

WARREN COUNTY BOARD OF ETHICS

AGENDA: 2nd Meeting of 2026

May 4, 2026 at 10:00 a.m.

Committee Meeting Room
Warren County Municipal Center-Second Floor
1340 State Route 9
Lake George, New York 12845

Members: Harold Wirths (Chair); Monique Boulet (Vice-Chair); John Duffy; George Gedney; Scott Vanderhoef; Patrick Dowd; Marybeth Mitcham.

- I. Call to Order by Chair.
- II. Roll Call and Establishing Quorum.
- III. Motion to Waive Reading of Minutes and Approve Minutes from Prior Meeting.
- IV. Public Comment and Privilege of the Floor.
- V. Close of Open Session
- VI. New Business:
 - a. Establishing Standing Rules and Procedure for 2026 Board of Ethics.
 - b. Determination for Issuance of Notice of Corrective Action for Financial Disclosures and/or Ethics Trainings.
- VII. Discussion:
 - a. Code of Ethics, Local Law 4 of 2026, enacted March 20, 2026, and proposed revisions passed by the Support Services Committee on April 21, 2026.
 - b. Update on Financial Disclosure Submissions and Completion of Ethics Trainings.
 - c. Update on Received Correspondence and Preliminary Review by the Chairman.
- VIII. Determination of Next Meeting Date.
- IX. Motion to Adjourn

SCHEDULE “A”

WARREN COUNTY BOARD OF ETHICS

STANDING RULES AND PROCEDURES

PREAMBLE

WHEREAS, on July 15, 2022, the Board of Supervisors enacted and adopted Resolution No. 353 of 2022 which was enacted as Warren County Local Law No. 2 of 2022, entitled “Enacting Local Law No. 2 of 2022, entitled “A Local Law Amending and Updating Local Law No. 6 of 2021, “A Local Law Amending and Updating Local Law No. 5 of 2021, A Local Law Amending and Updating Local Law No. 6 of 2014, Warren County Ethics and Disclosure Law”” commonly referred to as the Warren County Code of Ethics (hereafter, “Code”); and

WHEREAS, the Code provides for the establishment of a Board of Ethics for Warren County (hereafter, “Board”), the composition for the Board, and the scope of authority delegated to the Board; and

WHEREAS, the Code delegates to the Board responsibility to establish such rules and policies that may be necessary for the proper discharge of its duties; now, therefore, be it

RESOLVED, that the Board hereby enacts and adopts the following “Standing Rules and Procedures” (hereafter, “Standing Rules”) to supplement the rules and procedures set forth by the Code and to govern the conduct of the Board’s discharge of assigned duties.

STANDING RULES AND PROCEDURES

1. Conduct of Meetings of the Board.

- a. The Board shall conduct all meetings at the Warren County Municipal Center, second floor, located at 1340 State Route 9, Lake George, New York 12845.
- b. A majority of the whole number of the primary members fixed by the Code shall constitute a quorum for the transaction of business, but a lesser number may adjourn a meeting. Quorum for the Board shall be three members.
- c. The Board shall conduct a minimum of two meetings each calendar year with the first annual meeting occurring not later than April 1st and the second annual meeting occurring prior to April 15th of each year.

- d. All other Board meetings occurring during the calendar year shall be held on dates and times fixed by the Chairperson of the Board on notice to the members of the Board.
- e. Alternate Board members may be designated to serve during a meeting in the absence of a Primary Board member based upon the order of appointment.
- f. All Board meetings shall include an opportunity for public comment at each meeting. Alternate members who are physically present and not designated to participate during the meeting due to the absence of a Primary Board member may only address the Board during public comment.
- g. Primary Board members, or Alternate Board Members designated to participate in the absence of a Primary Board member during a specific meeting, shall be the only members authorized to vote and debate matters presented to the Board during meetings.
- h. The Board shall not constitute a “public body” as defined by Section 102(2) of the Public Officers Law. The Board, at its discretion, may open or close any meeting to public.
- i. The Board may use Robert’s Rules of Order to conduct business upon any issue or matter not expressly addressed by the Standing Rules.
- j. The members of the Board shall select a Chairperson and a Vice-Chairperson during at the beginning of the Board’s term and such members shall serve for the remaining portion of the Board’s appointment term.
- k. The Chairperson shall preside at meetings of the Board, call meetings of the Board, set the agenda for Board meetings, sign documents issued by the Board, and attend to such other duties and responsibilities as set forth by these Standing Rules.
- l. In the case of the absence, illness, or unavailability of the Chairperson, the Vice-Chairperson shall execute the duties of the Chairperson.
- m. The Clerk of the Board of Supervisors, or the Clerk’s designee, shall serve as the Secretary for the Board, to include posting of notices of meetings, taking minutes, and publishing meeting minutes.

- n. The Board shall take all actions and make all decisions only upon the majority vote of the whole number of the primary members fixed by the Code.
- o. The Chairperson shall file a statement with the Warren County Clerk at the beginning of the Board's term of appointment stating that the Board is authorized by Local Law to be the repository for all completed annual Financial Disclosure Statements and that the Board designates the custodian of records for all filed Financial Disclosure Statements to be the Warren County Attorney, or his designee from the County Attorney's Office.
- p. The Board may amend or replace these Standing Rules at any time during the Board's appointed term upon a majority vote which shall be the majority of the whole number of primary members fixed by the Code. These rules shall terminate upon any future successive Board adopting new Standing Rules.

2. Service of Documents.

- a. Service of documents by the Board upon any individual County officer or employee required by the Standing Rules shall be accomplished by any one of the following methods:
 - i. Personal delivery to the person at their place of employment;
 - ii. Delivery as an attachment to the County email address of the intended recipient; or
 - iii. Regular mail to the home address of record on file with the County.
- b. Proof of Service.
 - i. The person completing service of any documents and papers which are served personally upon a County officer or employee at their place of employment, or by regular mail, shall be documented by completing the Proof of Service form enclosed form at **Attachment "A."** The Proof of Service Form shall be self-authenticating and admissible for all purposes, once signed before a notary public.
 - ii. The person completing service of any documents and papers which are served by County email address upon a County officer or employee shall print a copy

of the sent email, or save a copy of the sent email as a .pdf document, which shall thereafter be self-authenticating and admissible for all purposes.

3. Annual Review of Annual Financial Disclosure Statements.

- a. On or before April 1st of each calendar year or as soon as practicable, the Board shall conduct an initial review of all Annual Financial Disclosure Statements (hereafter, “FDS”) filed by County officers and employees who are mandatory filers under the Code for the current calendar year.
- b. On or before April 15th of each calendar year or as soon as practicable, the Board shall conduct a final review of all FDS filed for the current calendar year.
- c. The Board shall verify that each filer, as set forth on Appendix “A” of the Code, (hereafter, “mandatory filer”) filed an FDS for the current calendar year.
- d. On or after February 1st of each calendar year or as soon as practicable, the Board shall identify each mandatory filer who failed to file an FDS for the current calendar year, and upon a majority vote, shall direct the Chairperson to issue a Failure to File Notification, in a form similar to **Attachment “B”** herein, to each person that failed to file which shall state:
 - i. That the mandatory filer was required by the Code to file an FDS for the current calendar year; and
 - ii. That the mandatory filer failed to file an FDS for the current calendar year; and
 - iii. That the continuing failure to file an FDS for the current calendar year, within fourteen (14) calendar days after the issuance of the Failure to File Notification, will result in the mandatory personal appearance of the filer before the Board; and
 - iv. The date and time for the Board meeting at which the mandatory filer must appear if no FDS is filed within fourteen (14) days after the issuance of the Failure to File Notification; and
 - v. Upon the majority vote of the Board, the failure of the mandatory filer to appear at the designate Board meeting shall result in the Board referring the

mandatory filer for potential disciplinary action to: (1) The mandatory filer's department head, if a County employee; (2) The County Administrator, if a non-elected officer or employee; and (3) The Chairman of the Board of Supervisors, with a copy to the Clerk of the Board of Supervisors for distribution to the Board of Supervisors.

