

**TOWN OF NORTH HEMPSTEAD  
COMMUNITY DEVELOPMENT AGENCY  
51 ORCHARD STREET  
ROSLYN HEIGHTS, N.Y. 11577**

Mr. Handy presented the following Resolution and moved for its adoption. The motion for adoption of the Resolution was seconded by Mr. Gioia. Upon the motion of Mr. Handy, seconded by Mr. Gioia, the Resolution was amended and adopted by the vote set forth below.

**RESOLUTION NO. 18 (2009) (Amended)**

**A RESOLUTION ADOPTING AN ETHICS POLICY FOR THE AGENCY.**

**WHEREAS**, Section 18 of the Public Authorities Accountability Act of 2005 (the “Act”) requires each state authority, as defined by Section 1 of the Act (the “Authority”) to adopt a code of ethics applicable to each officer, director and employee that, at a minimum, includes the standards established in section seventy-four of the public officers law (the “Policy”); and

**WHEREAS**, for the purposes of the Act, the Town of North Hempstead (the “Town”) Community Development Agency (the “Agency”) is an Authority, thereby obliging it to adopt a Policy; and

**WHEREAS**, the Agency has long supported and fostered an ethical work environment by using the Town of North Hempstead Code of Ethics, as same may be amended from time to time, and found in Chapter 16A of the Town Code Book (the “Town Code of Ethics”) as a guide, including the yearly filing of financial disclosure forms; and

**WHEREAS**, the members of the Agency (the “Members”) wish to formally recognize the Town Code of Ethics as the Policy of the Agency, thereby formalizing the past practice of the Agency of following and abiding by the Town Code of Ethics.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Members hereby formally recognize the Town Code of Ethics as the Policy of the Agency, thereby formalizing the past practice of the Agency of following and abiding by the Town Code of Ethics; and be it further

**RESOLVED**, the Executive Director and any officers of the Agency are hereby

authorized to take such action as may be necessary to effectuate the foregoing.

Attachment

Ayes: Messrs. Handy, Gioia, and Bailey

Nays: None

Abstentions: None

Date: April 22, 2009

## **Chapter 16A, ETHICS, CODE OF**

**[HISTORY: Adopted by the North Hempstead Town Board 12-18-1990 as L.L. No. 14, 1990 (this local law also repealed former Ch. 16A, Ethics, Code of, adopted 9-10-1963, as amended). Amendments noted where applicable.]**

### **GENERAL REFERENCES**

**Attendance of employees at outside meetings -- See Ch. 3.**

**Employee organizations -- See Ch. 16.**

**Governmental departments -- See Ch. 23.**

**Governmental operations -- See Ch. 24.**

#### **§ 16A-1. Legislative findings and intent.**

**The Town Board of the Town of North Hempstead finds it to be in the best interests of effective and responsive government that its officers and employees, whether paid or unpaid, understand and be guided by a Code of Ethics. The Town Board further finds that clear procedures regarding financial disclosure of certain officers and employees will foster both public confidence in local government and the privacy interests of individuals who are officers and employees of the town. It is the intent of this Board to establish local procedures regarding the completion and filing of financial disclosure forms and to reestablish a Code of Ethics.**

#### **§ 16A-2. Conflicts of interest prohibited.**

**A. No officer or employee of the Town of North Hempstead, whether paid or unpaid, shall:**

**(1) Be or become interested, directly or indirectly, in any manner whatsoever, except by operation of law, in any business or professional dealings with the Town of North Hempstead or any agency thereof.**

**(2) Act as attorney, agent, broker, representative or employee in business or professional dealings with the Town of North Hempstead or any agency thereof for any person, firm or corporation, directly or indirectly, in any manner whatsoever.**

**(3) Accept other employment or engage in any business transactions or make any investments, directly or indirectly, which create a conflict with his official duties.**

**B. Notwithstanding the provisions hereinbefore set forth, any persons serving the Town of North Hempstead or any agency thereof without compensation shall not be deemed in violation of Subsection A above by reason of financial, professional or business interests unless such interests are in conflict with the proper discharge of his official duties.**

