



To: Howard Zemsky, President & CEO, Empire State Development and Commissioner, NYS Department of Economic Development
From: Dr. Belinda S. Miles
Re: Westchester Community College Campus Plan for Designation of Tax-Free Area(s)
Date: October 6, 2016

Dr. Belinda Miles, President of Westchester Community College hereby certifies the following:

- a.) We have provided a copy of the enclosed Campus Plan for Designation of Tax-Free NY Area, to the municipality or municipalities in which the proposed Tax-Free NY Area is located, local economic development entities, the applicable faculty senate, union representatives, and student government at least 30 days prior to submitting the plan to you and attached evidence of submission herewith; and
b.) We comply with Public Officers Law Section 74; State University of New York's Policy on Conflict of Interest; the Westchester County Code of Ethics; STARTUP NY Program Participation Policy, and attached copies of the policies and/or guidelines herewith; and
c.) We comply with the Commissioner's rules and guidelines on anticompetitive behavior (NY EDL, art. 21, sect. 440); and
d.) The College is aware of the non-governmental use limitations associated with state issued tax exempt bonds and if our proposed Tax-Free NY Area was financed with tax exempt bonds, we will: 1.) make potential businesses aware of these limitations when marketing property; and 2.) take appropriate steps to ensure that non-governmental use of property funded with tax-exempt bonds will not jeopardize the tax exempt status of state issued bonds; and
e.) We have consulted with the municipality or municipalities in which such land or space is located prior to including such space or land in the proposed Tax-Free NY Area and we have given preference to underutilized properties; and
f.) We have not relocated or eliminated any academic programs, any administrative programs, offices, housing facilities, dining facilities, athletic facilities, parking, or any other facility, space or program that actively serves students, faculty or staff in order to created vacant land or space to be designated as a Tax-Free NY Area; and
g.) The information contained in the enclosed application is accurate and complete.

Handwritten signature of Belinda S. Miles

PRESIDENT'S SIGNATURE

10/11/16

DATE



Attachments/Enclosures:

- 1.) Tax-Free Area Plan with Polygon shape file of campus area (if available) and/or point data of vacant space (if available), OR AutoCAD rendering of proposed tax-free area on a scaled campus map and/or campus map shaded to indicate building containing proposed tax-free space
- 2.) Excel spreadsheet of property to be designated
- 3.) Applicable conflict of interest policies
- 4.) Evidence of submission of Tax-Free Area Plan to interested parties



The State University
of New York

Office of the
Chief Financial Officer

State University Plaza
Albany, New York 12246

www.suny.edu

November 2, 2016

Dr. Belinda S. Miles, President
Westchester Community College
75 Grasslands Road
Valhalla, NY 10595

Re: START-UP NY

Dear President Miles:

Congratulations. Attached is the approved application for Westchester Community College's Amended Campus Plan for Designation of Tax-Free Area(s).

After completion of the required 30-day comment period, please submit evidence of stakeholder notification, along with your complete campus plan, to Empire State Development at designations@esd.ny.gov.

Best of luck to you and Westchester Community College in launching the START-UP NY program.

Best Regards,

A handwritten signature in black ink that reads "Eileen McLoughlin".

Eileen McLoughlin
Senior Vice Chancellor for
Finance and Chief Financial
Officer

Attachment

Copy: SUNY START-UP NY Proposal Review Team

To Learn
To Search
To Serve

the Power of





The State University of New York

SUNY START-UP NY
Campus Plan for Designation of Tax-Free Area(s) Memorandum (CPM)

To: SUNY Chancellor

From: Dr. James M. Sunser

Re: Amended Genesee Community College Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan")

Date: 8/8/16

For campus Office of the President:

The arrangement documented in the attached Campus Plan is aligned to the academic mission of Genesee Community College and in accordance with all SUNY policies, procedures, and guidelines.

Handwritten signature of James M. Sunser

Date 8/8/16

President, Genesee Community College

FOR SUNY SYSTEM ADMINISTRATION USE ONLY

For SUNY's START-UP NY Proposal Review Team Co-Chair: It is recommended by the SUNY START-UP NY Proposal Review Team that SUNY [approved/rejected] the attached Campus Plan:

Handwritten signature of Jeffrey A. Boyce

Proposal Review Team Co-Chair

10-31-16

Date

Print Name Jeffrey A. Boyce

For SUNY Office of the Chancellor:

The attached Campus Plan is hereby [approved/rejected] for campus submission to the NYS Commissioner of Economic Development.

Handwritten signature of Eileen McLoughlin

Signature of the Chancellor or designee

11/4/16

Date

Print Name Eileen McLoughlin

START-UP NY CAMPUS PLAN FOR DESIGNATION OF TAX-FREE AREA(S)

Campus Name: Westchester Community College
 Campus Contact Name: Eridania Camacho
 Campus Contact Title: Director, Gateway to Entrepreneurship – G2E
 Campus Contact E-mail: eridania.camacho@sunywcc.edu
 Campus Contact Phone: 914-606-5616

THE TAX-FREE NY AREA PLAN SHALL BE DEVELOPED BY THE CAMPUS TEAM AND PROVIDE THE FOLLOWING REQUIRED INFORMATION:

1) Specification or identification of space or land proposed for designation as a Tax-Free NY Area identifying the following:

i. Provide the name and address of the SUNY, CUNY or community college seeking approval as a Sponsor, the address of the space or land proposed for designation as a Tax-Free NY Area, and a written description of the physical characteristics of the area for designation.

Name: Westchester Community College: Campus Residence and Information Center
Campus Address: 75 Grasslands Road, Valhalla, NY 10595
Address(es) of Proposed Tax-Free NY Area(s): 75 Grasslands Road, Valhalla, NY 10595
Description of Physical Characteristics of Proposed Tax-Free NY Area(s): Westchester Community has identified two properties as potential Tax-Free NY Areas: The Campus Residence and the Campus Information Center. Both properties are currently vacant. The Campus Residence is a vacant property on the grounds of Westchester Community College. The property is a three story 2,812 square feet residence that includes a basement, first and second floors, and an attic. The first floor consists of two (2) rooms, a kitchen, closets and a patio; the second floor includes three (3) rooms, a bathroom and closets. Two or three businesses, depending on the need and size, could potentially be accommodated in this space. This property has limited parking, however, occupants will also have access to an adjacent campus parking lot. The Campus Information Center is an 800 square feet, single story building that formerly served as the Westchester Community College-Campus Information Center. It has a cellar, an open space on the first floor, a bathroom and five private parking spaces. Additional parking is available in adjacent parking lots. This space is suitable for a start-up. Two or three desks will fit comfortably in this space.

ii. Complete the Excel spreadsheet template provided with this document, noting the instructions on page 2. Include the official SUNY Physical Space Inventory (PSI) building number and a clear description of the spaces in the building or floor (when the entire floor is under

consideration), or floor/wing (with outer rooms defining the space specifically listed). Include only properties sought to be designated now and exclude potential sites that may be considered in the future (see 2a below). Attach the completed spreadsheet to this plan.

- iii. Provide also a representation of each proposed site drawn in AutoCAD on a scaled campus map with boundaries drawn clearly. Two versions should be created; one including an imbedded layer from Google Earth or other aerial photograph of the property. The second version should exclude the photographic imagery. Each parcel under consideration must have a unique alpha numeric identifier, clearly labeled on each plan which ties to identifiers in the Excel spreadsheet. If digital files containing Polygon shapefile that delineates area for designation are available, provide these as well. Attach these materials to this plan.
- iv. Provide a campus map with each proposed building shaded. Label each building with the official building number as listed in the SUNY Physical Space Inventory (PSI) along with the building name. For each building shaded and labeled, include floor plans of all areas under consideration with the specific spaces clearly shaded and labeled with official PSI room numbers. If digital files containing Point shapefiles that provide locations of area for designation are available, provide these as well. Attach these materials to this plan.

- 2) The total square footage of the space and/or acreage of land proposed for designation as a Tax-Free NY Area is:

The total square footage for both the Campus Residence and Campus Information Center is 3,612.

- 2a) If applicable: You may include here a description of any potential space or acreage of land that you may seek to designate as a Tax-Free NY Area under the START-UP NY Program in the future. This may include campus property that may become vacant, or other properties in your community that are not currently part of your campus but may be desirable for a company partner and with which you may consider an affiliation if an appropriate partner is identified. Do not include these properties in the Excel spreadsheet.

N/A

- 2b) If applicable: The total square footage of the space or acreage of land that you may propose to designate as a Tax-Free Area as identified in 2a, if known.

N/A

- 3) Provide a description of the type of business or businesses that may locate in the area identified in #1.

The types of businesses that Westchester Community College plans to attract are businesses in the high tech sector and/or in the formative stages of development. The business sector represented will also align with the data and occupations identified in the New Skills at Work in the Lower Hudson Valley-Middle Skills Gap Report (released 5/2016). The Middle Skills Report was supported by JPMorgan Chase, and is part of their New Skills at Work initiative, a five-year \$250 million global initiative to help areas build demand-driven workforce systems that prepare youth and adults for careers in high-demand middle skill occupations. In 2015, Westchester Community College received a New Skills at Work grant to form a stakeholder advisory group and undertake demand-driven research and collaborative workforce planning for the Lower Hudson Valley region of New York State. The research completed for this report focused on three in-demand occupational clusters in the Lower Hudson Valley:

- Health Information Management: (companies focused on creating/customizing software for data analysis, management and storage).
- IT Technical: Companies developing software solutions.

The Westchester Community College-START-UP NY initiative will seek businesses with a technology focus; to the degree possible, businesses that are aligned with the two technology-related occupational clusters identified in the Middle Skills Report will be targeted (IT Support and Health Information Technology). Selecting businesses that are aligned with the occupations identified in this report will provide on-campus opportunities for students to gain the “real world” information technology skills required to enter the workforce and will also provide a supply of skilled employees for in-demand occupations in the Lower Hudson Valley.

- 4) Provide a description of the campus academic mission, and explain how the businesses identified in #3 will align or further the academic mission of the university or college.

The mission of Westchester Community College is to provide accessible, high quality and affordable education to meet the needs of our diverse community. We are committed to student success, academic excellence, workforce development, economic development and lifelong learning.

The businesses that will be selected for the Westchester Community College-Start-Up NY initiative are aligned with both the college mission and the college's Strategic Plan-Focus Forward (2014-2019) that addresses the following themes:

- Student success: by providing student internships in campus-based technology companies, the Start-UP NY businesses will provide innovative methods of delivering learning activities for students.
- Workforce Development: selecting businesses that are aligned with in-demand occupations, directly addresses the workforce needs of area employers.
- Community Engagement: interfacing with the Start-Up NY businesses supports the college's commitment to increasing business partnerships and supporting SUNY initiatives.
- Campus Culture: the selected businesses will contribute to the college's work-life culture by providing an opportunity for engagement across the college community.
- Stewardship: by contributing to the college's funding stream, this initiative and the associated businesses support organizational stewardship.

As the County's largest educational institution, Westchester Community College is poised to provide an active campus culture and support for the companies selected to participate in the Start-UP NY initiative. An enrollment of approximately 12,000 full and part-time credit students per semester and an additional annual enrollment of 12,000 Workforce Development and Community Education students contributes to an active campus culture. The College's community reach and engagement is vast with a strong presence through its extension centers in Yonkers, Mount Vernon, Peekskill, Ossining and White Plains. The main campus in Valhalla and the extension locations provide wide access to credit and non-credit educational offerings, including the largest ESL program in the County, annually serving over 4,000 individuals from a multitude of countries.

The college has a history of partnership with the regional government and business communities, including: Business Council of Westchester, Westchester County Association, Westchester County Government, and the County Office of Economic Development. President Miles also sits on the board/higher education committee of both county business associations. The relationship that the

college has with the regional business community will provide additional resources and support for the Start-UP NY businesses.

Westchester Community College has a long tradition of supporting entrepreneurship and workforce development initiatives aligned with Start-UP NY, including the following initiatives and programs:

- Endowed Chair in Entrepreneurship
- Entrepreneurship/Small Business Management Certificate Program
- Associate and Applied Associate Degrees and credit-earning certificates in a variety of business and technology fields, with faculty and students available to support the goals of the businesses selected for this initiative.

The Division of Workforce Development and Community Education (WDCE) offers a wide range of career-related non-credit, workforce certificates and professional development opportunities designed to assist participants to:

- Earn industry-recognized certifications,
- Enter a career,
- Gain additional skills to progress in a career, or
- Change careers

The Gateway to Entrepreneurship (G2E) Program (develops and facilitates initiatives for small businesses and entrepreneurs in Westchester County), and the G2E-sponsored GROW Conference for Entrepreneurs and Small Businesses (attracts over 100 entrepreneurs and small businesses annually) will provide readily available campus-based support for the Start-Up NY businesses.

In addition to the programs/initiatives described above, the college administers grants that address the workforce and economic development needs of the county.

5) Provide a description of how participation by these types of businesses in the START-UP NY Program will generate positive community and economic benefits, including but not limited to:

- Increased employment opportunities;
- Increased opportunities for internships, vocational training and experiential learning for undergraduate and graduate study;
- Diversification of the local economy;
- Environmental sustainability;
- Increased entrepreneurship opportunities;
- Positive, non-competitive and/or synergistic links to existing businesses;
- Effect on the local economy; and
- Opportunities as a magnet for economic and social growth.

Westchester Community College will have a vetting process for accepting businesses into the START-UP NY initiative to ensure that those businesses generate positive community and economic benefits through initiatives and activities such as:

Internship Program Support: These businesses will become active members of the college community by supporting the internship program, and offering experiential learning opportunities for students with an expressed interest in the particular focus of that business. The student intern(s) will benefit by being assigned a workplace mentor, working as an integral member of the company staff, and concurrently earning academic credit. It is anticipated that participation in internship activities will lead to increased employment opportunities for student interns.

