

PERSONNEL POLICY MANUAL FOR ULSTER COUNTY

**Department Heads
Managerial Staff
Legislative Employees
Board of Election Employees**

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Local Law 11, 2008 (Ulster County Ethics and Disclosure)

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A. STATEMENT OF PRINCIPLE

The Ulster County Legislature recognizes that the Department Heads, Managerial Staff, Legislative Employees and Board of Elections Employees as covered by this Policy Statement are valued employees. The Legislature therefore acknowledges that these individuals will not receive less, in terms of salary and benefits, than other employees of Ulster County who are covered by a Collective Bargaining Unit.

B. APPLICABILITY

The policy manual applies to employees of Ulster County classified as Department Heads, Managerial Staff, Legislative Employees and Board of Elections Employees as specified below.

It does not include:

1. Employees covered by other bargaining units (CSEA, UCSEA, UCSA, SOU, PBA, etc.) (Resolution No. 155 of 5/9/2007 NYSUT Managers not included in list of applicability, referred to as UCSA)
2. Elected Officials (unless otherwise noted)
3. Ulster County Community College Employees

For purposes of identification, the following is a list of employees considered to be in the Department Head Category:

Commissioner of Finance
Commissioner of Human Rights
Commissioner of Mental Health
Commissioner of Public Works
Commissioner of Social Services
Coordinator of Traffic Safety
Coordinator, Department of the Environment
County Attorney
Director of Consumer Affairs
Director of Emergency Communications/Emergency Management
Director of Employment and Training
Director of Information Services
Director of Planning
Director of Probation
Director of Public Transportation
Director of Purchasing
Director of Real Property Tax Service
Director of Residential Health Care Facilities
Director of the Office of the Aging
Director of the Youth Bureau
Director of Tourism
Director of Veteran Affairs
Director of Weights and Measures
Fire Coordinator
Insurance Officer
Personnel Director
Public Health Director

Public Defender
Safety Officer
STOP DWI Coordinator

Elected Officers

Comptroller
County Clerk
County Executive
District Attorney
Sheriff

The following positions are considered to be in the Legislature and Board of Elections Employee Category:

Administrative Assistant (Board of Elections)
Chairman of the Legislature
Chief Registrarial Clerk
Clerk of the Legislature
Commissioner of Elections
Confidential Secretary to the Legislature
Deputy Clerk Finance / Legislature
Deputy Clerk of the Legislature
Election Machine Technology Specialist
Legislative Counsel
Legislative Employee
Legislator
Majority Leader
Minority Counsel
Minority Leader
Registrarial Clerk
Senior Legislative Employee

For purposes of identification, the following is a list of managerial staff to be considered covered by this policy:

Administrative Assistant/Typist (207C Coordinator)
Administrative Process Server
Assistant County Attorney
Assistant Director of Information Services (Application Development)
Assistant Director of Information Services (Operations)
Assistant Director of Information Services (Technical Support)
Assistant District Attorney
Assistant Public Defender
Assistant to the Deputy County Executive
Assistant Warden
Budget Director
Buildings and Grounds Administrative Manager
Confidential Secretary to the Budget Director
Confidential Secretary to the Commissioner of Finance
Confidential Secretary to the Comptroller
Confidential Secretary to the County Attorney
Confidential Secretary to the County Clerk
Confidential Secretary to the County Executive
Confidential Secretary to the Personnel Director

Confidential Secretary to the Public Defender
Confidential Secretary to the Sheriff
Confidential Secretary tot the District Attorney
Corrections Superintendent
Crime Victims Liaison
Deputy Budget Director
Deputy Commissioner DPW Administration
Deputy Commissioner DPW Finance
Deputy Commissioner for Administration DSS
Deputy Commissioner for Services DSS
Deputy Commissioner of Finance
Deputy Commissioner of Mental Health
Deputy Comptroller
Deputy County Clerk
Deputy County Executive
Deputy Director Clinical Services
Deputy Director of Economic Development
Deputy Director of Emergency Management/Emergency Communications
Deputy Director of Employment and Training
Deputy Director of Geriatric Programs
Deputy Director of Planning
Deputy Director of Purchasing
Deputy Director of Residential Health Care Facilities
Deputy Insurance Officer
Deputy Medical Examiner
Deputy Probation Director
Deputy Technology Officer
Director of Civil Service Administration
Director of Community Health Relations
Director of Employee Relations
Director of Environmental Services
Director of MIS and Fiscal Affairs
Director of Patient Services
Director of Pre-School / Early Education Services
Director of Social Service Programs
Director of Temporary Services
Fleet Manager
Highway and Bridges Field Manager
Investigator - Public Defender
Legal Secretary to the County Attorney
Management Analyst
Medical Consultant
Medical Examiner
Senior Management Analyst
Social Services Administrative Assistant
Supervising Psychiatrist
Supervising Social Services Attorney
Undersheriff
Warden
Weights and Measures Inspector

