# *Local Law Filing*

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

41

**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
SEP 16 2002
MISCELLANEOUS
& STATE RECORDS

~~County~~
~~City~~
Town of GUILDERLAND
~~Village~~

Local Law No. 6 of the year 20 02

A local law of the Town of Guilderland, New York,
(Insert Title)

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

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

SEE ATTACHED

**(If additional space is needed, attach pages the same size as this sheet, and number each.)**



DOS-239 (Rev. 11/99)

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

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 6 of 2002 of the (County)(City)(Town)(Village) of GUILDERLAND was duly passed by the GUILDERLAND TOWN BOARD on 9/3 2002, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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

I hereby certify that the local law annexed hereto, designated as local law No. 6 of 20..... of the (County)(City)(Town)(Village) of ..... was duly passed by the ..... on ..... 20 ..., and was (approved)(not approved)(repassed after
(Name of Legislative Body)

disapproval) by the ..... and was deemed duly adopted on ..... 20...., in
(Elective Chief Executive Officer*)
in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 20..... of the (County)(City)(Town)(Village) of ..... was duly passed by the ..... on ..... 20...., and was (approved)(not approved)(repassed after
(Name of Legislative Body)

disapproval) by the ..... on ..... 20.... . Such local law was submitted
(Elective Chief Executive Officer*)
to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on ..... 20..., in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 20..... of the (County)(City)(Town)(Village) of ..... was duly passed by the ..... on ..... 20...., and was (approved)(not approved)(repassed after
(Name of Legislative Body)

disapproval) by the ..... on ..... 20 ... . Such local law was subject to
(Elective Chief Executive Officer*)
permissive referendum and no valid petition requesting such referendum was filed as of ..... 20..., 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 chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

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

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 20..... of the City of ..... having been submitted to referendum pursuant to the provisions of section (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)(general) election held on..... 20...., became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. ..... of 20..... of the County of ..... State of New York, having been submitted to the electors at the General Election of November ..... 20...., pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, 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....., above.

Rosemary Cerdi

Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

*(Seal)*

Date: 9-11-02

**(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 _____

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.

Signature

Town Attorney

Title

~~County~~
~~City~~
Town
~~Village~~ of Guilderland

Date: 9-11-02

# LOCAL LAW NO. 6 FOR 2002

## A LOCAL LAW TO AMEND THE LOCAL LAW OF THE TOWN OF GUILDERLAND BY DELETING AND REPEALING THE CODE OF ETHICS AND DISCLOSURE LAW OF THE TOWN OF GUILDERLAND ADOPTED SEPTEMBER 19, 2000 AND REPLACING IT WITH A NEW CODE OF ETHICS AND DISCLOSURE LAW FOR OFFICERS AND EMPLOYEES OF GUILDERLAND TOWN GOVERNMENT

BE IT ENACTED by the Town Board of the Town of Guilderland as follows:

**Section 1. Repeal of Existing Town Ethics Laws.**

The Local Law of the Town of Guilderland is hereby amended by deleting and repealing the Code of Ethics and Disclosure Law adopted September 19, 2000 and by adding hereto a new local law to replace the local law hereinabove repealed, to be Local Law No. 6 of 2002, Town of Guilderland Code of Ethics and Disclosure Law.

**Section 2. Supersession of General Municipal Law § 808**

To the extent this local law is inconsistent with the provisions of section 808 of the General Municipal Law of the State of New York, this local law shall supersede those provisions.

**Section 3. Title.**

This local law shall be known and may be cited as the "Code of Ethics and Disclosure Law of the Town of Guilderland."

**Section 4. Purpose; Interpretation.**

A. The purposes of this local law are:

(1) To establish high standards of ethical conduct for officers and employees, whether elected or appointed, paid or unpaid, of the Town;

(2) To afford such officers and employees of the Town clear guidance on such standards;

(3) To promote public confidence in the integrity of the governance and administration of the Town and its agencies and administrative offices;

(4) To require public disclosure of financial interests and other interests or affiliations that may influence or be perceived to influence the actions of Town officers and employees;

(5) To facilitate consideration of potential ethical problems before they arise, minimize unwarranted suspicion, and enhance the accountability of government to the people;

(6) To insure that Town officers and employees, whether elected or appointed, paid or unpaid, be independent, impartial and free from conflicts of interest in fulfilling their public responsibilities; and

(7) To provide for the fair and effective administration of this local law.

B. This Code of Ethics represents a balancing of the need for eliminating real conflicts of interest with the recognition that membership in voluntary organizations devoted to public service is a laudable endeavor which should not be discouraged.

C. This local law is enacted pursuant to section 806 of the General Municipal Law of the State of New York and section 10 of the Municipal Home Rule Law and is not intended to authorize any conduct prohibited by Article 18 of the General Municipal Law. This local law also supplements other provisions of law regulating ethics in local government, such as section 107 of the Civil Service Law of the State of New York.

D. This local law shall be given its broadest possible interpretation under law, so as to implement its stated purpose.

**Section 5. Ethics Law.**

The following sections, numbered 100 through 217 are added to the Code of the Town of Guilderland:

## PART A: SUBSTANTIVE PROVISIONS

**§ 100. Definitions.**

Unless otherwise stated or unless the context otherwise requires, when used in this local law, the following terms shall have the following meanings:

1. "Appear" and "appear before" mean communicating in any form, including, without limitation, personally, through another person, by letter, facsimile, electronic mail, or by telephone.

2. "Confidential information" means any data acquired through the course of employment or public office which the Town has protected from disclosure by law or that is not protected from disclosure by law but poses or may pose a conflict of interest.

3. "Conflict of interest" means any action or omission which is in conflict or gives or may reasonably give the appearance of conflict with the performance of official town business or government.

4. "Corporation" means an artificial person or being, endowed by law with the capacity of perpetual succession, and shall include corporations organized as public, private, charitable, civil, domestic, foreign, close, open, municipal and not-for-profit institutions.

5. "Customer or client" means (a) any person to whom a Town officer or employee has supplied goods or services during the previous twenty-four (24) months having, in the aggregate, a value greater than One Thousand Dollars ($1,000) or (b) any person to whom a Town officer's or employee's outside employer or business has supplied goods or services during the previous twenty-four (24) months having, in the aggregate, a value greater than One Thousand Dollars ($1,000) but only if the officer or employee knows or has reason to know the outside employer or business supplied the goods or services.

6. "Ethics Board" means the Ethics Board of the Town established pursuant to section 203 of this local law.

