

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one:)

of Kingston

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED

JUL 08 2013

Local Law No. 2 of the year 20 13

MISCELLANEOUS
& STATE RECORDS

A local law Repealing the current Ethics Code of the City of Kingston under
(Insert Title)
Chapter 49 of the City Code and adopting the attached City of Kingston
Ethics and Disclosure Law.

Be it enacted by the Common
Comm Council of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Kingston as follows:

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2013 of the ~~(County)~~(City)~~(Town)~~(Village) of Kingston was duly passed by the Common Council on June 4 2013, and was (approved)(not approved) (repassed after disapproval) by the Mayor and was deemed duly adopted on June 5 2013, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local

law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

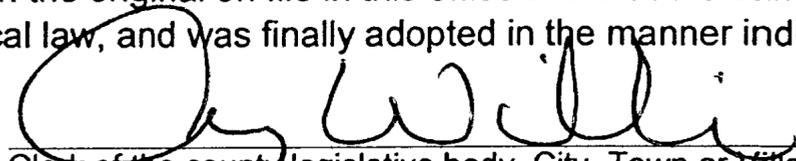
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: 6/22/13

LOCAL LAW 2 OF 2013 OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, REPEALING THE CURRENT ETHICS CODE OF THE CITY OF KINGSTON UNDER CHAPTER 49 OF THE CITY CODE AND ADOPTING THE ATTACHED CITY OF KINGSTON ETHICS AND DISCLOSURE LAW

Sponsored By: Public Safety/General Government Committee: Aldermen: Carey, Dunn, Mills, Ball, Brown

Whereas, it is the desire of the City of Kingston to revise the current Ethics Code contained in Chapter 49 of the Code of the City of Kingston; and

Whereas, in order to adopt the revised Ethics Code, the current Ethics Code contained in Chapter 49 of the Code of the City of Kingston should be repealed; and

Whereas, the revised Ethics Code and Disclosure Law of the City of Kingston, as attached hereto, should be adopted by the City of Kingston and replace the old Ethics Code of the City of Kingston.

Now, therefore, be it enacted by the Common Council of the City of Kingston as follows:

Section 1.

The Common Council of the City of Kingston repeals the current Ethics Code contained in Chapter 49 of the Code of the City of Kingston.

Section 2.

That the Common Council of the City of Kingston hereby adopts the revised Ethics Code and Disclosure Law of the City of Kingston as attached hereto.

Section 3.

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

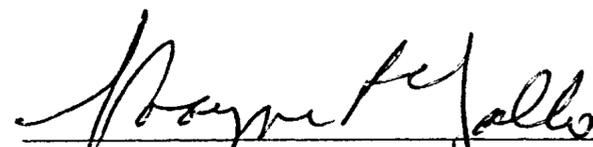
Section 4.

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Submitted to the Mayor this 5th day of June, 2013


Carly Williams, City Clerk

Approved by the Mayor this 21st day of June, 2013


Shayne R. Gallo, Mayor

Adopted by Council on June 4, 2013.

CITY OF KINGSTON, NEW YORK COMMON COUNCIL

HONORABLE JAMES NOBLE, PRESIDING

1/01/012-12/31/13

ROLL CALL

COMMITTEE _____

DATE _____

RESOLUTION TITLE:

LL #2 OF 2013 OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, REPEALING THE CURRENT ETHICS CODE OF THE CITY OF KINGSTON UNDER CHAPTER 49 OF THE CITY CODE AND ADOPTING THE ATTACHED CITY OF KINGSTON ETHICS AND DISCLOSURE LAW

OFFERED BY: ALDERMAN _____

SECONDED BY: ALDERMAN _____

RECORD OF VOTE

<u>ALDERMAN</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>REASON</u>
1. MATTHEW DUNN (D)	✓			
2. THOMAS HOFFAY (D)	✓			
3. NATHANIEL HOROWITZ (R)	✓			
4. SHIRLEY WHITLOCK (D)	✓			
5. WILLIAM CAREY (D)	✓			
6. ELISA BALL (D)	✓			
7. MARY ANN MILLS (D)	✓			
8. ROBERT SENOR (D)			X	
9. DEBORAH BROWN (R)	✓			

TOTALS: CARRIED 8 DEFEATED 0

CARLY WILLIAMS, CITY CLERK

City of Kingston Ethics and Disclosure Law

§ 49-1. Title.

This chapter shall be known as the "City of Kingston Ethics and Disclosure Law."

Section 2: Purpose and Applicability

§ 49-2. Purpose; statutory authority.

A. Purpose:

- (1) To establish standards of ethical conduct for officers, employees and consultants of City of Kingston;
- (2) To provide officers, employees and consultants of City of Kingston, whether elected or appointed, paid or volunteer, with clear guidance on such standards;
- (3) To promote public confidence and integrity in the agencies and administrative offices of our local government;
- (4) To facilitate the consideration of potential ethical problems before they arise, minimize unwarranted suspicion, and enhance the accountability of government to the people by requiring public disclosure of financial interests that may influence or be perceived to influence the actions of City of Kingston officers and employees; and \ (5) Provide for the fair and effective administration of this chapter.