C. ATTENDANCE

1. Basic Workweek

Department Heads, Managerial Staff, Legislative Employees and Board of Elections Employees are responsible for performing the duties of their offices. The workday is determined by the tasks to be performed and the mission of the department. The normal workweek is 35 hours a week on a regular full time basis in all departments except the Sheriff's Department, Golden Hill Health Care Center, Public Works Department - Highway and Bridges and Emergency Communications which are 40 hours a week on a regular full time basis.

2. Basic Workday

The basic workday is from 9:00 A. M. to 5:00 P.M. except for those departments operating on an eight-hour day, and where it is necessary to conduct certain functions or operations on a 24-hour basis daily or on other than a 9:00 A.M. to 5:00 P.M. basis, as may be established by the Department Head. Tasks may be accomplished outside the office and during non-regular hours.

Department Heads, Managerial Staff, Legislative Employees and Board of Elections Employees will generally be required to work the same work schedule worked by employees over whom they exercise authority. These employees are expected to spend those hours necessary for the successful completion of their assignments.

3. Work Place

A department's principal place of doing business is generally regarded as work place. Department Heads, Managerial Staff, Legislative Employees and Board of Elections Employees are often required to perform their functions outside the standard work place. Departmental tasks may be accomplished outside the office.

4. Holidays

Holidays honored as days off in Ulster County are:

New Years Day	Labor Day
Martin Luther King Jr. Day	Columbus Day
Lincoln's Birthday (floating holiday)	Election Day (floating holiday)
President's Day	Veterans' Day
Good Friday (floating holiday)	Thanksgiving Day
Memorial Day	Day after Thanksgiving (some offices open)
Independence Day	Christmas Day

If one of the foregoing Holidays falls on a Sunday, then the Monday following the Holiday will be observed as the holiday. If one of the foregoing Holidays falls on a Saturday, then the Friday preceding the Holiday will be observed as the Holiday.

In the event that a Department Head, Managerial Staff, Legislative Employee or Board of Elections Employee is required to work on a Holiday, said employee will be eligible for holiday compensatory time (hour for hour) off at a date convenient to the employee relative to his or her duties.

5. Compensatory Time – Other Than Holidays

Department Heads and Deputies

In general to accomplish the required tasks of each department, the organization and its individual personnel will provide the necessary and expected response at an appropriate level. Compensation for work beyond the basic/normal workweek for administrative/managerial/supervisory responders will be as follows:

Department Heads are not eligible for compensatory time or overtime.
(Resolution No. 109 and No. 110 of March 9, 2000)

Department Heads are not eligible for compensatory time or overtime, they are eligible to utilize the alternative work schedules in the policy adopted by Resolution No. 64 (February 9, 1989). This policy requires that any alternative work schedules be adapted to the specific needs of a department, and be reviewed and approved by the County Executive.

Deputies or those titles functioning by delegation as deputy designated by the Department Head, or designated by law, would be eligible to accrue not more than 35 hours of compensatory time; but no overtime shall be earned by any deputy at any time or earned by a person designated as a deputy while acting as head of department. There will be no payment for such time upon leaving County service for whatever cause or concern.
(Resolution No. 109 and No. 110 of March 9, 2000)

Deputies or designated employees may accrue 35 hours of compensatory time. An employee in this group who works 40 hours per week is also eligible to accrue a maximum of 35 hours of compensatory time. Employees may not earn overtime. Flextime and/or staggered hours, as described in the Alternative Work Schedules Policy, may be used in lieu of accruing compensatory time. Accrual of compensatory time requires pre-approval of the department head. A department head may delegate an employee to any on-call duty that may be necessary. There will be no payment for accrued compensatory time upon leaving County service.

