

Approved and Adopted on July 20, 2006
Resolution No.: 06-07-10

Local Law Filing

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County of St. Lawrence
Local Law No. 7 of the year 1991

A local law St. Lawrence County Ethics Law

Be it enacted by the Board of Legislators of the County of St. Lawrence as follows:

ARTICLE I: PURPOSE

The purpose of this law is to create the St. Lawrence County Ethics and Disclosure Law in compliance with Article 18 of the New York State General Municipal Law. The citizens of St. Lawrence County are entitled to the expectation of exemplary ethical behavior from their County officers, employees and appointed officials, and this law is intended to create the minimum standards which constitute that behavior. This legislation recognizes that varying degrees of professional and governmental responsibility warrant equitable requirements of disclosures in pursuit of official integrity, which must be balanced against individual constitutional rights. Any particulars not determined in this law shall be construed within the provisions of General Municipal Law Article 18.

ARTICLE II: DEFINITIONS

Unless otherwise indicated, the following terms are defined for the purpose of the St. Lawrence County Ethics Law:

- a. "Agency" means any of the divisions of County government referred to in subdivision (d) of this section, except the Legislatures.
- b. "Appropriate body" pursuant to Article 18 of General Municipal Law means the Board of Ethics of the County of St. Lawrence.
- c. "Child" means any son, daughter, step-son or step-daughter of a County officer, employee or appointed official if such child is under 18 or is a dependent of the officer, employee or appointed official as defined in Internal Revenue Code Section 152(a)(1) and (2), and any amendments thereto.
- d. "County" means the County of St. Lawrence or any department, board, executive division, institution, office, branch, bureau, commission, agency, legislature or other division or part thereof.
- e. "Interest" means a direct or indirect pecuniary or material benefit accruing to a County officer, employee or appointed official, his or her spouse, or child whether as the result of a contract with the County or otherwise. For the purpose of this chapter, a County

Officer, employee or appointed official shall be deemed to have an interest in any contract with (1) his or her spouse and children, except a contract of employment with the County; (2) a firm, partnership or association of which such officer, employee or appointed official or his or her spouse or child is a member or employee; (3) a corporation of which such officer, employee or appointed official or his or her spouse or child is an officer or director; and (4) a corporation of which the outstanding capital stock is owned by an officer, employee or appointed official, or his or her spouse or child.

- f. "Legislation" means a matter which appears upon the calendar or agenda of the County legislature of St. Lawrence County or upon a committee hereof upon which any official action has taken and shall include adopted acts, local laws, ordinances or resolutions.
- g. "Officer" or "employee" means any officer or employee of the County of St. Lawrence, and any elected officials, appointed officials and heads of any agency, institution, department, office, branch, division, council, commission, board or bureau of the County of St. Lawrence, whether paid or unpaid, who occupy a policy making position.
- h. "County elected official" means a County Legislator, the County Clerk, the District Attorney, the County Treasurer or the Sheriff.
- i. "Appointed official" means any individual who is appointed by the Chairman of the Board of Legislators or the County Legislature to any agency, institution, department, office, branch, division, council, commission, board or bureau, whether paid or unpaid.
- j. "Relative" means a spouse or child of a County officer, employee or appointed official.
- k. "Reporting officer, employee or appointed official" means an officer, employee or appointed official who is required to complete and file an annual statement of financial disclosure pursuant to this Local Law.
- l. "Spouse" means the husband or wife of an officer, employee or appointed official subject to the provisions of this Local Law unless legally separated from such officer, employee or appointed official.
- m. "Jurisdiction" shall mean having the authority, capacity, power or right to act with regard to the management and administration of policy and supervision of personnel of the county agency (as defined above at Article II, Section a) which she or he is an officer, employee or appointed official (as defined above at Article II, Section h).
- n. "Policy-making position" means an officer or employee whose duties are note of majority ministerial in nature, as designated to the "policy making" by the County Legislature.
- o. "Reporting category" for the purpose of completing the financial disclosure statement means the category of interest, income, value or worth of said reported items. No exact dollar amounts are to be included in the completion of the statements of financial disclosure; rather all amounts are to be indicated using the following categories:

- A. \$0 to \$5,000
- B. \$5,001 to \$10,000
- C. \$10,001 to \$25,000
- D. \$25,001 to \$50,000
- E. \$50,001 to \$100,000
- F. Over \$100,000

