

CHAUTAUQUA COUNTY ETHICS BOARD (CCEB)

MEETING AGENDA

First Meeting of CY2023

Wednesday, May 10, 2023

2 p.m.

Room 331

Gerace Office Building

3 North Erie St.

Mayville, NY 14757

- I. Call to order: confirm proper public notification was completed.
- II. Review and approve November 16, 2022 minutes.
- III. Review correspondence.
- IV. Review and approve Ethics Board Procedure.
- V. Review and approve 2022 Annual Report.
- VI. Status of Annual Code of Ethics Training for County Employees and Board Members.
- VII. Status of Financial Disclosure forms.
- VIII. Next meeting: September 13, 2023 at 2 p.m. in Room 331 of the GOB in Mayville.
- IX. Meeting adjourned.

CHAUTAUQUA COUNTY ETHICS BOARD MEETING MINUTES

DATE: November 16, 2022
LOCATION: Room 149, Gerace Office Building, 3 North Erie Street,
Mayville, New York 14757

TIME: 2:07 – 3:48 p.m.

MEMBERS PRESENT: John Hamels
Diane Hannum
John Marengo
David Rowe
Stephanie Stevens

OTHERS PRESENT: Amanda Gallagher from the County Executive's Office
Kristen Wright from the County Law Department
Respondent for Case No. 2022-79

CALL TO ORDER & PUBLIC NOTIFICATION:

Dave called the meeting to order at 2:07 p.m.

Dave confirmed proper public notification was completed as the notice of today's meeting was sent out to the local media and posted on the county website on November 4, 2022. It also appeared in the Post-Journal's "Briefly" section on November 8, 2022.

APPROVAL OF MINUTES:

Diane motioned to approve the minutes from the September 21, 2022 meeting, which was seconded by John M. All in favor.

REVIEW CORRESPONDENCE:

John M. motioned to enter into Executive Session to receive the advice of the Office of the County Attorney, which was seconded by John H. All in favor. Executive Session entered into at 2:09 p.m.

Diane motioned to leave Executive Session, which was seconded by Dave. All in favor. Board left Executive Session at 2:27 p.m.

Amanda Gallagher and Respondent for Case No. 2022-79 arrived at the meeting at 2:31 p.m.

The Board reviewed Case No. 2022-79.

Dave motioned to eliminate the fine for Case No. 2022-79 due to a communication error and the Ethics Board will change the process on the form of how individuals would like to receive correspondence, which was seconded by John M. All in favor.

Respondent for Case No. 2022-79 to complete Extension Request Form, which has been assigned ERF-D-06.

Kristen left the meeting at 2:50 p.m. and returned at 2:51 p.m.

Respondent for Case No. 2022-79 left the meeting at 2:55 p.m.

Kristen reviewed with the Board that there is an option to appoint a hearing officer to conduct ethics hearings and report its findings and recommendations back to the Board for action. The Board will take this under consideration.

John M. reported that no mail was received at the Board's P.O. Box.

Other than correspondence for Case No. 2022-79, Amanda reported that no mail had been received for the Board in care of the County Executive's Office.

Amanda also reported back to the Board on the possible options for its email address. The Board determined it would not like to use a board email address for correspondence at this time.

STATUS OF ANNUAL CODE OF ETHICS TRAINING FOR COUNTY EMPLOYEES AND BOARD MEMBERS:

Amanda provided an update on the 2022 Code of Ethics Training. One employee who was out on leave is no longer an employee and is no longer required to complete the training. There is only one employee left, who is still out on medical leave, who needs to complete the 2022 Code of Ethics Training within 30 days of their return. Should the employee not return to work in 2022, they will fall under the 2023 training.

The Board also discussed changing the Statement of Financial Disclosure form so that Question 1 asks filers to provide the preferred mailing address where they would like to receive any follow-up correspondence from the Ethics Board.

John Marengo motioned to update the Annual Statement of Financial Disclosure Form to have the preferred address listed at the top of the form, which was seconded by Dave. All in favor.

STATUS OF FINANCIAL DISCLOSURE FORMS AND ANNUAL FILING:

Amanda reported that as of November 14, 2022, a total of 391 forms have been reviewed and approved by the Board in 2022. There are no forms awaiting review and there is 1 pending form with an upcoming due date.

Amanda also reported that correspondence for Case No. 2022-81 was sent and the case is closed.

DISCUSS 2023 CODE OF ETHICS TRAINING:

Amanda reported that the amendment to the Code of Ethics is pending approval by the County Legislature at its meeting tonight. Once it is approved at the County level, Amanda will work on updating the annual training documents. Once final drafts are ready, she will provide Ethics Board members and Kristen with copies so they can review and provide any further edits prior to implementation.

Kristen said she will also work on preparing something in writing for Department Heads to receive about the Code of Ethics' training and disclosure requirements so they are aware of their current responsibilities under the amended Code.

DISCUSS 2022 ANNUAL REPORT PREPARATION:

The Board discussed the annual report process.

Dave and John M.'s terms expire on 1/31/23. Dave announced that he will not be seeking re-appointment to the Board and John M. does seek re-appointment.

Board members thanked Dave for his service to the Board.

Dave said he would also work on preparing the 2022 Annual Report.

John H. motioned to nominate John M. as Chairman of the Board effective February 1, 2023, which was seconded by Diane. All in favor.

The Ethics Board also set its meeting dates for 2023. Meetings will be held at the Gerace Office Building in Mayville at 2 p.m. on March 8, May 10, September 13, and November 18.

John M. motioned to approve John H. as Board Secretary effective February 1, 2023, which was seconded by Dave. All in favor.

NEXT MEETING:

The next meeting of the Ethics Board is scheduled for March 8, 2023 at 2 p.m. in the Gerace Office Building, 3 N. Erie St. in Mayville, N.Y. Room TBD.

MOTION TO ADJOURN:

John H. motioned to adjourn the meeting at 3:48 p.m., which was seconded by Diane. All in favor.

Minutes prepared by Amanda Gallagher and respectfully submitted to John Marengo.

Ethics Board Procedure
EB 2021-01

FINANCIAL DISCLOSURE STATEMENTS
and
ETHICS BOARD TRAINING

This document outlines general procedures to be followed in connection with Code of Ethics financial disclosure statement and Code of Ethics training requirements. The Board may deviate from these procedures, as deemed appropriate by the Board.

Chautauqua County Code of Ethics Requirements

All County Officers and Employees subject to the requirements of the Chautauqua County Code of Ethics are required to undergo annual Ethics Board training to inform and educate them as to the requirements of the Code, and to timely confirm in writing completion of such training requirements. New officers and employees receive the training materials upon hiring/appointment. Annual training must be completed by March 31st or within thirty (30) days of return from an authorized leave (excluding vacation time).

Annual filings of the Statement of Financial Disclosure are due by April 30th of each year, or within thirty (30) days of return from an authorized leave (excluding vacation time). New employees must file within thirty (30) days of taking office, and new board members must file within thirty (30) days of appointment. Amended statements are due within thirty (30) days of any material change in information.

Initial Notification of Disclosure Statement and Training Requirements.

County Department of Human Resources staff issue training materials to County Officers and Employees, either directly to such individuals or via issuance to Department Heads for distribution to those under their purview. County Executive Staff or the designated Ethics Board liaison issues training materials to County board members, either directly to such individuals or via issuance to board liaisons for distribution to those under their purview.

County Executive staff or the designated Ethics Board liaison sends a notification to all County officers and employees, including board members, subject to the disclosure requirement, attaching the Statement form and including the Statement due date. This notification may be issued by mail and/or e-mail. E-mails may be sent using the electronic confirmation of receipt feature and/or with a "read receipt" request.

These initial communications will include notification that penalties should be expected upon failure to timely comply. The Statement communications will also include tips for proper completion of the form (Attachments 1A,1B).

Reminder E-mail.

Approximately five (5) to ten (10) calendar days before annual training confirmation is due, County Executive Staff or the designated Ethics Board liaison will issue a reminder e-mail (Attachment 2A or 2B) to those who supervise or oversee employees or board members whose training confirmation has not been received. For

employees, this reminder e-mail will also include a “Reminder to Timely Complete Code of Ethics Training” letter for Department Heads to provide to their employees who still need to complete the training.

Approximately five (5) to ten (10) calendar days before annual statements are due, County Executive Staff or the designated Ethics Board liaison will issue a reminder e-mail (Attachment 2C or 2D) to those who supervise or oversee employees or board members whose Statements have not been received. For employees, this reminder e-mail will also include a “Reminder to Timely File Statement of Financial Disclosure” letter for Department Heads to provide to their employees who still need to complete the disclosure form.

Request for an Extension of Time.

When an individual requests an extension of time, the individual will be provided a form for that purpose (Attachment 3). The Ethics Board may grant the request, deny the request, or seek additional information prior to granting or denying a request.

Training Confirmation or Statement Not Received or Postmarked by the Due Date.

Incorrect or incomplete Statements will be rejected, and returned to the filer (Attachment 4). When County Executive staff or the designated Ethics Board liaison notice an error on a Statement which has not yet been remitted to the Board for review, they may, prior to the Statement due date / extended due date, contact the filer and offer the filer the opportunity to submit a revised Statement (this will not be deemed to be an “amended” statement). In that event, the defective statement shall be retained by the County Executive’s office until a replacement statement is timely received, at which point it will be discarded or returned to the filer. If a replacement statement is untimely received, it should be marked as an amended statement and remitted to the Ethics Board for review along with the original statement.

If an employee’s training confirmation or Statement (or amended/corrected Statement) is untimely received, County Executive staff or the designated Ethics Board liaison will issue a Chautauqua County Ethics Board Notice (Attachments 5A, 5B, 5C or 5D).

If the Board does not receive a response to the Notice, or if the Ethics Board has not received confirmation of training / a Statement from a County employee, the Ethics Board will discuss next steps with the Department Head or the Department Head’s appointing authority, involving the County Law Department as needed.

If an employee or board member who is required to complete the training requirement or disclosure form has left county employment or the county board within 30 days of the training due date, the case will be closed with no further action. In addition, employees who are out on authorized leave (excluding vacation time) and then retire or resign without returning to work, will have their case closed with no further action.

Penalties for Untimely Compliance with Statement or Training Requirements.

Penalties imposed by the Ethics Board will be consistent with the Code of Ethics.

In general, minimum penalties will be \$100 per violation for the first year of non-compliance and \$300 per violation in the next year of non-compliance.

The amount of the penalty will correspond with the amount of delay in complying with the law. For every ten (10) full County business days that a violation continues, the penalty will increase by \$100.

Each violation of the law will be treated as a separate violation.

Volunteer Board Members.

Notwithstanding language in other sections of these Procedures, if the County Executive’s office has not received a timely Statement, or has not timely received a corrected/completed Statement, from a volunteer County board member, or if a volunteer board member has not timely confirmed receipt of training material, the Ethics Board will contact the County Board liaison for input as to an appropriate means of proceeding.

When deciding how to proceed, the Ethics Board may take into consideration, among other factors:

- the Legislature Chairs’ support for removal of board members, via legislative resolution, until such time as compliance has been attained;
- the date on which the training / statement documents were issued to the individual;
- efforts by the board liaison to secure compliance;
- the board liaison’s recommendation;
- the individual’s history of compliance, or lack thereof, with the Code of Ethics;
- the difficulty in securing and retaining volunteer board members; and
- whether the board has met since the statement was due.

When a board member complies in an untimely manner, the Ethics Board will issue communications to the board member and the board member liaison (Attachment 6).

Department Head Failure to Administer Code of Ethics Requirements.

Department heads set the tone for those under their purview. A Department Head’s violation of the law is, therefore, of paramount concern. A Department Head’s failure to comply with Code of Ethics administrative requirements, as established in the law or as delegated by the County Executive, may be met with some or all of the following responses:

- Request a meeting with the Department Head;
- Recommend that the Appointing Authority take action;
- Schedule a Hearing;
- Send a warning Notice;
- Impose a sanction, penalty or fine consistent with the Code of Ethics.

Ethics Board Procedure No. EB-2021-01 Financial Disclosure Statements and Ethics Board Training	Attachments: 1- A- Initial Notification – Employee Training Initial Notification – Board Member Training B- Initial Notification – Employee Disclosure Statement Initial Notification – Board Member Disclosure Statement 2- A- Department Head e-mail: Training Confirmation Outstanding for Employees B- Department Head e-mail: Training Confirmation Outstanding for Board Members C- Department Head e-mail: Disclosure Statements Outstanding for Employees D- Department Head e-mail: Disclosure Statements Outstanding for Board Members 3- Request for an Extension Form 4- Letter Template: Corrections/Completion Required 5- A- Notice to Employees who Failed to Timely File Statement
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	<p>B- Notice to Employees who Failed to Timely File Statement- Form Still Not Completed</p> <p>C- Notice to Employees who Failed to Timely Comply with Training</p> <p>D- Notice to Employees who Failed to Timely Comply with Training - Training Still Not Completed</p> <p>6- Notice to Board Liaisons and Board Member upon Board Member Non-compliance</p>
Approval Date:	<p>Effective Date: October 1, 2021 and Amended November 17, 2021 and September 21, 2022.</p> <p>This Policy replaces any former policy(ies) on these subjects, as of the effective date.</p>

This statement is to accompany County *employee* training materials only.

IMPORTANT NOTICE FROM THE COUNTY EXECUTIVE AND LEGISLATURE

County Officers and Employees are the public face of County government. To continue confidence and trust in our government, County activities must be performed in an ethical manner, consistent with State and County ethics laws. The enclosed training materials provide information about those laws.

Ethics laws, including the legal requirement that County officers and employees undergo annual ethics training, are important and must be respected. County employees should expect that if they do not timely comply with Chautauqua County Code of Ethics training requirements, the Ethics Board will impose a minimum penalty of \$100, with the fine increasing by \$100 for every ten (10) business days between the date training compliance was due and the date training compliance is received by the County Department of Human Resources.

Thank you for your timely cooperation.

This statement is to accompany County *board member* training materials only.

County board, commission and committee members play an important role in County government. To continue public confidence and trust in our government, all County activities, including board, commission and committee activities, must be performed in an ethical manner, consistent with State and County ethics laws. The enclosed training materials provide information about those laws.

Ethics laws, including the legal requirement that officers and employees undergo annual ethics training, are important. Your timely confirmation of receipt of Ethics Board training materials will relieve County staff and Ethics Board members from having to follow up with you and your board liaison, foster County compliance with the law, and further ethical County operations.

Thank you for your timely cooperation. We invite you to contact the Chautauqua County Ethics Board with questions, upon taking the training or at any time throughout the year.

ATTACHMENT 1B TO ETHICS BOARD PROCEDURE EB-2021-01

This statement is to be provided to *County Employees* subject to the *Statement of Financial Disclosure* filing requirement.

IMPORTANT NOTICE FROM THE COUNTY EXECUTIVE AND LEGISLATURE

County Officers and Employees serve as representatives of the County. To continue public confidence and trust in County government, County activities must be performed in an ethical manner, free from conflicts of interest. The enclosed Statement of Financial Disclosure form is designed to identify and disclose items and interests which could cause, or could be perceived to cause, a conflict of interest.

Ethics laws, including the legal requirement that certain individuals disclose financial interests, are important. County employees should expect that, if they do not timely file a properly completed Statement of Financial Disclosure, the Ethics Board will impose a minimum fine of \$100, with the fine increasing by \$100 for every ten (10) business days that expire between the filing deadline and the date the Statement is received by the County Executive's office.

Tips for Completion of the Form:

- ✓ Please be sure to include a mailing address in response to Question 1.
- ✓ Each question must be completed. If a question is not relevant, check "no" or "none."
- ✓ Your name must be at the top of each page.
- ✓ An original signature is required.

Thank you for your timely cooperation.

Name of County Executive

County Executive

Name of Legislature Chair

Chairman, Chautauqua County Legislature

This statement is to be provided to *Board Members* subject to the *Statement of Financial Disclosure* filing requirement.

County board, commission and committee members play an important role in County government. To continue public confidence and trust in County government, all County activities, including those of board, commission and committee members, must be performed in an ethical manner, free from conflicts of interest. The enclosed Statement of Financial Disclosure form is designed to identify and disclose items and interests which could cause, or could be perceived to cause, a conflict of interest.

Ethics laws, including the legal requirement that certain individuals disclose financial interests, are important. Your timely submission of your statement will relieve County staff and Ethics Board members from having to follow up with you and your board liaison, foster County compliance with the law, and further ethical County operations.

Tips for Completion of the Form:

- ✓ Please be sure to include a mailing address in response to Question 1.
- ✓ Each question must be completed. If a question is not relevant, check “no” or “none.”
- ✓ Your name must be at the top of each page.
- ✓ An original signature is required.

Thank you for your timely cooperation.

Name of County Executive

County Executive

Name of Legislature Chair

Chairman, Chautauqua County Legislature

ATTACHMENT 2A TO ETHICS BOARD PROCEDURE EB-2020-01

This e-mail is sent, using “confirmation of delivery” and “read” options, 5-10 days prior to the Training confirmation due date. It is sent to Department Heads who have *employees* under their purview who have not completed the training yet.

Dear Department Head:

Chautauqua County Local Law _____ <insert most recent Local Law number>, a Code of Ethics adopted in satisfaction of New York State General Municipal Law §806, requires County Officers and Employees to undergo annual Ethics Board training to inform and educate them as to the requirements of the Code. The law charges Department Heads with administering the training and ensuring each employee under their purview timely confirms completion of the training.

We have been advised that the County Department of Human Resources has not yet received training confirmation for the following employees under your purview:

- (#) employee(s) (please see attached list for employee names and ethics-related trainings awaiting their completion in the NEOGOV System).