Supervisory level employees are eligible for overtime after 40 hours; 35 hour supervisory employees accrue compensatory time after 35 hours per week to maximum 40 per week not to exceed 35 hours total, and subject to the same restrictions as under Section 2 above.
(Resolution No. 109 and No. 110 of March 9, 2000)

Supervisory level employees may accrue 35 hours of compensatory time. An employee who works over 40 hours in a week is eligible for overtime for work in excess of 40 hours. There will be no payment for accrued compensatory time upon leaving County service.

All employees should use flextime for extra hours worked for required travel. A department head may allow flexing a schedule over a two-week period instead of a one-week period. The Alternative Work Schedule remains available to all members of this policy.

6. Compensatory Time – Other Than Holidays

Exempt (Board of Elections and Legislative Employees

(Resolution 110 of March 9, 2000)

While no Board of Elections or Legislative Employees shall be eligible to receive overtime compensation, each department head is authorized and encouraged to provide as flexible working schedule as may be desired by each exempt employee in his department consistent with the operating requirements of the department. As assignments may dictate, certain legislative employees may have need to fulfill their work requirements on other than 9-5 Monday through Friday basis. Consideration of this service requirement may require a ceiling on approved compensatory time not to exceed 105 hours (three weeks). Such accumulation requires specific pre-approval, and a designed plan to draw down said accruals within a 12-month period. This time is treated as vacation time.

Identified by Title (Per Resolution No. 110 of March 9, 2000)

Administrative Assistant (Board of Elections)
Chief Registrarial Clerk
Clerk of the Legislature
Commissioner of Elections
Confidential Secretary to the Legislature
Deputy Clerk of the Legislature
Deputy Clerk Finance / Legislature
Legislative Employee
Registrarial Clerk
Senior Legislative Employee

Identified by Title (Neither Resolution Number 109 nor 110 Apply)

Assistant County Attorney (Part-Time)
Assistant District Attorney (Part-Time)
Assistant Public Defender (Part-Time)
Chairman of the Legislature
County Fire and Emergency Coordinator
Deputy Medical Examiner
Legislator
Majority Leader
Medical Examiner
Minority Counsel
Minority Leader

D. LEAVE TIME

1. Vacation

Department Heads, Managerial Staff, Legislative Employees and Board of Elections Employees will be eligible for five days vacation their first year (non accumulative) and will accrue vacation on a monthly basis based upon years of service as follows:

YEARS OF SERVICE	MONTHLY ACCRUAL
MORE THAN ONE, LESS THAN FOUR	12/12
MORE THAN FOUR, LESS THAN EIGHT	17/12
MORE THAN EIGHT, LESS THAN TWELVE	19/12
MORE THAN TWELVE, LESS THAN SIXTEEN	22/12
MORE THAN SIXTEEN, LESS THAN TWENTY	24/12
MORE THAN TWENTY, LESS THAN TWENTY-TWO	27/12
MORE THAN TWENTY-TWO, LESS THAN TWENTY-FIVE	28/12
TWENTY-FIVE YEARS OR MORE	30/12

Managers who are currently earning more than 30 days (on the date of approval by Legislature) will be held harmless at their current accrual. (Resolution No. 155 of 5/9/2007)

Part time Assistant District Attorneys and part time Assistant Public Defenders hired after August 8, 1996 will neither earn nor accrue vacation time hereafter. Part time Assistant County Attorneys hired after May 13, 1999 will neither earn nor accrue vacation time hereafter. (Resolution No. 136 of 5/13/99)

Sick and vacation time accruals will be frozen for all part-time attorneys in whatever department they exist at present value and volume (without further accruals), effective July 1, 1999. (Resolution No. 170 of 6/10/99)

Vacation can be accumulated to a total of 45 days at which time accruals will cease if not taken by the employee's anniversary date. Upon death, retirement or other type of termination of an employee, the employee or beneficiary will be paid for all accrued vacation earned prior to one of these aforementioned events occurring at the current rate of pay of the employee with payment being allowed over a period of three years. At least half of the accrued vacation days must be taken annually, and five days must be taken consecutively; the balance may accumulate to 45 days. (Resolution No. 155 of 5/9/2007)

If an employee currently has in excess of 45 days the employee must reach 45 days by May 1, 2008. Twenty-five (25) years plus employees (on the date of approval by the Legislature) are held harmless. These employees will be allowed to accrue to 60 days. (Resolution No. 155 of 5/9/2007)

Vacation schedules are to be sent to the County Executive for informational purposes prior to their implementation. Vacation schedules will include dates of absence and name of an employee designated to serve during the period of absence. In no event will a Department Head and second in command in the department take their vacations at the same time. Modification to the vacation schedule may be made within two weeks of stated return date. All modification will be made through

the normal payroll procedure following notification of the County Executive. Changes requested after the modification period may be made only with review and approval of the County Executive. All modification payroll leave accrual records will be processed through the standard payroll procedure unless specifically authorized by the County Executive.

