

PLEASANTVILLE



WESTCHESTER COUNTY • NEW YORK

**ETHICS BOARD
MEETING AGENDA
VILLAGE OF PLEASANTVILLE
VILLAGE HALL
80 WHEELER AVENUE
Monday, January 30, 2023
6:00 PM**

AGENDA

- I. Training
- II. Adoption of New Rules and Regulations
- III. Discussion of potential Amendments to the Code of Ethics

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Village of Pleasantville Board of Ethics Responsibilities and Procedures

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Executive producer
GREG DANIELS

OVERVIEW

- This training session is intended to provide:
 - A basic understanding of the role the Board of Ethics;
 - How the Board of Ethics accomplishes its objectives; and
 - How the individual Board members fulfill their duties.



CHAPTER 14 - CODE OF ETHICS

- Chapter 14 sets forth rules of ethical conduct for the officers and employees of the Village of Pleasantville.
- These rules serve as a guide for official conduct of the officers and employees of the Village of Pleasantville.

Purpose of the Village's Code of Ethics

- The proper operation of the village government requires that its officers and employees be independent, impartial and responsible to the people of the Village of Pleasantville; that public office not be used for personal gain; that public officers and employees maintain the highest standards of morality and discharge faithfully the duties of their office, regardless of personal consideration; and that the public has confidence in the integrity of its government and the officers and employees thereof. In recognition of these goals, there is hereby established a Code of Ethics for all officers and employees of the Village of Pleasantville. In the event of any conflict between the provisions of this chapter and the provisions of Article 18 of the General Municipal Law, the latter shall control.

GENERAL MUNICIPAL LAW, ARTICLE 18

- Section 801- Conflicts of Interest Prohibited
- Section 802- Exceptions
- Section 803- Disclosure of Interest
- Section 805-A Certain Actions Prohibited



Section 801

- No municipal officer or employee shall have an interest in any contract with the municipality of which he is an officer or employee, when such officer or employee, individually or as a member of a board, has the power or duty to:
 - Negotiate, prepare, authorize or approve the contract or authorize or approve payment thereunder,
 - Audit bills or claims under the contract, or
 - Appoint an officer or employee who has any of the powers or duties set forth above, and
- No chief fiscal officer, treasurer, or his deputy or employee, shall have an interest in a bank or trust company designated as a depository, paying agent, registration agent or for investment of funds of the municipality of which he is an officer or employee.

Section 803

- Any municipal officer or employee who has, will have, or later acquires an interest in or whose spouse has, will have, or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the municipality of which he or she is an officer or employee, shall publicly disclose the nature and extent of such interest in writing to his or her immediate supervisor and to the governing body thereof as soon as he or she has knowledge of such actual or prospective interest. Such written disclosure shall be made part of and set forth in the official record of the proceedings of such body.

Section 805-A

- No municipal officer or employee shall:
 - 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, service, loan, travel, entertainment, hospitality, thing or promise, or in 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;
 - disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interests;
 - 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 municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee; or
 - 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.

PLEASANTVILLE NEW YORK

[DEPARTMENTS](#)[BOARDS & COMMITTEES](#)[FIND A FORM](#)[PROJECTS & INITIATIVES](#)

WELCOME TO
PLEASANTVILLE

Contact Info

Phone:

(914) 769-1975

Address:

80 Wheeler Avenue
Pleasantville, NY 10570
United States

See map: [Google Maps](#)

Meetings - When: The ethics committee convenes when necessary.

[Home](#) » [Boards & Committees](#)



Ethics Committee

The Ethics Committee ensures that Village government employees, officials, and others doing business with the Village conduct business in an independent, impartial and responsible manner; That a public office not be used for personal gain and that public officials maintain the highest standards of conduct to discharge faithfully the duties of their office. The committee investigates all claims to the contrary of the above purpose of good village government. The Ethics Committee was created by local law. You can find a copy of the law in the Village Code, which is available on our website homepage.

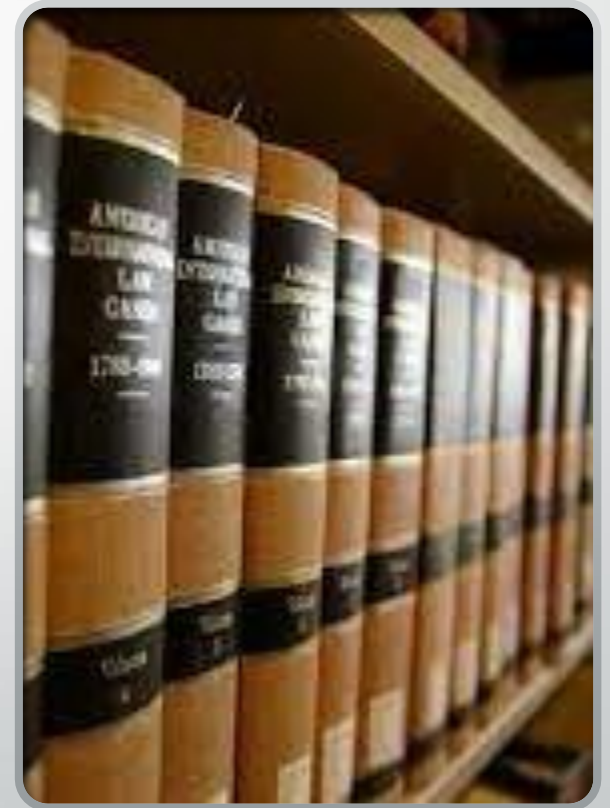
THE BOARD OF ETHICS

- The Board of Ethics is a public body of the Village of Pleasantville.
- The Board of Ethics is composed of three (3) Village residents, each of whom is appointed by unanimous vote of the City Council for three-year terms.
- The Board shall render advisory opinions to elected officials, officers and persons appointed or employed by the village with respect to this chapter.



GOVERNING LAWS

- The Board of Ethics is governed directly by Chapter 14 of the Village Code.
- The Village enacted the Code of Ethics pursuant to Article 18 of the State General Municipal Law (the “GML”), which governs conflicts of interest of municipal officers.
- The Board of Ethics may refer to Article 18 of the GML on issues where the Code of Ethics is silent or in developing recommendations for amending the Code of Ethics.



MEETINGS AND ACTIONS

- The proceeding and records of the Board of Ethics are subject to the legal requirements of the New York Open Meetings Law and Freedom of Information Law.
- The Board shall render advisory opinions to elected officials, officers and persons appointed or employed by the village with respect to Chapter 14.
- Such opinions are to be rendered only pursuant to a written request by the officer or employee concerned, the Village Board of Trustees or upon the Board's own initiative.
- The opinions of the Board shall be a matter of public record.
- Upon a request for an opinion from anyone other than the officer or employee concerned, the Board shall advise such officer or employee of the request and afford him or her an opportunity to be heard, in person and in writing.

Board Meeting



GROUNDS FOR ALLEGED ETHICS VIOLATIONS

The circumstances which may give rise to an alleged ethics violation, investigation and possible disciplinary action against a Village officer, employee or consultant are set forth:

Village Code § 14-3,
entitled "Standards
of Conduct"

General Municipal
Law § 801, entitled
"Conflicts of
Interest Prohibited"

General Municipal
Law § 805-a,
entitled "Certain
Action Prohibited"

Standard of Conduct

- No village official or employee shall act in an official capacity in connection with any transaction or contract in which he or she has an interest.
- No paid village official or employee or his or her family shall be or become involved, directly or indirectly, in any manner whatsoever, in any business dealings with the village.
- No village official or employee shall solicit or accept for a political campaign or for any other political purpose any favor or gift, whether in the form of service, loan, promise or material thing or in any other form, from any person who does business with the village whose business is licensed or regulated by the village or in the regular course of whose business approval or authorization must be received from any village official or employee or village body.

Standards of Conduct

- No village official or employee or his or her family shall invest, directly or indirectly, in any financial, business, commercial or other private undertaking which creates a conflict with his or her official duties.
- No village official or employee or his or her family shall engage in any business or profession or accept private employment or render any service for private interest which creates a conflict with his or her official duties.
- No village official or employee shall use or attempt to use his or her official position to give or secure privileges or exemptions for himself or herself or others not available to others.
- No village official or employee shall use any confidential information received by him or her in the course of his or her duties as a village official or employee to further the interests of himself or herself or others, nor shall any village official or employee divulge any confidential information so received

Standard of Conduct

- No village official or employee shall, with or without compensation, represent, directly or indirectly, any person in connection with any transaction or contract before any village agency, board or court.
- No officer or employee shall, directly or indirectly, solicit or accept or receive any gift or item of personal or real property or any interest therein, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise or in any other form, under circumstances in which it could reasonably be inferred that the gift or item of personal or real property or interest therein was intended to influence him or her in the performance of his or her official duties; could reasonably be expected to influence him or her in the performance of his or her official duties; or was intended as a reward for any official action on his or her part. Nothing herein contained shall prohibit the receipt by candidates for public office of otherwise lawful political contributions so long as such contributions are not solicited during normal business hours or on village property.