7. Except as specifically set forth in section 103, "gift" and "financial benefit" shall include any money, service, license, permit, contract, authorization, loan, travel, entertainment, hospitality, privilege, exemption or any promise thereof, or any other gratuity or promise thereof or anything of value. A financial transaction may be a financial benefit but shall not be a gift unless it is on terms not available to the general public. "Gift" and "financial benefit" do not include campaign contributions authorized by law.

8. "Ministerial act" means an action performed in a prescribed manner without the exercise of judgment or discretion as to the propriety of the act.

9. "Outside employer or business" means:

(1) any activity, other than service to the Town, from which the Town officer or employee receives compensation for services rendered or goods sold or produced;

(2) any entity, other than the Town, of which the Town officer or employee is a member, officer, director, or employee and from which he or she receives compensation for services rendered or goods sold or produced; or

(3) any entity in which the Town officer or employee has an ownership interest, except a corporation of which the Town officer or employee owns less than five percent (5%) of the outstanding stock.

For purposes of this definition, "compensation" shall not include reimbursement for necessary expenses, including travel expenses.

10. "Person" shall include both individuals and entities.

11. "Professional License" means a privilege granted by the State of New York to conduct an occupation or trade.

12. "Public Benefit Corporation" means a corporation organized to construct or operate a public improvement that is located partially or totally in New York State and the profits from this corporation benefit New York State or other states or the people of New York State.

13. "Relative" means a spouse, child, stepchild, brother, sister, or parent of the Town officer or employee, or a person claimed as a dependent on the Town officer's or employee's latest individual state income tax return, or the spouse of any such person.

14. "Town" means the Town of Guilderland but shall not include the Town court.

15. "Town agency" means any office, board, body, advisory board, council, commission, agency, department, district, administration, division, bureau, unit or committee of the Town other than the Town Court.

16. "Town officer or employee" means any officer or employee of the Town, whether elected or appointed, paid or unpaid, and includes, without limitation, all members of any office, board, body, advisory board, council, commission,

agency, department, district, administration, division, bureau, unit or committee of the Town. Any attorney who is a partner in a law firm or a principal in a professional corporation whose legal opinion concerning the validity of the issuance of any debt instrument is generally provided in connection with the issuance of any bond or other instrument by the Town or any public benefit corporation whose members are appointed by the Supervisor or the Town Board shall be deemed a Town officer or employee. Town officer or employee shall not include:

(a) A judge, justice, officer, or employee of the unified court system; and

(b) Unless otherwise specifically listed on Exhibit "A", an advisory board of the Town if, but only if, the advisory board has no authority to implement its recommendations or to act on behalf of the Town or to restrict the authority of the Town to act. No entity established pursuant to the General Municipal Law of the State of New York shall be deemed an advisory board for purposes of this paragraph.

**§ 101. Code of Ethics for Town Officers and Employees.**

1. **General prohibition.**

A Town officer or employee shall not use his or her official position or office, or take or fail to take any action, in a manner which he or she knows, or has reason to know, may result in a personal financial benefit for any of the following persons:

(a) the Town officer or employee;

(b) his or her outside employer or business;

(c) a member of his or her household;

(d) a customer or client;

(e) a relative; or

(f) any firm, corporation, association, partnership or other organization in which the Town officer or employee, or a Relative, serves as an officer or director, whether compensated or not compensated.

2. **Specific Town officers and employees.**

(a) Professionally licensed. All Town officers and employees with professional licenses are prohibited from knowingly exercising any discretion in any matter of Town interest which shall involve any person, firm or corporation which is a client of his/hers or a client of his/her firm or has been a client within the immediate past one (1) year and shall not knowingly have any interest in or accept compensation, direct or indirect, from any person, firm or corporation which has an interest in matters coming before any Town agency or before any public benefit corporation whose members are appointed by the Supervisor or the Town Board.

(b) Authorized to conduct inspections and issue permits. All Town officers and employees with the authority to conduct inspections or issue permit approvals shall not engage in a business or have a financial interest in any firm engaged in a business within the Town where said business conducts, as a regular and significant part of its business, matters requiring such inspections or such permits.

(c) Public Safety. No public safety officer shall have any interest in or be employed in the Town by any company, corporation, partnership, association or individual for the purpose of providing private investigations, accident reconstruction, fire prevention, or fire inspection or any other activity related to such public safety officer's employment with the Town. This shall not be construed as prohibiting membership or service in volunteer fire or emergency medical organizations. Additionally, public safety officers may be employed in the Town for the purpose of providing security or traffic services.

The foregoing Town officers and employees are listed due to the unique nature of his/her offices and positions which, in turn, raise ethical conflicts unique to those offices and positions. This list is not to be deemed all-inclusive. Every Town officer and employee shall endeavor to pursue a course of conduct consistent with the spirit of this local law as well as the actual provisions and strive to act so as not to raise suspicion among the public that he/she is likely to be engaged in activities that are in violation of his/her trust.

3. **Recusal.**

A Town officer or employee shall promptly recuse himself or herself from acting on a matter before the Town when acting on the matter, or failing to act on the matter, may financially benefit any of the persons or organizations listed in subdivision 1 of this section.

4. **Gifts.**

Except as set forth in section 103, a Town officer or employee shall not solicit anything of value from any person who has received or sought a financial benefit from the Town, nor accept anything of value from any person who the Town officer or employee knows or has reason to know has received or sought a financial benefit from the Town within the previous twenty-four (24) months. The purpose of this provision is to avoid circumstances where it could reasonably be inferred that the gift was intended to influence such Town officer or employee, or could reasonably be expected to influence such Town officer or employee in the performance of his or her official duties, or was intended as a reward for any official action taken by such Town officer or employee.

5. **Use of Town property.**

No Town officer or employee shall use or permit the use of Town property (including land, vehicles, equipment, materials and any other property) for personal convenience or profit, except when such use is available to Town citizens generally or is provided as a matter of written Town policy.

6. Intentionally Omitted.

7. Intentionally Omitted.

8. **Confidential information.**

Town officers and employees and former Town officers and employees shall not disclose any confidential information or use it to further anyone's personal interests.

9. **Revolving door.**

A Town officer or employee who is required to file an annual disclosure statement pursuant to section 106, shall not appear or practice before the particular Town agency in which the Town officer or employee served or by which he or she was employed, except on his or her own behalf, or receive compensation for working on any matter before the particular Town agency in which the Town officer or employee served or by which he or she was employed, for a period of one (1) year after the termination of his or her Town service or employment;

however, the bar shall be permanent for any Town officer or employee as to particular matters on which the Town officer or employee personally worked while in Town service that are still pending after the termination of his or her Town service or employment.

