



**New Hire Packet - Full-Time Employee**

Welcome to the Town of West Seneca! As part of your onboarding process, we will need you to complete ALL REQUIRED DOCUMENTS in the new hire packet. Below is a list of the documents included in the new hire packet. ALL ARE REQUIRED unless otherwise noted as optional. Please complete all required documents before submitting them to Human Resources. Use the Document List below to confirm you have completed all the required documents. Please be aware that incomplete paperwork may delay your expected start date.

Please note that your appointment is pending successful completion of the employment contingencies and approval from the West Seneca Town Board. Failure to meet the contingency requirements may impact your employment with the Town of West Seneca.

If you have any questions, please feel free to reach out to Lisa Scibetta, HR Director at [lscibetta@twсны.org](mailto:lscibetta@twсны.org) or by phone at (716) 558-3267.

<b>DOCUMENT NAME</b>	<b>CHECK WHEN COMPLETED</b>
APPLICATION	_____
ECO CHANGE FORM	_____
EMERGENCY CONTACT FORM	_____
W4	_____
IT2104	_____
I-9**	_____
EEO1	_____
PHYSICAL	_____
BACKGROUND CHECK AUTHORIZATION	_____
DRUG TEST AUTHORIZATION	_____
MV AUTHORIZATION AND DRIVER INFO	_____
DIRECT DEPOSIT FORM	_____
NYSLRS MEMBERSHIP REGISTRATION	_____
CODE OF ETHICS AND ACKNOWLEDGEMENT	_____

Univera Healthcare Plan Information and Enrollment Form Provided Separately  
 CSEAEBF Enrollment Form for Dental and Vision Provided Separately  
 NYS Deferred Compensation Program Information Provided Upon Request

**\*\* Be sure to review page 2 - a list of acceptable documents - and bring with you when you submit your completed paperwork.**

**HEALTHWORKS EMPLOYER'S AUTHORIZATION – Bring to your drug screening with a photo ID**



## APPLICATION FOR EMPLOYMENT

All applicants are considered for all positions without regard to race, color, citizenship status, religion, gender (including pregnancy), national origin, ancestry, age, physical or mental disability, domestic victim status, sexual orientation, marital status, military status, or any other characteristic protected by law, ordinance, or regulation. Those applicants requiring accommodation to complete the application and/or interview process should contact Human Resources. Please print.

Position(s) Applied for		Date of Application	
Print Name (Last, First, & Middle)		Other Names Used	
Street Address		City	State
Home Phone Number	Cell Phone Number	Email	

Have you ever worked for the Town of West Seneca before?..... Yes  No

If yes, please give dates and position: \_\_\_\_\_

### DEPARTMENT DESIRED

Please mark next to any departments for which you are applying. For certain positions, there are specific certifications that are required.

Highway   
  Buildings & Grounds   
  Engineering   
  Police   
  Clerk's Office  
 Senior Center   
  Assessor's Office   
  Recreation   
  Code Enforcement

Position Applying For: \_\_\_\_\_ Are you at least 16 years old?  Yes  No

### EMPLOYMENT EXPERIENCE

Please list the names of your present or previous employers in chronological order with present or most recent employer listed first. Be sure to account for all periods of time. If self-employed, please provide the name of the firm. [Add additional page if necessary]

Company Name & Address	Position	Dates From/To	Reason for Leaving
1.) _____ _____	_____	_____ (mm/yy-mm/yy)	_____
2.) _____ _____	_____	_____ (mm/yy-mm/yy)	_____

Have you ever been involuntarily terminated or asked to resign from any job?..... Yes  No

If yes, please explain:

Please explain any gaps in your employment history:

--

Please list any other experience, job related skills, additional languages, certifications and/or specialized training or other qualifications that you believe should be considered in evaluating your application for employment.

--

**EDUCATION**

Please describe your educational background in the table provided below:

	School Name	Years Completed	Diploma/ Degree (Yes/No)	Course of Study/Major
High School				
College/ University				
Graduate/ Professional School				
Trade School				
Other				
Military Service				

**PROFESSIONAL AND PERSONAL REFERENCES**

Please list one to two professional/personal references of individuals who are **not** related to you:

Name and Title	Relationship and Years Acquainted	Phone Number or Email

**GENERAL INFORMATION**

1. On what date are you available to begin work? \_\_\_\_\_

2. Days/Hours available to work:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday

3. Are you available to work?  Full-time  Part-time  Seasonal

If seasonal, what date do you need to end work? \_\_\_\_\_

4. Minimum salary desired.....Per Hour \$\_\_\_\_\_ Per Month \$\_\_\_\_\_

5. If hired, would you have a reliable means of transportation to and from work?..... Yes  No

- a. Do you have a valid NY driver license?.....  Yes  No
- 6. Are you at least 18 years old?..... Yes  No
  - a. Note: If under 18, hire is subject to verification that you are of minimum legal age.
- 7. If hired, can you present evidence of your identity and legal right to work in this country?..... Yes  No
- 8. Are you able to perform the essential job functions of the job for which you are applying with or without reasonable accommodation?..... Yes  No
  - a. Note: We comply with the ADA and consider reasonable accommodation measures that may be necessary for qualified applicants/employees to perform essential job functions.

**Applicant Statement and Agreement**

Please read and initial each paragraph below. If there is anything that you do not understand, please ask.

\_\_\_\_\_ I hereby authorize the Town to thoroughly investigate my references, work record, education and other matters related to my suitability for employment and, further, authorize the prior employers and references I have listed to disclose to the Town any and all letters, reports and other information related to my work records, without giving me prior notice of such disclosure. In addition, I hereby release the Town, my former employers and all other persons, corporations, partnerships and associations from any and all claims, demands or liabilities arising out of or in any way related to such investigation or disclosure. My employment is contingent upon acceptable results of a drug screen, background check, and driving history. My employment is also contingent upon providing to the Town a receipt of a medical physical.

\_\_\_\_\_ In the event of my employment with the Town, I understand that I am required to comply with all rules and regulations of the Town.

\_\_\_\_\_ If hired, unless subject to any other agreement, I understand and agree that my employment with the Town is at-will, and that neither I, nor the Town is required to continue the employment relationship for any specific term. I further understand that the Town or I may terminate the employment relationship at any time, with or without cause, and with or without notice. I understand that the at-will status of my employment cannot be amended, modified, or altered in any way by any oral modifications.

\_\_\_\_\_ I hereby certify that the answers given by me are true and correct to the best of my knowledge. I further certify that I, the undersigned applicant, have personally completed this application. I understand that any omission or misstatement of material fact on this application or on any document used to secure employment shall be grounds for rejection of this application or for immediate discharge if I am employed, regardless of the time elapsed before discovery.

\_\_\_\_\_ I understand that if I am selected for hire, it will be necessary for me to provide satisfactory evidence of my identity and legal authority to work in the United States, and that federal immigration laws require me to complete a Form I-9 in this regard.

\_\_\_\_\_ I understand that if any term, provision, or portion of this Agreement is declared void or unenforceable, it shall be severed and the remainder of this Agreement shall be enforceable.