Standard of Conduct

- No officer or employee shall use or permit the use of village property (including land, vehicles, equipment, materials and other property) or personnel for personal convenience or profit, except when such use is available to village citizens generally or is provided as a matter of village policy.
- To the extent that an officer or employee knows thereof, a member of the Village Board of Trustees and any other officer or employee of the Village of Pleasantville who participates in the discussion or gives official opinion to the Village Board of Trustees or any other board, commission or agency or any legislation or other matter under consideration before the Village Board of Trustees or any other board, commission or agency shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such legislation.
- No officer or employee shall, after the termination of service or employment with the Village of Pleasantville, appear in a capacity which would enable him or her to derive personal gain, financial or otherwise, before any municipal board, agency or commission of the Village of Pleasantville in relation to any case, proceeding or application in which he or she personally participated during the period of his or her service or employment or which was under his or her active consideration.

PROCEDURE FOR RESPONDING TO AN ALLEGED ETHICS VIOLATION



Receive
Complaints



Initial Review of
Complaints



Conduct
Investigation



Prepare Advisory
Opinion

PUBLIC ACCESS TO MEETINGS AND RECORDS

Open Meetings

- Meetings must be held on notice, and generally, must be open to public attendance.
- “Meeting” is specifically defined as “the official convening of a public body for the purpose of conducting public business, including the use of video conferencing for attendance and participation by the members of the public body.
- OML provisions apply to any meeting of the Board of Ethics where a quorum of the Board is or will be present

Executive Sessions

- OML §105(1) provides that, upon a majority vote taken during an open meeting, a public body may enter into an executive session to discuss the employment history of a person or corporation, or matters concerning the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of such person or corporation.

PUBLIC ACCESS TO ADVISORY OPINIONS AND MINUTES

- Local board of ethics may be required to disclose its minutes, opinions and deliberative materials in response to a FOIL request.
- Section 14-5(D) of the Code of Ethics expressly mandates that opinions of the Board of Ethics shall be public records subject to disclosure.
- The OML requires that all public bodies, including boards of ethics, prepare minutes summarizing the events of both open meetings and executive sessions. (OML § 106).
- Summary of an executive session, however, need not include any information or details which can be rightfully withheld under FOIL.



Thank you!
Questions ?

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Chapter 14. Ethics, Code of

[HISTORY: Adopted by the Village Board of Trustees of the Village of Pleasantville 3-25-1996 by L.L. No. 2-1996. Amendments noted where applicable.]

GENERAL REFERENCES

Officers and employees — See Ch. 21.

§ 14-1. Purpose.

The proper operation of the village government requires that its officers and employees be independent, impartial and responsible to the people of the Village of Pleasantville; that public office not be used for personal gain; that public officers and employees maintain the highest standards of morality and discharge faithfully the duties of their office, regardless of personal consideration; and that the public has confidence in the integrity of its government and the officers and employees thereof. In recognition of these goals, there is hereby established a Code of Ethics for all officers and employees of the Village of Pleasantville. In the event of any conflict between the provisions of this chapter and the provisions of Article 18 of the General Municipal Law, the latter shall control.

§ 14-2. Definitions.

For the purpose of this chapter, the terms used herein are defined as follows:

CONTRACT

Any claim, account or demand against or agreement with the village, express or implied.

INTEREST

A participation, connection or involvement of any sort which may result in a direct or indirect pecuniary or material benefit. For the purposes of this chapter, the interests of a village official or employee shall be deemed to include the interests of:

- A. His or her family, which shall be deemed to include his or her spouse, minor children, stepchild and dependents or person residing with the officer or employee.
- B. Any person, other than a bank, trust company or other lending institution, with whom he or she has a substantial debtor-creditor or other financial relationship.
- C. Any person or entity by whom he or she is employed or of which he or she is an officer, director or member.
- D. Any entity of which the stock or other legal or beneficial ownership is owned by him or her; provided, however, that if the business dealings of such entity with the village form an insubstantial part of the total business dealings, then this definition shall only apply to such an entity if the village official or employee owns more than 5% of the stock or other legal or beneficial ownership of such entity.
- E. Person or entity. Any individual, business proprietorship, corporation, partnership, association, venture, individual in representative or fiduciary capacity, estate, trust or other entity.

OFFICER OR EMPLOYEE

Each officer, volunteer or employee of the Village of Pleasantville, whether paid or unpaid, whether elected or appointed, whether serving in a full-time, part-time or advisory capacity. Volunteers whose responsibilities do not give rise to possible violations of these rules shall not be considered employees for the purpose of this chapter. The Village Board of Trustees shall determine which volunteers shall be considered employees for this purpose.

TRANSACTION

Any activity, application or proceeding which requires or may require an official act or action of an officer or employee or municipal board, agency or commission of the Village of Pleasantville.

§ 14-3. Standards of conduct.

- A. No village official or employee shall act in an official capacity in connection with any transaction or contract in which he or she has an interest.
- B. No paid village official or employee or his or her family shall be or become involved, directly or indirectly, in any manner whatsoever, in any business dealings with the village; provided, however, that this subsection shall not prohibit:
 - (1) Any such official or employee or his or her spouse or minor child from owning less than 5% of the stock of or from being employed by any person whose business dealings with the village form an insubstantial part of its total business, as long as such village official or employee has no direct connection with such business dealings, receives no substantial part of the benefit thereof and takes no active part in connection therewith.
 - (2) Any spouse or minor child of any such paid village official or employee from being employed by the village.
- C. No village official or employee or his or her family shall invest, directly or indirectly, in any financial, business, commercial or other private undertaking which creates a conflict with his or her official duties.
- D. No village official or employee or his or her family shall engage in any business or profession or accept private employment or render any service for private interest which creates a conflict with his or her official duties.
- E. No village official or employee shall use or attempt to use his or her official position to give or secure privileges or exemptions for himself or herself or others not available to others.
- F. No village official or employee shall use any confidential information received by him or her in the course of his or her duties as a village official or employee to further the interests of himself or herself or others, nor shall any village official or employee divulge any confidential information so received.
- G. No village official or employee shall, with or without compensation, represent, directly or indirectly, any person in connection with any transaction or contract before any village agency, board or court. This subsection shall not be applicable in transactions where:
 - (1) Such official or employee represents solely his or her personal interests.
 - (2) The representation is by the spouse or other family member of a village official or employee and it is not before the village board or court of which the relative is an official or employee; provided, however, that such representation shall not otherwise violate any other provisions of this chapter. Disclosure shall be made on the public record, except that no disclosure shall be required where a transaction is mandated by state law.
- H. No village official or employee shall solicit or accept for a political campaign or for any other political purpose any favor or gift, whether in the form of service, loan, promise or material thing or in any

other form, from any person who does business with the village whose business is licensed or regulated by the village or in the regular course of whose business approval or authorization must be received from any village official or employee or village body.

- I. No officer or employee shall, directly or indirectly, solicit or accept or receive any gift or item of personal or real property or any interest therein, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise or in any other form, under circumstances in which it could reasonably be inferred that the gift or item of personal or real property or interest therein was intended to influence him or her in the performance of his or her official duties; could reasonably be expected to influence him or her in the performance of his or her official duties; or was intended as a reward for any official action on his or her part. Nothing herein contained shall prohibit the receipt by candidates for public office of otherwise lawful political contributions so long as such contributions are not solicited during normal business hours or on village property.
- J. No officer or employee shall use or permit the use of village property (including land, vehicles, equipment, materials and other property) or personnel for personal convenience or profit, except when such use is available to village citizens generally or is provided as a matter of village policy.
- K. To the extent that an officer or employee knows thereof, a member of the Village Board of Trustees and any other officer or employee of the Village of Pleasantville who participates in the discussion or gives official opinion to the Village Board of Trustees or any other board, commission or agency or any legislation or other matter under consideration before the Village Board of Trustees or any other board, commission or agency shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such legislation.
- L. No officer or employee shall, after the termination of service or employment with the Village of Pleasantville, appear in a capacity which would enable him or her to derive personal gain, financial or otherwise, before any municipal board, agency or commission of the Village of Pleasantville in relation to any case, proceeding or application in which he or she personally participated during the period of his or her service or employment or which was under his or her active consideration.

§ 14-4. Personal claim not prohibited.

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former officer or employee of any claim, account, demand or suit against the Village of Pleasantville or any municipal board, agency or commission of the Village of Pleasantville on behalf of himself or herself or any member of his or her family rising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

§ 14-5. Board of Ethics.

- A. There is hereby created and established a Board of Ethics consisting of three members, none of whom shall be members of the Village Board of Trustees of the Village and none of whom shall be officers or employees of the Village. All members shall be appointed by a majority of the Village Board of Trustees. All members of the Board of Ethics shall reside in the Village and shall serve without compensation.
[Amended 7-12-2021 by L.L. No. 6-2021]
- B. Terms of office of members. Of the members first appointed to the Board, one shall hold office for a term of one year, one for a term of two years and one for the term of three years. Their successors shall be appointed or reappointed for terms of three years from and after the expiration of their terms.
- C. The members of the Board shall select a Chairperson and, upon its formation, shall promulgate its own rules and regulations as to its forms and procedures and shall maintain appropriate records of its opinions and proceedings. The Village Clerk or Deputy Clerk shall serve as Clerk to the Board of Ethics.