#### **§ 16A-3. Gifts and favors.**

**No officer or employee of the Town of North Hempstead, whether paid or unpaid, shall accept any valuable gift, whether in the form of services, loan, object or promise or any other form, from any person, firm or corporation which, to his knowledge, is interested, directly or indirectly, in any manner whatsoever in business or professional dealings with the Town of North Hempstead or any agency thereof.**

#### **§ 16A-3.1. Solicitation of contributions prohibited. [Added 3-9-1993 by L.L. No. 3, 1993]**

**No officer or employee of the town, whether paid or unpaid, or any candidate for elective town office or any committee for any officer or employee or candidate for elective town office shall knowingly solicit or request contributions to any candidate**

for elective office or to any committee for any candidate or political party from any employee of the town or spouse of any employee or from any person, firm or corporation which at such time or within two years of such time has done business with the town or any agency thereof. A person is a "candidate for elective town office," for purposes of this section, once he or she is required to file an annual statement of financial disclosure pursuant to § 16A-12 of this chapter. Where a firm or corporation may not be solicited, the prohibition shall extend to partners or officers of such firm or corporation as well.

**§ 16A-4. Disclosure of interest.**

A. Any officer or employee of the Town of North Hempstead, whether paid or unpaid, who has a direct or indirect financial or other private interest in any matter being considered by the Town Board of the Town of North Hempstead or by any other official or agency, officer or employee of said town and who participates in discussions before or gives opinions to such Board, agency or individuals shall publicly disclose on the official record the nature and extent of such interest.

B. Any officer or employee of the Town of North Hempstead, whether paid or unpaid, who has knowledge of any matter being considered by any board, agency, officer or employee of said town in which he has any direct or indirect financial or other private interest shall be required to disclose, in writing, his interest to such board, agency, officer or employee and the nature and extent thereof.

C. A copy of every disclosure required under Subsections A and B above, including a copy of any transcript of such disclosure, shall be promptly transmitted by the board, agency, officer or employee receiving such disclosure to the Town Clerk, who shall file and maintain the same as a public record.

**§ 16A-5. Disclosure of confidential information.**

No officer or employee of the Town of North Hempstead, whether paid or unpaid, shall disclose confidential information concerning the property, government or affairs of the town or any other confidential information of an official character except when permitted or required by law, nor shall he use such information to advance the financial or other private interests of himself or others.

**§ 16A-6. Future employment. [Amended 3-7-2000 by L.L. No. 3-2000]**

A. No person who has served as an officer or employee of the Town of North Hempstead shall:

(1) Within a period of two years after the termination of such service or employment, appear before any board or agency of the Town of North Hempstead; or

(2) Receive compensation for any services rendered on behalf of any person, firm, corporation or association in relation to any case, proceeding or application:

(a) With respect to which such person was directly concerned as a town officer or employee; or

(b) In which he personally participated during the period of his town service or employment; or

(c) Which was under his active consideration as a town officer or employee.

B. The preceding subsection shall not prevent the town itself from retaining the services, in accordance with General Municipal Law § 104-b, of a former town officer or employee or of a firm or corporation in which such former town officer or employee is currently employed.

**§ 16A-7. Financial disclosure.**

**The Town of North Hempstead has established an Annual Statement of Financial Disclosure Form.**

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

**ELECTED OFFICIAL -- An elected official of the town.**

**LOCAL POLITICAL PARTY OFFICIAL -- The town chairman or leader of a town committee of a party as the term "party" is defined in § 1-104 of the Election Law. 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 town, by whatever title designated, without regard to whether the chairman or leader receives compensation or expenses from the party. [Amended 12-21-1995 by L.L. No. 12, 1995]**

**MINISTERIAL MATTER -- Any administrative act carried out in a prescribed manner not allowing for substantial personal discretion.**

**OFFICER or EMPLOYEE**

**(1) Heads of departments, divisions, agencies, boards or commissions and their deputies and assistants.**

**(2) Those who hold policymaking positions as determined by the Town Board and set forth in a resolution of said Board, which shall be filed with the Board of Ethics on or about February 15 of each year.**

