Chapter 14: CODE OF ETHICS AND FINANCIAL DISCLOSURE LAW

[HISTORY: Adopted by the Town Board of the Town of Islip 12-18-1990 by L.L. No. 4-1990. Editor's Note: This local law also repealed former Ch. 14, Ethics, Code of, adopted 12-13-1968, as amended. Amendments noted where applicable.]

GENERAL REFERENCES

Fair employment practices — See Ch. 17.
Defense of officers and employees — See Ch. 24.

ARTICLE I Title

§ 14-1. Title.

This local law may be cited as the "Town of Islip Code of Ethics and Financial Disclosure Law."

ARTICLE II Purpose and Scope

§ 14-2. Statutory authorization; intent.

This Code of Ethics and Financial Disclosure Law is enacted pursuant to Article 18 of the General Municipal Law in recognition of the policy of the Town of Islip to maintain the highest standards of integrity and public service. It is intended to afford Town officers and employees guidance in conforming to ethical standards, to provide a formula of conduct which is not only clear but reasonable, to promote public confidence in the integrity of Town government, to require public disclosure of financial interests that may influence or be perceived as influencing actions of Town officers and employees and to provide for the fair and effective administration of this code. The enactment of this Code of Ethics and Financial Disclosure Law and the promulgation of a form of annual statement of financial disclosure is expressly intended to constitute an election to opt out of the provisions of General Municipal Law § 812, in accordance with the provisions of General Municipal Law § 811.

ARTICLE III Definitions and Word Usage

§ 14-3. Definitions.

As used in this local law, the following terms shall have the meanings indicated:

AGENCY — Any Town authority, agency, board, bureau, commission, committee or council created by law or appointed by the Town Board or Town Supervisor, including but not limited to the Zoning Board of Appeals, Planning Board, Plumbing Board, Ethics Board, Youth Board, Board of Assessment and Review, Industrial Development Agency (IDA), Community Development Agency (CDA), Resource Recovery Agency and Town of Islip Housing Authority.

BUSINESS DEALING OR ACTIVITIES

A. Having or providing any contract, service or work with a municipality;

B. Buying, selling, renting, leasing or otherwise acquiring from or dispensing to a municipality any goods, services or property; or

C. Applying for, petitioning, requesting or obtaining any approval, grant, loan, license, permit or other privilege from the municipality.

COMPENSATION — Any money, thing of value, financial benefit conferred or favor granted, given or awarded for services rendered or to be rendered.

CONFIDENTIAL INFORMATION — Information or data which is not subject to public disclosure or is otherwise privileged under law.

DISCRETIONARY ACT — Any action involving the exercise of judgment or discretion by a municipal officer or employee, either individually or as a member of any agency, and includes but is not limited to the negotiation, approval, advice, recommendation, authorization or audit of:

A. Contracts, leases, franchises, revocable consents, concessions, variances, special permits or licenses as defined in § 73 of the Public Officers Law;

B. The purchase, sale, rental or lease of real property, goods or services or a contract therefor;

C. The obtaining of grants of money or loans; or

D. The adoption or repeal of any rule or regulation having the force and effect of law.

EMPLOYEE — Any person directly employed on a full- or part-time basis by the Town or any agency thereof as herein defined and compensated therefor, except it shall not include part-time services rendered by independent contractors under special agreements of retention.

FAMILY MEMBER — A spouse from whom the officer or employee is not legally separated, a child, stepchild, brother, sister, grandparent, parent or dependent.

INTEREST — A direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the municipality which such officer or employee serves. For the purpose of this local law, a municipal officer or employee shall be deemed to have an interest in the contract of:

A. His spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves.

B. A firm, partnership or association of which such officer or employee is a member or employee.

C. A corporation of which such officer or employee is an officer, director or employee.

D. A corporation, any stock of which is owned or controlled directly or indirectly by such officer or employee.

MINISTERIAL ACT — Action performed in a prescribed manner without the exercise of judgment or discretion as to the propriety of the act.

