board, zoning of board of appeals), commission, or other agency or body comprised of two or more municipal officers or employees.

(b) “Code” means this code of ethics.

¹ This model code of ethics is for use by municipalities other than fire districts. The State Comptroller has promulgated a separate model code of ethics for fire districts.

(c) “Interest” means a direct or indirect financial or material benefit, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any private organization when he or she, his or her spouse, or a member of his or her household, is an owner, partner, member, director, officer, employee, or directly or indirectly owns or controls more than 5% of the organization’s outstanding stock.

(d) “Municipality” means Village of Union Springs. The word “municipal” refers to the municipality.

(e) “Municipal officer or employee” means a paid or unpaid officer or employee of the Village of Union Springs, including, but not limited to, the members of any municipal board.

(f) “Relative” means a spouse, parent, step-parent, sibling, step-sibling, sibling’s spouse, child, step-child, uncle, aunt, nephew, niece, first cousin, or household member of a municipal officer or employee, and individuals having any of these relationships to the spouse of the officer or employee.

Section 3. Applicability.

This code of ethics applies to the officers and employees of the [insert name of municipality], and shall supersede any prior municipal code of ethics. The provisions of this

code of ethics shall apply in addition to all applicable State and local laws relating to conflicts of interest and ethics including, but not limited to, article 18 of the General Municipal Law and all rules, regulations, policies and procedures of the Village of Union Springs .

Section 4. Prohibition on use of municipal position for personal or private gain.

No municipal officer or employee shall use his or her municipal position or official powers and duties to secure a financial or material benefit for himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

Section 5. Disclosure of interest in legislation and other matters.

(a) Whenever a matter requiring the exercise of discretion comes before a municipal officer or employee, either individually or as a member of a board, and disposition of the matter could result in a direct or indirect financial or material benefit to himself or herself, a relative, or any private organization in which he or she is deemed to have an interest, the municipal officer or employee shall disclose in writing the nature of the interest.

(b) The disclosure shall be made when the matter requiring disclosure first comes before the municipal officer or employee, or when the municipal officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.

(c) In the case of a person serving in an elective office, the disclosure shall be filed with the governing board of the municipality. In all other cases, the disclosure shall be filed with the person's supervisor or, if the person does not have a supervisor, the disclosure shall be filed with the municipal officer, employee or board having the power to appoint to the person's position. In addition, in the case of a person serving on a municipal board, a copy of the disclosure shall be filed with the board. Any disclosure made to a board shall be made publicly at a meeting of the board and must be included in the minutes of the meeting.

Section 6. Recusal and abstention.

(a) No municipal officer or employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting on it, when he or she knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

(b) In the event that this section prohibits a municipal officer or employee from exercising or performing a power or duty:

(1) if the power or duty is vested in a municipal officer as a member of a board, then the power or duty shall be exercised or performed by the other members of the board; or

(2) if the power or duty that is vested in a municipal officer individually, then the power or duty shall be exercised or performed by his or her deputy or, if the officer does not have a deputy, the power or duty shall be performed by another person to whom the officer may lawfully delegate the function.

(3) if the power or duty is vested in a municipal employee, he or she must refer the matter to his or her immediate supervisor, and the immediate supervisor shall designate another person to exercise or perform the power or duty.

Section 7. Prohibition inapplicable; disclosure, recusal and abstention not required.

(a) This code's prohibition on use of a municipal position (section 4), disclosure requirements (section 5), and requirements relating to recusal and abstention (section 6), shall not apply with respect to the following matters:

(1) Adoption of the municipality's annual budget;

(2) Any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:

(i) all municipal officers or employees;

(ii) all residents or taxpayers of the municipality or an area of the municipality; or

(iii) the general public; or

(3) any matter that does not require the exercise of discretion.

(b) Recusal and abstention shall not be required with respect to any matter:

(1) Which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by section 6 of this code;

(2) Which comes before a municipal officer when the officer would be prohibited from acting by section 6 of this code and the matter cannot be lawfully delegated to another person.

Section 8. Investments in conflict with official duties.

(a) No municipal officer or employee may acquire the following investments:

(1) Investments that can be reasonably expected to require more than sporadic recusal and abstention under section 6 of this code; or

(2) Investments that would otherwise impair the person's independence of judgment in the exercise or performance of his or her official powers and duties.

(b) This section does not prohibit a municipal officer or employee from acquiring any other investments or the following assets:

(1) Real property located within the municipality and used as his or her personal residence;

(2) Less than five percent of the stock of a publicly traded corporation; or

(3) Bonds or notes issued by the municipality and acquired more than one year after the date on which the bonds or notes were originally issued.

Section 9. Private employment in conflict with official duties.