**(3) Those whose duties involve the negotiation, authorization or approval of those items as outlined in Subsection C(4) of this section.**

**RELATIVE -- The 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.**

**REPORTING INDIVIDUAL -- The person required by this section to file an annual financial disclosure statement.**

**SPOUSE -- 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 judicial order, decree or judgment or a legally binding separation agreement.**

**TOWN -- The Town of North Hempstead.**

**UNEMANCIPATED CHILD -- Any son, daughter, stepson or stepdaughter under the age of 18, unmarried and living in the household of the reporting individual.**

**B. A blank copy of the statement shall be on file and maintained by the Town Clerk and shall be available for public inspection during regular business hours.**

**C. The statement shall be completed and filed annually with the Town of North Hempstead Board of Ethics on or before May 15 by:**

**(1) Local elected officials.**

**(2) Department heads and their deputies and assistants.**

**(3) Policymakers.**

**(4) Officers and employees whose duties involve the negotiation, authorization or approval of:**

**(a) Contracts, leases, franchises, revocable consents, concessions, variances, special permits and licenses.**

**(b) The purchase, sale, rental or lease of real property, goods or services.**

- (c) The obtaining of grants of money or loans.
- (d) The adoption or repeal of any rule or regulation having the force and effect of the law.
- (5) Candidates for local elected office.
- (6) Local political party officials.
- (7) Members of commissions, boards and agencies of the town as required by § 16A-7D(46).

**D. The offices, titles and job classifications of those officers and employees required to file annual financial disclosure statements shall include but not be limited to:**

- (1) Supervisor.
- (2) Deputy Supervisor.
- (3) Executive Assistant to the Supervisor.
- (4) Assistant to the Supervisor.
- (5) Member of the Town Board.
- (6) Assistant to the Town Board.
- (7) Town Clerk.
- (8) Deputy Town Clerk.
- (9) Assistant Town Clerk.
- (10) Receiver of Taxes.
- (11) Deputy Receiver of Taxes.
- (12) Assistant Receiver of Taxes.
- (13) Town Attorney.
- (14) Chief Deputy Town Attorney.
- (15) Deputy Town Attorney.
- (16) Assistant Town Attorney.
- (17) Commissioner of Finance.
- (18) Deputy Commissioner of Finance.
- (19) Assistant Commissioner of Finance.
- (20) Comptroller.
- (21) Deputy Comptroller.
- (22) Assistant Comptroller.
- (23) Commissioner of Planning.
- (24) Deputy Commissioner of Planning.
- (25) Assistant Commissioner of Planning.
- (26) Commissioner of Building and Safety Enforcement.
- (27) Deputy Commissioner of Building and Safety Enforcement.
- (28) Assistant Commissioner of Building and Safety Enforcement.
- (29) Commissioner of Public Works.
- (30) Deputy Commissioner of Public Works.
- (31) Assistant Commissioner of Public Works.
- (32) Commissioner of Solid Waste.
- (33) Deputy Commissioner of Solid Waste.
- (34) Assistant Commissioner of Solid Waste.
- (35) Commissioner of Community Services.
- (36) Deputy Commissioner of Community Services.
- (37) Assistant Commissioner of Community Services.