- e. The Board may grant individual time extensions to mandatory filers, for good cause, upon the written request of the individual filer or the request of the mandatory filer's Department Head.
- f. The Board shall review each FDS filed to determine if the document is facially sufficient. While it is not the duty or obligation of the Board to evaluate the veracity of information disclosed upon an individual FDS during the annual review process, the Board may decide, in their sole discretion by majority vote, to take reasonable actions to verify the truthfulness, completeness, and accuracy of any information disclosed upon filed FDS, to include the lack of information provided upon any filed FDS.
- g. A filed FDS shall be deemed "facially insufficient" if it meets any one (1) of the following criteria:
 - i. Would a reasonable person reviewing the FDS have a concern that the answers provided on the FDS are not responsive to the questions asked?
 - ii. Would a reasonable person reviewing the information disclosed on the FDS have a concern as to the veracity or accuracy of the answers provided based on common sense and/or a conflict between different answers provided by the individual filer?
 - iii. Would a reasonable person reviewing the FDS have a concern that the document as a whole is not complete, or that any individual answer is not complete?
- h. The Board shall take appropriate action on each FDS which is deemed facially insufficient by a majority vote, and shall notify the filer of the corrective action required to include, but not limited to:

- i. Returning the FDS to the filer with a demand for more complete written response(s);
 - ii. Requesting the filer to submit a new FDS;
 - iii. Directing the filer to submit supporting documentation to address the identified concern(s) of the Board; and/or
 - iv. Requesting the personal appearance of the individual filer before the Board to answer Board questions concerning the information contained upon the filed FDS.
- i. The Board shall notify an individual filer of required corrective action by issuing a Notice of Corrective Action Required, in a form substantially similar to **Attachments “C” & “C-1.”**
 - i. The first Notice of Corrective Action Required issued by the Board shall be sent only to the individual filer of the FDS determined to be facially insufficient.
 - ii. Each additional Notice of Corrective Action Required issued to a non-elected County officer or employee during the same calendar year shall be sent to the filer, the filer’s department head, if any, and the County Administrator.
 - iii. If the filer is an elected official of the County, then each additional Notice of Corrective Action Required shall be sent to the filer, the Clerk of the Board of Supervisors for publication to the Board of Supervisors, the County Administrator, and the County Attorney.
- j. On or after May 1st of each calendar year, the Board shall direct the Chairperson of the Board to submit written notification to the Clerk of the Board of Supervisors for distribution to the Board of Supervisors, County Administrator, and County Attorney of the names and employment position of every County officer and employee, to include elected officials, who are mandatory filers, but failed to file a FDS, without good cause approved by the Board, as of April 30th of that calendar year or as soon as practicable.

4. Issue Ethics Advisory Opinions.

- a. Warren County officers and employees may submit to the Board a written request for an advisory opinion with respect to proposed future conduct or action by a public servant and an interpretation of the Code and Article 18 of the General Municipal Law, prior to the occurrence of the future conduct or action.
- b. A request for an advisory opinion may be submitted by a County officer or employee upon the Request for Ethics Advisory Opinion form, enclosed herein as **Attachment “D”**, or a substantially similar document.
- c. The Board shall treat a request for an advisory opinion as confidential, but the requesting party shall understand that a written request for an advisory opinion and the resulting advisory opinion may be subject to disclosure under the Freedom of Information Act.
- d. All requests for an Advisory Opinion shall be in writing, signed by the requester, and mailed or hand delivered to the Warren County Board of Ethics, c/o Warren County Attorney’s Office, Warren County Municipal Center, 1340 State Route 9, Lake George, New York 12845.
- e. Upon receipt of a written request for an advisory opinion, the Chairperson shall acknowledge the request in writing, as soon as practicable.
- f. The Board’s primary members may investigate, conduct fact-finding, and conduct background research which may include legal research, review of County policies and procedures, and conferring with the Board’s legal counsel.
- g. The Board shall determine, by majority vote, whether the request warrants the preparation and issuance of an advisory opinion.
 - i. If the request for an advisory opinion is not within the jurisdiction of the Board as fixed by the Code, or the Board decides that it will not issue an advisory opinion based on the facts before it, then the Chairperson shall be directed to issue a letter to the requester stating that no action will be taken.
 - ii. If the request for an advisory opinion is within the jurisdiction of the Board as fixed by the Code, and the Board has sufficient factual information, then the Board shall determine whether or not it will issue an advisory opinion in the

matter presented. In determining whether to issue an advisory opinion, the Board may consider the following factors:

1. Would an opinion assist the requester and guide future conduct?
 2. Has the Board previously issued an opinion on this same matter or one that is substantially similar?
 3. Is the matter currently being investigated by law enforcement?
 4. Is there a conflict of interest by the Board that requires recusal?
- h. If the Board decides to issue an advisory opinion, the matter shall be assigned a case number which shall include the year followed by a sequential number (i.e. 2022-1; 2022-2).
 - i. The Board shall issue an advisory opinion upon a majority vote within ninety (90) days from the Board's decision to issue an opinion. Any advisory opinion approved by the Board shall not state the name or the title/position of the County officer or employee that requested the advisory opinion and the advisory opinion shall make reasonable efforts to keep the identity of the requester confidential to the degree confidentiality is feasible based on the facts.
 - j. Every advisory opinion issued by the Board shall be in written form and provided to the requester and the Clerk of the Board of Supervisors for distribution to the Board of Supervisors, County Administrator and County Attorney.
 - k. The Board shall take no future action against any County officer or employee whom requested an advisory opinion prior to conducting the affairs addressed by the advisory opinion, so long as the requesters conduct occurs after the advisory opinion was issued and conformed to the requirements of the advisory opinion.
 - l. All advisory opinions issued by the Board may be released to the public, to include being posted to the Board's webpage.

5. Ethics Complaint Procedure.

- a. The Board is authorized to accept for consideration written, sworn complaints bearing the original signature of the complainant. An ethics complaint must be in the form of a sworn affidavit which contains a signed certification which states that "False

statements made herein are punishable as a class A misdemeanor, pursuant to section 210.45 of the Penal Law” (hereafter, “sworn complaint”). All sworn complaints shall substantially comply with the requirements set forth by the enclosed **Attachment “E.”**

- b. All sworn complaints shall be sent by mail or personally delivered to: Warren County Board of Ethics, c/o Warren County Attorney’s Office, Warren County Municipal Center, 1340 State Route 9, Lake George, New York 12845.
- c. No member of the Board, or the County Attorney’s Office, shall provide any assistance or advice to a complainant in preparing a sworn complaint for submission to the Board.
- d. Every document filed with the Board which claims to be an ethics complaint must state the following facts and information, to the extent such information is available:
 - i. The full legal name of the person or persons who are the subject of the complaint, and their County department, position, and duties and responsibilities with the County; and
 - ii. The date, time, and location of the alleged ethics violation; and
 - iii. The specific provision(s) of the Code of Ethics that is alleged to have been violated; and
 - iv. A detailed description of the facts of the alleged ethics violation and which facts are personally known to the complainant, or were discovered by the complainant from another person or source. If the facts were discovered by the complainant from another source or person, state each and every source and person and provide their contact information to include home address, phone number and email address.
 - v. The complainant’s affiliation, association, or relationship with the person or persons who are the subject of the ethics complaint, if any, and if none, state that there is no affiliation, association, or relationship.
 - vi. Complainant’s full legal name and contact information, to include the mailing address, work address, phone number, and email address.

