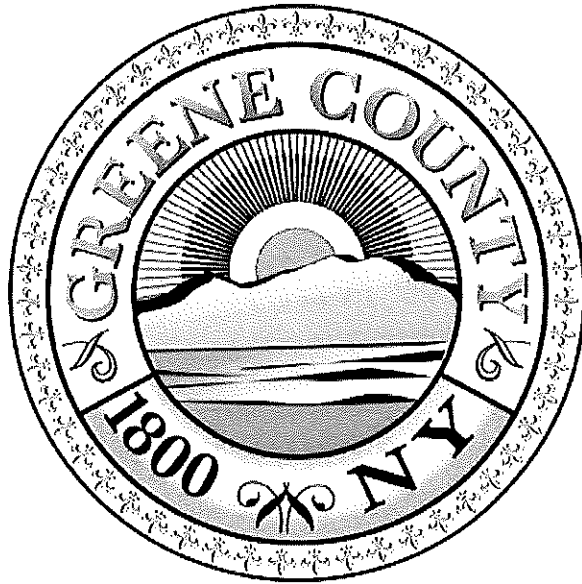


# GREENE COUNTY



# CODE OF ETHICS

# Code of Ethics

*Adopted April 16, 1997*

*Local Law Number 2 of 1997*

*Amended*

*Local Law Number 3 of 1997*

# **COUNTY OF GREENE**

## **LOCAL LAW NO. 2 OF 1997**

A LOCAL LAW establishing a Code of Ethics for Greene County and rescinding Resolution No. 293-70 adopted December 4, 1970.

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF GREENE AS FOLLOWS:

### **GREENE COUNTY CODE OF ETHICS**

*Contents:*

1. Short title
2. Purpose and scope
3. Definitions
4. Standards of conduct
5. Disclosure of interests
6. Board of Ethics
7. Penalties
8. Distribution of Code
9. Repeal of prior Code
10. Effective date

## **SECTION 1**

SHORT TITLE. This local law shall be known and may be cited as the “Greene County Code of Ethics.”

## **SECTION 2**

PURPOSE AND SCOPE. This Code is enacted pursuant to article 18 of the general municipal law and in recognition of the policy of the State of New York and the County of Greene to maintain the highest standards of integrity in the public service. Specifically, this Code has as a major purpose the establishment of procedures by which any member of the public may come forward and have considered any allegation or claim of wrongdoing in violation of this Code by any elected or appointed officer or employee of the County or of any member of any Board or Commission of the County. At the same time it is an equally important major purpose of this Code to protect officers and employees of the County against insubstantial or unfounded allegations of violations arising out of the reasonable performance of their duties. This Code shall be in addition to all other restrictions, standards and provisions pertaining to the conduct of County officers and employees.

## **SECTION 3**

DEFINITIONS. As used in this Local Law, the following terms shall have the meanings indicated.

1. Officer or Employee. An officer or employee of the County, whether paid or unpaid, including members of the County Legislature, and of any administrative board, commission or other agency of the County where such board, commission or other agency is appointed in its entirety by the County.

2. Interest. A pecuniary or material benefit accruing to a municipal officer or employee, unless the context otherwise requires, and shall be deemed to include the business or financial affairs of the officer’s or employee’s spouse, minor children and dependents; a firm, partnership or association in which such officer or employee is a member; a corporation of which such officer or

employee is an officer or director; and a corporation any stock of which is owned or controlled directly or indirectly by such officer or employee.

3. County. The County of Greene.

4. Code. The Greene County Code of Ethics as set forth in this Local Law.

5. Board. The Board of Ethics established pursuant to section 6 of this Code.

## SECTION 4

STANDARDS OF CONDUCT. Every officer or employee of the County shall be subject to and abide by the following standards of conduct:

1. Gifts. No officer or employee of the County, whether paid or unpaid, shall directly or indirectly solicit any gift or gratuity, or accept or receive any gift or gratuity irrespective of value whether in the form of money, services, loan, travel, entertainment or any other form, from any person, firm or corporation which the officer or employee knows or has reason to know is seeking or has received or has sought a financial benefit from the County not provided to the public in general within the previous twenty-four months. Gifts or gratuities as referred to herein shall not include goods or services exchanged between persons who are officers or employees of the County. Advisory opinions may be sought by any officer or employee from the Board pursuant to paragraph c of subdivision 4 of section 6 of this Code as to whether an occurrence is or would be a prohibited gift or gratuity.