10. **Avoidance of conflicts.**

Town officers and employees shall not knowingly acquire, solicit, negotiate for, or accept any interest, employment, or other thing of value which would put them in violation of this Code of Ethics.

11. **Inducement of others.**

A Town officer or employee shall not induce or aid another officer or employee of the Town to violate any of the provisions of this Code of Ethics.

12. **Conflict with other codes of conduct.**

(a). Recognizing the need for professional integrity and the fact that various professional associations have adopted standards of conduct for their members, the Town hereby requires that each Town officer or employee who is affected by a professional Code of Ethics be bound, in addition to the within local law, by his/her respective Codes of Ethics. Any conflict between the provisions of this local law and a given professional code of conduct of a Town officer or employee is to be resolved by the Ethics Board. However, the Ethics Board must at all times give the greatest latitude to said individual's professional code of conduct and, whenever possible, reconcile this to complement and respect the individual's professional code of conduct.

(b). Substantial consideration shall be given to the effect deviation from an individual's professional code of conduct will have on that individual's ability to practice his/her profession. If need be, the Ethics Board is authorized and required to obtain advisory options from the appropriate professional association to clarify any given situation.

**§ 102. Transactional Disclosure.**

1. Whenever a Town officer or employee is required to recuse himself or herself pursuant to section 101 of this local law, he or she:

(a) shall immediately refrain from participating further in the matter;

(b) shall promptly inform his or her superior, if any; and

(c) shall promptly file with the Town Clerk a signed statement disclosing the nature and extent of the prohibited action or, if a member of a board, shall state that information upon the public record of the board.

2. A Town officer or employee shall not be required to file a disclosure statement pursuant to this section if he or she, with respect to the same matter, has filed with the Town Clerk a disclosure statement complying with requirements of section 105 of this local law.

**§ 103. Exclusions from the Code of Ethics and from Transactional Disclosure.**

The provisions of sections 101 and 102 of this local law shall not prohibit, or require recusal or transactional disclosure as a result of:

1. An action specifically authorized by statute, rule, or regulation of the state of New York or of the United States;

2. A ministerial act;

3. Gifts:

   (a) received by the Town officer or employee from his or her relative;

   (b) having an aggregate value of Seventy-Five Dollars ($75) or less during any twelve (12) month period; or

   (c) accepted on behalf of the Town and transferred to the Town;

4. Gifts or benefits having a value of Seventy-five Dollars ($75) or less that are received by a Town officer or employee listed in section 11-c of the Domestic Relations Law of the State of New York for the solemnization of a marriage by that officer or employee at a place other than his or her normal public place of business or at a time other than his or her normal hours of business;

5. Awards from charitable organizations; or

6. Receipt of Town services or benefits, or use of Town facilities, that are generally available on the same terms and conditions to residents or a class of residents in the Town.

**§ 104. Inducement of Violations of Code of Ethics.**

No person, whether or not a Town officer or employee, shall induce or attempt to induce a Town officer or employee to violate any of the provisions of sections 101 or 102 of this local law.

**§ 105. Interests in Contracts with the Town.**

1. **Prohibited interests.**

No Town officer or employee shall have an interest in a contract with the Town, or an interest in a bank or trust company, that is prohibited by section 801 of the General Municipal Law of the State of New York, unless said contract is entered into as a result of a competitive bidding process pursuant to section 85-2, paragraph B of the Code of the Town of Guilderland, regardless of the value of the contract. Any contract willfully entered into by or with the Town in which there is an interest prohibited by that section shall be null, void, and wholly unenforceable, to the extent provided by section 804 of that law.

2. **Discloseable interests.**

Any Town officer or employee who has, will have, or later acquires an interest in any actual or proposed contract with the Town shall disclose in writing the nature and extent of that interest in accordance with section 803 of the General Municipal Law and promptly file such written disclosure with the Town Clerk. The Town Clerk shall cause a copy of that disclosure to be filed promptly with the Ethics Board.

3. **Violations.**

Any Town officer or employee who willfully and knowingly violates the provisions of this section shall be guilty of a misdemeanor, to the extent provided by section 805 of the General Municipal Law.

**§ 106. Appearances by Town Officers and Employees and Outside Employers and Businesses of Town Officers and Employees.**

1. Except as provided in subdivision 3 of this section, a Town officer or employee or the outside employer or business of a Town officer or employee shall not appear before the particular agency in which the Town officer or employee serves or by which he or she is employed.

2. Except as provided in subdivision 3 of this section, a Town officer or employee or the outside employer or business of a Town officer or employee shall not appear before any other Town agency if the Town officer or employee has the authority to appoint any officer, employee, or member of the agency or to review, approve, audit, or authorize any budget, bill,

payment, or claim of the agency, or if there exists any likelihood that such Town officer or employee may derive, directly or indirectly, a financial benefit as a result thereof.

3. Nothing in this section shall be construed to prohibit the outside employer or business of a Town officer or employee from:

(a) Appearing on its own behalf, or on behalf of the Town, before a Town agency;

(b) Seeking or obtaining a ministerial act; or

(c) Receiving a Town service or benefit, or using a Town facility, which is generally available to the public.

**§ 107. Annual Disclosure.**

1. **Town officers and employees required to file.**

Town officers and employees holding the job titles or positions set forth on Exhibit "A" annexed hereto, or as amended from time to time by the Town Board, shall be required to file a signed annual disclosure statement.

2. **Time and place for filing.**

Annual disclosure statements shall be filed with the Ethics Board:

(a) Within one hundred twenty (120) days after the effective date of this section;

(b) Within thirty (30) days after becoming subject to the requirements of subdivision 1 of this section; and

(c) No later than February 15 of each year thereafter.

3. **Contents of annual disclosure statement.**

(a) Disclosure shall be set forth on the form as prescribed in Exhibit "B" annexed hereto, or as amended from time to time by the Ethics Board.

(b) Any Town officer or employee required to file an annual disclosure statement may request one (1) or more items of information be redacted from his/her disclosure statement when said statement is made available

to the public. In order for the Ethics Board to grant a request for redaction, the information sought to be redacted must have no material bearing on the discharge of the official duties of the Town officer or employee and, if disclosed, would constitute an unwarranted invasion of personal privacy under the provisions of subdivision two of section 89 of the New York State Freedom of Information Law or would otherwise likely endanger the life or safety of any person. A request for redaction shall be in the form as set forth in Exhibit "C" hereto, or as amended from time to time by the Ethics Board.

