

Local Law Filing

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

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

County City Town Village
(Select one:)

of East Greenbush _____

Local Law No. _____ of the year 20¹⁵

A local law amending the Code of Ethics of the Town of East Greenbush, in relation to the receipt and
(Insert Title)
investigation of complaints.

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

County City Town Village
(Select one:)

of East Greenbush _____ as follows:

(see attached pages)

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

SECTION 1.

Local Law Number 3 of the year 2013 is amended by adding a new subdivision (c) to Section 19.

(c) *Receipt and investigation of complaints*

(1) In addition to the other powers and duties granted to the board of ethics above, the board shall have the authority to receive from any person a written complaint alleging a violation by any officer or employee of the Town of the provisions of this article. The board of ethics may prescribe a form for such complaint.

The written complaint must be signed and notarized, shall include the individual complainant's address, and set forth in reasonable detail and documentation, if any, the facts alleged to constitute the violation(s). Within 15 business days of receipt of a complaint, the board of ethics, by a member, shall send a written acknowledgement that the complaint has been received.

(2) The identity of individuals filing complaints with the board shall remain confidential. All proceedings and actions relating to any complaint received by the board of ethics, including interviews, reviews of documents and other evidence, and deliberations, shall be held in executive session.

(3) If the board, after reviewing the complaint, determines that it does not state a violation of the code, it shall take no further action. If the board determines that the complaint states a violation of the code, it may make such investigation as it deems proper. If, after such investigation, it determines that there is inadequate proof, the board shall make a determination to take no action. In either case, the complainant shall be notified of the board's action.

(4) If the board determines, after review of the complaint and such further investigation as the board deems necessary, that a preponderance of the evidence shows

that a violation of the code of ethics has occurred, the board shall prepare and submit to the town board a written report, setting forth the allegations in the complaint, a summary of the board's investigation, and the board's determination that adequate evidence exists that a violation of the code of ethics has occurred. A copy of the report shall be provided to the town official or employee who is the subject of the report. The report shall be a public document.

(5) If a complaint is received that is duplicative of a complaint already in front of the board of ethics, it may be combined into a single complaint. In order for a complaint to be deemed duplicative it must be:

- a. Against the same person;
- b. For the same violation; and
- c. For the same circumstance.

Repetitive violations whose only difference is the day or time at which they occurred will be considered duplicative.

SECTION 2.

This local law shall take place immediately upon filing with the Secretary of State's office.

Local Law Filing

Instructions

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

PLEASE OBSERVE THESE INSTRUCTIONS FOR FILING LOCAL LAWS WITH THE SECRETARY OF STATE

1. Each local law shall be filed with the Secretary of State within 20 days after its final adoption or approval as required by section 27 of the Municipal Home Rule Law. The cited statute provides that a local law shall not become effective before it is filed in the office of the Secretary of State.
2. Each local law to be filed with the Secretary of State shall be an original certified copy.
3. Each local law shall be filed on a form provided by the Department of State. If additional pages are required, they must be the same size as the form. Typewritten copies of the text may be attached to the form. Only legible copies will be accepted.
4. File only the number, title and text of the local law.
5. In the case of a local law amending a previously enacted local law, the text must be that of the law as amended. Do not include any matter in brackets, with a line through it, italicized or underscored to indicate the changes made. The printed number of the bill and explanatory matter must be omitted.
6. For the purpose of filing a local law with the Department of State, number each local law consecutively, beginning with the number one for the first local law filed in each calendar year. The next number in sequence should be applied to each local law when it is submitted for filing, regardless of its date of introduction or adoption. The date of filing of a local law is the date on which the local law is placed on file by the Department.

It is suggested that municipalities use introductory identifying bill numbers for proposed local laws. After the local law is enacted (and approved by the voters, if required), the local law should then be numbered with the next consecutive local law number, as described above, and then submitted to the Department for filing.

7. Each copy of a local law filed with the Secretary of State shall have affixed to it a certification by the Clerk of the County legislative body or the City, Town or Village Clerk or other officer designated by the local legislative body. Certification forms are provided herewith.
8. A copy of each local law may be mailed or delivered to:
NYS Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231.

(DO NOT FILE THIS INSTRUCTION SHEET WITH THE LOCAL LAW.)