- (38) Superintendent of Highways.**
  - (39) Director of Legislative Affairs.**
  - (40) Chairman, Board of Zoning and Appeals.**
  - (41) Member, Board of Zoning and Appeals.**
  - (42) Executive Secretary, Board of Zoning and Appeals.**
  - (43) Commissioner of Parks and Recreation.**
  - (44) Deputy Commissioner of Parks and Recreation.**
  - (45) Assistant Commissioner of Parks and Recreation.**
  - (46) Chairperson, member or executive director, executive secretary or like employee of the following North Hempstead agencies, boards, commissions, authorities or like organizations:**
    - (a) Community Development Agency.**
    - (b) Plumbing Board.**
    - (c) Electrical Board.**
    - (d) Any such board, commission, authority or like organization created subsequent to the enactment of this section that performs a government function and does not merely serve in an advisory capacity.**
- E. The Town Clerk shall maintain a copy of this Code of Ethics on file and shall make said copy available for public inspection during regular business hours.**
- F. A copy of the Code of Ethics shall be distributed to every officer and employee, whether paid or unpaid, of the town by the Supervisor.**
- G. A person who is subject to the reporting requirements of this section and who has 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 15 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.**
- H. A person who is required to file an annual financial disclosure statement with the Board of Ethics and who is granted an additional period of time within which to file such statement due to justifiable cause or undue hardship, in accordance with the required rules and regulations of the Board of Ethics on the subject, shall file such statement within the additional period of time granted.**
- I. Both political party officials and any person required to file a financial disclosure statement who commences employment after May 15 of any year shall file such statement within 30 days after commencing employment or of taking the position of political party official, as the case may be.**
- J. A person who is subject to the filing requirements of both Subdivision 2 of § 73-a of the Public Officers Law and of this section may satisfy the requirements of**

this section by filing with the Town of North Hempstead Board of Ethics on or before the filing deadline provided in § 3-a of said law a copy of the financial disclosure statement filed pursuant to said § 73-a, notwithstanding the filing deadline otherwise imposed by this section.

**K.** A person who is subject to the filing of annual financial disclosure statements for more than one political subdivision within Nassau County may satisfy the requirements of this section by filing only one annual financial disclosure statement with the Town of North Hempstead Board of Ethics or Nassau County Board of Ethics or, if such political subdivision crosses 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 Town of North Hempstead Board of Ethics is notified of the name of the county of such compliance by the person who is subjected to the filing requirements of this section within the time limit for filing specified in this section.

**§ 16A-8. Annual statement of financial disclosure.**

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

**ANNUAL STATEMENT OF FINANCIAL DISCLOSURE  
FOR TOWN OF NORTH HEMPSTEAD, NEW YORK**

Calendar Year 19\_\_\_\_

1. Name: \_\_\_\_\_

2.(a) Title or 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 § 810 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 Town of North Hempstead. 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.**

<b>Position</b>	<b>Organization</b>	<b>State or Local Agency</b>
_____		
_____		
_____		
_____		
_____		

**(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 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.**

<b>Position</b>	<b>Organization</b>	<b>State or Local Agency</b>
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**5.(a) List the name, address and description of any occupation, employment, trade, business or profession engaged in by the reporting individual. If such activity was licensed 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.**

Position Local Agency	Name and Address of Organization	Description	State or
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**(b) If the spouse or unemancipated child of the reporting individual was engaged in any occupation, employment, trade, business or profession, which activity 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, address and description of such occupation, employment, trade, business or profession and the name of any such agency.**

Position Local Agency	Name and Address of Organization	Description	State or
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**6. List any interest, in excess of \$1,000, excluding bonds and notes, held by the reporting individual, such individual's spouse or unemancipated child or partnership of which any such person is a member or corporation, 10% or more of the stock of which is owned or controlled by any such person, whether vested or contingent, in any contract made or executed by a state or local agency, and include the name of the entity which holds such interest and the relationship of the reporting individual or such individual's spouse or such child to such entity and the interest in such contract.**

**Do not list any interest in any such contract on which final payment has been made and all obligations under the contract, except from guaranties and warranties, have been performed; provided, however, that such an interest must be listed if there has been an ongoing dispute during the calendar year for which this statement is filed with respect to any such guaranties or warranties. Do not list any interest in a contract made or executed by a state agency after public notice and pursuant to a process for competitive bidding or a process for competitive requests for proposals.**

Self, Spouse or Child to Entity and Interest in Contract Category of Value of Contract	Entity Which Held Interest in Contract Contracting State or Local Agency	Relationship
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_____		
_____		
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**7. List any position the reporting individual held as an officer of any political party or political organization, as a member of any political party committee or as a political party district leader. The term "party" shall have the same meaning as "party" in the Election Law. The term "political organization" means any party or independent body as defined in the Election Law or any organization that is affiliated with or a subsidiary of a party or independent body. (Definitions attached).**

