

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. OF 2015**

**A LOCAL LAW AMENDING CHAPTER 23 OF THE TOWN CODE  
ENTITLED "GOVERNMENTAL DEPARTMENTS"**

**BE IT ENACTED** by the Town Board of the Town of North Hempstead, as follows:

**Section 1. Legislative Intent.**

The Board finds that it is in the best interest of the Town of North Hempstead to make amendments to Chapter 23 entitled "Governmental Departments" in order to modify the organizational structure of the Department of Finance and rename the department the Department of Human Resources.

**Section 2.**

Chapter 23, Article V, of the Town Code is hereby amended as follows:

Article V. Department of [Finance] **Human Resources**

[Added 12-31-1974 by L.L. No. 17-1974; amended 11-20-1979 by L.L. No. 12-1979; 12-18-1990 by L.L. No. 15-1990; 11-12-1996 by L.L. No. 26-2006; 7-14-2009 by L.L. No. 14-2009]

§ 23-5. (Reserved)

§ 23-5.1. Definitions.

A. Whenever used in this article, words used in the singular include the plural and vice versa.

B. As used in this article, the following terms shall have the meanings indicated:

**ASSISTANT TO THE COMMISSIONER**

A designated officer of the Department appointed by the Commissioner to aid and advise the Commissioner in planning and coordinating projects and policies of the Department.

**COMMISSIONER**

The Commissioner of the Department of [Finance] **Human Resources**, as chief executive officer of said Department.

**DEPARTMENT**

The Town of North Hempstead Department of [Finance] **Human Resources**, a major function of Town government.

**DEPUTY COMMISSIONERS**

The Deputy Commissioners of the Town of North Hempstead, Department of [Finance] **Human Resources**, who shall generally act for and in place of the Commissioner.

§ 23-5.2. Department established; Commissioner.

A. Commissioner. There shall be in the Town of North Hempstead a Department of [Finance] **Human Resources**. The principal executive officer and administrative head of such Department shall be the Commissioner, who shall be appointed by the Town Board for the term fixed by law at such salary as may from time to time be fixed by the Town Board. The Commissioner shall be

appointed on the basis of his/her administrative experience and qualifications for the duties of such office and such additional standards as may be required by the Town Board. The Commissioner shall be the head of the Department with power and authority to appoint and remove officers and employees under his/her jurisdiction in accordance with Civil Service Law and other applicable laws. He/she may appoint two Deputies and one Assistant.

B. Before entering upon the duties of his/her office, the Commissioner shall execute and file with the Town Clerk an official undertaking, if the same be required by the Town Board, in such sum as prescribed by the Town Board and in such form as approved by the Town Attorney.

§ 23-5.3. Powers of Commissioner; departmental organization.

A. The Commissioner shall have such powers as shall be necessary for the proper administration of the Department consistent with applicable provisions of law.

B. Until such time as the same may be either amended or modified, the Department shall be divided into the following divisions:

~~[(1) Division of Accounts Payable and Receivable.]~~

~~[(2)1] Division of [Budget and] Insurance.~~

~~[(3)2] Division of Payroll and Personnel.~~

~~[(4) Division of Public Information.~~

~~[(5) Management Information Systems.]~~

§ 23-5.4. General powers and duties.

A. The powers and duties of such divisions therein shall be under the administration, direction and control of the Commissioner of the Department of ~~[Finance]~~ **Human Resources**, and each of said divisions shall be supervised by a division head, who shall be designated as Manager.

B. The Commissioner may, with the approval of the Town Board, establish, consolidate or abolish any divisions now existing or hereafter created in said Department and establish, consolidate or abolish any bureau now existing or hereafter created in any such division.

C. The powers and duties of the divisions shall be as follows:

~~(1) [Division of Accounts Payable and Receivable. It shall administer, manage, prepare and maintain accounts, records and documents of all disbursements and receipts of the Town of North Hempstead and, upon proper approval, make payments of all claims and indebtedness of the Town of North Hempstead.~~

~~(2) ] Division of [Budget and] Insurance. [When so appointed by the Supervisor, it shall administer, manage, prepare and supervise procedures and programs for the evaluation of departmental estimates of operating budgets of all departments and prepare and submit a tentative budget to the Town Board; administer all budget funds and appropriation accounts; and prepare and coordinate projected budgetary forecasts for operating and capital improvement needs.] It shall [also perform, manage and control] **oversee the administration of and assist employees with all aspects of [the] health and dental insurance, employee benefit programs and workers' compensation** programs. [relating to the Town of North Hempstead facilities, personal property and personnel]. **It shall assist retirees with health insurance and retirement concerns.**~~

(~~3~~2) Division of Payroll and Personnel. It shall [~~administer, manage and prepare~~] **administer the Town's timekeeping procedures and assist the Town Comptroller's office in preparation of** all Town payrolls and any function or duty related thereto. It shall plan and coordinate personnel policies, procedures and programs; be responsible for all personnel records and actions; recruit, interview and select all personnel; formulate and assist in the implementation of in-service training programs; investigate and make recommendations concerning all personnel complaints, **workplace violence complaints** and grievances; **handle implementation of the Town's EEO policy; oversee the Town's Safety Committee and drug and alcohol testing program;** confer with heads of departments concerning personnel matters and related budgetary items; and attend state and local meetings and conferences. **It shall mediate disputes between employees; work to resolve disputes and improve communication within and between departments; respond to inquiries from employees and resolve issues as needed; provide advice and limited counseling; and make referrals as appropriate to the Employee Assistance Program.**

~~[(4) Division of Public Information. It shall coordinate and disseminate information on all Town affairs, directly and through the media, to the general population.]~~

~~[(5) Management Information Systems. It shall provide design, implementation and maintenance services for all automated systems functioning on the mainframe computer, as well as those on microcomputers for all Town departments.]~~

D. The Commissioner, acting by and through any [~~of said existing or hereafter named~~] division[s] **within the department**, shall be empowered to perform such other duties and functions that are prescribed to be performed by him/**her** in any law, ordinance or resolution of the Town Board or lawful directive of the Supervisor. However, the Commissioner may delegate any of his/**her** powers to or direct any of his/**her** duties to be performed by a Deputy Commissioner or head of a division.

#### § 23-5.5. Special costs and expenses.

All costs and expenses incurred by the Department or its officers or employees on behalf of a special improvement district or special Town project shall be charged against such district or project and paid from the funds duly appropriated for the purpose of such district or project.

#### § 23-5.6. Powers of Supervisor.

Nothing herein contained shall be construed to delegate or transfer any power of the Town Supervisor contained in §§ 29, 52 and 125 of the Town Law of the State of New York or any other powers which may be lawfully exercised by said Supervisor.

#### § 23-5.7. Fees.

The Commissioner may establish, subject to Town Board approval, a schedule of fees to be collected by him/**her** for services rendered in connection with the work of his Department and for which he/**she** deems it necessary to charge and to collect a fee therefor.

#### § 23-5.8. Severability.

If any section, provision or part thereof in this article shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, then such adjudication shall not affect the validity of the article as a whole, or any section, provision or part thereof not so adjudged invalid or unconstitutional.

§ 23-5.9. When effective.

This article shall be effective immediately upon filing with the Secretary of State.

**Section 3.**

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