Internships/Employment Opportunities/Impact on Local Economy: Westchester Community College will assess interested businesses with an interest in workforce development and the capacity/desire of businesses to offer internships to students, increase regional employment opportunities by hiring new talent, and concurrently have a positive impact on the local economy.

Businesses will be expected to collaborate with Westchester Community College. By engaging in college activities and serving on advisory boards, companies will enhance the employability of college graduates/program completers by insuring that the knowledge and skills taught in college programs are aligned with the skills/competencies required in the work place, and that the attainment of appropriate industry credentials is imbedded in academic/workforce program outcomes.

- 6) Provide a description of the process the Sponsor (campus) will follow to select participating businesses. The description should identify the membership of any group or committee that may make recommendations, the final decision-maker, and the criteria that will be used to make decisions. This group or committee must include representation from faculty governance.

The criteria may include some or all of the following:

A. Academic and Research Alignment

1. Is the business in an industry aligned with current and/or developing University research, scholarly, and creative activity?
2. Does the business provide experiential learning and workforce opportunities (e.g., internships, fellowships, full-time jobs) for students and graduates?
3. Does the business provide areas for partnership and advancement for faculty and students?
4. Will the business provide access to research instrumentation, tools, and/or equipment necessary to advance the academic and research mission?
5. Will the business fund scholarships, campus facilities or other academic services or amenities?
6. Will the business and/or its employees contribute to instruction or provide student mentoring?
7. Does the business offer the use of company resources, intellectual property or expertise to support the academic mission?

B. Economic Benefit

1. How many net new jobs will be created?
2. Is the business viable in both the short- and long-term?
3. Will the business attract private financial investment?
4. Does the business plan to make capital investments (e.g., renovation, new construction)?
5. Are the new jobs in critical areas of the economy?
6. How will the University financially benefit from the terms of the lease?

C. Community Benefits

1. Does the business have the support of one or more municipal or community entities?
2. Is the business recruiting employees from the local workforce?
3. Does the business invest in underserved, economically distressed regions?
4. Will the business rely on suppliers within the local and regional economy?

As a Sponsor of a Tax-Free Area-START-UP NY program, Westchester Community College will solicit applications from businesses within the categories identified in Section 3. This business focus was selected because they represent:

- in-demand occupations in the Lower Hudson Valley (2012-2022),
- an opportunity for education and training programs to meet the demands for these positions,

- middle skills jobs that are aligned with the preparation provided by the programs offered at Westchester Community College, and
- jobs with associated career pathways that provide opportunities for continuing career growth.

Westchester Community College will create a process for the solicitation and reviewing of applications to be considered for the Tax-Free Area.

Process for Identifying Potential Businesses

Westchester Community College will refine and follow the following process to select participating businesses. This outline identifies groups and/or committees who may be engaged to either make business recommendations and/or make final selection decisions. Among other considerations, this process would include:

Business Selection Team

The Westchester Community College's Business Selection Team will include key internal and external members. External representation will come from organizations such as the Business Council of Westchester, the Westchester County Association, and the Westchester County Office of Economic Development. Internal members of this team will include representation from faculty senate and student government.

The Business Selection Team will help to identify businesses based on viability, the ability to provide experiential learning, and create jobs. This team will work closely with the Director of Gateway to Entrepreneurship to review applications of interested businesses. Members of the Business Selection Team will include:

- Vice President, Workforce Development & Community Education
- Chief of Staff, Office of the President
- Westchester Community College Faculty
- Representative from Westchester County Government
- Business Association Representatives
- Deputy Purchasing Agent
- Director, Student Involvement
- Student Body President
- Presiding Officer of Westchester Community College Faculty Senate
- Westchester Community College Staff Council Representative

College employees who are members of the Selection Team will be subject to SUNY and Westchester County Conflict of Interest Policies. Business Selection Team members must recuse themselves from any decisions that may pose a conflict of interest.

Business Solicitation

Westchester Community College will employ multiple methods and resources for business solicitation purposes and will work directly with the Westchester-based economic development organizations including the Westchester Business Council, Westchester County Association, Westchester County Office of Economic Development, Community Capital New York, the SBDC and SCORE, and many others to identify businesses that qualify to participate in the program. Westchester Community College will utilize the following methods to conduct outreach:

- Email marketing through Constant Contact
- WCC Website Announcements
- Social media such as Twitter/Facebook/LinkedIn
- Events such as the GROW Conference for Entrepreneurs and Business Owners
- Press Releases
- Presence on the websites of business association and economic development organizations
- Outreach at college, County, and business association-sponsored events

Selection Criteria and Process

A business intake document will be created which will be provided to businesses wishing to be considered for the START-UP NY Tax-Free Area.

The business application will collect the following information from businesses:

- Type of industry
- Business mission
- Description including product/service, business model, target market
- Company's value proposition
- Financials (existing businesses) and growth plans including hiring
- How the business plans to support the mission and goals of Westchester Community College.

Application review and next steps:

- The business candidate intake information will be reviewed the Business Selection Team.
- As part of the selection process, candidates will be required to participate in an interview conducted by the Business Selection Team. This interview can be conducted either in person or via conference call.
- The Business Selection Team will utilize identified criteria to carefully consider each applicant for eligibility, and consider their capacity to comply with Westchester County and Westchester Community College policies.
- Once the Selection Team has identified a business(es), the recommendation will be submitted to the College President.
- If the business is approved by the Westchester Community College Board of Trustees, the business candidate will be submitted for review by the Commissioner of the New York State Department of Economic Development
- Pending approval, the College will enter into contract and approval processes with the selected business(es).

PUBLIC OFFICERS LAW

§ 74. Code of ethics.

1. Definition. As used in this section: The term "**state agency**" shall mean any state department, or division, board, commission, or bureau of any state department or any public benefit corporation or public authority at least one of whose members is appointed by the governor or corporations closely affiliated with specific state agencies as defined by paragraph (d) of subdivision five of section fifty-three-a of the finance law or their successors.

The term "**legislative employee**" shall mean any officer or employee of the legislature but it shall not include members of the legislature.

2. Rule with respect to conflicts of interest. No officer or employee of a state agency, member of the legislature or legislative employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.

3. Standards.

- a. No officer or employee of a state agency, member of the legislature or legislative employee should accept other employment which will impair his independence of judgment in the exercise of his official duties.
- b. No officer or employee of a state agency, member of the legislature or legislative employee should accept employment or engage in any business or professional activity which will require him to disclose confidential information which he by reason of his official position or authority.
- c. No officer or employee of a state agency, member of the legislature or legislative employee should disclose confidential information acquired by him in the course of his official duties nor use such information to further his personal interests.
- d. No officer or employee of a state agency, member of the legislature or legislative employee should use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or herself or others, including but not limited to, the misappropriation to himself, herself or to others of the property, services or other resources of the state for private business or other compensated non-governmental purposes.
- e. No officer or employee of a state agency, member of the legislature or legislative employee should engage in any transaction as representative or agent of the state with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.
- f. An officer or employee of a state agency, member of the legislature or legislative employee should not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.

- g. An officer or employee of a state agency should abstain from making personal investments in enterprises which he has reason to believe may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.
- h. An officer or employee of a state agency, member of the legislature or legislative employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.
- i. No officer or employee of a state agency employed on a full-time basis nor any firm or association of which such an officer or employee is a member nor corporation a substantial portion of the stock of which is owned or controlled directly or indirectly by such officer or employee, should sell goods or services o any person, firm, corporation or association which is licensed or whose rates are fixed by the state agency in which such officer or employee serves or is employed.

4. Violations. In addition to any penalty contained in any other provision of law any such officer, member or employee who shall knowingly and intentionally violate any of the provisions of this section may be fined, suspended or removed from office or employment in the manner provided by law. Any such individual who knowingly and intentionally violates the provisions of paragraph b, c, d or i of subdivision three of this section shall be subject to a civil penalty in an amount not to exceed ten thousand dollars and the value of any gift, compensation or benefit received as a result of such violation. Any such individual who knowingly and intentionally violates the provisions of paragraph a, e or g of subdivision three of this section shall be subject to a civil penalty in an amount not to exceed the value of any gift, compensation or benefit received as a result of such violation.

 <p>Category: HR / Labor Relations Legal and Compliance</p> <p>Responsible Office: University Counsel</p>	<p>Policy Title: Conflict of Interest Document Number: 6001</p> <p>Effective Date: October 01, 1995</p> <p>This policy item applies to: State-Operated Campuses</p>
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Summary

Faculty and staff of the State University of New York (University) are encouraged to foster an atmosphere of academic freedom by promoting the open and timely exchange of scholarly knowledge independent of personal interests and are required to avoid conflicts of interest. Where potential or actual conflicts exist, faculty and staff are expected to consult with appropriate University officers and abide by University policy. This policy represents a restatement of existing University policy and pertinent state and federal law and regulations.

Policy

Faculty and staff of the State University of New York (University) are encouraged to foster an atmosphere of academic freedom by promoting the open and timely exchange of scholarly knowledge independent of personal interests. In keeping with this obligation, they are also required to avoid conflicts of interest.

In instances where potential or actual conflicts exist, faculty and staff are expected to consult with appropriate University officers and abide by this University policy. It is the responsibility of campus officials charged with implementing this policy to identify potential or actual conflicts of interest and take appropriate steps to manage, reduce, or eliminate them.

This policy represents a restatement of existing University policy and pertinent state and federal law and regulations.

1. University faculty and staff may not engage in other employment which interferes with the performance of their professional obligation.
2. University faculty and staff are expected to comply with the New York State Public Officers Law provisions on conflict of interest and ethical conduct.
3. University faculty and staff, to the extent required by law or regulation, shall disclose at minimum whether they (and their spouses and dependent children) have employment or financial interests or hold significant offices, in external organizations that may affect, or appear to affect, the discharge of professional obligations to the University.
4. University campuses shall ensure that all faculty and staff subject to pertinent laws and regulations disclose financial interests in accordance with procedures to be established by the Chancellor or designee. Campuses shall retain the reported information as required, identify actual or apparent conflicts of interest and seek resolution of such conflicts.
5. Each campus president shall submit to the chancellor's designee the name and title of the person or persons designated as financial disclosure designee(s) and shall further notify the chancellor's designee when a change in that assignment occurs. The chancellor's designee shall also be notified of any reports regarding conflict of interest that are forwarded to state or federal agencies.

Definitions

Conflict of interest — any interest, financial or otherwise, direct or indirect; participation in any business, transaction or professional activity; or incurring of any obligation of any nature, which is or appears to be in substantial conflict with the proper discharge of an employee's duties in the 'public interest. A conflict of interest is also any financial interest that will, or may be reasonably expected to, bias the design, conduct or reporting of sponsored research.

Other Related Information

[Outside Activities of University Policy Makers](#)

[Ethics in State Government - A Guide for New York State Employees](#)

[National Science Foundation, Grant Policy Manual](#)

Procedures

There are no procedures relevant to this policy.

Forms

There are no forms relevant to this policy.

Authority

[42 CFR 50, Subpart F](#)

The following link to FindLaw's [New York State Laws](#) is provided for users' convenience; it is not the official site for the State of New York laws.

[NYS Public Officers Law, Section 73-a, and 73 and 74](#)

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of [New York State Consolidated](#).

[Board of Trustees Policies - Appointment of Employees \(8 NYCRR Part 335\)](#)

State University of New York Board of Trustees Resolution adopted June 27, 1995

History

Memorandum to presidents from the office of the University provost, dated June 30, 1995 regarding revision to University conflict of interest policy to bring it in conformity with federal guidelines issued by the National Science Foundation and the Public Health Service.

APPENDICES

- 1) **Westchester County Code of Ethics**
- 2) **Program Participation Policy**
- 3) **Westchester Community College Campus Residence & Information Center Floor Plans**
- 4) **Westchester Community College Campus Maps**

APPENDIX 1: WESTCHESTER COUNTY CODE OF ETHICS

PART XII - ETHICS AND STANDARDS

Chapter 883 - CODE OF ETHICS

Sec. 883.01. - Purpose.

The residents of Westchester County are entitled to expect the highest degree of conduct on the part of county officers and employees. Pursuant to the provisions of Article 18 of the General Municipal Law, the Board of Legislators of the County of Westchester recognizes that there must be rules of ethical conduct for its public officials, officers and employees to observe if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our county government. It is the purpose of this chapter to promulgate these rules of ethical conduct for the officers and employees of the County of Westchester. These rules shall serve as a guide for official conduct of such officials, officers and employees. The rule of ethical conduct of this chapter shall not conflict with, but shall be in addition to, any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct of such municipal officers and employees, any interest they may have in municipal contracts and disclosure of certain financial aspects of their private lives.

(L.L. No. 3-1988, § 1;¹ amended by L.L. No. 3-1989)

Cross reference— Board of Ethics, Ch. 192.

State Law reference— Conflicts of interest generally, General Municipal Law, § 800 et seq; financial disclosure, General Municipal Law, § 812.

Footnotes:

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1. Editor's Note: This local law also repealed former Ch. 883, Code of Ethics, derived from L.L. No. 12-1970.

Sec. 883.11. - Definitions.

Unless otherwise specifically indicated, for purposes of this chapter, the following terms shall have the following meanings:

- (a) Agency means any of the divisions of county government referred to in subsection (d) of this section.
- (b) Appropriate body means the Temporary State Commission on Local Government Ethics or, if such body does not exist, the Board of Ethics of the County of Westchester.
- (c) Child means any son, daughter, stepson or stepdaughter of a municipal officer or employee.
- (d) County means the County of Westchester or any department, board, branch, bureau, commission, agency or other division or part thereof.
- (e) County elected official means the County Executive, a County Legislator, the County Clerk or the District Attorney.

