

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, that the Preliminary Budget for the Town of Hempstead for the fiscal year beginning January 1, 2018, has been adopted by the Town Board and filed in the Office of the Town Clerk, at Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, Nassau County, New York, where it may be inspected by any interested person during Town office hours, 9:00 am to 4:45 pm, Monday through Friday.

FURTHER NOTICE IS HEREBY GIVEN, that the Town Board shall hold public hearings on the Preliminary Budget, showing such changes, alterations and revisions as may have been made therein by the Town Board pursuant to Subdivision 3 of Section 106 of the Town Law of the State of New York, in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York, on October 17th, 2017, at 2:30 p. m. of that day, and October 17th, 2017, at 7:00 p. m. of that day, at which hearings any person may be heard in favor of or against any item or items therein contained.

FURTHER NOTICE IS HEREBY GIVEN, pursuant to Section 108 of the Town Law that the proposed salaries of the following chief officers of this Town are specified as follows:

Supervisor	-	\$160,000.00
Town Councilmembers (Six at \$71,000.00)	-	\$426,000.00
Town Clerk	-	\$106,500.00
Receiver of Taxes	-	\$130,000.00

Dated: Hempstead, New York
October 3, 2017.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

ANTHONY J. SANTINO
Supervisor

NASRIN G. AHMAD
Town Clerk

Case #969

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, that pursuant to the provisions of Section 202-a of the Town Law of the State of New York, as amended, the Commissioners of the Greater Atlantic Beach Water Reclamation District, formerly known as the West Long Beach Sewer District have filed in the Office of the Town Clerk, where they may be inspected by any interested person during Town office hours, 9:00 am to 4:45 pm, Monday through Friday, the Estimates and Proposed Assessment Roll for the Greater Atlantic Beach Water Reclamation District, in the Town of Hempstead, Nassau County, New York, for the fiscal year beginning January 1, 2018.

NOTICE IS ALSO GIVEN, that public hearings upon the adoption of the aforesaid Assessment Roll will be held by the Town Board of the Town of Hempstead, pursuant to the provisions of Section 239 of the Town Law of the State of New York, in the Town Meeting Pavilion, Hempstead Town Hall, 1 Washington Street, Village and Town of Hempstead, New York, on October 17th, 2017, at 2:30 p. m. of that day, and on October 17th, 2017, at 7:00 p. m. of that day, at which hearings any person may be heard in favor of or against the adoption of said Assessment Roll.

Dated: Hempstead, New York
October 3, 2017.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HEMPSTEAD

ANTHONY J. SANTINO
Supervisor

NASRIN G. AHMAD
Town Clerk

Case #969

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Town Law and Municipal Home Rule law of the State of New York, as amended, a public hearing will be held in the Nathan L. H. Bennett Pavilion, Hempstead Town Hall, Town Hall Plaza, 1 Washington Street, Village and Town of Hempstead, New York, on Tuesday, the 17th Day of October, 2017, at 7 o'clock P.M. of that day, to consider the enactment of a new Chapter 33 of the Code of the Town of Hempstead, to be entitled Mass Mailing Restrictions.

The proposed local law is on file in the Office of the Town Clerk of the Town of Hempstead, Hempstead Town Hall, 1 Washington Street, Hempstead, New York, where the same may be viewed during office hours.

ALL PERSONS INTERESTED shall have an opportunity to be heard on said proposal at the time and place aforesaid.

Dated: Hempstead, New York
October 3, 2017

BY ORDER OF THE TOWN BOARD
TOWN OF HEMPSTEAD, NEW YORK.

ANTHONY J. SANTINO
Supervisor

NASRIN G. AHMAD
Town Clerk

Case# 29773

Town of Hempstead

A local law to enact a new Chapter 33 of the Code of the Town of Hempstead, to be entitled Mass Mailing Restrictions.

Introduced by: Councilwoman King Sweeney

Be it enacted by the Town Board of the Town of Hempstead as follows:

Section 1. A new chapter 33 of the code of the Town of Hempstead Is hereby enacted, and shall read as follows:

Chapter 33
Mass Mailing Restrictions

§ 33-1 Introduction.

