



Town of Islip

TOWN CLERK

PUBLIC HEARING
Town Hall /Board Room
655 Main Street
Islip, NY 11751

September 20, 2016
7:00 p.m.

1. To consider amending the Town of Islip Uniform Traffic Code as follows:

Schedule G

Stop and Yield Intersections

Delete

Church Street at Walnut Avenue (BHM)

Schedule G

Stop and Yield Intersections

Add

Chanel Drive at Par Lane South (BWD)

Par Lane at Pandora Drive (BWD)

Quail Drive at Par Lane (BWD)

Schedule J

Parking, Stopping and Standing Regulations

Add

Sycamore Avenue East (BHM)

2. To consider enacting a Local Law to amend Chapter 14 of the Islip Town Code.

Anyone wishing to address the Board at the conclusion of these hearings may do so. Please clearly print your full name and address by registering with the Aide in the lobby. Any disabled person who needs a sign language interpreter or special accommodations to attend this meeting, is asked to please contact Constituent Services at 631-224-5500 as early as possible in order for the Town to accommodate.

**Dated at Islip, NY
TOWN OF ISLIP
September 8, 2016
Published
OHM/tb**

TOWN BOARD,

**By: OLGA H. MURRAY
TOWN CLERK**

PUBLIC NOTICE

The Islip Town Board held a meeting on Tuesday, September 20, 2016 at 7:00pm at Islip Town Hall, 655 Main Street, Islip, NY 11751 to amend the Uniform Traffic Code of the Town of Islip.

NOW THEREFORE, on a motion made by Councilperson
Seconded by Councilperson

The Uniform Traffic Code of the Town of Islip has been amended.

SCHEDULE G STOP AND YIELD INTERSECTIONS DELETE

INTERSECTION	SIGN	CONTROLLING TRAFFIC
Church Street at Walnut Avenue (BHM)	Stop	North/South on Walnut Avenue

SCHEDULE G STOP AND YIELD INTERSECTIONS ADD

INTERSECTION	SIGN	CONTROLLING TRAFFIC
Chanel Drive at Par Lane South (BWD)	Stop	South on Par Lane South
Par Lane at Pandora Drive (BWD)	Stop	South on Par Lane
Quail Drive at Par Lane North (BWD)	Stop	North on Par Lane

SCHEDULE J PARKING, STOPPING AND STANDING REGULATIONS ADD

LOCATION	REGULATION	HOURS/DAYS
Sycamore Avenue / East From 1,220 feet north of Westwind Drive to Pond Road (BHM)	No Parking	

Upon a vote being taken the result was:

Date: September 20, 2016

Public Hearing # 2

WHEREAS, the Town Board wishes to amend the Code of Ethics and Financial Disclosure Law of the Town of Islip contained within Chapter 14 of the Islip Town Code; and

WHEREAS, the Town Board recognizes that undisclosed conflicts may seriously undermine the public trust, and

WHEREAS, said changes will enable the Town of Islip to maintain the highest standards of integrity and public service and to promote public confidence in the integrity of Town government; and

WHEREAS, a public hearing was held therefor on September 20, 2016.

NOW, THEREFORE, on a motion made by Councilperson, and
Seconded by Councilperson, be it,

RESOLVED, that the Town Board of the Town of Islip hereby enacts a local law amending Chapter 14 of the Islip Town Code, as follows:

SEE ATTACHED

Additions are indicated by UNDERLINING

DELETIONS are indicated by STRIKEOUTS

Upon a vote being taken the result was:

§ 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.

(8)

In the event an officer of the Town of Islip files a grievance application with the Town of Islip Board of Assessment Review and, thereafter, files an assessment review petition pursuant to the New York State Real Property Tax Law, independent legal counsel shall be retained to represent the interests of the Town of Islip, and such application shall be heard by an impartial judicial hearing officer outside the Town of Islip.

[Added 3-8-2011 by L.L. No. 3-2011]

(9)

No person shall serve, either by appointment or election, in any position other than a committeeperson of a town, county, state or national major political party committee if he or she is an elected official of the Town of Islip. Any person who is currently an elected official of the Town of Islip and also in a position other than a committeeperson, shall deliver the Town Clerk such documentation establishing compliance with this subdivision within ten (10) business days of the date of enactment of this chapter.

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.

§ 14-7

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, assessment review, 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.

[Amended 3-8-2011 by L.L. No. 3-2011]

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 contingent 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.

D. To the extent that an official receives from an applicant a substantial contribution to his or her political campaign, specifically a contribution amount in excess of ten percent of the total amount of contributions received by such campaign in the campaign finance disclosure filing period immediately preceding a vote on an application before such official, disclosure of such contribution shall be made by such official prior to a vote being taken.

§ 14-10

Conduct giving impression that improper influence may be exercised.

A. No officer or employee shall by his or her 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, or that they are likely to engage in an action that violates the public trust.

B. Except as otherwise required by law:

(i) No Town officer or employee, either individually or as a member of a Town Board or commission, shall participate in any decision to appoint, hire, promote, discipline or discharge a family member.

(ii) No Town officer or employee shall supervise a family member in the performance of such person's official duties.

§ 14-27

Investigations.

[Added 4-24-2007 by L.L. No. 2-2007]

A. 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.

B. Complainants shall be afforded such whistleblower protections as may be provided by law, including but not limited to the protections set forth in New York Civil Service Law §75-b and New York Labor Law §740, to the extent applicable.

§ 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.

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B.

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

(1)

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(2)

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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.

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[Amended 3-8-2011 by L.L. No. 3-2011]

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(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 contingent upon the favorable approval of such application, petition or request.

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