B. Applicability

This Code of Ethics is enacted pursuant to §806 of the General Municipal Law and §10 of the Municipal Home Rule Law. Officers and employees of the City must comply with the provisions of the Code of Ethics, as well as the conflict of interest standards prescribed by Article 18 of the General Municipal Law. This Code of Ethics is in addition to the standards contained in Article 18, and is not intended to authorize any conduct prohibited by Article 18 of the General Municipal Law.

Section 3: Definitions

Unless otherwise stated or unless the context otherwise requires, the following terms shall, for the purpose of this chapter, have the meaning herein indicated:

EMPLOYEE

Any person that receives a salary or wage from the City of Kingston.

FAMILY MEMBER

A parent, step-parent, sibling, step-sibling, spouse, child, step-child, grandparent, household member, or domestic partner of a City officer or employee, and individuals having any of these relationships to the spouse of the officer or employee.

DOMESTIC PARTNER

A person at least 18 years of age who, with respect to another person:

- (1) Is formally a party in a domestic partnership or similar relationship with the other person, entered into pursuant to the laws of the United States or any state, local or foreign jurisdiction, or registered as the domestic partner of the person with any registry maintained by the employer of either party or any state, municipality, or foreign jurisdiction;
- (2) Is formally recognized as a beneficiary or covered person under the other person's employment benefits or health insurance; or
- (3) Is dependent or mutually interdependent on the other person for support, as evidenced by the totality of the circumstances indicating a mutual intent to be domestic partners, including but not limited to common ownership or joint leasing of real or personal property; common house-holding, shared income or shared expenses; children in common; signs of intent to marry or become domestic partners under Subsection A(1) or (2) of this definition; or the length of the personal relationship of the persons. B. Each party to a domestic partnership shall be considered to be the domestic partner of the other party. "Domestic partner" shall not include a person who is related to the other person by blood in a manner that would bar marriage to the other person in New York State. "Domestic partner" shall also not include any person who is less than 18 years of age or who is the adopted child of the other person or who is related by blood in a manner that would bar marriage in New York State to a person who is the lawful spouse of the other person.

INTEREST

Direct or indirect pecuniary or material benefit accruing to a City officer or employee as a result of a contract with the City which such officer or employee serves. For purposes of this chapter, a City officer or employee shall be deemed to have an interest in the contract of:

- i. His or her spouse, domestic partner, minor children and dependents, except a contract of employment with the City which such officer or employee serves;
- ii. A firm, partnership or association of which such officer is a member or employee;
- iii. A Partnership, Limited Partnership, Limited Liability Company or Corporation of which such officer or employee is an officer, director, partner, limited partner, member or employee; and
- iv. A corporation, any stock of which is owned and controlled directly or indirectly by such officer or employee.

CITY

City of Kingston, and shall include the Kingston Local Development Corporation or other entity owned and/or operated by the City or a joint service established for the purpose of carrying on, performing or financing one or more improvements or services intended to benefit the health, welfare, safety or convenience of the inhabitants of the City or to benefit the real property within the City.

CITY OFFICER OR EMPLOYEE

Any officer or employee of the City, whether paid or unpaid, and includes, without limitation, all members of any office, board, body, advisory board, council, commission, agency, department, district, administration, division, bureau or committee of the City and others who work in a similar like capacity. "City officer or employee" shall not include:

- i. A judge, justice, officer or employee of the court system; or
- ii. A member of an advisory board of the City if, but only if, the advisory board has no authority to implement its recommendations or to act on behalf of the City or to restrict the authority of the City to act. No entity established pursuant to the General Municipal Law of the State of New York shall be deemed an advisory board for purposes of this subsection.

DEPARTMENT HEAD

Any position that is defined §A-1 of the Administrative Code.

APPEAR and APPEAR BEFORE

Communicating in any form, including, without limitation, personally, through another person, by letter, or by telephone or electronic means.

BOARD OF ETHICS

The Board of Ethics of the City of Kingston established pursuant to § 49-8 of this chapter.

CHIEF FISCAL OFFICER

The City Comptroller or other officer possessing similar powers and duties.

CONTRACT

Any claim, account or demand against or agreement with the City, express or implied, and shall include the designation of a depository of public funds and the designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution, ordinance, local law or other proceeding where such publication is required or authorized by law.

CONTRACTUAL GOODS/SERVICES

Any work performed or goods delivered by a City officer to another person under mutual agreement of the two parties and provided the transaction has been finalized, without dispute, by the two parties.

CUSTOMER or CLIENT

Any person for whom a City officer or employee has directly supplied contractual goods/services during the previous 24 months.

GIFT and FINANCIAL BENEFIT

Includes any money, service, license, permit, contract, authorization, loan, travel, entertainment, hospitality, or any promise thereof or any other gratuity or promise thereof or anything of value. A financial transaction may be a financial benefit but shall not be a gift unless it is on terms not available to the general public. "Gift" and "financial benefit" do not include campaign contributions authorized by law.

MINISTERIAL ACT

An action performed in a prescribed manner without the exercise of judgment or discretion as to the propriety of the act.

OUTSIDE EMPLOYER OR BUSINESS

- i. Any activity, other than service to the City, from which the City officer or employee receives compensation for services rendered or goods sold or produced;
- ii. Any entity, other than the City, of which the City officer or employee is a partner, member,

officer, director, or employee and from which he/she receives compensation for services rendered or goods sold or produced; or

iii. Any entity in which the City officer or employee has an ownership interest, except a corporation of which the City officer or employee owns less than 5% of the outstanding stock.

iv. For purposes of this definition, "compensation" shall not include reimbursement for necessary expenses, including travel expenses.

