

# Burke to revise its code of ethics

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The Telegram

**BURKE** — The Town of Burke voted to adopt the revised code of ethics with Town Supervisor Darrel Bushey, Town Council members Jim Otis and Arnold Lobdell voting in favor in a meeting on Tuesday.

"I think its a good code," Otis said. "It's what we need. It puts us in compliance with the State of New York."

Town Council Member David Vincent abstained from the vote, saying, "On the advice of my attorney, since there is a grand jury investigation going on, I will not be voting on any matter brought forth before this board."

Arnold spoke about a code of ethics disclosure of interest.

"I entered into a lease option agreement with Jericho Rise Wind Farm LLC, on Aug. 26, 2006," Lobdell said. "I requested a termination of said agreement on March 7, 2008, and was released from agreement on March 12, 2008. I will recuse myself from the subject of wind energy."

Attorney Brian S. Stewart said he and Franklin County District Attorney Derek Champagne have talked at length about ethics, approaches to ethics

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rules and ethics boards.

Stewart said he had proposed the creation of a county ethics board to handle issues regarding ethics and said he had lobbied for the creation of this board over the creation of 19 town ethics boards and six village ethics boards. Stewart said now that the district attorney has begun advocating the creation of the county ethics board, it may be considered.

"The ethics law being considered by the Burke Town Board is designed expressly to make it clear to all Town Board members that they cannot vote on any issue in which they have a direct personal stake," Stewart said at Tuesday's meeting. "In particular, it is designed to make it clear that Board members who have contractual relationships with wind farms may not vote in favor of anything that is helpful to wind farms. It requires that they recuse themselves from any such discussions."

Stewart said the revised code of ethics is more strict than the state requirement. He said the code is more strict than many of those used in other Franklin County towns.

"This proposal is not just a very strong ethics law,"

Stewart said. "It is the very strongest ethics law that I know how to draft."

He said the code is more strict because it includes the topic of "recusal," prohibits gifts to municipal officers from people with pending business, prohibits disclosure of confidential information, prohibits municipal officials from using town property for their personal benefit, contains a blanket prohibition on nepotism, prohibits a municipal official from representing someone appearing before a municipal board seeking a permit except on his or her own behalf, and it prohibits officials from soliciting subordinates for political contributions.

Many of those additions are not required by the General Municipal Law.

District Attorney Derek Champagne just released a statement stating he had been examining allegations of certain improprieties, including self-dealing, conflicts of interest and violations of statutes on the part of various local elected officials in Franklin County.

Bushey and Smith did not return phone calls in time to comment on the examination.

Vincent and Lobdell declined to comment on the ongoing examination.

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