Please be reminded that securing training confirmation is your responsibility, and that employees' training confirmations are to be completed online in the NEOGOV LEARN Training System no later than **March 31, (YEAR)**.

Attached is/are letter(s) from the Ethics Board for you to deliver to (this/these) employee(s) to remind them of timely complying with this training deadline. You are also required to make arrangements to assist your employees with setting aside time to complete this training.

Please know that if any of your employees fail to complete the training by the March 31st deadline, you are required by law to remit documentation to the County Executive and Legislative Chair demonstrating the efforts you made to secure timely confirmation. Such efforts must include efforts made for the employee to receive training at a designated date, time and location prior to the training confirmation due date.

We thank you in advance for your timely attention to this important legal requirement.

Name of County Executive
County Executive

Name of Chair
Chairman, Chautauqua County Ethics Board

Attachments (2)

(ON ETHICS BOARD LETTERHEAD)

DATE

Re: Reminder to Timely Complete Code of Ethics Training

Dear County Employee:

Chautauqua County Local Law _____ <insert most recent Local Law number>, a Code of Ethics adopted in satisfaction of New York State General Municipal Law §806, requires County Officers and Employees to undergo annual Ethics Board training to inform and educate them as to the requirements of the Code.

In order to satisfy the 20 _____ Code of Ethics Training requirement, you are required to complete ethics-related training(s) in the NEOGOV LEARN Training System.

We have been advised by the County Department of Human Resources, that you have not completed some or all of these trainings, which are due by (_____).

Please ensure your training(s) is/are timely completed in the NEOGOV LEARN Training system by this deadline to prevent any additional actions by the Chautauqua County Ethics Board, which may include a fine, attending an informal settlement conference before the Board, or attending a hearing before the Board for alleged violations of the Code of Ethics.

If you are unsure of what ethics training(s) you still need to complete, please check with your Department Head, who has been provided a list of the training(s) you need to complete, or check your pending trainings by logging into your NEOGOV account.

If you have any questions or concerns about this ethics training requirement, please contact Name of Ethics Board Liaison in the County Executive's Office at 716-753-4644 or the Ethics Board's by email at ethiesbd@chqgov.com Email for Board Liaison.

Should you need assistance with the NEOGOV LEARN system, please contact Training Coordinator Kathy Reisenweber at (716) 753-4575 or at ReisenwK@chqgov.com.

We thank you in advance for your timely attention to this important legal requirement.

Name of Chair

Chairman, Chautauqua County Ethics Board

Employee Name: _____

ATTACHMENT 2B TO ETHICS BOARD PROCEDURE EB-2020-01

This e-mail is sent, using “confirmation of delivery” and “read” options, 5-10 days prior to the Training confirmation due date. It is sent to Department Heads who have *board members* under their purview who have not completed the training yet.

Dear Department Head:

Chautauqua County Local Law ____ **<insert most recent Local Law number>**, a Code of Ethics adopted in satisfaction of New York State General Municipal Law §806, requires County Officers and Employees to undergo annual Ethics Board training to inform and educate them as to the requirements of the Code. The law charges Department Heads with administering the training.

We have been advised that the County Executive’s Office has not yet received training confirmation for the following board members under your purview:

- **(Name), (Name of Board)**

Please be reminded that securing training confirmation is your responsibility, and that the training confirmation is to be received by the County Executive’s Office no later than **March 31, (YEAR)**.

Please know that if any board members fail to complete the training by the March 31st deadline, you are required by law to provide a written explanation of efforts made to try to secure their timely acknowledgement as well as your recommendation on the retention or dismissal of such individuals. This explanation must be provided to the Ethics Board within 5 business days after the annual confirmation due date.

We thank you in advance for your timely attention to this important legal requirement.

(Name of County Executive)
County Executive

(Name of Board Chair)
Chairman, Chautauqua County Ethics Board

ATTACHMENT 2C TO ETHICS BOARD PROCEDURE EB-2021-01

This e-mail is sent, using “confirmation of delivery” and “read” options, 5-10 days prior to the Statement due date. It is sent to Department Heads with *employees* under their purview who have not remitted their Statements.

Dear Department Head:

Chautauqua County Local Law ____ **<insert most recent Local Law number>**, a Code of Ethics adopted in satisfaction of New York State General Municipal Law §806, requires certain County officers and employees to file financial disclosure statements. The County Ethics Board has not yet received the most recently required statement from the following officer(s) or employee(s) under your purview:

- **Officer(s), Employee(s) name(s) will appear here**

Please remind the named individual(s) of the filing requirement and, as needed, assist such individual(s) in identifying work time during which the statement can be completed. Statements must be received by the Ethics Board no later than _____.

As a Department Head, the law charges you with the responsibility of suspending an Officer or Employee's ability to directly or indirectly expend County funds between the date a Statement is due, and the date it is actually received. Please add a reminder to your calendar to confirm with County Executive staff the designated Ethics Board liaison that the above named individual(s) has/have timely filed their statement(s), in furtherance of your compliance with the law.

Attached is/are letter(s) from the Ethics Board for you to deliver to (this/these) employee(s) to remind them of timely complying with this disclosure filing deadline. You are also required to make arrangements to assist your employees with setting aside time to complete this disclosure form.

If an individual named above no longer works for the County, no longer falls within the category of those required to file, advises you that the statement has already been filed, or is currently out on an authorized leave, please so advise us by replying to this e-mail at your earliest convenience.

We thank you in advance for your timely attention to this important legal requirement.

Name of County Executive
County Executive

Name of Chair
Chairman, Chautauqua County Ethics Board

Attachment

(ON ETHICS BOARD LETTERHEAD)

DATE

Re: Reminder to Timely File Statement of Financial Disclosure

Dear County Employee:

Chautauqua County Local Law _____ <insert most recent Local Law number>, a Code of Ethics adopted in satisfaction of New York State General Municipal Law §806, requires certain County officers and employees to file financial disclosure statements.

According to our records, the County Ethics Board has not yet received your most recently required statement, which is due by ().

Please ensure your form is received by the County Executive's Office by this deadline to prevent any additional actions by the Chautauqua County Ethics Board, which may include a fine, attending an informal settlement conference before the Board, or attending a hearing before the Board for alleged violations of the Code of Ethics.

If you have any questions or concerns, please contact Amanda Gallagher Name of Ethics Board Liaison in the County Executive's Office at 716-753-4644 or the Ethics Board's by email at ethiesbd@chqgov.com Email for Board Liaison.

We thank you in advance for your timely attention to this important legal requirement.

Name of Chair

Chairman, Chautauqua County Ethics Board

Employee Name: _____

ATTACHMENT 2D TO ETHICS BOARD PROCEDURE EB-2021-01

This e-mail is sent, using “confirmation of delivery” and “read” options, 5-10 days prior to the Statement due date. It is sent to Department Heads with *board members* under their purview who have not remitted their Statements.

Dear Department Head:

Chautauqua County Local Law _____ <insert most recent Local Law number>, a Code of Ethics adopted in satisfaction of New York State General Municipal Law §806, requires certain County officers and employees to file financial disclosure statements. The County Ethics Board has not yet received the most recently required statement from the following board members under your purview:

- (Name), (Name of Board)

Please remind the named individual(s) of the filing requirement and, as needed, assist such individual(s) in identifying time during which the statement can be completed. Statements must be received by the Ethics Board no later than _____.

As a Department Head, the law charges you with the responsibility of suspending an Officer or Employee’s ability to directly or indirectly expend County funds between the date a Statement is due, and the date it is actually received. Please add a reminder to your calendar to confirm with County Executive staff the designated Ethics Board liaison that the above named individual(s) has/have timely filed their statement(s), in furtherance of your compliance with the law.

If an individual named above no longer is a board member for the County, no longer falls within the category of those required to file, or advises you that the statement has already been filed, please so advise us by replying to this e-mail at your earliest convenience.

We thank you in advance for your timely attention to this important legal requirement.

Name of County Executive
County Executive

Name of Chair
Chairman, Chautauqua County Ethics Board

**CHAUTAUQUA COUNTY ETHICS BOARD
REQUEST FOR AN EXTENSION OF TIME
TO COMPLETE TRAINING AND/OR FILE A DISCLOSURE STATEMENT**

Extensions of time are generally intended for circumstances in which an individual has an extended inability to perform services for the County, spanning all or the majority of the duration of the filing/training period. As stated in the law, "the prioritization of other County matters over the filing of the disclosure statement is not grounds for an extension of time to file."

I, _____, in my capacity as an employee or board/committee/commission member of _____, hereby request an extension of time to

- file my disclosure statement;
- file my corrected/completed/amended disclosure statement; and/or
- complete my training requirement,

for the following reason:

- I will be, am, or was on approved leave from County employment through _____, 20 __, and request an extension of time through the thirtieth (30th) business day after I return to County work/service.
- I have ceased County work/service for an indeterminate period of time, and am requesting an extension of time through the thirtieth (30th) business day after I return to County work/service.
- I am requesting an extension of time through _____ for the following reason(s) (attach additional pages as needed): _____

I understand that the Board's approval of this request applies only to the current filing and reporting period.

Please use the following address to mail or e-mail me the Ethics Board's approval or denial of this request: _____

Signature: _____ **Date:** _____

Department Head* Approval: _____ **Date:** _____

Pursuant to Local Law 3-2410-22 or its successor, the Department Head shall ensure suspension of the requesting individual's ability to directly or indirectly expend County funds until such time as the disclosure statement has been filed. This includes without limitation suspension of use of County-issued credit cards and suspension of the ability to approve vouchers, invoices, purchase orders, and contracts ~~and payroll~~.

*Department Head's requests should be signed by their supervisor.

Please mail or hand deliver this form with an original department head signature to:

**Chautauqua County Ethics Board * c/o Office of the County Executive
Gerace Office Building, Room 341 * 3 N. Erie Street, Mayville, NY 14757**

For Ethics Board Use Only:		ERF# _____
_____ Approved	OR	_____ Not Approved
By: _____		Date: _____
Determination communicated to requestor on: _____		

ATTACHMENT 4 - TO ETHICS BOARD PROCEDURE EB-2021-01

Letter: Corrections Required

Sent on Board Letterhead. If individual has a county e-mail address, the letter will be sent by e-mail using "delivery" and "read receipt" options and sent by regular mail. If individual does not have a county e-mail address, the letter will be sent by certified mail and standard mail. A corrected form will be required within 10 business days from the date on the letter.

SAMPLE TEMPLATE – INCOMPLETE/INCORRECT FORM

(DATE)

(Name & Address)

Re: Incomplete (YEAR) Financial Disclosure Statement

Dear (NAME):

Thank you for submitting your (YEAR) Financial Disclosure Statement.

Upon review of your submission, enclosed with this letter, the Ethics Board noted the following incomplete / incorrect items:

- Question (# AND TITLE)
- Question (# AND TITLE)

Please fully complete the above section(s) of the form, checking "No" or "None" as applicable. Your corrected/completed Statement must be signed and dated on page 8 under "For Corrected or Amended Forms Only.

The Ethics Board will accept your corrected/completed statement, without penalty, if an **originally signed** form is **received** by the County Executive's office, Gerace Office Building Room 341, 3 N. Erie Street, Mayville, NY 14757 by **(DATE)**. E-mailed, faxed, scanned, or copied statements will not be accepted.

If you have questions, please contact Amanda Gallagher Name of Ethics Board Liaison in the County Executive's Office at (716) 753-4644 or the Ethics Board's by email at Email for Board Liaison dethiesbd@chqgov.com.

Thank you for your cooperation,

Name of Chair

Chairman of the Chautauqua County Ethics Board

DR:alg

Enclosure

ATTACHMENT 5A TO ETHICS BOARD PROCEDURE EB-2021-01

Sent on Board Letterhead. If individual has a county e-mail address, the letter will be sent by e-mail using "delivery" and "read receipt" options and sent by regular mail. If individual does not have a county e-mail address, the letter will be sent by certified mail and standard mail. This letter is for *employees who filed* their SFD, but were untimely in their compliance. A response will be required within 10 business days from the date on the letter.

Date _____

via e-mail (as applicable) _____

Name _____
Address _____
City, State, Zip Code _____

CHAUTAUQUA COUNTY ETHICS BOARD NOTICE – RESPONSE REQUIRED

Re: Chautauqua County Ethics Board **Case No.** _____
Failure to Timely File Statement of Financial Disclosure

Dear _____:

Pursuant to Section 8 of Chautauqua County Local Law No. _____ **<insert most recent Local Law number>**, the Chautauqua County Code of Ethics (the Law), County employees subject to the annual financial disclosure requirement must file a disclosure statement within thirty days of taking office, annually no later than April 30th, and within thirty days of any material change.

According to our records you are subject to this filing requirement, and did not comply with the Law. The Ethics Board received your 20____ disclosure statement or your completed/corrected disclosure statement on _____ 20____, which was _____ business days after the due date (including any extension granted by the Ethics Board due to an authorized leave of absence or otherwise). If you believe our records are in error, please immediately contact or the Ethics Board liaison ~~County Executive staff~~, who will verify your status, at (716) 753-4644.

Please check a box below, and ensure this completed Notice is received by _____ at:

Chautauqua County Ethics Board
c/o Office of the County Executive
Gerace Office Building, Room 341,
3 North Erie Street
Mayville, New York 14757

- Enclosed is a check in the amount of \$_____ payable to "Director of Finance, Chautauqua County," in resolution of my alleged violation of the Law known as the Chautauqua County Code of Ethics.
- I request an informal settlement conference. I understand that I may hire an attorney to represent me, at my own expense. I understand that the settlement amount offered herein may not be available at the settlement conference.
- I request a hearing. I understand that I may hire an attorney to represent me, at my own expense. I understand that if I am found after a hearing to be guilty of violating the Law, I am subject to any and all penalties available under the law.

**IF THE ETHICS BOARD DOES NOT RECEIVE YOUR RESPONSE BY THE DATE SPECIFIED ABOVE,
YOU WILL BE SUBJECT TO ADDITIONAL ENFORCEMENT ACTION UP TO AND INCLUDING
TERMINATION FROM EMPLOYMENT.**

Yours very truly,

Name

Chairman of the Chautauqua County Ethics Board

DR:alg

Cc: Department Head of the employee

ATTACHMENT 5B TO ETHICS BOARD PROCEDURE EB-2021-01

Sent on Board Letterhead. If individual has a county e-mail address, the letter will be sent by e-mail using "delivery" and "read receipt" options and sent by regular mail. If individual does not have a county e-mail address, the letter will be sent by certified mail and standard mail. This letter is for *employees who have not filed* their SFD and are untimely in their compliance. A response will be required within 10 business days from the date on the letter.

Date

via e-mail (as applicable): _____

Name

Address

City, State, Zip Code

CHAUTAUQUA COUNTY ETHICS BOARD NOTICE – RESPONSE REQUIRED

Re: Chautauqua County Ethics Board **Case No.** _____
Failure to Timely File Statement of Financial Disclosure

Dear _____:

Pursuant to Section 8 of Chautauqua County Local Law No. _____ <insert most recent Local Law number>, the Chautauqua County Code of Ethics (the Law), County employees subject to the annual financial disclosure requirement must file a disclosure statement within thirty days of taking office, annually no later than April 30th, and within thirty days of any material change.

According to our records you are subject to this filing requirement, and did not comply with the Law. The Ethics Board has not received your 20____ disclosure statement or your completed/corrected disclosure statement, which was due on _____ and is now _____ business days after the due date (including any extension granted by the Ethics Board due to an authorized leave of absence or otherwise). If you believe our records are in error, please immediately contact the Ethics Board liaison ~~County Executive staff~~, who will verify your status, at (716) 753-4644.

Please check a box below, and ensure this completed Notice is received by _____ at:

Chautauqua County Ethics Board
c/o Office of the County Executive
Gerace Office Building, Room 341,
3 North Erie Street
Mayville, New York 14757

Enclosed is my disclosure statement and a check in the amount of \$_____ payable to "Director of Finance, Chautauqua County," in resolution of my alleged violation of the Law known as the Chautauqua County Code of Ethics. **(Please note, the amount of the penalty will correspond with the amount of delay in complying with the law. For every ten (10) full County business days after the initial deadline of (DATE) that a violation continues, the penalty will increase by \$100.00).**

Enclosed is my disclosure statement and I request an informal settlement conference. I understand that I may hire an attorney to represent me, at my own expense. I understand that the settlement amount offered herein may not be available at the settlement conference.

Enclosed is my disclosure statement and I request a hearing. I understand that I may hire an attorney to represent me, at my own expense. I understand that if I am found after a hearing to be guilty of violating the Law, I am subject to any and all penalties available under the law.

**IF THE ETHICS BOARD DOES NOT RECEIVE YOUR RESPONSE BY THE DATE SPECIFIED ABOVE,
YOU WILL BE SUBJECT TO ADDITIONAL ENFORCEMENT ACTION UP TO AND INCLUDING
TERMINATION FROM EMPLOYMENT.**

Yours very truly,

Name

Chairman of the Chautauqua County Ethics Board

DR:alg

Cc: Department Head of the employee

ATTACHMENT 5C TO ETHICS BOARD PROCEDURE EB-2021-01

Sent on Board Letterhead. If individual has a county e-mail address, the letter will be sent by e-mail using "delivery" and "read receipt" options and sent by regular mail. If individual does not have a county e-mail address, the letter will be sent by certified mail and standard mail. This letter is for *employees who completed* the training, but were untimely in their compliance. A response will be required within 10 business days from the date on the letter.

Date _____

via e-mail (as applicable): _____

Name

Address

City, State, Zip Code

CHAUTAUQUA COUNTY ETHICS BOARD NOTICE – RESPONSE REQUIRED

Re: Chautauqua County Ethics Board **Case No.** _____
Failure to Timely Complete Code of Ethics Training

Dear _____:

Pursuant to Section 9 of Chautauqua County **Local Law No.** _____, the Chautauqua County Code of Ethics (the Law), existing County employees must undergo Ethics Board training annually no later than March 31st.