2. Confidential information. He or she shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest.

3. Representation before agencies and courts.

a. One's own agency. No officer or employee shall appear for or act as representative of any person or entity in relation to any matter before any municipal agency of which he or she is an officer, member or employee or before any municipal agency over which he or she has jurisdiction or to which

he or she has the power to appoint any member, officer or employee. Representation by a County Legislator of interests of a constituent in matters pending before the County Legislature is not within the prohibition of this subsection.

b. Before any agency for a contingent fee. No officer or employee shall receive or enter into any agreement, express or implied for compensation for services to be rendered in relation to any matter before any municipal agency whereby his or her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this subdivision shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

c. Courts. No officer or employee shall represent private interests in any court action or proceeding against the interest of the County in any litigation to which the County is a party. If said officer is an attorney, he or she should not engage in activities in which his or her personal or professional interests are or foreseeably maybe in conflict with his or her official duties.

4. Interests in conflict with official duties. He or she shall not invest or hold any interest or commercial investment, directly or indirectly, in any financial business, commercial or other private transaction which creates a conflict with his or her official duties, excepting officially designated banks in which he or she has less than a five (5%) percent stock ownership or officially designated newspapers. No member of a board, commission or other agency not appointed in its entirety by the County shall be in violation of this subsection by submission to the County of bids or commercial proposals on any subject in competition with other bidders or proposers on such subject.

5. Private employment. He or she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

6. Future employment. He or she shall not, after the termination of service or employment with the County, appear absent a court order before any board, agency, department or other administrative unit of the County in relation to any case, proceeding or application in which he or she personally

participated during the period of his or her service or employment or which was under his or her active consideration.

7. Use of County property. He or she shall not directly or indirectly use or allow the use of property of any kind owned by the County, including property leased to the County, for other than official County business or not-for-profit activities specifically authorized by the County.

8. Treatment of the public. Every officer and employee shall treat all members of the public, whether a person, firm, corporation or other organization, with equal consideration and without special advantage.

9. Course of conduct. Every officer or employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he or she is likely to be engaged in acts that are in violation of his or her trust. He or she should not use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself, herself or others. He or she should not by any conduct give reasonable basis for the impression that any person can improperly influence him or her or unduly enjoy his or her favor in the performance of his or her official duties or that he or she is affected by the kinship, position or influence of any party or person.

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

## **SECTION 5**

### **DISCLOSURE OF INTERESTS**

1. Disclosure by officer of interest. Any officer or employee who has, will have or intends to acquire any interest, direct or indirect, in any matter being considered by the Legislature or by any official, board, agency, officer or employee of the County and who participates in discussions before or gives opinions or advice to the Legislature or to any board, agency or individual

considering the same shall fully and officially disclose the nature and extent of such interest in writing.

2. Disclosure by officer or employee having special knowledge of County matters. Any officer or employee who has knowledge of any matter being considered by the Legislature or any board, agency, officer or employee of the County in which he or she has or will have or intends to acquire any direct or indirect interest shall be required to disclose, in writing, his or her interest to the Legislature, such board, agency, officer or employee and the nature and extent thereof.

3. Disclosure by officer or employee of interest in legislation. Any officer or employee who has a direct or indirect financial or private interest in any legislation and who participated in discussions before or gives official opinions to the Legislature shall fully and officially disclose the nature and extent of such interest in writing. Any legislator who has direct or indirect financial or other private interest in any proposed legislation shall fully and officially disclose the nature and extent of such interest in writing.

## **SECTION 6**

### **BOARD OF ETHICS**

1. Establishment. There is hereby established a Board of Ethics for the County, pursuant to article 18 of the general municipal law.

