

TO: Greenburgh Town Supervisor

CC: Greenburgh Town Council
Greenburgh Town Clerk

OPINION 2014-09

Background

This Advisory Opinion addresses a request for opinion from Town Supervisor Feiner dated October 3, 2014 concerning a request from the Marketing & Outreach Coordinator for Wheels for Wishes to host a nonprofit link on the links page of the Town website that would help benefit Make-A-Wish Hudson Valley and be available to residents who have a vehicle they would like to recycle for charity. The coordinator provided the names of other websites in New York State on which the Wheels for Wishes are listed including 41 villages, towns, cities and counties. Among them are local municipalities including Westchester County, the Town of Mount Kisco, The Village of Pleasantville, the Town of Lewisboro.

Discussion

Section 570-6 of the Town Code states “No Public Officer, Employee or Agency Member shall request, obtain, permit the use of or use Town-owned vehicles, equipment, buildings, material, or property or Town-funded services for personal convenience, interest, use or benefit or the personal convenience, use or benefit of others, except when such services are available to the public generally or are specifically provided by the Town Board for the use of such Public Officer, Employee or Agency Member in the conduct of official business”. In the opinion of the Board of Ethics, to qualify as official business, the use of town-owned assets or Town-funded services to distribute or post promotional offers, events or informational material for private entities must be based on an authorization by the Town Board and governed by fair and consistent standards. Recycling and reuse improve the environment and serve an important governmental purpose by helping reduce the amount of waste being collected by municipalities and entering waste processing or storage facilities. A Town Board resolution may authorize the posting of links on the Town website to agencies which are recyclers or accept material donations*.

Opinion

It is the opinion of the Board of Ethics that, subject to a Town Board resolution per the above, Wheels for Wishes can be posted on the Town website. This advisory opinion is based on the facts as presented to the Board of Ethics.

BY THE BOARD OF ETHICS

Adopted at October 27, 2014 Meeting

Voting for:

Mr. Eisen

Ms. Friedman, Esq.

Dr. Hopkins, PhD

Mr. McLaughlin

Dr. Sarcinella, EdD

*End Note:

Mount Pleasant A-Z recycling guide:

<http://www.pleasantvillerecycles.org/recycle.html>

The following Westchester County is also used by the Town of Mount Pleasant

<http://environment.westchestergov.com/treasure-hunt/donations>

The following is the link to Mount Kisco's donation webpage:

http://www.mountkisco.org/pages/MtKiscoNY_Highway/S0160495B-01DE9EB7