- D. The Board shall render advisory opinions to elected officials, officers and persons appointed or employed by the village with respect to this chapter. Such opinions are to be rendered only pursuant to a written request by the officer or employee concerned, the Village Board of Trustees or upon the Board's own initiative. The opinions of the Board shall be a matter of public record.
- E. Upon a request for an opinion from anyone other than the officer or employee concerned, the Board shall advise such officer or employee of the request and afford him or her an opportunity to be heard, in person and in writing.

§ 14-6. Disclosure of interest.

Any officer or employee who has an interest in a transaction or contemplated transaction shall publicly disclose on the official record the nature and extent of such interest.

§ 14-7. Distribution of Code of Ethics.

The Village Administrator of the Village of Pleasantville shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the Village of Pleasantville within 30 days after the effective date of this chapter. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment.

§ 14-8. Penalties for offenses.

- A. Any official or employee who shall willfully and knowingly violate any provision of this chapter shall, upon conviction thereof by a court of competent jurisdiction, be guilty of a violation and be subject to a fine of not more than \$100 for the first offense and not more than \$250 for each subsequent offense.
- B. Any official or employee who shall be convicted of a violation of this chapter may be suspended or removed from office or employment by the Village Board of Trustees.
- C. Any official or employee who shall violate any provision of this chapter shall be liable for the payment to the village of damages in the amount of any profit or gain realized by such person from such violation.
- D. If, in connection with any transaction or contract, a violation of any provision of this chapter shall occur, said transaction or contract shall be voidable at the option of the Village Board of Trustees.
- E. The penalties and liabilities created by this section shall be cumulative.

§ 14-9. Statutory provisions superseded.

[Added 7-12-2021 by L.L. No. 6-2021]

This chapter shall supersede any inconsistent provision of General Municipal Law § 808 and, in particular, the provision regarding the inclusion of an elected or appointed municipal officer or employee on the Board of Ethics.

McKinney's Consolidated Laws of New York Annotated
General Municipal Law
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees

McKinney's General Municipal Law Ch. 24, Art. 18, Refs & Annos
Currentness

McKinney's General Municipal Law Ch. 24, Art. 18, Refs & Annos, NY GEN MUN Ch. 24, Art. 18, Refs & Annos
Current through L.2022, chapters 1 to 599. Some statute sections may be more current, see credits for details.

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McKinney's Consolidated Laws of New York Annotated
General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 800

§ 800. Definitions

Effective: December 28, 2018

[Currentness](#)

When used in this article and unless otherwise expressly stated or unless the context otherwise requires:

1. “Chief fiscal officer” means a comptroller, commissioner of finance, director of finance or other officer possessing similar powers and duties, except that in a school district the term shall not mean a member of the board of education or a trustee thereof.
2. “Contract” means any claim, account or demand against or agreement with a municipality, express or implied, and shall include the designation of a depository of public funds and the designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution, ordinance, or other proceeding where such publication is required or authorized by law.
3. “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 article 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.
4. “Municipality” means a county, city, town, village, school district, consolidated health district, county vocational education and extension board, public library, board of cooperative educational services, urban renewal agency, a joint water works system established pursuant to chapter six hundred fifty-four of the laws of nineteen hundred twenty-seven, or a town or county improvement district, district corporation, or other district or a joint service established for the purpose of carrying on, performing or financing one or more improvements or services intended to benefit the health, welfare, safety or convenience of the inhabitants of such governmental units or to benefit the real property within such units, an industrial development agency but shall have no application to a city having a population of one million or more or to a county, school district, or other public agency or facility therein.
5. “Municipal officer or employee” means an officer or employee of a municipality, whether paid or unpaid, including members of any administrative board, commission or other agency thereof and in the case of a county, shall be deemed to also include any officer or employee paid from county funds. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer firefighter or civil defense volunteer, except a fire chief or assistant fire chief.

6. "Treasurer" means a county treasurer, city treasurer, town supervisor, village treasurer, school district treasurer, fire district treasurer, improvement district treasurer, president of a board of health of a consolidated health district, county vocational educational and extension board treasurer, treasurer of a board of cooperative educational services, public general hospital treasurer, or other officer possessing similar powers and duties.

Credits

(Added L.1964, c. 946, § 2. Amended L.1965, c. 1043, § 1; L.1971, c. 179, § 1; L.1980, c. 88, § 3; L.2018, c. 476, § 81, eff. Dec. 28, 2018.)

[Notes of Decisions \(41\)](#)

McKinney's General Municipal Law § 800, NY GEN MUN § 800

Current through L.2022, chapters 1 to 599. Some statute sections may be more current, see credits for details.

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McKinney's Consolidated Laws of New York Annotated
General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 801

§ 801. Conflicts of interest prohibited

Currentness

Except as provided in [section eight hundred two](#) of this chapter, (1) no municipal officer or employee shall have an interest in any contract with the municipality of which he is an officer or employee, when such officer or employee, individually or as a member of a board, has the power or duty to (a) negotiate, prepare, authorize or approve the contract or authorize or approve payment thereunder (b) audit bills or claims under the contract, or (c) appoint an officer or employee who has any of the powers or duties set forth above and (2) no chief fiscal officer, treasurer, or his deputy or employee, shall have an interest in a bank or trust company designated as a depository, paying agent, registration agent or for investment of funds of the municipality of which he is an officer or employee. The provisions of this section shall in no event be construed to preclude the payment of lawful compensation and necessary expenses of any municipal officer or employee in one or more positions of public employment, the holding of which is not prohibited by law.

Credits

(Added L.1964, c. 946, § 2. Amended L.1965, c. 1043, § 2.)

[Notes of Decisions \(822\)](#)

McKinney's General Municipal Law § 801, NY GEN MUN § 801

Current through L.2022, chapters 1 to 599. Some statute sections may be more current, see credits for details.

McKinney's Consolidated Laws of New York Annotated
General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 802

§ 802. Exceptions

Effective: July 28, 2009

[Currentness](#)

The provisions of [section eight hundred one](#) of this chapter shall not apply to:

1. a. The designation of a bank or trust company as a depository, paying agent, registration agent or for investment of funds of a municipality except when the chief fiscal officer, treasurer, or his deputy or employee, has an interest in such bank or trust company; provided, however, that where designation of a bank or trust company outside the municipality would be required because of the foregoing restriction, a bank or trust company within the municipality may nevertheless be so designated;
- b. A contract with a person, firm, corporation or association in which a municipal officer or employee has an interest which is prohibited solely by reason of employment as an officer or employee thereof, if the remuneration of such employment will not be directly affected as a result of such contract and the duties of such employment do not directly involve the procurement, preparation or performance of any part of such contract;
- c. The designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution, ordinance or other proceeding where such publication is required or authorized by law;
- d. The purchase by a municipality of real property or an interest therein, provided the purchase and the consideration therefor is approved by order of the supreme court upon petition of the governing board;
- e. The acquisition of real property or an interest therein, through condemnation proceedings according to law;
- f. A contract with a membership corporation or other voluntary non-profit corporation or association including, but not limited to, rural electric cooperatives. For purposes of this paragraph, the term “rural electric cooperative” shall have the same meaning as the term “cooperative” as defined in [subdivision \(a\) of section two of the rural electric cooperative law](#);
- g. The sale of bonds and notes pursuant to [section 60.10 of the local finance law](#);
- h. A contract in which a municipal officer or employee has an interest if such contract was entered into prior to the time he was elected or appointed as such officer or employee, but this paragraph shall in no event authorize a renewal of any such contract;

i. Employment of a duly licensed physician as school physician for a school district upon authorization by a two-thirds vote of the board of education of such school district, notwithstanding the fact that such physician shall have an interest, as defined in [section eight hundred one](#) of this chapter, in such employment.

j. Purchases or public work by a municipality, other than a county, located wholly or partly within a county with a population of two hundred thousand or less pursuant to a contract in which a member of the governing body or board has a prohibited interest, where:

(1) the member of the governing body or board is elected and serves without salary;

(2) the purchases, in the aggregate, are less than five thousand dollars in one fiscal year and the governing body or board has followed its procurement policies and procedures adopted in accordance with the provisions of [section one hundred four-b](#) of this chapter and the procurement process indicates that the contract is with the lowest dollar offer;

(3) the contract for the purchases or public work is approved by resolution of the body or board by the affirmative vote of each member of the body or board except the interested member who shall abstain.

2. a. A contract with a corporation in which a municipal officer or employee has an interest by reason of stockholdings when less than five per centum of the outstanding stock of the corporation is owned or controlled directly or indirectly by such officer or employee;

b. A contract for the furnishing of public utility services when the rates or charges therefor are fixed or regulated by the public service commission;

c. A contract for the payment of a reasonable rental of a room or rooms owned or leased by an officer or employee when the same are used in the performance of his official duties and are so designated as an office or chamber;

d. A contract for the payment of a portion of the compensation of a private employee of an officer when such employee performs part time service in the official duties of the office;

e. A contract in which a municipal officer or employee has an interest if the total consideration payable thereunder, when added to the aggregate amount of all consideration payable under contracts in which such person had an interest during the fiscal year, does not exceed the sum of seven hundred fifty dollars.

f. A contract with a member of a private industry council established in accordance with the federal job training partnership act¹ or any firm, corporation or association in which such member holds an interest, provided the member discloses such interest to the council and the member does not vote on the contract.