OFFICER — Every elected official of the Town, every appointed official of the Town as defined in the Town Law, General Municipal Law, Public Officers Law or any other law referring to officers acting on behalf of the Town, or any agency thereof as herein defined, and shall also include those persons employed by the Town or agency thereof as herein defined on a full-time basis:

A. As department heads or deputy department heads; or

B. Whose job categories require them to perform acts of a discretionary rather than ministerial nature.

QUORUM — Four members present at any meeting of the Board of Ethics. **[Added 4-24-2007 by L.L. No. 2-2007]**

§ 14-4. Word usage.

The masculine gender, as used herein, shall include the feminine, where appropriate.

ARTICLE IV Conflicts of Interest and Disclosure

§ 14-5. Conflicts prohibited; exceptions.

A. Prohibited conflicts. Except as provided in Subsection B of this section, no officer or employee shall have an interest, financial or otherwise, or engage or invest in any business or transaction or professional activity or incur any obligation of any nature which is in conflict with the proper discharge of his duties in the public interest. To this end:

(1) No officer or employee shall be or become interested directly or indirectly in any manner whatsoever in any business or professional dealings with the Town of Islip or any agency thereof.

(2) No officer or employee shall act as attorney, agent, broker, employee or representative in business or professional dealings with the Town of Islip or any agency thereof for himself or any person, firm or

corporation, directly or indirectly.

(3) No officer or employee shall accept other employment or engage in any business transaction which will impair his independence of judgment in the exercise of his official duties or create a conflict of interest with his official duties.

(4) No chief fiscal officer, treasurer or his deputy or employee shall have an interest in a bank or trust company designated as a depository, paying agent, registration agent or for investment of funds of the Town of Islip or an agency thereof of which he is an officer or employee; provided, however, that where the designation of a bank or trust company outside the Town of Islip would be required because of the foregoing restriction, a bank or trust company within the Town of Islip may nevertheless be designated.

(5) No municipal officer or employee shall receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any Town of Islip agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.

(6) No officer or employee shall receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any case, proceeding, application or any other matter before any Town agency, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to any license, contract, certificate, ruling, decision, opinion, franchise or other benefit.

(7) No person having supervisory control or who is superior in title to any official or employee of the Town shall engage in any of the following actions with subordinates at any time on or off Town premises: **[Added 4-24-2007 by L.L. No. 2-2007]**

(a) Discussion of or solicitation of ticket purchases or sales.

(b) Solicitation to join a political party or political activity.

(c) Use of political considerations in discussing duties, positions, compensation, changes in titles or work.

(d) Use of political considerations as the reason for promotions, assignment changes, demotions or termination.

B. Exceptions. The provisions of Subsection A of this section shall not apply to:

(1) The payment of lawful compensation and necessary expenses of any municipal officer or employee in one (1) or more positions of public employment, the holding of which is not prohibited by law.

(2) A contract with a person, firm, corporation or association in which an officer or employee has an interest which is prohibited solely by reason of employment as an officer or employee thereof, if the remuneration of such employment will not be directly affected as a result of such contract and the duties of such employment do not directly involve the procurement, preparation or performance of any part of such contract.

(3) The designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution, ordinance or other proceeding where such publication is required or authorized by law.

(4) The purchase by the Town of Islip or any agency thereof of real property or an interest therein, provided that the purchase and the consideration therefor is approved by order of the Supreme Court upon petition of the governing board.

(5) The acquisition of real property or an interest therein through condemnation proceedings according to law.

(6) A contract with a membership corporation or other voluntary nonprofit corporation or association.

(7) The sale of bonds and notes pursuant to § 60.10 of the Local Finance Law.

(8) A contract in which an officer or employee has an interest if such contract was entered into prior to the time he was elected or appointed as such officer or employee, but this subsection shall in no event authorize a renewal of any such contract.

(9) No conflict shall be deemed to arise under this resolution by virtue of stock ownership, direct or indirect, where such ownership constitutes less than five per centum (5%) of the outstanding stock of the corporation involved.

(10) A contract for the furnishing of public utility services when the rates or charges therefor are fixed or regulated by the Public Service Commission.

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

(12) A contract in which a municipal officer or employee has an interest if the total consideration payable thereunder, when added to the aggregate amount of all consideration payable under the contracts in which such person had an interest during the fiscal year, does not exceed the sum of one hundred dollars ($100.).

