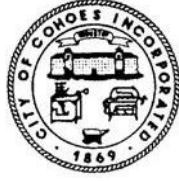


CITY OF COHOES

Charles Valenti, Chairperson
David Emanatian, Member
Deborah Gilchrist, Member
Laura Anglin, Alternate



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BOARD OF ETHICS

DECISION: COMPLAINT # 15-2

BACKGROUND

PRIOR TO THE JUNE 29, 2015 MEETING OF THE COHOES BOARD OF ETHICS (THE "BOARD") COMPLAINT # 15-2 WAS RECEIVED AND DISSEMINATED TO ITS MEMBERS. THE BOARD REVIEWED THE COMPLAINT AND INVITED THE COMPLAINANT TO APPEAR AT ITS JUNE 29, 2015 MEETING. THE COMPLAINANT DECLINED. THE COMPLAINANT OPTED TO FORWARD TO THE BOARD ADDITIONAL INFORMATION TO INCLUDE OPINIONS OF THE NEW YORK STATE BOARD OF ELECTIONS. EACH MEMBER OF THE BOARD INDIVIDUALLY REVIEWED COMPLAINT # 15-2 AND THE SUPPORTING DOCUMENTATION AND EACH SUBSEQUENTLY DISCUSSED HIS OR HER UNDERSTANDING OF THE FACTS AS PRESENTED IN THE COMPLAINT.

ALLEGATIONS

THE COMPLAINT ALLEGES THAT THE CHIEF OF POLICE APPEARED AT A POLITICAL FUNCTION WHILE IN UNIFORM AND ALLEGES THAT DOING SO IS IN VIOLATION OF SECTION 36-16 (C) OF THE CODE OF ETHICS OF THE CITY OF COHOES WHICH STATES "NO EMPLOYEE SHALL ENGAGE IN POLITICAL CAMPAIGN ACTIVITIES DURING HIS OR HER OFFICIAL CITY OF COHOES WORKDAY." THE COMPLAINANT FURTHER ALLEGES THAT THE MAYOR SHOULD HAVE KNOWN OF THE VIOLATION OF THE CODE.

DISCUSSION

THE BOARD FELT THAT ITS DECISION MUST BE BASED UPON THE CODE OF ETHICS OF THE CITY OF COHOES EXCLUSIVELY. THE BOARD REVIEWED THE TIME SHEET OF THE CHIEF OF POLICE ON THE DAY OF THE POLITICAL FUNCTION AND NOTED THAT HE WAS OFF DUTY AT THE TIME OF THE FUNCTION. IT FURTHER NOTED THAT THERE WAS NO LANGUAGE IN THE CODE TO PREVENT THE CHIEF OF POLICE FROM ATTENDING A POLITICAL FUNCTION IN UNIFORM WHILE OFF DUTY.

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CONCLUSION

WHILE THE BOARD STRONGLY FEELS THAT WEARING A POLICE UNIFORM AT A POLITICAL FUNCTION WHILE OFF DUTY IS TOTALLY INAPPROPRIATE, THE BOARD DETERMINED TO DISMISS THE COMPLAINT SINCE IT FELT THAT THERE WAS NO VIOLATION OF THE CODE OF ETHICS OF THE CITY OF COHOES. THIS DECISION SHALL CONSTITUTE THE FINAL DETERMINATION BY THE BOARD.

CONCUR

CHARLES VALENTI, CHAIRPERSON

DEBORAH GILCHRIST, MEMBER

DAVID EMANATIAN, MEMBER

PRESENT

LAURA ANGLIN, ALTERNATE MEMBER