PERSON

Both individuals and entities.

RELATIVE/IMMEDIATE FAMILY MEMBER

A spouse, domestic partner, child or person claimed as a dependent on the City officer's or employee's latest individual state income tax return.

SUBORDINATE

The subordinate of a City officer or employee means another City officer or employee over whose activities he/she has direction, supervision, or control, except those who serve in positions that are in the exempt classification under § 41 of the Civil Service Law of the State of New York or in the unclassified service under § 35(a) through (f) of that law.

Section 4: STANDARDS OF CONDUCT

A Treatment of Public

An officer or employee of the City shall treat all members of the public, whether a person, firm or corporation, or other organization without special advantage in carrying out his or her official duties.

B Recusal

A City officer or employee shall promptly recuse himself or herself from acting on a matter before the City, when acting on the matter, or failing to act on the matter, may financially benefit any of the persons listed in Section 5. Whenever a City officer or employee is required to recuse himself/herself, he/she must refrain from further participation in the matter (as officer or employee, but not as a private citizen).

C Gifts

A City officer or employee shall not accept or solicit any gift valued over seventy-five (\$75) dollars, nor shall he/she accept or solicit any gift or financial benefit under circumstances in which it could reasonably be inferred that the gift was intended to influence such City officer or employee in the performance of his/her official duties or was intended to be a reward for any official action on his/her part. A City officer or employee shall not request anything from any person or entity other than the City for doing his or her City job.

D Misuse of City of Kingston resources

A City officer or employee shall not use City letterhead, personnel, equipment, supplies, or resources for a non-governmental purpose nor engage in non-incidental personal or private activities during times when he or she is required to work for the City.

E. Representation

A City officer or employee shall not represent any person or entity, other than the City, before any City agency or in any litigation in which the City is a party or complainant.

F. Appearances.

A City officer or employee shall not appear before any agency of the City except on his/her own behalf or on behalf of the City or on behalf of his or her constituent(s) in the case of a Member of the Common Council.

G. Confidential information

i. No City officer or employee or former City officer or employee who acquires confidential information in the course of exercising or performing his or her official powers or duties may disclose or use such information unless the disclosure or use is

required or allowed by law or in the course of exercising or performing his or her official powers and duties.

ii. The New York State Freedom of Information Law (Public Officers Law § 87, Subdivision 2) describes information that is confidential. This description should guide City employees and officers as to the information that should be considered confidential. Confidential information under this chapter does not exceed the bounds for confidential information set by Public Officers Law § 87, Subdivision 2. Before a City employee or officer discloses information that may be considered confidential, he/she is encouraged to seek a written determination from the City Records Access Officer. The City Records Access Officer may seek an opinion from the Corporation Counsel prior to making a determination. The restrictions on disclosure and use of confidential information described herein apply without regard to the circumstances in which the information was acquired and include information gained through means other than the possessor's association with the City .

H. Political solicitation of subordinates

A City officer or employee shall not knowingly request or knowingly authorize anyone else to request any subordinate of the officer or employee to participate in an election campaign or contribute to a political committee.

I. Future employment

- i. During the time of service or employment, and for two (2) years thereafter, a City officer or employee shall not seek or obtain any non-City employment with any person or entity when he or she has made a discretionary city business decision in the course of his or her City service or employment regarding said person or entity.
- ii. A City officer or employee, for a period of two (2) years, after the termination of service or employment with the City, shall not appear for financial gain before any City

board or agency in relation to any case in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration

iii. A City officer or employee, after the termination of service or employment with the City, shall not appear for financial gain at any time in any proceeding or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

J. Revolving door:

For one year after leaving City service, except when initiated by the agency, a former City officer or employee shall not have non-incident communication with his or her former City agency, or seek any benefit, except on his or her own behalf, and shall never accept anything of value to work on any particular matter that he or she personally and substantially worked on while in City service.

K. Inducement of others.

A City officer or employee shall not induce or aid another officer or employee of the City to violate any of the provisions in this chapter.

L. Investments.

A City officer or employee shall not invest or hold any investment directly or indirectly in any business, financial, commercial or other private transaction which would create a conflict with his/her official duties.

M. Lawyers and experts

A City officer or employee shall not be a lawyer or expert on behalf of an adverse party in any lawsuit in which the City of Kingston is a party.

N. Purchase of office

A City officer or employee shall not give or promise to give anything of value to any person or entity for being elected or appointed to City service or for receiving a promotion or raise.

O. Coercive political solicitation

A City officer or employee shall not use his or her City position to make threats or promises for the purpose of inducing another person to engage in any political activity or make a political contribution.

P. Superior-subordinate relationships

A City officer or employee shall not have any business or a financial relationship with a subordinate or superior when such relates to the business of the city.

Q. Solicitation of subordinates

A City officer or employee shall not knowingly request or knowingly authorize anyone else to request any subordinate of the officer or employee to purchase anything from, or give or contribute anything to, any person or organization, including any not-for-profit organization. This provision does not apply to de-minimis purchases or contributions of under seventy-five dollars.

R. Avoidance of conflicts.

City officers and employees shall not knowingly acquire, solicit, negotiate for, or accept any interest, employment, or anything of value which would put them in violation of this chapter, nor take any action that conflicts with his or her City duties.