**MY SIGNATURE BELOW ATTESTS TO THE FACT THAT I HAVE READ, UNDERSTAND, AND AGREE TO ALL OF THE ABOVE TERMS.**

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

## Employee Change Form Information

For Supplementary Payroll Certification Report of Personnel Change to Erie County

Effective Date:

Employee Data			
Social Security Number:		Retirement Number:	
Name (Last, First):		Veteran Exemption (Y/N):	
Street Address:		Dates of Service:	From: To:
City/Town:		Volunteer Firemen: (Y/N)	
Zip Code:		Dates of Service:	From: To:

Title – Classification – Salary Information			
Are you currently employed by the Town of West Seneca? (Y/N)			
If “yes”, complete below. If “no”, leave blank:		Must be completed:	
Current Title:		New Title:	
Current Salary:		New Salary:	
Type (Check One):	Meeting	Type (Check One):	Meeting
	Daily		Daily
	Hourly		Hourly
	Weekly		Weekly
	BiWeekly		BiWeekly
	Quarterly		Quarterly
	Annually		Annually
Classification: (Check One)	Competitive	Classification: (Check One)	Competitive
	Non-Competitive		Non-Competitive
	Labor		Labor
	Exempt		Exempt
	Unclassified		Unclassified

Employee Type – For Temporary Appointment, WRITE IN END DATE			
Full Time Permanent		Part Time Temporary Seasonal	
Full Time Provisional		Regular Part Time Permanent	
Full Time Temporary		Regular Part Time Temporary	
Part Time Regular Permanent		Full Time Contingent Permanent	
Part Time Temporary		Part Time Provisional	
Part Time Permanent		Regular Part Time Provisional	



## Emergency Contact Sheet

Name: \_\_\_\_\_

In the event of an emergency situation, please contact the following individual(s):

	Primary Contact:	Secondary Contact:
Contact Name:	_____	_____
Relationship:	_____	_____
Daytime Phone Number:	_____	_____
Home Phone Number:	_____	_____
Cellular Phone Number:	_____	_____

**\*\*\*DON'T FORGET HEALTH INSURANCE & RETIREMENT SYSTEM\*\*\***

If you have health insurance with the Town and/or are a member of the NYS Retirement System, please call the following numbers for a change of address.

Blue Cross Blue Shield: 1-800-544-2583

NYS Retirement System: 1-866-805-0990

In the event of an emergency, each employee's emergency contact information may be accessed confidentially by Department Heads. If you do not wish to have your emergency contact information shared with the Department Heads, please initial here: \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Should any of the above information change, please submit revisions to a member of the Human Resources Department.

Payroll \_\_\_\_\_

Benefits \_\_\_\_\_

HR \_\_\_\_\_

# Employee's Withholding Certificate

Complete Form W-4 so that your employer can withhold the correct federal income tax from your pay.  
**Give Form W-4 to your employer.**  
 Your withholding is subject to review by the IRS.

**2025**

<b>Step 1:</b> <b>Enter Personal Information</b>	(a) First name and middle initial	Last name	(b) Social security number
	Address		<b>Does your name match the name on your social security card?</b> If not, to ensure you get credit for your earnings, contact SSA at 800-772-1213 or go to <a href="http://www.ssa.gov">www.ssa.gov</a> .
	City or town, state, and ZIP code		
	(c) <input type="checkbox"/> Single or Married filing separately <input type="checkbox"/> Married filing jointly or Qualifying surviving spouse <input type="checkbox"/> Head of household (Check only if you're unmarried and pay more than half the costs of keeping up a home for yourself and a qualifying individual.)		

**TIP:** Consider using the estimator at [www.irs.gov/W4App](http://www.irs.gov/W4App) to determine the most accurate withholding for the rest of the year if: you are completing this form after the beginning of the year; expect to work only part of the year; or have changes during the year in your marital status, number of jobs for you (and/or your spouse if married filing jointly), dependents, other income (not from jobs), deductions, or credits. Have your most recent pay stub(s) from this year available when using the estimator. At the beginning of next year, use the estimator again to recheck your withholding.

**Complete Steps 2-4 ONLY if they apply to you; otherwise, skip to Step 5.** See page 2 for more information on each step, who can claim exemption from withholding, and when to use the estimator at [www.irs.gov/W4App](http://www.irs.gov/W4App).

**Step 2: Multiple Jobs or Spouse Works**

Complete this step if you (1) hold more than one job at a time, or (2) are married filing jointly and your spouse also works. The correct amount of withholding depends on income earned from all of these jobs.

Do **only one** of the following.

(a) Use the estimator at [www.irs.gov/W4App](http://www.irs.gov/W4App) for the most accurate withholding for this step (and Steps 3-4). If you or your spouse have self-employment income, use this option; **or**

(b) Use the Multiple Jobs Worksheet on page 3 and enter the result in Step 4(c) below; **or**

(c) If there are only two jobs total, you may check this box. Do the same on Form W-4 for the other job. This option is generally more accurate than (b) if pay at the lower paying job is more than half of the pay at the higher paying job. Otherwise, (b) is more accurate . . . . .

**Complete Steps 3-4(b) on Form W-4 for only ONE of these jobs.** Leave those steps blank for the other jobs. (Your withholding will be most accurate if you complete Steps 3-4(b) on the Form W-4 for the highest paying job.)

<b>Step 3:</b> <b>Claim Dependent and Other Credits</b>	If your total income will be \$200,000 or less (\$400,000 or less if married filing jointly):		
	Multiply the number of qualifying children under age 17 by \$2,000 \$ _____		
	Multiply the number of other dependents by \$500 . . . . . \$ _____		
	Add the amounts above for qualifying children and other dependents. You may add to this the amount of any other credits. Enter the total here . . . . .	<b>3</b>	\$ _____
<b>Step 4 (optional): Other Adjustments</b>	(a) <b>Other income (not from jobs).</b> If you want tax withheld for other income you expect this year that won't have withholding, enter the amount of other income here. This may include interest, dividends, and retirement income . . . . .	<b>4(a)</b>	\$ _____
	(b) <b>Deductions.</b> If you expect to claim deductions other than the standard deduction and want to reduce your withholding, use the Deductions Worksheet on page 3 and enter the result here . . . . .	<b>4(b)</b>	\$ _____
	(c) <b>Extra withholding.</b> Enter any additional tax you want withheld each pay period . . . . .	<b>4(c)</b>	\$ _____

**Step 5: Sign Here**

Under penalties of perjury, I declare that this certificate, to the best of my knowledge and belief, is true, correct, and complete.

\_\_\_\_\_  
**Employee's signature** (This form is not valid unless you sign it.)

\_\_\_\_\_  
**Date**

<b>Employers Only</b>	Employer's name and address	First date of employment	Employer identification number (EIN)



# Employee's Withholding Allowance Certificate

New York State • New York City • Yonkers

# IT-2104

First name and middle initial	Last name	Your Social Security number
Permanent home address (number and street or rural route)	Apartment number	Single or Head of household <input type="checkbox"/> Married <input type="checkbox"/>
City, village, or post office	State	ZIP code
		Married, but withhold at higher single rate <input type="checkbox"/>
<b>Note:</b> If married but legally separated, mark an <b>X</b> in the <i>Single or Head of household</i> box.		

Are you a resident of New York City (this includes the Bronx, Brooklyn, Manhattan, Queens, and Staten Island)? ..... Yes  No

Are you a resident of Yonkers? ..... Yes  No

**Before making any entries, see the Note below, and if applicable, complete the worksheet in the instructions.**

1 Total number of allowances you are claiming for New York State and Yonkers, if applicable (from line 19, if using worksheet)	<b>1</b>	
2 Total number of allowances for New York City (from line 31, if using worksheet)	<b>2</b>	

**Use lines 3, 4, and 5 below to have additional withholding per pay period under special agreement with your employer.**

3 New York State amount	<b>3</b>	
4 New York City amount	<b>4</b>	
5 Yonkers amount	<b>5</b>	

I certify that I am entitled to the number of withholding allowances claimed on this certificate.

**Penalty** – A penalty of \$500 may be imposed for any false statement you make that decreases the amount of money you have withheld from your wages. You may also be subject to criminal penalties.

Employee's signature	Date
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**Employee:** Give this form to your employer and keep a copy for your records. Remember to review this form once a year and update it if needed.

**Note:** Single taxpayers with one job and zero dependents, enter **1** on lines 1 and 2 (if applicable). Married taxpayers with or without dependents, heads of household or taxpayers that expect to itemize deductions or claim tax credits, or both, complete the worksheet in the instructions. Visit [www.tax.ny.gov](http://www.tax.ny.gov) (search: *IT-2104-I*) or scan the QR code below.

**Employer: Keep this certificate with your records.**

If any of the following apply, mark an **X** in each corresponding box, complete the additional information requested, and send an additional copy of this form to New York State. See **Employer** in the instructions. Visit [www.tax.ny.gov](http://www.tax.ny.gov) (search: *IT-2104-I*) or scan the QR code below.