(13) A contract with a member of a private industry council established in accordance with the Federal Job Training Partnership (JTPA) or any firm, corporation or association in which such member holds an interest, provided that the member discloses such interest to the council and the member does not vote on the contract.

(14) Any person serving the Town or any agency thereof without compensation shall not be deemed to be in violation of this Article unless such interest is in conflict with the proper discharge of his official duties.

§ 14-6. Disclosure of interest in contracts.

A. Any officer or employee who has, will have or later acquires an interest in any actual or proposed contract with the Town of Islip or agency thereof of which he is an officer or employee shall publicly disclose the nature and extent of such interest, in writing, to the governing body thereof as soon as he has knowledge of such actual or prospective interest. Such written disclosure shall be made a part of and set forth in the official record of the proceedings of such body. Once disclosure has been made by an officer or employee with respect to an interest in a contract with a particular person, firm, corporation or association, no further disclosures need be made by such officer or employee with respect to additional contracts with the same party during the remainder of the fiscal year.

B. Notwithstanding the provisions of Subsection A of this section, disclosure shall not be required in the case of an interest in a contract described in § 14-5B(9) through (14) of this Article.

§ 14-7. Disclosure of interest in applications.

A. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit pursuant to the provisions of the Town Code or building or engineering or planning regulations shall state the name, residence and the nature and extent of the interest of any officer or employee of the Town of Islip in the person, partnership or association making such application, petition or request (hereinafter called the "applicant") to the extent known to such applicant.

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

(1) Is the applicant;

(2) Is an officer, director, partner or employee of the applicant;

(3) Legally or beneficially owns or controls stock of a corporate applicant or is a member of the partnership or association applicant; or

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

C. Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on any public exchange shall not constitute an interest for the purposes of this section.

§ 14-8. Voided contracts; penalties for offenses.

A. Any contract willfully entered into by or with the Town of Islip or an agency thereof in which there is an interest prohibited by this Article shall be null, void and wholly unenforceable.

B. Any person, including but not limited to an officer or employee, who willfully and knowingly violates the provisions of §§ 14-5, 14-6 or 14-7 of this Article shall be guilty of a misdemeanor.

ARTICLE V Standards of Conduct

§ 14-9. Gifts.

A. No municipal officer or employee shall directly or indirectly solicit any gift or accept or receive any gift having a value of seventy-five dollars ($75.) or more, whether in the form of service, loan, travel, entertainment, hospitality, thing or promise or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or could reasonably be expected to influence him in the performance of his official duties or was intended as a reward for any official action on his part.

B. No municipal officer shall directly or indirectly solicit or accept or receive any money in any amount under any circumstances in which it could reasonably be inferred that the gift was intended to influence him or could reasonably be expected to influence him in the performance of his official duties or was intended as a reward for any official action on his part.

§ 14-10. Conduct giving impression that improper influence may be exercised.

No officer or employee shall by his conduct give a reasonable basis for the impression that any person can improperly influence him or unduly 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.

§ 14-11. Improper use of official position.

No officer or employee shall use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.

§ 14-12. Use of Town-owned equipment or property.

No officer or employee shall request or permit the use of Town-owned vehicles, equipment, material or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such officer or employee in the conduct of official business.

§ 14-13. Preferential treatment.

No person or organization shall attempt to secure preferential treatment in its dealings with the Town by offering any valuable gifts, whether in the form of a service, loan, thing or promise, in any form to any Town official or employee.

§ 14-14. Disclosure of confidential information.

No officer or employee of the Town of Islip, 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 required by law, nor shall be use such information to advance the financial or other private interests of himself or others.

§ 14-15. Future employment.

No officer or employee shall, within a period of two (2) years after the termination of such service or employment, appear before the Town Board or any agency of the Town or receive compensation for any services rendered on behalf of any person, firm, corporation, interest or association other than the Town, its agencies, districts, boards,

authorities, commissions or instrumentalities in relation to any case, proceeding or application with respect to which such person was directly concerned or in which he personally participated during the period of his service or employment or which was under his active consideration. Nor shall any person who has served as a member of the legislative body of the Town, within a period of two (2) years after the termination of such service, receive compensation for any service on behalf of any person, firm, corporation or association to promote or oppose, directly or indirectly, the passage of bills or resolutions by such legislative body of the Town.