Credits

(Added L.1964, c. 946, § 2. Amended L.1965, c. 1043, § 3; L.1966, c. 135, § 1; L.1968, c. 105, § 1; L.1970, c. 1019, § 1; L.1973, c. 195, § 18; L.1977, c. 28, § 1; L.1983, c. 440, § 1; L.1996, c. 364, §§ 1, 2; L.2009, c. 249, § 1, eff. July 28, 2009.)

Notes of Decisions (137)

Footnotes

1 29 USCA § 1501 et seq., repealed.

McKinney's General Municipal Law § 802, NY GEN MUN § 802

Current through L.2022, chapters 1 to 599. Some statute sections may be more current, see credits for details.

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General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 803

§ 803. Disclosure of interest

Effective: August 16, 2005

[Currentness](#)

1. Any municipal officer or employee who has, will have, or later acquires an interest in or whose spouse has, will have, or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the municipality of which he or she is an officer or employee, shall publicly disclose the nature and extent of such interest in writing to his or her immediate supervisor and to the governing body thereof as soon as he or she has knowledge of such actual or prospective interest. Such written disclosure shall be made part of and set forth in the official record of the proceedings of such body.

2. Notwithstanding the provisions of subdivision one of this section, disclosure shall not be required in the case of an interest in a contract described in [subdivision two of section eight hundred two](#) hereof.

Credits

(Added L.1964, c. 946, § 2. Amended L.1965, c. 1043, § 4; L.2005, c. 499, § 1, eff. Aug. 16, 2005.)

[Notes of Decisions \(60\)](#)

McKinney's General Municipal Law § 803, NY GEN MUN § 803

Current through L.2022, chapters 1 to 599. Some statute sections may be more current, see credits for details.

McKinney's Consolidated Laws of New York Annotated
General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 804

§ 804. Contracts void

[Currentness](#)

Any contract willfully entered into by or with a municipality in which there is an interest prohibited by this article shall be null, void and wholly unenforceable.

Credits

(Added L.1964, c. 946, § 2.)

[Notes of Decisions \(14\)](#)

McKinney's General Municipal Law § 804, NY GEN MUN § 804

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General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 804-a

§ 804-a. Certain interests prohibited

Currentness

No member of the governing board, of a municipality shall have any interest in the development or operation of any real property located within Nassau County and developed or operated by any membership corporation originally formed for purposes among which are the following:

1. to plan for, advise, recommend, promote and in all ways encourage, alone or in concert with public officials and bodies and interested local associations, the development and establishment of any lands in Nassau County publically¹ owned with particular emphasis on industrial, business, commercial, residential and public uses, the augmentation¹ of public revenues and furtherance of the public interest of the citizens of Nassau County;
2. to conduct studies to ascertain the needs of Nassau County as pertains to such publically¹ owned lands and supporting facilities and in Nassau County generally for the purpose of aiding the County of Nassau in attracting new business, commerce and industry to it and in encouraging the development and retention of business, commerce and industry;
3. to relieve and reduce unemployment, promote and provide for additional and maximum employment, better and maintain job opportunities and instruct or train individuals to improve or develop their capabilities for such jobs;
4. to implement and engage itself in plans of development of such publically¹ owned lands and other areas in connection with private companies and citizens and with public bodies and officials, and to participate in such operations, leaseholds, loans, ownerships with respect to land, buildings or public facilities or interest therein as may be lawful and desirable to effectuate its corporate purposes and the best interests of the people of Nassau County.

Credits

(Added L.1970, c. 720, § 1.)

Footnotes

¹ So in original.

McKinney's General Municipal Law § 804-a, NY GEN MUN § 804-a

Current through L.2022, chapters 1 to 599. Some statute sections may be more current, see credits for details.

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McKinney's Consolidated Laws of New York Annotated
General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 805

§ 805. Violations

Currentness

Any municipal officer or employee who willfully and knowingly violates the foregoing provisions of this article shall be guilty of a misdemeanor.

Credits

(Added L.1964, c. 946, § 2.)

Notes of Decisions (4)

McKinney's General Municipal Law § 805, NY GEN MUN § 805

Current through L.2022, chapters 1 to 599. Some statute sections may be more current, see credits for details.

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General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 805-a

§ 805-a. Certain action prohibited

Currentness

1. No municipal officer or employee shall: a. 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, service, loan, travel, entertainment, hospitality, thing or promise, or in 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;

b. disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interests;

c. 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 municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee; or

d. 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.

2. In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate this section may be fined, suspended or removed from office or employment in the manner provided by law.

Credits

(Added L.1970, c. 1019, § 2. Amended L.1987, c. 813, § 21.)

Notes of Decisions (39)

McKinney's General Municipal Law § 805-a, NY GEN MUN § 805-a

Current through L.2022, chapters 1 to 599. Some statute sections may be more current, see credits for details.

McKinney's Consolidated Laws of New York Annotated
General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 805-b

§ 805-b. Solemnization of marriages

Effective: August 15, 2007

[Currentness](#)

Notwithstanding any statute, law or rule to the contrary, no public officer listed in [section eleven of the domestic relations law](#) shall be prohibited from accepting any fee or compensation having a value of one hundred dollars or less, whether in the form of money, property, services or entertainment, for the solemnization of a marriage by such public officer at a time and place other than the public officer's normal public place of business, during normal hours of business. For the purpose of this section, a town or village judge's normal hours of business shall mean those hours only which are officially scheduled by the court for the performing of the judicial function.

Credits

(Added L.1983, c. 433, § 1. Amended L.1990, c. 238, § 1; L.2007, c. 536, § 1, eff. Aug. 15, 2007.)

McKinney's General Municipal Law § 805-b, NY GEN MUN § 805-b

Current through L.2022, chapters 1 to 599. Some statute sections may be more current, see credits for details.

McKinney's Consolidated Laws of New York Annotated
General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 806

§ 806. Code of ethics

Effective: December 17, 2014

Currentness

1. (a) The governing body of each county, city, town, village, school district and fire district shall and the governing body of any other municipality may by local law, ordinance or resolution adopt a code of ethics setting forth for the guidance of its officers and employees the standards of conduct reasonably expected of them. Notwithstanding any other provision of this article to the contrary, a fire district code of ethics shall also apply to the volunteer members of the fire district fire department. Codes of ethics shall provide standards for officers and employees with respect to disclosure of interest in legislation before the local governing body, holding of investments in conflict with official duties, private employment in conflict with official duties, future employment and such other standards relating to the conduct of officers and employees as may be deemed advisable. Such codes may regulate or prescribe conduct which is not expressly prohibited by this article but may not authorize conduct otherwise prohibited. Such codes may provide for the prohibition of conduct or disclosure of information and the classification of employees or officers.

(b) Effective on and after January first, nineteen hundred ninety-one, such codes of political subdivisions, as defined in [section eight hundred ten](#) of this article, may contain provisions which require the filing of completed annual statements of financial disclosure with the appropriate body, as defined in [section eight hundred ten](#) of this article. Nothing herein shall be construed to restrict any political subdivision or any other municipality from requiring such a filing prior to January first, nineteen hundred ninety-one. Other than as required by [subdivision two of section eight hundred eleven](#) of this article, the governing body of any such political subdivision or other municipality may at any time subsequent to the effective date of this paragraph, adopt a local law, ordinance or resolution pursuant to [subdivision one of section eight hundred eleven](#) of this article and any such political subdivision or municipality, acting by its governing body, may take such other action as is authorized in such subdivision. Any political subdivision or other municipality to which all of the provisions of [section eight hundred twelve](#) of this article apply may elect to remove itself from the ambit of all (but not some) provisions of such section in the manner authorized in subdivision three of such [section eight hundred twelve](#). In such event any such political subdivision or municipality shall be subject to certain conditions and limitations set forth in paragraphs (a), (b) and (c) of such subdivision three which shall include, but not be limited to, the promulgation of a form of an annual statement of financial disclosure described in subdivision one of such [section eight hundred eleven](#).

2. The chief executive officer of a municipality adopting a code of ethics shall cause a copy thereof to be distributed to every officer and employee of his municipality. The fire district commissioners shall cause a copy of the fire district's code of ethics to be posted publicly and conspicuously in each building under such district's control. Failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with such code, nor the enforcement of provisions thereof.

3. *Repealed by L.2014, c. 490, § 3, eff. Dec. 17, 2014.*

Credits

(Added L.1964, c. 946, § 2. Amended L.1969, c. 646, § 2; L.1970, c. 1019, § 3; L.1987, c. 813, §§ 10, 11; L.2006, c. 238, § 1, eff. June 1, 2006; L.2014, c. 490, § 3, eff. Dec. 17, 2014.)

Notes of Decisions (58)

McKinney's General Municipal Law § 806, NY GEN MUN § 806

Current through L.2022, chapters 1 to 599. Some statute sections may be more current, see credits for details.

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General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 807

§ 807. Posting of statute

Effective: July 7, 2008

[Currentness](#)

The chief executive officer of each municipality shall cause a copy of [sections eight hundred](#) through [eight hundred nine](#) of this article to be kept posted in each public building under the jurisdiction of his or her municipality in a place conspicuous to its officers and employees. Failure to post any such copy shall have no effect on the duty of compliance with this article, nor with the enforcement of the provisions thereof.