A Employee claimed more than 14 exemption allowances for New York State ..... A

B Employee is a new hire or a rehire ... B  First date employee performed services for pay (mm-dd-yyyy) (see Box B instructions):

You may report new hire information online instead of mailing the form to New York State. Visit [www.nynewhire.com](http://www.nynewhire.com).

**Note:** Employers **must** report individuals under an **independent contractor arrangement** with contracts in excess of \$2,500 using the online reporting website above, **not** Form IT-2104.

Are dependent health insurance benefits available for this employee? ..... Yes  No

If Yes, enter the date the employee qualifies (mm-dd-yyyy):

Employer's name and address (Employer: complete this section only if you are sending a copy of this form to the New York State Tax Department.)	Employer identification number
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Scan here







# Employment Eligibility Verification

## Department of Homeland Security

### U.S. Citizenship and Immigration Services

**USCIS**  
**Form I-9**  
OMB No.1615-0047  
Expires 07/31/2026

**START HERE: Employers must ensure the form instructions are available to employees when completing this form. Employers are liable for failing to comply with the requirements for completing this form. See below and the [Instructions](#).**

**ANTI-DISCRIMINATION NOTICE:** All employees can choose which acceptable documentation to present for Form I-9. Employers cannot ask employees for documentation to verify information in **Section 1**, or specify which acceptable documentation employees must present for **Section 2** or Supplement B, Reverification and Rehire. Treating employees differently based on their citizenship, immigration status, or national origin may be illegal.

**Section 1. Employee Information and Attestation:** Employees must complete and sign Section 1 of Form I-9 no later than the **first day of employment**, but not before accepting a job offer.

Last Name (Family Name)		First Name (Given Name)		Middle Initial (if any)	Other Last Names Used (if any)	
Address (Street Number and Name)			Apt. Number (if any)	City or Town		State ZIP Code
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number		Employee's Email Address			Employee's Telephone Number
<p><b>I am aware that federal law provides for imprisonment and/or fines for false statements, or the use of false documents, in connection with the completion of this form. I attest, under penalty of perjury, that this information, including my selection of the box attesting to my citizenship or immigration status, is true and correct.</b></p>		Check one of the following boxes to attest to your citizenship or immigration status (See page 2 and 3 of the instructions.):				
		<input type="checkbox"/> 1. A citizen of the United States				
		<input type="checkbox"/> 2. A noncitizen national of the United States (See Instructions.)				
		<input type="checkbox"/> 3. A lawful permanent resident (Enter USCIS or A-Number.)				
<input type="checkbox"/> 4. A noncitizen (other than <b>Item Numbers 2.</b> and <b>3.</b> above) authorized to work until (exp. date, if any)						
If you check <b>Item Number 4.</b> , enter one of these:						
USCIS A-Number		OR	Form I-94 Admission Number		OR	Foreign Passport Number and Country of Issuance
Signature of Employee					Today's Date (mm/dd/yyyy)	

**If a preparer and/or translator assisted you in completing Section 1, that person MUST complete the [Preparer and/or Translator Certification](#) on Page 3.**

**Section 2. Employer Review and Verification:** Employers or their authorized representative must complete and sign **Section 2** within three business days after the employee's first day of employment, and must physically examine, or examine consistent with an alternative procedure authorized by the Secretary of DHS, documentation from List A OR a combination of documentation from List B and List C. Enter any additional documentation in the Additional Information box; see Instructions.

	List A	OR	List B	AND	List C
Document Title 1					
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Document Title 2 (if any)	<p><b>Additional Information</b></p>				
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Document Title 3 (if any)	<p><input type="checkbox"/> Check here if you used an alternative procedure authorized by DHS to examine documents.</p>				
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					

<p><b>Certification:</b> I attest, under penalty of perjury, that (1) I have examined the documentation presented by the above-named employee, (2) the above-listed documentation appears to be genuine and to relate to the employee named, and (3) to the best of my knowledge, the employee is authorized to work in the United States.</p>		First Day of Employment (mm/dd/yyyy):
Last Name, First Name and Title of Employer or Authorized Representative		Signature of Employer or Authorized Representative
		Today's Date (mm/dd/yyyy)
Employer's Business or Organization Name		Employer's Business or Organization Address, City or Town, State, ZIP Code

**For reverification or rehire, complete [Supplement B, Reverification and Rehire](#) on Page 4.**

## LISTS OF ACCEPTABLE DOCUMENTS

All documents containing an expiration date must be unexpired.

\* Documents extended by the issuing authority are considered unexpired.

Employees may present one selection from List A or a combination of one selection from List B and one selection from List C.

**Examples of many of these documents appear in the Handbook for Employers (M-274).**

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Authorization
<ol style="list-style-type: none"> <li>1. U.S. Passport or U.S. Passport Card</li> <li>2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)</li> <li>3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa</li> <li>4. Employment Authorization Document that contains a photograph (Form I-766)</li> <li>5. For an individual temporarily authorized to work for a specific employer because of his or her status or parole:               <ol style="list-style-type: none"> <li>a. Foreign passport; and</li> <li>b. Form I-94 or Form I-94A that has the following:                   <ol style="list-style-type: none"> <li>(1) The same name as the passport; and</li> <li>(2) An endorsement of the individual's status or parole as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.</li> </ol> </li> </ol> </li> <li>6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI</li> </ol>	OR	<ol style="list-style-type: none"> <li>1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address</li> <li>2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address</li> <li>3. School ID card with a photograph</li> <li>4. Voter's registration card</li> <li>5. U.S. Military card or draft record</li> <li>6. Military dependent's ID card</li> <li>7. U.S. Coast Guard Merchant Mariner Card</li> <li>8. Native American tribal document</li> <li>9. Driver's license issued by a Canadian government authority</li> </ol> <p style="text-align: center;"><b>For persons under age 18 who are unable to present a document listed above:</b></p> <ol style="list-style-type: none"> <li>10. School record or report card</li> <li>11. Clinic, doctor, or hospital record</li> <li>12. Day-care or nursery school record</li> </ol>	AND	<ol style="list-style-type: none"> <li>1. A Social Security Account Number card, unless the card includes one of the following restrictions:               <ol style="list-style-type: none"> <li>(1) NOT VALID FOR EMPLOYMENT</li> <li>(2) VALID FOR WORK ONLY WITH INS AUTHORIZATION</li> <li>(3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION</li> </ol> </li> <li>2. Certification of report of birth issued by the Department of State (Forms DS-1350, FS-545, FS-240)</li> <li>3. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal</li> <li>4. Native American tribal document</li> <li>5. U.S. Citizen ID Card (Form I-197)</li> <li>6. Identification Card for Use of Resident Citizen in the United States (Form I-179)</li> <li>7. Employment authorization document issued by the Department of Homeland Security               <p style="margin-left: 20px;">For examples, see <a href="#">Section 7</a> and <a href="#">Section 13</a> of the M-274 on <a href="http://uscis.gov/i-9-central">uscis.gov/i-9-central</a>.</p> <p style="margin-left: 20px;">The Form I-766, Employment Authorization Document, is a List A, <b>Item Number 4</b>, document, not a List C document.</p> </li> </ol>
<p><b>Acceptable Receipts</b></p> <p>May be presented in lieu of a document listed above for a temporary period.</p> <p>For receipt validity dates, see the M-274.</p>				
<ul style="list-style-type: none"> <li>• Receipt for a replacement of a lost, stolen, or damaged List A document.</li> <li>• Form I-94 issued to a lawful permanent resident that contains an I-551 stamp and a photograph of the individual.</li> <li>• Form I-94 with "RE" notation or refugee stamp issued to a refugee.</li> </ul>	OR	<ul style="list-style-type: none"> <li>• Receipt for a replacement of a lost, stolen, or damaged List B document.</li> </ul>	AND	<ul style="list-style-type: none"> <li>• Receipt for a replacement of a lost, stolen, or damaged List C document.</li> </ul>

\*Refer to the Employment Authorization Extensions page on [I-9 Central](#) for more information.



