Town Board Work Session

Agenda

April 30, 2025

5:00 PM

1. Virtual Meeting Instructions - April 30, 2025

   Documents:

   04-30-2025 - TOWN BOARD WORKSESSION MEETING INSTRUCTIONS.PDF

2. Pledge Of Allegiance

3. Board Of Ethics Committee - Advisory Opinions

   Documents:

   BOE_02122025.PDF

4. Adjournment

Town of
MANLIUS
New York

April 30, 2025 – 5:00PM

Town Board Work Session – Board of Ethics

The easiest way to participate in the meeting is to use the link provided below. The meeting will be conducted on the ZOOM platform as a webinar. Please make sure that when you complete your attendee registration you enter your full name.

Click on the link or enter the meeting URL web address as listed below.

https://us02web.zoom.us/j/86474421528?pwd=fSfGuwvJGZ9NLqQFADELixq1LhFro2.1

Password to join when prompted:

Password: **152697**

Enter your email address and name and join the meeting.

Join by telephone by dialing the number below:

(929) 436-2866

When prompted to enter the Webinar ID, use the number below followed by #

Webinar ID: 864 7442 1528

Press # again to skip the personal id and enter the password below followed by #

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Town of
MANLIUS
New York

Board of Ethics

Advisory Opinion 2025_01

In accordance with Town of Manlius Code 14.5 (B) [1], and New York State General Municipal Law Article 18 [2], the Town's Board of Ethics offers the following advisory opinion:

Chapter 14 of the Town of Manlius should be modified to meet normative pronoun standards of inclusivity in a contemporary society. All individuals subject to this legislation currently referenced as "he" should be notated in the more inclusive manner "he/she/they" or "him/her/them", as is the contemporary standard.

[1] https://ecode360.com/11047375#11047390
[2] https://newyork.public.law/laws/n.y._general_municipal_law_section_808

Chapter 14

ETHICS, CODE OF

§ 14-1.	Purpose.	§ 14-5.	Establishment of Board of Ethics; powers and duties.
§ 14-2.	Definitions.		
§ 14-3.	Standards of conduct.	§ 14-6.	Distribution of Code of Ethics.
§ 14-4.	Personal claims.	§ 14-7.	Penalties for offenses.

[HISTORY: Adopted by the Town Board of the Town of Manlius 3-13-1991 as Ch. 4 of the 1991 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Defense and indemnification — See Ch. 7.

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§ 14-1. Purpose.

Pursuant to the provisions of § 806 of the General Municipal Law, the Town Board 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 chapter to promulgate these rules of ethical conduct for the officers and employees of the town. These rules shall serve as a guide for official conduct of the officers and employees of the town. The rules of ethical conduct of this chapter, as adopted, 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. Section 14-5 also provides for the establishment of a Board of Ethics for the town pursuant to Article 18 of the General Municipal Law.

§ 14-2. Definitions.

As used in this chapter, unless the context otherwise requires, the following words shall have the meanings indicated:

MUNICIPAL OFFICER OR EMPLOYEE — An officer or employee of the town, 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 fireman or civil defense volunteer, except a chief engineer or assistant chief engineer.

INTEREST — A pecuniary or material benefit accruing to a municipal officer or employee.

§ 14-3. Standards of conduct.

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

A. Gifts. ~~He~~He/She/They shall not directly or indirectly solicit any gift; or accept or receive any gift having a value of ~~twenty-five~~seventy-five dollars (~~$25~~$75.) or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise or any other form, under circumstances in which it could

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reasonably be inferred that the gift was intended to influence ~~him~~Him/Her/Them or could reasonably be expected to influence ~~him~~Him/Her/Them in the performance of his official duties or was intended as a regard for any official action on his part.

B. Confidential information. ~~He~~He/She/They shall not disclose confidential information acquired by ~~him~~Him/Her/Them in the course of his official duties or use such information to further his personal interest.

C. Representation before one's own agency. ~~He~~He/She/They 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~~He/She/They is an officer, member or employee or of any municipal agency over which ~~he~~He/She/They has jurisdiction or to which ~~he~~He/She/They has the power to appoint any member, officer or employee.

D. Representation before any agency of the town. ~~He~~He/She/They 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 the town.

E. Disclosure of interest in legislation. To the extent that ~~he~~He/She/They knows thereof, a member of the Town Board and any officer or employee of the town, whether paid or unpaid, who participates in the 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~~He/She/They has in such legislation.