Credits

(Added L.1964, c. 946, § 2. Amended L.1970, c. 1019, § 4; L.2008, c. 236, § 1, eff. July 7, 2008.)

McKinney's General Municipal Law § 807, NY GEN MUN § 807

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General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 808

§ 808. Boards of ethics

Effective: December 17, 2014

[Currentness](#)

1. The governing body of any county may establish a county board of ethics and appropriate moneys for maintenance and personal services in connection therewith. The members of such board of ethics shall be appointed by such governing body except in the case of a county operating under an optional or alternative form of county government or county charter, in which case the members shall be appointed by the county executive or county manager, as the case may be, subject to confirmation by such governing body. Such board of ethics shall consist of at least three members, a majority of whom shall not be officers or employees of such county or municipalities wholly or partially located in such county and at least one of whom shall be an elected or appointed officer or employee of the county or a municipality located within such county. The members of such board shall receive no salary or compensation for their services as members of such board and shall serve at the pleasure of the appointing authority.

2. The board shall render advisory opinions to officers and employees of municipalities wholly or partly within the county with respect to this article and any code of ethics adopted pursuant hereto. Such advisory opinions shall be rendered pursuant to the written request of any such officer or employee under such rules and regulations as the board may prescribe and shall have the advice of counsel employed by the board, or if none, the county attorney. In addition, it may make recommendations with respect to the drafting and adoption of a code of ethics or amendments thereto upon the request of the governing body of any municipality in the county.

3. The governing body of any municipality other than a county may establish a local board of ethics and, where such governing body is so authorized, appropriate moneys for maintenance and personal services in connection therewith. A local board shall have all the powers and duties of and shall be governed by the same conditions as a county board of ethics, except that it shall act only with respect to officers and employees of the municipality that has established such board or of its agencies. The members of a local board shall be appointed by such person or body as may be designated by the governing body of the municipality to serve at the pleasure of the appointing authority and such board shall consist of at least three members, a majority of whom are not otherwise officers or employees of such municipality. Such board shall include at least one member who is an elected or appointed municipal officer or employee.

4. The county board of ethics shall not act with respect to the officers and employees of any municipality located within such county or agency thereof, where such municipality has established its own board of ethics, except that the local board may at its option refer matters to the county board.

5. A board of ethics of a political subdivision (as defined in [section eight hundred ten](#) of this article) and of any other municipality, which is required by local law, ordinance or resolution to be, or which pursuant to legal authority, in practice is, the repository

for completed annual statements of financial disclosure shall file a statement with the clerk of its municipality, that it is the authorized repository for completed annual statements of financial disclosure.

Credits

(Added L.1964, c. 946, § 2. Amended L.1965, c. 1043, § 5; L.1970, c. 1019, § 5; L.1987, c. 813, § 12; L.2014, c. 490, § 4, eff. Dec. 17, 2014.)

Notes of Decisions (19)

McKinney's General Municipal Law § 808, NY GEN MUN § 808

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General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 809

§ 809. Disclosure in certain applications

Currentness

1. 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 a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them

(a) is the applicant, or

(b) is an officer, director, partner or employee of the applicant, or

(c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or

(d) is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

3. In the county of Nassau the provisions of subdivisions one and two of this section shall also apply to a party officer. "Party officer" shall mean any person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision four of section two of the election law.¹

4. Ownership of less than five per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

5. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

Credits

(Added L.1969, c. 646, § 3. Amended L.1970, c. 825, §§ 1, 2.)

[Notes of Decisions \(19\)](#)

Footnotes

1 [Now Election Law § 1-104, subd. 5.](#)

McKinney's General Municipal Law § 809, NY GEN MUN § 809

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General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 810

§ 810. Additional definitions

Effective: December 17, 2014

Currentness

As used in [sections eight hundred eleven](#) and [eight hundred twelve](#) of this article:

1. The term “political subdivision” shall mean a county, city, town or village having a population of fifty thousand or more and shall include a city with a population of one million or more.
2. The term “local elected official” shall mean an elected official of the political subdivision, except judges or justices of the unified court system.
3. The term “local officer or employee” shall mean the heads (other than local elected officials) of any agency, department, division, council, board, commission, or bureau of a political subdivision and their deputies and assistants, and the officers and employees of such agencies, departments, divisions, boards, bureaus, commissions or councils who hold policy-making positions, as annually determined by the appointing authority and set forth in a written instrument which shall be filed with the appropriate body during the month of February; except that the term “local officer or employee” shall not mean a judge, justice, officer or employee of the unified court system. Members, officers, and employees of each industrial development agency and authority established by this chapter or created by the public authorities law shall be deemed officers or employees of the county, city, village, or town for whose benefit such agency or authority is established or created.
4. The term “state agency” shall mean any state department, or division, board, commission, or bureau of any state department, any public benefit corporation, public authority or commission at least one of whose members is appointed by the governor, or the state university of New York or the city university of New York, including all their constituent units except community colleges and the independent institutions operating statutory or contract colleges on behalf of the state.
5. The term “spouse” shall mean the husband or wife of the reporting individual unless living separate and apart from the reporting individual with the intention of terminating the marriage or providing for permanent separation or unless separated pursuant to: (a) a judicial order, decree or judgment, or (b) a legally binding separation agreement.
6. The term “local political party official” shall mean:

(a) any chairman of a county committee elected pursuant to [section 2-112 of the election law](#), or his or her successor in office, who received compensation or expenses, or both, from constituted committee or political committee funds, or both, during the reporting period aggregating thirty thousand dollars or more;

(b) that person (usually designated by the rules of a county committee as the “county leader” or “chairman of the executive committee”) by whatever title designated, who pursuant to the rules of a county committee or in actual practice, possesses or performs any or all of the following duties or roles, provided that such person received compensation or expenses, or both, from constituted committee or political committee funds, or both, during the reporting period aggregating thirty thousand dollars or more:

(i) the principal political, executive and administrative officer of the county committee;

(ii) the power of general management over the affairs of the county committee;

(iii) the power to exercise the powers of the chairman of the county committee as provided for in the rules of the county committee;

(iv) the power to preside at all meetings of the county executive committee, if such a committee is created by the rules of the county committee or exists de facto, or any other committee or subcommittee of the county committee vested by such rules with or having de facto the power of general management over the affairs of the county committee at times when the county committee is not in actual session;

(v) the power to call a meeting of the county committee or of any committee or subcommittee vested with the rights, powers, duties or privileges of the county committee pursuant to the rules of the county committee, for the purpose of filling an office at a special election in accordance with [section 6-114 of the election law](#), for the purpose of filling a vacancy in accordance with section 6-116 of such law or for the purpose of filling a vacancy or vacancies in the county committee which exist by reason of an increase in the number of election districts within the county occasioned by a change of the boundaries of one or more election districts, taking effect after the election of its members, or for the purpose of determining the districts that the elected members shall represent until the next election at which such members of such committee are elected; provided, however, that in no event shall such power encompass the power of a chairperson of an assembly district committee or other district committee smaller than a county and created by the rules of the county committee, to call a meeting of such district committee for such purpose;

(vi) the power to direct the treasurer of the party to expend funds of the county committee; or

(vii) the power to procure from one or more bank accounts of the county committee the necessary funds to defray the expenses of the county committee; and

(c) the city, town or village chairman or leader of a city, town or village committee of a party as the term party is defined in [section 1-104 of the election law](#), but only with respect to a city, town or village having a population of fifty thousand or more, and only if such chairman or leader received compensation or expenses, or both, from constituted committee or political committee funds, or both, during the reporting period aggregating thirty thousand dollars or more. The term chairman or leader

is intended to refer to the person who performs the functions and duties of the chief official of a party in the city, town or village by whatever title designated.

The terms “constituted committee” and “political committee”, as used in this subdivision six, shall have the same meanings as those contained in [section 14-100 of the election law](#).

7. The term “relative” shall mean such individual's spouse, child, stepchild, stepparent, or any person who is a direct descendant of the grandparents of the reporting individual or of the reporting individual's spouse.

8. The term “unemancipated child” shall mean any son, daughter, stepson or stepdaughter who is under age eighteen, unmarried and living in the household of the reporting individual.

9. The term “appropriate body” or “appropriate bodies” shall mean the board of ethics for the political subdivision.

10. The term “regulatory agency” shall have the same meaning as ascribed to such term by [subdivision one of section seventy-three of the public officers law](#).

11. The term “ministerial matter” shall have the same meaning as ascribed to such term by [subdivision one of section seventy-three of the public officers law](#).

12. The term “local agency” shall mean:

(a) any county, city, town, village, school district or district corporation, or any agency, department, division, board, commission or bureau thereof; and

(b) any public benefit corporation or public authority not included in the definition of a state agency.

Credits

(Added L.1987, c. 813, § 13. Amended L.1993, c. 356, § 2; L.2013, c. 59, pt. J, § 5, eff. March 28, 2013; L.2014, c. 490, § 5, eff. Dec. 17, 2014.)