**EQUAL EMPLOYMENT OPPORTUNITY VOLUNTARY SELF-IDENTIFICATION**  
**APPLICANT OR EMPLOYEE SURVEY**

Name: \_\_\_\_\_

Position (or position applying for): \_\_\_\_\_

Date: \_\_\_\_\_

Our company is an equal opportunity employer and does not discriminate in firing or employment on the basis of race, color, religion, sex, national origin, age, disability or any other basis prohibited by federal, state or local law. No question on this form is intended to secure information to be used for such discrimination.

The company is required by federal regulation to report information as requested below. Your contribution of this information is completely *voluntary* and refusal to complete this form will not affect any hiring or employment decisions. The information you provide is strictly confidential and will be maintained separate from your personnel file. You may inform us of your desire to benefit under the program at this time and/or any time in the future.

**PLEASE CHECK ONE:**  Male  Female

**INDICATE THE APPROPRIATE RACE/ETHNIC GROUP:**

**White** (not Hispanic or Latino) – having origins in any of the original peoples of Europe, the Middle East or North Africa

**Hispanic or Latino** – of Cuban, Mexican, Puerto Rican, South or Central American descent, or other Spanish culture or origin regardless of race

**Native Hawaiian or other Pacific Islander** (not Hispanic or Latino) – having origins in any of the peoples of Hawaii, Guam, Samoa or other Pacific Islands

**Black or African-American** (not Hispanic or Latino) – having origins in any of the black racial groups of Africa

**American Indian or Alaskan Native** (not Hispanic or Latino) – having origins in the original peoples of North or South America (including Central America), and maintaining tribal affiliations or community involvement

**Asian** (not Hispanic or Latino) – having origins in the Far East, Southeast Asia or the Indian Subcontinent, including Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam

**Two or more races** (not Hispanic or Latino) – anyone who identifies with more than one of the above five races

**Other**

Payroll \_\_\_\_\_

Benefits \_\_\_\_\_

HR \_\_\_\_\_



**TOWN OF WEST SENECA PROOF OF PHYSICAL FORM**

This form is to be completed by the (prospective) employee’s physician and must be presented to Human Resources on the employee’s first day of employment. Please be aware that incomplete paperwork may delay employee’s start date.

***\*\*As an alternative to this Physical Form, the Town will accept a record of a physical (documented and signed by a medical provider) that has been performed within the last 12-months, prior to the employee's date of hire.***

**Employee’s Information**

Full Name \_\_\_\_\_  
(Last) (First) (Middle Initial)

Address \_\_\_\_\_  
(Number and Street) (Town, State)

Date of Birth \_\_\_\_\_  
(MM/DD/YYYY)

Department \_\_\_\_\_ Job Title \_\_\_\_\_

**Employee Acknowledgement:**

My employment is also contingent upon providing the Town with required proof of a recent medical physical. The Town Board of the Town of West Seneca may refuse to hire candidates whose proof of physical form indicates they are physically unable to perform the work for which they were hired.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

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**Job Information (Highway, Buildings & Grounds, Sanitation, Sewers, Electrical)**

Employees in these departments may be required to perform tasks that involve motions such as:

- Lifting, Pulling or Pushing up to 50 pounds
- Climbing (such as ladders or into equipment)
- Driving
- Bending, Twisting, Stooping
- Operation of motorized equipment
- Standing for at least four (4) hours continuously without a break
- Walking for at least four (4) hours continuously without a break



**Physician's Statement**

Employee Name: \_\_\_\_\_

Is the employee able to perform the following work duties:

- 1. Lifting, Pulling or Pushing up to 50 pounds?.....  Yes  No
- 2. Climbing (such as ladders or into equipment).....  Yes  No
- 3. Driving.....  Yes  No
- 4. Bending, Twisting, Stooping .....  Yes  No
- 5. Operation of motorized equipment .....  Yes  No
- 6. Standing for at least four (4) hours continuously without a break .....  Yes  No
- 7. Walking for at least four (4) hours continuously without a break .....  Yes  No
- 8. Is the employee able to perform the essential job functions of the job for which he/she is applying with or without reasonable accommodation? .....  Yes  No

If the response to any of the above questions was "No", please explain (i.e. lifting restrictions, etc.):

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If the response to any of the above questions was "No", please indicate the anticipated duration of the condition:

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Provider Name and Name of Practice: \_\_\_\_\_

Provider Address: \_\_\_\_\_

Provider Signature: \_\_\_\_\_

Date: \_\_\_\_\_



## BACKGROUND CHECK AUTHORIZATION/RELEASE

Print Name: \_\_\_\_\_  
(First) (Middle) (Last)

Former Name(s) and Dates Used: \_\_\_\_\_

Current Address Since: \_\_\_\_\_  
(Mo/Yr) (Street) (City) (State/Zip)

Previous Address From: \_\_\_\_\_  
(Mo/Yr) (Street) (City) (State/Zip)

Previous Address From: \_\_\_\_\_  
(Mo/Yr) (Street) (City) (State/Zip)

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Telephone: \_\_\_\_\_  
(Home) (Work) (Mobile)

Driver's License Number/State of Issue: \_\_\_\_\_

The information contained in this application is correct to the best of my knowledge. I hereby authorize the Town of West Seneca and its designated agents and representatives to conduct a comprehensive review of my background causing a consumer report and/or an investigative consumer report to be generated for employment purposes. I understand that the scope of the consumer report/ investigative consumer report may include, but is not limited to the following areas: verification of social security number; current and previous residences; employment history, education background, character references; drug testing, credit report/history, civil and criminal history records from any criminal justice agency in any or all federal, state, county jurisdictions; driving records, birth records, and any other public records.

I further authorize any individual, company, firm, corporation, or public agency (including the Social Security Administration and law enforcement agencies) to divulge any and all information, verbal or written, pertaining to me, to the Town of West Seneca or its agents. I further authorize the complete release of any records or data pertaining to me which the individual, company, firm, corporation, or public agency may have, to include information or data received from other sources.

I hereby release the Town of West Seneca, the Social Security Administration, and its agents, officials, representative, or assigned agencies, including officers, employees, or related personnel both individually and collectively, from any and all liability for damages of whatever kind, which may, at any time, result to me, my heirs, family, or associates because of compliance with this authorization and request to release.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**EMPLOYEE AGREEMENT AND CONSENT TO  
DRUG AND/OR ALCOHOL TESTING**

I hereby agree, upon a request made under the drug/alcohol testing policy of the **Town of West Seneca, New York**, to submit to a drug or alcohol test and to furnish a sample of my urine, breath, and/or blood for analysis. I understand and agree that if I at any time refuse to submit to a drug or alcohol test under Town policy, or if I otherwise fail to cooperate with the testing procedures, I may be subject to immediate termination. I further authorize and give full permission to have the Town and/or its Town physician send the specimen or specimens so collected to a laboratory for a screening test for the presence of any prohibited substances under the policy, and for the laboratory or other testing facility to release any and all documentation relating to such test to the Town and/or to any governmental entity involved in a legal proceeding or investigation connected with the test. Finally, I authorize the Town to disclose any documentation relating to such test to any governmental entity involved in a legal proceeding or investigation connected with the test.

I understand that only duly-authorized Town officers, employees, and agents will have access to information furnished or obtained in connection with the test; that they will maintain and protect the confidentiality of such information to the greatest extent possible; and that they will share such information only to the extent necessary to make employment decisions and to respond to inquiries or notices from government entities.