4. **Extension of time for filing annual disclosure statement.**

(a) The Ethics Board shall be empowered to grant an extension of time for filing the annual disclosure statement. In order for the Ethics Board to grant a request for an extension of time to file the annual disclosure statement beyond the February 15 deadline, the Ethics Board shall find that there is justifiable cause for filing after the deadline or that application of the deadline will impose an undue hardship.

(b) A request for an extension of time shall be filed with the Ethics Board on or before February 1 in the year for which the extension is sought, or in the case of a new Town officer or employee, no more than fifteen (15) days after such person commences his or her duties with the Town. A request for an extension to file shall be in the form as set forth in Exhibit "D" hereto, or as amended from time to time by the Ethics Board.

**§ 108. Applicant Disclosure: Generally.**

1. Where a person requests the Town or a Town officer or employee to take or refrain from taking any action (other than a ministerial act) that may result in a financial benefit both to such person and to either, any officer or employee of the Town, or to one of the other persons listed in subdivision 1 of section 101 of this local law, such person shall disclose the names of any such persons, including Town officers or employees, that may financially benefit from such action or inaction by the Town or a Town officer or employee, to the extent known to such person at the time of the request.

2. If the request is made in writing, the disclosure shall accompany the request. If the request is oral and made at a meeting of a public body, the disclosure shall be set forth in the public record of the body. If the request is oral and not made at a meeting of a public body, the disclosure shall be set forth in a writing filed with the Town Clerk.

3. A person shall not be required to file a disclosure statement pursuant to this section if he or she, with respect to the same matter, has filed a disclosure statement complying with requirements of section 109 of this local law.

**§ 109. Applicant Disclosure: Land Use Applications.**

1. **Disclosure.**

Every application, petition, or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license, or permit, pursuant to the provisions of any ordinance, local law, rule, or regulation constituting the zoning and planning regulations of the Town shall state the name, residence and nature and extent of the interest of any Town officer or employee in the person or entity making such application, petition or request, to the extent known to such applicant and as otherwise required by section 809 of the General Municipal Law of the State of New York.

2. **Violations.**

Any person who willfully and knowingly violates the provisions of this section shall be guilty of a misdemeanor, to the extent provided by section 809 of the General Municipal Law.

**§ 110. Void Contracts.**

Any contract or agreement entered into by or with the Town which results in or from a violation of any provision of sections 101, 102, or 106 of this local law shall be void unless ratified by the Town Board. Such ratification shall not affect the imposition of any criminal or civil penalties pursuant to this local law or any other provision of law.

**§ 111. Penalties.**

**1. Disciplinary action.**

Any Town officer or employee who engages in any action that violates any provision of this local law may be warned, reprimanded, suspended or removed from office or employment, or be subject to any other sanction authorized by law or collective bargaining agreement, by the person or body authorized by law to impose such sanctions. A warning, reprimand, suspension, removal, or other authorized sanction may be imposed in addition to any other penalty contained in this local law or in any other provision of law.

2. **Civil fine.**

Any Town officer or employee who violates any provision of this local law may be subject to a civil fine of up to One Thousand Five Hundred Dollars ($1,500) for each violation. A civil fine may be imposed in addition to any other penalty contained in any other provision of law or in this local law.

3. **Damages.**

Any person, whether or not a Town officer or employee, who violates any provision of this local law shall be liable in damages to the Town for any losses or increased costs incurred by the Town as a result of the violation. Such damages may be imposed in addition to any other penalty contained in any other provision of law or in this local law.

4. **Misdemeanor.**

Any person, whether or not a Town officer or employee, who intentionally or knowingly violates any provision of this local law shall be guilty of a class A misdemeanor and, upon conviction thereof, if a Town officer or employee, shall forfeit his or her Town office or employment.

**§ 112. Injunctive Relief.**

1. Any resident, officer, or employee of the Town may initiate an action or special proceeding, as appropriate, in the court of appropriate jurisdiction for injunctive relief to enjoin an officer or employee of the Town from violating this local law or to compel an officer or employee of the Town to comply with the provisions of this local law. In lieu of, or in addition to, injunctive relief, the action or special proceeding, as appropriate, may seek a declaratory judgment.

2. No action or special proceeding shall be prosecuted or maintained pursuant to subdivision 1 of this section, unless:

(a) the plaintiff or petitioner shall have filed with the Ethics Board a sworn complaint alleging the violation by the officer or employee;

(b) it shall appear by, and as an allegation in, the complaint or petition filed with the court that at least six (6) months have elapsed since the filing of the complaint with the Ethics Board and that the Ethics Board has failed to file a determination in the matter; and

(c) the action or special proceeding shall be commenced within ten (10) months after the alleged violation occurred.

## PART B: ADMINISTRATIVE PROVISIONS

### § 201. Designation of Town Officers and Employees Required to File Annual Disclosure Statements.

1. Within thirty (30) days after the effective date of this local law, and by March 15 each year thereafter, the Supervisor of the Town shall cause to be filed with the Ethics Board a list of the offices or positions of all Town officers and employees required to file annual disclosure statements pursuant to section 106 of this local law and file a copy of such list with the Town Clerk.

2. Within thirty (30) days after the effective date of this local law, and by January 15 each year thereafter, the Town Clerk shall notify all such Town officers and employees of their obligation to file an annual disclosure statement.

### § 202. Maintenance of Disclosure Statements.

1. The Town Clerk shall transmit promptly to the Ethics Board each transactional and applicant disclosure statement filed pursuant to sections 102, 105, 108, and 109 of this local law.

2. The Ethics Board shall index and maintain on file for at least seven (7) years all disclosure statements filed with the Ethics Board pursuant to sections 102, 105, 107, 108, and 109.

### § 203. Ethics Board: Establishment; Qualifications of Members; Appointment of Members; Term of Office.

1. There is hereby established an Ethics Board consisting of seven (7) members.

2. The members of the Ethics Board shall be residents of the Town.

3. No member of the Ethics Board may be a Town officer or employee.

4. Of the total membership of the Ethics Board, no more than two (2) shall be registered in the same political party.

5. No Ethics Board member shall hold office concurrently in a political party or be employed or act as a lobbyist or hold elective office in any local, state or federal government. An Ethics Board member may make campaign contributions and may participate in any election campaign.