[Notes of Decisions \(2\)](#)

McKinney's General Municipal Law § 810, NY GEN MUN § 810

Current through L.2022, chapters 1 to 599. Some statute sections may be more current, see credits for details.

McKinney's Consolidated Laws of New York Annotated
General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 811

§ 811. Promulgation of form of annual statement of financial disclosure;
authority of governing body with respect to persons subject thereto

Effective: December 17, 2014

[Currentness](#)

1. (a) The governing body of each political subdivision may, not later than January first, nineteen hundred ninety-one, and the governing body of any other municipality may at any time subsequent to the effective date of this section, adopt a local law, ordinance, or resolution: (i) wherein it promulgates a form of annual statement of financial disclosure which is designed to assure disclosure by municipal officers and employees, which for the purposes of this section, the definition for which shall be modified so as to also include a city with a population of one million or more, and (in the case of a political subdivision or any other county, city, town or village) which is designed to assure disclosure by local elected officials and/or by local political party officials of such financial information as is determined necessary by the governing body, or (ii) wherein it resolves to continue the use of an authorized form of annual statement of financial disclosure in use on the date such local law, ordinance or resolution is adopted. In either event, such local law, ordinance or resolution if and when adopted shall specify by name of office or by title or classification those municipal officers and employees and (in the case of a political subdivision or any other county, city, town or village) those local elected officials and/or those local political party officials which shall be required to complete and file such annual statement.

(a-1) In a city with a population of one million or more, such local law, ordinance or resolution shall require, on two or more types of forms for annual statements of financial disclosure, disclosure of information that could reveal potential conflicts of interest as defined by chapter sixty-eight of the New York city charter.

(i) The disclosure required by such law, ordinance or resolution of such city shall, at a minimum, include information about any non-city employment or interests that may give rise to a conflict of interest, including, but not limited to, interests of the filer and his or her spouse or registered domestic partner, and unemancipated children, in: (A) real property located in such city, and (B) positions or business dealings with, financial interests in, or gifts from, any persons or firms or entities engaged in business dealings with such city.

(ii) In any such city, local elected officials and compensated local officers and employees, as defined in subdivisions two and three, respectively, of [section eight hundred ten](#) of this article, shall, at a minimum, disclose in addition to the information required by subparagraph (i) of this paragraph: (A) interests in a firm where the value of the interest is ten thousand dollars or more; (B) where the official, officer, or employee holds a policy-making position with such city, membership in the national or state committee of a political party or service as assembly district leader of a political party or service as the chair or as an officer of the county committee or county executive committee of a political party; (C) the names and positions of any spouse or registered domestic partner, child, stepchild, brother, sister, parent or stepparent holding a position with any such city; (D) each volunteer office or position held by the filer or his or her spouse or registered domestic partner with any not-for-profit organization engaged in business dealings with such city, except where the person volunteers only in a non-policy-making, non-

administrative capacity; and (E) agreements between the filer and any person or firm or entity engaged in business dealings with such city for future payment to or employment of the filer.

(iii) For purposes of this paragraph, the term “firm” shall have the same meaning as set forth in subdivision eleven of section twenty-six hundred one of the New York city charter.

(b) The governing body of a political subdivision or any other county, city, town or village, which requires the completion and filing of either of such forms of annual statements of financial disclosure by local or municipal officers and employees and/or by local elected officials shall have the power, if it so chooses, to require the completion and filing of such annual statements of financial disclosure by local political party officials as if such officials were officers or employees of such county, city, town or village, provided however, that a person who is subject to the filing requirements of both [subdivision two of section seventy-three-a of the public officers law](#) and of this subdivision may satisfy the requirements of this subdivision by filing a copy of the statement filed pursuant to [section seventy-three-a of the public officers law](#) with the appropriate body, as defined in [section eight hundred ten](#) of this article, on or before the filing deadline provided in such [section seventy-three-a](#), notwithstanding the filing deadline otherwise imposed by this subdivision.

(c) The governing body of a political subdivision or any other county, city, town or village which requires any local or municipal officer or employee or any local elected official or any local political party official to complete and file either of such annual statements of financial disclosure shall have, possess, exercise and enjoy all the rights, powers and privileges attendant thereto which are necessary and proper to the enforcement of such requirement, including but not limited to, the promulgation of rules and regulations pursuant to local law, ordinance or resolution, which rules or regulations may provide for the public availability of items of information to be contained on such form of statement of financial disclosure, the determination of penalties for violation of such rules or regulations, and such other powers as are warranted under the circumstances existing in its county, city, town or village.

(d) The local law, ordinance or resolution, if and when adopted, shall provide for the annual filing of completed statements with the board of ethics of the political subdivision or other municipality and shall contain the procedure for filing such statements and the date by which such filing shall be required. If the board of ethics is designated as the appropriate body, then such local law, ordinance or resolution shall confer upon the board appropriate authority to enforce such filing requirement, including the authority to promulgate rules and regulations. Any such local law, ordinance or resolution shall authorize exceptions with respect to complying with timely filing of such disclosure statements due to justifiable cause or undue hardship. The appropriate body shall prescribe rules and regulations related to such exceptions with respect to extensions and additional periods of time within which to file such statement including the imposition of a time limitation upon such extensions.

(e) Nothing herein shall be construed to prohibit a political subdivision or other municipality from promulgating the form of annual financial disclosure statement set forth in [section eight hundred twelve](#) of this article. Promulgation of the same form of annual financial disclosure statement set forth in [section eight hundred twelve](#) of this article shall not be deemed an automatic election to be subject to the provisions of such section.

2. In the event that a political subdivision fails by January first, nineteen hundred ninety-one to promulgate, or fails by such date to elect to continue using, a form of annual statement of financial disclosure in the manner authorized in subdivision one of this section then the provisions of [section eight hundred twelve](#) of this article shall apply on and after such date to any such political subdivision subject to the provisions of subdivision three of such [section eight hundred twelve](#).

Credits

(Added L.1987, c. 813, § 14. Amended L.2008, c. 41, § 1, eff. April 7, 2008; L.2014, c. 490, § 6, eff. Dec. 17, 2014.)

Notes of Decisions (5)

McKinney's General Municipal Law § 811, NY GEN MUN § 811

Current through L.2022, chapters 1 to 599. Some statute sections may be more current, see credits for details.

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McKinney's Consolidated Laws of New York Annotated
General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 812

§ 812. Financial disclosure for local elected officials and certain
officers and employees of counties, cities, towns and villages

Effective: December 17, 2014

[Currentness](#)

1. (a) Any political subdivision or other county, city, town or village to which all of the provisions of this section are made applicable, whether as the result of the provisions contained in [subdivision two of section eight hundred eleven](#) of this article or as a result of an election to be subject to the provisions of this section as permitted by subdivision two of this section, shall require (i) each of its local elected officials and local officers and employees, (ii) each local political party official and (iii) each candidate for local elected official with respect to such political subdivision, to file an annual statement of financial disclosure containing the information and in the form set forth in subdivision five of this section except that disclosure requirements for assessors who are not covered by this article shall be governed by the requirements of [section three hundred thirty-six of the real property tax law](#). Such statement shall be filed on or before the fifteenth day of May with respect to the preceding calendar year, except that:

(i) a person who is subject to the reporting requirements of this subdivision and who timely filed with the internal revenue service an application for automatic extension of time in which to file his or her individual income tax return for the immediately preceding calendar or fiscal year shall be required to file such financial disclosure statement on or before May fifteenth but may, without being subjected to any civil penalty on account of a deficient statement, indicate with respect to any item of the disclosure statement that information with respect thereto is lacking but will be supplied in a supplementary statement of financial disclosure, which shall be filed on or before the seventh day after the expiration of the period of such automatic extension of time within which to file such individual income tax return, provided that failure to file or to timely file such supplementary statement of financial disclosure or the filing of an incomplete or deficient supplementary statement of financial disclosure shall be subject to the notice and penalty provisions of this section respecting annual statements of financial disclosure as if such supplementary statement were an annual statement;

(ii) candidates for local elected official who file designating petitions for nomination at a primary election shall file such statement within seven days after the last day allowed by law for the filing of designating petitions naming them as candidates for the next succeeding primary election;

(iii) candidates for independent nomination for local elected official who have not been designated by a party to receive a nomination shall file such statement within seven days after the last day allowed by law for the filing of independent nominating petitions naming them as candidates for local elected official in the next succeeding general or special or village election; and

(iv) candidates for local elected official who receive the nomination of a party for a special election or who receive the nomination of a party other than at a primary election (whether or not for an uncontested office) shall file such statement within seven days after the date of the meeting of the party committee at which they are nominated.

(b) As used in this subdivision, the terms “party”, “committee” (when used in conjunction¹ with the term “party”), “designation”, “primary”, “primary election”, “nomination”, “independent nomination”, “ballot” and “uncontested office” shall have the same meanings as those contained in [section 1-104 of the election law](#).

(c) Such statement shall be filed with the appropriate body, as defined in [section eight hundred ten](#) of this article.

(d) The appropriate body, as defined in [section eight hundred ten](#) of this article, shall obtain from the “board of elections”, as such term is defined in [section 1-104 of the election law](#), lists of all candidates for local elected official, and from such lists, shall determine and publish lists of those candidates who have not, within ten days after the required date for filing such statement, filed the statement required by this subdivision.