**WE HEREBY RELEASE AND HOLD HARMLESS THE TOWN, ITS OFFICERS, EMPLOYEES, AGENTS, REPRESENTATIVES, CONTRACTORS, GDY, INC. AND ITS EMPLOYEES AND REPRESENTATIVES FROM ANY AND ALL HARM, LIABILITY, CLAIMS, DAMAGES AND COSTS THAT MAY ARISE FROM OR BE RELATED DIRECTLY OR INDIRECTLY TO A DRUG TEST. SUCH HARM, LIABILITY, CLAIMS, DAMAGES AND COSTS SHALL INCLUDE BUT NOT BE LIMITED TO: PHYSICAL HARM OR INJURY; LOSS OF EMPLOYMENT OR ADVERSE JOB ACTION THAT MIGHT ARISE AS A RESULT OF THE TEST; ALLEGED HARM THAT MIGHT RESULT FROM THE RELEASE OR USE OF INFORMATION OR DOCUMENTATION RELATING TO THE TEST.**

This policy and authorization have been explained to me in a language I understand, and I have been told that if I have any questions about the test or the policy, they will be answered.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name - Printed

\_\_\_\_\_  
Town Representative

\_\_\_\_\_  
Date



**TOWN OF WEST SENECA DRIVER INFORMATION  
AND MOTOR VEHICLE AUTHORIZATION FORM**

**Driver's Informatio**

Full Name \_\_\_\_\_  
(Last) (First) (Middle Initial)

Address \_\_\_\_\_  
(Number and Street) (Town, State)

Date of Birth \_\_\_\_\_ Department \_\_\_\_\_ Job Title \_\_\_\_\_  
(MM/DD/YYYY)

Driver's License Number:		Issuing State:
Date License Expires:		License Restrictions:
Do you have a valid CDL? (Y/N):		
How many years have you been driving:		
Passenger Autos:	Trucks/Tractors:	Mobile Equipment:

Have you ever been convicted of an alcohol or drug-related offense- with a motor vehicle? (Y/N) \_\_\_\_\_  
If yes, state when, where, and the outcome: \_\_\_\_\_

- The Town of West Seneca will need to see your driver's license in order to track important information about your driving qualifications.
- Some positions in the Town are required to participate in a random drug testing program. If you are in one of these roles, your department head will discuss with you.
- In order to drive a Town of West Seneca vehicle, you must receive authorization from your department head.

I am aware that motor vehicle reports may be obtained as part of the Town's evaluation of my employment and/or job application. I, the undersigned, hereby offer my consent and further grant my employer, or prospective employer, and its insurance representatives, permission to request, receive, review, evaluate, and maintain in their files my motor vehicle driver report or abstract of operating records including information that is normal to these reports or abstracts of the state, province, or country to which a request is made.

I acknowledge that I have read this form and I certify that all the answers contained herein are true and complete to the best of my knowledge.

Signature of Employee \_\_\_\_\_ Date \_\_\_\_\_

Entered into LENS \_\_\_\_\_





**DIRECT DEPOSIT AUTHORIZATION AGREEMENT**

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Last 4 SSN \_\_\_\_\_

**Please complete form even if you have had Direct Deposit in the past.**

Bank Name	Transit/ ABA Number	Type of Account	Amount or Percent	Account Number
		[ ] Checking [ ] Savings		
		[ ] Checking [ ] Savings		
		[ ] Checking [ ] Savings		
		[ ] Checking [ ] Savings		

I have attached a voided personalized check (checking accounts) or deposit slip (savings accounts) for each account specified. (This request will not be processed without the accompanying documentation.)

I hereby authorize the Town of West Seneca to directly deposit any salary or wages due to me, less any mandatory or authorized withholdings or deductions in the bank account(s) listed above in the percentages specified. (If two or more accounts are designated, deposits are to be made in whole percentages of pay to total 100%.)

The Town will credit my account(s) the amount of my payroll check on payday. Deposits are normally available the morning of pay date however each bank posts funds to accounts at different times daily, and the Town of West Seneca has no control over my bank's posting. Also, I hereby grant the Town of West Seneca the right to correct any such electronic funds transfer resulting from an erroneous overpayment by debiting my account to the extent of such overpayment.

I authorize my financial institution to accept direct deposits to my account upon receipt and without advice to me. It is my responsibility to verify deposits on a per pay date basis before writing checks against these funds. I understand that the Town of West Seneca is not responsible for bank errors or bank fees. Banking services are provided in accordance with the limitations and restrictions of the Automated Clearing House Association.

This authorization is to remain in force until the Town of West Seneca has received written authorization from me of its termination or change. I understand that if my account has closed, my financial institution cannot accept a deposit on my behalf. If this occurs, my employer will not be able to process any further direct deposits without further written authorization from me. IN ORDER TO TERMINATE OR REVOKE THIS AUTHORIZATION, I MUST NOTIFY MY EMPLOYER IN WRITING AT LEAST TWO WEEKS PRIOR TO THE TERMINATION.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please allow 2-4 weeks for your direct deposit to begin.**

**Please verify with your bank that your first direct deposit has been processed correctly.**



## ACKNOWLEDGEMENT OF RETIREMENT SYSTEM ELIGIBILITY

I, \_\_\_\_\_, as an employee of the Town of  
(Print Employee Name)

West Seneca, was offered the option of enrolling in the New York State and Local

Employees' Retirement System pursuant to Section 45 of the New York State

Retirement and Social Security Law.

Initial

Date

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Representative

\_\_\_\_\_  
Date



New York State and Local Retirement System

110 State Street, Albany, New York 12244-0001

Fax Number: (518) 486-4382

For questions concerning Member

Enrollment call: (518) 474-3081

**NYSLRS ID**

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Received Date
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# Employees' Retirement System Membership Registration

**RS 5420**

(Rev. 11/22)

Plan	Tier	Rate	Date of Membership (mm/dd/yyyy)		

**Social Security Number \***

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**Registration Number**

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**Part 1: Employee – Read information provided on page 2. Complete part 1 and sign at the bottom of the form.**

<b>Employee's Last Name:</b>		<b>First Name:</b>			<b>Middle Initial:</b>
<b>Employee's Address:</b>		<b>Apt</b>	<b>City</b>	<b>State</b>	<b>Zip Code</b>
<b>Former Name:</b> (if applicable)		<b>Date of Birth</b> (mm/dd/yyyy)			<b>Sex</b>
					<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> X
Are you receiving or about to receive a pension from a New York State or New York City public retirement system? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please indicate name of system: _____					
Are you inactive or withdrawn from a New York State or New York City public retirement system? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please indicate name of system: _____					
(NYS Teachers', NYS Employees', NYS Police and Fire, NYC Police Pension Fund, NYC Fire Pension Fund, NYC Board of Education, NYC Teachers', NYC Employees')					

**Part 2: Employer – See page 2 for additional information and instructions regarding the completion of this form.**

<b>Employer's Name:</b>				<b>Employer's Telephone:</b>					
<b>Employer's Address:</b>				<b>Employer's Fax Number:</b>					
<b>Job Code [1]</b>		<b>Employee Classification</b>				<input type="checkbox"/> Regular [2]		<input type="checkbox"/> Full Time	
		<input type="checkbox"/> 12 Month <input type="checkbox"/> 10 Month <input type="checkbox"/> 12 M Provisional <input type="checkbox"/> On Call <input type="checkbox"/> Seasonal <input type="checkbox"/> Substitute <input type="checkbox"/> Per Diem				<input type="checkbox"/> Temporary		<input type="checkbox"/> Part Time	
<b>Hire Date [3a]</b>		<b>Date of Full-Time Permanent Appointment [3b]</b>		<b>Location Code</b>		<b>Standard Workday [4]</b>		<b>For State Agency Use Only – Agency Code</b>	
Month	Day	Year	Month	Day	Year				
						For a substitute, seasonal, on call or per diem employee, please check if he/she/they is working on the day the application is being submitted. <input type="checkbox"/> Yes			

**Frequency of Payment**

Weekly
  Bi-Weekly
  Semi - Monthly
  Monthly
  Quarterly
  Semi- Annually
  Annually
  Other- Please Specify \_\_\_\_\_

<b>Projected Annualized Wage [5]</b>	Tier 6 requires employers to determine the Annualized Wage for individuals who work part-time, seasonal, or on an hourly, daily, or unit of work basis. We ask that you use this calculation for all other tiers as well. See page 2 for examples.