- vii. All supporting information or documents in the possession of Complainant, which may aid the Board to review and assess the allegations set forth by the complaint shall be provided with the sworn complaint when filed.
- e. The Chairperson shall conduct a preliminary review of any document received alleging to be an ethics complaint to determine whether the document received constitutes an ethics complaint as set forth in the Code of Ethics and these Standing Rules. If the Chairperson determines that the document received does not constitute an ethics complaint, the Chairperson shall provide written notice to the filer of their decision and shall return to the filer any documents which are deemed to not comply with these Standing Rules, if a mailing address was provided. The Chairperson and the Board shall not consider, review, or respond to any email, text message, facsimile, or other form of electronic communication, from any source, which claims to be an ethics complaint and shall take no further action on any such submission. The Chairperson shall update the Board at the next Board meeting of any determinations.
- f. If the Chairperson determines that the document complies with the Code and Standing Rules, then the document shall be assigned a matter number designating the year received and a sequential number and the filer shall be notified, in writing, that the Board received the document, the matter number assigned to the document, and that the document shall be reviewed during the next scheduled Board meeting.
- g. The Board, within thirty (30) days of the Chairperson notifying the filer that their filed document was received, shall determine whether a filed document is deemed to be a complaint under the Code by taking the following actions:
 - i. The Board shall make an initial determination by majority vote whether the filed document constitutes a complaint by determining whether the factual allegations in the document demonstrate that the Board possesses jurisdiction over the factual allegations and those allegations are both “credible and actionable.”
 - ii. The Board shall determine whether the filed document:
 - 1. States a specific section of the Code or Article 18 of the General Municipal Law which was alleged to have been violated, or that the

Board identified a specific section of the Code or Article 18 of the General Municipal Law which would apply to the factual allegations; and

2. States factual allegations sufficient to establish “reasonable cause” that a Warren County officer or employee violated a specific provision of the Code, or Article 18 of the General Municipal Law; and
 3. The Board determines that “reasonable cause” exists: (1) when information which appears reliable discloses facts or circumstances which are collectively of such weight and persuasiveness as to convince a person of ordinary intelligence, judgment and experience that it is reasonably likely that there was an ethical violation of the Code or Article 18 of the General Municipal Law; and (2) that the person identified committed the alleged violation.
- iii. The Board shall determine whether reasonable cause exists on a case-by-case basis relying solely on the factual allegations presented in the filed document and any attachments and shall not be based upon any other source of potential facts or information available to the Board members, or the general public.
 - iv. The Chairperson shall close any matter when the Board fails to find, by a majority vote, that a filed document constitutes a complaint and shall notify the filer, in writing, delivered by mail, when a matter is closed and shall take no further action on the filed document.
 - v. Upon the Board determining to take no action on a filed document, the Board and its members shall not disclose the existence or content of the filed documents, absent compulsion of process or the order of a Court of competent jurisdiction.
- h. Complaint Review Procedure and Investigation.
- i. Within five (5) business days after the Board determines a filed document constituted a sworn complaint, the Board shall issue a Notice of Complaint to inform the Respondent(s), in writing, that an ethics complaint has been filed against him or her and an investigation has commenced.

1. The Notice of Complaint shall provide a general statement of facts upon which the Board relied for its determination that the complaint was credible and actionable.
 2. The Notice of Complaint shall set forth the provisions of the Code and/or law allegedly violated.
 3. The Board, in their sole discretion, shall determine by majority vote on a case-by-case basis whether to disclose a copy of the complaint with the Notice of Complaint. The Board may consider the following factors when determining whether to disclose the complaint: the privacy of the Complainant; the sensitive nature of the information set forth in the Complaint; the need to protect Complainant from retribution or other negative consequences identified from the factual allegations in the Complaint; the relationship of Complainant to Respondent(s); the risks to the investigation caused through release of the Complaint and information stated therein; and the due process rights of the Respondent to receive notice and a full and fair opportunity to be heard regarding the pending allegation(s) in order to answer and defend themselves from the allegation(s).
 4. A copy of these Standing Rules shall be provided to the Respondent with the Notice of Complaint.
- ii. The Respondent shall have twenty-one (21) days after service of the Notice of Complaint to submit a sworn affidavit in response to the allegations, along with all supporting documentation. The Respondent shall answer the Notice of Complaint by sworn affidavit made under the pains and penalties of perjury; a copy of the affidavit which may be used by a Respondent is provided as **Attachment "F."**
 - iii. After the Board receives and reviews Respondent's Answer, the Board may conduct an informal investigation to gather additional facts and evidence to assist the Board in their evaluation of the Complaint, or the Board may designate, by majority vote, one or more members of the Board, to include

alternate members, to conduct an informal investigation and to report the findings and results of the informal investigation to the Board at the next scheduled meeting to address the Complaint.

1. The Board, or designated members, may serve a written demand for further information or documentation from a complainant or a respondent during the investigation phase and may direct the production of an affidavit verifying that the additional statement and/or documents are true and complete.
 2. The Board, or designated members, may serve a written demand for further information or documentation upon any County officer or employee during the investigation phase and may direct the production of an affidavit verifying that the statement and/or documents are true and complete.
 3. The Board, upon majority vote only, may request further information or documentation from any third-party who is not a County officer or employee during the investigation phase and may request production of an affidavit verifying that the additional statement and/or documents are true and complete.
- i. Actions Available to the Board After Issuing Notice of Complaint and/or Informal Investigation.
- i. After Respondent's affidavit is filed with the Board in response to the Notice of Complaint, the Board may determine by majority vote that there is no longer any reasonable cause to believe that the Code or Article 18 of the General Municipal Law was violated. Upon such a vote, the Chairperson shall notify the Complainant and Respondent, in writing, that the Board determined no reasonable cause to proceed with the Complaint and that the complaint was dismissed and the matter closed.
 - ii. After the completion of any informal investigation, the Board may determine by majority vote that there is no longer any reasonable cause to believe that the Code or Article 18 of the General Municipal Law was violated. Upon such

- a vote, the Chairperson shall notify the Complainant and Respondent, in writing, that the Board determined no reasonable cause to proceed with the Complaint and that the complaint was dismissed and the matter closed.
- iii. After Respondent files an affidavit in response to the Complaint and/or the Board completed any informal investigation, the Board may determine by majority vote based on the evidence and information submitted to the Board that Respondent committed an ethical violation, without proceeding to an Investigation Hearing.
 - iv. If the Board is unable to either dismiss the Complaint, or make a finding that the Respondent committed an ethical violation, then the Board shall continue the Complaint Review Procedure and Investigation Phase by proceeding with an Investigation Hearing.
- j. Investigation Hearing Procedures.
- i. The Board may, in their sole discretion, determine that as a continuation of the Complaint Review Procedure and Investigation Phase the Board shall hold an Investigation Hearing or decide to refer the Complaint and Respondent's Affidavit to the appropriate agency if the Respondent's conduct is subject to any other provision of State law, or to a collective bargaining agreement which provides for the conduct of disciplinary hearings under section 75 of the Civil Service Law.
 - ii. Upon scheduling an Investigation Hearing date and time, the Board shall issue a Notice to Appear to each complainant, respondent or other County officer or employee that the Board seeks to question based on the belief that such person possesses relevant and material information relating to the subject matter of the Complaint. Nothing prohibits the Board from requesting a third party who is not a County officer or employee from appearing voluntarily to answer questions posed by the Board as part of the investigation.
 - iii. The Board shall serve a Notice to Appear, as provided at **Exhibit "G"**, at least fourteen (14) calendar days prior to the date fixed for the Investigation Hearing, which shall advise the witness of:

1. The complaint number assigned by the Board;
 2. The name of the Respondent(s);
 3. The date and time the witness shall appear for the Investigation Hearing;
 4. The general nature of the Complaint's allegations;
 5. Any requirement to appear and produce specific documents or other items related to the allegations in the Complaint;
 6. The right of any witness to appear with an attorney of their choice and at their sole cost, and the right of any such attorney to attend the proceedings for observation purposes only; and
 7. That no attorney appearing with a witness shall be authorized to address the Board on behalf of their client or participate in the proceedings beyond observation.
- iv. The person appearing before an Investigation Hearing shall not be administered any oath or affirmation and all statements shall be unsworn. No record of the proceedings shall be required, unless the Board determines, in their sole judgment, to create a record of the proceeding by recording.
- v. The Complainant and Respondent possess no legal right or authority to be physically present during any portion of the Investigation Hearing, and no person shall participate in the questioning of a witness, except a member of the Board, or such other person designated by majority vote of the Board to conduct questioning on behalf of the Board during the Investigation Hearing.
- vi. The Board shall not be required to record the Investigation Hearing proceedings and may, in their sole discretion, record any individual witness' unsworn testimony. Should the Board decide to record the statement of any individual witness the entire statement, to include all questions and answers, shall be recorded. Any such recordings shall be maintained by the Board for a period of three years from the date of any final employment action taken by the County against the Respondent, or as otherwise required by State Law.
- k. Dismissal of Complaint After Investigation Hearing.