§ 14-16. Penalties for offenses.

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

B. Any individual, corporation, firm or association who is found by the Town Board to have knowingly violated the provisions of § 14-13 of this Article shall be deemed an "irresponsible bidder," subject to automatic cancellation of existing contracts and disqualification from bidding on contracts awarded by the Town or its agencies pursuant to the provisions of General Municipal Law § 103.

ARTICLE VI Financial Disclosure

§ 14-17. Filing disclosure form required.

A. All elected and appointed Town officials and officers, as defined in Article III of this local law, including but not limited to all attorneys in the Town Attorney's office, all members of the Town Planning Board, Plumbing Board, Zoning Board of Appeals, Youth Board, Board of Assessment and Review, Industrial Development Agency, Town of Islip Housing Authority, Resource Recovery Agency and Community Development Agency, whether or not they receive a salary or other payment for their services, shall file an annual financial disclosure statement as hereinafter provided and shall answer each and every question therein in accordance with the provisions of this Article.

B. A list of the title and individuals who are required to report shall be compiled annually by the Director of Personnel and approved by resolution of the Town Board and shall be filed with the Board of Ethics no later than the first day of February of each year.

§ 14-18. Required forms.

A. All individuals required to file an annual disclosure statement pursuant to the provisions of § 14-17 herein but who do not receive compensation for their services shall file their disclosure on Form A, designated "Short Form," annexed hereto and made a part of this local law. Editor's Note: Form A is on file in the Town Clerk's office.

B. All individuals required to file an annual disclosure statement pursuant to the provisions of § 14-17 herein who are compensated for their services shall file their disclosure on Form B, designated "Long Form," annexed hereto and made a part of this local law. Editor's Note: Form B is on file in the Town Clerk's office.

§ 14-19. Filing procedures.

A. In accordance with § 14-17 of this Article, the Board of Ethics shall obtain a list of all individuals required to report annually from the Town of Islip Director of Personnel and any other required sources no later than the first day of February of each year. Said list shall specify whether each such individual is compensated or not for his services and designate whether the individual is to file the Short Form (A) or the Long Form (B).

B. No later than March 30 of each year, the Board shall mail the appropriate form by certified mail, return receipt requested, to all individuals required to file a financial disclosure statement under this Article.

C. Statements should be filed as follows:

(1) On May 1 of each year, each individual covered by § 14-17 of this Article shall file with the Town of Islip Board of Ethics the required Annual Disclosure Form unless written application of extension is granted by the Board of Ethics on the grounds of undue hardship or for justifiable cause. In no event shall any extensions be granted beyond the next annual filing date.

(2) Any individual who is subject to the financial disclosure reporting requirements under § 14-17 of this

Article and who has timely filed with the Internal Revenue Service an application for automatic extension of time in which to file his individual income tax return for the immediately preceding calendar or fiscal year shall be required to file such disclosure statement on or before May 1, unless extended pursuant to Subsection C(1) above, but may, without any civil penalty on account of a deficient statement, indicate with respect to any item on the disclosure statement that such information with respect thereto is lacking but will be supplied in a supplementary statement of financial disclosure, which shall be filed no later than seven (7) days after the expiration date of the period of automatic extension of time within which to file said tax return. Failure to file said supplementary financial disclosure statement within the time provided shall subject the reporting individual to the penalties applicable to the failure to file or the filing of a deficient statement as if such supplementary statement were an annual statement.

(3) Any changes in personnel that would add to the list an individual required to file occurring after February of each year shall be reported to the Board by the Director of Personnel and the appropriate Town agency. The Board shall then mail the appropriate form to such individual in the manner herein described and shall allow the individual thirty (30) days to respond.

§ 14-20. Review procedures; penalties for offenses.

A. The Board shall receive, date, review and file all financial disclosure statements.

(1) If any individual required to report refuses or fails, unknowingly or intentionally, to timely file a statement as required by this Article, the Board shall notify the individual of such failure and simultaneously notify the Town Comptroller that said individual has not filed, and, upon such notification, the Comptroller shall withhold the paycheck of that employee. Once a statement is filed, the Board shall promptly notify the Comptroller and all moneys withheld because of nonfiling shall be promptly released.