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**8.(a) If the reporting individual practices law, is licensed by the Department of State as a real estate broker or agent or practices a profession licensed by the Department of Education, give a general description of the principal subject areas of matters undertaken by such individual. Additionally, if such an individual practices with a firm or corporation and is a partner or shareholder of the firm or corporation, give a general description of the principal subject areas of matters undertaken by such firm or corporation. Do not list the names of the individual clients, customers or patients.**

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**(b) List the name, principal address and general description or the nature of the business activity of any entity in which the reporting individual or such individual's spouse had an investment in excess of \$1,000, excluding investments in securities and interests in real property.**

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**9. List each source of gifts, excluding campaign contributions, in excess of \$1,000 received during the reporting period for which this statement is filed by the reporting individual or such individual's spouse or unemancipated child from the same donor, excluding gifts from a relative. Include the name and address of the donor. The term "gifts" does not include reimbursements, which term is defined in Item No. 10. Indicate the value and nature of each such gift.**

<b>Self, Spouse or Child Category of Value of Gift</b>	<b>Name of Donor</b>	<b>Address</b>	<b>Nature of Gift</b>
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**10. Identify and briefly describe the source of any reimbursements for expenditures, excluding campaign expenditures and expenditures in connection with official duties reimbursed by the political subdivision for which this statement has been filed, in excess of \$1,000 from each source. For purposes of this item, the term "reimbursements" shall mean any travel-related expenses provided by nongovernmental sources and for activities related to the reporting individual's official duties, such as speaking engagements, conferences or fact-finding events. The term "reimbursements" does not include gifts recorded under Item No. 9.**

**Source            Description**

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\_\_\_\_\_  
\_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_

**11. List the identity and value, if reasonably ascertainable, of each interest in a trust, estate or other beneficial interest, including retirement plans other than retirement plans of the State of New York or the City of New York, and deferred compensation plans established in accordance with the Internal Revenue Code, in which the reporting individual held a beneficial interest in excess of \$1,000 at any time during the preceding year. Do not report interests in a trust, estate or other beneficial interest established by or for, or the estate of, a relative.**

**Identity            Category of Value\***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\*The value of such interest shall be reported only if reasonably ascertainable.**

**12.(a) Describe the terms of and the parties to any contract, promise or other agreement between the reporting individual and any person, firm or corporation with respect to the employment of such individual after leaving office or position (other than a leave of absence).**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(b) Describe the parties to and the terms of any agreement providing for continuation of payments or benefits to the reporting individual in excess of \$1,000 from a prior employer other than the political subdivision for which this statement is filed. (This includes interests in or contributions to a pension fund, profit-sharing plan or life or health insurance; buyout agreements; severance payments; etc.)**

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**13. List below the nature and amount of any income in excess of \$1,000 from each source for the reporting individual and such individual's spouse for the taxable year last occurring prior to the date of filing. Nature of income includes but is not limited to salary for government employment, income from other compensated employment, whether public or private, directorships and other fiduciary positions, contractual arrangements, teaching income, partnerships, honorariums, lecture fees, consultant fees, bank and bond interest, dividends, income derived from a trust, real estate rents and recognized gains from the sale or exchange of real or other property. Income from a business or profession and real estate rents shall be reported with the source identified by the building address in the case of real estate rents and otherwise by the name of the entity and not by the name of the individual customers, clients or tenants, with the aggregate net income before taxes for each building address or entity. The receipt of maintenance received in connection with a matrimonial action, alimony and child support payments shall not be listed.**

<b>Self/Spouse</b>	<b>Source</b>	<b>Nature</b>	<b>Category of Amount</b>
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**14. List the sources of any deferred income in excess of \$1,000 from each source to be paid to the reporting individual following the close of the calendar year for which this disclosure statement is filed, other than deferred compensation reported in Item No. 11 hereinabove. Deferred income derived from the practice of a profession shall be listed in the aggregate and shall identify as the source the name of the firm, corporation, partnership or association through which the income was derived but shall not identify individual clients.**