- i. If the Board determines by majority vote after an Investigation Hearing that it is more likely that the ethical violation alleged by the Complaint did not occur, then the Board shall dismiss the Complaint, with prejudice, and set forth the facts and reasons in a written advisory decision, approved by the majority vote of the Board. The advisory decision shall be provided to the Clerk of the Board of Supervisors for distribution to the Board of Supervisors, County Administrator, County Attorney, Director of Human Resources, the Department Head for the County officer or employee, if any, each hearing witness, the Complainant and the Respondent, and state that the Board dismissed the complaint, closed the matter, and shall take no further action concerning the matter.
 - ii. The Notice of Disposition shall be issued within 30 days after a dismissal determination by the Board.
1. Advisory Decision.
 - i. If the Board finds by majority vote that it is more likely than not that Respondent violated a provision of the Code, or Article 18 of the General Municipal Law, then the Board shall prepare and approve by majority vote, an Advisory Decision which states the facts which the Board determines to be true and credible. The Board shall also support any determination that Respondent committed an ethical violation by a preponderance of the evidence. The advisory Decision shall reference any documents relied upon by the Board in making its determination and shall attach all documents relied upon to the Advisory Decision.
 - ii. The Advisory Decision shall be signed by each Board Member who votes to approve the Advisory Decision.
 - iii. The Board shall refer the Advisory Decision to the County Attorney for a legal sufficiency review and upon the determination of the County Attorney that the Advisory Decision is legally sufficient, the Chairperson shall submit the Advisory Opinion and the legal sufficiency determination by the County Attorney to the Clerk of the Board of Supervisors for distribution to the Board

of Supervisors, County Administrator, County Attorney, Director of Human Resources, and the Department Head for the County officer or employee for the Respondent, if any.

- iv. A copy of the Advisory Decision shall be served upon the Respondent, as set forth by paragraph 2 above.
 - m. Advisory Opinion on Enforcement.
 - i. The Board shall be empowered to issue an advisory opinion on enforcement as part of any Advisory Decision approved by the Board which finds that a County officer or employee violated the Code, or Article 18 of the General Municipal Law.
 - ii. Any advisory enforcement opinion by the Board may only be issued as part of the Advisory Decision and must be approved by the majority vote of the Board.
 - n. Release of Advisory Decisions. The Board may publish on their webpage any Advisory Decision issued by the Board, to include any Advisory Opinion of Enforcement, upon the majority vote of the Board.
6. Freedom of Information Law: All records submitted to the Board or generated by the Board may be subject to release under the New York State Public Officers Law Article 6, known as the Freedom of Information Law.
7. Attachments & Publication of Standing Rules.
- a. The Board directs that the final enacted Standing Rules and attachments are forwarded to the Clerk of the Board of Supervisors for publication to the Board of Supervisors, and shall be published and accessible upon the official website for the County of Warren.

**THIS CONSTITUTES THE 2026-27 WARREN COUNTY BOARD OF ETHICS
STANDING RULES AND PROCEDURE. APPROVED BY MAJORITY VOTE OF THE
BOARD OF ETHICS AND EFFECTIVE 4th DAY OF MAY, 2026.**

HAROLD WIRTHS, Chair

MONIQUE BOULET, Vice-Chair

JOHN DUFFY, Member

GEORGE GEDNEY, Member

SCOTT VANDERHOEF, Member

PATRICK DOWD, Member

MARYBETH MITCHAM, Member

SCHEDULE “B”

COUNTY OF WARREN
LOCAL LAW NO. 4 OF 2026

“A LOCAL LAW AMENDING AND UPDATING LOCAL LAW NO. 2 OF 2022, ‘A LOCAL LAW AMENDING AND UPDATING LOCAL LAW NO.6 OF 2021, ‘A LOCAL LAW AMENDING AND UPDATING LOCAL LAW NO. 5 OF 2021, A LOCAL LAW AMENDING AND UPDATING LOCAL LAW NO. 6 OF 2014, WARREN COUNTY ETHICS AND DISCLOSURE LAW”

BE IT ENACTED, by the Board of Supervisors of the County of Warren, New York as follows:

SECTION 1. Title. This Local Law shall be entitled “A Local Law Amending and Updating Local Law No. 2 of 2022, ‘A Local Law Amending and Updating Local Law No. 6 of 2021, A Local Law Amending and Updating Local Law No. 5 of 2021, A Local Law Amending and Updating Local Law No. 6 of 2014, Warren County Ethics and Disclosure Law.”

SECTION 2. Purpose. To update the Local Law to reflect Article 18 of the General Municipal Law provisions and to amend the Financial Disclosure Form included as “Appendix B” in the Warren County Ethics and Disclosure Law intended to ensure that officers and employees for the County of Warren hold their positions to serve and benefit the public, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. The Board of Supervisors recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This code of ethics establishes those standards.

SECTION 3. Definitions.

- (a) “Board” means Warren County Board of Supervisors.
- (b) “Code” or “Code of Ethics” means this Code of Ethics.
- (c) “Contract”: means any claim, account or demand against or agreement with a municipality, express or implied, and shall include the designation of a depository of public funds and the designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution, ordinance, or other proceeding where such publication is required or authorized by law.
- (d) “County of Warren” or “County” means the municipal government organized under the laws of the State of New York with a principal place of business located at 1340 State Route 9, Lake George, New York 12845, and its officers, employees, departments, offices, boards and agencies.
- (e) “Gift” means anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or anything of value in any other form. The value of a gift is the gift’s fair market value, determined by the retail cost of the item or the fair market value of a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater.
- (f) “Interest” means a direct or indirect financial or material benefit accruing to a municipal officer or employee as a result of a contract with the municipality which such officer or employee serves, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any private organization when he or she, his or her spouse, or a member of their household, is an owner, partner, member, director, officer, employee, or directly, collectively, or indirectly owns or controls more than five percent (5%) of the organization’s outstanding stock, or any other form of ownership in the organization.
- (g) “Member of their Household” means any person residing in the same household as a County officer or employee and such residence is the person’s primary residence, without regard for familial relationship.
- (h) “Municipality” means a county, city, town, village, school district, consolidated health district, county vocational education and extension board, public library, board of cooperative educational services, urban renewal agency, a joint water works system established pursuant to chapter six hundred fifty-four of the laws of nineteen hundred twenty-seven, or a town or county improvement district, district corporation, or other district or a joint service established for the purpose of carrying on, performing or financing one or more improvements or services.

intended to benefit the health, welfare, safety or convenience of the inhabitants of such governmental units or to benefit the real property within such units, an industrial development agency but shall have no application to a city having a population of one million or more or to a county, school district, or other public agency or facility therein, and shall include Adirondack Community College.

- (i) "Municipal officer or employee" means an officer or employee of a municipality, whether paid or unpaid, including members of any administrative board, commission or other agency thereof and in the case of a county, shall be deemed to also include any officer or employee paid from county funds. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer firefighter or civil defense volunteer, except a fire chief or assistant fire chief.
- (j) "Sporadic" means less than four times during any twelve (12) month period.
- (k) "Relative" means a person's spouse, child, stepchild, stepparent, or other person who is a direct descendent of the grandparents of such person or the spouse of such person.
- (l) "Spouse" means a husband or wife of the municipal officer or employee unless living separate and apart with the intention of terminating the marriage, or separated pursuant to either a judicial order, decree or judgment, or a legally binding separation agreement.

SECTION 4. Applicability. This code of ethics applies to the officers and employees for the County of Warren and shall replace and supersede all Warren County Code of Ethics, dated 2014, 2021, and 2022. The provisions of this Code of Ethics shall apply in addition to all applicable State and local laws relating to conflicts of interest and ethics including, but not limited to, Article 18 of the General Municipal Law and all rules, regulations, policies and procedures of the County of Warren.

SECTION 5. Prohibition on use of municipal position for personal or private gain. No municipal officer or employee shall use their municipal position or official powers and duties to secure a financial or material benefit for themselves, a Relative, a Member of their Household, or for any private organization in which they are deemed to have an Interest.

SECTION 6. Disclosure of Interest in legislation and other matters.