According to our records you are subject to this training requirement, and did not comply with the Law. In order to satisfy the 20__ Code of Ethics Training requirement, you were to complete __ ethics-related trainings. Our records show that you completed __ of these trainings by the March 31, 20__ deadline and your training confirmations were all completed on (DATE), which was __ business days after the due date (including any extension granted by the Ethics Board due to an authorized leave of absence or otherwise). If you believe our records are in error, please immediately contact the Ethics Board liaison~~County Executive~~ staff, who will verify your status, at (716) 753-4644.

Please check a box below, and ensure this completed Notice is received by _____ at:

Chautauqua County Ethics Board
c/o Office of the County Executive
Gerace Office Building, Room 341,
3 North Erie Street
Mayville, New York 14757

Enclosed is a check in the amount of \$_____ payable to "Director of Finance, Chautauqua County," in resolution of my alleged violation of the Law known as the Chautauqua County Code of Ethics.

I request an informal settlement conference. I understand that I may hire an attorney to represent me, at my own expense. I understand that the settlement amount offered herein may not be available at the settlement conference.

I request a hearing. I understand that I may hire an attorney to represent me, at my own expense. I understand that if I am found after a hearing to be guilty of violating the Law, I am subject to any and all penalties available under the law.

**IF THE ETHICS BOARD DOES NOT RECEIVE YOUR RESPONSE BY THE DATE SPECIFIED ABOVE,
YOU WILL BE SUBJECT TO ADDITIONAL ENFORCEMENT ACTION UP TO AND INCLUDING
TERMINATION FROM EMPLOYMENT.**

Yours very truly,

Name

Chairman of the Chautauqua County Ethics Board

DR:alg

Cc: Department Head of the employee

ATTACHMENT 5D TO ETHICS BOARD PROCEDURE EB-2021-01

Sent on Board Letterhead. If individual has a county e-mail address, the letter will be sent by e-mail using "delivery" and "read receipt" options and sent by regular mail. If individual does not have a county e-mail address, the letter will be sent by certified mail and standard mail. This letter is for *employees who have not completed* the training and are untimely in their compliance. A response will be required within 10 business days from the date on the letter.

Date

via e-mail (as applicable): _____

Name

Address

City, State, Zip Code

CHAUTAUQUA COUNTY ETHICS BOARD NOTICE – RESPONSE REQUIRED

Re: Chautauqua County Ethics Board **Case No.** _____
Failure to Timely Complete Code of Ethics Training

Dear _____:

Pursuant to Section 9 of Chautauqua County **Local Law No.** _____, the Chautauqua County Code of Ethics (the Law), existing County employees must undergo Ethics Board training annually no later than March 31st.

According to our records you are subject to this training requirement, and did not comply with the Law. In order to satisfy the 20__ Code of Ethics Training requirement, you were to complete __ethics-related trainings. Our records show that you completed __ of these trainings by the March 31, 20__ deadline and your training confirmations, which are still due, are now __ business days after the due date (including any extension granted by the Ethics Board due to an authorized leave of absence or otherwise). If you believe our records are in error, please immediately contact the Ethics Board liaison ~~County Executive staff~~, who will verify your status, at (716) 753-4644.

Please check a box below, and ensure this completed Notice is received by _____ at:

Chautauqua County Ethics Board
c/o Office of the County Executive
Gerace Office Building, Room 341,
3 North Erie Street
Mayville, New York 14757

I have completed my training confirmation(s) in NEOGOV and enclosed is a check in the amount of \$ _____ payable to "Director of Finance, Chautauqua County," in resolution of my alleged violation of the Law known as the Chautauqua County Code of Ethics. **(Please note, the amount of the penalty will correspond with the amount of delay in complying with the law. For every ten (10) full County business days after the initial deadline of (DATE) that a violation continues, the penalty will increase by \$100.00).**

I have completed my training confirmation(s) in NEOGOV and I request an informal settlement conference. I understand that I may hire an attorney to represent me, at my own expense. I understand that the settlement amount offered herein may not be available at the settlement conference.

I have completed my training confirmation(s) in NEOGOV and I request a hearing. I understand that I may hire an attorney to represent me, at my own expense. I understand that if I am found after a hearing to be guilty of violating the Law, I am subject to any and all penalties available under the law.

**IF THE ETHICS BOARD DOES NOT RECEIVE YOUR RESPONSE BY THE DATE SPECIFIED ABOVE,
YOU WILL BE SUBJECT TO ADDITIONAL ENFORCEMENT ACTION UP TO AND INCLUDING
TERMINATION FROM EMPLOYMENT.**

Yours very truly,

Name

Chairman of the Chautauqua County Ethics Board

DR:alg

Cc: Department Head of the employee

ATTACHMENT 6 TO ETHICS BOARD PROCEDURE EB-2021-01

Ethics Board letter to liaisons to volunteer board members, for use when a volunteer board member failed to timely comply with training or disclosure statement requirements. The letter should be sent by email on Board Letterhead, using "delivery" and "read receipt" options.

Dear County Board Liaison:

The following board member(s) under your purview failed to timely comply with this year's

- Code of Ethics training requirements
- Statement of Financial Disclosure filing requirement.

Name of Board: _____ Name of Board Member: _____

(add additional lines as needed)

Board members make important contributions to County government. We hope that in the future, your efforts to ensure timely compliance by this individual / these individuals will be successful. It should be expected that a board member's future violation of the law may result in suspension or termination of their board membership.

Thank you for your efforts toward ethical County government operations.

Yours very truly,

Name

Chairman of the Chautauqua County Ethics Board

DR:alg

Ethics Board letter to volunteer board members, for use when a volunteer board member failed to timely comply with training or disclosure statement requirements. The letter should be sent on Board Letterhead, by certified mail and standard mail.

Dear County Board Member:

Board members make important contributions to County government. Your service on the _____ board is very much appreciated.

According to our records, you did not timely comply with this year's

- Code of Ethics training requirements
- Statement of Financial Disclosure filing requirement.

We respectfully request that these important requirements be timely complied with in the future. This will relieve County staff, the County Ethics Board, and appointing authorities from expending time following up with you. It will also foster County compliance with the law and further ethical County government operations.

Thank you.

Yours very truly,

Name

Chairman of the Chautauqua County Ethics Board

DR:alg

CHAUTAUQUA COUNTY ETHICS BOARD

2022 ANNUAL REPORT

Ethics Board Activities and Supporting Documents for the period from 1/1/22 to 12/31/22

DRAFT

Submitted: -/-/2023

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CHAUTAUQUA COUNTY ETHICS BOARD

2022 ANNUAL REPORT

Executive Summary

The 2022 Annual Report of the Chautauqua County Ethics Board (CCEB) is submitted as required by the Chautauqua County Code of Ethics to record the activities undertaken by the Board during the 2022 calendar year, and to recommend changes or improvements to the Code of Ethics. The report also covers board membership and terms of service, the 2023 meeting schedule, training recommendations, and relevant supporting attachments.

During 2022 the CCEB met a total of four times and completed all required tasks. The approved agendas and minutes from each of these meetings are included in this report as well as a summary of all of the actions taken by the CCEB during 2022.

Please submit all questions regarding this report to the CCEB Chairman John Marengo in care of the County Executive's Office at 716-753-4211.

Section 1. Introduction

The Chautauqua County Code of Ethics (the Code) requires the formation of the Chautauqua County Ethics Board (CCEB) in order to maintain minimum standards of ethical conduct for County officers and employees, and to ensure that County government is free from improper influence as outlined in the Code. Section 13.4.g. requires that the Ethics Board prepare an Annual Report and make recommendations regarding changes or improvements to the Code. This document fulfills these requirements.

Section 2. 2022 Ethics Board Members and Terms of Service

<u>Member</u>	<u>Date Current Term Began</u>	<u>Date Term Complete</u>
Stephanie Stevens	3/23/2022	1/31/2025
John Hamels	3/24/2021	1/31/2024
Diane Hannum	4/28/2021	1/31/2024
John Marengo	12/16/2020	1/31/2023 (seeks re-appointment)
David Rowe	1/22/20	1/31/2023 (did not seek re-appointment)

Section 13, Paragraph 3 of the Code requires that members of the CCEB serve three-year staggered terms: during 2022, Stephanie Stevens was appointed on 3/23/22. In addition, John Marengo was re-appointed at the end of 2022 for a new term that will expire on 1/31/26. (See **Attachment A: Resolutions Confirming Appointments**).

Section 3. 2022 Activities

a. Meetings (Agendas and Minutes). Board meetings are held in the Gerace Office Building, Mayville, NY.

- Meeting #1, Wednesday, March 16, 2022
Agenda and minutes **Attachment B**
- Meeting #2, Wednesday, May 18, 2022
Agenda and minutes **Attachment C**
- Meeting #3, Wednesday, September 21, 2022
Agenda and minutes **Attachment D**
- Meeting #4, Wednesday, November 16, 2022
Agenda and minutes **Attachment E**

b. Summary of Actions Taken During 2022

- In January 2022, Chautauqua County implemented a new training software program, NEOGOV LEARN, for all required county employee trainings including the annual ethics trainings. The annual ethics trainings were also administered to department liaisons so they could distribute the training to their board members.
- During the March 16, 2022 meeting the CCEB welcomed the outgoing North Chautauqua Lake Sewer District (NCLSD) Director, who discussed the actions that were taken to ensure ethical conduct concerning the upcoming appointment for the new NCLSD Director who has an existing family member employed by the NCLSD. The CCEB also received a request for an advisory opinion regarding a potential conflict of interest concerning a municipal employee/officer within Chautauqua County.
- The CCEB welcomed the addition of new member Stephanie Stevens who was appointed on March 23, 2022 (**Attachment A**).
- During the May 18, 2022 meeting the CCEB was updated on the required ethics training progress in NEOGOV LEARN. Due to the new software, the county experienced a much higher rate of late or missed deadlines for training. The Chautauqua County Executive and Chautauqua County Attorney appeared before the CCEB and requested that the board show leniency and for the board to consider granting a grace period before initiating enforcement activities as employees worked through the new software. A 30-day grace period was voted on and unanimously passed.

- The CCEB requested that the Chautauqua County Executive meet with department heads that had employees that did not timely complete the required training and reiterate to them the importance that department heads play in compliance. The CCEB also requested that all county department heads be given the necessary access to the NEOGOV training system so they can check/verify their employees' training status.
- The revised Ethics Board Procedure EB-2021-01 was adopted and effective November 16, 2022 (**Attachment K**).
- During the November 16, 2022 meeting, board nominations and elections were conducted as the current Chairman did not seek reappointment. John M. was elected Board Chairman and John H. was elected Board Secretary, both effective February 1, 2023.
- The CCEB reviewed and approved a total of 394 Financial Disclosure Statements for 2022. (2) 2022 corrected forms were approved during January 2023.
- There were a total of 82 case numbers for 2022.
 - o Of the 82 case numbers, 75 were related to late training confirmations and 7 were related to the late filing of disclosure forms.
 - Of the 75 training-related cases, 63 had a grace period granted (9 of them had their fine check returned as uncashed or refunded), 8 were required to meet with the County Executive at the request of the Ethics Board, 3 were no longer employees and their cases were not pursued, and 1 case involved two parts--the first of which was already addressed by another case and the second was reviewed by the Board and no violations were found, but the concern will be brought to the County Legislature.
 - Of the 7 disclosure form filing-related cases, 5 were granted a filing extension, 1 was ultimately determined to be timely received, and 1 was sent a letter requesting timely compliance in the future.
- There were a total of 28 Extension Request forms reviewed by the Ethics Board.
 - o Of the 28 extension request forms, 22 forms were for the training requirement (all requests were approved/granted) and 6 forms were for the disclosure requirement (all requests were approved/granted).

Section 4. 2023 Meeting Schedule

The Chautauqua County Code of Ethics requires that the Ethics Board meet four times per year. The CCEB has scheduled the following meeting dates to be held in the Gerace County Office Building, Mayville for calendar year 2023:

March 8th at 2 p.m.

May 10th at 2 p.m.

September 13th at 2 p.m.

November 18th at 2 p.m.

Section 5. Conclusion

2022 was another successful year for the Chautauqua County Ethics Board. The Board worked with county government to successfully navigate through the implementation of the NEOGOV LEARN software for all employee trainings. This report documents all of the activities of the CCEB throughout 2022. As in previous years the board, and especially myself, would like to acknowledge Resource Assistant Amanda Gallagher and all of her hard work and dedication to this board. Ms. Gallagher is an integral part of the CCEB and the board would not function as efficiently without her efforts. The board would also like to recognize all of the hard work, valuable guidance and insight provided by First Assistant County Attorney Kristen Wright. Finally, I would like to thank all of the volunteer board members for their time and dedication throughout the year.

Appendix A: Resolutions Confirming Appointments

RES. NO. 77-22

Confirm Appointment - Chautauqua County Ethics Board

By Administrative Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following appointment for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment to the Chautauqua County Ethics Board.

Stephanie Stevens
271 Berry Road
Fredonia, NY 14063
Term Expires: 1/31/25
(New Appointment)

Signed: Vanstrom, Parker, Davis, Muldowney

Unanimously Adopted – March 23, 2022

RES. NO. 309-22

Confirm Re-Appointment - Chautauqua County Ethics Board

By Administrative Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following re-appointment for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following re-appointment to the Chautauqua County Planning Board.

John Marengo
156 Whitehill Ave.
Jamestown, NY 14701
Term Expires: 1/31/26
(Re-Appointment)

Signed: Scudder, Parker, Vanstrom, Davis

Unanimously Adopted – December 21, 2022

Appendix B: March 16, 2022 Agenda and Minutes

CHAUTAUQUA COUNTY ETHICS BOARD (CCEB)

MEETING AGENDA

First Meeting of CY2022

Wednesday, March 16, 2022

3 p.m.

Rooms 331 & 333

Gerace Office Building

3 North Erie St.

Mayville, NY 14757

- I. Call to order: confirm proper public notification was completed.
- II. Review and approve November 17, 2021 minutes.
- III. Membership updates and voting for Board Chair/Co-Chair and Secretary
- IV. Review correspondence.
- V. Status of Annual Code of Ethics Training for County Employees and Board Members.
- VI. Status of Financial Disclosure forms and annual filing.
- VII. Review submitted Statement of Financial Disclosures.
- VIII. Next meeting TBD.
- IX. Meeting adjourned.

CHAUTAUQUA COUNTY ETHICS BOARD MEETING MINUTES

DATE: March 16, 2022
LOCATION: Rooms 331 & 333, Gerace Office Building, 3 North Erie Street,
Mayville, New York 14757

TIME: 3:02 - 4:35 p.m.

MEMBERS PRESENT: John Hamels
Diane Hannum
John Marengo
David Rowe

OTHERS PRESENT: Mark Perry
Sharon Smead
Stephanie Stevens
Amanda Gallagher from the County Executive's Office
Kristen Wright from the County Law Department
Respondent for Case No. 2022-01
Department Head of Respondent for Case No. 2022-01
Scott Cummings from the North Chautauqua Lake Sewer District
(NCLSD)

CALL TO ORDER & PUBLIC NOTIFICATION:

Dave called the meeting to order at 3:02 p.m.

Amanda confirmed proper public notification was completed as the notice of today's meeting was sent out to the local media and posted on the county website on March 8, 2022. The meeting agenda and materials were posted on the county website on March 8, 2022. She also confirmed that the meeting appeared in the Post-Journal's "Briefly" section on March 9, 2022.

APPROVAL OF MINUTES:

John H. motioned to approve the minutes from the November 17, 2021 meeting, which was seconded by Diane. All in favor.

PRIVILEGE OF THE FLOOR:

Mark Perry and Sharon Smead from the Village of Mayville Planning Board spoke to the Board about an intermunicipal agreement between the Village of Mayville and the Town of Chautauqua

concerning Code Enforcement Officer services. They sought the board's guidance on if this was ethical.

John M. arrived at the meeting at 3:11 p.m.

Perry and Smead were given a "Chautauqua County Ethics Board- Request for an Advisory Opinion for An Officer or Employee of a Municipality Located within Chautauqua County" form should they wish to receive an opinion on NYS General Municipal Law Article 18 or the municipality's code of ethics. Kristen also indicated that they could have the town and village attorneys reach out to her concerning this matter.

Perry and Smead left the meeting at 3:17 p.m.

REVIEW CORRESPONDENCE:

John M. reported that the Ethics Board did not receive any mail addressed to it in the Board's P.O. Box.

MEMBERSHIP UPDATES AND VOTING FOR BOARD CHAIR AND SECRETARY:

Amanda introduced Stephanie Stevens to the Ethics Board. Stephanie will be replacing Mary Kay Szwejbka on the Board and her appointment will go before the County Legislature on March 23 for its review and approval.

Dave requested that the Board hold off on voting for its Board and Secretary until its next meeting when it will have full membership.

REVIEW CORRESPONDENCE:

Amanda left the meeting at 3:26 p.m.

Amanda, Respondent for Case No. 2022-01, and Respondent's Department Head arrived at the meeting at 3:27 p.m.

The Board reviewed Case Number 2022-01 and the matter will be settled by having Respondent complete an Extension Request Form and update the previously submitted disclosure form within 10 days of today's meeting (by March 26, 2022).

This has been assigned ERF-D-01.

Respondent and Respondent's Department Head left the meeting at 3:38 p.m.

Scott Cummings arrived at the meeting at 3:58 p.m.

Cummings discussed actions taken by his Department and the NCLSD Board to ensure ethical conduct concerning the upcoming appointment of the new NCLSD Director and a family member that works with the department.