F. Investments in conflict with official duties. ~~He~~He/She/They shall not invest or hold any investments directly or indirectly in any financial, business, commercial or other private transaction which creates a conflict with his official duties.

G. Private employment. ~~He~~He/She/They 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~~He/She/They shall not, after the termination of service or employment with such municipality, appear before any board or agency of the town in relation to any case, proceeding or application in which ~~he~~He/She/They personally participated during the period of his service or employment or which was under his active consideration.

§ 14-4. Personal 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 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.

§ 14-5. Establishment of Board of Ethics; powers and duties.

A. There is hereby established a Board of Ethics consisting of three (3) members to be appointed by the Town Board, all of whom reside in the town and who shall serve without compensation and at the pleasure of the Town Board. A majority of such members shall be persons other than elected or appointed officers or employees of the town, but the Board shall include one (1) member who is an elected or appointed officer or employee of the town.

B. The Board of Ethics shall have the powers and duties prescribed by Article 18 of the General Municipal Law and shall render advisory opinions to the officers and employees of the town with

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respect to Article 18 of the General Municipal Law and this Code of Ethics adopted by the Town Board pursuant to such Article, under such rules and regulations as the Board may prescribe. In addition, the Board may make recommendations with respect to the drafting and adoption of amendments to this Code of Ethics upon request of the Town Board.

§ 14-6. Distribution of Code of Ethics.

The Supervisor 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.

§ 14-7. Penalties for offenses.

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 chapter may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

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Town of
MANLIUS
New York

Board of Ethics

Advisory Opinion 2025_02

In accordance with Town of Manlius Code 14.5 (B) [1], and New York State General Municipal Law Article 18 [2], the Town's Board of Ethics offers the following advisory opinion:

Chapter 14 - Section 14.3 "*Standards of Conduct*" of the Town of Manlius Municipal Code part (A) *Gifts* should be modified to match the State standard limit of $75 equivalence in allowable gift value.

[1] https://ecode360.com/11047375#11047390
[2] https://newyork.public.law/laws/n.y._general_municipal_law_section_808

Chapter 14

ETHICS, CODE OF

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[HISTORY: Adopted by the Town Board of the Town of Manlius 3-13-1991 as Ch. 4 of the 1991 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Defense and indemnification — See Ch. 7.

§ 14-1. Purpose.

Pursuant to the provisions of § 806 of the General Municipal Law, the Town Board 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 chapter to promulgate these rules of ethical conduct for the officers and employees of the town. These rules shall serve as a guide for official conduct of the officers and employees of the town. The rules of ethical conduct of this chapter, as adopted, 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. Section 14-5 also provides for the establishment of a Board of Ethics for the town pursuant to Article 18 of the General Municipal Law.

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reasonably be inferred that the gift was intended to influence ~~him~~Him/Her/Them or could reasonably be expected to influence ~~him~~Him/Her/Them in the performance of his official duties or was intended as a regard for any official action on his part.

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C. Representation before one's own agency. ~~He~~He/She/They 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~~He/She/They is an officer, member or employee or of any municipal agency over which ~~he~~He/She/They has jurisdiction or to which ~~he~~He/She/They has the power to appoint any member, officer or employee.

D. Representation before any agency of the town. ~~He~~He/She/They 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 the town.

E. Disclosure of interest in legislation. To the extent that ~~he~~He/She/They knows thereof, a member of the Town Board and any officer or employee of the town, whether paid or unpaid, who participates in the 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~~He/She/They has in such legislation.

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§ 14-4. Personal 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 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.

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A. There is hereby established a Board of Ethics consisting of three (3) members to be appointed by the Town Board, all of whom reside in the town and who shall serve without compensation and at the pleasure of the Town Board. A majority of such members shall be persons other than elected or appointed officers or employees of the town, but the Board shall include one (1) member who is an elected or appointed officer or employee of the town.

B. The Board of Ethics shall have the powers and duties prescribed by Article 18 of the General Municipal Law and shall render advisory opinions to the officers and employees of the town with

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respect to Article 18 of the General Municipal Law and this Code of Ethics adopted by the Town Board pursuant to such Article, under such rules and regulations as the Board may prescribe. In addition, the Board may make recommendations with respect to the drafting and adoption of amendments to this Code of Ethics upon request of the Town Board.

§ 14-6. Distribution of Code of Ethics.

The Supervisor 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.

§ 14-7. Penalties for offenses.