2. Membership. The board shall consist of three members, initially appointed within Ten (10) Months of the effective date of this Local Law. The members shall be appointed by the Chairperson of the Legislature, subject to confirmation by the Legislature, and shall serve three year terms of office, one such term expiring at the end of each successive calendar year, provided that the first appointments to the Board shall be as follows:

- a. one member appointed for a one year term;
- b. one member appointed for a two year term; and
- c. one member appointed for a three year term.



Members of the Board shall not serve more than two full consecutive three year terms. In the event a vacancy occurs prior to the expiration of a term of office, such vacancy shall be filled for the balance of such term in the same manner as members are appointed to full terms. No more than one member of any political party shall serve on the Board at any time. The Board shall include one member from each of the two political parties ranking first and second in party enrollment among Greene County registered voters at the time of any given appointment. No member shall be an elected official, a political party officer, a member of a political party committee or have substantial business interests with the County. All members shall reside in the County. All members shall serve without compensation but shall be reimbursed for all reasonable expenses incurred in the conduct of their duties. The members shall elect a chairperson from among themselves. This subdivision supersedes the provisions of subdivision 1 of section 808 of the general municipal law which requires the Board to include at least one elected or appointed officer or employee of the County.

3. Removal. Members of the Board may be removed for cause by the vote of two-thirds of the Legislature. Prior to removal, the Board member shall be given written notice of the grounds for removal and an opportunity to reply.

4. Powers and duties.

a. The Board shall render advisory opinions in writing to officers or employees of the County regarding specific matters pertaining to potential conflicts of interest, filings and reporting requirements with respect to this Code and article 18 of the general municipal law. Such opinions shall be rendered only upon written request by the officer or employee concerning only the subject of the inquiry as it pertains to the requesting person's own concerns, except that the County Administrator may request advisory opinions on matters of general concern.

b. The Board shall accept from any member of the general public or from its own members or from any officer or employee of the County and consider any complaint or allegation, except an anonymous complaint or allegation, of conflict of interest on the part of any officer or employee of the County or any other violation of the Code. All such complaints or allegations

are to be kept in the confidential records of the Board. Should the Board determine that there is apparent merit in the complaint or allegation, it shall send a copy of the complaint or allegation and a written invitation to the officer or employee so charged to appear at a private meeting of the Board and explain the apparent conflict of interest or Code violation. Should such officer or employee fail to appear in response to such invitation or should he or she appear and fail to satisfy the Board that there is no conflict of interest or Code violation, the Board may commence an adjudicatory proceeding in accordance with the Regulations For Adjudicatory Proceedings annexed hereto and made a part hereof as Schedule A. At the conclusion of those proceedings the Board shall send a written report on the matter to the County Administrator. The report shall include findings of fact and conclusions of law and any decision as to penalties, including but not limited to fines or suspension, removal from office or employment. The report shall not be made public except by the unanimous vote of the Board.

c. The Board shall render advisory opinions in writing to officers or employees regarding specific matters pertaining to potential violations of this Code. Such opinions shall be rendered only upon written request by the officer or employee concerning only the subject of the inquiry as it pertains to the requesting individual's own obligations under this Code.

d. The Board shall administer and enforce this Code and conduct any investigations necessary to carry out the provisions hereof. Pursuant to the powers and duties of the Board, the Board may administer oaths or affirmations, subpoena witnesses, compel their attendance and require the production of any books or records which it may deem relevant or material.

e. The Board may make recommendations with respect to amendments to this Code to the Legislature.

f. The Board, upon its formation, shall be governed by Regulations for Adjudicatory Proceedings in the form annexed hereto and made a part hereof as Schedule A. The Board shall maintain records of its opinions and proceedings.

g. Notwithstanding the provisions of article 6 of the public officers

law, the only records of the Board which shall be available for public inspection are:

- i. Written disclosures filed pursuant to this Code;
- ii. Notices of hearings or proceedings;
- iii. Notices of penalties imposed under section 7 hereof; and
- iv. Advisory opinions with names of individuals redacted.

h. The Board may retain counsel admitted to practice in the State of New York subject to confirmation and funding approval by the Legislature.

i. The Board shall be empowered to request support staff and assistance from the Legislature in furtherance of its duties and responsibilities.