Cummings left the meeting at 4:09 p.m.

STATUS OF ANNUAL CODE OF ETHICS TRAINING FOR COUNTY EMPLOYEES AND BOARD MEMBERS:

Amanda provided an update on the 2021 Code of Ethics Training.

John M. motioned to give an employee who still needs to complete the 2021 Code of Ethics Training an extension through 3/31/22. The employee will need to complete the 2021 Code of Ethics Training and Extension Request Form, as well as the current 2022 Code of Ethics training by the 3/31/22 deadline, seconded by Dave. All in favor.

This has been assigned ERF-T-03.

Amanda provided an update on the 2022 Code of Ethics Training. In January, the annual training materials were assigned to employees in the NEOGOV LEARN training system. In January, the training was also administered to department liaisons for them to distribute to their board members. Reminder emails will go out to department heads next week to notify them of any employees or board members under their purview who have not completed the training yet so they can ensure they meet the annual training deadline of 3/31/22.

John H. motioned to approve the extension for ERF-T-01, which was seconded by John M. All in favor.

Dave motioned to approve the extension for ERF-T-02, which was seconded by John M. All in favor.

STATUS OF FINANCIAL DISCLOSURE FORMS AND ANNUAL FILING

Amanda reported that the Agreement to Settle and fine were received for Case No. 2021-03A, and fines were received for Case No. 2021-04 and 2021-14. All three cases were closed at the end of 2021.

She also reported that the Board reviewed and approved 370 disclosure forms with a 2021 deadline.

Amanda also reported that forms for the 2022 filing have also been coming in for the Board's review. The annual filing notice for the 2022 Statements of Financial Disclosure will go out by the end of the month and all forms are due by 4/30/2022.

The Board reviewed and approved one form during the meeting.

The Board reviewed Case No. 2022-02.

John H. motioned to approve a one-day extension for Respondent once an Extension Request Form is received.

This has been assigned ERF-D-02.

NEXT MEETING:

The Board set its meeting dates for 2022. They will be held on May 18, September 21, and November 16. All meetings will be held at 3 p.m. in the Gerace Office Building in Mayville.

MEETING ADJOURNED:

Dave motioned to adjourn the meeting at 4:35 p.m., which was seconded by John H.

Minutes prepared by Amanda Gallagher and respectfully submitted to John Marengo.

DRAFT

Appendix C: May 18, 2022 Agenda and Minutes

CHAUTAUQUA COUNTY ETHICS BOARD (CCEB)

MEETING AGENDA

Second Meeting of CY2022

Wednesday, May 18, 2022

3 p.m.

Rooms 331 & 333

Gerace Office Building

3 North Erie St.

Mayville, NY 14757

- I. Call to order: confirm proper public notification was completed.
- II. Review and approve March 16, 2022 minutes.
- III. Membership updates and voting for Board Chair/Co-Chair and Secretary.
- IV. Status of Annual Code of Ethics Training for County Employees and Board Members.
- V. Review correspondence.
- VI. Status of Financial Disclosure forms and annual filing.
- VII. Review submitted Statement of Financial Disclosures.
- VIII. Review and approve 2021 Annual Report.
- IX. Next meeting: September 21, 2022 at 3 p.m. in Rooms 331 & 333 of the Gerace Office Building, 3 N. Erie St., Mayville, N.Y.
- X. Meeting adjourned.

CHAUTAUQUA COUNTY ETHICS BOARD MEETING MINUTES

DATE: May 18, 2022

LOCATION: Rooms 331 & 333, Gerace Office Building, 3 North Erie Street,
Mayville, New York 14757

TIME: 3:00 - 4:48 p.m.

MEMBERS PRESENT: John Hamels
Diane Hannum
John Marengo
David Rowe
Stephanie Stevens

OTHERS PRESENT: Steve Abdella from County Law Department
Amanda Gallagher from the County Executive's Office
Frank J. Gould from the County Legislature Office
Christine Schuyler from County Department of Health and Human
Services
Sharon Smead
PJ Wendel from County Executive's Office
Kristen Wright from the County Law Department

CALL TO ORDER & PUBLIC NOTIFICATION:

Dave called the meeting to order at 3 p.m.

Amanda confirmed proper public notification was completed as the notice of today's meeting was sent out to the local media and posted on the county website on May 4, 2022. She also confirmed that the meeting appeared in the Post-Journal's "Briefly" section on May 13, 2022.

APPROVAL OF MINUTES:

John H. motioned to approve the minutes from the March 16, 2022 meeting, which was seconded by Diane. All in favor.

STATUS OF ANNUAL CODE OF ETHICS TRAINING FOR COUNTY EMPLOYEES AND BOARD MEMBERS:

Amanda provided an update on the 2022 Code of Ethics Training. The annual training was required to be completed by March 31, 2022 for all county employees and county board members. County board members are required to sign off that they received the Code of Ethics Training Materials and county employees are required to complete the trainings in the NEOGOV LEARN Training System. Employees had 2 or 3 ethics-related trainings to complete in system in order to satisfy their training requirement. Training reminder emails were sent out on 3/21/22 to 20 department Heads for a total of 511 county employees who still needed to complete the training and to 7 department heads for a total of 70 board members who still needed to complete the training.

Amanda reported that all county board members successfully completed the training by the 3/31/22 deadline. There were 89 employees who did not timely complete the training, which includes 66 people without a known exception and 23 people with known exceptions. There were 1,348 county employees who were issued the trainings and about 93% completed the training on time and 7% did not. In addition, no one who was late this year was late last year with meeting their training requirement.

Amanda also reported that Failure to Timely Complete Training letters were sent out to 66 individuals so they could decide if they would like to pay a fine, attend an Informal Settlement Conference, or request a hearing before the Ethics Board for their cases. These were assigned Case Numbers 2022-03 through 2022-68. Of the 66 employees, 40 did not do any of the trainings assigned to them by the deadline and 26 did some of the trainings assigned to them.

John M. motioned to enter into executive session to seek legal advice from the county attorney, which was seconded by John H. All in favor.

Executive session started at 3:06 p.m. with Smead and Gould leaving the meeting.

John M. motioned to exit executive session, which was seconded by Dave. All in favor. Executive session ended at 3:16 p.m.

Smead and Gould returned to the meeting at 3:16 p.m.

Abdella and Wendel asked the Board to show some leniency this year as all of the employees who were late in completing the training had no issues with satisfying their training requirement in the past. They also requested the Board take into consideration that this was the first time employees had to use the NEOGOV LEARN Training platform to complete their Ethics Training requirement. The Board could also consider giving these employees a grace period.

John H. motioned to give a 30-day grace period where the Ethics Board would not pursue a case and anyone who selected to pay the fine will be reimbursed or have their check returned to them, which was seconded by John M. All in favor.

Schuyler also made an administrative suggestion to the Board to have any of its emailed correspondence come from a general Ethics Board email address.

Steve, Chris and PJ left the meeting at 3:37 p.m.

Gould left the meeting at 3:38 p.m.

REVIEW COORESPONDENCE:

The Board reviewed documentation concerning Opinion #2022-01.

John M. motioned to recommend that what the Ethics Board can look at there is no conflict and the Board will send a response to the appropriate party, which was seconded by John H. All in favor.

Smead left the meeting at 3:59 p.m.

MEMBERSHIP UPDATES:

Stephanie was successfully appointed to the Ethics Board. Her term expires on 1/31/2025.

RETURN TO STATUS OF ANNUAL CODE OF ETHICS TRAINING:

Case files 2022-69 through 2022-76 were assigned to Department Heads who had employees who did not timely complete the ethics trainings.

John H. motioned to have County Executive Wendel speak with department heads who had employees that did not timely complete the ethics training, which was seconded by Diane. All in favor.

The Ethics Board also requested:

- an Ethics Board email address be established to send its emailed correspondence through,
- the Human Resources Department give Department Heads access to the NEOGOV LEARN training platform so they can easily see when their employees have complied with training requirements, and
- starting in 2023, 10 days before the training deadline department heads will be given reminders on Ethics Board letterhead to give to any of their employees who have not completed the training yet.

The Board also reviewed Extension Request Forms for the Training. ERF-T-03 through ERF-T-14 were all approved by the Board.

RETURN TO REVIEW COORESPONDENCE:

John M. reported that no mail was received in the Board's P.O. Box.

Amanda reported that other than responses to the Failure to Timely Complete Training letters, the Board did receive two assessor disclosure statements, which were returned to the individuals as the Ethics Board is not the appropriate entity to submit those documents to as they should be filed with the municipality's ethics board or with the County Clerk's Office. She also received the training letter from the Human Resources Department about the annual ethics training.

STATUS OF FINANCIAL DISCLOSURE FORMS AND ANNUAL FILING:

Amanda reported that Statements of Financial Disclosure for everyone that was required to file by the annual filing deadline of April 30, 2022 were all received on time and we had 100% compliance. So far for 2022, a total of 263 forms have been received and approved by the Board. There are forms still pending review, but so far there are 23 forms that were found to be incomplete and those individuals will be notified soon to correct their forms.

Amanda also reported that Extension Request Form # EFR-D-01 was received and approved on 4/22/22.

Extension Request Form# ERF-D-02 was reviewed by the Board. It approved the extension, but requested a letter be sent to the individual to ensure timely compliance with future ethics deadlines.

REVIEW AND APPROVE 2021 ANNUAL REPORT

John H. motioned to approve the 2021 Annual Report, which was seconded by Diane. All in favor with Stephanie abstaining from voting as she was not a board member in 2021.

VOTE FOR BOARD CHAIR AND SECRETARY

John H. motioned to have Dave Rowe serve as Ethics Board Chair and John M. to serve as Secretary, which was seconded by Stephanie. All in favor.

NEXT MEETING:

The next meeting of the Ethics Board is scheduled for September 21, 2022 at 3 p.m. in Rooms 331 & 333 of the Gerace Office Building, 3 N. Erie St. in Mayville, N.Y.

MOTION TO ADJOURN:

Dave motioned to adjourn the meeting at 4:48 p.m., which was seconded by Diane. All in favor.

Minutes prepared by Amanda Gallagher and respectfully submitted to John Marengo.

Appendix D: September 21, 2022 Agenda and Minutes

CHAUTAUQUA COUNTY ETHICS BOARD (CCEB)

MEETING AGENDA

Third Meeting of CY2022

Wednesday, September 21, 2022

3 p.m.

Rooms 331 & 333

Gerace Office Building

3 North Erie St.

Mayville, NY 14757

- I. Call to order: confirm proper public notification was completed.
- II. Review and approve May 18, 2022 minutes.
- III. Review correspondence.
- IV. Status of Annual Code of Ethics Training for County Employees and Board Members.
- V. Status of Financial Disclosure forms and annual filing.
- VI. Review submitted Statement of Financial Disclosures.
- VII. Legal Report
- VIII. Review proposed changes to Statement of Financial Disclosure Form, Ethics Board Procedure, and List of Titles Required to File a Statement of Financial Disclosure.
- IX. Next meeting: November 16, 2022 at 3 p.m. in Room 149 of the Gerace Office Building, 3 N. Erie St., Mayville, N.Y.
- X. Meeting adjourned.

CHAUTAUQUA COUNTY ETHICS BOARD MEETING MINUTES

DATE: September 21, 2022
LOCATION: Rooms 331 & 333, Gerace Office Building, 3 North Erie Street,
Mayville, New York 14757

TIME: 3:05 – 6:14 p.m.

MEMBERS PRESENT: John Hamels
Diane Hannum
John Marengo
David Rowe

MEMBER ABSENT: Stephanie Stevens

OTHERS PRESENT: Amanda Gallagher from the County Executive's Office
Kristen Wright from the County Law Department

CALL TO ORDER & PUBLIC NOTIFICATION:

John M. called the meeting to order at 3:05 p.m.

Amanda confirmed proper public notification was completed as the notice of today's meeting was sent out to the local media and posted on the county website on September 9, 2022.

APPROVAL OF MINUTES:

Diane motioned to approve the minutes from the May 18, 2022 meeting, which was seconded by John H. All in favor.

REVIEW CORRESPONDENCE:

John M. reported that no mail for the Ethics Board was received at the Board's P.O. Box, aside from correspondence that was received and assigned Case No. 2022-82.

Dave arrived at the meeting at 3:07 p.m.

The Board reviewed Case No. 2022-82.

John H. motioned that we reassign the Department Head portion of Case No. 2022-82 to Case No. 2022-71, which has already been addressed by the Board, which was seconded by John M. All in favor.

Dave left the meeting at 3:21 p.m.

John M. motioned to enter into executive session at 3:22 p.m. to seek legal advice from the office of the county attorney, which was seconded by John H. All in favor.

John M. motioned to leave executive session at 3:28 p.m., which was seconded by John H. All in favor.

John M. motioned that the Board reviewed the anonymous complaint and found that the part of Case No. 2022-82 that does not refer back to 2022-71 was reviewed and no violations were found, however this portion of the concern should be referred to the County Legislature, which was seconded by John H. All in favor.

Amanda left the meeting at 3:41 p.m.

Amanda and Dave returned to the meeting at 3:42 p.m.

Amanda reported that an Ethics Board email address was established as a way to send board-related correspondence. The Board further discussed a potential issue that could arise if someone used the Board's email address to report an ethics concern about someone in the County Executive's Office. With a County Executive employee monitoring the email account, there could be a potential conflict if a report is made to the office in that manner. Amanda will follow-up with the County IT Department on possible options.

STATUS OF ANNUAL CODE OF ETHICS TRAINING FOR COUNTY EMPLOYEES AND BOARD MEMBERS:

Amanda provided an update on the 2022 Code of Ethics Training. Six employees have returned from leave and have completed the training and extension request form, two new employees completed the training in the spring and their extension request forms have now been received, 2 employees who were out on leave retired without returning and no longer need to complete the training, and 2 employees are still out on leave and their training and extension request form is due within 30 days of their return to work.

The Board reviewed and approved Extension Request Form Nos. ERF-T-15 through ERF T-22.

Amanda also reported that in June, per the Ethics Board's request, County Executive PJ Wendel met with the eight department heads who had employees that did not timely complete the training to reiterate to them the important role department heads play in ethics compliance.

John H. motioned to close the Department Head case files, Case Nos. 2022-69 through 2022-76, which was seconded by Diane. All in favor.

Amanda also reported, per the Board's previous request, the Human Resources Department is working on giving Department Heads the access they need in the NEOGOV training system so they can check on their employees' training statuses. This will be completed soon and will be in place for when the annual ethics training is issued next year.

STATUS OF FINANCIAL DISCLOSURE FORMS AND ANNUAL FILING:

Amanda reported that as of September 19, 2022, a total of 370 forms have been reviewed and approved by the Board in 2022. There are also 12 forms that are still pending review and 3 forms with upcoming due dates.

Four of the disclosure statements that were returned for correction were not received by the corrected form deadline and were assigned Case Nos. 2022-78, 2022-79, 2022-80 (ERF-D-04), and 2022-81.

The Board reviewed these cases. Case Nos. 2022-78 and 2022-80 were closed. The Board will have additional correspondence sent to the respondents for Case No. 2022-79 and 2022-81.

Amanda left the meeting at 4:48 p.m.

Amanda returned to the meeting at 4:50 p.m.

The Board reviewed and approved Extension Request Form Nos. ERF-D-03 (Case No. 2022-77), ERF-D-04, and ERF-D-05.

Amanda also reminded Board members to submit their excel sheets of filers' business interests to her so she can compile the final list to send to the Purchasing Department.

REVIEW SUBMITTED STATEMENTS OF FINANCIAL DISCLOSURE:

Dave and John M. to review 11 disclosure forms following the meeting.

LEGAL REPORT

Per the Board's duty to recommend changes or improvements to the Code of Ethics, Kristen discussed some potential updates to the Code for the Board's review and consideration.

John H. left the meeting at 5:26 p.m.

John H. returned at 5:28 p.m.

REVIEW PROPOSED CHANGES TO STATEMENT OF FINANCIAL DISCLOSURE FORM, ETHICS BOARD PROCEDURE AND LIST OF TITLES REQUIRED TO FILE A STATEMENT OF FINANCIAL DISCLOSURE:

Amanda reviewed with the Board potential changes to the Statement of Financial Disclosure Form. This included formatting the form so it is down to 6 pages instead of 8 pages, providing clarification about past employment listing requirements in Questions 4a and 4c of the form, and clarifying that Question 5 of the form should also list an individual's position on advisory boards. This revised disclosure form will be submitted along with potential Code of Ethics changes to the County Legislature.

Amanda reviewed the "List of Titles Required to File a Statement of Financial Disclosure" document with the Ethics Board. The new titles of Deputy Director of Community Mental

Hygiene Services, Director of Emergency Services and Workplace Safety, and Director of Environmental Health were recently created by Local Law and these titles should be added to the list.

John H. motioned to approve these title updates to the “List of Titles Required to File a Statement of Financial Disclosure” document, which was seconded by Dave. All in favor.

Amanda reviewed the “Ethics Board Procedure” document with the Board. Major proposed changes included:

- Clarifying the annual training can be completed within 30 days of return to work if someone is out on authorized leave (excluding vacation time);
- When reminder emails are sent to Department Heads, they will now include a Reminder to Timely File or Complete Training letter that department heads can distribute to their employees.
- Adding a paragraph that if an employee or board member who is required to complete the training requirement or disclosure form has left county employment or the county board within 30 days of the training due date, the case will be closed with no further action. In addition, employees who are out on authorized leave (excluding vacation time) and then retire or resign without returning to work, will have their case closed with no further action.

John M. motion to approve the Ethics Board Procedure with the changes presented on September 21, 2022, which was seconded by John H. All in favor.

