

RULES AND REGULATIONS OF THE
ETHICS BOARD OF THE VILLAGE OF MAMARONECK

Section 1. Meetings.

- A. Regular meetings of the Ethics Board will be held *either* at the Courtroom at 169 Mt. Pleasant Avenue or the Village Offices at the Regatta on the *second* Tuesday of each month except for the month of August. If there is no business, the Board can cancel a meeting with one week prior notice; however, the Board shall meet at least quarterly.
- B. Special meetings shall be called at any time, as required, by the Chairman or any member of the Board.
- C. In the discretion of the Board, any special meeting may be held at such place other than the Courtroom as the Board may determine.
- D. At any meeting, a majority of the Board shall constitute a quorum for the transaction of business.

Section 2. Election of Chairman and Secretary.

The Board shall elect a Chairman and Secretary from among its own members. The Chairman shall preside over meetings of the Board. If the Chairman is absent, the members shall designate an acting Chairman.

Section 3. Committees.

- A. The Board may designate up to two of its members as a special committee to make inquiry with respect to matters within its province and such committees shall report to the Board their findings at any regular or special meeting.
- B. Each member of the Board shall report to the Board at any regular or special meeting any information with regard to possible violations of the Code of Ethics of the Village of Mamaroneck which may come to his or her attention.

Section 4. Procedure for Determinations of Violations of Code of Ethics.

- A. Upon receipt of a sworn complaint by any person alleging a violation of the Ethics Law or upon determining on its own initiative that a violation may exist, the Board shall have the power and duty to conduct any investigation necessary. Any such communication should normally be sent to the Board no less than five (5) days before any regular meeting. Upon receipt of such communication, the matter shall be placed upon the agenda of the next regular meeting or at a special meeting of the Board if deemed desirable and reviewed. A hearing may be held in accordance with § 21-13 *of the Village Code*.

B. No decision of the Board concerning violation of the Code of Ethics shall be taken without affording the person involved with reasonable notice and an opportunity to be heard in accordance with § 21-14 *of the Village Code*. Any such person may retain counsel and be assisted by such counsel at any hearing.

C. The Board shall make its findings and recommendations in any case with full explanation of the evidence and the conclusions reached to the appropriate administrative officer or officers of the Village, as well as the Board of Trustees of the Village of Mamaroneck, with the Ethics Board's recommendation as to any penalties.

Section 5. Advisory Opinions.

A. Any officer or employee of the Village may petition the Board for an advisory opinion with respect to the interpretation or application of the Ethics Law. All requests for advisory opinions shall be in writing directed to the Board and shall set forth all of the facts pertaining to the matter upon which an advisory opinion is sought and copies of any documents, letters, and/or other relative material which may have a bearing upon the matter of inquiry. The Board shall be advised on or before its next regular or special meeting of all such requests for advisory opinions and the Board shall determine whether it requires additional facts with respect to such inquiries. The Board may ask for any further information it deems relevant and may request the appearance of persons in interest relating to the inquiry at a regular or special meeting of the Board, so that the Board can develop all of the facts upon which it will render its advisory opinion.

B. All advisory opinions shall be in writing and shall be retained in a regular file as part of the records of the Board. The Board shall publish those advisory opinions which will provide guidance to other Village of Mamaroneck officers, board members or employees, however the publicly available copy shall contain such deletions as may be necessary to prevent disclosure of the identity of the involved officer, board member or employee.

C. Any person to whom an advisory opinion is rendered by the Board determining that action or proposed action by such person is not in violation of the Code of Ethics of the Village shall be entitled to rely upon such advisory opinion and will not at any time thereafter on the same facts be considered to have violated the Code of Ethics.

D. The Board of Trustees of the Village of Mamaroneck may at any time as a Board request an advisory opinion which shall be dealt with in the same manner as set forth above with respect to a request by any employee or officer of the Village.

Section 6. Preservation of Rights Under Other Laws.

Nothing herein contained is intended or shall be construed to impair such rights as may be granted to an employee under the laws of the State of New York.