- (a) Whenever a matter requiring the exercise of discretion comes before a municipal officer or employee, either individually or as a member of a board, and disposition of the matter could result in a direct or indirect financial or material benefit to themselves, a Relative, a member of their Household, or any private organization in which they are deemed to have an Interest, the County officer or employee shall refrain from the exercise of discretion in the matter.
- (b) The County officer or employee shall disclose, in writing, the nature of the Interest by completing the "Outside Interest Form" as required by Section 8 as provided at Appendix "A" herein. The Outside Interest Form disclosure shall be made when the matter requiring disclosure first comes before the County officer or employee, or when the County officer or employee first acquires knowledge of the Interest requiring disclosure, whichever occurs first.

SECTION 7. Interests in Contracts Prohibited.

- (a) No County officer or employee may have an Interest in a contract with the County of Warren that is prohibited by sections 801 and 802 of the General Municipal Law.
- (b) Every County officer and employee shall disclose an Interest in any County contract at the time and in the manner required by section 803 of the General Municipal Law, and this Code of Ethics.

SECTION 8. Outside Interest Form.

- (a) Any County officer or employee, to include their spouse or a Member of their Household, that engages in any outside activity with any business entity, for-profit or not-for-profit, or maintains any financial relationship with the County of Warren as an employee, contractor, consultant, owner, partner, Board member, or passive investor shall complete and file an Outside Interest Form, as provided at Appendix "A."
- (b) Any County officer or employee that provides to or receives from the County of Warren any client referrals, either individually or for the benefit of any business entity as provided by Section 8(a) above, shall complete and file an Outside Interest Form, as provided at Appendix "A."

- (c) Any County officer or employee, to include their spouse or a Member of their Household, that competes with the County of Warren or any of its departments or offices, either individually or for the benefit of any business entity as provided by Section 8(a) above, shall complete and file an Outside Interest Form, as provided at Appendix "A."
- (d) In the case of a person serving as a municipal officer elected to a public office, the Outside Interest Form shall be filed with the Clerk of the Board of Supervisors.
- (e) In the case of all municipal officers and employees not elected to a public office, the Outside Interest Form shall be submitted to the filer's Department Head or, if the filer does not have a Department Head, then the Outside Interest Form shall be filed with the County officer, employee or board having the power to appoint such person to the title and position held, with a copy filed with the County Attorney.
- (f) In the case of a County officer or employee appointed to serve on any municipal board or committee by or through the County of Warren, then a copy of the Outside Interest Form shall be filed with the Clerk of the Board of Supervisors.
- (g) All Outside Interest Forms filed with the Clerk of the Board of Supervisors shall be made public at the next scheduled meeting of the Board of Supervisors, through publication, and shall be included by reference in the minutes of the meeting.

SECTION 9: Annual Financial Disclosure Statements.

- (a) All County officers and employees shall comply with the requirements set forth by General Municipal Law, Article 18, and any amendments or revisions related to the filing of financial disclosure statements, as well as this Code of Ethics.
- (b) County Officers and Employees Required to File (Mandatory Filers). The County officers and employees holding titles and positions whose duties and responsibilities are described below shall be deemed Mandatory Filers and shall be required to complete, sign and file an annual financial disclosure statement every year:
 - (1) Elected officials;
 - (2) The heads of any department, office, agency, division, council, board, commission, authority or bureau of the County of Warren, and their deputies, and such other persons authorized to act on their behalf who make policy decisions;
 - (3) Officers and employees holding titles involved in policymaking, including members of boards, commissions and public authorities of the County of Warren. A person shall hold a policymaking position if they meet the following criteria, based upon either the powers and duties of the title held and that title's job description, or any applicable law or regulation, or based on the actual duties performed by such person:
 - a. They have been determined to be managerial pursuant to Civil Service Law §201(7) because they formulate policy; or
 - b. They are in the non-competitive class under §2.2 of the rules and regulations of the New York State Department of Civil Service, provided that the person holds a position that is designated in any applicable rules and regulations promulgated by the county civil service commission or County Personnel Officer pursuant to Civil Service Law §20, on the basis that the position requires the performance of functions influencing policy; or
 - c. They exercise responsibilities of a broad scope in the formulation of plans for the implementation of goals or policy for a county agency or acts as an advisor to an individual in such a position.
 - (4) Officers and employees that possess discretionary authority with respect to:
 - a. Contracts, leases, franchises, concessions, permits, or licenses; or
 - b. The purchase, sale, rental, or lease of real property, personal property, or services, or a contract therefore; or
 - c. The obtaining of grants of money or loans; or
 - d. Inspections; or
 - e. The adoption or repeal of any rule or regulation having the force and effect of law.
 - (5) A non-exhaustive, representative list of County officers and employees mandated to file annual financial disclosure statements is set forth at Appendix "B" and incorporated by reference herein.
- (c) Approved Format for Financial Disclosure Statement. Each Mandatory Filer shall complete the annual financial

disclosure statement in the form set forth at Appendix "C" herein.

- (d) Time and Place for Filing. The annual financial disclosure statements shall be filed with the County Attorney's Office no later than the 31st of January each year. The failure to file an annual financial disclosure statement may subject a Mandatory Filer to discipline.
- (e) Board of Ethics Review. The Board of Ethics shall have authority to review all filed annual financial disclosure statements, to request additional information from any Mandatory Filers, as needed to determine questions that may arise under State law or this Code of Ethics.
 - (1) A complete list of all annual financial disclosure statements filed with the County Attorney's Office shall be made available for inspection and review by the Board of Ethics members by February 14th of each year, or within fifteen (15) days after the Board of Ethics has been appointed and sworn.
 - (2) The Board of Ethics shall adopt procedures to address a Mandatory Filer which fail to file an annual financial disclosure statement, or files a Financial Disclosure Statement deemed incomplete, or which raised a material question which requires the Board of Ethics to obtain additional information from the Mandatory Filer.
 - (3) The County Attorney's Office shall assist the Board of Ethics to accomplish the ministerial acts required for the Board of Ethics to accomplish their assigned tasks.
 - (4) The Board of Ethics shall notify the County Administrator and Board of Supervisors, in writing, whether all Mandatory Filers have completed the requirements of this section and advise of any Mandatory Filer that failed to file or filed an incomplete annual financial disclosure statement, as of April 30th each year.
 - (5) Updated financial disclosure statements shall be filed by Mandatory Filers during each calendar year when a material change of circumstances which warrant supplemental disclosure occurs and all such updated financial disclosure statements shall be filed with the County Attorney's Office and submitted to the Board of Ethics for review.

SECTION 10. Recusal.

- (a) No County officer or employee may participate, either directly or indirectly, in any decision, or take any official action upon any matter requiring the exercise of discretion, including discussing the matter during a public meeting and any executive session, or voting upon such a matter, when they know, should know, or have reason to know that the action may confer a direct or indirect financial or material benefit on themselves, a Relative, a Member of their Household, or any private organization in which they are deemed to have an Interest.
- (b) Any Interest requiring recusal must be set forth on the filer's annual Financial Disclosure Statement.
- (c) Any County officer or employee recusing from a matter should report the Interest which caused the recusal on an Outside Interest Form, as required by Section 6.
- (d) In the event that this section prohibits a municipal officer or employee from exercising or performing a power or duty:
 - (1) if the power or duty is vested in a municipal officer as a member of a board, then the power or duty shall be exercised or performed by the other members of the board; or
 - (2) if the power or duty that is vested in a municipal officer individually, then the power or duty shall be exercised or performed by their deputy or, if the officer does not have a deputy, the power or duty shall be performed by another person to whom the officer may lawfully delegate the function; or
 - (3) if the power or duty is vested in a municipal employee, they shall refer the matter to their immediate supervisor, and the immediate supervisor shall designate another person to exercise or perform the power or duty.

SECTION 11. Prohibition inapplicable: disclosure and recusal not required.