NEXT MEETING:

The next meeting of the Ethics Board is scheduled for November 16, 2022 at 3 p.m. in Room 149 of the Gerace Office Building, 3 N. Erie St. in Mayville, N.Y.

MOTION TO ADJOURN:

John H. motioned to adjourn the meeting at 6:14 p.m., which was seconded by Diane. All in favor.

Minutes prepared by Amanda Gallagher and respectfully submitted to John Marengo.

Appendix E: November 16, 2022 Agenda and Minutes

CHAUTAUQUA COUNTY ETHICS BOARD (CCEB)

MEETING AGENDA

Fourth Meeting of CY2022

Wednesday, November 16, 2022

2 p.m.

Room 149

Gerace Office Building

3 North Erie St.

Mayville, NY 14757

- I. Call to order: confirm proper public notification was completed.
- II. Review and approve September 21, 2022 minutes.
- III. Review correspondence.
- IV. Status of Annual Code of Ethics Training for County Employees and Board Members.
- V. Status of Financial Disclosure forms.
- VI. Discuss 2023 Code of Ethics Trainings.
- VII. Discuss 2022 Annual Report Preparation.
 - a. Membership—Dave and John M.'s terms expire on 1/31/23.
 - b. Set 2023 meeting dates.
- VIII. Next meeting: TBD.
- IX. Meeting adjourned.

CHAUTAUQUA COUNTY ETHICS BOARD MEETING MINUTES

DATE: November 16, 2022
LOCATION: Room 149, Gerace Office Building, 3 North Erie Street,
Mayville, New York 14757

TIME: 2:07 – 3:48 p.m.

MEMBERS PRESENT: John Hamels
Diane Hannum
John Marengo
David Rowe
Stephanie Stevens

OTHERS PRESENT: Amanda Gallagher from the County Executive's Office
Kristen Wright from the County Law Department
Respondent for Case No. 2022-79

CALL TO ORDER & PUBLIC NOTIFICATION:

Dave called the meeting to order at 2:07 p.m.

Dave confirmed proper public notification was completed as the notice of today's meeting was sent out to the local media and posted on the county website on November 4, 2022. It also appeared in the Post-Journal's "Briefly" section on November 8, 2022.

APPROVAL OF MINUTES:

Diane motioned to approve the minutes from the September 21, 2022 meeting, which was seconded by John M. All in favor.

REVIEW CORRESPONDENCE:

John M. motioned to enter into Executive Session to receive the advice of the Office of the County Attorney, which was seconded by John H. All in favor. Executive Session entered into at 2:09 p.m.

Diane motioned to leave Executive Session, which was seconded by Dave. All in favor. Board left Executive Session at 2:27 p.m.

Amanda Gallagher and Respondent for Case No. 2022-79 arrived at the meeting at 2:31 p.m.

The Board reviewed Case No. 2022-79.

Dave motioned to eliminate the fine for Case No. 2022-79 due to a communication error and the Ethics Board will change the process on the form of how individuals would like to receive correspondence, which was seconded by John M. All in favor.

Respondent for Case No. 2022-79 to complete Extension Request Form, which has been assigned ERF-D-06.

Kristen left the meeting at 2:50 p.m. and returned at 2:51 p.m.

Respondent for Case No. 2022-79 left the meeting at 2:55 p.m.

Kristen reviewed with the Board that there is an option to appoint a hearing officer to conduct ethics hearings and report its findings and recommendations back to the Board for action. The Board will take this under consideration.

John M. reported that no mail was received at the Board's P.O. Box.

Other than correspondence for Case No. 2022-79, Amanda reported that no mail had been received for the Board in care of the County Executive's Office.

Amanda also reported back to the Board on the possible options for its email address. The Board determined it would not like to use a board email address for correspondence at this time.

STATUS OF ANNUAL CODE OF ETHICS TRAINING FOR COUNTY EMPLOYEES AND BOARD MEMBERS:

Amanda provided an update on the 2022 Code of Ethics Training. One employee who was out on leave is no longer an employee and is no longer required to complete the training. There is only one employee left, who is still out on medical leave, who needs to complete the 2022 Code of Ethics Training within 30 days of their return. Should the employee not return to work in 2022, they will fall under the 2023 training.

The Board also discussed changing the Statement of Financial Disclosure form so that Question 1 asks filers to provide the preferred mailing address where they would like to receive any follow-up correspondence from the Ethics Board.

John Marengo motioned to update the Annual Statement of Financial Disclosure Form to have the preferred address listed at the top of the form, which was seconded by Dave. All in favor.

STATUS OF FINANCIAL DISCLOSURE FORMS AND ANNUAL FILING:

Amanda reported that as of November 14, 2022, a total of 391 forms have been reviewed and approved by the Board in 2022. There are no forms awaiting review and there is 1 pending form with an upcoming due date.

Amanda also reported that correspondence for Case No. 2022-81 was sent and the case is closed.

DISCUSS 2023 CODE OF ETHICS TRAINING:

Amanda reported that the amendment to the Code of Ethics is pending approval by the County Legislature at its meeting tonight. Once it is approved at the County level, Amanda will work on updating the annual training documents. Once final drafts are ready, she will provide Ethics Board members and Kristen with copies so they can review and provide any further edits prior to implementation.

Kristen said she will also work on preparing something in writing for Department Heads to receive about the Code of Ethics' training and disclosure requirements so they are aware of their current responsibilities under the amended Code.

DISCUSS 2022 ANNUAL REPORT PREPARATION:

The Board discussed the annual report process.

Dave and John M.'s terms expire on 1/31/23. Dave announced that he will not be seeking re-appointment to the Board and John M. does seek re-appointment.

Board members thanked Dave for his service to the Board.

Dave said he would also work on preparing the 2022 Annual Report.

John H. motioned to nominate John M. as Chairman of the Board effective February 1, 2023, which was seconded by Diane. All in favor.

The Ethics Board also set its meeting dates for 2023. Meetings will be held at the Gerace Office Building in Mayville at 2 p.m. on March 8, May 10, September 13, and November 18.

John M. motioned to approve John H. as Board Secretary effective February 1, 2023, which was seconded by Dave. All in favor.

NEXT MEETING:

The next meeting of the Ethics Board is scheduled for March 8, 2023 at 2 p.m. in the Gerace Office Building, 3 N. Erie St. in Mayville, N.Y. Room TBD.

MOTION TO ADJOURN:

John H. motioned to adjourn the meeting at 3:48 p.m., which was seconded by Diane. All in favor.

Minutes prepared by Amanda Gallagher and respectfully submitted to John Marengo.

Appendix F: Ethics Board Procedures EB 2021-01 Financial Disclosure Statements and Ethics Code Training.

Ethics Board Procedure
EB 2021-01

**FINANCIAL DISCLOSURE STATEMENTS
and
ETHICS BOARD TRAINING**

This document outlines general procedures to be followed in connection with Code of Ethics financial disclosure statement and Code of Ethics training requirements. The Board may deviate from these procedures, as deemed appropriate by the Board.

Chautauqua County Code of Ethics Requirements

All County Officers and Employees subject to the requirements of the Chautauqua County Code of Ethics are required to undergo annual Ethics Board training to inform and educate them as to the requirements of the Code, and to timely confirm in writing completion of such training requirements. New officers and employees receive the training materials upon hiring/appointment. Annual training must be completed by March 31st or within thirty (30) days of return from an authorized leave (excluding vacation time).

Annual filings of the Statement of Financial Disclosure are due by April 30th of each year, or within thirty (30) days of return from an authorized leave (excluding vacation time). New employees must file within thirty (30) days of taking office, and new board members must file within thirty (30) days of appointment. Amended statements are due within thirty (30) days of any material change in information.

Initial Notification of Disclosure Statement and Training Requirements.

County Department of Human Resources staff issue training materials to County Officers and Employees, either directly to such individuals or via issuance to Department Heads for distribution to those under their purview. County Executive Staff issue training materials to County board members, either directly to such individuals or via issuance to board liaisons for distribution to those under their purview.

County Executive staff send a notification to all County officers and employees, including board members, subject to the disclosure requirement, attaching the Statement form and including the Statement due date. This notification may be issued by mail and/or e-mail. E-mails may be sent using the electronic confirmation of receipt feature and/or with a "read receipt" request.

These initial communications will include notification that penalties should be expected upon failure to timely comply. The Statement communications will also include tips for proper completion of the form (Attachments 1A,1B).

Reminder E-mail.

Approximately five (5) to ten (10) calendar days before annual training confirmation is due, County Executive Staff will issue a reminder e-mail (Attachment 2A or 2B) to those who supervise or oversee employees or board members whose training confirmation has not been received. For employees, this reminder e-mail will also include a “Reminder to Timely Complete Code of Ethics Training” letter for Department Heads to provide to their employees who still need to complete the training.

Approximately five (5) to ten (10) calendar days before annual statements are due, County Executive Staff will issue a reminder e-mail (Attachment 2C or 2D) to those who supervise or oversee employees or board members whose Statements have not been received. For employees, this reminder e-mail will also include a “Reminder to Timely File Statement of Financial Disclosure” letter for Department Heads to provide to their employees who still need to complete the disclosure form.

Request for an Extension of Time.

When an individual requests an extension of time, the individual will be provided a form for that purpose (Attachment 3). The Ethics Board may grant the request, deny the request, or seek additional information prior to granting or denying a request.

Training Confirmation or Statement Not Received or Postmarked by the Due Date.

Incorrect or incomplete Statements will be rejected, and returned to the filer (Attachment 4). When County Executive staff notice an error on a Statement which has not yet been remitted to the Board for review, they may, prior to the Statement due date / extended due date, contact the filer and offer the filer the opportunity to submit a revised Statement (this will not be deemed to be an “amended” statement). In that event, the defective statement shall be retained by the County Executive’s office until a replacement statement is timely received, at which point it will be discarded or returned to the filer. If a replacement statement is untimely received, it should be marked as an amended statement and remitted to the Ethics Board for review along with the original statement.

If an employee’s training confirmation or Statement (or amended/corrected Statement) is untimely received, County Executive staff will issue a Chautauqua County Ethics Board Notice (Attachments 5A, 5B, 5C or 5D).

If the Board does not receive a response to the Notice, or if the Ethics Board has not received confirmation of training / a Statement from a County employee, the Ethics Board will discuss

next steps with the Department Head or the Department Head's appointing authority, involving the County Law Department as needed.

If an employee or board member who is required to complete the training requirement or disclosure form has left county employment or the county board within 30 days of the training due date, the case will be closed with no further action. In addition, employees who are out on authorized leave (excluding vacation time) and then retire or resign without returning to work, will have their case closed with no further action.

Penalties for Untimely Compliance with Statement or Training Requirements.

Penalties imposed by the Ethics Board will be consistent with the Code of Ethics.

In general, minimum penalties will be \$100 per violation for the first year of non-compliance and \$300 per violation in the next year of non-compliance.

The amount of the penalty will correspond with the amount of delay in complying with the law. For every ten (10) full County business days that a violation continues, the penalty will increase by \$100.

Each violation of the law will be treated as a separate violation.

Volunteer Board Members.

Notwithstanding language in other sections of these Procedures, if the County Executive's office has not received a timely Statement, or has not timely received a corrected/completed Statement, from a volunteer County board member, or if a volunteer board member has not timely confirmed receipt of training material, the Ethics Board will contact the County Board liaison for input as to an appropriate means of proceeding.

When deciding how to proceed, the Ethics Board may take into consideration, among other factors:

- the Legislature Chairs' support for removal of board members, via legislative resolution, until such time as compliance has been attained;
- the date on which the training / statement documents were issued to the individual;
- efforts by the board liaison to secure compliance;
- the board liaison's recommendation;
- the individual's history of compliance, or lack thereof, with the Code of Ethics;
- the difficulty in securing and retaining volunteer board members; and
- whether the board has met since the statement was due.

When a board member complies in an untimely manner, the Ethics Board will issue communications to the board member and the board member liaison (Attachment 6).

Department Head Failure to Administer Code of Ethics Requirements.

Department heads set the tone for those under their purview. A Department Head's violation of the law is, therefore, of paramount concern. A Department Head's failure to comply with Code

of Ethics administrative requirements, as established in the law or as delegated by the County Executive, may be met with some or all of the following responses:

- Request a meeting with the Department Head;
- Recommend that the Appointing Authority take action;
- Schedule a Hearing;
- Send a warning Notice;
- Impose a sanction, penalty or fine consistent with the Code of Ethics.

<p>Ethics Board Procedure No. EB-2021-01</p> <p>Financial Disclosure Statements and Ethics Board Training</p>	<p>Attachments:</p> <ol style="list-style-type: none"> 1- A- Initial Notification – Employee Training Initial Notification – Board Member Training B- Initial Notification – Employee Disclosure Statement Initial Notification – Board Member Disclosure Statement 2- A- Department Head e-mail: Training Confirmation Outstanding for Employees B- Department Head e-mail: Training Confirmation Outstanding for Board Members C- Department Head e-mail: Disclosure Statements Outstanding for Employees D- Department Head e-mail: Disclosure Statements Outstanding for Board Members 3- Request for an Extension Form 4- Letter Template: Corrections/Completion Required 5- A- Notice to Employees who Failed to Timely File Statement B- Notice to Employees who Failed to Timely File Statement- Form Still Not Completed C- Notice to Employees who Failed to Timely Comply with Training D- Notice to Employees who Failed to Timely Comply with Training - Training Still Not Completed 6- Notice to Board Liaisons and Board Member upon Board Member Non-compliance
<p>Approval Date:</p>	<p>Effective Date: October 1, 2021 and Amended November 17, 2021 and September 21, 2022. This Policy replaces any former policy(ies) on these subjects, as of the effective date.</p>

ATTACHMENT 1A TO ETHICS BOARD PROCEDURE EB-2021-01

This statement is to accompany County *employee* training materials only.

**IMPORTANT NOTICE FROM THE COUNTY EXECUTIVE AND
LEGISLATURE**

County Officers and Employees are the public face of County government. To continue confidence and trust in our government, County activities must be performed in an ethical manner, consistent with State and County ethics laws. The enclosed training materials provide information about those laws.

Ethics laws, including the legal requirement that County officers and employees undergo annual ethics training, are important and must be respected. County employees should expect that if they do not timely comply with Chautauqua County Code of Ethics training requirements, the Ethics Board will impose a minimum penalty of \$100, with the fine increasing by \$100 for every ten (10) business days between the date training compliance was due and the date training compliance is received by the County Department of Human Resources.

Thank you for your timely cooperation.

This statement is to accompany County *board member* training materials only.

County board, commission and committee members play an important role in County government. To continue public confidence and trust in our government, all County activities, including board, commission and committee activities, must be performed in an ethical manner, consistent with State and County ethics laws. The enclosed training materials provide information about those laws.

Ethics laws, including the legal requirement that officers and employees undergo annual ethics training, are important. Your timely confirmation of receipt of Ethics Board training materials will relieve County staff and Ethics Board members from having to follow up with you and your board liaison, foster County compliance with the law, and further ethical County operations.

Thank you for your timely cooperation. We invite you to contact the Chautauqua County Ethics Board with questions, upon taking the training or at any time throughout the year.

ATTACHMENT 1B TO ETHICS BOARD PROCEDURE EB-2021-01

This statement is to be provided to *County Employees* subject to the *Statement of Financial Disclosure* filing requirement.

**IMPORTANT NOTICE FROM THE COUNTY EXECUTIVE AND
LEGISLATURE**

County Officers and Employees serve as representatives of the County. To continue public confidence and trust in County government, County activities must be performed in an ethical manner, free from conflicts of interest. The enclosed Statement of Financial Disclosure form is designed to identify and disclose items and interests which could cause, or could be perceived to cause, a conflict of interest.

Ethics laws, including the legal requirement that certain individuals disclose financial interests, are important. County employees should expect that, if they do not timely file a properly completed Statement of Financial Disclosure, the Ethics Board will impose a minimum fine of \$100, with the fine increasing by \$100 for every ten (10) business days that expire between the filing deadline and the date the Statement is received by the County Executive's office.

Tips for Completion of the Form:

- ✓ Please be sure to include a mailing address in response to Question 1.
- ✓ Each question must be completed. If a question is not relevant, check "no" or "none."
- ✓ Your name must be at the top of each page.
- ✓ An original signature is required.

Thank you for your timely cooperation.

Name of County Executive
County Executive

Name of Legislature Chair
Chairman, Chautauqua County Legislature

This statement is to be provided to *Board Members* subject to the *Statement of Financial Disclosure* filing requirement.

County board, commission and committee members play an important role in County government. To continue public confidence and trust in County government, all County activities, including those of board, commission and committee members, must be performed in an ethical manner, free from conflicts of interest. The enclosed Statement of Financial

Disclosure form is designed to identify and disclose items and interests which could cause, or could be perceived to cause, a conflict of interest.

Ethics laws, including the legal requirement that certain individuals disclose financial interests, are important. Your timely submission of your statement will relieve County staff and Ethics Board members from having to follow up with you and your board liaison, foster County compliance with the law, and further ethical County operations.

Tips for Completion of the Form:

- ✓ Please be sure to include a mailing address in response to Question 1.
- ✓ Each question must be completed. If a question is not relevant, check “no” or “none.”
- ✓ Your name must be at the top of each page.
- ✓ An original signature is required.

Thank you for your timely cooperation.

Name of County Executive
County Executive

Name of Legislature Chair
Chairman, Chautauqua County Legislature

ATTACHMENT 2A TO ETHICS BOARD PROCEDURE EB-2020-01

This e-mail is sent, using “confirmation of delivery” and “read” options, 5-10 days prior to the Training confirmation due date. It is sent to Department Heads who have *employees* under their purview who have not completed the training yet.