6. Within thirty (30) days after the effective date of this local law, and no later than December 31 each year thereafter, the Town Board shall appoint the members of the Ethics Board.

7. The term of office of Ethics Board members shall be three (3) years and shall run from January 1 through December 31, except that of the members first appointed two (2) members shall serve until December 31 of the year in which the Ethics Board is established, two (2) shall serve until the second December 31, and three (3) shall serve until the third December 31.

8. An Ethics Board member shall serve until his or her successor has been appointed. Consecutive service on the Ethics Board shall not exceed two (2) consecutive three (3) year terms.

9. The members of the Ethics Board shall not receive compensation but are authorized to incur any and all expenses necessary to effectuate the purposes of the Ethics Board within amounts which are to be appropriated by the Town Board annually.

**§ 204. Ethics Boards: Vacancies.**

When a vacancy occurs in the membership of the Ethics Board, the vacancy shall, within sixty (60) days, be filled for the unexpired portion of the term in the same manner as the original appointment. Any person appointed to fill a vacancy on the Ethics Board shall meet the qualifications set forth in section 203 of this local law.

**§ 205. Ethics Board: Removal of Members.**

An Ethics Board member may be removed from office in the same manner in which he or she was appointed, after written notice and opportunity for reply. Grounds for removal shall be failure to meet the qualifications set forth in section 203 of this local law, substantial neglect of duty, gross misconduct in office, inability to discharge the powers or duties of office, or violation of this local law or any other Town law.

**§ 206. Ethics Board: Meetings.**

The Town Board shall select a Chairman and at its first meeting each year, the Ethics Board shall elect a Vice-Chairman and Secretary from among its members. A majority shall be

required for the Ethics Board to take any action. The Chairman or a majority of its members may call a meeting of the Ethics Board. The Ethics Board shall hold at least one (1) meeting annually regardless of whether there are any matters pending before the Ethics Board.

**§ 207. Ethics Boards: Jurisdiction, Powers, and Duties.**

1. The Ethics Board may only act with respect to Town officers and employees of the Town.

2. The termination of the term of office or employment of a Town officer or employee with the Town shall not affect the jurisdiction of the Ethics Board with respect to the requirements imposed on him or her by this local law.

3. The Ethics Board shall have the following powers and duties:

(a) To prescribe and promulgate rules and regulations governing its own internal organization and procedures in a manner consistent with this local law as so authorized by the Town Board;

(b) To review, index, and maintain on file lists of Town officers and employees and disclosure statements filed with the Ethics Board, pursuant to sections 102, 105, 107, 108, 109, 201, 202, and 208 of this local law;

(c) To recommend the names of any other Town officers or employees that the Ethics Board determines should appear on the list pursuant to section 107;

(d) To review, revise or amend the form and content of the annual disclosure statement annexed as Exhibit "B" as authorized by the Town Board;

(e) To review, index, maintain on file, and dispose of sworn complaints and to make notifications and conduct;

(f) To conduct hearings, recommend disciplinary action, assess penalties, make referrals, and initiate appropriate actions and proceedings pursuant to section 210;

(g) To render, index, and maintain on file advisory opinions pursuant to section 211;

(h) To provide training and education to Town officers and employees pursuant to section 213;

(i) To prepare reports and recommend changes to this local law pursuant to section 214;

(j) To provide for public inspection of certain records pursuant to section 215;

(k) To select provisions of this local law for reproduction and distribution pursuant to section 217;

(l) To review and decide pursuant to the procedure and requirements outlined in paragraphs 3 and 4 of section 107 of this local law, all requests for redaction of disclosure and extension of time to file; and

(m) To otherwise enforce and administer all of the provisions of this local law.

**208. Review of Lists and Disclosure Statements.**

1. The Ethics Board shall review:

(a) The lists of Town officers and employees, prepared pursuant to section 201 of this local law, to determine whether the lists are complete and accurate;

(b) All annual disclosure statements to determine whether any person required to file such a statement has failed to file it, has filed a deficient statement, or has filed a statement that reveals a possible or potential violation of this local law; and

(c) All transactional disclosure statements.

2. If a person required to file an annual or transactional disclosure statement with the Ethics Board has failed to file such a statement, has filed a deficient statement, or, having filed such a statement, reveals a possible or potential violation of this local law, the Ethics Board shall notify the reporting person in writing of such deficiency or possible or potential violation and of the penalties for failure to comply with this local law and provide the person with a fifteen (15) day period to cure the deficiency.

**§ 209. Investigations.**

1. If the Ethics Board preliminarily finds: (i) on its own review of an annual disclosure statement or transactional disclosure statement; or (ii) pursuant to its review of a request for an advisory opinion; or (iii) pursuant to receipt of a complaint alleging a violation of this local law upon the written request of any individual; or (iv) pursuant to an investigation initiated by the Ethics Board in carrying out the provisions of this local law, that a possible

violation of this local law exists, the Ethics Board may, but shall not be required to, provide the person(s) affected with a reasonable opportunity to cure such violation. Such a preliminary finding shall be confidential and not subject to public disclosure. If under any other circumstances, such as through the filing and investigation of a complaint, the Ethics Board determines that there is reasonable cause to believe that a violation of this local law has occurred, or after any grace period granted by the Ethics Board has expired and such violation remains uncured, it shall send a notice of reasonable cause to:

(a) the reporting/applicable person;

(b) the complainant, if any; and

(c) the Supervisor and the Town Board.

2. Before any such "reasonable cause" finding shall be made, the Ethics Board shall:

(a) notify in writing the reporting/affected person as to the possible or alleged violation of this local law;

(b) afford the reporting/affected person an opportunity to submit in writing a written response setting forth such information as said reporting/affected person deems relevant to the activities cited by the Ethics Board as a possible or alleged violation of this local law; and

(c) shall, upon written request, afford the affected person a hearing wherein this affected person may provide either a written or oral response setting forth such information as the affected person deems necessary or appropriate in response to the actions by the Ethics Board.

3. Upon receipt of a sworn complaint by any person alleging a violation of this local law, or upon determining on its own initiative that a violation of this local law may exist, the Ethics Board shall have the power and duty to conduct any investigation necessary to carry out the provisions of this local law.

4. The Ethics Board shall state in writing the disposition of every sworn complaint it receives and of every investigation it conducts and shall set forth the reasons for the disposition. All such statements and all sworn complaints shall be indexed and maintained on file by the Ethics Board.

5. Any person filing a sworn complaint with the Ethics Board shall be notified in writing of the disposition of the complaint.