## **SECTION 7**

**PENALTIES.** Any officer or employee of the County who knowingly and willfully violates the provisions of this Code shall be subject to a civil penalty of up to ten thousand (\$10,000) dollars. Any non-elected officer or employee of the County or any appointed member of any County board, agency or commission who knowingly and willfully violates the provisions of this Code shall be subject to removal, termination or suspension. Any individual or person who, for the purpose of securing preferential treatment in dealings with the County, knowingly and willfully aids, abets or induces any officer or employee to violate this Code, shall be subject to having any current contract with the County cancelled and shall be barred from bidding on any other County contract for a period of up to two (2) years. The foregoing penalties shall be imposed by the Board subject to review pursuant to article 78 of the Civil Practice Law and Rules. In addition, the foregoing penalties shall be imposed by the Board subject to prior compliance by the County with any disciplinary provisions of any collective bargaining agreement between the County and any group of which the officer or employee is a member.

## **SECTION 8**

**DISTRIBUTION OF CODE.** The County Administrator shall cause a copy of this Code to be distributed to every officer and employee of the County within thirty (30) days after the effective date of this Local Law.

Failure to distribute such Code or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with this Code nor the enforcement of the provisions thereof. Each officer and employee elected or appointed thereafter shall be furnished with a copy before entering upon the duties of his or her office or employment.

## **SECTION 9**

**REPEAL OF PRIOR CODE.** The Resolution entitled "Code of Ethics" adopted December 4, 1970 is hereby rescinded and repealed.

## **SECTION 10**

**EFFECTIVE DATE.** This Local Law shall take effect upon filing with the Secretary of State. The provisions of sections 4 and 5 of this Code shall take effect March 1, 1998.

## **SCHEDULE A**

### **REGULATIONS FOR ADJUDICATORY PROCEEDINGS**

Sec.

1. Intent and Purpose
2. Definitions
3. Notice of Hearing or Proceeding
4. Time and Place of Hearing or Proceeding
5. Evidence and Proof
6. Representation
7. Oaths
8. Adjournments
9. Time Limits
10. Decision after Hearing or Proceeding
11. Conduct of Hearings
12. Hearing Officer
13. Powers and Duties of Hearing Officer
14. Fines, Penalties

15. Record of Hearing or Proceeding
16. Privacy/confidentiality

1. Intent and Purpose.

The Board of Ethics of Greene County has statutory authority to follow rules and regulations governing the conduct of adjudicatory proceedings and appeals relating to compliance with the Greene County Code of Ethics, and the conduct of hearings held there under.

These rules and regulations shall apply to all proceeding undertaken by the Board. Persons subject to the requirements of the law shall be entitled to receive an adjudicatory hearing or proceeding as to every action or decision as to them taken by the Board including but not limited to extensions of time, waivers and/or exemptions from the disclosure requirements.

2. Definitions.

(a) "Board" shall mean the Board of Ethics established pursuant to the Greene County Code of Ethics.

(b) "Hearing Officer" shall mean the presiding officer in adjudicatory hearings or proceedings conducted pursuant to these regulations, who shall be independent of the Board and of the County of Greene and shall be appointed by the Board at the expense of the County and such hearing officer shall reside and conduct his or her principal business outside of the County.

3. Notice of Hearing or Proceeding.

(a) Where the Board elects to go forward with a proceeding to determine compliance with the requirements of State and local law, or to take such other action as may be authorized by law, the Board shall serve a written notice, by certified mail or other appropriate method of service authorized under the Civil Practice Law and Rules, to the parties and their representatives of record at least twenty (20) calendar days prior to the date of any hearing or proceeding under these rules. The Notice of Hearing or Proceeding shall contain the following:

- (i) a statement of the time and place of the hearing or proceeding;
- (ii) a statement of the nature of the hearing or proceeding;
- (iii) reference to the particular statutes and rules relevant to the hearing or proceeding;
- (iv) a short, plain language statement of the violations asserted, if any, including identification of all persons known to the Board as of the date of the Notice having knowledge or information concerning the alleged violation; and
- (v) a statement for hearing impaired parties and participants concerning the provision of deaf interpretation services without charge.