(2) If an individual fails to file a statement within forty-five (45) days after receipt of the notice of nonfiling from the Board or if the individual files a statement which the Board determines was filed with the intent to deceive, to intentionally misrepresent or otherwise fraudulently answer any question set forth in the statement or to intentionally withhold any information asked or demanded in the statement, such action shall be grounds for dismissal or removal pursuant to Civil Service Law § 75, the Public Officers Law, Article 3, and other applicable laws.

B. If the Board determines that further information is required with respect to any aspect of the disclosure statement, the reporting individual shall provide the same within fifteen (15) days of receipt of a written request made by the Board.

C. If the Board determines that a reporting individual filed a statement with the intent to deceive, to intentionally misrepresent or otherwise to fraudulently answer any question set forth in the statement or to intentionally withhold any information asked or demanded in the statement and if such deception or misrepresentation is found by the Board to be both intentional and material as to a conflict of interest, then such employee shall be charged with a violation of this Article, punishable by a fine of not more than five hundred dollars ($500.) or imprisonment of not more than three (3) months, or both. In all criminal proceedings under this Article, the Board, through a designated representative, shall act as a complaining witness.

D. If, after review of the statement, the Board determines that a conflict of interest exists or that there appears to be an impropriety that could reflect upon the integrity of Town government, the following procedures shall apply:

(1) The Board shall specify, by written opinion, stating its findings and the basis for its opinion, that a conflict or impropriety exists and shall mail such opinion by certified mail, return receipt requested, to the reporting individual.

(2) The individual shall have twenty-one (21) days from the date he receives the opinion to respond, rebut or refute the Board's findings by making a written submission to the Board.

(3) The Board may then modify its opinion or recommend to the reporting individual a manner in which the conflict of interest or appearance of impropriety may be rectified.

(4) In the event that the Board determines that the conflict or impropriety has not been rectified, the Board shall refer the matter to the Town Board for its consideration.

E. When conditions in Subsections A(2) and B of this section exist or if any reporting individual fails to respond

to the Board within twenty-one (21) days of receipt of the Board's opinion or fails to satisfactorily cure a conflict or impropriety as addressed in Subsection C of this section, the Board shall publicly disclose the individual's statement or relevant portions of such statement, along with the Board's opinion, by filing them with:

(1) The Town Clerk.

(2) The Town Supervisor.

(3) The Town Board.

F. At any time during the review process, the Board, acting through its Chairman and the Town Attorney, shall promptly refer any matter to the District Attorney when there is reason to believe that criminal investigation may be warranted.

§ 14-21. Confidentiality and public access.

A. All statements filed with the Board of Ethics upon completion of their review by said Board shall become a public record, except that a reporting individual may request confidentiality in regard to parts of his financial statement that have no relationship to his official duties. Confidentiality may be granted by the Board in regard to such parts that, in the opinion of the Board, pose no conflict of interest and/or have no relationship to official duties of the employee. Parts of the statement that are granted confidential status by the Board shall be retained by the Board and shall only be disclosed pursuant to this Article.

B. Any part of a financial disclosure statement that has been granted confidential status by the Board pursuant to the reporting individual's request shall be maintained by the Board as confidential information. It shall be a violation for any Board member, Board employee or any other individual other than the reporting individual to disclose information that has been granted confidential status, and such violation shall be punishable by a fine of not more than two hundred fifty dollars ($250.), as determined by the Board.

C. If information granted confidential status is intermixed with parts of the statement that will be filed as a public record, such confidential information shall be deleted by the Board on the copy to be so filed, and the original statement containing the confidential information shall be retained by the Board.

D. The Board shall maintain a complete and permanent written record of all requests made to review the public portion of an individual's financial disclosure statement, which record shall be available to the reporting individual.

ARTICLE VII Board of Ethics

§ 14-22. Establishment; membership; terms; qualifications.

A. A Board of Ethics is hereby established, and the Town Board shall appropriate funds for maintenance and personal services in connection therewith.