- (f) Interest means a direct or indirect pecuniary or material benefit accruing to a county officer or employee, his or her spouse, child or dependent, whether as the result of a contract with the county or otherwise. For the purpose of this chapter, a county officer or employee shall be deemed to have an "interest" in the contract of:
- i. His spouse, children and dependents, except a contract of employment with the county;
 - ii. A firm, partnership or association of which such officer or employee is a member or employee;
 - iii. A corporation of which such officer or employee is an officer, director or employee; and
 - iv. A corporation of which more than five (5) percent of the outstanding capital stock is owned by any of the aforesaid parties.
- (g) Legislation means a matter which appeared upon the calendar of the Board of Legislators of Westchester County or upon a committee thereof upon which any official action has been taken and shall include only proposed or adopted acts, local laws, ordinances or resolutions.
- (h) Officer or employee means a candidate for county elected office or an elected or appointed official, officer or employee of the County of Westchester, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a municipal "officer or employee" solely by reason of being a volunteer fireman or civil defense volunteer, except a Fire Chief or Assistant Fire Chief.
- (i) Official record means the minutes, stenographic or otherwise, kept of a meeting, hearing or other proceeding or, in the absence of such minutes, a written communication from an officer or employee delivered to either the Chairman of the Board of Legislators or the County Executive.
- (j) Political party official means:
- (1) Any chairman of a county committee elected pursuant to § 2-112 of the Election Law, or his or her successor in office;
 - (2) That person (usually designated by the rules of a county committee as the "county leader" or "chairman of the executive committee"), by whatever title designated, who, pursuant to the rules of a county committee or in actual practice, possesses or performs any or all of the following duties or roles:
 - (i) The principal political executive and administrative officer of the county committee;
 - (ii) The power of general management over the affairs of the county committee;
 - (iii) The power to exercise the powers of the chairman of the county committee as provided for in the rules of the county committee;
 - (iv) The power to preside at all meetings of the county executive committee, if such a committee is created by the rules of the county committee or exists de facto, or any other committee or subcommittee of the county committee vested by such rules with or having de facto the power of general management over the affairs of the county committee at times when the county committee is not in actual session;
 - (v) The power to call a meeting of the county committee or of any committee or subcommittee vested with the rights, powers, duties or privileges of the county committee pursuant to the rules of the county committee, for the purpose of filling an office at a special election in accordance with § 6-114 of the Election Law, for the purpose of filling a vacancy in accordance with § 6-116 of such law or for the purpose of filling a vacancy or vacancies in the county committee which exist by reason of an increase in the number of election districts within the county occasioned by a change of the boundaries of one (1) or more election districts, taking effect after the election of its members, or for the purpose of determining the districts that the elected members shall represent until the next election at which such members of such committee are elected; provided, however, that in no event shall such power encompass the power of

a chairperson of an assembly district committee or other district committee smaller than a county and created by the rules of the county committee, to call a meeting of such district committee for such purpose;

- (vi) The power to direct the treasurer of the party to expend funds of the county committee; or
 - (vii) The power to procure from one (1) or more bank accounts of the county committee the necessary funds to defray the expenses of the county committee;
- (3) The terms "constituted committee" and "political committee," shall have the same meanings as those contained in § 14-100 of the Election Law.
- (k) Relative means a spouse, child or any person who is a direct descendent of the grandparents of a municipal officer or employee or of a candidate for county office or his or her spouse.
 - (l) Reporting officer or employee means a full-time officer or employee who is required to complete and file an annual statement of financial disclosure pursuant to section 883.61 of this chapter. Such term shall also include candidates for county elected office.
 - (m) Spouse means the husband or wife of a candidate for county office or of an officer or employee subject to the provisions of this chapter, unless living separate and apart from such officer or employee with the intention of terminating the marriage or providing for permanent separation or unless separated pursuant to:
 - (a) A judicial order, decree or judgment; or
 - (b) A legally binding separation agreement.
 - (n) Unemancipated child means a child who is under the age of eighteen (18), unmarried and living in the household of an officer or employee.

(L.L. No. 3-1988, § 1; amended by L.L. No. 3-1989)

Sec. 883.21. - Standards of conduct.

The officers or employees of the County of Westchester shall be subject to and abide by the following standards of conduct:

- (a) Gifts. They shall not, directly or indirectly, solicit any gifts or accept or receive any gift having a value of \$75.00 or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence them, or could reasonably be expected to influence them, in the performance of their official duties or was intended as a reward for any official action on their part. A donation to a person seeking public or party office or to a committee supporting the efforts of such person shall not be considered a gift hereunder.
- (b) Confidential information. They shall not disclose confidential information acquired by them in the course of their official duties or use such information to further their personal interests.
- (c) Representation before one's own agency. They shall not receive or enter into any agreement, express or implied, for compensation to themselves or a relative, directly or indirectly, for services to be rendered in relation to any matter before any county agency of which they are an officer, member or employee or of any county agency over which they have jurisdiction or to which they have the power to appoint any member, officer or employee.
- (d) Representation before any agency for a contingent fee. They shall not receive or enter into any agreement, express or implied for compensation to themselves or a relative, directly or indirectly, for services to be rendered in relation to any matter before any agency of the county, whereby their compensation is to be dependent or contingent upon any action by such agency with respect

to such matter, provided that this subsection shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

- (e) Disclosure of interest in legislation or county contracts. To the extent that they know thereof, any officer or employee of the County of Westchester, whether paid or unpaid, who has any interest in any legislation before the County Board or who gives any opinion to such board upon such legislation or who has any interest in any contract or agreement of the county or an agency thereof shall publicly disclose on the official record and to an immediate supervisor, in writing, the nature and extent of such interest.
- (f) Investments in conflict with official duties. An officer or employee shall not invest or hold any investment, directly or indirectly, in any financial, business, commercial or other private endeavor or entity, which creates a conflict with official county duties.
- (g) Private employment or services. An officer or employee shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of official county duties.
- (h) Future employment.
 - 1. After the termination of service or employment with the county, no former reporting officer or employee, on his or her own behalf or as an employee, agent or representative of another, may appear before any agency in relation to any contract, case, proceeding or application in connection with which he or she personally rendered substantial services during the period of his or her service to or employment by such agency; nor shall any such former reporting officer or employee appear before any such agency in connection with any other matter for a period of one year following such termination.
 - 2. No paid reporting officer or employee shall accept present or future employment, within one year following termination of county service, with any person, firm or corporation which furnished goods or services to the county during such person's service to the county unless such potential employment is disclosed to the Board of Legislators before being accepted by the officer or employee and is approved prospectively by such board.
 - 3. A reporting officer or employee shall disclose in writing to an immediate supervisor any offer of employment received by such person from any person, firm or corporation which, to the knowledge of such officer or employee, is furnishing or seeking to furnish goods or services to the county, whether or not such offer is verbal or written and whether or not it is accepted.
- (i) Consulting services.
 - 1. No person, firm or corporation shall render services to the county as a consultant, whether paid or unpaid, unless such consultant files an instrument with the Westchester County Clerk.
 - 2. Such instrument shall be in the form of an affidavit and shall state that "the consultant agrees that it has no interest and will not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of the services to be rendered to Westchester County." Such instrument shall further state that "the consultant further agrees that, in the rendering of services to the county, no person having any such interest shall be employed by it."
 - 3. No reporting officer or employee shall, upon termination of employment with the county, become employed by or accept a position of paid consultant to the county or any agency thereof within a period of one year following such termination unless such consultation be first approved by the Board of Legislators.

(L.L. No. 3-1988, § 1; amended by L.L. No. 3-1989)

Sec. 883.31. - Testimony.

No officer or employee of the county shall decline or refuse to answer questions specifically or directly relating to the performance of his or her official duties before any official, board or agency authorized or empowered to so inquire into the performance of such duties. This section shall not be construed as barring any county officer or employee from exercising the constitutional privilege against self-incrimination; provided, however, when the inquiry of such official, board or agency is wholly civil in nature, failure to fully cooperate with and diligently answer the inquiries of such board or agency shall constitute grounds for dismissal or removal of said officer or employee.

(L.L. No. 3-1988, § 1)

Sec. 883.41. - Suits against county.

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the county or any agency thereof on his or her own behalf or the behalf of a relative arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

(L.L. No. 3-1988, § 1)

Sec. 883.51. - Distribution of Code of Ethics.

Within 30 days of the effective date of this chapter,² the County Executive shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the county and shall further cause a copy of this chapter to be conspicuously posted in all public buildings owned or controlled by the county. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of county employment.

(L.L. No. 3-1988, § 1; amended by L.L. No. 3-1989)

Footnotes:

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2. Editor's Note: The local law which adopted this chapter, as amended by L.L. No. 3-1989, provided that it shall take effect immediately, except that the provisions of §§ 883.61, 883.71 and 883.81 shall not take effect until December 30, 1990, or upon the constitution of the Temporary State Commission on Local Government Ethics, whichever occurs first, notwithstanding any other inconsistent local law, ordinance, act, resolution or order, and that the provisions of said §§ 883.61, 883.71 and 883.81 shall apply to disclosure for all or any part of the calendar year preceding the calendar year in which the local law takes effect and any calendar years thereafter during which a person subject to such sections was rendering service to the county or was a candidate for county office or was a person holding a position as described in the definition of "political party official" in section 883.11 of this chapter, except that during the year in which the local law takes effect, distribution by the County Executive as prescribed in section 883.61 may be deferred until 75 days after the effective date hereof and the submission and filing prescribed in subsections (a) and (b) of section 883.81 need not take place until 46 and 60 days, respectively, after such distribution.

Sec. 883.61. - Disclosure form; distribution.

1. On or before the 15th day of March of each year, the County Executive shall, cause to be distributed, for completion and filing, to those persons filling the following positions, including individuals appointed to serve in certain voluntary positions, a form substantially similar to that set forth in Form A³ as contained in section 883.71 of this chapter:

Board of Elections:

Commissioner of Elections

Deputy Commissioner of Elections

Board of Health:

All Appointees/Members

Board of Legislators:

Assistant to the Chairman and Legislative Officer-County Board

Chief Advisor to the Chair of the Board of Legislators

Clerk of the County Board of Legislators and Chief of Staff

Communications Officer-Board of Legislators

County Legislator

Deputy Clerk to the County Board of Legislators and Deputy Chief of Staff

Director of Fiscal Affairs-BOL

Legislative Counsel

Budget Department:

Assistant Budget Director

Associate Budget Director

Budget Director

First Deputy Budget Director

Department of Community Mental Health:

Commissioner of Community Mental Health

Deputy Commissioner of Community Mental Health

Director of Administrative Services (Management Operations)

Director of Alcohol and Substance Abuse Services

Director of Developmental Disabilities Services

Director-Employee Assistance Program

Department of Correction:

Associate Warden
Commissioner of Correction
Deputy Commissioner of Correction
Director of Administrative Services (Management Operations)
Second Deputy Commissioner of Correction
Special Assistant to the Commissioner of Correction
Warden
Office of the County Clerk:
Assistant to the County Clerk
Chief Deputy County Clerk (Legal and Land Records)
County Clerk
Deputy County Clerk (General)
Director of Program Development II (Trades Licensing)
Executive Deputy County Clerk
Office of the County Executive:
Assistant to the County Executive I
Assistant to the County Executive II
Assistant to the County Executive III
Assistant to the County Executive IV
Chief Advisor to the County Executive
Chief of Staff-County Executive
Coordinator of Veterans Affairs
Counsel to the County Executive
County Executive
County Fire Coordinator
Deputy County Executive
Deputy Director of Economic Development
Director of Communications
Director of Economic Development
Director of Intergovernmental Relations — County Executive

Director of Real Estate
Director of Research and Economic Development
Director of Tourism
Director-Office for the Disabled
Director-Office for Women
Director-Office of Criminal Justice Planning
Director-Youth Bureau
Executive Assistant for Office Management-County Executive
LGBT Community Liaison
Program Administrator (Minority Affairs-Spanish Speaking)
Research Assistant-County Executive
Senior Assistant to the County Executive I
Senior Assistant to the County Executive II
Office of the District Attorney:
Chief Administrator-District Attorney
Chief of Bureau-District Attorney
Deputy District Attorney
Director of Public Affairs
District Attorney
First Deputy District Attorney
Second Deputy District Attorney
Department of Emergency Services:
Commissioner of Emergency Services
Deputy Commissioner of Emergency Services
Department of Environmental Facilities:
Assistant Commissioner of Solid Waste
Associate Director of Fiscal Services (Environmental Facilities)
Commissioner of Environmental Facilities
Deputy Commissioner of Environmental Facilities
Deputy Commissioner of Solid Waste

Deputy Director-Wastewater Treatment
Director of Administrative Services (Management Operations)
Director of Program Development II (Personnel)
Director-Wastewater Treatment
Director-Water Agency
Second Deputy Commissioner of Environmental Facilities
Department of Finance:
Commissioner of Finance
Deputy Commissioner of Finance
Deputy Purchasing Agent
Director-Fiscal Operations
First Deputy Commissioner of Finance
Manager of Accounting Services
Manager of Payroll and Benefits
Purchasing Agent
Department of Health:
Assistant Commissioner of Health (Environmental Quality)
Assistant Commissioner of Health (Nursing Services and Community Health)
Assistant Commissioner of Health (Planning and Evaluation)
Assistant Commissioner of Health (Public Health Protection)
Assistant Commissioner of Health (Services for Children with Disabilities)
Associate Director of Division (Community Health Services)
Chief of Section (Clinical Services)
Chief of Section (Communicable Diseases)
Chief of Section (Dental)
Commissioner of Health
Deputy Commissioner of Health
Deputy Commissioner of Health for Disease Control
Director of Administrative Services (Management Operations)
Director of Division (Health Services)

Director-Fiscal Operations

First Deputy Commissioner of Health

Second Deputy Commissioner of Health

Department of Human Resources:

Commissioner of Human Resources

Deputy Commissioner of Human Resources

Deputy Director-Human Rights Commission.