(b) A copy of these regulations shall accompany each Notice of Hearing or Proceeding which is sent pursuant to these regulations.

(c) The Notice of Hearing or Proceeding shall contain information concerning circumstances under which an adjournment may be granted and the result of failure to appear for a scheduled hearing or proceeding.

(d) The Notice of Hearing or Proceeding shall inform the parties and their representatives of the right of each party to be represented, to testify, to produce witnesses, to present documentary evidence, and to examine opposing witnesses and evidence.

#### 4. Time and Place of Hearing or Proceeding.

(a) The time and place of the hearing or proceeding shall be contained in the Notice of Hearing or Proceeding.

(b) The time and place of the hearing or proceeding shall not be changed unless a party formally requests a change pursuant to the adjournment request procedure contained in Section 8 hereof.

(c) The time and place of the hearing or proceeding shall, as far as practicable, take into account the convenience of the parties and the availability of witnesses.

## 5. Evidence and Proof.

(a) The formal rules of evidence do not apply to adjudicatory hearings or proceedings conducted pursuant to these rules. However, the rules of privilege recognized by law shall be given effect. Objections to evidentiary offers may be made and shall be a part of the record. Subject to these rules, any party may, for the purpose of expediting the hearing or proceeding and when the interests of the parties will not be substantially prejudiced thereby, submit all or part of the evidence in written form.

(b) The hearing officer may exclude irrelevant, or unduly repetitive evidence or cross-examination from any hearing or proceeding.

(c) The burden of proof shall be upon the Board of Ethics to establish by clear and convincing evidence the facts and findings which support its decisions, including but not limited to a finding that non-compliance with the requirements of law has had or will have a material bearing on the discharge of the official duties of the person subject thereto.

(d) No decision or determination by the hearing officer or the Board shall be made except on consideration of the record as a whole, or such portions thereof as may be cited by any party to the hearing or proceeding and as supported by and in accordance with substantial evidence.

(e) Each party shall have the right of cross-examination.

(f) Official notice may be taken of all facts of which judicial notice may be taken and of other facts within the specialized knowledge of the Board. When official notice is taken, every party shall be given notice thereof and shall, on timely request, be afforded an opportunity prior to decision to dispute the fact or its materiality.

(g) All findings of fact shall be based exclusively on the evidence in record and on matters officially noticed.

(h) In making its findings and decisions and carrying out its duties with regard to ensuring compliance with State laws and the Greene County Code of Ethics, the Board shall in every case evaluate whether any non-compliance by any person subject thereto affects in any manner the ability of such person to fully and faithfully carry out the responsibilities and duties of their position. Only if the Board finds by clear and convincing evidence that noncompliance has a material bearing on the discharge of the person's official duties and that such non-compliance was willful can the enforcement and punitive powers of the Board be exercised.

#### 6. Representation.

Any person compelled to appear in person, or who voluntarily appears in any hearing or proceeding conducted according to these rules, shall be accorded the right to be accompanied, represented, and advised by counsel. Nothing herein shall be construed either to grant or to deny to any person who is not a lawyer the right to appear for or represent others in any hearing or proceeding herein.

#### 7. Oaths.

(a) All oaths required by these rules may be taken before any person authorized to administer oaths within the State of New York.

(b) Oaths shall be administered to all witnesses who testify or appear in any adjudicatory proceeding conducted pursuant to these rules.

#### 8. Adjournments.

(a) Adjournment of any hearing or proceeding conducted pursuant to these rules shall be granted only for good cause.

(b) Written requests for adjournment shall be submitted to the hearing officer in the hearing or proceeding for which the adjournment is



sought. The request must be accompanied by an affidavit which contains sufficient detail to allow the hearing officer to rule on the request.