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 chapter may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

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Town of
MANLIUS
New York

Board of Ethics

Advisory Opinion 2025_03

In accordance with Town of Manlius Code 14.5 (B) [1], and New York State General Municipal Law Article 18 [2], the Town's Board of Ethics offers the following advisory opinion:

Upon review and analysis, the January 2, 2025 revised Town of Manlius "*Internal Procurement Policy*" appears to be in compliance with State standards and practice as articulated by the Office of the State Comptroller, General Municipal Law, and the Town of Manlius Code Chapter 14.

[1] https://ecode360.com/11047375#11047390
[2] https://newyork.public.law/laws/n.y._general_municipal_law_section_808

Town of Manlius

Internal Procurement Policy

I. Scope

This Policy establishes Guidelines whereby the Town of Manlius will obtain supplies, equipment, and services in a timely manner and of the best value to the residents and taxpayers of the Town. Further this Policy will be carried out in such a manner that maintains fairness to competitive vendors and abides by all applicable Federal, State, Local Laws, Rules, and Regulations governing public purchasing practices.

Additionally, where the Town of Manlius is procuring a commodity or service, whether by competitive bid or other type of procurement, that is the subject of a GreenNY procurement specification that has received final approval of the NYS Green NY Council pursuant to Executive Order No 22 (2022), the Town of Manlius Purchasing Officer shall follow the GreenNY procurement specification to the maximum extent practicable ad where cost is reasonably competitive as defined in in General Municipal Law § 104-a. GreenNY approved procurement specifications can be found online at: https://ogs.ny.gov/greenny/approved-greenny-specifications.

II. Guideline 1

Every prospective purchase of goods or services shall be evaluated to determine the applicability of General Municipal Law §103. Every Town Officer, Board Member, Department Head and/or other personnel with the requisite purchasing authority ("Purchaser") shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvases of other Town Departments and the past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

III. Guideline 2

A. All purchases of:

1. Supplies or equipment which will exceed $20,000 in the fiscal year shall be formally bid, pursuant to General Municipal Law §103. When competitive bidding is required, the award of the contract is made to the lowest priced and the best value bid which has complied with the specifications.

2. Public works contracts over $35,000 shall be formally bid pursuant to General Municipal Law §103.

B. All estimated purchases of:

1. Less than $20,000 but greater than $3,000 require written quotes from 3 vendors by mail, email, or fax and will be subject to approval by the Town Supervisor.

2. Highway: Greater than $5,000 will be subject to approval by the Town Supervisor. Any purchase of salt, diesel, and asphalt that is purchased off State or County contract is not subject to approval by the Town Supervisor.

3. Police: Greater than $1,000 will be subject to approval by the Town Supervisor.

4. All other Departments: Greater than $500 will be subject to approval by the Town Supervisor.

C. All estimated public works contracts of:

1. Less than $35,000 but greater than $5,000 require Quotes from at least 3 contractors and will be subject to approval by the Town Supervisor.

The purchaser shall compile a list of all vendors from whom quotes and proposals have been requested and the quotes and proposals offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation Supporting the subsequent purchase of contract.

IV. Guideline 3

In addition to the requirements set forth in Guideline 2, all purchases or public works contracts exceeding $500 must be reviewed and approved by the Town Supervisor. This Guideline shall not apply to the Town of Manlius Highway Department, the Police Department, or items included in the Town of Manlius Budget provided as to the latter the purchase or contract price does not exceed the budgeted amount by more than 10%.

V. Guideline 4

Except as provided in Guidelines 6 and 7 hereof, the lowest responsible proposal or quote shall be awarded the purchase or contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the vendor or contractor with the lowest responsible quote or proposal. If a vendor or contractor is not deemed responsible, facts supporting that judgment shall also be documented and file with the record supporting the procurement and the vendor or contractor shall be granted a right to be heard on such issues prior to award.

VI. Guideline 5

If a quote or proposal is received from a local vendor or contractor which approximates or is substantially like the lowest quote or proposal received, the Purchaser may opt to award the purchase contract to said local vendor or contractor. For purposes hereof "local" shall mean its main business premises are located within 50 miles of the Town of Manlius.