Director of Labor Relations

EEO Coordinator

Executive Director-Human Rights Commission

Department of Information Technology:

Assistant Chief Information Officer

Assistant Chief Information Officer-Geographic Information Systems

Assistant Director of Telecommunications

Chief Information Officer

Deputy Chief Information Officer

Director of Application Support

Director of Knowledge Management and Archives

Director of Program Development II (Information Technology Management Operations)

Director of Systems Development and Application

Director of Telecommunications

Manager of Data Communications

Manager of Geographic Information Systems

Manager of Network Engineering

Manager of Software Architecture

Manager of Web Design

Manager of Web Development

Manager of Workstation Engineering

Second Deputy Chief Information Officer

Department of Laboratories and Research:

Chief of Environmental Laboratory Services
Chief of Microbiology Services
Director of Administrative Services (Management Operations)
Director of Forensic Science Services
Director of Toxicology
Pathologist — Deputy Medical Examiner
Pathologist — Medical Examiner
Department of Law — Office of the County Attorney:
Assistant Chief Deputy County Attorney
Associate County Attorney
Chief Deputy County Attorney
County Attorney
Deputy County Attorney
Director of Risk Management
Senior Assistant County Attorney
Special Assistant to the County Attorney
Department of Parks, Recreation & Conservation:
Assistant Director of Division (PRC)
Assistant Director-Playland
Assistant Manager-County Center Operations
Assistant Manager-County Center Sales and Marketing
Commissioner of Parks, Recreation and Conservation
Controller-Playland
Deputy Commissioner of Parks, Recreation and Conservation
Director of Administrative Services (Management Operations)
Director of Maintenance-PRC
Director of Operations (Maintenance-PRC)
Director of Operations (Marketing-PRC)
Director of Operations (PRC)
Director of Park Facilities-PRC

Director of Program Development II (Capital Projects-Playland)
Director of Program Development II (Community Relations)
Director of Program Development II (Concessions)
Director of Program Development II (Golf)
Director of Program Development II (Historic and Interpretive Sites)
Director of Program Development II (Naturalist)
Director of Program Development II (Parks)
Director of Program Development II (Personnel)
Director-Playland
Director-Programs and Services — PRC
District Park Director
First Deputy Commissioner of Parks, Recreation and Conservation
Golf Course Superintendent
Program Administrator (Conservation)
Program Administrator (Contract Management)
Program Administrator (Event Coordinator-County Center)
Program Administrator (Park Management)
Program Administrator (Sales and Marketing)
Program Administrator (Special Services)
Program Coordinator (Golf)
Program Coordinator (Natural Resource Management)
Parks, Recreation and Conservation Board:
All Appointees/Members
Department of Planning:
Assistant Commissioner of Planning
Chief Planner
Commissioner of Planning
Deputy Commissioner of Planning
Deputy Commissioner of Planning for Housing and Community
Development

Director of Management Operations
Director of Natural Resource Planning
Director of Operations (Urban Design)
Director of Program Development II (Housing and Planning)
Director of Program Development II (Research and Planning)
Program Administrator (Building Rehabilitation Services)
Program Administrator (Contract Management)
Program Administrator (Housing and Community Development)
Senior Management Analyst
Planning Board:
All Appointees/Members
Department of Probation:
Assistant Commissioner-Probation
Assistant Director-Probation
Chief of Planning, Research, Training and Staff Development-Probation
Commissioner of Probation
Deputy Commissioner-Probation
Director of Program Development II (Probation)
Program Administrator (Probation Staff Development)
Professional Prequalification Board:
All Appointees/Members
Professional Selection Board:
All Appointees/Members
Public Administrator:
Public Administrator
Department of Public Safety:
Chairman-Westchester County Taxi and Limousine Commission
Commissioner/Sheriff
Deputy Commissioner of Public Safety
Director of Administrative Services (Management Operations)

Director of Intelligence, Security and Counterterrorism
Director-Office of Criminal Justice Services
Department of Public Works and Transportation:
Commissioner of Public Works and Transportation
Deputy Commissioner of Public Works and Transportation
Director of Administrative Services (Management Operations)
Director of Design Coordination
Director of Operations (Public Works and Transportation)
First Deputy Commissioner of Public Works and Transportation
Principal Engineer (Field)
Department of Senior Programs and Services:
Commissioner of Senior Programs and Services
Deputy Commissioner of Senior Programs and Services
Director of Operations (Senior Programs and Services)
Department of Social Services:
Assistant Commissioner of Social Services.
Assistant Director of Division (Case Management Development)
Associate Commissioner of Social Services
Child Welfare Manager III
Commissioner of Social Services
Coordinator of Veterans Affairs
Deputy Commissioner of Social Services (General)
Director of Child Welfare
Director of Operations (Commissioner's Office-Social Services)
Director of Program Development II (Child Support Enforcement)
Director of Program Development II (Staff Development)
Director of Temporary Assistance
Director-Fiscal Operations
Director-Office of Employment and Training
First Deputy Commissioner of Social Services

Manager III

Manager-Fiscal Operations

Personnel Director-Social Services

Temporary Assistance Manager III

Solid Waste Licensing Commission:

Deputy Director of Solid Waste Licensing

Executive Director of Solid Waste Licensing

All Appointees/Members

Tax Commission:

Executive Director of Tax Commission

Program Administrator (Real Property Tax Services)

Department of Weights and Measures:

Deputy County Sealer of Weights and Measures

Deputy Director of Consumer Protection and Sealer of Weights and Measures

Director of Consumer Protection

Westchester Community College:

Assistant Dean (WCC)

Associate Dean (Business Administration and Public Services)

Associate Dean (Community Services and Corporate Education)

Associate Dean (Distance Learning, Learning Resources and Instructional Technology)

Associate Dean (Educational Opportunity Center)

Associate Dean (Institutional Research)

Associate Dean (Instructional and Learning Resources)

Associate Dean (Math, Physical and Engineering Sciences and Medical Technology)

Associate Dean (Natural and Health Sciences)

Associate Dean (Student Personnel Services)

Director of Program Development I (Institutional Advancement)

Director-Fiscal Operations

President-Community College

Vice President and Dean of Academic Affairs-WCC

Vice President and Dean of Administrative Services-WCC

Vice President and Dean of Community Services and Corporate Education

Vice President and Dean of Educational Opportunity Center/Community Services

Vice President and Dean of External Relations

Vice President and Dean of Student Personnel Services-WCC

2. Such disclosure forms shall be given to any person filling a position similar to any of the above, however denominated, and to the Board of Elections for distribution to and completion and filing by all candidates for county elected office and to any person filling a position as described in the definition of "political party official" in section 883.11 of this chapter and to such other persons as the Board of Legislators by resolution may prescribe, a form substantially as set forth in section 883.71 of this chapter and a sealable envelope to enclose same. Such persons shall complete and file such statements as provided in section 883.81 of this chapter.

(L.L. No. 3-1988, § 1; amended by Res. No. 150-1988; Res. No. 169-1988; L.L. No. 3-1989; L.L. No. 17-1991; L.L. No. 23-1998; L.L. No. 1-2001; L.L. No. 9-2001; L.L. No. 10-2007; L.L. No. 19-2010, § 37⁴ ¶)

Footnotes:

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3. Editor's Note: Form A is included at the end of this chapter.

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4. Editor's Note: This local law provided that it take effect 1-1-2011.

Sec. 883.71. - Disclosure form.

1. There shall be two forms of the annual statement of financial disclosure. Form A⁵ ¶ shall be the form utilized by paid reporting officers and employees, including candidates for county elected office and all members appointed to voluntarily serve on the Parks, Recreation and Conservation Board, Planning Board, Solid Waste Commission, Board of Health, Professional Prequalification Board and Professional Selection Board. Form B shall be the form utilized by all other individuals engaged in voluntary service on County commissions and boards and who are not required to complete Form A. "Voluntary service" means service which does not entitle the volunteer to compensation of any kind, be it salary, per diem or stipend payments, but may include reimbursement for actual and reasonable expenses. Furthermore, a paid Westchester County officer or employee shall not be considered a volunteer even if he or she waives the right of compensation.
2. A copy of the appropriate financial disclosure form shall be included with every letter of appointment to paid reporting officers and volunteers to a County board or commission.
3. Any candidate for county office, officer, employee, or volunteer who is required to complete and submit this annual statement and who knowingly and willfully fails to so submit an annual statement of financial disclosure or who knowingly and willfully with intent to deceive makes a false statement or gives information on such statement which such individual knows to be false filed pursuant to this chapter shall be assessed a civil penalty in an amount not to exceed \$10,000.00. Assessment of a civil penalty

hereunder shall be made by the appropriate body, as such term is defined in section 883.11 of this chapter. For a violation of this subsection other than for conduct which constitutes a violation of Subdivision 12 of section 73 of the Public Officers Law, the appropriate body 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 hereunder in the event a category of "value" or "amount" reported hereunder is incorrect unless such reported information is falsely understated or overstated. Notwithstanding any other provision of law to the contrary, no other penalty, civil or criminal, may be imposed for a failure to file, or for a false filing, of such statement, except that the appointing authority may impose disciplinary action as otherwise provided by law. Each appropriate body shall adopt rules governing the conduct of adjudicatory proceedings and appeals relating to the assessment of the civil penalties herein authorized. Such rules shall provide for due process procedural mechanisms substantially similar to those set forth in Article 3 of the State Administrative Procedure Act, but such mechanisms need not be identical in terms or scope. Assessment of a civil penalty shall be final unless modified, suspended or vacated within 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 appropriate body, pursuant to Article 78 of the Civil Practice Law and Rules.

(L.L. No. 3-1988, § 1; amended by L.L. No. 3-1989; L.L. No. 2-1993; L.L. No. 10-2007)

Footnotes:

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5. Editor's Note: Form A is included at the end of this chapter.
6. Editor's Note: Form B is included at the end of this chapter.

Sec. 883.81. - Annual statement of financial disclosure; filing; exceptions and extensions.

1. Any person required to file an annual statement of financial disclosure pursuant to this chapter, (i.e., Form A⁷ to be filed by paid reporting officers and employees, including candidates for county elected office and all members appointed to voluntarily serve on the Parks, Recreation and Conservation Board, Planning Board, Solid Waste Commission, Board of Health, Professional Prequalification Board and Professional Selection Board and Form B to be filed by all other individuals engaged in voluntary service on County commissions and boards and who are not required to complete Form A) shall submit such completed form on or before the first day of May of each year to the Chairman of the Board of Legislators or the County Executive or the designee of either, as the ease may be, except that candidates for county elected office may file such forms directly with the appropriate agency. Such form may be submitted in a sealed envelope if the reporting individual so chooses.
2. Candidates for county elected official who file designating petitions for nomination at a primary election shall file such statement within seven days after the last day allowed by law for the filing of designating petitions naming them as candidates for the next succeeding primary election.
3. Candidates for independent nomination for county elected official who have not been designated by a party to receive a nomination shall file such statement within seven days after the last day allowed by law for the filing of independent nominating petitions naming them as candidates for local elected official in the next succeeding general or special election.
4. Candidates for county elected office who receive the nomination of a party for a special election or who receive the nomination of a party other than at a primary election (whether or not for uncontested office) shall file such statement within seven days after the date of the meeting of the party committee at which they are nominated.

5. As used in this section, the terms "party," "committee" (when used in conjunction with term "party"), "designation," "primary" and "uncontested office" shall have the same meanings as those contained in § 1-104 of the Election Law.
6. The appropriate body, as defined in section 883.11 of this chapter, shall obtain from the Board of Elections, as such term is defined in § 1-104 of the Election Law, lists of all candidates for county elected office and, from such lists, shall determine and publish lists of those candidates who have not, within ten days after the required date for filing such statement, filed the statement required by this section.
7. The person to whom such statements are submitted shall deliver them, without review, by whatever means seem appropriate and expeditious to the appropriate body to assure their receipt by such body on or before the 15th day of May in the year received.
8. Any person required to file such statement who becomes so required after May 15 of any year shall file such statement within 30 days.
9. A person who is subject to the filing requirements of this section from more than one county may satisfy the requirements of this section by filing only one annual statement of financial disclosure with the appropriate body (as is required in that county) for the county in which such person is employed. Such single filing may be made for any of such counties; provided, however, that the appropriate bodies (as required by such other counties) are notified of the name of the county of such compliance by the person who is subjected to the filing requirements of this section, within the time limit for filing specified in this section.
10. A county elected official who is otherwise required to file under the provisions of this chapter shall satisfy the filing deadline requirements of this section by complying only with the deadline applicable to one who holds such county elected office.
11. A candidate whose name will appear on both a party designating petition and on an independent nominating petition for the same office or who will be listed on the election ballot for the same office more than once shall satisfy the filing deadline requirements of this section by complying with the earliest applicable deadline only.
12. Any person who is subject to the reporting requirements of this chapter 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 supplementary 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 section respecting annual statements of financial disclosure as if such supplementary statement were an annual statement.
13. Any person who is required to file an annual financial disclosure statement and who is granted an additional period of time within which to file such statement due to justifiable cause or undue hardship, in accordance with required rules and regulations on the subject adopted pursuant to subsection 3, of this section, shall file such statement within the additional period of time granted.

(L.L. No. 3-1988, § 1; amended by L.L. No. 3-1989; L.L. No. 10-2007)

Footnotes:

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7. Editor's Note: Form A is included at the end of this chapter.
8. Editor's Note: Form B is included at the end of this chapter.

Sec. 883.91. - Independent Consultant.