<b>Source</b>	<b>Category of Amount</b>
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**15. List each assignment of income in excess of \$1,000 and each transfer other than to a relative during the reporting period for which this statement is filed for less than fair consideration of an interest in a trust, estate or other beneficial interest, securities or real property, by the reporting individual, in excess of \$1,000, which would otherwise be required to be reported herein and is not or has not been so reported.**

<b>Item Assigned or Transferred Value</b>	<b>Assigned or Transferred to</b>	<b>Category of</b>
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**16. List below the type and market value of securities held by the reporting individual or such individual's spouse from each issuing entity in excess of \$1,000 at the close of the taxable year last occurring prior to the date of filing, including the name of the issuing entity, exclusive of securities held by the reporting individual issued by a professional corporation.**

**Whenever an interest in securities exists through a beneficial interest in a trust, the securities held in such trust shall be listed only if the reporting individual has knowledge thereof, except where the reporting individual or the reporting individual's spouse has transferred assets to such trust for his or her benefit, in which event such securities shall be listed unless they are not ascertainable by the reporting individual because the trustee is under an obligation or has been instructed, in writing, not to disclose the contents of the trust to the reporting individual.**

**Securities of which the reporting individual or the reporting individual's spouse is the owner of record but in which such individual or the reporting individual's spouse has no beneficial interest shall not be listed. Indicate the percentage of ownership if the reporting person or the reporting person's spouse holds more than 5% of the stock of a corporation in which the stock is publicly traded or more than 10% of the stock of a corporation in which the stock is not publicly traded. Also list securities owned for investment purposes by a corporation more than 50% of the**

stock of which is owned or controlled by the reporting individual or such individual's spouse.

**N.B.:** For the purpose of this item, the term "securities" shall mean bonds, mortgages, notes, obligations, warrants and stocks of any class, investment interests in limited or general partnerships and certificates of deposits and such other evidences of indebtedness and certificates of interest as are usually referred to as securities. The market value for such securities shall be reported only if reasonably ascertainable and shall not be reported if the security is an interest in a general partnership that was listed in Item No. 8(a) or if the security is corporate stock, not publicly traded, in a trade or business of a reporting individual or a reporting individual's spouse.

Self/Spouse as of the Close of the Taxable Year Statement	Issuing Entity Percentage of Corporate Stock Owned or Controlled	Type of Security	Category of Market Value Last Occurring Prior to the Filing of this
_____			
_____			
_____			
_____			
_____			

**17. List below the location, size, general nature, acquisition date, market value and percentage of ownership of any real property in which any vested or contingent interest in excess of \$1,000 is held by the reporting individual or the reporting individual's spouse. Also list real property owned for investment purposes by a corporation, more than 50% of the stock of which is owned or controlled by the reporting individual or such individual's spouse. Do not list any real property which is the primary or secondary personal residence of the reporting individual or the reporting individual's spouse, except where there is a co-owner who is other than a relative.**

Self/Spouse/Other Party Date	Location Category of Market Value	Size Percentage of Ownership	General Nature	Acquisition
_____				
_____				
_____				
_____				
_____				

**18. List below all notes and accounts receivable, other than from goods or services sold, held by the reporting individual at the close of the taxable year last occurring prior to the date of filing and other debts owed to such individual at the close of the taxable year last occurring prior to the date of filing in excess of \$1,000, including the name of the debtor, type of obligation, date due and the nature of the collateral securing payment of each, if any, excluding securities reported in Item No. 16 hereinabove. Debts, notes and accounts receivable owed to the individual by a relative shall not be reported.**

**Name of Debtor      Type of Obligation, Date Due and Nature of Collateral, if any  
Category of Amount**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**19. List below all liabilities of the reporting individual and such individual's spouse in excess of \$5,000 as of the date of filing of this statement, other than liabilities to a relative. Do not list liabilities incurred by or guaranties made 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 the 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.**

**Name of Creditor or Guarantor      Type of Liability and Collateral, If Any  
Category of Amount**

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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.

