

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

~~County~~
~~City~~ of Guilford
~~Town~~
~~Village~~
Local Law No. 2 of the year 19 70

A local law establishing a code of ethics for municipal officers and
employees of the Town of Guilford. (Insert title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~
~~City~~ of Guilford as follows:
~~Town~~
~~Village~~

SECTION 1 - LEGISLATIVE DECLARATION

The Town board of the Town of Guilford recognizes that there are state statutory provisions mandating towns to establish rules and standards of ethical conduct for public officers and employees which, if observed, can enhance public confidence in local government. In the light of a tendency today on the part of some people to downgrade our local governments and to discredit our public servants and our free institutions generally, it appears necessary that every effort be made to assure the highest caliber of public administration of this town as part of our state's important system of local government. It is the purpose of this local law to implement this objective through the establishment of standards of conduct, to provide for punishment of violation of such standards.

SECTION 2 - DEFINITIONS

(a) As used in this local law, the word "town" shall mean any board, commission, district, council or other agency, department or

unit of the government of the Town of Guilford.

(b) The term "town employee" shall mean any officer or employee of the town of Guilford whether paid or unpaid, whether serving in a full-time, part-time or advisory capacity, including members of any administrative or advisory board, commission, district, council, agency, or department.

(c) "Interest" means a pecuniary or material benefit accruing to a town employee unless the context otherwise requires.

SECTION 3 - APPLICATION TO OTHER LAWS

The rules of ethical conduct of this local law as adopted, shall not conflict with, but shall be in addition to any prohibition of article eighteen 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 4 - STANDARDS OF CONDUCT

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

(a) He 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.

(b) He shall not accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority, nor disclose confidential information acquired by him in the course of his official duties or

use such information to further his personal interest.

(c) He shall not use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.

(d) He shall not engage in any transaction as representative or agent of the town with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.

(e) He shall not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.

(f) He shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction, which creates a conflict with his official duties.

(g) He shall endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are violation of his trust.

(h) No town employee employed on a full-time basis nor any firm or association of which such employee is a member nor corporation a substantial portion of the stock of which is owned or controlled directly or indirectly by such employee, shall sell goods or services to any person, firm, corporation or association which is licensed or whose rates are fixed by the town in which such employee serves or is employed.

(i) To the extent that he knows thereof, a member of the town board of the Town of Guilford and any officer or employee of the Town of Guilford, whether paid or unpaid, who participates in the discussion or gives official opinion to the town board of the Town of Guilford on any legislation before the town board of the Town of Guilford shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation.

(j) He shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Town of Guilford in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.

(k) He shall not directly or indirectly, solicit any gift; or accept or receive any gift having a value of twenty-five dollars 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 reasonably be inferred that the gift was intended to influence him, or could reasonably be expected to influence him, in the performance of his official duties or was intended as a reward for any official action on his part.

(l) He 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

is an officer, member or employee or of any town agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.

(m) He 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 his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

SECTION 5 - 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 of Guilford, 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.

SECTION 6 - VIOLATIONS

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

SECTION 7 - ADMINISTRATION

Within 30 days after the effective date of this local law, the town supervisor shall cause a copy thereof to be distributed

to every town employee of the Town of Guilford. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his office or employment. Failure to distribute any such copy or failure of any town employee to receive such copy shall have no effect on the duty of compliance with this law, nor the enforcement of provisions hereof. The town supervisor shall further cause a copy of this local law to be kept posted conspicuously in each public building under the jurisdiction of the town. Failure to so post this local law shall have no effect on the duty of compliance herewith, nor the enforcement provisions hereof.

SECTION 8 - SEVERABILITY CLAUSE

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 9 - EFFECTIVE DATE

This local law shall take effect thirty days after it is filed as provided in section twenty-seven of the municipal home rule law.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

(Final adoption by local legislative body only.)

1. I hereby certify that the local law annexed hereto, designated as local law No.2..... of 19...70
County
City
of the Town of Guilford was duly passed by Town Board
Village (Name of Legislative Body)
on August 11, 1970 in accordance with the applicable provisions of law.

(Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer or repassage after disapproval.)

2. I hereby certify that the local law annexed hereto, designated as local law No.2..... of 19...70
County
City
of the Town of Guilford was duly passed by Town Board
Village (Name of Legislative Body)
on August 11, 1970 and was approved by the Supervisor
not disapproved
repassed after disapproval Elective Chief Executive Officer
and was deemed duly adopted on August 11, 1970, in accordance with the applicable provisions of law.

(Final adoption by referendum.)

3. I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
City
of the Town of was duly passed by the
Village (Name of Legislative Body)
on 19..... and was approved by the
not disapproved
repassed after disapproval Elective Chief Executive Officer
on 19..... Such local law was submitted to the people by reason of a
mandatory referendum and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on 19....., in accordance with the appli-
annual
cable provisions of law.

(Subject to permissive referendum and final adoption because no valid petition filed requesting referendum.)

4. I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
City
of the Town of was duly passed by the on
Village (Name of Legislative Body)
..... 19..... and was approved by the on
not disapproved
repassed after disapproval Elective Chief Executive Officer
..... 19..... Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
..... 19....., in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or if there be none the chairman of the board of supervisors, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

(City local law concerning Charter revision proposed by petition.)

5. I hereby certify that the local law annexed hereto, designated as local law No. 2 of 1970 of the City of Guilford having been submitted to referendum pursuant to the provisions of ^{§ 36} § 37 of the Municipal Home Rule Law and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the ^{special} election held on the August 11 1970 became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 & 2 above.

Ruth Kaufinger
Clerk of the Board of Supervisors, City, Town or Village Clerk or Officer
designated by Local Legislative Body
Ruth Kaufinger, Town Clerk - Town of Guilford

Date: September 17 1970

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK

COUNTY OF CHENANGO

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

John R. Marshall, Jr.
John R. Marshall, Jr., Town Attorney
County
City of Guilford
Town
Village

Dated: September 17, 1970