6. Nothing in this section shall be construed to permit the Ethics Board to conduct an investigation of itself or of any of its members or staff. If the Ethics Board receives a complaint alleging that the Ethics Board or any of its members or staff has violated any provision of this local law, or any other law, the Ethics Board shall promptly transmit to the Town Board a copy of the complaint. The Ethics Board may request the Albany County Ethics Commission to conduct an investigation of itself or of any of its members or staff.

**§ 210. Hearings; Assessment of Penalties; Injunctive Relief.**

1. **Disciplinary action.**

In its discretion, after a hearing providing for due process procedural mechanisms and subject to any applicable provisions of law and collective bargaining agreements, the Ethics Board may recommend appropriate disciplinary action pursuant to subdivision 1 of section 111 of this local law. The recommendation of the Ethics Board shall be made to Supervisor and the Town Board or such other person or body authorized by law to impose such disciplinary action. The Ethics Board shall conduct and complete the hearing with reasonable promptness, unless in its discretion the Ethics Board refers the matter to the Town Board or such other person or body authorized by law to impose disciplinary action or unless the Ethics Board refers the matter to the appropriate prosecutor. If such a referral is made, the Ethics Board may adjourn the matter pending determination by the Town Board, person, body, or prosecutor, as the case may be.

2. **Civil fine.**

In its discretion and after a hearing providing for due process procedural mechanisms, the Ethics Board, pursuant to subdivision 2 of section 111 of this local law, may assess a civil fine, not to exceed One Thousand Five Hundred Dollars ($1,500) for each violation, upon any Town officer or employee found by the Ethics Board to have violated this local law. The Ethics Board shall conduct and complete the hearing with reasonable promptness. The civil fine shall be payable to the Town.

3. **Damages.**

The Town Board may initiate an action in the court of appropriate jurisdiction to obtain damages, as provided in subdivision 3 of section 111 of this local law.

4. **Injunctive relief.**

The Town Board, or the Ethics Board on behalf of the Town, may initiate an action or special proceeding, as appropriate, in the court of appropriate jurisdiction for injunctive relief to enjoin a violation of this local law or to compel compliance with this local law, as provided in section 112 of this local law.

5. **Prosecutions.**

The Ethics Board may refer to the appropriate prosecutor possible criminal violations of this local law. Nothing contained in this local law shall be construed to restrict the authority of any prosecutor to prosecute any violation of this local law or of any other law.

**§ 211. Advisory Opinions.**

1. Upon the written request of any Town officer or employee , the Ethics Board shall render a written advisory opinion with respect to the interpretation or application of this local law or of Article 18 of the General Municipal Law of the State of New York. Any other person may similarly request an advisory opinion, but only with respect to whether his or her own action might violate a provision of this local law or Article 18, or, such request may be made through a Town officer or employee.

2. In rendering advisory opinions, the Ethics Board may request the advice and counsel of the attorney employed by the Ethics Board or, if none, the Town Attorney.

3. An advisory opinion rendered by the Ethics Board, until and unless amended or revoked, shall be binding on the Ethics Board in any subsequent proceeding concerning the person who requested the opinion and who acted in good faith, unless material facts were omitted or misstated by the person in the request for an opinion. Such opinion may also be relied upon by such person and may be introduced and shall be a defense in any criminal or civil action. Such requests shall be confidential, but the Ethics Board may publish such opinions provided that the name of the requesting person and other identifying details shall not be included in the publication.

4. Advisory opinions and requests for advisory opinions shall be indexed and maintained on file by the Ethics Board.

5. Any person aggrieved by an advisory opinion of the Ethics Board may seek judicial review and relief pursuant to Article 78 of the Civil Practice Law and Rules of the State of New York.

6. Any person who has submitted to the Ethics Board a written request for an advisory opinion may bring a special proceeding pursuant to Article 78 of the Civil Practice Law and Rules for an order compelling the Ethics Board to issue the advisory opinion. In addition to, or in lieu of, such injunctive relief, the person may seek a judgment in accordance with section 3001 of the Civil Practice Law and Rules determining the question posed in the request for the advisory opinion. No action or special proceeding shall be prosecuted or maintained pursuant to this subdivision unless:

(a) it shall appear by, and as an allegation in, the petition or complaint that at least six (6) months have elapsed since the filing of the request and that the Ethics Board has failed to file any determination in the matter; and

(b) the action or special proceeding shall be commenced within ten (10) months after the submission of the request for the advisory opinion.

**§ 212. Judicial Review.**

Any person aggrieved by a decision of the Ethics Board may seek judicial review and relief pursuant to Article 78 of the Civil Practice Law and Rules of the State of New York.

**§ 213. Public Inspection of Code of Ethics.**

The Ethics Board shall make information concerning this local law and Article 18 of the General Municipal Law available to the Town officers and employees, to the public, and to persons interested in doing business with the Town.

**§ 214. Annual Reports; Review of Code of Ethics.**

1. The Ethics Board shall prepare and submit an annual report to the Supervisor and the Town Board, summarizing the activities of the Ethics Board by April 15 for the previous fiscal year.

2. The Ethics Board shall periodically review this local law and the Ethics Board's rules, regulations, and administrative procedures to determine whether they promote integrity, public confidence, and participation in Town government and whether they set forth clear and enforceable, common sense standards of conduct. At any time, the Ethics Board may recommend changes to the text or administration of this local law to the Town Board.

**§ 215. Public Inspection of Records; Public Access to Meetings.**

1. Notwithstanding the provisions of Article 6 of the Public Officers Law of the State of New York, the only records of the Ethics Board which shall be available for public inspection are:

(a) The information set forth in an annual disclosure statement or transactional disclosure statement filed pursuant to this local law, except any item of information redacted pursuant to paragraph 3 of section 107 of this local law;

(b) Notices of reasonable cause set under paragraphs 1 and 2 of section 209 of this local law;

(c) Redacted advisory opinion prepared as provided in section 212 of this local law; and

(d) Assessments of civil penalties, sanction, discipline or other action taken or imposed as provided in sections 111 and 210 of this local law.

2. Notwithstanding the provisions of Article 7 of the Public Officers Law or by other applicable State or Federal law or regulation, no meeting or proceeding of the Ethics Board, including any such proceeding contemplated under section 209 of this local law, shall be open to the public, except upon the request of the Town officer or employee under investigation, or, as expressly provided otherwise by the Town Board.