1. The County Board of Ethics shall retain the services of an Independent Consultant to review annual statements of financial disclosure filed in accordance with this chapter. The Independent Consultant shall be hired on the basis of his or her professional qualifications and fitness and shall, at a minimum, be an attorney admitted to practice in the State of New York for ten (10) years or other professional with ten (10) years experience in the field of business ethics or legal ethics.
2. Each County department, board, commission, agency or office, including those occupied by elected officials, shall provide the Independent Consultant with a list of its vendors, contractors and consultants. The Independent Consultant shall compile said lists to compose a draft master list of the County's vendors, contractors and consultants, which list shall be reviewed and approved by the County Board of Ethics. This approved master list shall be disseminated to all elected officials, commissioners, department heads, boards, agencies, offices and commissions and shall be made available to all employees of the County. This master list shall be reviewed, updated, and approved by the County Board of Ethics annually.
3. The Independent Consultant shall review each financial disclosure form filed pursuant to this chapter. The form shall be reviewed for: (a) completeness; and (b) potential conflicts of interest. In reviewing for potential conflicts of interest, the Independent Consultant shall utilize the master list prepared in accordance with subsection 2 above.
4. The Independent Consultant shall furnish draft reports to the County Board of Ethics in accordance with the rules and regulations of the County Board of Ethics. Such reports shall include:
 - (a) a list of any persons, required to file a financial disclosure form pursuant to this chapter, whose form is not fully completed. This list shall identify:
 - (1) The name and job title of the person; and
 - (2) The nature of the deficiency.
 - (b) a list of any potential instances of non-compliance with the Code of Ethics or potential conflicts of interest. This list shall include:
 - (1) The name and job title of the person; and
 - (2) The Independent Consultant's statement regarding the basis for the potential non-compliance or conflict of interest.
5. Any report filed by the Independent Consultant is deemed to be an intra-agency report and shall be kept confidential and shall not be considered to be a factual determination regarding the subject matter. Only the County Board of Ethics shall have the authority to render a final determination regarding any potential issue raised by the Independent Consultant.

(Added by L.L. No. 10-2011)

Sec. 883.101. - Investigations and Formal Complaint Process.

1. Upon receipt of the confidential report by the Independent Consultant, the County Board of Ethics shall review the report and shall determine whether subsequent action by the County Board of Ethics is warranted. To assist in this determination, the County Board of Ethics shall send a letter to the individual(s) noting the issue that was brought to its attention and provide an opportunity to the individual to respond.

2. If the County Board of Ethics determines that there is no basis to commence a formal investigation or proceedings, then the matter shall be closed. Otherwise, the County Board of Ethics shall promptly conduct an investigation. In conducting this investigation, the County Board of Ethics may use any and all powers granted to it by Chapter 192 of the Laws of Westchester County and the Code of Ethics.
3. If at any point in its investigation or at any point in time thereafter, two-thirds (i.e., five (5) members) of the County Board of Ethics suspects that an individual knowingly and willfully with intent to deceive made a false statement or gave information on a financial disclosure statement that is known to be false, the County Board of Ethics shall refer the matter to the Westchester County District Attorney's Office and shall take no further action until the matter has been fully addressed by the Westchester County District Attorney's Office. While the individual's name and details of the investigation shall be disclosed to the Westchester County District Attorney's Office, the individual's name and the details of the investigation shall remain confidential and shall not be disclosed to the public at large at this stage of the investigation.
4. Individuals who are the subject of an investigation shall be provided with notice, and an opportunity to be heard, and any other due process requirements as required by the County Board of Ethics. Thereafter, the County Board of Ethics shall render a final determination regarding any potential issue raised by the Independent Consultant in a report and/or considered by the County Board of Ethics. If the County Board of Ethics finds that:
 - a. there is a violation of the Code of Ethics, the County Board of Ethics shall issue a civil penalty as provided for in this chapter;
 - b. the matter before the Westchester County District Attorney's Office has been fully addressed, and the County Board of Ethics has determined that the individual knowingly and willfully with intent to deceive made a false statement or gave information on a financial disclosure statement that is known to be false, the County Board of Ethics may determine to prescribe a penalty as provided in this chapter; or
 - c. An individual has filed an incomplete financial disclosure statement, the County Board of Ethics shall instruct the individual to file a completed financial disclosure statement within thirty (30) days of the Board's determination, and may issue a civil penalty as provided for in this chapter; or
 - d. There was no violation of the Code of Ethics or that the financial disclosure statement was complete, the County Board of Ethics shall issue a written finding to that effect which shall be identified by a report number only and shall not identify the name or job title listed in the report of the Independent Consultant.

(Added by L.L. No. 10-2011)

Sec. 883.111. - Penalties.

In addition to any penalty contained in any other provision of law, other than subsection 2, of section 883.71 of this chapter, any person who shall knowingly and intentionally violate any of the provisions of this chapter may be fined not less than \$100.00 nor more than \$10,000.00, suspended or removed from office or employment, as the case may be, in the manner provided by law.

(L.L. No. 3-1988, § 1; amended by L.L. No. 3-1989; L.L. No. 10-2011)

Westchester County

FORM A

ANNUAL STATEMENT OF FINANCIAL DISCLOSURE FOR WESTCHESTER COUNTY FOR PAID COUNTY OFFICERS AND EMPLOYEES AND CANDIDATES FOR COUNTY ELECTED OFFICE AND FOR ALL OF THE MEMBERS APPOINTED TO VOLUNTARILY SERVE ON THE PARKS, RECREATION AND CONSERVATION BOARD, PLANNING BOARD, SOLID WASTE COMMISSION, BOARD OF HEALTH, PROFESSIONAL PREQUALIFICATION BOARD AND PROFESSIONAL SELECTION BOARD FOR CALENDAR YEAR _____

1. Name _____

2. (a) Title of Position _____
(b) Department, Agency or other Government 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.

(c) List the names of all parents, siblings, children, grandchildren, stepchildren and their spouses (including your own spouse) who worked for and were compensated by Westchester County during the reporting year. To the extent known, please also specify, for each of such names, the initial date of hire and whether the appointment was from a civil service list or discretionary (provisional, temporary, managerial, confidential, exempt, noncompetitive or labor).

Answer each of the following questions completely, with respect to the immediately preceding 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;b1:
- Category F: \$250,000 or over

A reporting individual shall indicate the Category by letter only. For the purpose of this statement, anywhere the term "local agency" shall appear, such term shall mean a local agency of the County of Westchester as defined in section 810 of the General Municipal Law.

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 the County of Westchester. 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 names of any such agency.

<i>Position</i>	<i>Organization</i>	<i>State or Local Agency</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

- (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.

<i>Position</i>	<i>Organization</i>	<i>State or Local Agency</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

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.

<i>Position</i>	<i>Name and Address of Organization</i>	<i>Description</i>	<i>State or Local Agency</i>

- (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.

<i>Position</i>	<i>Name and Address of Organization</i>	<i>Description</i>	<i>State or Local Agency</i>

6. List any interest, in excess of \$1,000.00, 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 for 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 process for competitive bidding or a process for competitive requests for proposals.

<i>Self, Spouse or Child</i>	<i>Entity Which Held Interest in Contract</i>	<i>Relationship to Entity and and Interest in Contract</i>	<i>Contracting State or Local Agency</i>	<i>Category of Value in Contract</i>
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7. List 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 names 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 \$1,000.00, excluding investments in securities and interests in real property.

9. List each source of gifts, excluding campaign contributions, in excess of \$1,000.00, 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.

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

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 \$1,000.00 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 fact-finding events. The term "reimbursements" does not include gifts reported under Item 9.

<i>Source</i>	<i>Description</i>

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 \$1,000.00 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 \$1,000.00 from a prior employer other than Westchester County. (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 \$1,000.00 from each source for the reporting individual and the reporting 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.

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

14. List the sources of any deferred income in excess of \$1,000.00 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.

<i>Source</i>	<i>Category of Value*</i>

15. List each assignment of income in excess of \$1,000.00 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 \$1,000.00, which would otherwise be required to be reported herein and is not or has not been so reported.

<i>Items Assigned or Transferred</i>	<i>Assigned or Transferred to</i>	<i>Category of Value</i>

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 \$1,000.00 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 if such stock is not publicly traded. Also list securities owned for investment purposes by a corporation more than 50 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.

<i>Self/Spouse</i>	<i>Issuing Entity</i>	<i>Type of Security</i>	<i>Category of Market Value as of the Close of the Taxable Year Last Occurring Prior to the Filing of This Statement</i>	<i>Percentage of Corporate Stock owned or Controlled</i>

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 \$1,000.00 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 50 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.

<i>Self/Spouse Other Party</i>	<i>Location</i>	<i>Size</i>	<i>General Nature</i>	<i>Acquisition Date</i>	<i>Category of Market Value</i>	<i>Percentage of Ownership</i>

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 \$1,000.00, including the name of 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.

<i>Name of Debtor</i>	<i>Type of Obligation, Date Due and Nature of Collateral, if Any</i>	<i>Category of Amount</i>

19. List below all liabilities of the reporting individual and such individual's spouse, in excess of \$5,000.00 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 \$5,000.00 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.

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

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.

The reporting of information in this statement is required by New York State General Municipal Law and the Laws of Westchester County. Improper use of the information contained in this statement by any third person or entity in violation of privacy or other rights is separately punishable in accordance with the law. Please be advised that, pursuant to New York State law, this statement is available in its entirety for public inspection and reproduction, but any information within the statement deemed exempt by New York State law or the Laws of Westchester County shall be redacted accordingly.

Signature of Reporting Individual

Date (month/day/year)

Westchester County

FORM B

**ANNUAL STATEMENT OF FINANCIAL DISCLOSURE FOR
WESTCHESTER COUNTY FOR MEMBERS OF VOLUNTARY
BOARDS AND COMMISSIONS, EXCLUDING THE MEMBERS
OF THE THOSE BOARDS OR COMMISSIONS REQUIRED TO
COMPLETE FORM A
CALENDAR YEAR _____**

Last Name	First Name	Initial
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Voluntary Council/Board/Commission Appointment

Current Employer/Business	Title/Position
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Work Address	Work Phone No.
--------------	----------------

Home Address	Home Phone No.
--------------	----------------

Marital Status _____. If married, please give spouse's full name, including maiden name where applicable.

List the names of all children under 18 living with you at home:

The purpose of this disclosure statement is to identify potential conflicts that may exist between private and public life with respect to your duties while engaging in voluntary service on a Westchester County commission or board. "Voluntary service" means service which does not entitle the volunteer to compensation of any kind, be it salary, per diem or stipend payments, but may include reimbursement for actual and reasonable expenses. Please follow all directions carefully and attach additional pages, if necessary. Disclosure of the information on this form is required for compliance with the Westchester County Code of Ethics and New York State General Municipal Law.

1. Outside Employment & Businesses

List the name of every employer or business from which you were paid more than \$5,000 for services performed or for goods sold or produced, whether you were a paid member, officer, director, or employee, during the reporting period. Do not list the County of Westchester as an employer (this information is covered in question 3 below) or individual customers or clients of the business. Do not list businesses in which you were an investor only (these are identified in question 2 below). Identify the nature and type of the business, such as a partnership, corporation, limited liability company, or sole proprietorship, and list your relationship(s) to the employer or business (i.e., owner, partner, officer, director, member, employee and /or shareholder) and state your position with the employer. Provide the same information for your spouse.

<i>Name</i>	<i>Relationship</i>	<i>Name of Employer</i>	<i>Nature of</i>	<i>Type of</i>	<i>Position</i>
<i>E.g.:</i>	<i>to You</i>	<i>or Business</i>	<i>Business</i>	<i>Business</i>	<i>Held</i>
<i>John Doe</i>	<i>Husband</i>	<i>ABC Realty</i>	<i>Real estate</i>	<i>Partnership</i>	<i>Employee</i>

■ None.

2. Privately Held Investments

List the name of any privately held entity in which, during the reporting period, you had an ownership interest of at least 20% of the entity or an investment with a total value of at least \$50,000 in the entity. Do not list any entity listed in response to question 1 above or any publicly traded entity. Identify the nature of the business and the type of business (e.g., corporation, limited liability company, partnership). Provide the same information for your spouse or children under 18 living with you at home.

<i>Name</i>	<i>Relationship</i>	<i>Name of Entity</i>	<i>Nature of</i>	<i>Type of</i>
<i>E.g.:</i>	<i>to You</i>		<i>Business</i>	<i>Business</i>
			<i>Private</i>	
<i>Mary Doe</i>	<i>Self</i>	<i>R&D Investigations</i>	<i>Investigations</i>	<i>Corporation</i>

3. Westchester County Employment

List any and all relatives, defined with respect to this question only as your spouse, children, siblings, parents or in-laws, including yourself, who were employed by the County of

Westchester in a permanent, full time capacity during the reporting period. Please include the position, or title, and the department.

<i>Name</i>	<i>Relationship to You</i>	<i>Position Held/ Title</i>	<i>County Department</i>
<i>E.g.: Ralph Roe</i>	<i>Father-in-law</i>	<i>Attorney</i>	<i>Law Dept.</i>

■ None.

4. Government and Not-for-Profit Positions

List each office or position, whether paid or unpaid, that you held during the reporting period with any federal, state, or municipal government entity or with any not-for-profit organization. Do not list entities where you were only a member but had no office or position. Do not list entities where you only volunteered in a non-policymaking, non-administrative capacity, such as a neighborhood Girl Scout leader or a Little League coach. Do not list any office or position reported elsewhere on this form.

<i>Entity or Organization</i>	<i>Position</i>
<i>E.g.: Westchester County League of Women Voters</i>	<i>Board Member</i>

■ None.

5. Gifts

List each gift worth \$75 or more that you or your spouse received from any person, firm or entity that has or had a matter pending during the reporting period before the voluntary board or commission upon which you serve. For purposes of this question, "matter pending" means a formal request for a contract, goods, services, funding, license or permit. A "gift" means anything of value for which you or your spouse paid nothing or paid less than the fair market value and may be in the form of money, services, reduced interest on a loan, travel, travel reimbursements, entertainment, hospitality, or in any other form. Note that separate gifts from the same or affiliated donor during the reporting period must be added together for purposes of the \$75 threshold.

<i>Name</i>	<i>Relationship to You</i>	<i>Donor of Gift</i>	<i>Nature of Gift</i>
<i>E.g.: Mary Doe City.</i>	<i>Self</i>	<i>XYZ Corp.</i>	<i>Free trip to Atlantic</i>

■ None.