2. Vacation Leave Accrual Review

Annually, the Payroll Division of the Finance's Department in conjunction with the Personnel Office and the County Executive will conduct a review of all vacation leave accruals and charges to assure accuracy of the records. This review will include a comparison of departmental records with those of the Payroll Department. Adjustments will be made to maintain compliance with accrual schedules and actual charges.

3. Vacation Buy Back

An eligible participant may buy back up to 30 days of accrued time to be allowed in June and December of each year, i.e., fifteen of each, or any combination of sick/vacation days not to exceed 30. (Resolution No. 219 of 6/14/01)

Accrued vacation time is paid upon separation from County employment.

Effective January 1, 2008, an eligible participant may buy back up to a total of 15 days of accrued time to be allowed in June and December of each year, i.e., any combination of sick/vacation days not to exceed 15. (Resolution No. 155 of 5/9/2007)

4. Sick Leave

Effective 1/1/89, an employee covered by this statement already in excess of 165 days sick accrual will be held harmless. (Department heads, Managerial Staff, Legislative Employees and Board of Elections employees shall accrue one day of sick leave per month of service and may accumulate such sick leave to a maximum of 200 days. At the time of the employee's retirement, termination, or death, the employee or their beneficiary shall be paid at the daily rate of pay on the day of separation for the first 165 days accumulated. Employees with accruals in excess of 165 days shall be paid 25% of the daily rate of pay on the date of separation times the number of accrued sick leave days in excess of 165 days, but less than 200 days with payment being allowed over a period of three years). (Resolution No. 219 of 6/14/01)

Effective 1/1/89 a covered employee with 100 or more days may accrue up to 165 days maximum.

Effective 1/1/89, a covered employee with less than 100 days may accrue to 135 sick days.

Accrued sick time is paid upon separation from County employment.

Absences of five (5) consecutive days or more due to sickness may require a doctor's certificate at the County Executive or Department Head's discretion.

*Effective August 8, 1996, part time Assistant District Attorneys and part time Assistant Public Defenders will neither earn nor accrue sick time hereafter.

Effective May 13, 1999, part time Assistant County Attorneys hired after May 13, 1999 will neither earn nor accrue sick time hereafter. (Resolution No. 136 of 5/13/99)

Sick and vacation time accruals will be frozen for all part-time attorneys in whatever department they exist at present value and volume (without further accruals), effective July 1, 1999. (Resolution No. 170 of 6/10/99)

5. Sick Time Buy Back

An eligible participant may buy back up to 30 days of accrued time to be allowed in June and December of each year, i.e., fifteen of each, or any combination of sick/vacation days not to exceed 30. (Resolution No. 219 of 6/14/01)

Effective January 1, 2008, an eligible participant may buy back up to a total of 15 days of accrued time to be allowed in June and December of each year, i.e. any combination of sick/vacation days not to exceed 15. (Resolution No. 155 of 5/9/2007)

6. Personal Leave Days

Department Heads, Managerial Staff, Legislative Employees and Board of Elections Employees earn Personal Leave Days in accordance with Section 21.6 of the New York State Civil Service Rules and Regulations. Personal Leave Days are leave with pay for personal business. Unused Personal Leave Days may not be accumulated from anniversary year to anniversary year and are not payable to the employee upon separation from County employment.

7. Jury Leave

On receipt of proof of the necessity of jury services or appearance as a witness to subpoena or other order of the court (for job related actions only) a Department Head, Managerial Staff, Legislative Employee or Board of Elections Employee will be granted a leave of absence with pay with no charge against leave time to provide time as needed for such service.

The Department Head is to submit to the County Executive the proof of the necessity of jury service or subpoena or court order in each event. Additionally, the employee is to submit a completed Jury Service and Court Appearance Form to the Department Head at the completion of their service. Managerial Staff, Legislative Employees or Board of Elections Employees shall submit notification similarly to the Department Head.

