

Local Law Filing

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

(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.

- County
 City
of Unadilla
 Town
 Village

Local Law No. 1 of the year 2009

A local law establishing standards of conduct for officers and employees
(Insert Title)

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

- County
 City
of Unadilla as follows:
 Town
 Village

Code of Ethics

Town of Unadilla

Local Law No. 1 of the year 2009

A local law establishing standards of conduct for officers and employees
(Insert title)

Be it enacted by the Town Board of the Town of Unadilla as follows:
(Name of Legislative Body)

Local Law No. 2 of 1970, entitled "Code of Ethics, a local law establishing standards of conduct for officers and employees," is hereby amended as follows:

"Section 1. Pursuant to the provisions of section eight hundred six of the General Municipal Law, the Town Board of the Town of Unadilla recognizes that there are rules of ethical conduct for public officers and

employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this local law to promulgate these rules of ethical conduct for the officers and employees of the Town of Unadilla. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Unadilla. 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 2. Definition. (a) "Municipal Officer or Employee" means an officer or employee of the Town of Unadilla, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a Municipal Officer or Employee solely by reason of being a volunteer fireman or civil defense volunteer, except a chief engineer or assistant chief engineer ["assistant fire chief" section 800].

(b) "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires. ["Interest" means a direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the municipality which such officer or employee serves. For the purposes of this Local Law a municipal officer or employee shall be deemed to have an interest in the contract of (a) his spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves, (b) a firm, partnership or association of which such officer or employee is a member or employee, (c) a corporation of which such officer or employee is an officer, director or employee and (d) a corporation any stock of which is owned or controlled directly or indirectly by such officer or employee.]

(c) "Town" means Town of Unadilla in Otsego County.

Section 3. Standards of Conduct. Every Municipal Officer or Employee of the Town of Unadilla shall be subject to and abide by the following standards of conduct:

(a) Gifts. A Municipal Officer or Employee shall not directly or indirectly solicit any gift; or accept or receive any gift having a value of seventy-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/her, in the performance of his/her official duties or was intended as a reward for any official action on his/her part.

(b) Confidential information. A Municipal Officer or Employee shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.

(c) Representation before one's own agency. A Municipal Officer or Employee 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/she is an officer, member or employee or of any municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.

(d) Representation before any agency for a contingent fee. A Municipal Officer or Employee 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/her municipality, whereby his/her 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.

(e) Disclosure of interest in legislation. To the extent that he/she knows thereof, a member of the Town Board and any Municipal Officer or Employee of the Town, whether paid or unpaid, who participates in the discussion or gives official opinion to the Town Board on any legislation before the Town Board, shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such legislation.

(f) Investments in conflict with official duties. A Municipal Officer or Employee 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/her official duties.

(g) Private employment. A Municipal Officer or Employee 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/her official duties.

(h) Future employment. A Municipal Officer or Employee shall not, after the termination of service or employment with the Town, appear before any board or agency of the Town in relation to any case, proceeding, or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

Section 4. 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, or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Section 5. Distribution of Code of Ethics. The Supervisor of the Town of Unadilla shall cause a copy of this Code of Ethics to be distributed to every Municipal Officer and Employee of the Town within 30 days after the effective date of this local law. Each Municipal Officer and Employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his/her office or employment. Each Municipal Officer or Employee shall sign a statement acknowledging receipt of a copy of this Code of Ethics and verifying that he/she has read and understood this Code of Ethics.

Section 6. Penalties. 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 Code may be fined, suspended, or removed from office or employment as the case may be, in the manner provided by law.

Section 7. Effective date. This local law shall take effect immediately upon its filing with the Secretary of State as provided in the New York State Municipal Home Rule Law.



Coughlin &

99 Washington Avenue
Albany, New York 12231

SINGHAMTON
ITHACA
OWEGO

**Re: Local Law 1 of 2009
Town of Unadilla**

Ladies/Gentlemen:

Enclosed please find Local Law No. 1 of 2009 for the Town of Unadilla, for filing in your office.
Thank you.

Sincerely,

Beth E. Westfall
me

Beth E. Westfall

/bc

Enc.
cc: J. Cole, Town Clerk

TOWN OF UNADILLA, Town Clerk's Office
1648 St. Hwy 7, P.O. Box 455, Unadilla, New York 13849
Phone: (607) 369-4433 * Fax: (607) 369-3217

DATE _____

TO ALL ELECTED AND APPOINTED OFFICIALS FOR
THE TOWN OF UNADILLA

AFTER READING AND UNDERSTANDING THE LOCAL LAW 1 OF 2009,
ESTABLISHING STANDARDS OF CONDUCT FOR OFFICERS AND EMPLOYEES,
PLEASE SIGN AND DATE BELOW.

Be it enacted by the Town Board of the Town of Unadilla as follows:-

Local Law No. 2 of 1970, entitled "Code of Ethics, a local law establishing standards of conduct for officers and employees," is hereby amended as follows:

Section 1. Pursuant to the provisions of section eight hundred six of the General Municipal Law, the Town Board of the Town of Unadilla recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this local law to promulgate these rules of ethical conduct for the officers and employees of the Town of Unadilla. These rules shall serve as a guide for official conduct of the officers and employees of the Town of Unadilla. 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 2. Definition. (a) "Municipal Officer or Employee" means an officer or employee of the Town of Unadilla, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a Municipal Officer or Employee solely by reason of being a volunteer fireman or civil defense volunteer, except a chief engineer or assistant chief engineer ["assistant fire chief" section 800].

(b) "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires. "Interest" means a direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the municipality which such officer or employee serves. For the purposes of this Local Law a municipal officer or employee shall be deemed to have an interest in the contract of (a) his spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves, (b) a firm, partnership or association of which such officer or employee is a member or employee, (c) a corporation of which such officer or employee is an officer, director or employee and (d) a corporation any stock of which is owned or controlled directly or indirectly by such officer or employee. Section 800-GML]

(c) "Town" means Town of Unadilla in Otsego County.

Section 3. Standards of Conduct. Every Municipal Officer or Employee of the Town of Unadilla shall be subject to and abide by the following standards of conduct:

(a) Gifts. A Municipal Officer or Employee He shall not directly or indirectly solicit any gift; or accept or receive any gift having a value of seventy-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/her, in the performance of his/her official duties or was intended as a reward for any official action on his/her part.

(b) Confidential information. A Municipal Officer or Employee He shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.

Section 6. Penalties. 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 Code may be fined, suspended, or removed from office or employment as the case may be, in the manner provided by law.

Section 7. Effective date. This local law shall take effect ~~40 days after it is filed~~ immediately upon its filing with the Secretary of State as provided in ~~section twenty-seven of the~~ New York State Municipal Home Rule Law.