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Ethics *Notes*

SUFFOLK COUNTY BOARD OF ETHICS
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Requesting an Advisory Opinion

Will this be a conflict?

As you go about your professional duties, situations may arise that leave you wondering, “Will this be a conflict with my position with Suffolk County Government?” Under the Suffolk County Administrative Code §A30-3, the Board of Ethics has the authority to address such concerns by issuing Advisory Opinions.

Can I request an Advisory Opinion?

If you are a public servant or a

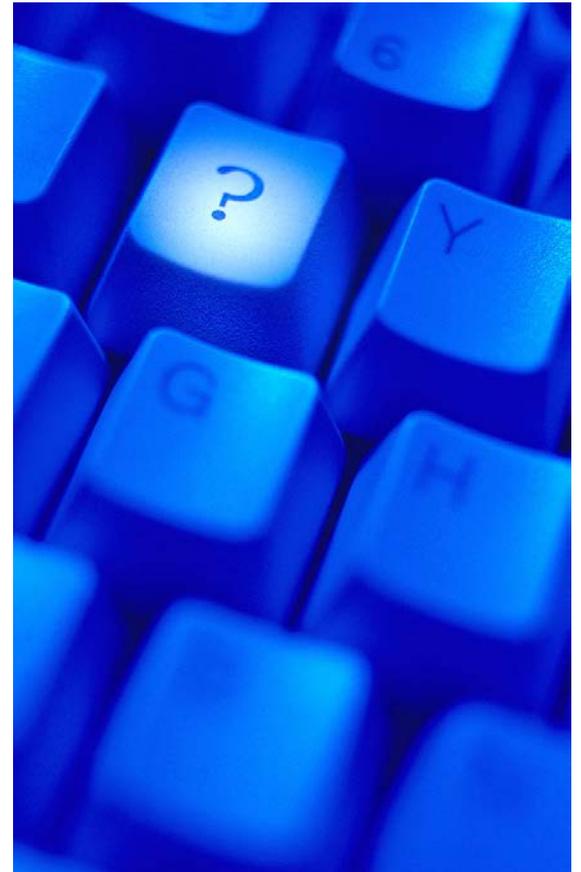
supervisory official then yes! Prospective public servants and former public servants can request an Advisory Opinion as well.

How do I request one?

Visit the Board’s webpage to download the Advisory Opinion Request Form.

Why should I request one?

Advisory Opinions provide the requestor (you) with immunity if a complaint is filed about the topic after the Advisory Opinion is rendered.



Recently Rendered Advisory Opinions

AO-2013-3: The Board held under Suffolk County Code (“SCC”) 77-2 (B) and (H) that a Suffolk County Employee cannot enter into a contract with the County while holding a position as a County Employee. **AO-2013-4:** The Board held under SCC 77-6 (B) and (I) that a non- ministerial appearance by a former public servant within two years post-employment is a conflict of interest. The Board further found that holding a position with a firm who appears before the County is not a conflict of interest. **AO-2013-7/8:** The Board held that as applied to recusals, a son is an associated person under SCC 77-1, whereas a cousin is not. **AO-2013-10:** The Board held that a public servant cannot accept an invitation of travel inclusive of expenses pursuant to SCC 77-3(C) and (F).

Financial Disclosure Statements and Penalties for Offenses



The Suffolk County Board of Ethics is charged by the Suffolk County Legislature as the Custodian of the County Financial Disclosure Statements.

Each year, County Department Heads provide the Suffolk County Board of Ethics with the names of the required filers of Financial Disclosure Statements. The statements require filers to provide information pertaining to the

preceding calendar year.

In the event a filer does not file the statement by the required filing date, May 15th of each year, the Board can impose a fine pursuant to Suffolk County Code §77-16, notify the non-filer's Supervisor, and the Comptroller can withhold an employee's paycheck until the statement has been filed.

In determining the amount of a fine the Board will consider factors including, but not limited to, a person's failure in prior years to file a Statement

in a timely manner, and the length of the delay in filing.

The Board may waive a fine entirely if a person establishes that the failure to file a report in a timely manner was due to illness, injury or other hardship.