**§ 216. Miscellaneous provisions.**

1. No existing right or remedy shall be lost, impaired, or affected by reason of this local law.

2. Nothing in this local law shall be deemed to bar or prevent a present or former Town officer or employee from timely filing any claim, account, demand, or suit against the Town on behalf of himself or herself or any member of his or her family arising out of personal injury or property damage or any lawful benefit authorized or permitted by law.

3. If any provision of this local law is held by a court of competent jurisdiction to be invalid, that decision shall not affect the validity and effectiveness of the remaining provisions of this local law.

**§ 217. Distribution and posting.**

1. Within thirty (30) days after the effective date of this section, and thereafter as appropriate, the Ethics Board shall transmit to the Supervisor and Town Clerk, in a form suitable for posting, copies of those provisions of this local law which the Town Board deems necessary for posting in the Town. Within ten (10) days after receipt of those copies, the Town Clerk shall cause the copies to be posted conspicuously in a place designated for the posting of public notices.

2. Within thirty (30) days after the effective date of this section, and thereafter as appropriate, the Ethics Board shall transmit to the Supervisor, or other Town officer or employee as designated by the Supervisor, in a form suitable for distribution, copies of those provisions of this local law which the Town Board deems necessary for distribution to the Town officers

and employees. Within ten (10) days after receipt of those copies, the Supervisor, or his or her designee, shall cause the copies to be distributed to every Town officer and employee, and made readily available to the public. Every Town officer or employee elected or appointed thereafter shall be furnished a copy of those provisions within ten (10) days after entering upon the duties of his or her position.

3. Failure of the Town to comply with the provisions of this section or failure of any Town officer or employee to receive a copy of the provisions of this local law shall have no effect on the duty of compliance with this local law or on the enforcement of its provisions.

**Section 6. Effective Date.**

This local law shall take effect immediately upon filing in the office of the Secretary of State and in compliance with all applicable provisions of law.

## EXHIBIT "A"

## TOWN OFFICERS AND EMPLOYEES REQUIRED TO FILE ANNUAL STATEMENT OF DISCLOSURE

1. Supervisor
2. Town Board
3. Zoning Board of Appeals
4. Chairman, Zoning Board of Appeals
5. Planning Board
6. Chairman, Planning Board
7. Environmental Council
8. Chairman, Environmental Council
9. Industrial Development Agency
10. Chairman, Industrial Development Agency
11. Economic Development Council
12. Chairman, Economic Development Council
13. Ethics Board
14. Chairman, Ethics Board
15. Board of Assessment Review
16. Chairman, Board of Assessment Review
17. Chief of Police
18. Lieutenant
19. First Sergeant
20. Director of Emergency Medical Services
21. Medical Director
22. Town Historian
23. Chief Building Inspector and Zoning Administrator
24. Zoning Enforcement Officer
25. Deputy Building Inspector
26. Town Attorney
27. Assistant Town Attorney
28. Fire Inspector
29. Chief Fire Inspector
30. Planning and Zoning Coordinator
31. Director of Parks and Recreation
32. Superintendent of Parks
33. Town Clerk
34. Receiver of Taxes
35. Assessor
36. Comptroller
37. Deputy Comptroller
38. Purchasing Officer
39. Chief Court Clerk
40. Director, Senior Services
41. Superindendent of Highways
42. Superintendent of Water and Wastewater Treatment
43. Treatment Plant Operator
44. Town Engineer
45. Senior Engineering Technician
46. Superintendent of Transfer Station
47. Chief Mechanic

*RETURN TO:*
*Town of Guilderland Ethics Board*
*Town Hall, Route 20*
*P.O. Box 339*
*Guilderland, NY 12084-0339*

**EXHIBIT "B"**

ANNUAL STATEMENT OF DISCLOSURE TO THE TOWN OF GUILDERLAND ETHICS BOARD
FOR CALENDAR YEAR 200___

_____ _____ _____
Last. Name First Name Initial

_____
Home Address

**If the answer to any of the following questions is "none" or "not applicable", please so indicate.** The Town of Guilderland is hereinafter referred to as the "Town". "Applicant" or "you" shall refer to the person executing and filing this Disclosure Statement.

1. List all the positions you hold as a Town officer or employee, or as a member of or counsel to a Town office, board, body, advisory board, council, commission, agency, department, district, administration, division, bureau, unit or committee, whether paid or unpaid:

_____

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2. For each position you hold, list the name of your immediate supervisor and their job title:

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3. List the telephone number(s) you may be contacted at with respect to this document between 9:00 a.m. and 4:00 p.m. from Monday through Friday: _____.

4. What is your current marital status?

Married _____
Single, Divorced or Widowed _____
Legally Separated _____

5. List the address of each piece of property in which you, your spouse, or other relative own or have a financial interest. List only real estate that is in the Town. "Relative" means your spouse, child, stepchild, brother, sister, parent, or a person you claimed as a dependent on your latest state income tax return, or the spouse of any such person. (Attach additional sheets if necessary).

| **Name of Family Member** | **Relationship to Applicant** | **Address of Real Estate** | **Type of Interest, Control or Ownership** |
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6. List the name of any outside employer, business, organization or association from which you, your spouse, or other relative receive compensation for services rendered or goods sold or produced or of which you, your spouse, or other relative are an officer, director or employee. Also include any entity in which you, your spouse, or other relative have an ownership interest, except a corporation of which you, your spouse, or other relative own less than five percent (5%) of the outstanding stock. Identify the type of business, such as a partnership, private, public (other than with the Town) or not-for-profit corporation, self employment, sole proprietorship, partnership, incorporated association or other unincorporated business, and list such person's relationship to the employer or business (i.e., you are, or are a relative of, an owner, partner, officer, director, member, employee, or shareholder). "Relative" means your spouse, child, stepchild, brother, sister, parent, or a person you claimed as a dependent on your latest state income tax return, or the spouse of any such person. (Attach additional sheets if necessary).

| **Name of Employer or Business** | **Nature of Business** | **Type of Business** (i.e., corp., not-for-profit, self employment, etc.) | **Your Relationship** |
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7. If an entity identified in 6 is currently or has within the last two (2) years been licensed and/or regulated by any Town department, agency or public benefit corporation, please list the name of the entity, the name of such Town department, agency or public benefit corporation and the type of license or permit received from Town. (Attach additional sheets if necessary).

| Name | Town Licensing or Permitting Department, Agency or Public Benefit Corporation | Type of License or Permit |
|---|---|---|
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8. If an entity identified in 6, as a regular or significant part of the business or activity of said entity, does business with or did business within the last two (2) years with a Town department, agency or public benefit corporation, please list the name of the entity, the name of such Town department, agency or public benefit corporation and the nature of the business conducted by such entity with such Town department, agency or public benefit corporation. (Attach additional sheets if necessary).

| Name | Town Department, Agency or Public Benefit Corporation | Nature of Business with Town |
|---|---|---|
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I make the above statement to the Town of Guilderland Ethics Board of my assets, affiliations and sources of income as of the close of business set forth below. The information contained in this Annual Statement of Disclosure constitutes a full and complete financial statement as of the date indicated and, to the best of my knowledge, I have no conflict of interest prohibited by the Town of Guilderland Code of Ethics for the position(s) I hold with the Town.