S. Inducement of a violation of the Code of Ethics

No City officer or employee shall induce or attempt to induce a City officer or employee to violate any provision of the Code of Ethics.

T. Use of public property.

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

U. Political party positions.

The Mayor and Common Council shall not hold the chair, vice-chair, treasurer, or secretary position in a political committee. Department Heads hired after the effective date of this legislation shall not be a member of a political committee. Department Heads not currently a member of a political committee shall not become a member of a political committee.

V. Revolving door for high-level officials.

For one year after leaving City service, the Mayor and Department Heads shall not communicate with any agency of the City, except on his or her own behalf.

W. Improper conduct (appearance of impropriety).

A City officer or employee shall not take any action or have any position or interest that, as defined by rule of the Board of Ethics, conflicts with his or her City duties.

Section 5: ACTING IN THE PUBLIC INTEREST: APPEARANCE OF IMPROPRIETY

A Prohibition on the use of City office for private gain

A City officer or employee shall not use his or her official position or office, or take or fail to take any action, in a manner which he or she knows or has reason to know may result in an unwarranted personal financial benefit or secure unwarranted privileges or exemptions for any of the following persons:

- 1 the City officer or employee;
- 2 his or her outside employer or business;
- 3 a member of his or her household;

- 4 a relative or immediate family member;
- 5 a customer or client;
- 6 a person or entity with which the City officer or employee has had a financial relationship within the previous twelve months;
- 7 any person or entity from which the City officer or employee has received a gift, or any goods or services for less than fair market value, during the previous twelve months; or
- 8 Campaign contributors.

B. Investments

A City officer or employee shall not invest or hold any investment directly or indirectly in any business, financial, commercial or other private transaction, which would create a conflict with his/her official duties.

C. Appearances of outside employers and businesses of City officers and employees

1. Except as provided in subdivision 3 of this section, in the event that an outside employer or business of a City officer or employee appears before the particular agency in which the City officer or employee serves or by which he or she is employed, the City officer or employee shall make full disclosure of this fact and shall recuse himself or herself from any action regarding said outside employer or business.
2. Except as provided in subdivision 3 of this section, in the event that an outside employer or business of a City officer or employee appears before any other agency of the City if the officer or employee has the authority to appoint any officer, employee, or member of the agency or to review, approve, audit, or authorize any budget, bill, payment, or claim of the agency, the City officer or employee shall make full disclosure of this fact and shall recuse himself or herself from any action regarding said outside employer or business..

3. Nothing in this section shall be construed to prohibit the outside employer or business of a City officer or employee from

- a Appearing on its own behalf, or on behalf of the City , before a City agency; or
- b Seeking or obtaining a ministerial act; or
- c Receiving a City service or benefit, or using a City facility, which is generally available to the public.

D. Prohibited interests.

1. No City officer or employee shall have an interest in a contract with the City, or an interest in a bank or trust company, that is prohibited by § 801 of the General Municipal Law of the State of New York.

2. Specifically, no City officer or employee shall have an interest in any contract with the City when he or she, individually or as a member of a board, has the power or duty to negotiate, prepare, authorize or approve the contract or approve payment thereunder, audit bills or claims under the contract, or appoint an officer or employee who has any powers or duties set forth above, nor shall the City Comptroller, or his or her deputy or employee have an interest in a bank or trust company designated as a depository, paying agent, or registration agent for investment of funds of the City of Kingston. This shall in no event be construed to preclude the payment of lawful compensation and necessary expenses of any City officer or employee in one or more positions of public employment, the holding of which is not prohibited by law

3. Any contract willfully entered into by or with the City in which there is an interest prohibited shall be null, void, and wholly unenforceable, to the extent provided by § 804 of the General Municipal Law.

E. Discloseable interests. In accordance with § 803 of General Municipal Law, any City officer or employee who has, will have, or later acquires an interest in, or whose spouse or domestic partner has, will have or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the City or who is required to recuse himself or herself under the City Code of Ethics, shall publicly disclose the

nature and extent of such interest in writing to and filing with his or her immediate supervisor and the City Comptroller as soon as he or she has knowledge of such actual or prospective interest and as more specifically set forth in § 49-6 (annual disclosure) herein. Such written disclosure shall be made a part of and set forth in the official records of the proceedings of the Legislature. The City Comptroller shall also immediately file a copy of such disclosure with the City Clerk and the Board of Ethics.

Sextion 6: DISCLOSURE OF INTEREST

A. An officer or employee shall not be required to file a disclosure statement pursuant to this section if he or she, with respect to the same matter, has filed with the City a disclosure statement complying with the requirements of subsection B of this section.

B. Every City officer and employee related closer in degree, by blood or marriage, than first cousin, including a domestic partner or person related by domestic partner circumstances, to any person(s) seeking a contractual relationship with the City or seeking employment within any department, section or function of the City shall disclose such relationship as provided for pursuant to the further provisions of this section.

C. Any member of any City board, commission, council or other City agency related closer in degree, by blood or marriage, than first cousin, including a domestic partner or person related by domestic partner circumstances, to any person(s) seeking employment or making application before such body in which he/she serves shall disclose such relationship as provided for in this section.