(e) Local political party officials and any person required to file such statement who commences employment after May fifteenth of any year shall file such statement within thirty days after commencing employment or of taking the position of local political party official, as the case may be.

(f) A person who is subject to the filing requirements of both [subdivision two of section seventy-three-a of the public officers law](#) and of this subdivision may satisfy the requirements of this subdivision by filing a copy of the statement filed pursuant to [section seventy-three-a of the public officers law](#) with the appropriate body, as defined in [section eight hundred ten](#) of this article, on or before the filing deadline provided in such [section seventy-three-a](#), notwithstanding the filing deadline otherwise imposed by this subdivision.

(g) A person who is subject to the filing requirements of this subdivision from more than one political subdivision within the same county may satisfy the requirements of this subdivision by filing only one annual statement of financial disclosure with the appropriate body (as is required in that county) for the county in which such political subdivisions are located or if such political subdivisions cross one or more county boundary lines, then such single filing may be made for any of the counties in which one of such political subdivisions is located provided, however, that the appropriate bodies (as required by such other counties) are notified of the name of the county of such compliance by the person who is subjected to the filing requirements of this subdivision, within the time limit for filing specified in this subdivision.

(h) A local elected official who is simultaneously a candidate for local elected official shall satisfy the filing deadline requirements of this subdivision by complying only with the deadline applicable to one who holds such local elected office.

(i) A candidate whose name will appear on both a party designating petition and on an independent nominating petition for the same office or who will be listed on the election ballot for the same office more than once shall satisfy the filing deadline requirements of this subdivision by complying with the earliest applicable deadline only.

2. The governing body of a county, city, town or village having a population of less than fifty thousand may by local law or ordinance elect to be subject to the provisions of this section. In such event, any such city, county, town or village shall be deemed to be a political subdivision under this section.

3. Any political subdivision or other county, city, town or village to which all of the provisions of this section are made applicable, whether as a result of the provisions contained in [subdivision two of section eight hundred eleven](#) of this article or as a result of an election to be subject to the provisions of this section as permitted by subdivision two of this section, may elect to remove itself from the ambit of all (but not some) provisions of this section (other than this subdivision) by adopting a local law, ordinance or resolution specifically referring to the authority conferred by this subdivision. Provided, however, that the terms of such local law, ordinance or resolution shall be subject to the following conditions and limitations:

(a) Such local law, ordinance or resolution must provide for the promulgation of a form of an annual statement of financial disclosure described in [subdivision one of section eight hundred eleven](#) of this article for use with respect to information the governing body requires to be reported for the calendar year next succeeding the year in which such local law, ordinance or resolution is adopted and for use with respect to information required to be reported for subsequent calendar years; and shall provide for the filing of completed statements with the board of ethics of the political subdivision or other municipality.

(b) Such removal shall not be effective with respect to the annual financial disclosure statement for the calendar year in which the local law, ordinance or resolution is adopted (the filing of which statement is due on May fifteenth of the next succeeding year with certain exceptions), nor shall such removal be effective with respect to any required annual financial disclosure statement for the immediately preceding calendar year (the filing of which statement is due on May fifteenth (with certain exceptions) of the calendar year in which such local law, ordinance or resolution is adopted), nor shall such removal be effective with respect to any other preceding year but such removal shall apply first to the statement which would have been due on May fifteenth (with certain exceptions) of the second year next succeeding the year in which such local law, ordinance or resolution is adopted, and such removal shall apply thereafter to subsequent statements otherwise due pursuant to this section.

(c) Such removal shall not affect the power to impose, or the imposition of, a penalty for failure to file, or for false filing, of any required annual financial disclosure statement.

(d) The local law, ordinance or resolution referred to in paragraph (a) of this subdivision or any other such local law, ordinance or resolution so adopted may make provision for any other right, power or privilege granted by subdivision one of such [section eight hundred eleven](#).

4. Nothing contained in this section shall be construed as precluding the governing body of a political subdivision from requiring additional and/or more detailed items of financial disclosure than are set forth in subdivision five hereinbelow.

5. The annual statement of financial disclosure shall contain the information and shall be in the form set forth hereinbelow:

ANNUAL STATEMENT OF FINANCIAL DISCLOSURE FOR%tc

(Insert Name of Political Subdivision) - (For calendar year _____)

1. Name

- 2. (a) Title of Position
- (b) Department, Agency or other Governmental Entity
- (c) Address of Present Office
- (d) Office Telephone Number
- 3. (a) Marital Status _____. If married, please give spouse's full name including maiden name where applicable.
_____.
- (b) List the names of all unemancipated children.

Answer each of the following questions completely, with respect to calendar year _____, unless another period or date is otherwise specified. If additional space is needed, attach additional pages.

Whenever a "value" or "amount" is required to be reported herein, such value or amount shall be reported as being within one of the following Categories: Category A - under \$5,000; Category B - \$5,000 to under \$20,000; Category C - \$20,000 to under \$60,000; Category D - \$60,000 to under \$100,000; Category E - \$100,000 to under \$250,000; and Category F - \$250,000 or over. A reporting individual shall indicate the Category by letter only.

For the purposes of this statement, anywhere the term "local agency" shall appear such term shall mean a local agency, as defined in [section eight hundred ten of the general municipal law](#), of the political subdivision for which this financial disclosure statement has been filed.

- 4. (a) List any office, trusteeship, directorship, partnership, or position of any nature including honorary positions, if known, and excluding membership positions, whether compensated or not, held by the reporting individual with any firm, corporation, association, partnership, or other organization other than the State of New York or (insert name of political subdivision). If said entity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before, any state or local agency, list the name of any such agency.

<u>Position</u>	<u>Organization</u>	<u>State or</u> <u>Local Agency</u>
-----------------	---------------------	--

- (b) List any office, trusteeship, directorship, partnership, or position of any nature including honorary positions, if known, and excluding membership positions, whether compensated or not, held by the spouse or unemancipated child of the reporting individual, with any firm, corporation, association, partnership, or other organization other than the State of New York. If said entity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant part of the

by, the reporting individual or such individual's spouse or by any proprietorship, partnership or corporation in which the reporting individual or such individual's spouse has an interest, when incurred or made in the ordinary course of the trade, business or professional practice of the reporting individual or such individual's spouse. Include the name of the creditor and any collateral pledged by such individual to secure payment of any such liability. A reporting individual shall not list any obligation to pay maintenance in connection with a matrimonial action, alimony or child support payments. Revolving charge account information shall only be set forth if liability thereon is in excess of \$5,000 at the time of filing. Any loan issued in the ordinary course of business by a financial institution to finance educational costs, the cost of home purchase or improvements for a primary or secondary residence, or purchase of a personally owned motor vehicle, household furniture or appliances shall be excluded. If any such reportable liability has been guaranteed by any third person, list the liability and name the guarantor.

<u>Name of Creditor or Guarantor</u>	<u>Type of Liability and Collateral, if any</u>	<u>Category of Amount</u>
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The requirements of law relating to the reporting of financial interests are in the public interest and no adverse inference of unethical or illegal conduct or behavior will be drawn merely from compliance with these requirements.

(Signature of Reporting Individual)

Date (month/day/year)

6. A reporting individual who knowingly and wilfully fails to file an annual statement of financial disclosure or who knowingly and wilfully with intent to deceive makes a false statement or gives information which such individual knows to be false on such statement of financial disclosure filed pursuant to this section shall be assessed a civil penalty in an amount not to exceed ten thousand dollars. Assessment of a civil penalty hereunder shall be made by the appropriate body, as such term is defined in [section eight hundred ten](#) of this article. For a violation of this subdivision, other than for conduct which constitutes a violation of [subdivision twelve of section seventy-three of the public officers law](#), the board of ethics of the political subdivision or other municipality may, in lieu of a civil penalty, refer a violation to the appropriate prosecutor and upon such conviction, but only after such referral, such violation shall be punishable as a class A misdemeanor. A civil penalty for false filing may not be imposed hereunder in the event a category of “value” or “amount” reported hereunder is incorrect unless such reported information is falsely understated. Notwithstanding any other provision of law to the contrary, no other penalty, civil or criminal may be imposed for a failure to file, or for a false filing, of such statement, except that the appointing authority may impose disciplinary action as otherwise provided by law. Each appropriate body, as such term is defined in [section eight hundred ten](#) of this article, shall adopt rules governing the conduct of adjudicatory proceedings and appeals relating to the assessment of the civil penalties herein authorized. Such rules shall provide for due process procedural mechanisms substantially similar to those set forth in article three of the state administrative procedure act but such mechanisms need not be identical in terms or scope. Assessment of a civil penalty shall be final unless modified, suspended or vacated within thirty days of imposition and upon becoming final shall be subject to review at the instance of the affected reporting individual in a proceeding commenced against the appropriate body, pursuant to article seventy-eight of the civil practice law and rules.

Credits

(Added L.1987, c. 813, § 15. Amended L.2004, c. 85, § 1, eff. May 18, 2004; L.2014, c. 490, § 7, eff. Dec. 17, 2014.)

[Notes of Decisions \(3\)](#)

Footnotes

1 So in original. (word misspelled.)

McKinney's General Municipal Law § 812, NY GEN MUN § 812

Current through L.2022, chapters 1 to 599. Some statute sections may be more current, see credits for details.

