

LOCAL LAW NO. – 2020
A LOCAL LAW AMENDING LOCAL LAW NO. 11 – 1988 (ETHICS),
As Amended, TO REVISE VARIOUS PROVISIONS OF THE ETHICS LAW

BE IT ENACTED by the Town Board of the Town of Ramapo as follows:

Section 1. Legislative Intent.

The Town Board, in 1988, adopted the Ethics Law for the Town. The Ethics Law has not been substantially changed since 1988 and the Commission on Ethics has recommended that the law be revised to operate more efficiently.

Section 2. Amend Section 14-3 “Definitions” by adding a new definition as follows:

“Employee – Any person employed by the Town of Ramapo who is not a member covered under the CSEA or PBA Bargaining Unit.”

Section 3. Amend Section 14-4 (O) “Standards of Conduct” to read as follows:

The Town Attorney or any Deputy Town Attorney or Assistant Town Attorney is prohibited from exercising any discretion in any matter of Town interest which shall involve any person or corporation who or which has been a client of his firm during one year prior to the time that said matter is handled by the office of the Town Attorney. This, however, shall not prevent the assignment of such matter to another attorney in the Town Attorney’s office who has had no interest in such matter. Any law firm of which the Town Attorney or any Deputy Town Attorney shall be a member, shall not practice before the Town Board or any of the boards or commissions of the Town of Ramapo while such member is an employee of the Town Attorney’s office.

Section 4. Amend Section 14-6 “Financial Disclosure” to read as follows:

- A. All individuals listed in Subsection J shall file an annual financial disclosure statement with the Commissions on Ethics on or before May 15 of each year, unless an extension is granted by the Commission on Ethics. In addition, all candidates for local elected offices shall file a financial disclosure statement within seven (7) days after the filing of petitions. One annual filing is sufficient even if the filer is employed in more than one capacity requiring a filing. In addition, each individual required to file must also file an affidavit that his or her spouse has no financial interest which has an impact on any Town matters. Any person requesting an extension based upon an extension granted by the Internal Revenue Service with respect to filing of Internal Revenue Form 1040 shall submit a copy of the extension request to the Internal Revenue Service to the Commission on Ethics.
- B. Said financial disclosure statement(s) shall be in the form(s) approved by the Town Board, said form(s) being appended to this chapter as the Financial Disclosure Statement. (Long Form Disclosure Affirmation and Short Form Disclosure Affirmation. All individuals listed in subsection (j)(1-4) shall complete the Long Form Disclosure Affirmation. All individuals listed in subsection j(5) shall complete the Short Form Disclosure Affirmation.

The statement shall be completed in its entirety. Any questions that do not apply shall be marked "N/A." In addition, the Financial Disclosure Statement shall be signed.

- C. The financial disclosure statement shall be supplied by the Town Clerk to those individuals required to file.
- D. The annual financial disclosure statement shall be submitted in a sealed envelope to the person designated by the Town Board to receive such statements by the Commission on Ethics. Said person shall keep, as a matter of public record, a log of all such filings by name and the date on which such filing was received.
- E. The filings shall be delivered unopened to the Commission on Ethics. The Commission shall open the same to determine that said form is complete. Thereafter, the Town Clerk shall keep said filings in a closed file.
- F. Said financial disclosure statement is expressly for the purpose of evaluation by the Commission on Ethics of the legitimacy of any charges made against any individual covered by this chapter.
- G. Public Inspection
 - (1) The information set forth in the annual financial disclosure statement shall be available for public inspection except for:
 - (a) The categories of value or amount, which shall remain confidential, and any other item of information which the Commission on Ethics has deleted pursuant to §14-10E of this chapter.
 - (2) In addition, the following records of the Commission on Ethics are available for public inspection:
 - (a) Notices of delinquency sent pursuant to §14-10E of this chapter.
 - (b) Notices of violations; and
 - (c) Notices of penalties.
- H. The Commission on Ethics shall present to the Town Board in writing a list by September 1 of each year of those individuals who are not in compliance with the filing of their annual financial disclosure statement.
- I. The individuals who must file financial disclosure statements are as follows:
 - (1) All local elected officials of the Town of Ramapo (except judges or justices of the unified court system.
 - (2) All local political party officials who earn \$30,000 or more from political party committee funds.

