

PUBLIC HEARING
October 26, 2022

At 8:44 p.m. Supervisor Schiliro stated that a Public Hearing, would be opened in accordance with the Public Notice that follows:

NOTICE IS HEREBY GIVEN THAT the North Castle Town Board will hold a Public Hearing on October 26, 2022, at 7:30 PM, or as soon thereafter as practical, at Town Hall, 15 Bedford Road, Armonk, NY 10504, to consider a Local Law to amend Chapter 27, Code of Ethics, Sections 27-2 and 27-6 E. of the Code of the Town of North Castle.

The proposed local law is available in the Town Clerk's office during regular business hours and on the Town website. ALL PERSONS HAVING AN INTEREST IN THE MATTER ARE INVITED TO ATTEND AND BE HEARD.

By Order of the Town Board
Alison Simon, Town Clerk

Dated: October 16, 2022
Armonk, NY

The Public Notice was marked Exhibit "A" for the record.

The Affidavit of Posting calling the Public Hearing was marked Exhibit "B" for the record.

The Affidavit of Publication from The Journal News calling the Public Hearing was marked Exhibit "C" for the record.

The Script for Ethics Board Educational Video was marked Exhibit "D" for the record.

The Local Law for consideration.

Board of Ethics Chair Brett Summers provided background that the proposed amendments to the Code of Ethics would increase the number of board members and elected officials who would be required to submit Disclosure Statements and increase the scope of the Disclosure Statements.

A discussion was held regarding who will have access to the Disclosure Statements and regarding efforts to ensure transparency weighed against privacy concerns.

The Town Board confirmed that elected officials and specified board members would be required to disclose interests in properties that they know to be currently before a Board of the Town for consideration, and, upon learning of a potential conflict, would be required to submit a Disclosure Statement.

Board of Ethics members Sue Shimer and Ed Lobermann expressed support of the proposed amendments.

Residents Jennifer Clark and Andrew Reiskind expressed support for the proposed amendments.

Resident Linda Fernberg expressed opposition to the proposed amendments.

After all persons were heard who desired to be heard, Councilman Milim moved, seconded by Councilman Berra, that the Public Hearing be closed at 10:31 p.m.

The roll call vote was as follows:

Ayes: Councilmen DiGiacinto, Berra, Hussain, Milim, Supervisor Schiliro

Noes: None

Town Board Minutes
October 26, 2022

Councilman Milim moved, seconded by Councilman Hussain, the adoption of a Local Law 10 to amend Chapter 27, Code of Ethics, Sections 27-2 and 27-6 E. of the Code of the Town of North Castle with the inclusion of the Disclosure Statement as amended. The Local Law follows at the end of these minutes.

The roll call vote was as follows:

Ayes: Councilmen DiGiacinto, Berra, Hussain, Milim, Supervisor Schiliro

Noes: None

Alison Simon, Town Clerk

Dated: October 28, 2022

TOWN OF NORTH CASTLE

LOCAL LAW NO. 10 OF 2022
Adopted October 26, 2022

A Local Law to amend Chapter 27, Code of Ethics, Sections 27-2 and 27-6 E. of the Code of the Town of North Castle.

Be It Enacted by the Town Board of the Town of North Castle as follows:

Section 1.

Section 27-2 of the Code of the Town of North Castle entitled “Definitions” at “Interest” is hereby amended as follows:

INTEREST

A direct or indirect financial or material benefit, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any organization including, but not limited to when he or she or his or her relative directly or indirectly (e.g., individually or through one or more organizations and/or as a grantor, beneficiary or trustee of one or more trusts) (i) is a partner, member, or other full or partial owner, (ii) is a director, officer, manager or employee, (iii) owns or controls more than 5% of the outstanding stock of a publicly traded corporation.

Section 2.