- (a) This Code's prohibition on use of a municipal position (section 5), disclosure requirements (sections 6, 8 and 9), and requirements relating to recusal (section 10), shall not apply with respect to the following matters:
 - (1) adoption of the County of Warren's annual budget;
 - (2) any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:
 - (i) all municipal officers or employees;
 - (ii) all residents or taxpayers of the municipality or an area of the municipality; or
 - (iii) the general public; or

- (3) any matter that does not require the exercise of discretion.
- (b) Recusal shall not be required with respect to any matter:
 - (1) which comes before the Warren County Board of Supervisors or standing Committee or Special Committee thereof when a majority of the board's total membership or committee's total membership would otherwise be prohibited from acting by section 10 of this Code; or
 - (2) which comes before a municipal officer when the officer would be prohibited from acting by section 10 of this Code and the matter cannot be lawfully delegated to another person.

SECTION 12. Investments in conflict with official duties.

- (a) No County officer or employee may acquire the following investments:
 - (1) investments that can be reasonably expected to require more than Sporadic recusal under section 10 of this Code; or
 - (2) investments that would otherwise impair the person's independence of judgment in the exercise or performance of their official powers and duties.
- (b) This section does not prohibit a County officer or employee from acquiring any other investments or the following assets:
 - (1) real property located within Warren County and used as a personal primary residence;
 - (2) less than five percent (5%) of the stock of a publicly traded corporation; or
 - (3) bonds or notes issued by a municipality and acquired more than one year after the date on which the bonds or notes were originally issued.

SECTION 13. Private employment in conflict with official duties. No County officer or employee, during their tenure as a municipal officer or employee, may engage in any private employment, including the rendition of any business, commercial, professional or other types of services, and including serving as a Board member, consultant, contractor or passive investor of an entity that: engages in any business or maintains any relationship with the County of Warren, provides to or oversees from the County of Warren any client referrals; or competes with the County of Warren, if such private employment or activity:

- (a) may be expected to require more than Sporadic recusal, pursuant to sections 10 and 12 of this Code;
- (b) may be expected to require disclosure or use of confidential information gained through service as a municipal officer or employee; or
- (c) violates section 805-a(1)(c) of the General Municipal Law which prohibits receiving, or entering into any agreement, express or implied, for compensation for services rendered in relation to any matter before any municipality of which they are an officer, member, or employee or of any municipal agency over which they have jurisdiction or to which they have the power to appoint any member, officer or employee; or
- (d) violates section 805-a(1)(d) of the General Municipal Law which prohibits receiving, or entering into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of their municipality, whereby their compensation is to be dependent or contingent upon any action by such municipal agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered; or
- (e) requires representation of a person or organization other than the County of Warren in connection with litigation, negotiations or any other matter to which the County of Warren is a party.

SECTION 14. Future employment.

- (a) No County officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the County officer or employee, either individually or as a member of a board, while the matter is pending or within the thirty (30) days following final disposition of the matter.
- (b) No County officer or employee, for the two-year period after serving as a County officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before any County of Warren department, office, board, or comparable organizational unit for which they served.

- (c) No County officer or employee, at any time after serving as a County officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which they personally and substantially participated while serving as a County officer or employee.

SECTION 15. Personal representations and claims permitted. This Code shall not be construed as prohibiting a County officer or employee from:

- (a) representing themselves, their spouse, or their minor children before the County of Warren; or
- (b) asserting a claim against the County of Warren on their own behalf, or on behalf of their spouse or their minor children.

SECTION 16. Use of County resources.

- (a) County resources shall be used only for lawful County purposes.
- (b) County resources include, but are not limited to the County's personnel, as well as the County's money, vehicles, equipment, materials, supplies, and other County property. County resources shall include the County's computer data network, to include but not limited to the use of County hardware to access the County computer data network, and the County's software programs and applications, as more fully governed by the County's Computer Use policy, which is incorporated by reference herein.
- (c) No County officer or employee may use or permit the use of County resources for personal or private purposes, but this provision shall not be construed as prohibiting:
 - (1) The use of County resources authorized by law or municipal policy;
 - (2) The use of County resources for personal or private purposes when provided to a County officer or employee as part of their compensation; or
 - (3) The occasional and incidental use during the business day of County telephones and the computer data network for necessary personal matters such as family care and changes in work schedule.

~~SECTION 17. Nepotism. Except as otherwise required by law:~~

- ~~(a) No County officer or employee shall induce another person to hire a Relative of the officer or employee, or a Member of their Household;~~
- ~~(b) No County officer or employee, either individually or as a member of a board, may participate in any decision to appoint, hire, promote, discipline or discharge a Relative or Member of their Household for any title or position at, for, or within the County of Warren, or a County of Warren board, except as follows:
 - ~~(1) A Department Head may undertake to appoint, hire, promote, discipline or discharge a Relative or a Member of their Household, only if no other County officer or employee can undertake the action, and the action is undertaken in accordance with the Civil Service Law and Rules promulgated thereunder for competitive positions; or~~
 - ~~(2) In all other cases, a Department Head may undertake to appoint, hire, promote, discipline or discharge a Relative or a Member of their Household, only if no other County officer or employee can undertake the action and the Department Head obtains approval from the Board of Supervisors prior to undertaking the action contemplated;~~~~
- ~~(c) No County officer or employee may immediately or directly manage and/or supervise a Relative or member of their Household in the performance of the Relative's or a Member of their Household's official powers or duties. If a County officer or employee would be responsible for the management or supervision of a Relative or a Member of their Household, an alternative supervisory arrangement must be made and documented to manage and supervise the Relative or the Member of their Household; the management and supervision must be undertaken pursuant to Civil Service Law and Rules, if applicable, and any decision to appoint, hire, promote, discipline or discharge must be in accordance with subdivision (b) above;~~
- ~~(d) Any County officer or employee, or prospective officer or employee, may request a written advisory opinion from the Board of Ethics regarding the implementation of this Section as to a specific Relative or Member of their Household;~~

SECTION 18. Political Solicitations.

- (a) No County officer or employee shall directly or indirectly compel or induce a subordinate County officer or employee to make, or promise to make, any political contribution, whether by gift of money, service, or other thing of value.
- (b) No County officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any County officer or employee, or an applicant for a position as a County officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

SECTION 19. Confidential Information. No County officer or employee who requires confidential information in the course of exercising or performing their official powers or duties may disclose or use such information unless the disclosure or use is required by law, or in the course of exercising or performing their official powers and duties.

SECTION 20. Gifts.

- (a) Prohibited Gifts. No County officer or employee, their spouse, or Member of their Household, shall solicit, accept or receive a gift in violation of section 805-a(1)(a) of the General Municipal Law or in violation of this section.
- (b) Solicitation of Gifts Prohibited. No County officer or employee, their spouse, or Member of their Household, may directly or indirectly solicit any gift.
- (c) Certain Gifts Prohibited. No County officer or employee, their spouse, or other Member of their Household, may accept or receive any unsolicited gift, or multiple gifts from the same donor, individually or collectively, having an annual aggregate value of Seventy-Five Dollars (\$75.00) or more, if the gift:
 - (1) reasonably appears to be intended to influence the County officer or employee in the exercise or performance of their official powers or duties; or
 - (2) reasonably could be expected to influence the County officer or employee in the exercise or performance of their official powers or duties; or
 - (3) is intended as a reward for any official action on the part of the County officer or employee.
- (d) Aggregating multiple gifts from same donor. The determination of whether multiple gifts from a single donor exceed Seventy-Five Dollars (\$75.00) shall be determined by adding together the value of all gifts received by a County officer or employee, their spouse, or a Member of their Household, during the twelve (12) month period preceding the receipt of the most recent gift from an individual donor or any corporate interest or business entity with whom the individual donor is associated (i.e. an officer, director, partner, employee, agent, contractor or consultant).
- (e) Presumptions for gifts.
 - (1) A gift to a County officer or employee, their spouse, or a Member of their Household shall be presumed to be intended to influence the exercise or performance of their official powers or duties when the gift is from a private person or organization that seeks County of Warren action involving the exercise of discretion by or with the participation of the officer or employee.
 - (2) A gift to a County officer or employee, their spouse, or a Member of their Household shall be presumed to be intended as a reward for official action when the gift is from a private person or organization that obtained County of Warren action which involved the exercise of discretion by, or with, the participation of the County officer or employee during the twelve (12) month period preceding the gift.
- (f) Gifts Not Prohibited. This section does not prohibit any other gift, including:
 - (1) gifts made to the County of Warren;
 - (2) gifts from a person with a family or personal relationship with the County officer or employee, their spouse, or a Member of their Household, when the circumstances make it clear that the personal relationship, rather than the title or position held by the County officer or employee, is the primary motivating factor for the gift;
 - (3) gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable and customary;
 - (4) unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads, and calendars;

- (5) awards and plaques having a value of less than Two Hundred and Fifty Dollars (\$250.00) when presented publicly in recognition of service as a County officer or employee, or in recognition of service to the community unrelated to their position as a County officer or employee;
- (6) meals and refreshments provided when a County officer or employee is a speaker or participant at a job-related professional or educational conference or program, and the meals and refreshments are made available to all participants; or
- (7) receipt of a prize or other item of value worth less than Two-Hundred and Fifty Dollars (\$250.00) when such prize was received by the County officer or employee while in attendance at a job-related professional educational conference or program and all attendees were included in a blind drawing or could have been included in the blind drawing for the prize.