The reporting of information in this statement is required by New York State General Municipal Law and the Laws of Westchester County. Improper use of the information contained in this statement by any third person or entity in violation of privacy or other rights is separately punishable in accordance with the law. Please be advised that, pursuant to New York State law, this statement is available in its entirety for public inspection and reproduction, but any information within the statement deemed exempt by New York State law or the Laws of Westchester County shall be redacted accordingly.

I certify that all of the above information is true to the best of my knowledge and that, within the past two weeks, I have read the attached summary of the Westchester County Code of Ethics.

Dated

Signature

APPENDIX 2: Program Participation Policy

 <p>Category: Academic Affairs Community Colleges Legal and Compliance Research</p> <p>Responsible Office: <u>Academic Affairs</u></p>	<p>Policy Title: START-UP NY Program Participation Policy</p> <p>Document Number: 6800</p> <p>Effective Date: February 10, 2014</p> <p>This policy item applies to: Community Colleges State-Operated Campuses</p>
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Summary

START-UP NY is a state economic development program that positions SUNY campuses as magnets for entrepreneurs and businesses from around the globe. START-UP NY aligns with SUNY's mission of teaching, research and public service; enabling engagement with industry, knowledge acceleration, translation of research into practical applications, and delivering the 21st century workforce businesses need to grow and thrive. START-UP NY will transform university communities to deliver unprecedented economic benefits to New York. To participate in the program, all campuses must comply with this policy and any applicable rules and regulations issued by the NYS Commissioner of Economic Development.

This policy governs the review process that all participating campuses must follow to secure SUNY's approval and/or review of the plans, applications, and other documents required by the NYS Commissioner of Economic Development to participate in the START-UP NY program. It also prescribes special requirements for the disclosure and management of actual or potential conflicts of interest in matters pertaining to the campus' START-UP NY program. Any conflict between this policy and any other applicable Conflict of Interest policy shall be resolved in favor of disclosure of any potential, actual, or perceived conflict of interest relating to the campus' START-UP NY program to the President or Chief Executive Officer of the sponsoring campus.

Policy

- A. Campus Plans for Designation of Tax-Free Area(s):** Any campus intending to submit a Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan") to the NYS Commissioner of Economic Development must first have it reviewed and approved by the Chancellor or designee. The Chancellor or designee shall approve or reject all Campus Plans within fifteen (15) business days of receipt. Any rejected Campus Plan shall be accompanied by an explanation of the basis for rejection. Once approved by the Chancellor or designee a campus may submit its Campus Plan to the NYS Commissioner of Economic Development in accordance with the Commissioner's rules and regulations. Any Campus Plan that is rejected can be resubmitted for Chancellor

or designee approval and will be reviewed in accordance with this policy and related procedures. Any amendments to approved Campus Plans must be submitted for Chancellor or designee approval and will be reviewed in accordance with this policy and related procedures.

- B. Sponsoring University or College Applications for Business Participation:** After a campus is notified by the Commissioner of Economic Development that its Campus Plan or any amendment(s) to an approved Campus Plan has been approved, it may submit a Sponsoring University or College Application for Business Participation ("Sponsor Application") to the NYS Commissioner of Economic Development and to the Chancellor or designee for concurrent review and approval. Only Commissioner of Economic Development approval is required.
- C. Delegations:** The Chancellor or designee may charge a group of individuals, collectively called the SUNY START-UP NY Proposal Review Team, to evaluate all submitted Campus Plans and Sponsor Applications prior to accepting or rejecting them.
- D. Conflicts of Interest:** Service as an Official shall not be used as a means for private benefit or inurement for any Official, a Relative thereof, or any entity in which the Official or Relative thereof has a Business Interest. A conflict of interest exists whenever an Official has a Business Interest or other interest or activity outside of the university that has the possibility, whether potential, actual, or perceived, of (a) compromising the Official's judgment, (b) influencing the Official's decision or behavior with respect to the START-UP NY Program, or (c) resulting in personal or a Relative's gain or advancement. Any Official who is an owner or employee of an entity that is the subject of any matter pertaining to the university's START-UP NY Program, or who has a Business Interest in any entity that is the subject of any matter pertaining to the university's START-UP NY Program, or whose Relative has such a Business Interest, shall not vote on or otherwise participate in the administration by the university of any START-UP NY matter involving such entity. Any Official or other campus representative who becomes aware of a potential, actual or apparent conflict of interest, either their own or that of another Official, related to a sponsoring university or college's START-UP NY program must disclose that interest to the President or Chief Executive Officer of the sponsoring college or university. Each such President or Chief Executive Officer shall maintain a written record of all disclosures of actual or potential conflicts of interest made pursuant to this policy, and shall report such disclosures on a calendar year basis, by January 31st of each year, to the University Auditor or to the Chancellor's designee, in which case the University Auditor shall be copied on the correspondence to such designee. SUNY shall then forward such reports to the Commissioner of Economic Development for the State of New York, who shall make public such reports.
- E. Exceptions:** There are no exceptions to this policy.

Definitions

Business Interest means that an individual (1) owns or controls 10% or more of the stock of an entity (or 1% in the case of an entity the stock of which is regularly traded on an established securities exchange); or (2) serves as an officer, director or partner of an entity.

Official means an employee at the level of dean and above as well as any other person with decision-making authority over a campus' START-UP NY Program, including any member of any panel or committee that recommends businesses for acceptance into the START-UP NY program.

Relative means any person living in the same household as another individual and any person who is a direct descendant of that individual's grandparents or the spouse of such descendant.

Sponsoring College or University means any entity defined or described in NYS Education Law Sec. 352 and Article 126.

START-UP NY Program means the SUNY Tax-free Areas to Revitalize and Transform Upstate New York Program established by Article 21 of the Economic Development Law.

Tax-Free NY Area means vacant land or space designated by the Commissioner of Economic Development Article 21 of the Economic Development Law that is eligible to receive benefits under the START-UP NY program.

Other Related Information

[Start-Up NY Regulations](#): available at the [Start-Up NY Website](#).

At least thirty days before submitting the Campus Plan to the Commissioner of Economic Development the campus must provide a copy of the Plan to the chief executive officer of the municipality or municipalities in which the proposed Tax-free NY Area is located, local economic development entities, the applicable university or college faculty senate, union representatives and the campus student government. The campus shall include in their submission to the Commissioner of Economic Development certification of such notification, as well as a copy of any written response from chief executive officer of the municipality or municipalities in which the proposed Tax-free NY Area is located, local economic development entities, the applicable campus or college faculty senate, union representatives and the campus student government.

[StartUp-NY.gov](#) website and program information.

Procedures

[START-UP NY Program Participation, Procedures for](#)

Forms

[SUNY START-UP NY Campus Plan for Designation of Tax-Free Area\(s\) Memorandum](#)

[SUNY START-UP NY Campus Plan for Designation of Tax-Free Area\(s\) Template](#)

[ESD START-UP NY Sponsoring University or College Application for Business Participation](#)

[ESD START-UP NY Business Application Instructions](#)

[ESD START-UP Business Application](#)

Authority

[State University of New York Board of Trustees Resolution 14-\(\) . START-UP New York Program Administration, adopted January 14, 2014](#)

[Law, New York Economic Development Law Article 21 \(Start-Up NY Program\)](#)

[Start-Up NY Regulations](#)

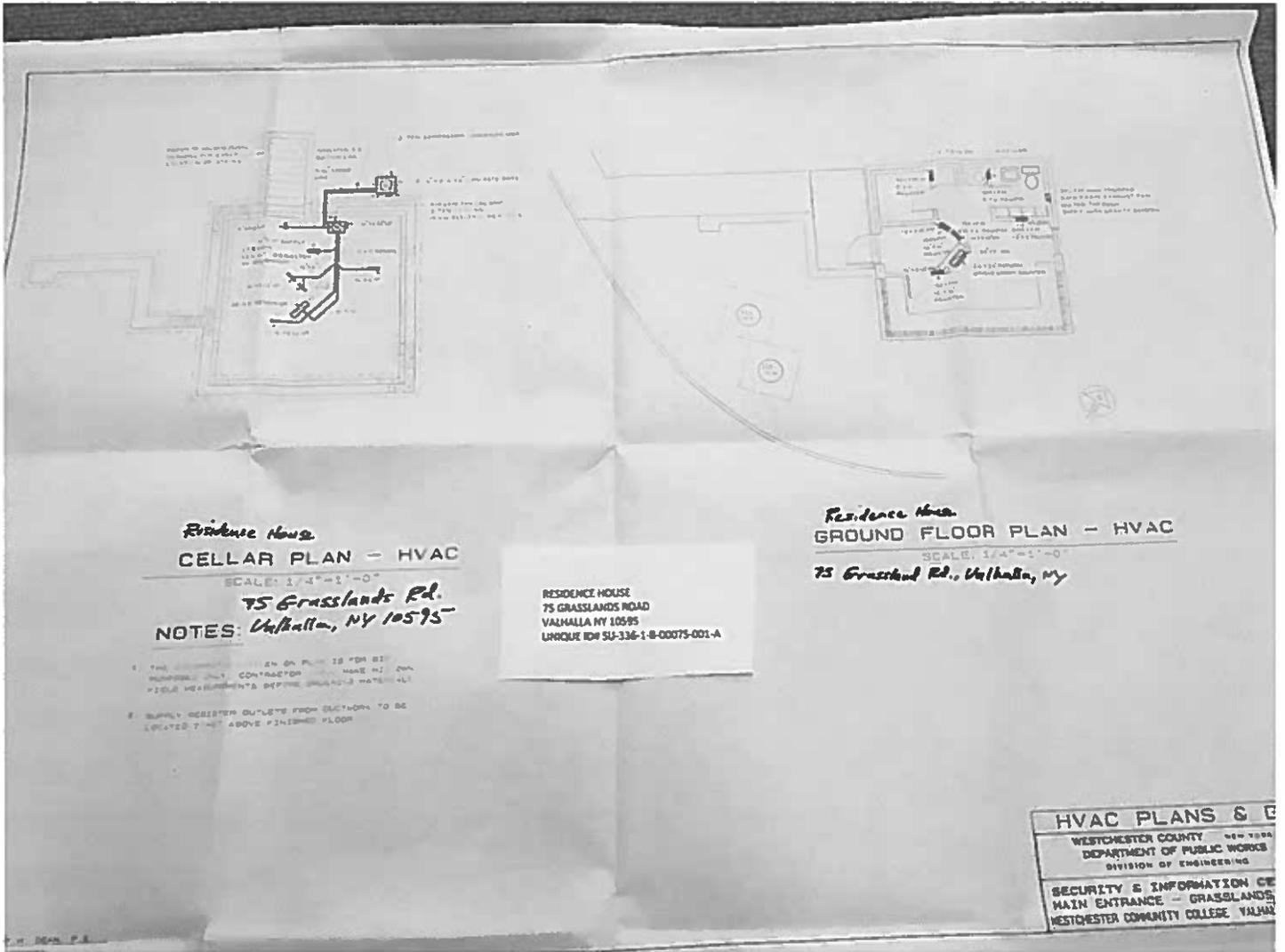
History

Enacted into law in June 2013, START-UP NY is a groundbreaking new initiative from Governor Andrew M. Cuomo that provides major incentives for businesses to relocate, start up or significantly expand in New York State through affiliations with public and private universities, colleges and community colleges. Businesses will have the opportunity to operate state and local tax-free on or near academic campuses, and their employees will pay no state or local personal income taxes.

Appendices

There are no appendices relevant to this policy.

3a. Westchester Community College Campus Residence Floor Plan



Residence House
CELLAR PLAN - HVAC
 SCALE: 1/4"=1'-0"
75 Grasslands Rd.
NOTES: Valhalla, NY 10595

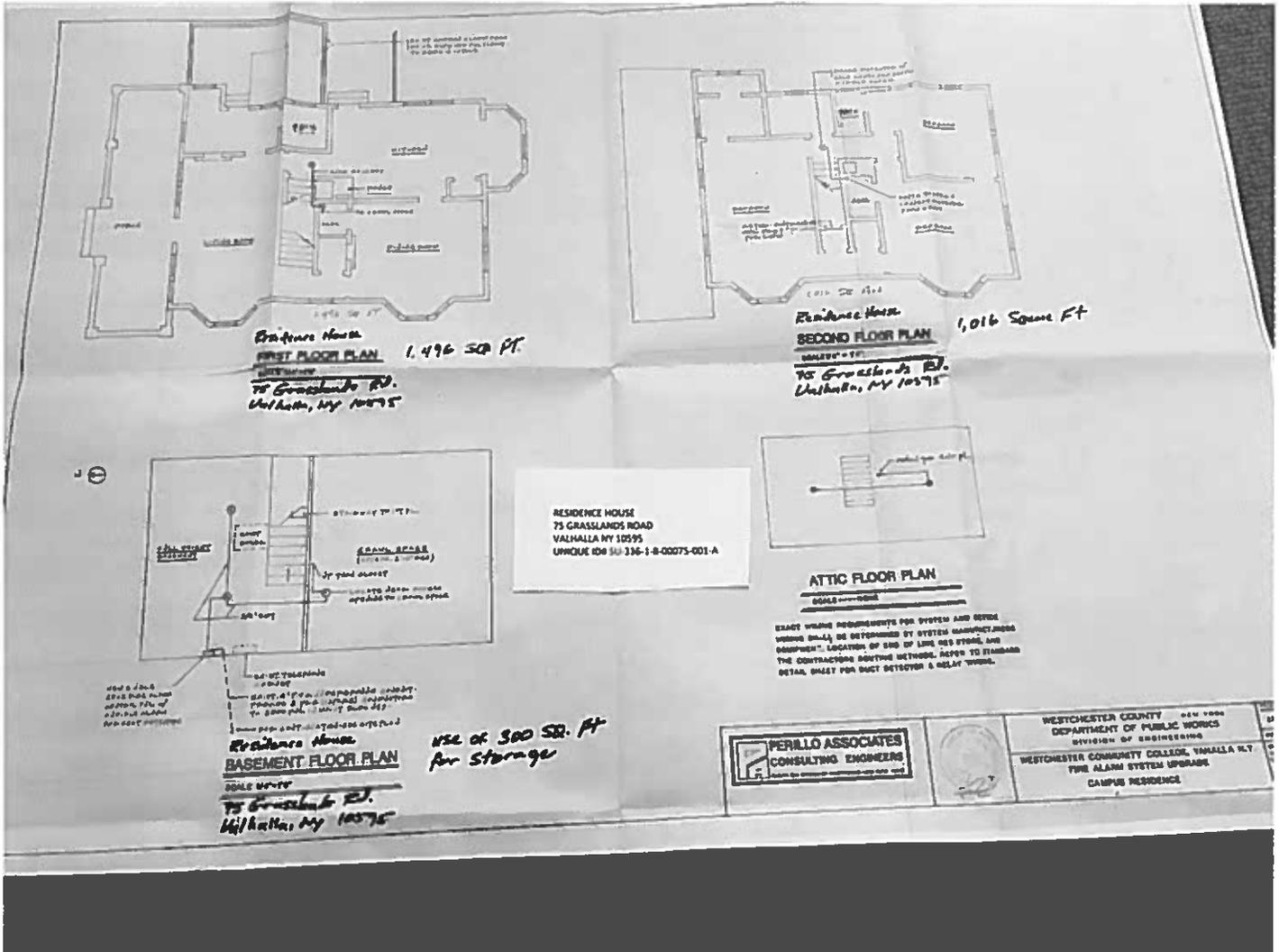
- 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL FIELD MEASUREMENTS BEFORE INSTALLING MATERIALS.
- 2. SUPPLY REGISTER OUTLETS FROM CEILING TO BE LOCATED 7'-6" ABOVE FINISHED FLOOR.