Dear Department Head:

Chautauqua County Local Law <insert most recent Local Law number>, a Code of Ethics adopted in satisfaction of New York State General Municipal Law §806, requires County Officers and Employees to undergo annual Ethics Board training to inform and educate them as to the requirements of the Code. The law charges Department Heads with administering the training and ensuring each employee under their purview timely confirms completion of the training.

We have been advised that the County Department of Human Resources has not yet received training confirmation for the following employees under your purview:

- (#) employee(s) (please see attached list for employee names and ethics-related trainings awaiting their completion in the NEOGOV System).

Please be reminded that securing training confirmation is your responsibility, and that employees' training confirmations are to be completed online in the NEOGOV LEARN Training System no later than **March 31, (YEAR)**.

Attached is/are letter(s) from the Ethics Board for you to deliver to (this/these) employee(s) to remind them of timely complying with this training deadline. You are also required to make arrangements to assist your employees with setting aside time to complete this training.

We thank you in advance for your timely attention to this important legal requirement.

Name of County Executive
County Executive

Name of Chair
Chairman, Chautauqua County Ethics Board

Attachments (2)

(ON ETHICS BOARD LETTERHEAD)

DATE

Re: Reminder to Timely Complete Code of Ethics Training

Dear County Employee:

Chautauqua County Local Law _____ <insert most recent Local Law number>, a Code of Ethics adopted in satisfaction of New York State General Municipal Law §806, requires County Officers and Employees to undergo annual Ethics Board training to inform and educate them as to the requirements of the Code.

In order to satisfy the 20____ Code of Ethics Training requirement, you are required to complete ethics-related training(s) in the NEOGOV LEARN Training System.

We have been advised by the County Department of Human Resources, that you have not completed some or all of these trainings, which are due by (____).

Please ensure your training(s) is/are timely completed in the NEOGOV LEARN Training system by this deadline to prevent any additional actions by the Chautauqua County Ethics Board, which may include a fine, attending an informal settlement conference before the Board, or attending a hearing before the Board for alleged violations of the Code of Ethics.

If you are unsure of what ethics training(s) you still need to complete, please check with your Department Head, who has been provided a list of the training(s) you need to complete, or check your pending trainings by logging into your NEOGOV account.

If you have any questions or concerns about this ethics training requirement, please contact Amanda Gallagher in the County Executive's Office at 716-753-4644 or the Ethics Board's email at ethicsbd@chqgov.com.

Should you need assistance with the NEOGOV LEARN system, please contact Training Coordinator Kathy Reisenweber at (716) 753-4575 or at ReisenwK@chqgov.com.

We thank you in advance for your timely attention to this important legal requirement.

Name of Chair

Chairman, Chautauqua County Ethics Board

Employee Name: _____

ATTACHMENT 2B TO ETHICS BOARD PROCEDURE EB-2020-01

This e-mail is sent, using “confirmation of delivery” and “read” options, 5-10 days prior to the Training confirmation due date. It is sent to Department Heads who have *board members* under their purview who have not completed the training yet.

Dear Department Head:

Chautauqua County Local Law _____<insert most recent Local Law number>, a Code of Ethics adopted in satisfaction of New York State General Municipal Law §806, requires County Officers and Employees to undergo annual Ethics Board training to inform and educate them as to the requirements of the Code. The law charges Department Heads with administering the training.

We have been advised that the County Executive’s Office has not yet received training confirmation for the following board members under your purview:

- **(Name), (Name of Board)**

Please be reminded that securing training confirmation is your responsibility, and that the training confirmation is to be received by the County Executive’s Office no later than **March 31, (YEAR)**.

We thank you in advance for your timely attention to this important legal requirement.

(Name of County Executive)
County Executive

(Name of Board Chair)
Chairman, Chautauqua County Ethics Board

ATTACHMENT 2C TO ETHICS BOARD PROCEDURE EB-2021-01

This e-mail is sent, using “confirmation of delivery” and “read” options, 5-10 days prior to the Statement due date. It is sent to Department Heads with *employees* under their purview who have not remitted their Statements.

Dear Department Head:

Chautauqua County Local Law _____ <insert most recent Local Law number>, a Code of Ethics adopted in satisfaction of New York State General Municipal Law §806, requires certain County officers and employees to file financial disclosure statements. The County Ethics Board has not yet received the most recently required statement from the following officer(s) or employee(s) under your purview:

- Officer(s), Employee(s) name(s) will appear here.

Please remind the named individual(s) of the filing requirement and, as needed, assist such individual(s) in identifying work time during which the statement can be completed. Statements must be received by the Ethics Board no later than _____

As a Department Head, the law charges you with the responsibility of suspending an Officer or Employee’s ability to directly or indirectly expend County funds between the date a Statement is due, and the date it is actually received. Please add a reminder to your calendar to confirm with County Executive staff that the above named individual(s) has/have timely filed their statement(s), in furtherance of your compliance with the law.

Attached is/are letter(s) from the Ethics Board for you to deliver to (this/these) employee(s) to remind them of timely complying with this disclosure filing deadline. You are also required to make arrangements to assist your employees with setting aside time to complete this disclosure form.

If an individual named above no longer works for the County, no longer falls within the category of those required to file, advises you that the statement has already been filed, or is currently out on an authorized leave, please so advise us by replying to this e-mail at your earliest convenience.

We thank you in advance for your timely attention to this important legal requirement.

Name of County Executive
County Executive

Name of Chair

Chairman, Chautauqua County Ethics Board

Attachment

(ON ETHICS BOARD LETTERHEAD)

DATE

Re: Reminder to Timely File Statement of Financial Disclosure

Dear County Employee:

Chautauqua County Local Law ____ <insert most recent Local Law number>, a Code of Ethics adopted in satisfaction of New York State General Municipal Law §806, requires certain County officers and employees to file financial disclosure statements.

According to our records, the County Ethics Board has not yet received your most recently required statement, which is due by () .

Please ensure your form is received by the County Executive's Office by this deadline to prevent any additional actions by the Chautauqua County Ethics Board, which may include a fine, attending an informal settlement conference before the Board, or attending a hearing before the Board for alleged violations of the Code of Ethics.

If you have any questions or concerns, please contact Amanda Gallagher in the County Executive's Office at 716-753-4644 or the Ethics Board's email at ethicsbd@chqgov.com .

We thank you in advance for your timely attention to this important legal requirement.

Name of Chair

Chairman, Chautauqua County Ethics Board

Employee Name: _____

ATTACHMENT 2D TO ETHICS BOARD PROCEDURE EB-2021-01

This e-mail is sent, using “confirmation of delivery” and “read” options, 5-10 days prior to the Statement due date. It is sent to Department Heads with *board members* under their purview who have not remitted their Statements.

Dear Department Head:

Chautauqua County Local Law _____ **<insert most recent Local Law number>** a Code of Ethics adopted in satisfaction of New York State General Municipal Law §806, requires certain County officers and employees to file financial disclosure statements. The County Ethics Board has not yet received the most recently required statement from the following board members under your purview:

- **(Name), (Name of Board)**

Please remind the named individual(s) of the filing requirement and, as needed, assist such individual(s) in identifying time during which the statement can be completed. Statements must be received by the Ethics Board no later than _____

As a Department Head, the law charges you with the responsibility of suspending an Officer or Employee’s ability to directly or indirectly expend County funds between the date a Statement is due, and the date it is actually received. Please add a reminder to your calendar to confirm with County Executive staff that the above named individual(s) has/have timely filed their statement(s), in furtherance of your compliance with the law.

If an individual named above no longer is a board member for the County, no longer falls within the category of those required to file, or advises you that the statement has already been filed, please so advise us by replying to this e-mail at your earliest convenience.

We thank you in advance for your timely attention to this important legal requirement.

Name of County Executive
County Executive

Name of Chair
Chairman, Chautauqua County Ethics Board

**CHAUTAUQUA COUNTY ETHICS BOARD
REQUEST FOR AN EXTENSION OF TIME
TO COMPLETE TRAINING AND/OR FILE A DISCLOSURE
STATEMENT**

Extensions of time are generally intended for circumstances in which an individual has an extended inability to perform services for the County, spanning all or the majority of the duration of the filing/training period. As stated in the law, "the prioritization of other County matters over the filing of the disclosure statement is not grounds for an extension of time to file."

I, _____, in my capacity as an employee or board/committee/commission member of _____, hereby request an extension of time to

- file my disclosure statement;
- file my corrected/completed/amended disclosure statement; and/or
- complete my training requirement,

for the following reason:

I will be, am, or was on approved leave from County employment through _____, 20 __, and request

an extension of time through the thirtieth (30th) business day after I return to County work/service.

I have ceased County work/service for an indeterminate period of time, and am requesting an extension of

time through the thirtieth (30th) business day after I return to County work/service.

I am requesting an extension of time through _____ for the following reason(s) (attach additional pages as needed): _____

I understand that the Board's approval of this request applies only to the current filing and reporting period.

Please use the following address to mail or e-mail me the Ethics Board's approval or denial of this request: _____

Signature: _____ **Date:** _____

Department Head* Approval: _____ **Date:** _____

Pursuant to Local Law 3-21 or its successor, the Department Head shall ensure suspension of the requesting individual's ability to directly or indirectly expend County funds

until such time as the disclosure statement has been filed. This includes without limitation suspension of use of County-issued credit cards and suspension of the ability to approve vouchers, purchase orders, contracts and payroll.

*Department Head's requests should be signed by their supervisor.

Please mail or hand deliver this form with an original department head signature to:
**Chautauqua County Ethics Board * c/o Office of the County Executive
Gerace Office Building, Room 341 * 3 N. Erie Street, Mayville, NY 14757**

<i>For Ethics Board Use Only:</i> <i>ERF#</i> _____ _____ Approved OR _____ Not Approved By: _____ Date: _____ Determination communicated to requestor on: _____
--

ATTACHMENT 4 - TO ETHICS BOARD PROCEDURE EB-2021-01

Letter: Corrections Required

Sent on Board Letterhead. If individual has a county e-mail address, the letter will be sent by e-mail using "delivery" and "read receipt" options and sent by regular mail. If individual does not have a county e-mail address, the letter will be sent by certified mail and standard mail. A corrected form will be required within 10 business days from the date on the letter.

SAMPLE TEMPLATE – INCOMPLETE/INCORRECT FORM

(DATE)

(Name & Address)

Re: Incomplete **(YEAR)** Financial Disclosure Statement

Dear **(NAME)**:

Thank you for submitting your **(YEAR)** Financial Disclosure Statement.

Upon review of your submission, enclosed with this letter, the Ethics Board noted the following incomplete / incorrect items:

- Question **(# AND TITLE)**
- Question **(# AND TITLE)**

Please fully complete the above section(s) of the form, checking "No" or "None" as applicable. Your corrected/completed Statement must be signed and dated on page 8 under "For Corrected or Amended Forms Only."

The Ethics Board will accept your corrected/completed statement, without penalty, if an **originally signed** form is **received** by the County Executive's office, Gerace Office Building Room 341, 3 N. Erie Street, Mayville, NY 14757 by **(DATE)**. E-mailed, faxed, scanned, or copied statements will not be accepted.

If you have questions, please contact Amanda Gallagher in the County Executive's Office at (716) 753-4644 or the Ethics Board's email at ethicsbd@chqgov.com.

Thank you for your cooperation,

Name of Chair
Chairman of the Chautauqua County Ethics Board

DR:alg

Enclosure

ATTACHMENT 5A TO ETHICS BOARD PROCEDURE EB-2021-01

Sent on Board Letterhead. If individual has a county e-mail address, the letter will be sent by e-mail using "delivery" and "read receipt" options and sent by regular mail. If individual does not have a county e-mail address, the letter will be sent by certified mail and standard mail. This letter is for *employees who filed* their SFD, but were untimely in their compliance. A response will be required within 10 business days from the date on the letter.

Date

via e-mail (as applicable): _____

Name
Address
City, State, Zip Code

CHAUTAUQUA COUNTY ETHICS BOARD NOTICE – RESPONSE REQUIRED

Re: Chautauqua County Ethics Board **Case No.** _____
Failure to Timely File Statement of Financial Disclosure

Dear _____:

Pursuant to Section 8 of Chautauqua County Local Law No. **<insert most recent Local Law number>**, the Chautauqua County Code of Ethics (the Law), County employees subject to the annual financial disclosure requirement must file a disclosure statement within thirty days of taking office, annually no later than April 30th, and within thirty days of any material change.

According to our records you are subject to this filing requirement, and did not comply with the Law. The Ethics Board received your 20____ disclosure statement or your completed/corrected disclosure statement on _____ 20__, which was _____ business days after the due date (including any extension granted by the Ethics Board due to an authorized leave of absence or otherwise). If you believe our records are in error, please immediately contact County Executive staff, who will verify your status, at (716) 753-4644.

Please check a box below, and ensure this completed Notice is received by _____ at:

Chautauqua County Ethics Board
c/o Office of the County Executive
Gerace Office Building, Room 341,
3 North Erie Street
Mayville, New York 14757

Enclosed is a check in the amount of \$_____ payable to "Director of Finance, Chautauqua County," in resolution of my alleged violation of the Law known as the Chautauqua County Code of Ethics.

I request an informal settlement conference. I understand that I may hire an attorney to represent me, at my own expense. I understand that the settlement amount offered herein may not be available at the settlement conference.

I request a hearing. I understand that I may hire an attorney to represent me, at my own expense. I understand that if I am found after a hearing to be guilty of violating the Law, I am subject to any and all penalties available under the law.

IF THE ETHICS BOARD DOES NOT RECEIVE YOUR RESPONSE BY THE DATE SPECIFIED ABOVE, YOU WILL BE SUBJECT TO ADDITIONAL ENFORCEMENT ACTION UP TO AND INCLUDING TERMINATION FROM EMPLOYMENT.

Yours very truly,

Name

Chairman of the Chautauqua County Ethics

DR:alg
Board

Cc: Department Head of the employee

ATTACHMENT 5B TO ETHICS BOARD PROCEDURE EB-2021-01

Sent on Board Letterhead. If individual has a county e-mail address, the letter will be sent by e-mail using "delivery" and "read receipt" options and sent by regular mail. If individual does not have a county e-mail address, the letter will be sent by certified mail and standard mail. This letter is for *employees who have not filed* their SFD and are untimely in their compliance. A response will be required within 10 business days from the date on the letter.

Date

via e-mail (as applicable): _____

Name

Address

City, State, Zip Code

CHAUTAUQUA COUNTY ETHICS BOARD NOTICE – RESPONSE REQUIRED

Re: Chautauqua County Ethics Board **Case No.** _____
Failure to Timely File Statement of Financial Disclosure

Dear _____:

Pursuant to Section 8 of Chautauqua County Local Law No. <insert most recent Local Law number>, the Chautauqua County Code of Ethics (the Law), County employees subject to the annual financial disclosure requirement must file a disclosure statement within thirty days of taking office, annually no later than April 30th, and within thirty days of any material change.

According to our records you are subject to this filing requirement, and did not comply with the Law. The Ethics Board has not received your 20____ disclosure statement or your completed/corrected disclosure statement, which was due on _____ and is now _____ business days after the due date (including any extension granted by the Ethics Board due to an authorized leave of absence or otherwise). If you believe our records are in error, please immediately contact County Executive staff, who will verify your status, at (716) 753-4644.

Please check a box below, and ensure this completed Notice is received by _____
_____ at:

Chautauqua County Ethics Board
c/o Office of the County Executive
Gerace Office Building, Room 341,
3 North Erie Street
Mayville, New York 14757

Enclosed is my disclosure statement and a check in the amount of \$_____ payable to "Director of Finance, Chautauqua County," in resolution of my alleged violation of the Law known as the Chautauqua County Code of Ethics. **(Please note, the amount of the penalty will correspond with the amount of delay in complying with the law. For every ten (10) full County business days after the initial deadline of (DATE) that a violation continues, the penalty will increase by \$100.00).**

Enclosed is my disclosure statement and I request an informal settlement conference. I understand that I may hire an attorney to represent me, at my own expense. I understand that the settlement amount offered herein may not be available at the settlement conference.

Enclosed is my disclosure statement and I request a hearing. I understand that I may hire an attorney to represent me, at my own expense. I understand that if I am found after a hearing to be guilty of violating the Law, I am subject to any and all penalties available under the law.

IF THE ETHICS BOARD DOES NOT RECEIVE YOUR RESPONSE BY THE DATE SPECIFIED ABOVE, YOU WILL BE SUBJECT TO ADDITIONAL ENFORCEMENT ACTION UP TO AND INCLUDING TERMINATION FROM EMPLOYMENT.

Yours very truly,

Name

Chairman of the Chautauqua County Ethics

DR:alg
Board

Cc: Department Head of the employee

DRAFT

ATTACHMENT 5C TO ETHICS BOARD PROCEDURE EB-2021-01

Sent on Board Letterhead. If individual has a county e-mail address, the letter will be sent by e-mail using "delivery" and "read receipt" options and sent by regular mail. If individual does not have a county e-mail address, the letter will be sent by certified mail and standard mail. This letter is for *employees who completed* the training, but were untimely in their compliance. A response will be required within 10 business days from the date on the letter.

Date

via e-mail (as applicable): _____

Name

Address

City, State, Zip Code

CHAUTAUQUA COUNTY ETHICS BOARD NOTICE – RESPONSE REQUIRED

Re: Chautauqua County Ethics Board Case No. _____
Failure to Timely Complete Code of Ethics Training

Dear _____:

Pursuant to Section 9 of Chautauqua County Local Law No. _____, the Chautauqua County Code of Ethics (the Law), existing County employees must undergo Ethics Board training annually no later than March 31st.