8. Military Leave

In accordance with Section 242 of the Military Law, employees serving as members of the organized militia or any reserved force or reserve component of the Armed forces of the United States are entitled to paid military leave in conjunction with such service not to exceed thirty days per calendar year. Department Heads, Managerial Staff, Legislative Employees or Board of Elections Employees who wish to use said military leave must notify the County Executive and the Personnel Department of their intentions using the Report of Personnel Change noting the appropriate dates.

9. Educational Leave

The County Executive may grant a leave of absence without pay of not more than one year at a time to a Department Head or Managerial Staff employee for job related educational purposes. A said employee will not lose previously earned salary or fringe benefits when returning from such leave.

The employee should submit their request in writing to the County Executive along with the program, learning institution's name, as well as a statement which clearly shows how the educational program is related and how it will improve the employees' performance.

10. Bereavement Leave

Department Heads, Managerial Staff, Legislative Employees or Board of Elections Employees are entitled to up to three (3) days bereavement leave for each death in the immediate family. Immediate family will be defined as husband, wife, son, daughter, mother, father, sister, brother, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandparents, brother-in-law, sister-in-law, grandchildren, stepchildren, or any person residing in the immediate household of the employee.

11. Maternity Leave

A pregnant Department Head, Managerial Staff, Legislative Employees or Board of Elections Employees will be eligible for a leave of absence without pay for up to 12 months. Employees requesting such leave will request the same on the Maternity Leave Request Form, and will also submit a Physician's Statement of Physical Fitness to the County Executive.

The County Executive will review said request, with the accompanying Physician's Statement Request, and will approve or disapprove the request.

12. Other Leave of Absence Without Pay

The County may grant a leave of absence without pay for reasons aside from educational maternity or military. The decision to grant such leaves will rest with the recommendation of the County Executive. The maximum duration of such leave will be limited to one year.

NOTE: leaves (Maternity, Educational, Military or other) may not exceed the remaining period of a term appointment.

13. Alternative Work Schedules

Department Heads, Managerial Staff, Legislative Employees or Board of Elections Employees may participate in the Alternative Work Schedule Program where appropriate. Alternative Work Schedules must be approved by the County Executive.

E. OTHER EMPLOYEE BENEFITS

1. Pensions (Elected Officials Covered)

All Department Heads, Managerial Staff, Legislative Employees or Board of Elections Employees are provided coverage under the New York State Employees Retirement and Social Security Law. Please consult with the Personnel Director as to the plans available and their respective costs (if any) as well as the New York State Retirement System for benefits analysis.

2. Health Insurance (Elected Officials Covered)

The County will provide health insurance or provide equivalent coverage through a carrier of their choice (or become self-insured). Part time Assistant County Attorneys hired after May 13, 1999 will be retained for an annual salary, paid bi-weekly, and be eligible participants in the retirement system and health insurance options: said A.D.A.'s, A.P.D.'s, and A.C.A.'s will neither earn nor accrue sick and vacation time hereafter. (Resolution No. 136 of 5/13/99)

Sick and vacation time accruals will be frozen for all part-time attorneys in whatever department they exist at present value and volume (without further accruals), effective July 1, 1999. (Resolution No. 170 of 6/10/00)

Effective July 1, 2001, all elected Officers and employees covered under the Personnel Policy for Ulster County Department Heads, Managerial Staff, Legislative Employees and Board of Election Employees will be classified prior to 1/94 for purposes of determining employee health insurance premium rate, and

Further resolved, effective July 1, 2001, that all elected Officers and employees covered in the Personnel Policy Manual for Ulster County Department Heads, Managerial Staff, Legislative Employees and Board of Elections Employees choosing an insurance buyout will receive \$2,000.00 and

Further resolved, effective July 1, 2001, that all elected Officers and employees covered under the Personnel Policy Manual for Ulster County Department Heads, Managerial Staff, Legislative Employees and Board of Elections Employees will be covered under the Davis Vision Premier Platinum Plan and the Blue Cross/Blue Shield Enhanced Dental Plan. (Resolution No. 219 of 6/14/01)

3. Disability Insurance (Elected Officials Covered)

A Department Head, Managerial Staff, Legislative Employee and Board of Elections Employee who becomes disabled may request a disability leave of up to 52 weeks. A disabled employee may be entitled to disability benefits for up to 26 weeks depending on the disability. The County will provide and pay 100% of the cost of the New York State Disability Insurance. The insurance carrier provides for payment of benefits to employees who become disabled because of injuries or sickness which are not job related. Disability benefits do not provide payments for medical care.