VII. Guideline 6

The Town Board may permit the use of best value as a method of awarding contracts in a manner that is in the best interest of the Town and only used for Purchase Contracts. Goods and services procedure and awarded based on best value are those that are proven to optimize quality, cost, and efficiency, among responsive and responsible bidders/offers. The determination shall be based on an objective analysis of clearly described and documented criteria as they apply to the rating of bids and offers. Where possible, such determination shall also be based upon and include a quantifiable analysis of the same. The criteria may include, but shall not be limited to, any or all the following:

A. Cost of maintenance

B. Proximity to the end user if distance or response time is a significant term.

C. Durability

D. Availability of replacement parts or maintenance contractors

E. Longer product life

F. Product performance criteria

G. Quality of craftsmanship

Whenever any contract is awarded based on best value instead of the lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented.

VIII. Guideline 7

Pursuant to GML §103(16), the Town Board may authorize the purchase of apparatus, materials, equipment, supplies, and contracts for services related to installation, maintenance, or repair of those items, using contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein and in compliance with New York State Procurement Rules. The Town can also piggyback on Public Housing Authority if they are New York State compliant. When determining whether the procurement falls within this exception to the competitive bidding process, the Town Board must make a finding that the following three (3) prerequisites have been met:

A. The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein. Therefore, there must be an underlying contract let by one of the listed governmental entities. Contracts developed for use by local governments that are let by private parties (e.g., a private company, association or not-for-profit corporation is the party awarding the contract to the vendor), and not by the United States or any agency thereof, any state or any other political subdivision or district therein, would not fall within the exception.

B. The contract must have been made available for use by other governmental entities. This means that the other governmental entity has taken steps to make its contract available for New York local governments. In general, this would occur by inclusion in the contract let by the other entity of a clause extending the terms and conditions of the contract to other governmental entities. Unilateral offers by vendors to extend contract pricing and other terms and conditions would not fall within the exception.

C. The contract must have been let to the lowest responsible bidder or based on best value in a manner consistent with GML §103. The Town Board should obtain background information on the procedures used to let the contract, and as necessary, consult with the Attorney for the Town to determine whether this prerequisite is met.

IX. Guideline 8

A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

X. Guideline 9

Except when directed by the Town Board or the Town Supervisor, no solicitation or proposals or quotations shall be required under the following circumstances:

A. Emergencies

B. Sole source situations

C. Goods purchased from another governmental agency.

D. Goods purchased at auction.

E. Goods purchased from a Correctional Facility.

F. Goods purchased for less than $250.

G. Public works contracts for less than $500.

Note: If the Town is piggybacking or using New York State Contract due diligence should still be followed to assure that the Town is getting the most favorable terms and conditions.

XI. Guideline 10

Pursuant to the State Finance Law §162, the Town may authorize preferred sources without bidding in such instances and should be documented accordingly.

A. CORCRAFT
B. Qualified, charitable nonprofit agencies for the blind
C. Special employment programs serving mentally ill persons
D. Qualified, charitable nonprofit agencies for severely disabled persons
E. Certain qualified veterans' workshops

XII. Guideline 12

Professional services are not required to go through the competitive bidding process but will go through a proposal or quotation process as deemed necessary by the Town Board or the Town Supervisor to ensure that these procurements are made on the most favorable terms and conditions.

XIII. Guideline 13

This policy has been implemented pursuant to General Municipal Law §103 and is intended to provide guidelines that will lend uniformity and structure to the purchasing process in the Town of Manlius. This policy shall not create any obligation or duty on the part of the Town, nor shall it serve to create any rights on the part of vendors, purchasers, or citizens to assert any claim whatsoever against the Town or any of its officials or employees for failure to comply with the requirements of this policy.

XIV. Guideline 14

This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

Town of
MANLIUS
New York

Board of Ethics

Advisory Opinion 2025_04

In accordance with Town of Manlius Code 14.5 (B) [1], and New York State General Municipal Law Article 18 [2], the Town's Board of Ethics offers the following advisory opinion:

Upon review and analysis, Town of Manlius "*Employee Manual*" appears to be in need of several revisions. The Board of Ethics suggests that a new section defining *Conflicts of Interest – Identification and Prevention*, and procedures to enhance prevention of conflicts of interest, through standard financial disclosure policies and procedures must be incorporated into the revised document.

The Board of Ethics is currently promulgating best practices for Town consideration. Upon completion and legal review, this standardized annual disclosure documentation should be incorporated into the revised Town of Manlius "*Employee Manual*" as part of the section pertaining to *Conflicts of Interest – Identification and Prevention*.

[1] https://ecode360.com/11047375#11047390
[2] https://newyork.public.law/laws/n.y._general_municipal_law_section_808