D. The disclosure requirements of this section shall be made in writing, directed to the City Comptroller, and shall be made at the earliest opportunity next following the date upon which such officer, employee, or board member, commission member, council member, or agency member first learns of or has knowledge of the making of the application by the person seeking employment and/or appointment.

E. Every request to a City or a City officer or employee to take or fail to take any action (other than a ministerial act) that may result in a financial benefit both to the requestor and to either any officer or employee of the City or one of the other persons listed in this section, shall disclose the name, residence, and the nature and extent of such financial benefit, to the extent known at the

time of the request. The officer or employee receiving the request shall promptly forward a copy of the disclosure to the Board of Ethics. If the request is oral and made at a meeting of a board, disclosure shall be set forth in the public record of the board, reduced to writing and promptly forwarded to the Board of Ethics.

F. Applicant disclosure in land use matters.

i. 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 any ordinance, local law, rule, or regulation constituting the zoning and planning regulations of the City shall state the name, residence, and the nature and extent of the interest of any City officer or employee has in the person, partnership, or association making the application, petition, or request (hereinafter called the applicant) to the extent known to the applicant.

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

- a. is the applicant, or
- b. is an officer, director, partner, or employee of the applicant, or
- c. legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
- d. is a party to an agreement with such an applicant, express or implied, whereby he or she 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.

- e. Ownership of less than five per cent of the stock of a corporation whose stock is listed on the New York or any other stock exchanges shall not constitute an interest for the purposes of this section.

Section 7: WAIVER

A City officer or employee may apply for a Waiver Request Form from any of the standards set forth herein upon a showing of compelling need. A Waiver Request Form will be available from the City Clerk or the Board of Ethics, and may be modified from time to time as deemed necessary.

Section 8: ANNUAL DISCLOSURE

A. Annual disclosure will take place in accordance with § 812 of General Municipal Law, except the following provisions shall be controlling:

1) Annual disclosure statements shall be filed by all elected City officials, department heads and their deputies and those individuals who have the authority for policy-making decisions, including but not limited to the following list of titles, which may be amended from time to time by the Mayor of the City of Kingston with the approval of the Common Council so as to include all those titles that are applicable.

MAYOR

CITY CLERK

CORPORATION COUNSEL

ASSISTANT CORPORATION COUNSEL

ALDERMAN-AT-LARGE

MEMBERS OF THE COMMON COUNCIL

CITY COMPTROLLER

DEPUTY COMPTROLLER

PURCHASING AGENT

ASSESSOR

SUPERINTENDENT OF THE DEPARTMENT OF PUBLIC WORKS

FIRE CHIEF

ASSISTANT FIRE CHIEF
DEPUTY FIRE CHIEF(S)
CHIEF OF POLICE
DEPUTY CHIEF OF POLICE
SUPERINTENDENT OF THE KINGSTON WATER DEPARTMENT
RECREATION SUPERINTENDENT
CITY PLANNER
MEMBERS OF THE CITY PLANNING BOARD
MEMBERS OF THE CITY ZONING BOARD OF APPEALS
DIRECTOR OF CIVIL SERVICE
CITY ENGINEER
DIRECTOR OF ECONOMIC DEVELOPMENT FOR STRATEGIC PARTNERSHIPS
DIRECTOR OF COMMUNITY DEVELOPMENT
MEMBERS OF THE HUMAN RIGHTS COMMISSION
DIRECTOR OF THE OFFICE OF HUMAN RIGHTS
MEMBERS OF THE CITY BOARD OF ETHICS
MEMBERS OF THE CITY OF KINGSTON LOCAL DEVELOPMENT CORPORATION
MEMBERS OF THE CITY OF KINGSTON REVOLVING LOAN FUND

2) Time and place for filing. Annual disclosure statements shall be filed with the City Comptroller:

- i. Within 60 days of taking office; and
- ii. No later than May 1 of each year thereafter.
- iii. Changes in disclosed information. Except as provided herein, within 30 days after a change in the information contained in his/her most recently filed annual disclosure statement, a City officer or employee shall file a signed amendment to the statement.
- iv. Contents of annual disclosure statements and waiver request forms. The Common Council shall have the power and authority to promulgate and amend the form from time to time by resolution and as provided for in and in conformity with § 811 of the General Municipal Law
- v. The annual disclosure form shall be acknowledged and notarized and in substantially the form which is annexed hereto and made a part hereof as Appendix A.
- vi. Maintenance of annual disclosure statements. The City Comptroller shall transmit to the

Board of Ethics and the Mayor of the City all annual disclosure statements required by this chapter within five business days of receiving such statements. All annual disclosure statements shall be submitted in sealed envelopes.

vii. Good faith efforts. Failure to disclose the information required by Subsection of this section with respect to a City officer's or employee's spouse or domestic partner or other relative shall not constitute a violation of the subsection if the officer or employee has made a good faith effort to obtain the information and if he/she sets forth those efforts in his/her annual disclosure statement.

viii. Distribution of disclosure form. On or before the first day of March of each year, beginning with the year 2013 and thereafter, the Mayor of the City of Kingston shall cause the annual statement of financial disclosure to be distributed to those persons filling the positions as denominated above.

ix. Hardship provision. Any person who is subject to the reporting requirements of this section and who 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 submit such financial disclosure statement on or before May 1 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 supplemental 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 chapter respecting annual statements of financial disclosure as if such supplementary statements were an annual statement.