Disability benefits are initiated by the employee obtaining a notice and Proof of Claim For Disability Benefits (DB-450) from the Insurance Department, and by submitting the completed forms to that department.

The insurance carrier determines what disability benefits the employee is eligible to receive and notifies the employee of their determination.

4. Retiree Health Insurance (Elected Officials Covered)

Effective July 10, 2007, employees covered by this policy will be credited at the time of retirement application with years of county service. That is, a presently covered employee or elected officer at the time of accepting retirement benefits, which requires at least ten (10) years of county service, will be eligible for individual health insurance coverage (+ individual coverage for spouse), including vision and dental coverage, irrespective of breaks in service or category of employment, with an employer contribution as follows:

Years of Employment	County Contribution
10 – 15 years	60%
16 – 20 years	75%
21 – 24 years	85%
25 + years	90%

(Resolution No. 155 of 5/9/2007)

See Appendix C for further clarification.

5. Longevity Payment

Department Heads, Managerial Staff, Legislative Employees and Board of Election Employees (part time employees excepted) will be entitled to a Longevity payment which will be paid in a lump sum with the first payroll in January of each year following the completion of the continuous period of employment listed in the table below:

<u>Period of Employment</u>	<u>Longevity Increment</u>
1 year	\$1,250
2 – 4 years	\$1,500
5 – 7 years	\$3,000
8 – 11 years	\$3,500
12 – 15 years	\$4,500
16 – 19 years	\$5,500
20 – 23 years	\$6,500
24 – 27 years	\$8,000
28 – 31 years	\$9,000
32 – 35 years	\$10,000
36 + years	\$11,000

(Resolution No. 290 of 9/10/2008)

6. Travel Expenses (Elected Officials Covered)

Mileage will be paid at a rate no greater than the optional standard mileage rate prescribed by the Internal Revenue Service.

While traveling on official business, the employee will be allowed to charge the County \$7.00 for breakfast, \$10.00 for lunch and \$17.50 for dinner.

A covered employee when traveling on county business to an urban/Metropolitan area may submit for higher allowances contingent upon prior County Executive approval; any subsequent exceptional meal allowance expenses are subject to County Executive discretion. While traveling on official business for overnight, out of county assignments, the meal allowance is \$65.00 per diem. (Resolution No. 288 of 10/12/00)

To clarify the intent of Resolution No. 288, the \$65.00 covers meals while on overnight business travel without receipts (Internal Revenue Service provisions excluded). Those employees traveling on overnight business would have the \$65.00 pro-rated (\$10/\$20/\$35) contingent upon when the travel began and when the travel concluded.

7. Tuition Reimbursement

Following the procedure confirmed by resolution, the policy will afford tuition reimbursement for employees covered by this policy, as funding is available.

8. Elected Official Payment

For the remainder of an elected official's respective term in office, the following payment is afforded to the elected offices County Clerk, County Treasurer, District Attorney and Sheriff). An elected official who has served as an elected official less than 15 years will receive a yearly payment of \$2,000, and elected official who has served as an elected official more than 15 years will receive a yearly payment of \$4,000. Effective May 10, 2007, this benefit is only afforded to current full-time elected officials and will not be afforded to newly elected officials. (Resolution No. 155 of 5/9/2007)

F. MISCELLANEOUS PROVISIONS

1. Telephone Usage

County telephones are to be used for county business. Personal telephone calls are to be limited to an absolute minimum. Personal calls should be restricted to pay phone facilities where available. No personal calls of a long distance nature are to be charged on county phones. Employees may reimburse the County for necessary Department Head-approved long distance telephone calls that are made for personal reasons. Some county departments have this policy in effect on their own level.

2. Release of Employee Information

The Department Head is responsible for all information released by the department. The Department Head should consult with the County Attorney prior to releasing any such information that pertains to personnel matters.

3. Standards of Conduct

The standards of conduct for all officers, supervisors and employees of Ulster County are contained in Local Law Number 11, adopted by the Legislature in 2008.

4. Equal Employment Opportunity Policy

It is the policy of the County of Ulster to afford equal opportunity in employment without regard to age, race, religion, color, national origin, sex, disability, marital status, sexual orientation and other non-merit factors in compliance with State and Federal Law.

Each employee of Ulster County is responsible for implementation of this policy in performance of their duties.