Section 27-6 E. of the Code of the Town of North Castle entitled “Disclosure of interest in legislation and other matters” is hereby amended as follows:

Upon election or appointment and thereafter on an annual basis, the following individuals shall watch a brief Town of North Castle ethics training video, which shall be consistent with the Code of Ethics, and complete a Town of North Castle Disclosure Statement materially in the form attached as Appendix A: elected officials, members of the Planning Board, Zoning Board of Appeals, Architectural Review Board, and Board of Assessment Review.

Section 3. Conflicting Standards.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

Section 4. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

Section 5. Effective Date.

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

Dated: October 26, 2022

APPENDIX A

**TOWN OF NORTH CASTLE
ETHICS DISCLOSURE STATEMENT
for the
CALENDAR YEAR _____
Due _____**

Instructions: Please check the appropriate boxes, complete items 1, 2A & 2B, and sign where indicated below.

- ☐ I have received, read, understand and agree to abide by the requirements set forth in Chapter 27 (Ethics) of the Code of the Town of North Castle.
- ☐ Except as identified below, to the best of my knowledge and belief, neither I nor any Relative has any Interest (as those terms are defined in Section 27-2 of the North Castle Ethics Code) that may conflict with my official duties or otherwise give rise to a violation of the North Castle Code of Ethics.
- ☐ I agree to promptly file a Disclosure – Conflict of Interest Form if any change of circumstances should make any statement herein untrue or incomplete.

1. List the location of all real estate in the Town of North Castle (other than the primary residence of you or your Relative) in which you or any Relative directly or indirectly have an Interest, which to the best of your knowledge and belief has any application, request, interest in any proposal, or claim before a Town of North Castle department, board or committee or any litigation, negotiation or other matter requiring the exercise of discretion to which the Town of North Castle or one or more of its departments, boards or committees is a party. If none, state “none.” _____

(Attach separate sheet if necessary.)

2. A. NON PUBLICLY-TRADED ORGANIZATIONS: List any organization (other than a publicly-traded corporation) in which you or a Relative have a direct or indirect Interest, which to the best of your knowledge and belief has any application, request, interest in any proposal, or claim before a Town of North Castle department, board or committee or any litigation, negotiation or other matter requiring the exercise of discretion to which the Town of North Castle or one or more of its departments, boards or committees is a party. If none, state “none.” _____

(Attach separate sheet if necessary.)

2. B. PUBLICLY-TRADED CORPORATIONS: List any publicly-traded corporation in which you or a Relative have a direct or indirect Interest (including owning 5% or more of the outstanding stock or as a director, officer or employee), which to the best of your knowledge and belief has any application, request, interest in any proposal, or claim before a Town of North Castle department, board or committee or any litigation, negotiation or other matter requiring the exercise of discretion to which the Town of North Castle or one or more of its departments, boards or committees is a party. If none, state “none.” _____

(Attach separate sheet if necessary.)

The term “Interest” includes any financial or material benefit or thing of value, except for such things which are generally available to all residents or taxpayers, or even a large group of such individuals. Financial or material benefits may be received or provided directly, but they also include such benefits that are received or provided indirectly.

For organizations other than a publicly traded corporation, an example of a “direct” Interest is where a town official, employee or volunteer is a partner, member or has another type of ownership interest in that organization or is a director, officer, manager or employee in such an organization. For organizations other than a publicly traded corporation, an example of an “indirect” Interest is where that town official, employee or volunteer holds that same Interest, but through one or more organizations or through one or more trusts — either as a grantor, beneficiary or trustee.

If you have any questions, you should contact the Board of Ethics or request a Confidential Advisory Opinion from the Board of Ethics.

I certify that the answers given above are true to the best of my knowledge and belief, were made in good faith, and I understand that any false or incomplete statement on this Disclosure Statement would constitute a violation of the North Castle Code of Ethics.

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Date	Signature

PRINT NAME:

HOME
ADDRESS:

TELEPHONE:
(Home)

(Business)

(Cell)

Email:

BOARD OR OFFICIAL POSITION

Please return this statement to:	Town Clerk Town of North Castle 15 Bedford Road Armonk, NY 10504
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