RESIDENCE HOUSE
 75 GRASSLANDS ROAD
 VALHALLA NY 10595
 UNIQUE ID# 513-336-1-8-00075-001-A

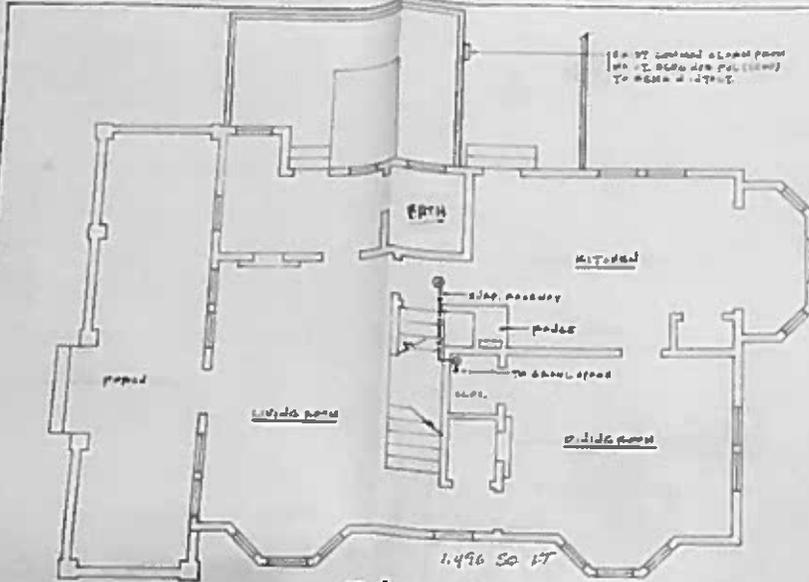
Residence House
GROUND FLOOR PLAN - HVAC
 SCALE: 1/4"=1'-0"
75 Grasslands Rd., Valhalla, NY

HVAC PLANS & E
 WESTCHESTER COUNTY
 DEPARTMENT OF PUBLIC WORKS
 DIVISION OF ENGINEERING
 SECURITY & INFORMATION CE
 MAIN ENTRANCE - GRASSLANDS
 WESTCHESTER COMMUNITY COLLEGE, VALHALLA

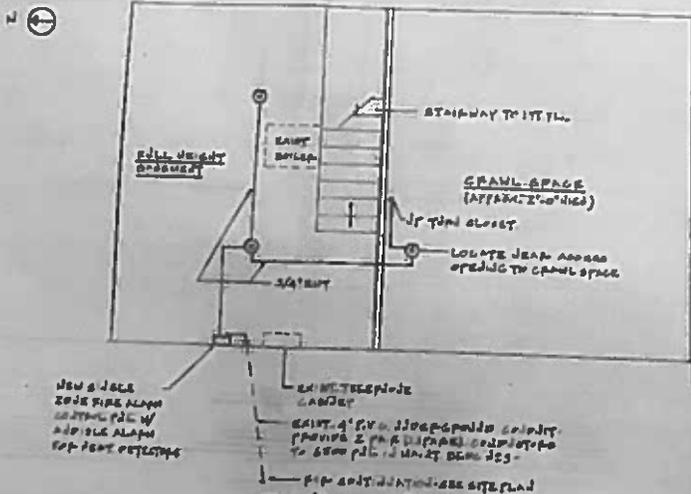
3b. Westchester Community College Campus Residence



3c. Westchester Community College Residence House, First Floor & Basement



Residence House
FIRST FLOOR PLAN 1,496 SQ. FT.
 SCALE 1/8"=1'-0"
 75 Grasslands Rd.
 Valhalla, NY 10595

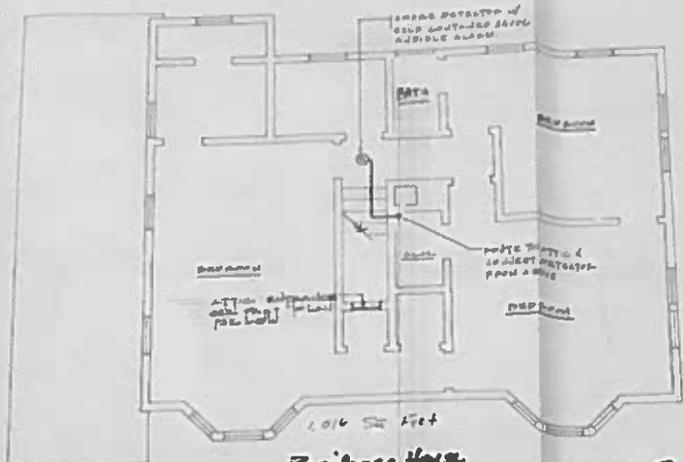


Residence House
BASEMENT FLOOR PLAN
 SCALE 1/8"=1'-0"
 75 Grasslands Rd.
 Valhalla, NY 10595

USE OF 300 SQ. FT. for Storage

RESIDENCE HOUSE
 75 GRASSLANDS ROAD
 VALHALLA NY 10595
 UNIQUE ID# SU-336-1-B-00075-001-A

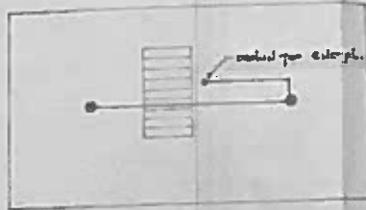
3d. Westchester Community College Campus Residence, Second Floor



Residence House
SECOND FLOOR PLAN
 SCALE 1/4" = 1'-0"
 1,016 Square Ft

75 Grasslands Rd.
 Valhalla, NY 10595

RESIDENCE HOUSE
 75 GRASSLANDS ROAD
 VALHALLA NY 10595
 UNIQUE ID# SU 336-1-B-00075-001-A

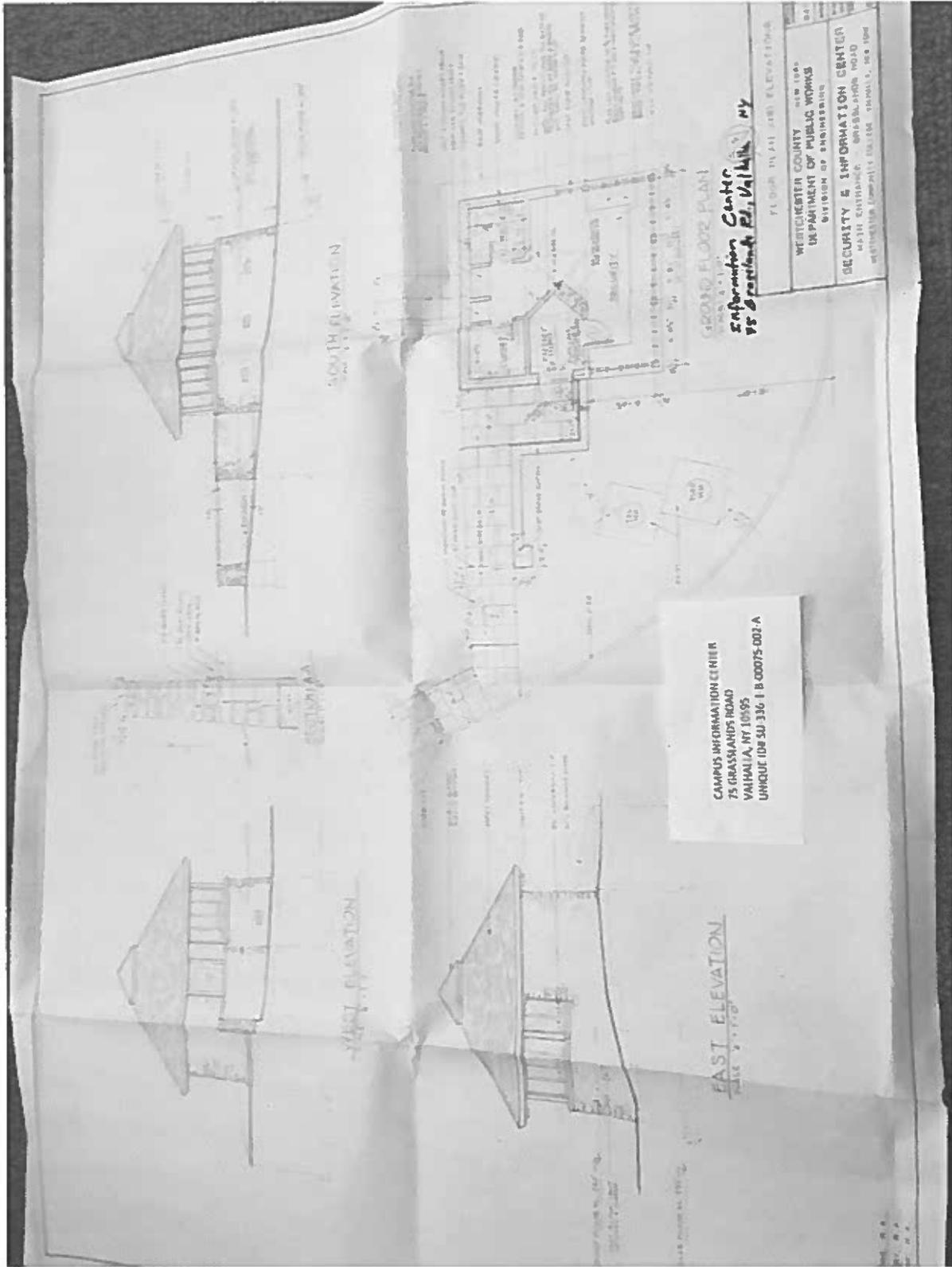


ATTIC FLOOR PLAN
 SCALE NONE

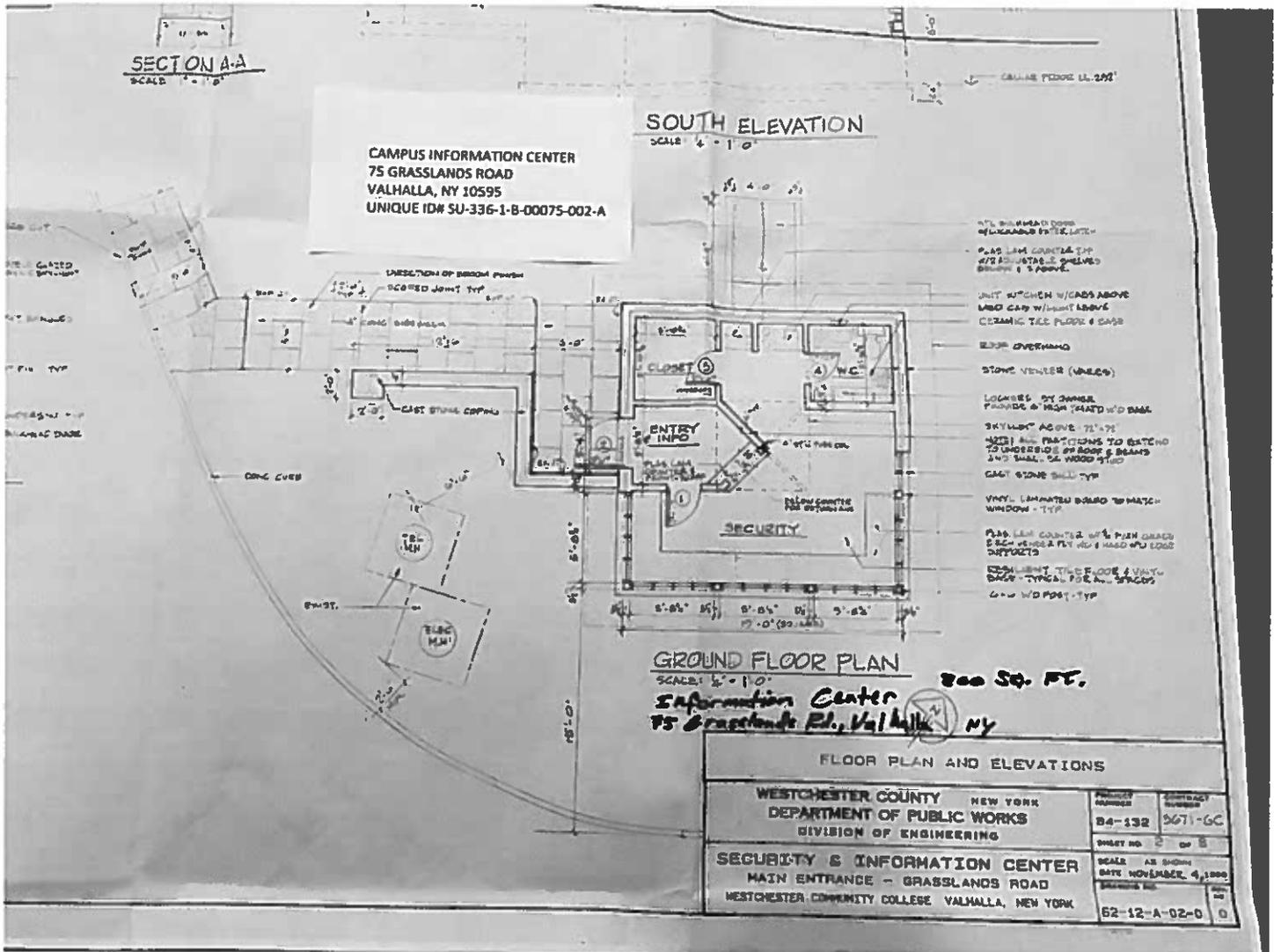
EXACT WIRING REQUIREMENTS FOR SYSTEM AND DEVICES WIRING SHALL BE DETERMINED BY SYSTEM MANUFACTURERS EQUIPMENT, LOCATION OF END OF LINE RESISTORS, AND THE CONTRACTORS ROUTING METHODS. REFER TO STANDARD DETAIL SHEET FOR DUCT DETECTOR & RELAY WIRING.