It is the desire of The Town of Hempstead, hereinafter referred to as "The Town", that restrictions and regulations on the sending of mail as Mass Mailings shall be established under this Chapter in order to enhance the guidelines of Ethical conduct for elected officials of the Town, and to assist with and establish guidelines for the conduct of such mailings as they relate to the official business, activities, and duties of The Town of Hempstead.

§ 33-2 Legislative Intent.

It is the intent of The Town that such official business, activities, and duties cover all matters which directly or indirectly pertain to the legislative process or to any Town Board members functions generally, or to the functioning, working, or operating of The Town and the performance of official duties in connection therewith, and shall include, but not be limited to, the conveying of information to the public, and the requesting of the views of the public, or the views and information of other authorities of government, as a guide or a means of assistance in the performance of those functions.

It is further the intent of the Town that reasonable measures be taken to ensure that such conveyance of information regarding the aforementioned legislative process and official functions not be conducted in ways that would create undue influence upon the election results in which such Town Board member's name appears on the ballot.

§ 33-3 Definitions.

As used in this Chapter, the following terms will have the meanings indicated:

TOWN BOARD

The body of elected officials of the Town comprising the Supervisor, Councilmembers, Town Clerk, and Receiver of Taxes.

COUNCILMANIC DISTRICT

The geographic area from which a Councilmember was elected, and represents in his or her official duties on the Town Board, as specified in Chapter 7A §3 of the Code of the Town of Hempstead.

BOARD OF ETHICS

The body of three (3) appointed officers of the Town that draft amendments to the Code of Ethics, and render advisory opinions to officers of the Town and Town Board members with respect to the Town's code of Ethics.

MAIL MATTER

Any document or publication generated by or caused to be generated for the Town, for general distribution to the public, containing a picture, sketch, or other likeness of any Town Board Member with accompanying text, and or the names, titles and signatures of any Town Board member, which includes, but is not limited to:

- 1) Any article, account, sketch, narration, or other text laudatory and complimentary of any Member of the Town Board on the basis of performance of official duties as a Town Board Member;
- 2) Reports of how or when a Town Board Member spends time other than in the performance of, or in connection with, the legislative, representative, and other official functions of such Town Board Member or the activities of such Town Board Member;

3) Any card expressing holiday greetings from such Town Board Member;

4) A Town newsletter or press release which may deal with, but is not limited to, such matters as the impact of laws and decisions on local governments and individual citizens; reports on public and official actions taken by Town Board members; and discussions of proposed or pending legislation or governmental actions and the positions of the Town Board members on, and arguments for or against, such matters;

5) A Town questionnaire seeking public opinion on any law, pending or proposed legislation, public issue, or subject;

6) An expression of congratulations to a person who has achieved some public distinction;

7) A compendium of Town laws, Town regulations, other Town publications, publications purchased with Town funds, or publications containing items of general information;

8) A postcard, brochure or pamphlet detailing or promoting services, seminars or special events offered by the Town or members of the Town Board;

8) Voter registration or election information or assistance prepared and mailed in a nonpartisan manner;

9) Biography or autobiography of any Town Board Member or any biographical or autobiographical material concerning such Member or the spouse or other members of the family of such Town Board Member;

10) Correspondence or communications which are in direct response, i.e. a solicited response, to inquiries from the person to whom the response is sent;

11) Letters, Memorandums or other correspondence from a Town Board member to other Town Board members, or to Local, Town, State, or Federal government officials;

12) Correspondence to any person and to all agencies and officials of Town, State, and Federal governments regarding programs, decisions, and other related matters of public concern or public service, including any matter relating to past or current actions of the Town Board;

13) Public Service Announcements in connection with the Local, Town, State or Federal governmental response to an emergency condition or natural disaster endangering public health, safety or welfare.