SECTION 21. Board of Ethics.

- (a) There is hereby established a Board of Ethics for the County of Warren.
- (b) Composition. The Board of Ethics shall consist of seven (7) primary members and as many alternate members are deemed appropriate by the Board of Supervisors. All members and alternate members shall be deemed officers of the County of Warren. Alternate members shall serve in the event a primary member is unable to serve at any meeting due to illness, unavailability, or when a conflict is presented.
- (c) Appointment. All members of the Board of Ethics shall be appointed by the Board of Supervisors and shall serve at the pleasure of the Board of Supervisors.
- (d) Term. The term of appointment for members shall run concurrent with the term of the Board of Supervisors.
- (e) Qualifications. All members shall maintain a primary residence in the State of New York and Warren County at the time of appointment and during the entire term of appointment, in accordance with Public Officers Law. Members shall be selected based upon their education, experience, demonstrated integrity, commitment to honesty, and selfless desire to serve the public.
 - (1) No member shall be a municipal officer or employee for any Municipality located in Warren County.
 - (2) No member of the Board of Ethics shall be an official, officer or committee person of a political party or hold any similar office or title in a political party at the time of appointment or during their term.
- (f) Compensation. Members of the Board of Ethics shall not receive any salary, compensation, or other employee benefits, for their services as members of the Board of Ethics.
- (g) Role of Board of Ethics. The role of the Board of Ethics shall be limited to providing recommendations to the Board of Supervisors which shall be purely advisory and which does not require further action by the Board of Supervisors.
- (h) Responsibilities of the Board of Ethics.
 - (1) Advisory Opinions. The Board of Ethics shall render advisory opinions with respect to Article 18 of the General Municipal Law and this Code. Such advisory opinions must be rendered pursuant to a written request per the rules and regulations promulgated by the Board of Ethics.
 - (2) Amendment of Code. The Board of Ethics may submit written recommendations to the Board of Supervisors regarding proposed amendments to the Code of Ethics not more than once each calendar year.
 - (3) Ethics Complaints. The Board of Ethics may accept written complaints or allegation of a conflict of interest or violation of this Code alleged against any County officer or employee from any source. The Board of Ethics may initiate an investigation upon its own motion, or upon receipt of a sworn complaint alleging a violation. The Board of Ethics shall have the advice of legal counsel employed by the Board of Ethics, or if none, the Warren County Attorney or their designee.
 - (4) Rules and Regulations. The Board of Ethics is authorized to establish rules and regulations necessary for the proper discharge of their duties and may amend such rules and regulations as deemed necessary, upon the majority vote of the Board of Ethics.
 - (5) Meetings. Members of the Board of Ethics shall meet at least twice each calendar year to review annual financial disclosure statements and thereafter, as needed. Documentation of the meeting date and time shall be provided to the County Attorney's office and the Clerk of the Board of Supervisors. The Board of Ethics is not designated a "public body: as defined by Public Officers Law § 102(2) and only serves as an advisory body to the Board of Supervisors.

- (6) Ministerial Tasks. The Board of Ethics may utilize the services of the Warren County Attorney's Office for ministerial tasks required to accomplish their responsibilities. The Warren County Attorney's Office shall serve as the official repository of records for the Board of Ethics, as the mailing address for the Board of Ethics, and the agent for service of process for the Board of Ethics.
- (i) Members of the Board of Ethics shall be appointed for the remainder of the current term within sixty (60) days of the effective date of this Local Law and they shall comply with the Local Law immediately upon appointment.

SECTION 22: Annual Ethics Training.

- (a) Every County officer and employee employed on January 1st shall complete an annual ethics training course no later than January 31st of each calendar year. Any officer or employee that begins employment after January 1st of the calendar year shall complete the annual ethics training within ten (10) calendar days following their first day of appointment or employment, and each year thereafter.
- (b) The annual ethics training shall provide instruction regarding the legal and ethical obligations of County officers and employees while serving the County of Warren and the content of such training shall be determined by the County Administrator.
- (c) The Director of Information Technology shall track and report to the County Administrator all employees which complete annual ethics training through the County's computer data network and the County Administrator shall ensure all County officers and employee comply with this section.
- (d) Department Heads supervising County employees without access to the County's computer data network shall report to the County Administrator by name and title, each employee which completed ethics training and the date completed.

SECTION 23. Posting and distribution.

- (a) The Clerk of the Board of Supervisors, or their designee, shall promptly cause a copy of this Local Law, and a copy of any amendment to this Local Law, to be posted publicly and conspicuously in each building under the County of Warren's control. The code must be posted within ten (10) days following the date on which the Local Law takes effect. An amendment to the Local Law must be posted within ten (10) days following the date on which the amendment takes effect. Prior to January 31st of each calendar year, the Clerk of the Board will confirm that the most current version of this Local Law remains posted publicly and conspicuously in each building under the County's control.
- (b) The Warren County Administrator or their designee must promptly cause a copy of this Local Law, including any amendments to the Local Law, to be distributed, electronically or in hard copy, to every person who is or becomes an officer and employee of the County of Warren, and receipt by every employee shall be acknowledged in a manner and form determined by the County Administrator.
- (c) A copy of this Local Law shall be provided to all new officers and employees within ten (10) days of employment or assuming office, as the case may be.
- (d) Every County officer or employee who receives a copy of this Local Law or an amendment to the Local Law must acknowledge such receipt in writing or electronically. Such acknowledgments must be filed with the Clerk of the Board of Supervisors who shall maintain such acknowledgments as a public record.
- (e) The failure to post this Local Law or an amendment to the Local Law does not affect either the applicability or enforceability of the Local Law or the amendment.
- (f) The failure of a County officer or employee to receive a copy of this Local Law or an amendment to the Local Law, or to acknowledge receipt thereof, in writing, does not affect either the applicability or enforceability of the Local Law or any amendment to the Local Law.

SECTION 24. Enforcement. Any County officer or employee who violates this Local Law may be reprimanded, censured, fined, suspended or removed from office or employment in the manner provided by law. Any County officer or employee who is being disciplined for violation of this Local Law must be referred by the Department Head for the County officer or employee to the Board of Ethics as an ethics complaint. Any recommendation made by the Board of Ethics shall be placed in the permanent personnel file for such County officer or employee.

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SECTION 25. Severability. In the event that any provision of this Local Law shall be determined by a Court of Law to be illegal and/or unenforceable, the Local Law, to the extent the Courts have determined practical shall continue in full force and effect as if the said illegal or unenforceable provision were not contained a part thereof.

SECTION 26. Effective date. This Local Law shall take effect immediately upon filing with the Secretary of State.

APPENDIX "A"
Outside Interest Form for County of Warren

Complete this form when required by section 8 of the Code of Ethics. The completed form must be filed as required by Section 8 of the Code.

Name: _____

Job Title: _____

State the nature of your outside activities or those of your spouse, or a Member of your Household, in any entity that engages in any business with the County of Warren or maintains any other financial relationship with the County of Warren.

Describe the nature of your outside activities in any entity that provides to, or receives from, the County of Warren any client referrals.

Describe the nature of your outside activities or the activities of your spouse, or a Member of your Household, with any entity that competes with the County of Warren.