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Signature of Reporting Individual

Date (month/day/year)

**§ 16A-9. Continuation of Board of Ethics.**

**A. The Board of Ethics of the Town of North Hempstead is hereby continued. It shall consist of six members to be appointed by the Supervisor but subject to the confirmation of the Town Board. All members shall reside in the Town of North Hempstead and shall serve without compensation.**

**B. The term of office for each member shall be six years. In the event of a vacancy due to registration, death, illness or otherwise, a successor shall be appointed for the unexpired balance of the term. This appointment shall be made in the same manner as provided for in Subsection A above.**

**C. The members of the Board of Ethics shall elect a Chairperson from their group.**

**D. The terms of the current members of the Board of Ethics as constituted on the effective date of this chapter shall continue. The term of one member of the Board shall continue to expire on an annual rotating basis.**

**§ 16A-10. Powers and duties of Board of Ethics.**

**A. The Board shall promulgate its own rules and regulations as to its forms and procedures and shall maintain appropriate records of its opinions and proceedings.**

**B. The Board shall render advisory opinions with respect to the Code of Ethics when so requested by an officer or employee or the head of the department, agency or unit he serves. All opinions shall be rendered only to the person so requesting. All requests for opinions must be submitted to the Board in writing.**

**C. The Board shall be the repository for completed annual statements of financial disclosure.**

**D. The Board shall adopt, amend and rescind rules and regulations to govern procedures for filing the annual statements and for requesting extensions of time to file for justifiable cause or undue hardship and shall set time limits for such extensions. Said rules and regulations shall include a date beyond which no extensions will be granted. Said Board may utilize or modify such rules or regulations or adopt separate rules or regulations for the purposes set forth in § 811, Subdivision 1(d), of the General Municipal Law.**

**E. The Board shall establish guidelines for determining which persons hold policymaking positions.**

**F. The Board shall make the form for the annual statement of financial disclosure available to persons required to file.**

- G.** The Board shall receive and review completed financial disclosure statements.
- H.** The Board shall make available for public inspection, during regular business hours, the completed Annual Financial Disclosure Forms, except that the categories of amounts are confidential and shall not be made available to the public.
- I.** The Board shall permit anyone required to file an annual statement to request an exemption from requirements to report items of information pertaining to their spouse or unemancipated children.
- J.** The Board shall advise and assist local agencies in establishing rules and regulations relative to possible conflicts between private interests and official duties.
- K.** The Board shall permit any person who is not holding a policymaking position but is otherwise required to file to request an exemption from filing, subject to the rules and regulations of the Board.
- L.** The Board shall determine whether any person required to file has failed to file or has filed a deficient statement or has revealed a possible violation in their statement.
- M.** The Board shall establish rules and regulations relating to possible conflicts between private interests and official duties of present or former elected officials, political party officials and officers and employees.
- N.** Notwithstanding the provisions of Article 6 of the Public Officers Law, the only records of the Board which shall be available for public inspection are:
- (1)** The information set forth in an annual statement of financial disclosure filed pursuant to law, except the categories of value or amount, which shall remain confidential, and any other item of information deleted pursuant to Subsection H of this section of this chapter, as the case may be.
  - (2)** Notices of delinquency sent under Subsection P(1).
  - (3)** Notices of reasonable cause sent under Subsection P(3).
  - (4)** Notices of civil assessments imposed under this section.
- O.** Notwithstanding the provisions of Article 7 of the Public Officers Law, no meeting or proceeding of the Board of Ethics shall be open to the public, except if expressly provided otherwise by said Board.
- P.** Violations; procedure. The Board shall receive complaints alleging violations of the Code of Ethics and shall have the power to conduct any investigation necessary to carry out the provisions of this chapter. Pursuant to this power of investigation, the Board may administer oaths or affirmations, subpoena witnesses, compel their attendance and require the production of any books or records which it may deem relevant or material.
- (1)** If the Board determines that a person has failed to file or has filed a deficient statement, it shall notify the person, in writing, stating said failure or deficiency, provide a fifteen-day period to cure and advise the person of penalties. Said notice shall be confidential. If the person fails to cure within the 15 days, the Board will send a notice of delinquency to the reporting person and to the Town Board. Said notice shall be confidential.
  - (2)** If the Board determines that the filed statement reveals a possible violation of the Code of Ethics or if the Board receives a sworn complaint alleging a violation or if the Board, on its own initiative, investigates a possible violation, the Board shall notify the reporting person, in writing, describing the possible or alleged

