



**CITY OF SARATOGA SPRINGS**  
**BOARD OF ETHICS**  
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## MEMO

To: Mayor Joanne Yepsen  
Commissioner Michele Madigan  
Commissioner Skip Scirocco  
Commissioner Christian Mathiesen  
Commissioner John Franck

From: Anthony J. Izzo 

Re: Comprehensive Revision to City Code Chapter 13 – “Ethics, Code of”

Date: November 12, 2015

Over the past months, the City’s Board of Ethics has been meeting regularly to develop a line by line review and revision of the Ethics Code. The last such revision was back in 2006. The Code originally dates back to 1970.

The Board identified a great many inconsistencies in the Code. Several critical terms were not defined, certain proceedings were referred to by different names in different sections of the Code, and some terms and sections were either irrelevant or outdated. The following is a summary of the most significant changes in the proposed revision:

1. Add definition of “City Workplace”. This term is critical in establishing the boundaries of political activity for city officials and employees. It was never previously defined.
2. Revise definitions of “Family” and “Household”. The Board clarified the difference between a family member and a person who just resides in the same dwelling unit as the official/employee. Important because officials/employees are prohibited from using official authority to confer a personal financial benefit on such persons.
3. Officers/employees are now prohibited from using certifications and credentials provided and paid for by the city when acting as an expert witness for any entity other than the city.
4. Officers/employees are now specifically prohibited from reviewing certain submittals from persons “materially involved” in the officer/employee’s private business.

5. The prohibition on political activity in a city workplace is entirely rewritten and clarified.
6. The relationship between the Code of Ethics and a professional officer/employee's code of conduct is clarified.
7. Every recusal by a city officer/employee from participating in a decision must be stated on the record at a public meeting.
8. The list of officers/employees required to file an annual disclosure form has been expanded to include all members of all boards, committees, commissions, task forces, and groups formed for any purpose.
9. The procedures followed by the board are now separated into "Advisory Opinions" and "Inquiries" This corrects the use of many different terms in various sections. Same for the terms "Complainant" and "Respondent".

A copy of the proposed revision is attached for your review. I was very pleased to have had the opportunity to work with the Board in developing it. I must also credit Trish Bush of our office in coordinating a great many changes as they developed. Justin Hogan, the Board's chair, will provide a presentation at the November 17<sup>th</sup> City Council meeting.

Please call if you have questions.

cc: Members of the Board of Ethics