Section 9 PENALTIES FOR VIOLATIONS

Void Contracts. Any contract or agreement entered into by or with the City in which there is an interest prohibited by this law shall be null, void, and wholly unenforceable, to the extent provided by § 804 of General Municipal Law unless ratified by the City Common Council.

Such ratification shall not affect the imposition of any criminal or civil penalties pursuant to this local law or any other provision of law. Except as to violations of §49-7, upon determination by the Board of Ethics that such a violation has occurred, the Board of Ethics shall have the power, upon consultation with the head of the department involved, or with the Mayor, to render forfeit and void the transaction in question.

Civil Penalties. Except as to violations of §49-7, any City officer or employee who violates any provision of this chapter, including 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 law, shall be assessed a civil penalty in an amount not to exceed ten thousand dollars. Assessment of a civil penalty hereunder shall be made by the City Board of Ethics. Assessment of a civil penalty shall be final unless modified, suspended or vacated within thirty (30) days of imposition and, upon becoming final, shall be subject to review at the instance of the affected reporting individual in a proceeding commenced against the City Board of Ethics pursuant to Article Seventy-Eight of the Civil Practice Law and Rules.

Criminal Penalties. For a violation of this chapter, other than for conduct which constitutes a violation of Subdivision Twelve of § 73 of the Public Officers Law, or §49-7 of this Chapter, the City Board of Ethics may, in lieu of a civil penalty, refer a violation to the appropriate prosecutor and upon such conviction but only after such referral, such violation shall be punishable as a Class A misdemeanor. A civil penalty for false filing may not be imposed in the event a category of “value” or “amount” reported is incorrect unless such reported information is falsely understated.

Disciplinary Action. Any City officer or employee who violates any provision of this chapter may be warned or reprimanded or suspended or removed from office or employment, or be subject to any other sanction authorized by law or collective bargaining agreement, by the appointing authority or body authorized by law to impose such sanctions. A warning, reprimand, suspension, removal or other authorized sanction may be imposed in addition to any other penalty contained in this section or in any other provision of law.

Section 10: BOARD OF ETHICS

A. Establishment.

- (1) There shall be a Board of Ethics consisting of five members who shall be appointed by the Mayor.
- (2) Board of Ethics members shall serve without compensation and at the pleasure of the Mayor.
- (3) No more than two members shall be of the same political party.
- (4) Members of the Board of Ethics shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes.
- (5) There shall be support staff and funds as may be appropriated annually toward the Ethics Board's maintenance and operation.
- (6) The Corporation Counsel shall provide legal and advisory services to the Board of Ethics as it may require in the performance of its duties. If the Corporation Counsel has a potential conflict of interest, the City shall make funds available for outside counsel.
- (7) The Board of Ethics shall elect a Chairperson from among its members. The Chairperson or a majority of the Board may call a meeting of the Board. The Board of Ethics shall meet a minimum of two times a year.
- (8) Three members of the Board shall constitute a quorum and shall be required for the purpose of conducting a meeting. A concurring vote of three members shall be required for the Board to take action.
- (9) The members of the Board of Ethics shall serve at the pleasure of the Mayor and may be removed from office by the Mayor at his or her discretion.

B. Qualifications.

(1) All members of the Board of Ethics shall reside in the City of Kingston, be over 25 years of age, and be a registered voter for at least five years prior to appointment.

(2) No more than two members of the Board of Ethics may be enrolled in the same political party. Enrollment in a political party shall be deemed effective in conformance with Article 5 of Election Law of the State of New York.

(3) No member shall hold office in a political party or hold elective office in the City. For purposes of this section, "office in a political party" shall mean all offices in any political party including the office of committee person or committee member.

(4) A member may make campaign contributions but not otherwise participate in any City of Kingston election campaign.

(5) One member may be an appointed officer or employee of the City.

C. Powers and duties.

(1) The Board of Ethics shall render advisory opinions to the officers and employees of the City of Kingston with respect to Article 18 of General Municipal Law, the Code of Ethics of the City of Kingston (as set forth herein and known as the "City of Kingston Ethics and Disclosure Law"), and the Charter and Administrative Code of the City of Kingston. Such advisory opinions shall be in response to written request from any such officer or employee under such rules and regulations as the Board may prescribe.

(a) The Board shall render advisory opinions with respect to all matters covered by this chapter. An advisory opinion shall be rendered on the request of a City officer or employee or supervisory official of a City officer or employee and shall apply only to such public servant. The request shall be in such form as the Board may require and shall be signed by the person making the request. The opinion of the Board shall be based on such facts as presented in the request or subsequently submitted in a written, signed document.

(b) Advisory opinions shall be issued only with respect to proposed future action by a public servant. A City officer or employee whose conduct or action is the subject of an advisory opinion shall not be subject to penalties or sanctions by virtue of acting or failing to act due to a reasonable reliance on the opinion, unless material facts were omitted or misstated in the request for an opinion. The Board may amend a previously issued advisory opinion after giving reasonable notice to the City officer or employee that it is reconsidering its opinion, provided that such amended advisory opinion shall apply only to future conduct or action of the public

servant.