_____ _____
Applicant's Signature Date

Sworn to before me this
____ day of _____, 200___.

_____
Notary Public

*RETURN TO:*
*Town of Guilderland Ethics Board*
*Town Hall, Route 20*
*P.O. Box 339*
*Guilderland, NY 12084-0339*

**EXHIBIT "C"**

APPLICATION TO THE TOWN OF GUILDERLAND ETHICS BOARD TO REDACT, FROM PUBLIC REVIEW, INFORMATION CONTAINED IN APPLICANT'S ANNUAL DISCLOSURE STATEMENT FOR CALENDAR YEAR 200___

_____ _____ _____
Last. Name First Name Initial

_____
Home Address

**If the answer to any of the following questions is "none" or "not applicable", please so indicate.** The Town of Guilderland is hereinafter referred to as the "Town". "Applicant" or "you" shall refer to the person executing and filing this Disclosure Statement.

1. List all the positions you hold as a Town officer or employee, or as a member of or counsel to a Town office, board, body, advisory board, council, commission, agency, department, district, administration, division, bureau, unit or committee, whether paid or unpaid:

_____

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2. For each position you hold, list the name of your immediate supervisor and their job title:

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3. List the telephone number(s) you may be contacted at with respect to this document between 9:00 a.m. and 4:00 p.m. from Monday through Friday: _____.

4. Briefly set forth the specific nature of your job duties and also attach a copy of your formal job description to this application, if applicable (Attach additional sheets if necessary):

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5. Briefly set forth why information should be redacted from public disclosure (Attach additional sheets if necessary):

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6. Briefly set forth the reasons in support of your application why redaction of information from public inspection will have no material bearing on the discharge of your official duties. (Attach additional sheets if necessary).

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7. Briefly set forth the reasons in support of your application why the information you wish to have reacted, if disclosed, would constitute an unwarranted invasion of personal privacy or would otherwise likely endanger the life or safety of any person. (Attach additional sheets if necessary).

_____

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8. Attach a copy of your completed financial disclosure statement with the information requested to be redacted highlighted or underlined.

_____
Applicant's Signature

Sworn to before me this
____ day of _____, 200__.

_____
Notary Public

*RETURN TO:*
*Town of Guilderland Ethics Board*
*Town Hall, Route 20*
*P.O. Box 339*
*Guilderland, NY 12084-0339*

**EXHIBIT "D"**

APPLICATION TO THE TOWN OF GUILDERLAND ETHICS BOARD
REQUESTING AN EXTENSION OF TIME FOR FILING ANNUAL DISCLOSURE STATEMENT
FOR CALENDAR YEAR 200__

_____ _____ _____
Last. Name First Name Initial

_____
Home Address

**If the answer to any of the following questions is "none" or "not applicable", please so indicate.** The Town of Guilderland is hereinafter referred to as the "Town". "Applicant" or "you" shall refer to the person executing and filing this Disclosure Statement.

1. List all the positions you hold as a Town officer or employee, or as a member of or counsel to a Town office, board, body, advisory board, council, commission, agency, department, district, administration, division, bureau, unit or committee, whether paid or unpaid:

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2. For each position you hold, list the name of your immediate supervisor and their job title:

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3. List the telephone number(s) you may be contacted at with respect to this document between 9:00 a.m. and 4:00 p.m. from Monday through Friday: _____.

4. Set forth the date your Annual Disclosure Statement is due _____.

5. List the item numbers contained in the Annual Disclosure Statement you require additional time to address: Item #'s _____.

6. Briefly state the reasons why you believe you are entitled to an extension of time for filing your financial disclosure form. (Attach additional sheets if necessary) :

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_____
Applicant's Signature

Sworn to before me this
____ day of _____, 200__.

_____
Notary Public

*RETURN TO:*
*Town of Guilderland Ethics Board*
*Town Hall, Route 20*
*P.O. Box 339*
*Guilderland, NY 12084-0339*

**EXHIBIT "E"**

APPLICATION TO THE TOWN OF GUILDERLAND ETHICS BOARD TO EXEMPT INFORMATION PERTAINING TO APPLICANT'S SPOUSE FROM BEING REPORTED ON APPLICANT'S ANNUAL DISCLOSURE STATEMENT FOR CALENDAR YEAR 200__

_____ _____ _____
Last. Name First Name Initial

_____
Home Address

**If the answer to any of the following questions is "none" or "not applicable", please so indicate.** The Town of Guilderland is hereinafter referred to as the "Town". "Applicant" or "you" shall refer to the person executing and filing this Disclosure Statement.

1. List all the positions you hold as a Town officer or employee, or as a member of or counsel to a Town office, board, body, advisory board, council, commission, agency, department, district, administration, division, bureau, unit or committee, whether paid or unpaid:

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2. For each position you hold, list the name of your immediate supervisor and their job title:

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3. List the telephone number(s) you may be contacted at with respect to this document between 9:00 a.m. and 4:00 p.m. from Monday through Friday: _____.

4. Briefly set forth the specific nature of your job duties and also attach a copy of your formal job description to this application (Attach additional sheets if necessary):

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5. Briefly set forth why information regarding your spouse should be exempt from public disclosure (Attach additional sheets if necessary):

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6. Briefly set forth the reasons of your application why an exemption from reporting information pertaining to your spouse will have no material bearing on the discharge of your official duties. (Attach additional sheets if necessary).

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7. Briefly set forth the reasons of your application why an exemption from reporting information pertaining to your spouse, if disclosed, would constitute an unwarranted invasion of personal privacy or would otherwise likely endanger the life or safety of any person. (Attach additional sheets if necessary).

_____

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8. Attach a copy of your completed annual disclosure statement and a copy of the information on your spouse which you wish to be exempt from reporting.

_____
Applicant's Signature

Sworn to before me this
____ day of _____, 200__.

_____
Notary Public