

**RULES OF PROCEDURE**  
**OF THE**  
**BOARD OF ETHICS OF THE VILLAGE OF OSSINING**

**Section One. Meetings.**

A. Regular meetings of the Board of Ethics (the “Board”) will be held in the Village of Ossining each month, upon reasonable notice, at such time as may be agreed upon by a majority of the Board, except for the months of July and August. Provided, however, that if there is no scheduled business, the Board can cancel the meeting upon reasonable notice.

B. Special meetings may be called at any time at the request of any member of the Board.

C. At any meeting a majority of the Board shall constitute a quorum for the transaction of business.

**Section Two. Procedure for the Determination of Violations of Code of Ethics.**

A. Any person who has information regarding possible violations of the Code of Ethics (the “Code”) shall communicate in writing to the Board. Such communication must include the person’s name and contact information. Additionally, any such communication should be delivered to the Village Manager’s Office, either by mail or in person.

B. Upon receipt of a written complaint the Village Manager’s Office shall:  
(1) issue a receipt to any person who personally delivers a complaint; (2) stamp the outside of the envelope, or an unwritten part of the document, with a date stamp and affix the employee’s initials next to such stamp; (3) make an entry in a log maintained for such complaints including the date received, the name of the employee accepting such complaint, and the date and time the Board was notified of the receipt of any such complaint. The Village Manager’s Office shall notify the Board within two (2) business days of its receipt of a complaint. Under no circumstances shall any employee of the Village not appointed to the Board open any such complaint; and (4) The Board member taking possession of such complaint shall make an appropriate entry in the log of his/her identity and the date and time the complaint was received, and shall copy and distribute to the Board.

C. The Board will acknowledge in writing the receipt of any complaint to any person making a complaint within ten (10) business days of its receipt of any such complaint. The Board may request further information from the complainant. At any such appearance the facts with respect to the complaint shall be presented to the Board, and any persons who might have information with regard thereto may be invited to appear to present information and evidence with regard to the matter.

D. No decision of the Board concerning any alleged violation of the Code

shall be taken without affording the employee or public officer involved with reasonable notice and opportunity to be heard. The Board shall determine whether the circumstances warrant an informal or formal hearing, and at any such hearing the employee or public officer involved shall have the right to representation by counsel, and shall have the right to confront witnesses, and offer evidence on his or her behalf.

E. The Board shall present in writing its decisions, findings and recommendations in any case with an explanation of the facts presented or developed and the conclusions reached, to the Village Board of Trustees with the Board's recommendation for final disposition, within thirty (30) days of the completion of the Board's investigation of the allegations contained in any such complaint, which investigation shall be completed within sixty (60) days of receipt by the Board of the complaint. However, if the Board determines that it requires more time to adequately and completely address the substance of the complaint it will notify in writing the complainant, the subject of the complaint and the Board of Trustees.

F. The Board shall have the right to commence an investigation into an alleged violation of the Code upon the concurrence of a majority of the Board. Any Board member may present such alleged violation to the Board and request that the Board commence an investigation of the alleged misconduct. Any Board member presenting such alleged violation(s) to the Board must specifically state the basis of the allegation, and whether there is reasonable cause to believe that a violation of the Code has occurred.

### **Section Three. Advisory Opinions.**

A. Any officer or employee of the Village may request an advisory opinion from the Board as to whether any matter or transaction is or would be in violation of the Code. 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. Copies of any documents, letters, and/or other relevant material which may have a bearing upon the matter of inquiry shall be provided to the Board. 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.

B. All advisory opinions shall be in writing and shall be retained in a regular file as part of the records of the Board.

C. The Board shall issue a written advisory opinion within thirty (30) days of the initial request for any such decision. However, if the Board determines that it requires more time to adequately and completely address the substance of the request for an advisory opinion it will notify the requesting party in writing.

D. In the event that the Board cannot reach a majority decision with a majority of the members of the Board voting for a particular conclusion regarding any advisory opinion, then in that event the Chairman shall cast a single deciding vote to

break a tie vote. In the event that the Chairman must cast such a tie breaking vote, then the advisory opinion shall state the necessity and specific reason for such a vote.

E. All Advisory Opinions may contain a dissenting opinion, if any. Dissents shall be drafted by those members of the Board who vote in the minority on any given advisory opinion.

F. All draft advisory opinions shall be subject to the review and comments of all members of the Board prior to the release and publication of any such advisory opinions. No member shall have the individual authority to release or otherwise publish an advisory opinion or the results of an investigation conducted by the Board.

#### **Section Four. Selection of Chairman.**

A. The Board shall have a Chairman, who shall serve for one year from the date of selection. The Chairman shall be selected in the order in which a person was appointed to the Board. The controlling date for this determination shall be the date the Village Board of Trustees appoints a member to the Board. The Chairman shall assign requests for advisory opinions, and matters subject to investigation on a rotating basis. The Chairman shall endeavor to make such assignments based upon the issues presented, the complexity of the issues presented, and the experience of the member to receive the assignment.

#### **Section Five. Preservation of Rights Under Other Laws.**

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