(c) The Board shall make public its advisory opinions with such deletions as may be necessary to prevent disclosure of the identity of any City officer or employee or other involved party. The advisory opinions of the Board shall be indexed by subject matter and shall be maintained on an annual and cumulative basis. (d) For purposes of this subsection, "City officer or employee" includes a current, prospective and former City officer or employee, and "supervisory official" includes a supervisory official who shall supervise, supervises or has supervised either a current, prospective or former City officer or employee.

(2) The Board may also accept from the general public or any of its own members or any City officer or employee a complaint or allegation of conflict of interest of any officer or employee of City of Kingston. The Board may also accept from the general public or any of its own members or any City officer or employee a complaint or allegation of a violation of this chapter by a City officer or employee.

(a) All such complaints shall be signed; and

(b) All such complaints or allegations are to be kept in the confidential records of the Board.

(3) Should the Board determine that there appears to be no merit to the complaint, it shall dismiss the complaint and notify the City officer or employee of its determination in writing.

(4) Hearings.

(a) Should the Board determine that there appears to be merit or probable cause in the complaint or allegation, it shall send a written invitation to the officer or employee in question to appear at a private meeting of the Board and explain the apparent conflict of interest. The written invitation shall be in the form of a notice and shall contain a statement of the facts upon which the Board has relied for its determination of probable cause and a statement of the provisions of law allegedly violated. The Board shall also inform the City officer or employee of the Board's procedural rules. Such City officer or employee shall have a reasonable time to respond either orally or in writing and shall have the right to be represented by counsel or any other person.

(b) If, after consideration of the response of the officer or employee, the Board determines that there remains probable cause to believe that a violation has occurred, the Board shall hold or direct a hearing to be held on the record to determine whether such violation has occurred or refer the matter to the appropriate department or appointing authority if the City officer or employee is subject to the jurisdiction of any state law or collective bargaining agreement which

provides for conduct of disciplinary proceedings. When such matter is referred to such department or appointing authority, the department or appointing authority shall consult with the Board before issuing a final decision.

(c) Should such officer or employee fail to appear in response to such invitation or should he or she appear and fail to satisfy the Board that there is no conflict of interest or violation of this chapter, the Board shall send a written report on the matter to the Mayor, City Clerk and Alderman at Large. The report shall not be made public except by the Mayor or by the unanimous vote of the Board.

(d) If the Board determines, after a hearing or the opportunity for a hearing, that a City officer or employee has violated this chapter, it shall, after consultation with the head of the department or appointing authority for the officer or employee, issue an order either imposing such penalties as provided for by this chapter as it deems appropriate or recommending such penalties to the head of the department or appointing authority. The order shall include findings of fact and conclusions of law. When a penalty is recommended, the head of the department or the appointing authority shall report to the Board what action was taken.

(e) Hearings of the Board shall not be public unless requested by the public servant. The order and the Board's findings and conclusions shall be made public.

(f) The Board shall maintain an index of all persons found to be in violation of this chapter by name, office and date of order. The index and the determination of probable cause and orders in such cases shall be made available for public inspection and copying.

(g) Nothing contained in this section shall prohibit the appointing officer of a City officer or employee from terminating or otherwise disciplining such public servant, where such appointing officer is otherwise authorized to do so; provided, however, that such action by the appointing officer shall not preclude the Board from exercising its powers and duties under this chapter with respect to actions of any public servant.

(h) For purposes of this subsection, the term "City officer or employee" shall include both current and former City officers and employees.

(i) The Board of Ethics shall adopt rules governing the conduct of adjudicatory proceedings and appeals relating to the proceedings authorized herein, including the assessment of the civil penalties herein authorized. Such rules shall provide for the due process procedural mechanisms substantially similar to those set forth in Article Three of the State Administrative Procedure Act,

but such mechanisms need not be identical in terms of scope.

(j) Any person compelled to appear in person or who voluntarily appears before the Board of Ethics shall be accorded the right to be accompanied, represented by, and/or advised by counsel.

(5) In addition, the Board may make recommendations with respect to the City Code of Ethics or amendments thereto upon the request of the Mayor or Common Council of the City of Kingston.

The Board, upon its formulation, shall promulgate its own rules and regulations as to its forms and procedures and shall maintain records of its opinions and proceedings. Copies of all rules and regulations promulgated by the Board and any and all amendments thereto which may be adopted from time to time shall be filed with the City Clerk within 10 days of their adoption.

(6) No meeting or proceeding or hearing of the Board of Ethics concerning a possible violation of this chapter by a City officer or employee shall be open to the public, except upon the request of the officer or employee or as required by the provisions of Article 7 of the Public Officers Law or by some other state or federal law or regulation.

D. The Board of Ethics shall also have the following powers and duties:

(1) To administer the provisions of this chapter.

(2) To prescribe and promulgate rules and regulations governing its own organization and procedures.

(3) To prepare and submit an annual report to the Mayor and the Common Council summarizing the activities of the Board of Ethics, listing any recommended changes to the text or administration of this chapter.

(4) To provide for public inspection of certain records. The only records of the Board of Ethics which shall be available for public inspection are those whose disclosure is required by Article 6 of the Public Officers Law of the State of New York or by some other state or federal law or regulation.

(5) To receive, review and approve or disapprove all requests for waivers related to this chapter.

(See § 49-4N.)

Section 11 – JUDICIAL REVIEW

Any person aggrieved by a recommendation of the Board of Ethics, as implemented by the City, may seek judicial review and relief pursuant to Article 78 of the Civil Practice Law and Rules of the State of New York.