According to our records you are subject to this training requirement, and did not comply with the Law. In order to satisfy the 20__ Code of Ethics Training requirement, you were to complete __ethics-related trainings. Our records show that you completed __ of these trainings by the March 31, 20__ deadline and your training confirmations were all completed on (DATE), which was __ business days after the due date (including any extension granted by the Ethics Board due to an authorized leave of absence or otherwise). If you believe our records are in error, please immediately contact County Executive staff, who will verify your status, at (716) 753-4644.

Please check a box below, and ensure this completed Notice is received by _____
_____ at:

Chautauqua County Ethics Board
c/o Office of the County Executive
Gerace Office Building, Room 341,
3 North Erie Street
Mayville, New York 14757

Enclosed is a check in the amount of \$ _____ payable to "Director of Finance, Chautauqua County," in resolution of my alleged violation of the Law known as the Chautauqua County Code of Ethics.

I request an informal settlement conference. I understand that I may hire an attorney to represent me, at my

own expense. I understand that the settlement amount offered herein may not be available at the settlement conference.

I request a hearing. I understand that I may hire an attorney to represent me, at my own expense. I understand that if I am found after a hearing to be guilty of violating the Law, I am subject to any and all penalties available under the law.

IF THE ETHICS BOARD DOES NOT RECEIVE YOUR RESPONSE BY THE DATE SPECIFIED ABOVE, YOU WILL BE SUBJECT TO ADDITIONAL ENFORCEMENT ACTION UP TO AND INCLUDING TERMINATION FROM EMPLOYMENT.

Yours very truly,

Name

Chairman of the Chautauqua County Ethics Board

DR:alg

Cc: Department Head of the employee

DRAFT

ATTACHMENT 5D TO ETHICS BOARD PROCEDURE EB-2021-01

Sent on Board Letterhead. If individual has a county e-mail address, the letter will be sent by e-mail using "delivery" and "read receipt" options and sent by regular mail. If individual does not have a county e-mail address, the letter will be sent by certified mail and standard mail. This letter is for *employees who have not completed* the training and are untimely in their compliance. A response will be required within 10 business days from the date on the letter.

Date

via e-mail (as applicable): _____
Name
Address
City, State, Zip Code

CHAUTAUQUA COUNTY ETHICS BOARD NOTICE – RESPONSE REQUIRED

Re: Chautauqua County Ethics Board Case No. _____
Failure to Timely Complete Code of Ethics Training

Dear _____:

Pursuant to Section 9 of Chautauqua County Local Law No. _____, the Chautauqua County Code of Ethics (the Law), existing County employees must undergo Ethics Board training annually no later than March 31st.

According to our records you are subject to this training requirement, and did not comply with the Law. In order to satisfy the 20__ Code of Ethics Training requirement, you were to complete __ethics-related trainings. Our records show that you completed ___ of these trainings by the March 31, 20__ deadline and your training confirmations, which are still due, are now ___ business days after the due date (including any extension granted by the Ethics Board due to an authorized leave of absence or otherwise). If you believe our records are in error, please immediately contact County Executive staff, who will verify your status, at (716) 753-4644.

Please check a box below, and ensure this completed Notice is received by _____
_____ at:

Chautauqua County Ethics Board
c/o Office of the County Executive
Gerace Office Building, Room 341,
3 North Erie Street
Mayville, New York 14757

I have completed my training confirmation(s) in NEOGOV and enclosed is a check in the amount of \$_____ payable to "Director of Finance, Chautauqua County," in resolution of my alleged violation of the Law known as the Chautauqua County Code of Ethics. **(Please note, the amount of the penalty will correspond with the amount of delay in complying with the law. For every ten (10) full County business days after the initial deadline of (DATE) that a violation continues, the penalty will increase by \$100.00).**

I have completed my training confirmation(s) in NEOGOV and I request an informal settlement conference. I understand that I may hire an attorney to represent me, at my own expense. I understand that the settlement amount offered herein may not be available at the settlement conference.

I have completed my training confirmation(s) in NEOGOV and I request a hearing. I understand that I may hire an attorney to represent me, at my own expense. I understand that if I am found after a hearing to be guilty of violating the Law, I am subject to any and all penalties available under the law.

IF THE ETHICS BOARD DOES NOT RECEIVE YOUR RESPONSE BY THE DATE SPECIFIED ABOVE, YOU WILL BE SUBJECT TO ADDITIONAL ENFORCEMENT ACTION UP TO AND INCLUDING TERMINATION FROM EMPLOYMENT.

Yours very truly,

Name

Chairman of the Chautauqua County Ethics Board

DR:alg

Cc: Department Head of the employee

DRAFT

ATTACHMENT 6 TO ETHICS BOARD PROCEDURE EB-2021-01

Ethics Board letter to liaisons to volunteer board members, for use when a volunteer board member failed to timely comply with training or disclosure statement requirements. The letter should be sent by email on Board Letterhead, using “delivery” and “read receipt” options.

Dear County Board Liaison:

The following board member(s) under your purview failed to timely comply with this year’s

- Code of Ethics training requirements
- Statement of Financial Disclosure filing requirement.

Name of Board: _____ Name of Board Member: _____

(add additional lines as needed)

Board members make important contributions to County government. We hope that in the future, your efforts to ensure timely compliance by this individual / these individuals will be successful. It should be expected that a board member’s future violation of the law may result in suspension or termination of their board membership.

Thank you for your efforts toward ethical County government operations.

Yours very truly,

Name

Chairman of the Chautauqua County Ethics Board

DR:alg

Ethics Board letter to volunteer board members, for use when a volunteer board member failed to timely comply with training or disclosure statement requirements. The letter should be sent on Board Letterhead, by certified mail and standard mail.

Dear County Board Member:

Board members make important contributions to County government. Your service on the _____ board is very much appreciated.

According to our records, you did not timely comply with this year’s

- Code of Ethics training requirements
- Statement of Financial Disclosure filing requirement.

We respectfully request that these important requirements be timely complied with in the future. This will relieve County staff, the County Ethics Board, and appointing authorities from expending time following up with you. It will also foster County compliance with the law and further ethical County government operations.

Thank you.

Yours very truly,

Name

Chairman of the Chautauqua County Ethics Board

DR:alg

DRAFT

Appendix G: Revisions to Local Law Amending Chautauqua County Code of Ethics

LOCAL LAW
INTRODUCTORY NO. _____
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING THE CHAUTAUQUA COUNTY CODE OF ETHICS

BE IT ENACTED, by the County Legislature of the County of Chautauqua, New York, as follows:

1. Local Law ~~1-203-21~~ of the County of Chautauqua, entitled "A Local Law Amending the Chautauqua County Code of Ethics, is hereby amended by substitution to state as follows:

Section 1. Short Title

This code of ethics shall be known as the "Chautauqua County Code of Ethics."

Section 2. Legislative Purpose.

The purpose of this Code is to establish minimum standards of ethical conduct for County officers and employees to ensure that County government is free from improper influence. Ethical conduct ultimately depends on the personal integrity of County officers and employees and on the vigilance of their communities. The establishment of the standards and guidelines set forth in this code is a step toward providing the highest caliber of public administration for County government and increased confidence in its officials, while recognizing that public service cannot require a complete divesting of all proprietary interests nor impose overly burdensome disclosure requirements if County government is to attract and hold competent administrators.

By requiring public disclosure of interests that may influence or be perceived to influence the actions of County officials, this code is intended to facilitate consideration of potential problems before they arise, to minimize unwarranted suspicion, and to enhance the accountability of government to the people.

The disclosure requirements of this Code of Ethics are in addition to any other requirements imposed by law. Additional disclosure to the public is available pursuant to the New York State Freedom of Information Law and Election Law requirements. Copies of all contracts with the County are also available for public inspection at the Office of the Clerk of the County Legislature.

Section 3. Definitions

When used in this Code and unless otherwise expressly stated:

1. "Agency" means any office, board, body, advisory board, council, commission, agency, department, district, administration, division, bureau, or committee of the County.

2. "Appear" and "Appear Before" mean communicating in whatever form, whether personally or through another person.

3. "County Officer or Employee" means any officer or employee of the County, whether paid or unpaid, including Public Officials and all other members of any Agency of the County, but does not include a judge, justice, officer, or employee of the Unified Court System.

4. "Dependent" means an individual who will be claimed by the County Officer or Employee as a dependent on the current year's State or Federal tax return.

5. "Family Member" means a spouse, child, step-child, parent, step-parent, sibling, step-sibling, half-sibling, Dependent, and household member of a County Officer or Employee.

6. "Person" means an individual, corporation, partnership, unincorporated association, and all other entities.

7. "Related Person" means a spouse, fiancé(e), parent, child, or sibling, including step and half relations, a grandparent, parent-in-law, sibling-in-law, Dependent, member of the County Officer or Employee's household, first cousin, aunt, uncle, niece, or nephew.

8. "Public Official" means any official who has discretionary authority, either alone or as a member of an Agency, but does not include a judge, justice, officer, or employee of the Unified Court System.

Section 4. Conflicts of Interest of County Officers and Employees

1. No County Officer or Employee shall directly or indirectly do or take any act prescribed below, or agree to do such acts, or attempt such acts, or induce another Person to do such acts:

- a. act or Appear as agent, broker, employee, consultant, or representative for any third party in connection with any transaction that involves discretionary acts of any County Officer or Employee or act or Appear in any matter in which the County is a party or a complainant except on behalf of the County or himself or herself.
- b. solicit any gift, or accept or receive any gift having a value of seventy-five dollars (\$75.00) or more per year from any Person, other than a Family Member, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, who the County Officer or Employee knows is considering or has had any transactions with the County that involves any discretionary act by the County Officer or Employee.
- c. take or refrain from taking any action on any matter before the County in order to obtain a pecuniary or material benefit different from that to be derived by the general public for:

- (i) himself or herself;
- (ii) a Family Member;
- (iii) any partnership or unincorporated association of which the County Officer or Employee is a member or employee or in which he or she has a proprietary interest;
- (iv) any corporation of which the County Officer or Employee is an officer or director or of which he or she legally or beneficially owns or controls more than five percent (5%) of the outstanding stock;
- (v) any Person with whom the County Officer or Employee or his or her Family Member has an employment, professional, business, or financial relationship, provided, however, that relationships which are available to and entered into by the general public on the same terms and conditions as those applicable to the County Officer or Employee, such as relationships in the nature of bank accounts, credit cards, bank loans, and mortgages, shall not be deemed to be financial relationships for purposes of this section; or
- (vi) any Person from whom the County Officer or Employee or his or her spouse has received a pecuniary or material benefit having an aggregate value greater than two thousand dollars (\$2,000.00) per calendar year.

Examples of material or pecuniary benefits include, but are not limited to, hiring, promoting, authorizing a pay increase, providing a performance review, a job assignment or job description change, work schedule change, approving a voucher or expense claim, awarding a contract, extension of time to perform a contract, a contract dollar amount increase, and purchasing goods. Nothing in this section shall be construed as prohibiting a County Officer or Employee from performing a purely ministerial act.

Notwithstanding the above, a County Officer or Employee may respond to questions asked by an individual who will be taking or refraining from taking an action.

- d. solicit directly or indirectly any non-elected County Officer or Employee or any entity that is not subject to competitive bidding, to participate in an election campaign, or pay any assessment, subscription, or contribution to a political party, political party organization or election campaign, or to otherwise participate in political activities. This paragraph shall not prohibit a general solicitation of a class of persons, other than those expressly prohibited, of which such solicited County Officer or Employee happens to be a member.

- e. ~~except~~ where authorized by law, disclose any confidential information acquired in the course of official duties or use any such information for personal gain or to advance the financial interests of any other Person.
- f. after termination of his or her term of office or employment with the County, Appear Before the County or receive compensation for any services rendered on behalf of any Person other than the County in relation to any particular matter upon which he or she took any discretionary act during his or her term of office or employment with the County; provided, however, that this provision shall not prohibit the continuance of an existing contract when the former County employee has become the head of an entity that is a sole source for goods or services required by the County, or when the County Department Head determines that there is insufficient alternative availability of needed goods or services.
- g. no paid County Officer or Employee shall for two years after the termination of employment provide professional or managerial services for a third party on any matter involving his or her former County Agency; provided, however, that this provision shall not prohibit the continuance of an existing contract when the former County employee has become the head of an entity that is a sole source for goods or services required by the County, or when the County Department Head determines that there is insufficient alternative availability of needed goods or services.

This subsection shall not apply to any elected official, member, or employee of a federal, state, or local government or one of their agencies or instrumentalities, or to any action by a licensed attorney that is permitted by the New York State Rules of Professional Conduct. Retired County Officers or Employees who were working for a third party on a matter involving their former County Agency at the time of enactment of this Law may continue to perform such work as long as their actions do not violate the terms of this paragraph "g" as it was written on their date of retirement.

- h. act or Appear as an attorney in: (1) any litigation in which the County is a party or complainant that involves torts, civil rights, contracts, or eminent domain, except on behalf of the County or himself or herself; or (2) any other matter in which the County is a party or complainant that would constitute a violation of the New York State Rules of Professional Conduct.

2. No partnership, unincorporated association, corporation or any other entity owned or controlled by a County Officer or Employee shall Appear Before any County department or Agency which employs such County Officer or Employee except on behalf of the County or itself.

3. Nothing in this Local Law shall be construed to prohibit a County Officer or Employee or any other Person from receiving a County service or benefit or using a County facility which is generally available to residents or to a class of residents in the County.

4. Nothing in this Local Law shall be construed to prohibit a County Officer or Employee from performing any ministerial act.

5. Nothing in this Local Law shall be construed to prohibit an unpaid member of a County Agency from acting or appearing for a third party regarding a matter unrelated to the business of their County Agency, nor prohibit a County Officer or Employee who is an elected Public Official of another governmental entity from acting or appearing in their official capacity on behalf of such other governmental entity.

6. Nothing in this Local Law shall be construed to prohibit an unpaid member of an advisory County board, bureau, council, committee, or commission from acting or appearing Appearing for a third party regarding a contract with the County when such member has no power or duty on behalf of the County to:

- a. negotiate, prepare, authorize or approve the contract or authorize or approve payment thereunder;
- b. audit bills or claims under the contract; or
- c. ~~appoint~~ appoint a County Officer or Employee who has any of the powers or duties set forth above.

7. Nothing in this Local Law shall be construed to prohibit a County Officer or Employee from serving in an unpaid capacity as an officer or director of a non-profit or governmental entity, when such service is in furtherance of the official duties of the County Officer or Employee.

8. Nothing in this Local Law shall be construed to prohibit a member of a County advisory board, bureau, council, committee, or commission (collectively Advisory Body) who was selected to serve on the Advisory Body due to involvement in a particular industry, or employment by a particular entity, from taking action on a matter before the Advisory Body which has the potential to benefit or result in additional revenues to the industry or entity, provided such action is not binding on the County and is subject to further County approval.

Section 5. Interests in Contracts Pursuant to General Municipal Law

1. No County Officer or Employee may have an interest in a contract that is prohibited by section 801 of New York General Municipal Law.

2. Every County Officer and Employee shall disclose interests in actual or proposed contracts with the County at the time and in the manner required by section 803 of New York General Municipal Law.

Section 6. Use of County Resources

The use of County resources by County Officers and Employees shall be in compliance with County policies and procedures.

Section 7. Procurement Integrity

1. While procuring property or services of more than fifty thousand dollars (\$50,000.00) in value, no County Officer or Employee shall solicit, discuss, or accept, directly or indirectly, any promise of future employment or business opportunity from any contractor competing for such procurement.

2. While competing for award of a County procurement of property or services of more than fifty thousand dollars (\$50,000.00) in value, no contractor shall discuss or make, directly or indirectly, any offer or promise of future employment or business opportunity to any official of the County involved in such procurement.

Section 8. Annual Disclosure

1. All Public Officials who are elected or paid, and all County Officers or Employees who are authorized to use County-issued credit cards or to approve vouchers, invoices, purchase orders or contracts and payroll, such as purchasing clerks and purchasing agents, shall file with the Ethics Board, by depositing with the Office of the County Executive, a signed annual disclosure statement using a form approved by the Ethics Board which shall be substantially in conformance with the 2019-2022 disclosure statement form filed with the Clerk of the County Legislature.

- a. within thirty (30) days of taking office; and
- b. no later than April 30 of each year thereafter.

A list of those titles which are subject to County disclosure requirements, as the same may be amended from time to time by the Ethics Board, is on file with the Clerk of the Legislature and in the office of the County Executive.

Within thirty (30) days of any material change in the information contained in his or her most recently filed statement, the County Officer or Employee shall file a signed amendment to the statement indicating the change. The Ethics Board shall have free and unlimited access to all forms at all times.

County department heads shall ensure that if an Officer or Employee under the department head's purview who is required to file a statement does not timely file a statement, such Officer or Employee's ability to directly or indirectly expend County funds is suspended until such time as the statement has been filed. This will include without limitation suspension of use of County-issued credit cards and suspension of the ability to approve vouchers, invoices, purchase orders, and contracts and payroll. Before May 15th of each year, the County Executive shall verify that every affected County Officer or Employee has filed his or her annual disclosure statement. Failure of the Department Head or the County Executive to comply with these requirements shall not relieve any individual from his or her duty to timely file a disclosure statement pursuant to this Code of Ethics.

2. Within thirty (30) days of any material change in the information contained in his or her most recently filed statement, the County Officer or Employee shall file a signed amendment to the statement indicating the change.

3. If a County Officer or Employee subject to the filing requirement is unable to timely file the statement or amended statement due to approved leave-time (excluding vacation time), illness, injury, lack of County engagement, or other justifiable circumstances, such individual must submit for Ethics Board approval a written request for an extension of time to file, approved by such Officer or Employee's department head or by the County Executive or Legislative Chair. The request shall be supported by such documentation as may be reasonably requested by the Ethics Board. The prioritization of other County matters over the filing of the disclosure statement is not grounds for an extension of time to file.