ARTICLE III: CODE OF ETHICS

A. Prohibited Activities:

It is the policy of the County Legislature that all officers and employees must avoid conflicts or potential conflicts of interest. A conflict or a potential conflict exists whenever an officer or employee has an interest, direct or indirect, which conflicts with their duty to the County or which could adversely affect an individual's judgment in the discharge of his or her responsibilities. No officer or employee shall:

1. Take action or participate in any manner whatsoever in his or her official capacity in the discussion, negotiation or the awarding of any contract or in any business or professional dealings with the County of St. Lawrence or any agency thereof in which the official or employee has or will have an interest, direct or indirect, in such contract or professional dealings.
2. Engage in, solicit, negotiate for or promise to accept private employment or render services for his or her personal benefit when such employment or service creates a conflict or impairs the proper discharge of his or her official duties.
3. Solicit, directly or indirectly, any gifts, or receive or accept any gift having the value of Seventy-five Dollars (\$75.00) or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could be reasonably inferred that the gift was intended to influence him or her, or could reasonably be expected to influence him or her, in the performance of his or her official duties or was intended as a reward of any official action on his or her part.
4. Disclose confidential information acquired in the course of his or her official duties or use such information to further his or her personal interest.
5. Take action on a matter before the County or any instrumentality thereof when, to his or her knowledge, the performance of that action would provide a pecuniary or material benefit to himself or herself.

ARTICLE IV: DISCLOSURE OF INTEREST

1. Any officer who has, will have or intends to acquire a direct or indirect interest in any matter being considered by the St. Lawrence County Legislature or by any other official, board, agency, officer or employee of the County and who participates in the discussion before or who gives an opinion or gives advice to any board, agency or individual considering the same, shall publicly disclose on the official record the nature and extent of such interest.
2. Any officer or employee of the County of St. Lawrence who has knowledge of any matter being considered by any board, agency, officer or employee of the County of St. Lawrence, in which matter he or she has or will have or intends to acquire any direct or indirect interest, shall be required immediately to disclose, in writing, his or her interest to such board, agency, officer or employee, and the nature and the extent thereof, to the degree that such disclosure gives substantial notice of any potential conflict of interest.
3. All person holding policy making positions within St. Lawrence County, as enumerated in **ADDENDUM A** of this Local Law, must file a Statement of Financial Disclosure, which

shall be supplied to them with other terms of employment material. This statement shall be completed and mailed directly to the Temporary State Commission on Local Government Ethics, 54 N. Central Ave., Elmsford, NY 10523 on or before March 31st of the year for which the employment is in effect.

4. A person who is subject to the filing requirements of this local law from more than one County may satisfy the requirements by filing only one annual statement of financial disclosure, and filing with the other(s) a notice that such filing has been made, inclusive of the date and place of filing.
5. Any person who is subject to the reporting requirements of this local law and who has filed or shall timely file within the Internal Revenue Service an application for automatic extension of time in which to file his or her individual income tax return for the immediately preceding calendar or fiscal year, shall be required to submit an annual statement of financial disclosure on or before March 31st of the year in which the employment is in effect. Such person shall file a supplementary statement for any item as so noted on the annual statement of financial disclosure, without liability under Article VII of this local law, if said supplementary statement is filed within fifteen (15) days of the expiration of the automatic extension.
6. Any person who is required to file an annual statement of financial disclosure may request, prior to March 31st of the year for which the employment is in effect, an extension of filing for an additional specific period of time. Such request shall be made in writing to the Board of Ethics, with approval based on substantiation of justifiable cause or undue hardship. The Board of Ethics may grant or deny the request, by vote of the membership, and extensions shall be for the specific period of additional time requested.
7. Any person required to file an annual statement of financial disclosure who becomes so required, or experiences a change in reporting levels after March 15th of the year for which the employment is in effect, shall file the appropriate annual statement within thirty (30) days.

ARTICLE V: ANNUAL REVIEW OF CODE OF ETHICS

Every official and employee is required to attest on an annual basis that he or she has reviewed the Code of Ethics for the County of St. Lawrence, to be made on or before March 31st of the year for which employment is in effect. (See Attestment Form, **ADDENDUM B**)

ARTICLE VI: BOARD OF ETHICS

The Temporary State Commission on Local Government shall serve as the Board of Ethics for St. Lawrence County, and shall be the repository for St. Lawrence County's Financial Disclosure Statements.