- (3) All candidates for local elected offices who file petitions for nomination at a primary election or who receive the nomination of a party other than at a primary election.
- (4) Local officers and employees who hold policymaking positions as annually determined by the Town Board. These officers and employees include:
 - (a) Persons holding the following job titles:
 - (1) Confidential Assistant to Supervisor
 - (2) Director of Finance
 - (3) Town Clerk
 - (4) Receiver of Taxes
 - (5) Superintendent of Highways
 - (6) Justice Court Clerk
 - (7) Director of Parks and Recreation
 - (8) Director of Building and Grounds
 - (9) Personnel
 - (10) Director of Purchasing
 - (11) Director of Public Works
 - (12) Building Inspector II
 - (13) Assessor
 - (14) Deputy Town Clerk
 - (15) Planning Assistant
 - (16) Secretary, Planning and Zoning Boards
 - (17) Chief of Police
 - (18) Police Captain
 - (19) Police Lieutenants
 - (20) Deputy Director of Parks and Recreation
 - (21) Deputy Director of Public Works
 - (22) All members of the legal professional staff of the Town Attorney's office
 - (23) All members of the Planning Board of the Town of Ramapo
 - (24) All members of the Zoning Board of Appeals of the Town of Ramapo
 - (25) All members of the Assessment Board of Review of the Town of Ramapo

J. Notwithstanding the above, this chapter shall not cover any employee of the Town of Ramapo covered under the CSEA and PBA Bargaining Units.

Section 5. Amend Section 14-20 "Commission on Ethics" to read as follows:

There is hereby created and established a Commission on Ethics consisting of five members to be appointed by the Town Board of the Town of Ramapo, all of whom shall reside in the Town of Ramapo and shall serve without compensation.

- A. One member shall be an attorney admitted to practice in the State of New York; one member shall be a teacher or administrator; and one member shall be an elected or appointed municipal officer or employee; and one member shall be of a party affiliation (or nonaffiliation) different than the majority of members of the Board. The Town Board shall designate the Chairperson who shall serve at the pleasure of the appointing authority.
- B. Of the members first appointed to the Commission, one shall hold office for a term of one year; one for a term of two years; one for a term of three years; one for a term of four years; and one for a term of five years, from and after his appointment. Each successor shall be appointed for a term of five years from and after the expiration of the term of his predecessor in office. The Town Supervisor shall appoint an ex officio of the Commission.
- C. The Commission on Ethics shall meet at least annually in the month of June for purposes of organization and to review the status of all confidential memoranda required to be on file with it and to transact any other business as may properly come before it and shall report publicly to the Town Board not later than the first day of September annually on its current state of organization and on the currency of all reports required to be on file and on any other matters which may appear to be a just and proper exercise of its responsibility. The Commission may make reasonable expenditures from funds budgeted to it to effectuate the purposes of this chapter.
- D. The Commission on Ethics shall have the powers and duties prescribed by Article 18 of the General Municipal Law and shall render advisory opinions to the officers and employees of the Town of Ramapo with respect to Article 18 of the General Municipal Law and the Ethics in Government Law contained herein. In addition, the Commission may make recommendations with respect to any amendment to this chapter upon the request of the Town Board. Specifically, the Commission on Ethics shall have the following powers and duties. It shall
- (1) Adopt rules and regulations governing Commission procedures.
 - (2) Review financial disclosure statements to determine their completeness.
 - (3) Grant extensions of filing dates to individuals requesting said extension. Said extension shall be granted for a reasonable period of time, not to exceed 60 days, unless such extension is based upon an Internal Revenue Service 1040 extension, and then until 10 days after the expiration of the IRS extension.
 - (4) Grant exemptions from any requirement contained in the financial disclosure statements to individuals required to file a financial disclosure statement.
 - (5) Permit any person required to file a financial disclosure statement to request the Commission on Ethics to delete from the copy thereof made available for public inspection one or more items of information, upon a finding by a majority of the total members of the Commission on Ethics that the information which would otherwise be required to be disclosed will have no material bearing on the reporting person's official duties.
 - (6) Receive and investigate complaints of violation of any provisions of this chapter.
 - (7) Administer and enforce the provisions of this chapter.

- (8) Notify individuals of their failure to file a statement or of any deficiency in said statement.
- (9) Report violations by individuals of any provisions of this chapter and make recommendations for disciplinary action to the Town Board.
- (10) Present in writing a list of those individuals who have not filed the required financial disclosure statement by September 1 of each year.
- (11) Hold hearings and make determinations as to violations of this chapter.

E. All financial disclosure statements and any information reported to the Commission on Ethics shall not be used for any purpose other than those expressly set forth in this chapter. However, said reports and information can be released upon receipt of a properly issued subpoena by a law enforcement agency.

Section 6. **Effective Date.**

This Local Law shall take effect immediately upon filing with the Secretary of State.