Section 12- SUPERSESSION OF STATE LAW

Whenever the requirements of this chapter are inconsistent with the provisions of § 808 of the General Municipal Law, the more restrictive provisions or those imposing higher standards shall govern.

Section 13 – CONSTRUCTION OF PROVISIONS

A. No existing right or remedy shall be lost, impaired, or affected by reason of this chapter.

B. Nothing in this chapter shall be deemed to bar or prevent a present or former City officer or employee from timely filing any claim, account, demand, or suit against the City on behalf of himself/herself or any member of his/her family arising out of personal injury or property damage or any lawful benefit authorized or permitted by law.

C. If any provision of this chapter is held by a court of competent jurisdiction to be invalid, that decision shall not affect the validity and effectiveness of the remaining provisions of this chapter.

Section 14 - DISTRIBUTION AND POSTING

A. Within 90 days after the effective date of this chapter and thereafter as appropriate, the Board of Ethics shall transmit to the City of Kingston Common Council and City Clerk, in a form suitable for posting, copies of those provisions of this chapter which the Board of Ethics deems necessary for posting in the City of Kingston. Within 10 days after receipt of those copies, the City Clerk shall cause the copies to be posted conspicuously where public notices are generally posted.

B. Within 90 days after the effective date of this chapter and thereafter as appropriate, the Board of Ethics shall transmit to the City Clerk, in a form suitable for distribution, copies of those provisions of this chapter which the Board of Ethics deems necessary for distribution to the officers and employees of the City. Within 10 days after receipt of those copies, the City Clerk shall cause the copies to be distributed to every officer and employee of the City and made readily available to the public. Every City officer or employee elected or appointed thereafter shall be furnished a copy of those provisions within 10 days after entering upon the duties of his/her position.

C. Failure of the City to comply with the provisions of this section or failure of any City officer or employee to receive a copy of those provisions of this chapter shall have no effect on the duty of compliance with this chapter or on the enforcement of its provisions.

APPENDIX A
ANNUAL STATEMENT OF FINANCIAL DISCLOSURE FOR THE CITY OF KINGSTON

For calendar year _____

1. Name _____

2. (a) Title of 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 section eight hundred ten 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 (insert name of political subdivision). 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.

<u>Position</u>	<u>Organization</u>	<u>State or Local Agency</u>
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(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, 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.

<u>Position</u>	<u>Organization</u>	<u>State or Local Agency</u>

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 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.

<u>Position</u>	<u>Name & Address of Organization</u>	<u>Description</u>	<u>State or Local Agency</u>

- (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.

<u>Position</u>	<u>Name & Address of Organization</u>	<u>Description</u>	<u>State or Local Agency</u>

6. st 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, ten per centum 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 guarantees 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 guarantees 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.

<u>Self, Spouse or Child</u>	<u>Entity Which Held Interest in Contract</u>	<u>Relationship to Entity and Interest in Contract</u>	<u>Contracting State or Local Agency</u>	<u>Category of Value of Contract</u>

7 . st 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.

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 principal subject areas of matters undertaken by such firm or corporation. Do not list the name of the individual clients, customers or patients.

(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.

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 10. Indicate the value and nature of each such gift.

<u>Self, Spouse or Child</u>	<u>Name of Donor</u>	<u>Address</u>	<u>Nature of Gift</u>	<u>Category of Value of Gift</u>

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 such 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 factfinding events. The term "reimbursements" does not include gifts reported under item 9.

<u>Source</u>	<u>Description</u>

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; buy-out agreements; severance payments; etc.)

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.

<u>Self/ Spouse</u>	<u>Source</u>	<u>Nature</u>	<u>Category of Amount</u>

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 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.

<u>Source</u>	<u>Category of Amount</u>

15 . List each assignment of income in excess of \$1000, 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 \$1000, which would otherwise be required to be reported herein and is not or has not been so reported.

<u>Item Assigned or Transferred</u>	<u>Assigned or Transferred to</u>	<u>Category of Value</u>

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 percentage of ownership if the reporting person or the reporting person's spouse holds more than five percent of the stock of a corporation in which the stock is publicly traded or more than ten percent 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 fifty percent of the stock of which is owned or controlled by the reporting individual or such individual's spouse. 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 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.

<u>Self/ Spouse</u>	<u>Issuing Entity</u>	<u>Type of Security</u>	<u>Category of Market Value as of the close of the taxable year last occurring prior to the filing of this statement</u>	<u>Percentage of corporate stock owned or controlled</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

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 fifty percent 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.

<u>Self/ Spouse/ Other Party</u>	<u>Location</u>	<u>Size</u>	<u>General Nature</u>	<u>Acquisition Date</u>	<u>Category of Market Value</u>	<u>Percentage of Owner ship</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

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 16 hereinabove. Debts, notes and accounts receivable owed to the individual by a relative shall not be reported.

<u>Name of Debtor</u>	<u>Type of Obligation, Date Due, and Nature of Collateral, if any</u>	<u>Category of Amount</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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 guarantees 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 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.

<u>Name of Creditor or Guarantor</u>	<u>Type of Liability and Collateral, if any</u>	<u>Category of Amount</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

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.

(Signature of Reporting Individual)

Date (month/day/year)