#### 9. Time Limits.

(a) Under these rules adjudicatory proceedings shall be conducted in an expeditious manner with all due regard for the rights of the parties concerned. Every effort should be made by the parties to effectuate a speedy disposition of the case.

(b) Parties to any hearing or proceeding are required to file all papers, statements, proofs, and other evidence with the hearing officer at a time to be designated by the officer. An extension of time for filing those items will be granted by the hearing officer only upon formal request.

#### 10. Decision after Hearing or Proceeding.

(a) All final recommendations of the hearing officer, and all decisions and determinations of the Board shall be in writing or stated in the record and shall include findings of fact, conclusions of law, and reasons for the decision or determination and, when appropriate, shall direct that specific action be taken by the parties. The final decisions or determinations of the Board shall be binding upon the Board.

(b) A copy of all final decisions and determinations of the Board and recommendations of the hearing officer shall be made available to the parties to the hearing or proceeding, and shall be delivered or mailed forthwith to each party and to its representative of record.

(c) Except as provided in the Greene County Code of Ethics or as otherwise provided herein, members of the Board shall not communicate directly or indirectly with any party or representative thereof in connection with any pending adjudicatory proceeding.

(d) The Board shall maintain the final decision or determination in any adjudicatory proceeding in a file with an index by name of party and subject matter. The index and the notice of civil assessment, if any, shall not be made available for public inspection and copying except as provided in

Section 16 of these rules. Each decision or determination shall be so filed and indexed within sixty (60) days after having been rendered.

#### 11. Conduct of Hearings.

The hearing officer, exercising discretion, may elect to conduct any hearing or proceeding under these rules ex parte after a showing that the party who is the subject of the hearing and its representative of record have been notified by certified mail of the pending hearing or proceeding or otherwise served with notice of the hearing. The party who is the subject of the hearing shall at no time be deprived of the opportunity to appear. However, if a party has been served with two (2) written notices of a hearing and fails to appear after each notice, the hearing officer upon proof of service, shall have the authority to proceed with the scheduled hearing. Proof of service shall consist of a signed certified mail receipt or affidavit.

#### 12. Hearing Officer.

All hearings or proceedings under these rules shall be conducted by a hearing officer, retained and provided by the County, who shall have the power and authority of presiding officers or hearing officers as defined by the State Administrative Procedure Act (SAPA), any other pertinent statute or local law, ordinance or resolution, and these regulations. The hearing officer shall be an individual who has in no way been involved with the action or proceeding in question.

#### 13. Powers and Duties of Hearing Officer.

A hearing officer is authorized to do the following in any hearing or proceeding to which he or she is assigned:

(a) administer oaths and affirmations;

(b) at the request of any party, sign and issue subpoenas in the name of the Board requiring the attendance and giving of testimony by witnesses and the production of books, papers, documents and other evidence. Subpoenas shall be regulated by the Civil Practice Law and Rules. Nothing

herein contained shall affect the authority of an attorney for a party to issue subpoenas under the provisions of the Civil Practice Law and Rules;

(c) provide for the taking of testimony by deposition;

(d) regulate the course of the hearings, set the time and place for continued hearings and the time for filing of briefs and other documents;

(e) direct the parties to appear and confer to consider the simplification or settlement of the issues by consent of the parties; and

(f) prepare findings of fact and recommendations.

#### 14. Fines, Penalties.

(a) At the close of the hearing or proceeding, the hearing officer shall make findings of fact and a recommendation as to the appropriate penalty or fine to be assessed or any other action to be taken. The proposed findings of fact and recommendation shall be transmitted to the Board for approval and simultaneously mailed or delivered to the parties to the proceeding. The parties shall have an opportunity to respond in writing, in the form of a brief, to the findings of fact and recommendation of the hearing officer, and such written response shall be directed to the Board for its consideration within fifteen (15) days after the service of the hearing officer's findings and recommendations upon the parties. In their brief submitted in response to the findings of fact and recommendation of the hearing officer, the parties may not submit or discuss evidence which is not a part of the official record of the hearing or proceeding. The Board shall act on the findings of fact and recommendation as expeditiously as possible. The Board may affirm or reverse the findings of fact and recommendation of the hearing officer in whole or in part, or it may remand and/or dismiss the proceeding based upon the record produced at the hearing.