**Important: If your employment is on a part-time, temporary or provisional basis, or less than 12 months a year, membership is optional. If your membership is optional, you must sign and date below to affirm Retirement System Membership.**

I acknowledge that my membership in the New York state and Local Retirement System is governed by provisions of Article 15 of the Retirement and Social Security Law and that I am entitled to all the benefits thereof. I understand that, as required by law, a deduction will be made from my salary or compensation for retirement contributions.

**Employee's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

<b>Employee's Telephone Number:</b>	<b>Employee's Email Address:</b>
-------------------------------------	----------------------------------

**Part 1 – Employee Instructions**

**Important:** If your employment is on a part-time, temporary or provisional basis, or less than 12 months a year, membership is optional. If your membership is optional and you **do not wish** to join the Retirement System, do not complete this application.

**Warning:** If you are receiving or are about to receive a pension from another New York State or New York City public retirement system, contact us directly before enrolling in NYSLRS. Enrollment may result in suspension of your pension benefit. NYSLRS retirees should contact us directly before enrollment to discuss working after retirement and possible restoration of membership.

**Membership Information:**

- If you are currently an active or vested member of any other public retirement system in New York State, you should contact that system concerning the advantages of transferring your membership to this System. Failure to contact that system could cause loss of the privilege of transferring membership and may affect contribution cessation dates.
- **If you were previously a member of any public retirement system in New York State, and your membership was terminated or withdrawn, you may be eligible for a reinstatement of that membership. It is highly recommended that if you have a prior Tier 1 or 2 membership in any New York public retirement system that you complete the Tier Reinstatement application, RS5506 and include it with your membership registration application.**
- You may also be eligible to receive credit for public service earned with a participating employer before your current date of membership. This additional service may impact your future benefits.
- You are covered by the Death Benefit allowed by law for your tier and plan status. If you have not already done so, complete an RS5127 Designation of Beneficiary with Contingent Beneficiaries form to designate beneficiary(ies) to receive an Ordinary Death Benefit. If there is no RS5127 Designation of Beneficiary with Contingent Beneficiaries on file with this System, your Ordinary Death Benefit will become payable to your estate.

**Part 2 – Employer Instructions - Field Explanation and information:**

- [1] Job Code– As the employer, you will need to reference our job code list at [https://www.osc.state.ny.us/retire/retirement\\_online/job-codes.php](https://www.osc.state.ny.us/retire/retirement_online/job-codes.php) to determine which job code is applicable to the employee’s job title. If the title is accountant, auditor, physician, attorney, engineer or architect, please submit documentation as indicated at [https://www.osc.state.ny.us/retire/employers/employer\\_reporting\\_basics/emp-membership-basics/independent\\_vs\\_employee.php](https://www.osc.state.ny.us/retire/employers/employer_reporting_basics/emp-membership-basics/independent_vs_employee.php)
- [2] Regular is the same as Permanent or Probationary. Temporary is anything other than regular.
- [3a] Hire Date is the first time the employee was hired for the job criteria entered.
- [3b] Full-Time permanent appointment box must only be completed if at anytime the employee is appointed to a (permanent or probationary) 12 month, full-time position earning no less than current state minimum wage
- [4] Standard Workday – A standard workday (hrs/day) applies to all tiers. The minimum number of hours that can be established for a standard workday is six, while the maximum is eight. A standard workday is the denominator to be used for the days worked calculation; it is not necessarily the number of hours the person actually works. For example, if a bus driver works four hours a day, you must still establish a standard workday between six and eight hours as the denominator for their days worked calculation. When entering the information on the Employer Retirement Online, you will need to select “Daily” for Work Period and then enter the standard work day in the standard day field.
- [5] Projected Annualized Wage – Examples of Tier 6 annual wage for individuals paid at an Hourly, Daily or Unit of Work basis of compensation:

<p><b>Hourly Employees</b></p> <p>12 month Employee: \$ _____ X _____ X 260 = \$ _____</p> <p style="text-align: center;">Hourly      Standard      Days      Annual Rate      Workday      Worked      Wage</p> <p>10 month Employee: \$ _____ X _____ X 180 = \$ _____</p> <p style="text-align: center;">Hourly      Standard      Days      Annual Rate      Workday      Worked      Wage</p>	<p><b>Daily Employees</b></p> <p>12 month Employee: \$ _____ X 260 = \$ _____</p> <p style="text-align: center;">Daily      Days      Annual Rate      Worked      Wage</p> <p>10 month Employee: \$ _____ X 180 = \$ _____</p> <p style="text-align: center;">Daily      Days      Annual Rate      Worked      Wage</p>
<p><b>Unit of Work Employees</b></p> <p>\$ _____ X _____ = _____</p> <p style="text-align: center;">Unit Rate      # of Events**      Annual Wage</p> <p>**Estimated or Actual</p>	<p><b>Unit of Work Employee Example: Paid \$50 per Meeting</b></p> <p>\$ <u>50</u> X <u>12 Meetings</u> = \$ <u>600</u></p> <p style="text-align: center;">Unit Rate      # of Events***      Annual Wage</p> <p>***An estimate of the number of events is acceptable</p>

**Note:** Any questions regarding annualized wage, please contact the Retirement System.

**\*Social Security Disclosure Requirement**

In accordance with the Federal Privacy Act of 1974, you are hereby advised that disclosure of your Social Security account number is mandatory pursuant to Sections 11, and 34 of the Retirement and Social Security Law. The number will be used in identifying retirement records and in the administration of the Retirement System.

**Personal Privacy Protection Law**

The Retirement System is required by law to maintain records to determine eligibility for and calculate benefits. Failure to provide information may interfere with the timely payment of benefits. The System may be required to provide certain information to participating employers. The official responsible for record maintenance is the Director of Member and Employer Services, NYS and Local Retirement System, Albany, NY 12244; call toll-free at 1-866-805-0990 or 518-474-7736 in the Albany Area.

## Chapter 13. Ethics, Code of

[HISTORY: Adopted by the Town Board of the Town of West Seneca 12-16-2019 by L.L. No. 5-2019.1<sup>1</sup>1 Amendments noted where applicable.]

[1] *Editor's Note: This chapter also superseded former Ch. 13, Ethics, Code of, adopted 12-7-2009 by L.L. No. 4-2009.*

### § 13-1. Legislative intent.

The proper operation of Town government requires that its officers and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; that public officers and employees observe in their official acts the highest standards of ethics and discharge faithfully the duties of their public office regardless of personal consideration; and that the public have confidence in the integrity of its government and the officers and employees thereof. It is the policy of the Town of West Seneca and the purpose of this chapter to establish standards and guidelines for ethical conduct of officers and employees. Though assurance of such conduct will continue to rest primarily on personal integrity and community vigilance, the establishment of standards is another step toward providing the highest caliber of public administration for the Town and ensuring that government decisions are arrived at impartially and free of conflict of interests and thereby increasing confidence in public officials. It is also the purpose of this chapter to protect officials and employees from unwarranted assaults on their integrity by separating real conflict from the inconsequential, recognizing that for local government to attract and hold competent administrators, public service must not require a complete divesting of all proprietary interests. In recognition of these goals, there is hereby established a Code of Ethics for all officers and for all employees of the Town of West Seneca, hereinafter referred to as the "Town." In the event of any conflict between the provisions of this Code and provisions of Article 18 of the General Municipal Law, the latter shall control. This chapter shall be enforceable upon all Town officials, officers and employees. No acknowledgement, service or acceptance of this chapter shall be necessary for enforcement of its provisions.

### § 13-2. Definitions and word usage.

A. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

#### **AGENCY**

Any Town department, division, board, committee, or bureau, including the Town Board or any successor thereto.

#### **APPEAR and APPEAR BEFORE**

Communicating in any form, including without limitation, personally, by letter, electronic communication, telephone or by any other device.

#### **CONFIDENTIAL INFORMATION**

The same meaning as defined in the New York State Public Officer's Law<sup>1</sup>1 as well as any information discussed and/or revealed at an executive session of a Town Board meeting.

#### **CONFLICT OF INTEREST**

Any action or omission which is in conflict or gives or may reasonably give the appearance of conflict with the performance of official Town business or government.