 <p>PERILLO ASSOCIATES CONSULTING ENGINEERS <small>200 N. 9TH ST. SUITE 200 NEW YORK, NY 10011</small></p>		WESTCHESTER COUNTY NEW YORK DEPARTMENT OF PUBLIC WORKS DIVISION OF ENGINEERING	SHEET NO. 87-21
		WESTCHESTER COMMUNITY COLLEGE, VALHALLA N.Y. FIRE ALARM SYSTEM UPGRADE CAMPUS RESIDENCE	SCALE DATE 82-1

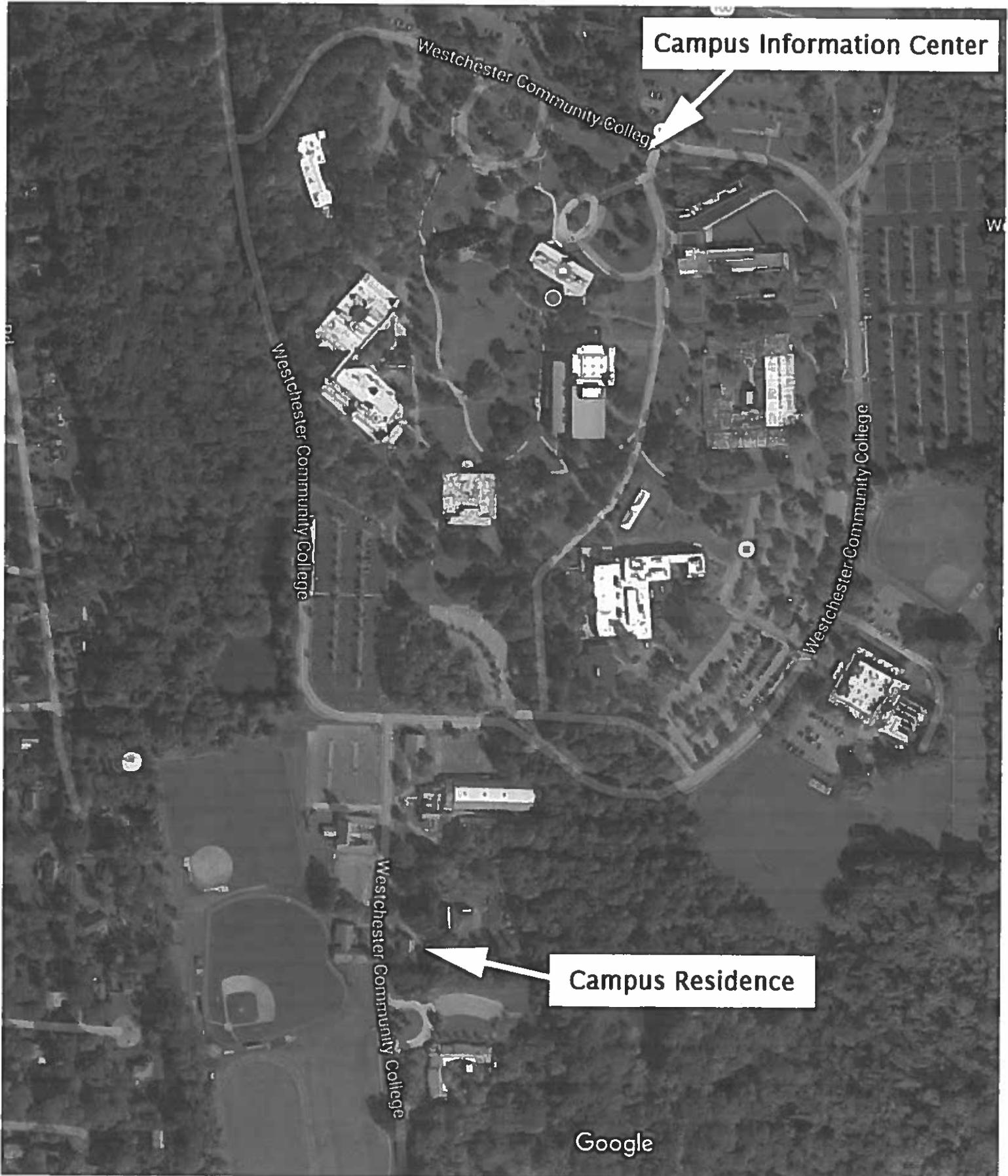
3e. Westchester Community College Information Center



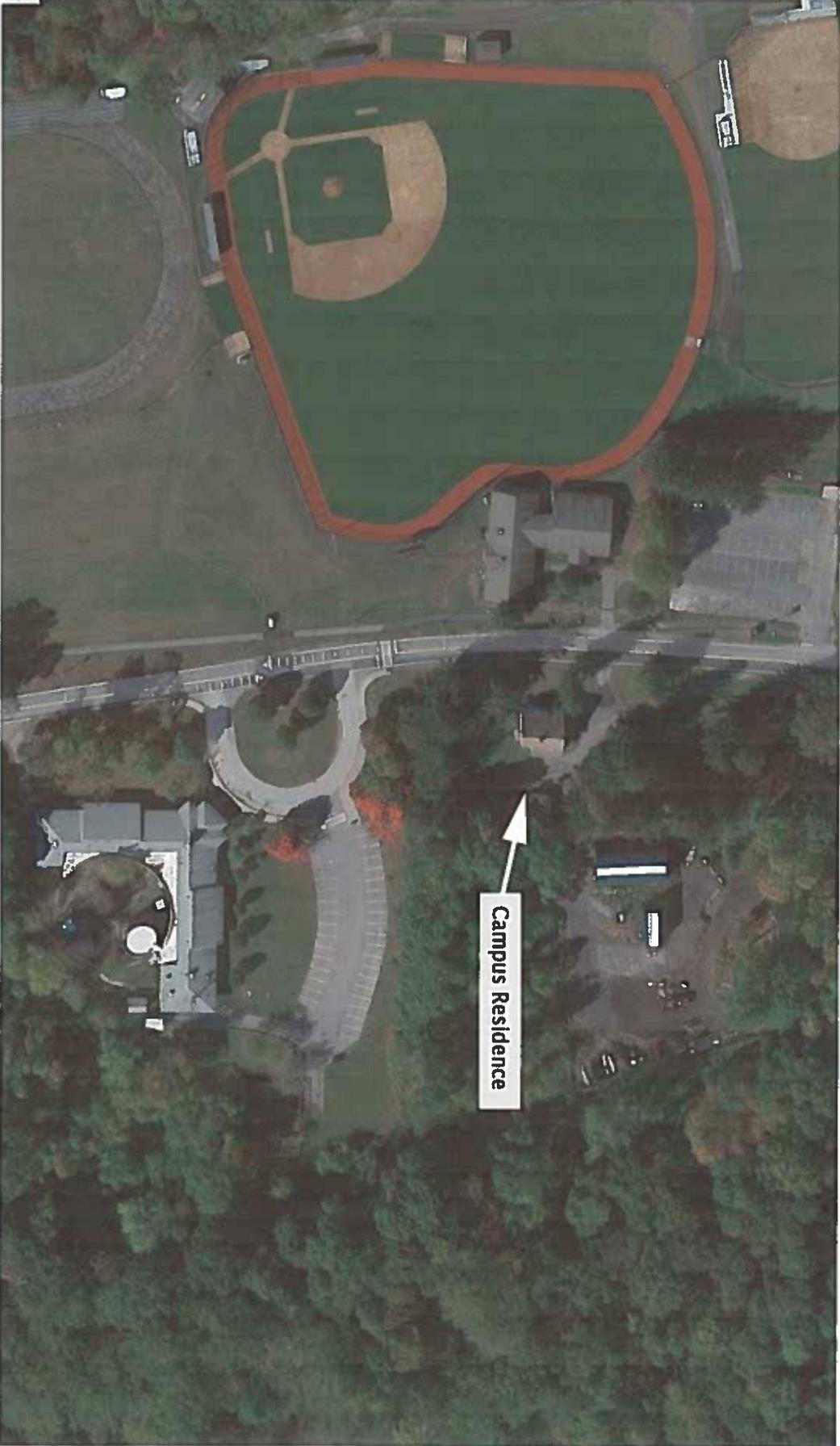
3f. Westchester Community College Information Center, Entire Building



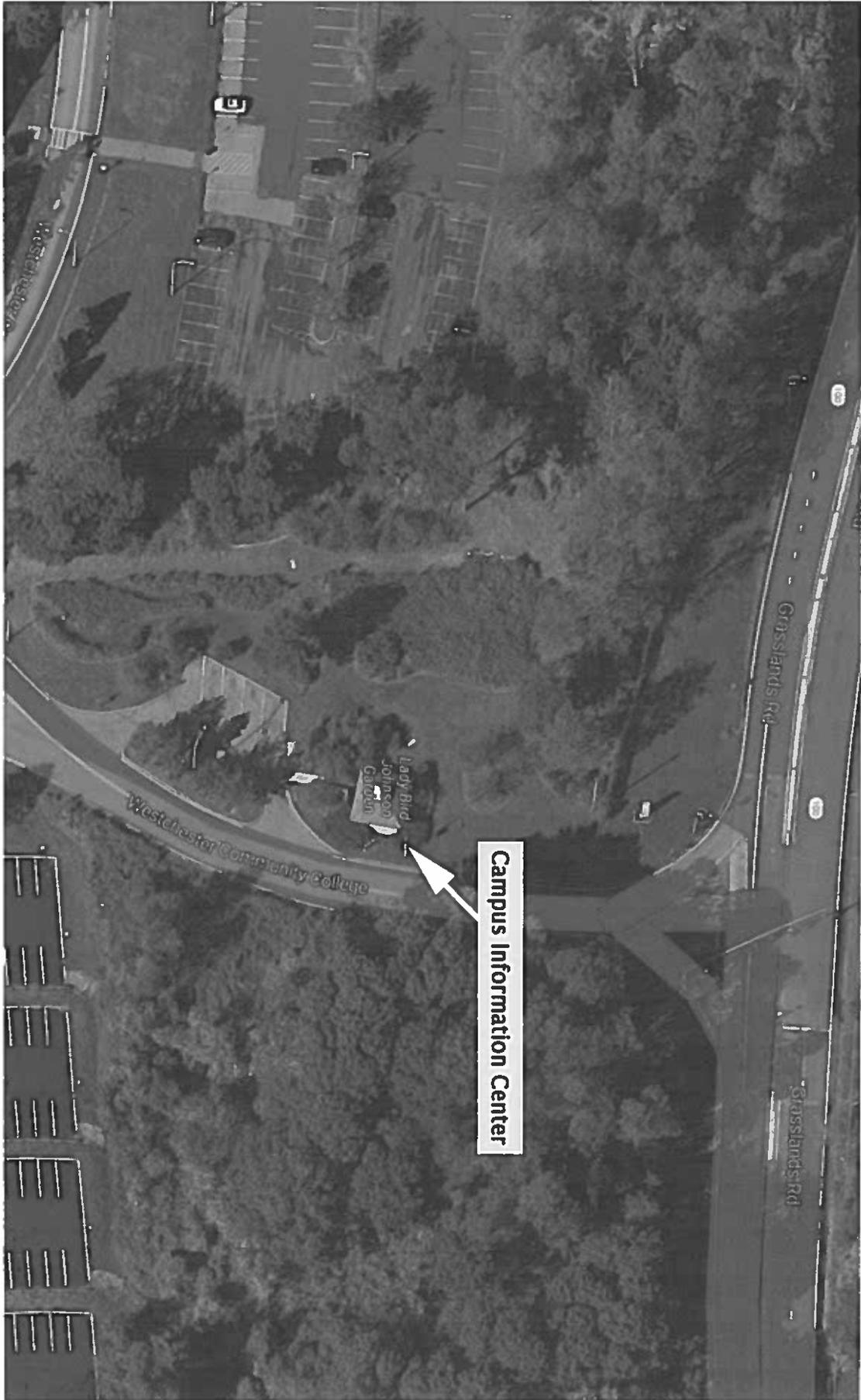
4a. Westchester Community College Aerial Maps



4b. Westchester Community College Campus Residence Aerial Map



4c. Westchester Community College Information Center Aerial Map



4d. Westchester Community College Campus Map and Locations with Identification Key