PREPARED AND SUBMITTED BY:

Signature

Date

Date Received and Filed.

Name:
Title:

Date Filed

APPENDIX "B"

The following County of Warren officers and employees shall file a financial disclosure statement as provided by the Warren County Code of Ethics:

Supervisor, Warren County Board of Supervisors
Clerk of the Warren County Board of Supervisors
Deputy Clerk of the Warren County Board of Supervisors
District Attorney
Assistant District Attorney
Public Defender
Assistant Public Defender
Warren County Administrator
Assistant to the Warren County Administrator
County Auditor
County Treasurer
Deputy County Treasurer
Budget Officer
Purchasing Agent
Deputy Purchasing Agent
Director of Real Property Tax Services
Deputy Director of Real Property Tax Services
County Clerk
Deputy County Clerk
County Attorney
Assistant County Attorney
Director, County Human Resources
Personnel Officer
Commissioners of Elections
Deputy Commissioners of Elections
Superintendent of Public Works
Deputy Superintendent Public Works
Deputy Superintendent Public Works/Operations
Airport Manager
Director of Probation
Sheriff
Undersheriff
Lieutenant, Sheriff's Office
Director of Public Health/Patient Services, Health Services
Assistant Director Public Health
Assistant Director Patient Services
Director, Community Mental Health Services
Assistant Director of Mental Health
Commissioner of Social Services
Deputy Commissioner of Social Services
Social Services Attorney
Assistant Social Services Attorney
Director Countryside Adult Home
Director of Workforce Development
Director of Tourism
Director of Weights & Measures
Director, Office for the Aging
County Historian

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Warren County Planner
Associate Warren County Planner
Administrator, Fire Prevention and Building Code Enforcement
Administrator, Self-Insurance
Deputy Insurance Administrator
Director, Veterans' Services Agency
Director of Information Technology
Director, Office of Emergency Services
Fire Coordinator
Executive Director Lake Champlain/Lake George Regional Planning Board
Warren County Coroner
Warren County Medical Examiner
Director, Soil and Water Conservation District
Members of the Board of Ethics

APPENDIX "C"

ANNUAL STATEMENT OF FINANCIAL DISCLOSURE COUNTY OF WARREN FORM F-100
FOR 20____

1. General Information

Last Name Middle Initial First Name

Title

Department or Agency

County Address

County Telephone

Primary Residence

2. Marital Status. If married, please give full name of spouse: _____
Provide name and age for each child or stepchild to have, from oldest to youngest. Please list the address for any child or stepchild that does not reside primarily at your primary residence. If none, state "None" or "N/A".

FULL NAME:

AGE:

ADDRESS (Town & State only):

A. _____;

B. _____;

C. _____;

D. _____;

E. _____;

F. _____;

G. _____;

H. _____;

(Please list any additional children on separate paper)

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3. Provide name and age for any person who is not listed under #2 or #3 above and that resides with you at your primary residence. Please state your relationship to such person, such as "parent", "sibling," "significant other," "roommate" or other appropriate term. If none, state "None" or "N/A".

FULL NAME:

AGE:

RELATIONSHIP:

A. _____;

B. _____;

C. _____;

D. _____;

(Please list any additional persons on separate paper)

4. Does any Relative currently working for Warren County? If so, please provide the name(s) of the Relative, the name of the County department, the Relative's title. If none, state "None" or "N/A".

FULL NAME:

AGE:

RELATIONSHIP:

A. _____;

B. _____;

C. _____;

D. _____;

E. _____;

(Please list any additional persons on separate paper)

5. Financial Interests.

A. **Business Positions.** State your name, your spouse's name, or the name of any Member of your Household that holds any office, trusteeship, directorship, partnership, or other position in any business, association, proprietary, or not-for-profit organization that conducts business or has a financial interest in the County or any City, Town or Village in Warren County. If none, state "None" or "N/A".

Name

Position

Organization

County Department or Municipality &
Nature of Involvement

(Please provide any additional information concerning nature of relationship and involvement on separate paper, as needed)

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B. Outside Employment. State your name, your spouse's name, or the name of any Member of your Household that holds any outside occupation, employment, trade, business, or profession providing more than \$1,000 per year when the business entity also conducts business with the County of Warren or any Town, Village or City in Warren County. If none, state "None" or "N/A".

<u>Name</u>	<u>Position</u>	<u>Organization</u>	<u>County Department or Municipality & Nature of Involvement</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(Please provide any additional information concerning nature of relationship and involvement on separate paper, as needed)

C. Investments. Itemize and describe all investments in excess of \$5,000 or five percent (5%) of the value in any business, corporation, partnership, or other assets, including stocks, bonds, loans, pledged collateral, and other investments, for you, or your Relative, if such investment is with a business or other entity involved with the County or any Town, Village or City in Warren County. If none, state "None" or "N/A".

<u>Name/Owner</u>	<u>Business Name / Address of Business</u>	<u>Description of Investment</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

(Please provide any additional information concerning nature of relationship and involvement on separate paper, as needed)

D. Real Property Other Than Primary Residence. List the address of all real estate in Warren County, excluding your primary residence, which you, your spouse, children, or stepchildren, have an interest, regardless of its value. If none, state "None" or "N/A".

- (1) _____;
- (2) _____;
- (3) _____.

(Please list any additional properties on separate paper, as needed)

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- E. Other Income. Identify the source and nature of any other income in excess of \$1,000/year from any source not described above, for you, your spouse, or a Member of your Household, if the source of income is a person or business entity that conducts business with the County of Warren or any Town, Village or City in Warren County.

<u>Name</u>	<u>Name / Address of Income Source</u>	<u>Nature of Income</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

(Please provide any additional information concerning nature of relationship and involvement on separate paper, as needed)

6. Interest in Contracts

State any Interest that you, your spouse, children, stepchildren, or a Member of your Household has in any contract involving the County of Warren or a Town, Village or City in Warren County.

<u>Name of Person with Interest</u>	<u>Contract Description & County Department or Municipality Involved</u>
_____	_____

(Please provide any additional information concerning contracts on separate paper, as needed)

7. Debts. Describe all debts you, your Spouse, or a Member of your Household owe to the County of Warren or any Municipality in Warren County, that is greater than \$5,000. For example, any unpaid school taxes, property taxes, occupancy tax payments, or other local tax liens or assessments as of the date of filing this financial disclosure statement.

<u>Name of Debtor</u>	<u>Name of Creditor</u>
_____	_____
_____	_____
_____	_____
_____	_____

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8. Third-Party Reimbursements. Identify and describe the source of any third-party reimbursement for travel-related expenditures of any matter that relates to your official duties. The term "reimbursement" includes any travel-related expenses provided by anyone other than the County of Warren for speaking engagements, conferences, or fact-finding events that relate to your official duties received by you, your Spouse or a Member of your Household.

<u>Source</u>	<u>Description and Amount</u>

9. Gifts and Honorariums.

- (a) Has anyone attempted to influence your performance of your official duties by giving you gifts during the twelve months prior to you submitting this financial disclosure statement, to include the total value of gifts given to you, your Spouse or a Member of your Household? The term "gift" means anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or anything of value in any other form. The value of a gift is the gift's fair market value, determined by the retail cost of the item or the fair market value of a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. If none, state "None." If yes, indicate:

<u>Source</u>	<u>Description of Gift</u>

10. Miscellaneous Provisions.

- A. The filer shall provide the Board of Ethics with additional information, upon request.
- B. The reporting requirement of this statement is required by New York State Law and the law of the County of Warren.
- C. This statement is subject to public disclosure under the New York State Freedom of Information Law (FOIL).

CERTIFICATION:

By my signature below, I acknowledge, understand and agree that any person who knowingly and willfully with intent to deceive makes a false statement or gives information which such individual knows to be false on such statement of financial disclosure filed pursuant to the Warren County Code of Ethics and the Warren County Board of Supervisors may refer a violation to the appropriate prosecutor and such violation shall be punishable as a class A misdemeanor. Notwithstanding any other provision of law to the contrary, no other penalty, civil or criminal may be imposed for a failure to file, or for a false filing, of such statement, except that the appointing authority may impose disciplinary action as otherwise provided by law.

Signature of Reporting Individual

Date