MASS MAILING

Any mailing of newsletters or other pieces of mail matter with substantially identical content, distributed by the Town via U.S. Postal Mail, whether such mail matter is deposited singly or in bulk; or at the same time or different times; or printed singly or in bulk, totaling 1,000 pieces or more per mailing; or any combination of such mailings totaling 5,000 pieces or more in aggregate.

§ 33-4 Implementation of Mass Mailing Restrictions.

A. No Town Board member shall transmit or cause to be transmitted through the mails as Mass Mailing:

1. Mail matter which is in its nature purely personal to the sender or to any other person and is unrelated to the official business, activities, and duties of the Town Board Member;

2. Mail matter that is postmarked fewer than 45 days immediately before the date of any general election (whether regular, special, or runoff) in which the Town Board Member is a candidate for reelection or any other office; except:

a. Correspondence or communications which are in direct response, i.e. a solicited response, to inquiries from the person, agency, or official of Federal, State or local Governments to whom the response is directed;

b. Public Service Announcements in connection with the Local, Town, State or Federal response to an emergency condition or natural disaster endangering public health, safety or welfare;

3. Mail matter which specifically solicits political support for the Town Board member, sender, any other person or any political party, or a vote or financial assistance for any candidate for any public office;

4. Mail matter which is prepared for delivery outside of the area constituting the Councilmanic district from which the Town Board Member was elected.

B. Nothing in this section shall be construed as superseding or impairing the powers, duties and responsibilities of any Town Board member or Town Officer as prescribed under Article 3 of The Town Law of the State of New York.

§ 33-5. Board of Ethics; Powers and Duties.

Article 2 of Chapter 38 of the Code of the Town of Hempstead, as constituted by local law number 70 of two thousand seventeen, is hereby amended to enact a new subsection 38-2-5 and 38-2-6 and shall henceforth read as follows:

Chapter 38
Ethical Standards

* * *

§ 38-2 Board of Ethics Established; Powers and Duties.

- 5) The Board of Ethics shall prescribe such rules and regulations and shall take such other action, as the Board considers necessary and proper for Town Board Members to conform to the provisions of Chapter 33 and its applicable rules and regulations. Such rules and regulations shall include, but not be limited to, provisions prescribing the time within which mass mailings shall be mailed at or delivered to any postal facility to attain compliance with this clause and the time when mass mailings shall be deemed to have been so mailed or delivered and such compliance attained.
- 6) The Board of Ethics may require any Member of the Town Board entitled to make or cause to be made any mailings as Mass Mailing under this chapter to submit a sample or description of the mail matter to the Board of Ethics for an advisory opinion as to whether the proposed mailing is in compliance with the provisions of this Chapter.

§ 33-6 Violations.

For any and every violation of the provisions of this chapter, a Town Board member, his employees, designees, those acting on behalf or in the name of the Town or any other person who knowingly commits, takes part in or assists in any such violation shall be guilty of an offense punishable by a fine of not less than \$1,000 and not exceeding \$2,500 for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of four years, such violation shall be punishable by a fine of not less than \$2,500 nor more than \$5,000; and, upon conviction of a third or subsequent offense, all of which were committed within a period of four years, such violation shall be punishable by a fine of not less than \$5,000 nor more than \$10,000.

§ 33-7 Distribution.

Pursuant to section 806.2 of the General Municipal Law, upon adoption of this Chapter, the Supervisor of the Town shall act to ensure that each member of the Town Board, their employees, designees and others acting on behalf of the Town Board shall receive a copy thereof, except that failure to receive a copy shall not absolve any person from his or her obligation to fully comply with its provisions. Upon receipt thereof, each person shall sign an acknowledgment that he or she has received this Chapter, and has fully read and understands its provisions. The Supervisor shall additionally, upon adoption of this Chapter, cause the contents thereof to be published upon the Town website.

§ 33-8 Severability.

If any language, clause or provision of this Chapter 33 shall be deemed invalid and unenforceable by a court of competent jurisdiction, then that determination shall affect only the language so deemed, and the balance of the language of this Chapter 33 shall remain in full force and effect.

Section 2. This local law shall become effective immediately upon filing with the Secretary of State.