#### **CUSTOMER or CLIENT**

Any entity or person to whom an official, officer or employee of the Town of West Seneca or his or her outside employer or business has supplied goods or services during the previous calendar year having, in the aggregate, a value greater than \$2,000.

#### **FINANCIAL BENEFIT**

Any money, service, license, permit, contract, authorization, loan, travel, entertainment, hospitality, gratuity or other compensation of anything of value, or any promise thereof.

#### **GOOD FAITH**

Information concerning potential wrongdoing is disclosed in good faith when the individual making the disclosure reasonably believes such information to be true and reasonably believes that it constitutes potential wrongdoing.

#### **HOUSEHOLD**

All persons living in a single residence, whether related or not.

#### **INTEREST**

Deemed to include the affairs of the official, officer or employee or their spouse, minor children and dependents, firm, partnership or association in which such official, officer or employee is a member or employee; a corporation in which such official officer or employee is an officer director, or employee; and a corporation of which any stock is owned or controlled directly by the official, officer or employee.

#### **PERSONNEL ACTION**

Any action affecting compensation, appointment, promotion, transfer, assignment, reassignment, reinstatement or evaluation of performance.

## **RECUSE**

The act of abstaining from participation or influencing in an official action due to a conflict of interest.

## **RELATIVE**

A spouse, parent, grandparent, stepparent, sibling, step-sibling, sibling's spouse, child, grandchild, stepchild, uncle, aunt, nephew, niece or household member of a Town official, officer or employee and individuals having any of these relationships to the spouse of the Town official, officer or employee.

## **TOWN EMPLOYEE**

All board members, officers and staff employed by the Town, whether employed full-time or part-time, employed pursuant to a contract, employed temporarily or employees who are on probation, paid or unpaid.

## **WHISTLEBLOWER**

Any Town employee (as defined herein) who in good faith discloses information concerning wrongdoing by another Town employee or concerning the business of the Town itself.

## **WRONGDOING**

Any alleged corruption, fraud, criminal or unethical activity, misconduct, waste, conflict of interest, intentional reporting of false or misleading information or abuse of authority engaged in by a Town employee (as defined herein) that relates to the Town.

[1] *Editor's Note: See McKinney's Public Officers Law § 1 et seq.*

- B. Word usage. The use of the masculine gender shall include the feminine where applicable.

## **§ 13-3. Standards of conduct.**

Every official, officer and employee of the Town of West Seneca shall be subject to and abide by the following standards of conduct:

- A. No Town official, officer or employee shall use his or her official position or office to take or fail to take any action in a manner which he or she knows or has reason to know may result in a financial benefit or interest for any of the following persons or entities:
- (1) The Town official, officer or employee;
  - (2) His or her outside employer or business;
  - (3) A member of his household;
  - (4) A customer or client; or
  - (5) A relative.
- B. No Town official, officer or employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature that is in conflict with, or might reasonably tend to conflict with, the proper discharge of his duties in the public interest. Any officer or employee who has a direct or indirect financial or other private interest in any matter before any board of the Town shall publicly disclose in writing on the official record of such board the nature and extent of such interest prior to participating in the discussion or before making a recommendation or giving an opinion to such board on such matter.
- C. No Town official, officer or employee shall represent private interests before any board, department, office or agency of the Town, nor represent private interests in any action or proceeding against the interests of the Town or in any litigation to which the Town is a party. The preceding sentence shall not preclude any such officers or employees from appearing in the performance of public or civic obligations or on their own behalf with respect to matters of a personal nature. All appearing parties before any board of the Town shall make a disclosure as provided under § 809 of Article 18 of the General Municipal Law. Every application, petition or request submitted for a variance, change of zoning, site plan approval or waiver, license or permit pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of the Town in which a Town officer or employee has an interest as defined in this chapter shall state the name, residence and the nature and extent of the interest of any officer or employee of the Town, in the person, partnership or association making such application, petition or request.
- D. A Town Board member, official, officer or employee shall promptly recuse himself or herself from acting on a matter before the Town when acting on the matter or failing to act on the matter may provide a financial benefit to the persons or entities listed in § 13-3A above. A Town Board member shall promptly recuse himself or herself from voting on the appointment, hiring, or other matter involving a person or entity described in § 13-3A above.
- E. No Town official, officer or employee, whether paid or unpaid, shall directly or indirectly solicit, accept or receive any gift, whether in the form of money, services, loan, travel, entertainment, hospitality, material goods, things, or promise of any other form, under circumstances in which it could reasonably be inferred or could reasonably be expected that the gift was intended to influence such official, officer or employee in the performance of his or her official duties or was intended to reward official action or inaction. Under no circumstances shall an official, officer or employee accept any gift valued in excess of \$25. No officer or employee of the Town shall grant in the discharge of his duties any improper favor, service or thing of value. Nothing contained herein shall be deemed to prohibit any officer or employee of the Town from borrowing money from any bank or banks designated as depositories by the Town Board.

- F. No Town official, officer or employee shall disclose any confidential information or use said information to further their personal interest or the personal interests of others, unless required to do so by law or court order.
- G. No Town official, officer or employee, whether paid or unpaid, shall engage in or accept private employment or render services for private interests when such employment or service is in conflict with the proper discharge of his official duties.
- H. No Town official, officer or employee shall accept employment by any person, firm or corporation with which he or his department, office or agency is engaged on behalf of the Town in the transaction of business which is or may be affected by his official action. No officer or employee of the Town shall, within one year after termination of service or employment with the Town, appear before any board or agency of the Town in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.
- I. No Town official, officer or employee shall use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others or grant any special consideration, treatment or advantage to any citizens beyond that which is available to every other citizen.
- J. No Town official, officer or employee shall, by his conduct, give reasonable basis for the impression that any person can unduly influence him or improperly enjoy his favor in the performance of his official duties or that he is affected by the kinship, rank, position or influence of any party or person.
- K. No Town official, officer or employee shall direct or cause any officer or employee of the Town to do or perform any service or work outside of public work or employment, or accept any such service or work, nor shall any officer or employee of the Town offer to or perform any such service or work for such officer or employee.
- L. No Town official, officer or employee shall use or permit the use of Town property (including vehicles, equipment, materials and any other property) for personal convenience, profit, or political means except when such use is available to Town citizens generally or is provided as a matter of written Town policy
- M. No Town official, officer or employee shall require, authorize, or influence any other Town official, officer, or employee to participate in an election campaign or contribute to a political committee.
- N. No Town official, officer or employee shall induce or aid other officials, officers or employees of the Town to violate any provisions of this chapter.
- O. All Town Board members, officials, officers, employees, and volunteers are required to reasonably cooperate with any investigation of the Board of Ethics. Such reasonable cooperation shall include by way of example, but not be limited to, participating in investigatory interviews, producing documents or other tangible information in their possession or control, and appearing at scheduled hearings and giving testimony. Employees represented by a union will have the right to have a union representative present with them for any investigatory interviews and to seek the advice of their union representative prior to appearing before or providing information to the Board of Ethics.
- P. Every Ethics Board Member shall annually complete two hours of ethics training.
- Q. This Ethics Code shall be annually available to all Town officials, Board members, employees, and volunteers.

### **§ 13-4. Penalties.**

- A. In addition to any penalty contained in any other provision of law, a violation of this chapter may result as follows:
  - (1) Forfeiture of pay, suspension or removal from office or employment or such other disciplinary action as the Town Board may consider advisable.
  - (2) Any contract knowingly entered into by and/or with the Town or any agency thereof in which there is an interest or financial benefit prohibited by this chapter shall be null, void, and wholly unenforceable.
  - (3) Recommend a civil fine, not to exceed \$10,000 for each violation, upon a Town Official, Board member, employee or volunteer found guilty of a violation of this code. Such fine shall be payable to the Town.
- B. No action expressly or impliedly permitted under Article 18 of the General Municipal Law shall constitute a violation of this chapter.

