

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. __ OF 2023**

**A LOCAL LAW ESTABLISHING CHAPTER 58 OF THE TOWN CODE
ENTITLED “GOVERNMENTAL TRANSPARENCY”**

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

Section 1. Legislative Intent.

The Board finds it in the best interest of the Town of North Hempstead and its residents to establish Chapter 58 of the Code of the Town of North Hempstead entitled “Governmental Transparency” to require the publication of certain documents and/or information on the Town’s website, in a manner that is searchable, in order to increase governmental openness and transparency by facilitating public access to Town records, documents and information that is legally available, with a goal towards bringing about greater awareness, input and public participation in the conduct of the affairs of Town government.

Section 2.

Chapter 58 of the Town Code is hereby established to read as follows:

§ 58-1 Legislative intent.

The Board finds that it is in the best interests of the Town of North Hempstead to require the publication of certain documents and/or information on the Town’s website, in a manner that is searchable, in order to increase governmental openness and transparency by facilitating public access to Town records, documents and information that is legally available, with a goal towards bringing about greater awareness, input and public participation in the conduct of the affairs of Town government.

§ 58-2 Fostering Governmental Transparency.

- A. The Town shall place and maintain on its website, in a prominent location on the homepage, a link entitled “North Hempstead Transparency Portal”. The Supervisor and Department Heads shall be responsible for providing the Department of Information Technology with the information listed in this chapter, as well as any updates or amendments thereto, within 10 business days of obtaining or compiling such information. The Department of Information Technology shall post and update the information contained in this chapter on the North Hempstead Transparency Portal within 5 business days of receipt by the Supervisor or Department Head. The website must be electronically searchable by the public and machine-readable.
- B. Subject to the provisions set forth in Subsection C herein, the Town shall publish the following documents and/or information on its website, under the categories listed:

General

- (1) A section designated to notices of public meetings (date, time, location), including public hearings and budget hearings, posted in advance of the meetings.
- (2) Links enabling residents and businesses owners to sign up and receive Town newsletters and Town Board member specific newsletters, and Town Board and Board of Zoning and Appeals agendas, as well as any other mass communication sent to Town residents.
- (3) A link enabling residents to submit their email address and contact information to 311 and request that they be notified of a tree to be removed in their zip code.
- (4) All roadway paving schedules, for the current year by council district.
- (5) A list of all boards and commissions, including the names and terms of appointment for every board or commission member, and the minutes from each board and commissions meeting for the past year.
- (6) A list of approved newspapers for publication of notices.
- (7) A current list of completed environmental initiatives for the Town, including a copy of the municipal climate action plan.

Financial

- (8) All executed contracts that become effective following the implementation of this chapter, to be categorized by the Town department administering the agreement, subject to any legally required redactions.
- (9) Links to the following: The final financial and performance audits of the departments, agencies and operations of the Town, as conducted by the Town Comptroller, as well as the audited Annual Comprehensive Financial Reports (ACFRs), for each of the past five years, all of which shall be redacted, if necessary, to comply with applicable law.
- (10) Links to the following: The tentative budget, the preliminary budget and the annual budget as finally adopted.
- (11) A link to the final adopted Capital Improvement Plan for the current year and each of the ensuing five years.
- (12) Reports from any rating agency regarding the fiscal health of the Town.
- (13) A list of approved bank depositories.

Employment

- (14) All job specifications, as established by the Nasau County Civil Service Commission, for

each civil service job position and title in the Town of North Hempstead.

Reports

- (15) Statistics related to how many code enforcement and parking enforcement tickets were issued, by subject, for the past year.

Purchasing

- (16) A link to the Town's procurement and payment policy.
- (17) A link to all RFPs and Bids for the past year, to be placed on the same webpage.

Policies

- (18) Hyperlinks to the Town's Ethics Code and Anti-nepotism Code.
- (19) Copies of all policies approved by the Town Board, including the investment policy, travel policy, interdepartmental chargeback policy, reserved parking for people with disabilities policy, tree policy, and similar policies.

Permits and licenses

- (20) All fee schedules, to be categorized by department, including for use of Town parks or other facilities, for building permit applications and board of zoning and appeals variances.
- (21) A list of all persons, businesses or entities licensed by the Town, including but not limited to the following categories: secondhand dealers, landscapers as required under Chapter 38A, plumbers, electricians, tow truck operators, taxicabs, limousines and private livery vehicles, peddlers and solicitors, etc.

Freedom of Information Law

- (22) A link to the Town's Freedom of Information Law request form.
- (23) A hyperlink to the text of the Freedom of Information Law and Open Meetings Law.

- C. Exceptions. Nothing in this chapter shall be construed to obligate or compel the publication of any information that constitutes an unwarranted invasion of personal privacy or a violation of any laws governing the release of personal information. This section shall further not be construed to compel the publication of records or information that the Town would not otherwise be required to disclose under Public Officers Law Article 6 (the Freedom of Information Law). Any records or information required to be published pursuant to this chapter shall be reviewed and acted upon by the Town Attorney's office to ensure proper compliance with such law and, if necessary, proper redaction of protected information prior to publication.

§ 58-3 Distribution of copies.

The Supervisor of the Town shall act to ensure that each Town elected official, department heads, and their designees shall receive a copy of this chapter, except that failure to receive a copy shall not absolve any person from his or her obligation to fully comply with its provisions. The Supervisor of the Town shall additionally, upon the effective date of this chapter, cause the contents thereof to be published upon the Town website.

§ 58-4 Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this article or in its application to the person or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

§ 58-5 When effective; time for compliance.

To afford sufficient time for compliance with the provisions of this chapter, the provisions contained herein shall take effect 180 days after filing with the Secretary of State.

Section 3.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this article or in its application to the person or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 4.

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