

**BOARD OF ETHICS ANNUAL REPORT TO BOARD OF TRUSTEES**  
**PURSUANT TO SECTION 21-10 OF THE CODE OF ETHICS FOR 2011**

**I. OVERVIEW**

The Board of Ethics (BOE) devoted the bulks of its efforts during 2011 to:

- A. Reviewing and gathering the annual disclosure forms;
- B. Receiving and subsequently vacating one sworn compliant
- C. Issuing opinions on 4 referred matters

**II. SUMMARY OF ACTIVITIES**

**A. Code of Ethics Enforcement and Compliance**

The BOE reviewed disclosure forms for compliance, directed the issuance of notices to persons where forms were either deficient or delinquent, and assessed instances of continued refusal to comply with the Code of Ethics. At year-end, there were no outstanding forms for 2011.

**B. Submitted Complaint**

The BOE received a sworn complaint in April, but was vacated at our May meeting when it was determined the complainant was not actually making a complaint, but seeking an opinion.

**C. Opinion Issuances**

At our January meeting, we looked at an opinion request from a member on a Village board who was asking if there was a potential conflict of interest, if he legally represented someone who interacts with his board in a Surrogate's Court matter. The BOE found no explicit conflict of interest, providing that adequate disclosure was made. The individual also inquired whether he could be involved in local politics. The BOE informed him that only Ethics Board members are prohibited by law. In May, we discussed a letter received from the Village Manager asking for the BOE's opinion on Village employees performing professional work when off duty. The BOE's opinion was to make a distinction between professional and non-professional licensed work. Additionally at the May meeting, we looked at another opinion request – the vacated complaint reference above in II-B – seeking BOE opinion on whether his professionally licensed work outside of his Village duties was an allowed by the Code. The BOE found that he would be able; as long as he did not represent clients before any Village Board or Department and that he did not solicit business under the guise that his Village

employment suggested Village endorsement of his outside work. At our July meeting, we looked at another potential conflict of interest opinion request from a member of a Village board. The BOE found no conflict.

### **III. RECOMMENDATIONS**

BOE member Deborah Tammearu resigned in February and BOE member John Romans resigned in July. The positions remained vacant until October. These vacancies left the BOE with 3 members for most of the year, and thus did not allow for a more proactive board in matters such as communication & training to and for Village employees and officials. It is because of this that we stress that vacated positions be filled no later than 60 days after vacancy, as required in §21-8(A) of the Ethics Law.

### **IV. BOARD OF ETHICS INTENDED EMPHASIS FOR 2012**

The Code of Ethics is an important and integral part of Village government and of the relations of Village officials with the Village residents & business owners. The Ethics Board believes that steps to prevent potential problems are in the interest of good government and are the mission of this board. This board believes that it is crucial that guidance be available for Village officials, employees, and the public through published opinions, guidelines, standards, forms and procedures so as to provide guidance in advance, prevent misunderstandings or appearances of malfeasance, and help facilitate the fairness goals of the Code of Ethics.

The Board of Ethics intends to devote more time towards training and education in 2012. The sizable lawsuits against the Village in the past necessitates that the individuals representing the Village be well trained in the proper handling of matters before the Village.

In addition to training & education, the Ethics Board will continue to take a strict approach in the enforcement of disclosure form compliance.

Respectfully submitted,  
Village of Mamaroneck Board of Ethics  
Charles Mitchell, Chair  
Nancy Tucci, Secretary  
Ann Marie Terrone  
Rev. Richard Allen  
John Perone, Esq

Cc: Agostino Fusco, Clerk-Treasurer  
Richard Slingerland, Village Manager