### **§ 13-5. Disclosure statements.**

- A. The following Town officials, officers and employees of the Town of West Seneca shall be required to file annual disclosure statements by March 31 of each year in the form set forth in Exhibit "A" attached hereto:<sup>[1]</sup>
  - (1) All elected officials.
  - (2) All department heads.

- (3) Any and all Board members, Commission members, Committee members, whether elected, appointed, or volunteer.

[1] *Editor's Note: Said attachment is on file in Town offices.*

- B. Said forms shall be filed with the Town Clerk and shall be available for public inspection.
- C. Any independent contractors hired by the Town to perform any work for the Town shall be required to file annual disclosure statements by March 31 of each year in a form set forth in Exhibit "B" attached hereto.<sup>12</sup>

[2] *Editor's Note: Said attachment is on file in Town offices.*

## § 13-6. Whistleblower Policy.

- A. This Whistleblower Policy applies to all board members, officers, employees of the Town of West Seneca, and the public, and provides them with a confidential means to report credible allegation of misconduct, wrongdoing or unethical behavior and to protect those individuals, when acting in good faith, from personal or professional retaliation.
- B. Town employees who discover or have knowledge of potential wrongdoing concerning board members, officers or employees of the Town, or a person having business dealings with the Town, or concerning the Town itself, shall report such activity in accordance with the following procedures:

- (1) The Town employee shall disclose any information concerning wrongdoing either orally or in a written report to his or her supervisor, to the Town Ethics Board Attorney, general counsel, human resources representative, or the Erie County Whistle Blower Hotline at (716-858-7722) or email at [whistleblower@erie.gov](mailto:whistleblower@erie.gov).

- (2) Town employees who discover or have knowledge of wrongdoing shall report such wrongdoing in a prompt and timely manner. If reporting through the Town Ethics Board Attorney, then the form attached hereto as Exhibit "C"<sup>1</sup> shall be completed and submitted to the Town Ethics Board Attorney.

[1] *Editor's Note: Said attachment is on file in Town offices.*

- (3) The identity of the whistleblower and the substance of his or her allegations will be kept confidential to the best extent possible.

- (4) The individual to whom the potential wrongdoing is reported shall investigate and handle the claim in a timely and reasonable manner, which may include referring such information to the authorities or an appropriate law enforcement agency where applicable.

- (5) Should a Town employee believe in good faith that disclosing information within the Town would likely subject him or her to adverse personnel action or be wholly ineffective; the Town employee may instead disclose the information to the local authorities or to an appropriate law enforcement agency, if applicable.

- (6) Should a Town employee believe in good faith that disclosing information within the Town would likely subject him or her to adverse personnel action or be wholly ineffective; the Town employee may instead disclose the information to the local authorities or to an appropriate law enforcement agency, if applicable.

- (7) All allegations of retaliation against a whistleblower or interference with an individual seeking to disclose potential wrongdoing will be thoroughly investigated by the Town Ethics Board.

- (8) Any Town employee who retaliates against or attempts to interfere with any individual for having in good faith disclosed potential violations of the Town's Code of Ethics or other instances of potential wrongdoing is subject to disciplinary action, which may include termination of employment.

- (9) Any allegation of retaliation or interference will be taken and treated seriously and irrespective of the outcome of the initial complaint, will be treated as a separate matter.

- (10) The Whistleblower Policy is not intended to limit, diminish or impair any other rights or remedies that an individual may have under the law with respect to disclosing potential wrongdoing free from retaliation or adverse personnel action.

- (11) Specifically, the Whistleblower Policy is not intended to limit any rights or remedies that an individual may have under the laws of the State of New York, including but not limited to the following provisions: Civil Service Law§ 75-b, Labor Law§ 740, State Finance Law§ 191 (commonly known as the "False Claims Act") and Executive Law§ 55(1).

- (12) With respect to any rights or remedies that an individual may have pursuant to Civil Service Law§ 75-b or Labor Law§ 740, any employee who wishes to preserve such rights shall, prior to disclosing information to a government body, have made a good faith effort to provide the appointing authority or his or her designee the information to be disclosed and shall provide the appointing authority or designee a reasonable time to take appropriate action unless there is imminent and serious danger to public health or safety. [See Civil Service Law§ 75-b(2)(b); Labor Law§ 740(3)].

- C. Once a complaint has been submitted, the Ethics Board will investigate the allegations of the complaint. In conducting any such investigation, the Ethics Board may administer oaths or affirmations, issue subpoenas pursuant to Article 23 of the New York Civil Practice Law and Rules, compel witness attendance and require the production of any books or records which it may deem relevant and material. The Ethics Board shall require clear and convincing evidence before determining that a violation has occurred.



### **§ 13-7. Creation of Board of Ethics; composition of membership; conditions of membership.**

- A. A Board of Ethics is hereby established pursuant to Article 18, Section 808, Subdivision 3 of the General Municipal Law. The members of the Board of Ethics shall be appointed by the Town Board and shall receive no salary or compensation for their services as members of such Board. A member of the Board of Ethics may be removed for cause. The Board shall be composed of one member to be appointed by each member of the Town Board with staggered terms. Three members shall be appointed in 2021 and two members to be appointed in 2022. The term of each member shall be five years with three more being appointed or reappointed in 2026 and two being appointed or reappointed in 2027, which shall continue on the same scheme. A member of the Town Board shall not appoint himself or herself or any other current Town Board member. The seventh member of the Board of Ethics shall be the Town Clerk, who shall be an ex officio member without the power to vote. The members of the Board of Ethics shall be residents of the Town of West Seneca and only one member shall be a current Town official, officer or employee. The Town Attorney representing the Town shall be an ex officio member of the Board of Ethics without the power to vote. In the event that the Town Board increases to five board members, the Board of Ethics shall become a five-member Board. One member shall be appointed by each Town Board member and the terms shall be five years as decided by a majority of the Town Board members.
- B. Advisory opinions. Upon written request of any Town official, officer or employee, the Board of Ethics established herein shall render advisory opinions regarding this chapter of Ethics or the provisions contained in Article 18 of the New York State General Municipal Law. The Board of Ethics shall also make recommendations as to any amendments to this chapter upon the request and majority vote of the Town Board. The opinions of the Board of Ethics shall be advisory and under no circumstances shall the identity of the Town officer, official or employee be disclosed except to authorized persons and agencies or pursuant to a court order.
- C. Rules and regulations. The Board of Ethics shall promulgate its own rules and regulations as to its form and procedures and shall maintain appropriate records of its opinions and proceedings.
- D. All recommendations, advisory opinions and rules and regulations of the Board of Ethics shall be kept in the Town Clerk's Office.

### **§ 13-8. Severability.**

If any portion of this chapter shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such portion thereof shall be deemed inoperative and the balance of the code deemed to be in full force and effect.

### **§ 13-9. Permissible claims.**

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former Town official, officer or employee of any claim, account, demand or suit against the Town or any agency thereof on behalf of himself or any relative or household member arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

### **§ 13-10. Compliance required; distribution of copies.**

Compliance with this Code of Ethics shall be deemed a condition of employment for all Town officials, officers and employees. The Town Human Resources Department must promptly cause a copy of this code, including any amendments, to be distributed to every person who is or becomes an official, officer or employee of the Town of West Seneca and a receipt of the same shall be signed by such official, officer or employee. Such receipts shall be filed with Human Resources, who shall supply the necessary forms, and a photocopy shall be filed in the officer's or employee's personnel folder and with the Board of Ethics.

### **§ 13-11. When effective.**

This chapter shall become effective immediately upon its enactment by the Town Board after proper filing, including filing with the office of the State Comptroller and the office of the Secretary of State.

**TOWN OF WEST SENECA**



Gary A. Dickson  
**Supervisor's Office**

TOWN SUPERVISOR  
Gary A. Dickson  
TOWN COUNCIL  
William Bauer  
Joseph J. Cantafio  
Jeffrey Piekarec  
William P. Hanley

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I hereby acknowledge that I have received a copy of the Town of West Seneca's Code of Ethics (West Seneca Town Code Chapter 13). I have read and understand the aforementioned Code together with all amendments thereto and will abide by them.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_