"...the Comptroller can withhold an employee's paycheck until the statement has been filed. Suffolk County Code §77-16(B)"

Check out the Suffolk County Code for more information.

CHAPTER 77. ETHICS AND ACCOUNTABILITY

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|----------------------|--|----------------|
| 30 days late | For May 15th filers, on or before June 21, 2013 | \$250 |
| 60 days late | For May 15th filers, on or before July 22, 2013 | \$500 |
| 90 days late | For May 15th filers, on or before August 20, 2013 | \$750 |
| 120 days late | For May 15th filers, on or before September 19, 2013 | \$1,000 |

Privacy and Records Requests

All Financial Disclosure Statement filers can request that information provided in their statement be withheld from public inspection.

Upon a request to view, or obtain a copy of, a Financial Disclosure Statement in accordance with Suffolk

County Code §77-14 (D) all categories of value are automatically redacted.

Additionally, the Board redacts the following information upon all FOIL requests: home address, home phone number, unemancipated child(ren)'s name(s) and

spouse's name. The Board reviews and votes on every Privacy Request that is submitted and filers are then notified of the Board's determination. The Board will also notify a filer if their record is produced for public inspection.



Members of the Board:

Robin L. Long
Esq., Chair

Thomas A. Isles,
AICP, Vice Chair

Richard F. Halverson,
Ph.D.

Heather M. Palmore,
Esq.

Linda A. Spahr,
Esq.

What is the Board of Ethics?

The Suffolk County Board of Ethics was established by the Suffolk County Legislature under the Suffolk County Charter, Article XXX. Board of Ethics. The Board consists of five members. Two members were appointed by the County Executive. The remaining three members were appointed by the Presiding Officer, Majority Leader and Minority Leader of the Suffolk County Legislature.

One of the responsibilities of the Board is to provide ethics training and education to Suffolk County's public servants. The Board has the authority to issue Advisory Opinions, which is a great way to educate public servants through current situations.

The Board is also charged with the responsibility of reviewing complaints and conducting investigations and hearings to determine if ethics violations have occurred.

Visit our webpage



www.SuffolkCountyNY.Gov

Post-Employment Restrictions

Here's something to consider if you are looking into employment outside of County Government, the Suffolk County Code §77-6 contains post-employment restrictions for public servants.

What are post-employment restrictions?

To give an example, no former public servant shall appear, within a two-year period after his or her separation from County Service, before the County agency served by such public servant.

If you're thinking of leaving County Service, for a position outside of the County, request an Advisory Opinion from the Board to see if there will be a conflict of interest prior to taking the job.

Can I ask the Board for an Advisory Opinion if I have been out of County Service for a year?

Yes. The Legislature recently passed a local law ensuring that former public servants may request an Advisory Opinion.

Annual Deadlines

FEBRUARY 15

Financial Disclosure Statement ("FDS") filers shall be determined by each Agency Head, County Executive, and Presiding Officer of the County Legislature.

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MARCH 1

Each Agency Head, the County Executive, and the Presiding Officer of the County Legislature shall file with the Board a list of required FDS filers.

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MAY 15

FDS Filing Deadline

•••

MAY 31

Elected Official's Sworn Statement Bi-Annual Filing

•••

OCTOBER 31

Elected Official's Sworn Statement Bi-Annual Filing

•••

DECEMBER 31

Report from the Board to the County Legislature of Farmland Committee FDS filers and those in compliance.

Our Mission...

“The Mission of the Suffolk County Board of Ethics is to practice and promote ethical literacy and conduct in government through Training, Transparency, and Trust.”



**Samantha Segal, Esq.,
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Frequently Asked Questions...

Where is the Board of Ethics office located?

The Suffolk County Board of Ethics is located on Yaphank Avenue in the back of the Department of Public Works Building in Yaphank.

When does the Board meet?

The Board's meeting notices are posted on our webpage. Unless otherwise scheduled, they are held on the second and fourth Wednesdays of every month at 6:00 p.m. at the Office of the Suffolk County Board of Ethics.

Where can I find the Board's Forms and Applications?

The Board's Forms and Applications can be found on the Board's webpage.