No municipal officer or employee, during his or her tenure as a municipal officer or employee, may engage in any private employment, including the rendition of any business, commercial, professional or other types of services, when the employment:

- (a) can be reasonably expected to require more than sporadic recusal and abstention pursuant to section 6 of this code;
- (b) can be reasonably expected to require disclosure or use of confidential information gained by reason of serving as a municipal officer or employee;
- (c) violates section 805-a(1)(c) or (d) of the General Municipal Law; or
- (d) requires representation of a person or organization other than the municipality in connection with litigation, negotiations or any other matter to which the municipality is a party.

Section 10. Future employment.

- (a) No municipal officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the municipal officer or employee, either individually or as a member of a board, while the matter is pending or within the 30 days following final disposition of the matter.
- (b) No municipal officer or employee, for the two-year period after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before the municipal office, board, department or comparable organizational unit for which he or she serves.
- (c) No municipal officer or employee, at any time after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he or she personally and substantially participated while serving as a municipal officer or employee.

Section 11. Personal representations and claims permitted.

This code shall not be construed as prohibiting a municipal officer or employee from:

- (a) Representing himself or herself, or his or her spouse or minor children before the municipality; or
- (b) Asserting a claim against the municipality on his or her own behalf, or on behalf of his or her spouse or minor children.

Section 12. Use of municipal resources

- (a) Municipal resources shall be used for lawful municipal purposes. Municipal resources include, but are not limited to, municipal personnel, and the municipality's money, vehicles, equipment, materials, supplies or other property.

(b) No municipal officer or employee may use or permit the use of municipal resources for personal or private purposes, but this provision shall not be construed as prohibiting:

(1) any use of municipal resources authorized by law or municipal policy;

(2) the use of municipal resources for personal or private purposes when provided to a municipal officer or employee as part of his or her compensation; or

(3) the occasional and incidental use during the business day of municipal telephones and computers for necessary personal matters such as family care and changes in work schedule.

(c) No municipal officer or employee shall cause the municipality to spend more than is reasonably necessary for transportation, meals or lodging in connection with official travel.

Section 13. Interests in Contracts.

(a) No municipal officer or employee may have an interest in a contract that is prohibited by section 801 of the General Municipal Law.

(b) Every municipal officer and employee shall disclose interests in contracts with the municipality at the time and in the manner required by section 803 of the General Municipal Law.

Section 14. Nepotism.

Except as otherwise required by law:

(a) No municipal officer or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within the municipality or a municipal board.

(b) No municipal officer or employee may supervise a relative in the performance of the relative's official powers or duties.

Section 15. Political Solicitations.

(a) No municipal officer or employee shall directly or indirectly to compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.

(b) No municipal officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any municipal officer or employee, or an applicant for a position as a municipal officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

Section 16. Confidential Information.

No municipal officer or employee who acquires confidential information in the course of exercising or performing his or her official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing his or her official powers and duties.

Section 17. Gifts.

(a) No municipal officer or employee shall solicit, accept or receive a gift in violation of section 805-a(1)(a) of the General Municipal Law as interpreted in this section.

(b) No municipal officer or employee may directly or indirectly solicit any gift.

(c) No municipal officer or employee may accept or receive any gift, or multiple gifts from the same donor, having an annual aggregate value of seventy-five dollars or more when:

(1) the gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of his or her official powers or duties;

(2) the gift could reasonably be expected to influence the officer or employee in the exercise or performance of his or her official powers or duties; or

(3) the gift is intended as a reward for any official action on the part of the officer or employee.

(d) For purposes of this section, a “gift” includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift’s fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed seventy-five dollars must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift.

(e) (1) A gift to a municipal officer or employee is presumed to be intended to influence the exercise or performance of his or her official powers or duties when the gift is from a private person or organization that seeks municipal action involving the exercise of discretion by or with the participation of the officer or employee.

(2) A gift to a municipal officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained municipal action involving the exercise of discretion by or with the participation of the officer or employee during the preceding twelve months.

(f) This section does not prohibit any other gift, including:

(1) gifts made to the municipality;

(2) gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that the personal relationship, rather than the recipient's status as a municipal officer or employee, is the primary motivating factor for the gift;

(3) Gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable and customary;

(4) Unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads, and calendars;

(5) awards and plaques having a value of seventy-five dollars or less which are publicly presented in recognition of service as a municipal officer or employee, or other service to the community; or

(6) Meals and refreshments provided when a municipal officer or employee is a speaker or participant at a job-related professional or educational conference or program and the meals and refreshments are made available to all participants.

Respectfully Submitted by

Joanne Fleming
Village Clerk/Treasurer

Annual Organizational Meeting closed at 6:15pm