ARTICLE VII: APPEAL OF DESIGNATION AS POLICY-MAKING POSITION

Appeal may be taken by the filing of a written petition in opposition to such designation within thirty (30) days from the date that the designation was filed with the St. Lawrence County Board of Ethics. Upon receipt of the petition, the Board of Ethics shall make a determination upon the merits of the application within thirty (30) days.

ADDENDUM A – POLICY MAKING POSITIONS

The following positions within St. Lawrence County Government are considered to have policy-making functions:

ELECTED OFFICIALS

County Clerk
District Attorney
Legislators
Sheriff
Treasurer

APPOINTED OFFICIALS

County Administrator
County Attorney

DEPARTMENT HEADS

Election Commissioners
Community Services Director
County Forestry Department
Economic Development Director
Emergency Services Director
Governmental Services Director
Highway Superintendent
Office For the Aging Director
Personnel Officer

Planning Director
Probation Director
Public Defender
Public Health Director
Real Property Director
Social Services Commissioner
Veterans Services Director
Weights & Measures Sealer
Youth Bureau Director

ST. LAWRENCE COUNTY ADVISORY BOARD POSITIONS

Chair - Agricultural District Advisory Board (**Planning**)
Chair - Alternatives to Incarceration Board (**Probation**)
Membership - Community Services Board (**Community Services**)
Chair - Emergency Medical Services Advisory Board (**Emergency Services**)
Chair - Environmental Management Council (**Planning**)
Chair - Fire Advisory Board (**Emergency Services**)
Chair - Fish & Wildlife Management Board (**Board of Legislators**)
Chair - Fisheries Advisory Board (**Board of Legislators**)
Chair - Forest Practice Board (Region 6) (**Planning**)
Chair - Health Services Advisory Board (Public Health)
Membership - Industrial Development Agency (Economic Development)
Chair - Local Emergency Planning Commission (**Emergency Services**)
Chair - Office for the Aging Advisory Board (**Office for the Aging**)
Membership - Planning Board (**Planning**)
Chair - Soil & Water Conservation District Board (**S&WCD**)
Chair - Traffic Safety Board (**Community Services**)
Chair - Youth Advisory Board (**Youth Bureau**)
Membership - Workforce Investment Board (**Economic Development**)

ADDENDUM B: ATTESTMENT FORM

ANNUAL STATEMENT OF FINANCIAL DISCLOSURE
County of St. Lawrence

For Year _____

Last Name (please print)	First Name	Initial
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Title	Department or Agency
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Work Address	Telephone No.
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(If the answer to any of the following questions is "none," please so indicate.)

1. **Real Estate Ownership.** List the address of each piece of property that you, your spouse or other relative own or have a financial interest in. List only real estate that is in the County of St. Lawrence or within one mile of the boundary of the County of St. Lawrence. "Relative" means your spouse, child, or step-child.

Name of Family Member	Relationship to you	Address of Real Estate	Type of Investment

I hereby certify that I have read Local Law No. 7 for the Year 1991, St. Lawrence County Ethics Law.

Signature

ANNUAL FINANCIAL DISCLOSURE STATEMENT
COUNTY OF ST. LAWRENCE
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2. **Your outside employer or business:** List the name of any outside employer or business from which you receive compensation for services rendered or goods sold or produced or of which you are a member, officer, or employee. Also include any entity in which you have an ownership interest, except a corporation of which you own less than five percent of the outstanding stock. Identify the type of business, such as a partnership, corporation, self-employment, or a sole proprietorship and list your relationship to the employer or business (i.e. owner, partner, officer, director, member, employee, or shareholder.)

Name of Employer or Business	Nature of Business	Type of Business (e.g. partnership)	Your Relationship

3. **Your spouse's employer or business.** List the information in question 2 for your spouse.

Name of Employer or Business	Nature of Business	Type of Business (e.g. partnership)	Your Relationship

Date: _____

Signed: _____

Remit to: St. Lawrence County Board of Legislators
48 Court Street, Court House
Canton, NY 13617-1194