violation and providing a fifteen-day period to respond in writing. If the Board determines that further inquiry is justified, it shall afford the reporting person the opportunity to be heard. The Board shall advise the reporting person of the rules regarding adjudication procedures and appeals available. If the Board determines at any state that there is no violation or that any conflict has been rectified, it shall so advise the reporting persons and the complainant, if any. All procedures herein shall be confidential.

(3) If the Board determines that there is reasonable cause to believe a violation has occurred, it shall send a notice of reasonable cause to the reporting person, the complainant, if any, and the Town Board, if the reporting person is an officer or employee.

(4) A reporting person who knowingly fails to file a financial disclosure statement or knowingly makes a false statement or gives false information on such statement or knowingly violates any other provision of this chapter shall be assessed a civil penalty in accordance with § 16A-11. Assessment of the penalty shall be made by the Board. [Amended 3-9-1993 by L.L. No. 3, 1993]

(5) A copy of any notice of delinquency or notice of reasonable cause sent pursuant to Subsection P(1) and (3) of this section shall be included in the reporting person's file and be available for public inspection.

**§ 16A-11. Penalties for offenses.**

A. Any reporting individual who knowingly and willfully fails to file an annual statement of financial disclosure or who knowingly and willfully 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 chapter shall be assessed a civil penalty in an amount not to exceed \$10,000. Any person who knowingly violates any other provision of this chapter shall be assessed a civil penalty in an amount not to exceed \$1,000. Assessment of a civil penalty shall be made by the Board of Ethics with respect to persons subject to its jurisdiction. The Board of Ethics, acting pursuant to the law, may impose a civil penalty as aforesaid, and said Board may, in lieu of a civil penalty, refer a violation to the appropriate prosecutor. Upon such conviction, but only after such referral, such violation shall be punishable as a Class A misdemeanor. [Amended 3-9-1993 by L.L. No. 3, 1993]

B. A civil penalty for false filing may not be imposed hereunder in the event that a category of value or amount reported upon as required by this chapter is incorrect unless such report 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 of financial disclosure, except that disciplinary action may be imposed as otherwise provided by law.

C. The Board of Ethics shall be deemed to be an agency within the meaning of Article 3 of the State Administrative Procedure Act and shall adopt rules governing the conduct of adjudicatory proceedings and appeals relating to the assessment of the civil penalties herein authorized. Such rules, which shall not be subject to the approval requirements of the State Administrative Procedure Act, shall provide for due process procedural mechanisms substantially similar to those set forth in such Article 3, but such mechanisms need not be identical in terms of scope.

**D. Assessment of a civil penalty shall be final unless modified, suspended or vacated within 30 days of imposition and, upon becoming final, shall be subject to review at the instance of the affected reporting individual in proceeding against the Board of Ethics pursuant to Article 78 of the Civil Practice Law and Rules.**

**§ 16A-12. Candidates for town elected office.**

**A. For the purposes of filing an annual statement of financial disclosure pursuant to § 16A-7C(5):**

**(1) Candidates for Town of North Hempstead elected officials 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.**

**(2) Candidates for independent nomination for Town of North Hempstead elected officials 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 election official in the next succeeding general special election.**

**(3) Candidates for Town of North Hempstead elected officials 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.**

**(4) 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 subsection by complying with the earliest applicable deadline only.**

**B. As used in this section, the terms "party," "designation," "primary," "primary election," "nomination," "independent nomination," "ballot" and "uncontested office" shall have the same meanings as those contained in § 1-104 of the Election Law.**

**C. Such statement shall be filed with the Board of Ethics.**

**D. The Board of Ethics shall obtain from the Board of Elections, as such term is defined in § 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 10 days after the required date for filing such statement, filed the statement required by this section.**