

Dear Supervisor Barber-

The proposed changes to the Ethics Code are consistent with what we discussed last week, and should facilitate scheduling and conducting Ethics Board meetings going forward.

As we discussed, vacancies and/or temporary absences from the ability to serve on the Ethics Board have occurred in recent years. The inability of appointed Board members to serve has occurred for a number of reasons, including moving out of Town by one Board member, the death of another Board member, and the temporary unavailability of other Board members to attend scheduled meetings due to illness, work commitments and/or other personal or family obligations. There has been some difficulty in scheduling meetings that could be attended by a quorum of the Board, under the existing Town Code, which presently requires that a quorum of four (4) Board members be present for the Board to lawfully conduct its business, **out of the seven (7) member Board presently called for by Section 33-16, par. A of the Town Code.**

The proposed changes to the Ethics Code, by reducing the number of Board members to five (5) and allowing the Town Attorney to serve as a member if needed to establish a quorum, will be helpful to ensure that the business of the Ethics Board can be conducted in an efficient and timely manner.

Very Truly Yours,

Robert A, Murphy, Jr.
Chairman
Guilderland Ethics Board

TOWN OF GUILDERLAND
LOCAL LAW NO. ___ of 2023
AMENDING TOWN CODE, CHAPTER 33 (CODE OF ETHICS)

BE IT ENACTED by the Town Board of the Town of Guilderland that Section 33-16 of Chapter 33 (Code of Ethics) is amended, with *additions* and ~~subtractions~~, as follows:

§ 33-16 Ethics Board: establishment; qualifications of members; appointment of members; term of office.

- A. There is hereby established an Ethics Board consisting of *five seven* members. *At the discretion of the Chairperson, the Town Attorney may serve as a member to establish a quorum.*
- B. The members of the Ethics Board shall be residents of the Town.
- C. No member of the Ethics Board may be a Town officer or employee.
- D. Of the total membership of the Ethics Board, no more than *two three* shall be registered in the same political party, *with the exception of the Town Attorney who, under § 33-16(A), is serving as a member to establish a quorum.*
- E. No Ethics Board member shall hold office concurrently in a political party or hold elective office in any local, state or federal government. An Ethics Board member may make campaign contributions and may participate in any election campaign.
- F. ~~*Within 30 days after the effective date of this chapter, and no later than December 31 each year thereafter, the Town Board shall appoint the members of the Ethics Board.*~~
- ~~GF.~~ The term of office of Ethics Board members shall be three years and shall run from January 1 through December 31, ~~*except that of the members first appointed two members shall serve until December 31 of the year in which the Ethics Board is established, two shall serve until the second December 31, and three shall serve until the third December 31.*~~
- ~~HG.~~ An Ethics Board member shall serve until his or her successor has been appointed. Consecutive service on the Ethics Board shall not exceed ~~three two~~ consecutive three-year terms.
- ~~IH.~~ The members of the Ethics Board shall not receive compensation but are authorized to incur any and all expenses necessary to effectuate the purposes of the Ethics Board within amounts which are to be appropriated by the Town Board annually.

This amendment shall take effect upon the filing of this Local Law with the NYS Secretary of State.