(b) The assessment of penalties under the Greene County Code of Ethics shall not preclude the referral of an appropriate violation to a prosecutor for prosecution of criminal charges.

(c) If the alleged violation has been established, and the Board

determines in light of all the circumstances that the violation is not serious enough to warrant assessment of penalty, the Board in its discretion may take such other action as appropriate, including but not limited to a written admonition or a recommendation that disciplinary action be taken. The Board may forward a copy of such admonition or a recommendation for disciplinary action to the individual's appointing authority, as appropriate.

#### 15. Records of Hearing or Proceeding.

(a) The record in hearing or proceeding under these rules shall include:

- (i) all notices, pleadings, motions, and intermediate rulings;
- (ii) evidence presented;
- (iii) a statement of matters officially noticed, except matters so obvious that a statement of them would serve no useful purpose;
- (iv) questions and offers of proof, objections thereto, and rulings thereon;
- (v) proposed findings and exceptions, if any;
- (vi) any findings of fact, conclusions of law, or other recommendations made by the hearing officer; and
- (vii) any decision, determination, opinion, order or report rendered.

(b) The Board shall make a complete record of all hearings and proceedings conducted before it. For this purpose, unless otherwise required by statute, the Board may use whatever means it deems appropriate, including but not limited to the use of stenographic transcriptions or electronic recording devices. Within a reasonable time after the Board gives notice of its decision, determination, opinion or order, but before commencement of judicial review, any party to the hearing or proceeding may request the Board to prepare the record or any part thereof, together with any transcript of the hearing or proceeding or any part thereof. The Board shall then prepare the requested portions of the record and transcript within a reasonable time and furnish a copy to the requesting party at no charge.

#### 16. Privacy/confidentiality.

(a) Notwithstanding the provisions of Article 6 of the Public Officers Law, the only records of the Board which shall be available for public inspection are:

- (i) Written disclosures filed under section 5 of the Greene County Code of Ethics;
- (ii) Notices of hearings or proceedings;
- (iii) Notices of penalties imposed under section 14 hereof;  
and
- (iv) Advisory opinions with names of individuals redacted.

(b) Notwithstanding the provisions of Article 7 of the Public Officers Law, no meeting or proceeding of the Board shall be open to the public, except as expressly provided otherwise by the Board.

(c) Information which would reveal confidential material protected by Federal or State statute shall be deleted from any final decision, order, determination or declaration issued by the Board.

December 17, 1997

MOTION TO ADOPT  
LOCAL LAW NUMBER 3 OF 1997

Motion by Legislator Mathes

Seconded by Legislator Bartels

ROLL CALL VOTE:

Ayes 13      Noes 0      Absent 0                      CARRIED.

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December 17, 1997

- LOCAL LAW NUMBER 3 OF 1997

A LOCAL LAW pursuant to article 18 of the General Municipal Law, Amending Subsection 2 of Section 6 And Amending Section 10 Of The Code Of Ethics For Greene County Adopted By Local Law No. 2 of the Year 1997 To Extend Certain Dates Set Forth Therein. —

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. The first sentence of subsection 2 of section 6 of the Greene County Code of Ethics enacted by Local Law No. 2 of 1997 is hereby amended as follows:

The Board shall consist of three members, initially appointed within {Ninety (90) days} Ten (10) Months of the effective date of this Local Law.

SECTION 2. The second sentence of section 10 of the aforementioned Greene County Code of Ethics enacted by Local Law No. 2 of 1997 is hereby amended as follows:

The provisions of sections 4 and 5 of this Code shall take effect (December 1, 1997) March 1, 1998.

SECTION 3. This Local Law shall take effect upon filing with the Secretary of State.

Approved by Gov. Ops. Comm.: 12/15/97