B. The Board of Ethics shall be composed of seven members appointed by the Supervisor, subject to confirmation by the Town Board. Only one member may be an elected or appointed municipal officer or employee. The Town Attorney or his/her designee shall serve as counsel to the Board of Ethics, except he/she shall be excused when he/she or the Board of Ethics determines that he/she has, or may reasonably appear to have, a conflict of interest. In such event, substitute counsel shall be provided in a timely fashion. **[Amended 1-31-2006 by L.L. No. 1-2006; 4-24-2007 by L.L. No. 2-2007]**

C. No persons may be appointed as members of such Board who shall be:

(1) An officer or committee person of any political party or club within the Town.

(2) Persons clearly related by family or business to any Town officer or employee.

(3) Persons having business dealings with the Town or any Town agency directly or indirectly, either personally or through some firm, association or corporation in which such person has an official capacity.

D. The members of such Board shall serve at the pleasure of the Town Board and shall receive no salary or compensation for their services as members, except that any member who is a Town officer or employee shall be entitled to his usual compensation when attending upon the business of the Board during normal

working hours.

E. Members of the Board of Ethics shall be provided with legal defense and indemnification in accordance with the requirements of Chapter 24, Defense of Officers, Employees and Appointed Officers, of the Islip Town Code.

§ 14-23. Promulgation of rules and regulations.

The Board of Ethics shall promulgate its own rules and regulations as to its forms and procedures unless otherwise provided in this chapter and shall maintain appropriate records of its opinions and proceedings, for which expenses it shall be reimbursed as a Town charge, and an adequate appropriation for its operation shall be budgeted by the Supervisor. The members of said Board shall elect from among themselves a Chairman and a Secretary.

§ 14-24. Powers and duties.

A. The Board of Ethics shall have all the powers and duties as prescribed by Article 18 of the General Municipal Law and, with respect to financial disclosure, shall have all the power and duties given to the Temporary State Commission On Local Government Ethics under General Municipal Law § 813.

B. The Board of Ethics shall render advisory opinions to Town officers and employees with respect to this Code of Ethics. Such advisory opinions shall be rendered pursuant to the written request of any Town officer or employee or former officer or former employee under such rules and regulations as the Board of Ethics may deem advisable. In addition, the Board of Ethics may make recommendations with respect to amendments to the Code of Ethics upon the request of the Town Board. **[Amended 4-24-2007 by L.L. No. 2-2007]**

C. The Board of Ethics shall receive and investigate all complaints alleging violation of this Code of Ethics upon the written request of any individual. This request must be signed by the individual complainant and must include his address. The Board may also investigate on its own initiative any possible violation of this Code of Ethics. The Board shall complete its investigation within six months after receiving a complaint, except in the case of complex matters or extenuating circumstances. **[Amended 4-24-2007 by L.L. No. 2-2007]**

D. The Board of Ethics shall have the power and authority, in its discretion, to render reports and recommendations to the Town Board for appropriate action respecting unethical practices in violation of the Code of Ethics and Financial Disclosure Law or any statute, rule or regulation relating to conflicts of interest, ethical conduct and the interest of municipal officers and employees in contracts. The Town Board, in its discretion and consistent with statutory provisions relating to the discipline or removal of officers, employees and agency members, may publicly disclose the reports and recommendations of the Board of Ethics filed with it.

E. The Board of Ethics shall act as a repository for completed financial disclosure forms filed pursuant to Article VI herein, shall review the same for possible conflicts of interest and shall have the authority to promulgate rules and regulations which are necessary to carry out its duties and legal mandate under Article VI herein, including the authority to promulgate rules and regulations of the same impact as those which the Temporary State Commission on Local Government Ethics enjoys under General Municipal Law § 813.

F. All agencies of the Town shall furnish to such Board, in connection with its investigations, such data, information and statements as may, in the opinion of the Board, be necessary for the proper exercise of its functions, powers and duties.

G. All requests for advisory opinions or interpretations and all complaints, investigations and proceedings shall be deemed confidential unless otherwise provided by law or ordinance.