24. If a County Officer or Employee who is elected or paid is not able, after reasonable efforts, to obtain some or all of the information required by paragraph two of this section which relates to his or her spouse or household member, he or she shall so state, as part of the annual disclosure statement.

25. The Ethics Board shall review all disclosure statements. Upon being satisfied as to the content and completeness of a statement, the Ethics Board shall return the statement to the Office of the County Executive, which will in turn file the original statement with the County Clerk and an electronic copy with the Clerk of the Legislature. All such statements are public records and shall be kept on file for at least seven (7) years.

6. If the Ethics Board finds a disclosure statement to be deficient, the Ethics Board will provide written notification of the deficiency(ies) to the filer along with a date or period of time by which the deficiency(ies) must be cured. If all deficiencies are not cured within the specified date or time period, and the otherwise applicable filing deadline has passed, the Disclosure Statement may be deemed to have been untimely filed.

Section 9. List of Titles Required to File; Notices of Filing Requirements; Verification of Filing; Training and Distribution of Code

1. A list of those titles which are subject to County disclosure requirements, as the same may be amended from time to time by the Ethics Board, is on file with the Clerk of the Legislature and in the office of the County Executive.

2. Before May 15th of each year, the County Executive shall verify that every affected County Officer or Employee has filed his or her annual disclosure statement.

3. Failure of the County Executive or of an individual subject to disclosure statement filing requirements to comply with such requirements shall not relieve any individual from his or her duty to file a disclosure statement pursuant to the Code of Ethics.



41. All County Officers and Employees subject to the requirements of the Chautauqua County Code of Ethics are required to undergo annual Ethics Board training to inform and educate them as to the requirements of this Code. At least every five (5) years starting in 2022, the training will consist of or include the Code of Ethics. In other years, the training will include either a paper copy of the Code or information about where the Code can be found online.

2. County employees shall and to timely confirm in writing completion of such Ethics Board training requirements, and County board, bureau, council, committee, and commission members (collectively County Participants) shall acknowledge receipt of such training, in written or electronic form in the manner specified by the Department of Human Resources or the County Executive's office, as follows:

- a. on the day of employee orientation for all new employees;
- b. within thirty days of receipt of training materials for newly appointed County Participants; and
- c. by March 31st for existing employees and County Participants;

Notwithstanding the above, the Ethics Board may extend a due date due to approved leave time (excluding vacation time), illness, injury, lack of County engagement, or other justifiable circumstances. The prioritization of other County matters over completion of ethics training is not grounds for an extension of time to file.

County employees shall cooperate with any request made by their supervisor that they complete, and confirm completion of, the annual training, earlier than March 31st.

Notwithstanding the fact that the Ethics Board's training is administered by the Department of Human Resources and Department Heads, County Officers and Employees bear ultimate responsibility for their timely compliance with this Law.

The training will include either a paper copy of the Code or information about where the Code can be found online. 3. Training will be administered as follows:

- a. The County Department of Human Resources will provide the Ethics Board's a paper copy of the training materials to;
 - (i) new employees, as part of the new employee orientation process, securing and will secure written confirmation of completion during orientation; and receipt, or will send the training materials to new employees via e-mail and secure written confirmation of receipt;
 - (ii) County Department Heads annually, no later than March 1st, with optional Human Resources distribution to some or all County employees.
- b. The County Department of Human Resources will issue training materials to Department Heads, who shall administer annual training for all County employees under their purview between January 1st and March 31st. Department Heads must and shall ensure that each employee under their purview timely confirms completion of the training, signs off on a paper or electronic form confirming review of the

training, and shall certify completion of departmental training to the Human Resources Director. In the event an employee under the Department Head's purview fails to timely confirm completion of the training, the Department Head shall remit to the County Executive and Legislative Chair, documentation demonstrating efforts made by the Department Head to secure timely confirmation. Such documentation shall reflect arrangements made by the Department Head for the employee to receive training at a designated date, time and location prior to the training confirmation due date.

a-c. For those board members and others subject to the training requirement who are not County employees, the appointing authorities or their designees will shall provide a copy of the training materials to each such individual upon first appointing such individual's appointment, and annually no later than March 1st, and shall will within thirty days of appointment secure written or electronic confirmation of receipt in the manner specified by the Office of the County Executive.

b. For those subject to the training requirement who are not County employees, the appointing authorities or their designees will administer annual training for all such individuals under their purview between January 1st and March 31st. Appointing authorities or their designees must ensure that each such individual acknowledges receipt of the training materials, either electronically or by signing off on a form confirming receipt of the training materials.

The Director of the Department of Human Resources will notify the County Ethics Board when Department Heads have certified employee completion of the annual training, and appointing

d. Appointing authorities or their designees will shall certify to notify the County Ethics Board within five (5) business days of the annual confirmation due date that when all non-employees who are under their purview and subject to the training requirement have acknowledged receipt of the annual training materials. If such an individual has not timely acknowledged receipt of the materials, the certification shall include a written explanation of efforts made to secure timely acknowledgment as well as a recommendation on retention or dismissal of such individual.

4. If a County Officer or Employee subject to the training requirement is unable to complete the training by the deadline due to approved leave-time (excluding vacation time), illness, injury, lack of County engagement, or other justifiable circumstances, such individual must submit for Ethics Board approval a written request for an extension of time to complete the training, approved by such Officer or Employee's department head, board liaison, the County Executive, or the Legislative Chair. The request shall be supported by such documentation as may be reasonably requested by the Ethics Board. The prioritization of other County matters over completion of ethics training is not grounds for an extension of time to file.

Section 10. Reporting Violations.

All County Officers and Employees are encouraged to report any instances of suspected or known violations of this Code. Reports may be made to a supervisor, or to the Chautauqua

County Ethics Board, c/o Office of the County Executive, 3 North Erie Street, Mayville, New York 14757, or to the Ethics Board at PO Box 13, Jamestown, New York 14702-0013. Making a report with knowledge that all or part of the information in the report is false or misleading is a violation of this Code and may result in penalties as provided herein.

Section 11. Inducement of Violations

Any Person, whether or not a County Officer or Employee, who intentionally induces any County Officer or Employee to take any action or to refrain from taking any action in violation of any provision of this Code, violates this Code.

Section 12. Civil and Administrative Penalties

1. Any County Officer or Employee who engages in any action that violates any provision of this Code may be warned or reprimanded or suspended or removed from office or employment or be subject to any other sanction authorized by law or collective bargaining agreement, by the appointing authority or Person or body authorized by law to impose such sanctions.

2. Any County Officer or Employee who violates any provisions of this Code may be subject to a civil fine of up to ten thousand dollars (\$10,000) for each violation, as may be determined by the Ethics Board. A civil fine may be imposed in addition to any other penalty contained in any other provisions of law or in this Code.

3. Any County Officer or Employee who violates any provision of this Code shall be liable in damages to the County for any losses or increased costs incurred by the County as a result of the violation. Such damages may be imposed in addition to any other penalty contained in any other provision of law or in this Code.

Section 13. County Ethics Board

1. Establishment. The County Legislature hereby establishes an Ethics Board consisting of five (5) members. The Ethics Board shall be responsible for ensuring full compliance with the Code of Ethics. All actions of the Ethics Board shall be by a vote of at least three (3) members. Members of the Ethics Board shall serve without compensation.

2. Appointment. Members of the Ethics Board shall be appointed by the County Executive and confirmed by a two-thirds vote of the County Legislature. No Ethics Board members shall hold office in a political party, be employed as a lobbyist, have a Family Member who is or was an immediate relative of a County Officer or Employee, or have any financial interest in any contracts or other transactions involving the County.

3. Term. The members of the Ethics Board shall serve three-year staggered terms. If a vacancy occurs on the Ethics Board, the new member shall be appointed to fill the unexpired portion of the term. Members of the Ethics Board may be removed for cause by the County Executive with the concurrence of two-thirds of the County Legislature. Grounds for removal shall be neglect of duty, misconduct in office, inability to discharge the powers or duties of the

office, or violation of the Code of Ethics. Prior to removal, the Ethics Board member shall be given written notice of the reasons for removal and an opportunity to reply.

4. Powers and Duties. The Ethics Board shall have the following powers and duties:
- a. Prescribe and promulgate rules and regulations governing its internal organization and procedures consistent with the Code of Ethics;
 - b. Review with County Officers or Employees the disclosure requirements of this Code, and ensure proper filing of all disclosure statements;
 - c. Conduct investigations, hearings, and other examinations relating to the Code of Ethics, with the power to issue subpoenas where necessary;
 - d. Recommend and impose sanctions, penalties, or fines in accordance with the Code of Ethics;
 - e. Render advisory opinions upon request of any County Officer or Employee;
 - f. Recommend content for training and education of County officers and employees regarding the requirements of the Code of Ethics;
 - g. Prepare an annual report;
 - h. Recommend changes or improvements to the Code of Ethics;
 - i. Perform such other related duties as requested by the County Executive;
 - j. Meet at least four times a year, and send notice of meetings and the names of Ethics Board members to the County's official newspapers and to radio stations in the County. In addition, notice of meetings and the names of Ethics Board members shall be posted on the County's website; and
 - k. Arrange for a separate post office box for the Ethics Board, accessible only by officers of the Ethics Board.

Section 14. Separability.

If any clause, sentence, paragraph, or section of this Code of Ethics is adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, and the unaffected portions of this Code of Ethics shall remain in full force and effect.

II. This Local Law shall become effective upon filing with the Secretary of State.

Appendix H: Revised Statement of Financial Disclosure

**(YEAR) ANNUAL STATEMENT OF FINANCIAL DISCLOSURE
FOR THE COUNTY OF CHAUTAUQUA**

**YOU MUST ANSWER ALL QUESTIONS
(If you have no information to enter, check "No" or "None")**

If you need additional space for any answers, please attach a separate sheet.

1. NAME AND ADDRESS.

Full Name (including middle initial)

Title of County Employee or County Board Member

County Department or County Board Name

Preferred Mailing Address (include street, city, state and zip code). Please provide your preferred mailing address for the Ethics Board to contact you should it have any follow-up questions regarding your form. County Department or County Board Mailing Address (include street, city, state and zip code).
If this section is not applicable, please provide a mailing address where you can be reached.

2. SPOUSE. Provide the name of your spouse (if married) and include his or her middle initial.

NO SPOUSE (Check if appropriate)

Spouse

3. CHILDREN. Provide the names and ages of any dependent children, including middle initials for all. A dependent child is a child who may be listed on your federal tax return as a dependent during the year in which the disclosure form is completed.

NO DEPENDENT CHILDREN (Check if appropriate)

Child/Age

Child/Age

Child/Age

Child/Age

Child/Age

Child/Age

(If you have more than six (6) children, please provide their names and ages on a separate sheet.)

NAME: _____

4. EMPLOYMENT

a. Non-County-Government Employment. Describe any non-county government occupation, employment, trade, business or profession providing more than \$1,000.00 of income in the previous calendar year for you (and/or your spouse and/or dependent children). For past employment, please complete Question 4c.

NONE (Check if appropriate)

Name of Family Member	Position	Name, Address & Description of Organization
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

b. Future Employment. Describe any contract, promise or other agreement between you and any third party, with respect to your employment after leaving your County office or position. Include the name and address of the other party, and describe the nature of the future employment.

NONE (Check if appropriate)

c. Past Employment. Identify the source and nature of any income currently received, or received in the previous twelve (12) months, in excess of \$1,000.00 per calendar year from any prior employer, including wages, deferred income, contributions to a pension or retirement fund, profit sharing plan, severance pay, or payments under a buy-out agreement.

NONE (Check if appropriate)

Name & Address of Income Sources	Description of Income (i.e., pension, deferred, etc.)
_____	_____

5. BUSINESS POSITIONS. List any office, trusteeship, directorship, partnership, or other position in any business, municipality, association, proprietary, or not-for-profit organization for you (and/or your spouse and/or dependent children), which has not been listed above, and indicate whether these businesses are involved with the County of Chautauque in any manner. This includes volunteer, unpaid positions on boards including advisory boards.

NONE (Check if appropriate)

Name of Family Member	Position	Organization	County Department or Agency and Nature of Involvement
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

6. ASSETS AND INVESTMENTS

a. Investments. Itemize and describe all investments in excess of \$5,000.00 or five percent (5%) of the value in: any business, corporation, or partnership (including those controlled by you, your spouse and dependent children); and other assets including stocks, bonds, loans, pledged collateral, and other investments (for you and/or your spouse and/or dependent children). You do not need to list checking or savings accounts, investments in Federal programs (such as Social Security) or a State of New York retirement plan.

NONE (Check if appropriate)

Name of Family Member	Name & Address of Business	Description of Investment
_____	_____	_____
_____	_____	_____
_____	_____	_____

b. Real Estate. List the location of all real estate within the County or within five (5) miles of the County in which you (and/or your spouse and/or dependent children) have an interest or had an interest in the previous calendar year, regardless of its value. You do not need to list property listed on the deed of your primary residence.

NONE (Check if appropriate)

Name of Family Member	Location of Real Estate	Description of Investment
_____	_____	_____
_____	_____	_____

NAME: _____

c. Trusts. Identify each interest in a trust or estate or similar beneficial interest in any assets in excess of \$2,000.00, except for IRS eligible retirement plans or interests in an estate or trust of a Related person, as such term is defined in the County's Code of Ethics, for you (and/or your spouse and/or dependent children).

NONE (Check if appropriate)

Name of Family Member	Trustee/Executor	Description of Trust/Estate
_____	_____	_____
_____	_____	_____

7. OTHER INCOME. Identify the source and nature of any other income in excess of \$1,000.00 per calendar year from any source not described above, including teaching income, lecture fees, consultant fees, contractual income, or other income of any nature, for you (and/or your spouse and/or dependent children). This should include any income for which you have received an IRS form 1099 showing income in excess of \$1,000.00 during the preceding year.

NONE (Check if appropriate)

Name of Family Member	Name & Address of Income Source	Nature of Investment
_____	_____	_____
_____	_____	_____
_____	_____	_____

8. GIFTS AND HONORARIUMS. List the source of all gifts aggregating in excess of \$250.00 received during the last calendar year by you (and/or your spouse and/or dependent children) excluding gifts from a Related person (as defined in the Code of Ethics). The term "gifts" includes gifts of cash, property, personal items, payments to third-parties on your behalf, forgiveness of debt, honorariums, services, travel, entertainment, hospitality, thing or promise, non-employment donations to a retirement plan, discounts not available to members of the public, and any other payments or items that are not reportable as income. Gifts received from a Related person acting as an agent for a third party must be disclosed.

NONE (Check if appropriate)

Name of Family Member	Name & Address of Donor
_____	_____
_____	_____
_____	_____

NAME: _____

9. THIRD-PARTY REIMBURSEMENTS. Identify and describe the source of any third-party reimbursement within the past 12 months for travel-related expenditures in excess of \$250.00 for any matter that relates to your official duties. The term "reimbursement" includes any travel-related expenses provided by anyone other than the County for speaking engagements, conferences, or fact finding events that relate to your official duties. Report all reimbursement aggregating \$250.00 or more, whether paid by one or more individuals or entities.

NONE (Check if appropriate)

Source	Description
_____	_____
_____	_____
_____	_____
_____	_____

10. LOANS. Describe all loans to you (and/or your spouse and/or dependant children) in excess of \$5,000.00 where the creditor is not a federally insured bank, a Federal or state loan program, or savings and loan institution, or a Related person (as defined in the Code of Ethics).

NONE (Check if appropriate)

Name of Family Member	Name & Address of Creditor
_____	_____
_____	_____
_____	_____
_____	_____

11. POLITICAL PARTIES. List any position you held within the last five (5) calendar years as an officer of any political party, political committee, or political organization. The term "political organization" includes any independent body or any organization that is affiliated with or a subsidiary of a political party.

NONE (Check if appropriate)



12. INTEREST IN CONTRACTS. Describe any interest you (and/or your spouse, minor children, or dependents) have in any actual or proposed contract involving the County or any town, village, or city within the County. "Interest" means a direct or indirect pecuniary or material benefit accruing to you (and/or your spouse, minor children or dependents) as the result of a contract with the County. Besides any direct contractual relationships with the County, you (and/or your spouse, minor children or dependents) shall be deemed to have an interest in a contract between the County and: (a) a firm, partnership or association of which you or such family member is a member or employee; (b) a corporation of which you or such family member is an officer, director, or employee, but shall not include a contract of employment with the County; and (c) a corporation any stock of which is owned or controlled directly or indirectly by you or such family member. The disclosure made herein is intended to fulfill the requirements of Section 803 of General Municipal Law.

NONE (Check if appropriate)

Name of Family Member	Contract Description
_____	_____
_____	_____
_____	_____

CERTIFICATION:

I hereby certify under penalty of perjury that the information disclosed on this form is true and complete to the best of my knowledge. A reporting individual who knowingly and willfully fails to file an annual statement of financial disclosure or who knowingly and willingly with intent to deceive makes a false statement or gives information which the individual knows to be false on this statement of financial disclosure may be subject to civil and/or criminal penalties as allowed by law.

I hereby acknowledge my continuing responsibility to disclose any conflicts of interest or potential conflicts of interest and/or recuse myself from any act or action as required by Chautauque County's Code of Ethics. I certify that I will undertake and carry out this responsibility to the best of my ability.

Signature

Date

For Corrected or Amended Forms Only:

Signature

Date Corrected or Amended

THE DEADLINE FOR FILING IS APRIL 30, (YEAR)

Please return the originally signed, completed form to:
the County Executive's Office, Gerace Office Building, 3 N. Erie St., Mayville, NY 14757.

In the event of a material change to the information reported on this form,
an amended form must be filed within thirty (30) days of such change.

FOR OFFICE USE ONLY