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McKinney's Consolidated Laws of New York Annotated
General Municipal Law (Refs & Annos)
Chapter 24. Of the Consolidated Laws
Article 18. Conflicts of Interest of Municipal Officers and Employees (Refs & Annos)

McKinney's General Municipal Law § 813

§ 813. Repealed by L.2014, c. 490, § 1, eff. Dec. 17, 2014

Effective: December 17, 2014

[Currentness](#)

McKinney's General Municipal Law § 813, NY GEN MUN § 813

Current through L.2022, chapters 1 to 599. Some statute sections may be more current, see credits for details.

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VILLAGE OF PLEASANTVILLE

Board of Ethics

Rules and Procedures

These guidelines are intended to provide for the efficient working of the Board of Ethics. They are to be followed in the spirit in which they are written, rather than strict rules and regulations.

1. **Quorum**: A quorum shall be two voting members of the Board of Ethics.
2. **Action**: An affirmative vote of at least two members shall be required to approve any decision of the Board of Ethics.
3. **Rules for Order**: For procedures not covered herein, Robert's Rule of Order for Small Organizations shall govern.
4. **Meetings**:
 - a. **Frequency**: The Board of Ethics shall hold meetings on a monthly basis if necessary to address pending business. However, it is not required to schedule meetings in the months of August and December.
 - b. **Time**: Meetings shall be scheduled in the evenings between 6:30 pm and 8:00 pm, or in the event a matter must be addressed expeditiously, meetings may be held at other times.
 - c. **Location**: Meetings shall be held at Village Hall. Virtual attendance by Board Members is permitted in compliance with Village Law Section 18-3.
 - d. **Scheduling**: Meetings shall be scheduled as needed. Meetings may be called by the Chair or by any two Board members acting in concert.
 - e. **Announcement**: The date, time, location and proposed agenda of a meeting shall be posted on the Village Website and notice shall be given to the local newspaper at least seven (7) days prior to the meeting. In the event of an emergency, a meeting may be called with less than (7) seven days' notice.
 - f. **Minutes**: Unless otherwise required by law, within two weeks of a meeting, the Board of Ethics shall file with the Village Clerk the approved minutes of the meeting. It is expected that the Village Clerk's office will post the approved minutes on the Village Website as soon as practical after receipt.

- g. Presiding Officer: The Chairman shall preside over meetings. If the Chairman is absent, the members shall choose one of their members present to serve as acting chairman for the duration of the meeting.
- h. Agenda: At the discretion of the Chairman, an agenda may be proposed for each meeting. Among the items that the Chairman shall consider in developing the proposed agenda shall be agenda items agreed to at the previous meeting, items proposed by members of the Board of Ethics, and new business concerning matters raised with or referred to the Board of Ethics since the previous meeting.
- i. Public Participation: The Public may and is encouraged to attend the open meetings of the Board of Ethics. The Public does not attend when the Board convenes in Executive Session. At open meetings, allowing the public to speak is within the discretion of the Board. A public comment period may be scheduled on the agenda. Public comment is subject to the necessary rule of avoiding excessive repetition, obstructionism or personal attacks. The Chairman or majority of the members present may rule that a speaker is out-of-order.

5. **Receipt and Investigation of Complaints:**

- a. Governing Law:
 - i. A complaint is a concern conveyed to the Board of Ethics in writing regarding allegations of violations of the Ethics Code of the Village of Pleasantville and/or Article 18 of the General Municipal Law of the State of New York.
 - ii. As established by law, the Board of Ethics shall have such powers and duties as shall be provided by, or pursuant to, Article 18 of the General Municipal Law of the State of New York and the Ethics Code of the Village of Pleasantville.
 - iii. Pursuant to Village Code § 14-5.D, the Board of Ethics shall have the power and duty to conduct investigations upon receipt of a signed Complaint Form by any elected official, officer or person appointed or employed by the Village alleging any violation of the Ethics Code of the Village of Pleasantville and/or Article 18 of the General Municipal Law of the State of New York.
- b. General Protocol:
 - i. All complaints must be made in writing on the signed Complaint Form and submitted to the Village Clerk.

- ii. All complaints will be reviewed by the Board of Ethics at a regular meeting. In the event it is necessary to ensure the protection of personal privacy or confidential matters, complaints shall be discussed in an Executive Session.
 - iii. The members of the Board of Ethics may seek to obtain information on matters before it by requesting information from persons filing a complaint or others that may have knowledge of the complaint, or request that an investigation be conducted by the Village Attorney, provided that the majority of the members of the Board of Ethics agree with such a course of action.
 - iv. Discussions held in an Executive Session shall remain confidential and will not be disclosed.
 - v. Board members shall recuse themselves from participation in discussions, deliberations, or voting in any matter in which they have an actual, potential, or which may create an appearance of a conflict of interest.
 - vi. All actions, decisions and recommendations of the Board of Ethics shall be by majority vote.
 - vii. Except to the extent such records must be disclosed under the Freedom of Information Law, the complaint records shall remain confidential.
- c. Receipt of Complaints:
- i. The written complaint should be signed and include the individual complainant's address and set forth reasonable detail and any documentation of the facts alleged to constitute a violation of the Ethics Code of the Village of Pleasantville and/or Article 18 of the General Municipal Law of the State of New York.
- d. Initial Review of Complaint. The Board of Ethics shall conduct an initial Complaint Review.
- i. Upon receipt of complaint, the Board of Ethics shall determine whether upon its face, the complaint alleges a violation of the Ethics Code of the Village of Pleasantville and/or Article 18 of the General Municipal Law of the State of New York. In the event the Board of Ethics finds no substance to the complaint, it will be dismissed. The Board shall notify in writing the complainant of its determination in writing.
 - ii. The Board of Ethics may request additional information or clarification from complainant to make this initial determination.

- iii. If the Board deems the complaint complete, the Board shall proceed to Complaint Review.
- e. Complaint Review:
 - i. The Board of Ethics shall conduct an investigation of the complaint against the officer, employee, or elected official.
 - ii. Upon a request for an opinion from anyone other than the officer or employee concerned, the Board shall advise such officer or employee of the request and afford him or her an opportunity to be heard, in person and in writing.
 - iii. The officer, employee, or elected official who is the subject of the complaint, shall be afforded an opportunity to present evidence to the Board of Ethics. In the absence of such evidence, the Board may conduct its investigation and reach its conclusions based on the evidence available.
- f. Investigations:
 - i. In recognition of the need to properly address issues brought to the Board of Ethics, depending on their scope and complexity, the Board of Ethics may request the Village Board of Trustees to provide it with the assistance of Village counsel. . If the subject of an inquiry is a member of the Village Board of Trustees, the Board of Ethics may also request the Village Board of Trustees provide it with an outside counsel pursuant to General Municipal Law § 808.
 - ii. The Board of Ethics will use its best efforts to avoid interference with criminal investigations, will refer suspected criminal misconduct to the Village Board of Trustees and the District Attorney at the Village Board of Trustees' discretion and will refrain from acting while a criminal investigation is pending.
- g. Advisory Opinion:
 - i. At the conclusion of its investigation, the Board of Ethics shall render an Advisory Opinion in writing to the complainant.
 - ii. The advisory opinion shall include:
 - [1] The name and position of the Village officer, employee or elected official under investigation;
 - [2] The nature of the alleged violation;

- [3] The specific provision of the Code of Ethics or General Municipal Law which the Village officer, employee or elected official is alleged to have violated;
 - [4] A summary of the evidence and factual claims supporting or refuting the alleged violation; and
 - [5] The final conclusion of the Board of Ethics as to whether the violation occurred.
 - [6] A recommendation as to a proposed remedy in the event a violation of the Code of Ethics or General Municipal Law exists.
- iii. The Advisory Opinion shall be a matter of public record unless it contains information that may be considered to violate personal privacy or may otherwise be exempt, in whole or in part, from the Freedom of Information Law. An Advisory Opinion that finds no violation of the Code of Ethics or General Municipal Law may not be released to the public unless consented to by the individual named in the Complaint. Advisory Opinions requested by elected officials, officers and persons appointed by the village are not required to be released to the public.
6. **Amendments to the Guidelines:** These Rules and Procedures may be amended at a public meeting of this Board by a majority vote of the members.

VILLAGE OF PLEASANTVILLE
BOARD OF ETHICS

COMPLAINT FORM

Definition: A Complaint is a concern conveyed to the Board of Ethics in writing regarding allegations of violations of the Village of Pleasantville Ethics Law set forth in Chapter 14 of the Village Code or Article 18 of the General Municipal Law of the State of New York.

This Complaint Form may be submitted to the Board of Ethics by any elected official, officer or person appointed or employed by the Village.

Date: _____

Name: _____

E-mail: _____ Phone: _____

Address: _____

NAME OF THE OFFICER(S), EMPLOYEE(S) OR BOARD MEMBER(S) WHO IS/ARE THE SUBJECT OF THE COMPLAINT:

Names(s): _____

Date(s) of alleged violation(s): _____

Nature of
Complaint: _____

List or attach documentation
available: _____

Signature: _____

Print your name: _____

Title: _____