§ 14-25. Public hearings. [Added 4-24-2007 by L.L. No. 2-2007 Editor's Note: This local law also redesignated former §§ 14-25 through 14-30 as §§ 14-28 through 14-33, respectively. **]**

A. The Board shall schedule a public hearing once in March of every year, wherein the general public of the Town of Islip is invited to bring forward any improvements to this Code of Ethics and Financial Disclosure Law.

B. Notice of these public hearings shall be given by the placing of a quarter-page advertisement in the official newspaper of the Town on two separate occasions, once approximately 30 days prior to said hearings and once approximately 15 days prior to said hearings.

C. Transcribed stenographic records of the minutes of said hearings shall be filed with the Town Clerk.

D. After the holding of said hearings, the Board of Ethics shall forward to the Town Board its recommendations for proper actions to be taken subsequent thereto, including changes to the Code of Ethics and Financial Disclosure Law, or any other action it deems appropriate.

§ 14-26. Training and education. [Added 4-24-2007 by L.L. No. 2-2007]

The Board of Ethics shall develop educational materials, an educational program on the provisions of this chapter and shall be required to provide annual training to all Town employees. The Board of Ethics shall file a copy of all such materials with the Town Clerk and make information concerning this chapter and the Code of Ethics and Financial Disclosure Law available to the officers and employees of the Town, to the public and to persons interested in doing business with the Town of Islip.

§ 14-27. Investigations. [Added 4-24-2007 by L.L. No. 2-2007]

The Board of Ethics shall have the authority to conduct any investigation necessary to carry out the provisions of this chapter. In conducting any such investigation, the Board of Ethics may administer oaths or affirmations and, by a two-thirds-majority vote in favor thereof, subpoena witnesses, compel their attendance, and require the production of any books or records which it may deem relevant and material.

ARTICLE VIII Compliance, Distribution and Posting

§ 14-28. Compliance.

Compliance with this Code of Ethics shall be deemed a continuing condition of employment for all officers and employees. There shall also be a continuing duty to report to the Board of Ethics any action which may reasonably be interpreted as an improper attempt to influence an officer or employee in the conduct of his office.

§ 14-29. Distribution.

Every officer and employee shall, subsequent to the date of enactment of this Town of Islip Code of Ethics and Financial Disclosure Law, be given a copy of this code, together with all amendments thereto, and a receipt for the same shall be signed by such employee or officer. Such receipt shall be filed with the Town Clerk, who shall supply the necessary forms. Failure to distribute, obtain the required signature or file the same with the Town Clerk shall have no effect on the duty of compliance with this Code of Ethics and Financial Disclosure Law or with the enforcement of the provisions thereof.

§ 14-30. Posting.

In accordance with § 807 of the General Municipal Law, the Town Supervisor shall cause a copy of Article 18 of said law to be kept posted in each public building under the jurisdiction of the Town in a place conspicuous to its officers and employees. Failure to post any such copy shall have no effect on the duty of compliance with said law nor with the enforcement of the provisions thereof.

ARTICLE IX Other Applicable Laws and Ordinances

§ 14-31. Applicability.

Nothing contained in this local law shall limit any other applicable laws or ordinances which are now or may hereafter be provided.

ARTICLE X Amendments

§ 14-32. Amendments.

This code may be amended from time to time by the Town Board by the adoption of further rules and standards designed to improve the administration of the Town and protect the public or by supplementing the coverage of this code to the extent permitted by law.

ARTICLE XI Severability and Supersession

§ 14-33. Severability.

If any portion of this code 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 said code shall be deemed to be in full force and effect.

§ 14-34. Supersession of state law. [Added 4-24-2007 by L.L. No. 2-2007 Editor's Note: This local law also redesignated former § 14-31 as § 14-35.]

This local law Editor's Note: "This local law" refers to L.L. No. 2-2007. is enacted pursuant to the authority contained in Municipal Home Rule Law § 10(1)(i) and shall supersede General Municipal Law § 808(3) and, in particular, the provision regarding the inclusion of an elected or appointed municipal officer or employee on the Board of Ethics.

ARTICLE XII Effective Date

§ 14-35. When effective. [Amended 4-24-2007 by L.L. No. 2-2007]

This chapter shall be effective upon filing with the Secretary of State.