5. Near Relatives Policy

A. DEFINITION OF “NEAR RELATIVES”

“Near relatives”, for purposes of this policy, are defined as:

children or step-children	parents or step-parents	employee’s spouse or ex-spouse
grandchildren or step-grandchildren	grandparents or step-grandparents	siblings or step-siblings
first cousins	aunts or uncles	nieces or nephews

Near relatives also include like relations of the employee's spouse.

This definition shall cover any person related to the employee by birth, adoption, or marriage.

For purposes of this policy, “unrelated persons sharing a spousal relationship” are defined as domestic partners in Local Law No. 11 of 2008 (Code of Ethics and Disclosure Law) Section 3. (Definitions) Subsection “I.”

B. POLICY

The County permits members of the same family to work at the County. However, the County will not authorize an appointment, new hire, or promotion, where employment would result in a direct supervisor/subordinate relationship between near relatives.

Any person elected or appointed to public office, or serving as a Director/Head of a County Department shall not give employment as a deputy, assistant, clerk, or other class of departmental employee to any near relative or to an unrelated individual sharing a spousal relationship with an employee.

Specific to the supervisory relationship the following guidelines will govern these situations:

i. Near relatives or unrelated persons sharing a spousal relationship shall not work in the same department when there is a direct supervisory relationship between them, or if the employee is in the near relative's or unrelated person sharing a spousal relationship's chain of command.

ii. No employee will be permitted to participate in the hiring of, recommend the hiring of or hire a near relative.

iii. One near relative may not directly supervise another near relative or work in a position which has an audit or control function over the relative.

iv. Near relatives will not be involved in evaluating each other's job performance or in making recommendations for salary adjustments, promotions or other decisions.

MARRIAGE

When two existing employees marry, and a determination has been made that a potential for adverse impact exists the department head - in conjunction with the Personnel Director - shall make reasonable efforts to minimize problems of supervision, or safety, security or morale through reassignment of duties, relocation or transfer.

PRE-EXISTING FAMILY RELATIONSHIPS

Any pre-existing family relationships (near relatives) that predate this Policy shall be exempt under this Policy. However, if the existing employment relationship is changed so that this conflict no longer exists, i.e., the near relative is in a position that no longer directly reports to the near relative supervisor; this policy will apply for future employment decisions, i.e., the near relative's supervisor then could no longer reemploy the relative in a directly subordinate position.

CIVIL SERVICE LAW

In the event of a conflict between Civil Service Law of the State of New York and this policy, Civil Service Law will govern.

APPENDIX A

FEDERAL HATCH LAW

5 USCS Sections 1501 et seq.

POLITICAL ACTIVITY OF CERTAIN STATE AND LOCAL EMPLOYEES

SECTION

- 1501. Definitions
- 1502. Influencing elections; taking part in political campaigns; prohibitions; exceptions
- 1503. Nonpartisan candidacies permitted
- 1504. Investigations; notice of hearing
- 1505. Hearings, adjudications; notice of determinations
- 1506. Order; withholding loans or grants; limitations
- 1507. Subpoenas and depositions
- 1508. Judicial review

SECTION 1501. DEFINITIONS

For the purpose of this chapter (5 USCS Sections 1501 et seq.)

- (1) "State" means a State or territory or possession of the United States;
- (2) "State or local agency" means the executive branch of a State, municipality, or other political subdivision of a State, or an agency or department thereof;
- (3) "Federal agency" means an Executive agency or other agency of the United States, but does not include a member bank of the Federal Reserve System; and
- (4) "State or local officer or employee" means an individual employed by a State or local agency whose principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the United States or Federal agency, but does not include:
 - a) an individual who exercises not functions in connections with that activity; or
 - b) an individual employed by an educational or research institution,
 - (a) Establishment, agency, or system which is supported in whole or in part by a State or political subdivision thereof, or by a recognized religious, philanthropic, or cultural organization.

SECTION 1502. INFLUENCING ELECTIONS; TAKING PART IN POLITICAL CAMPAIGNS; PROHIBITIONS; EXCEPTIONS

- (1) A State or local officer or employee may not
 - a) use his official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
 - b) directly or indirectly coerce, attempt to coerce, command, or advise a State or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for political purposes; or

- c) be a candidate for elective office.
- (2) A State or local officer or employee retains the right to vote as he chooses and to express his opinions on political subjects and candidates
- (3) Subsection (a) (3) of this section does not apply to
 - a) the Governor or Lieutenant Governor of a State or an individual authorized by law to act as Governor;
 - b) the mayor of a city;
 - c) a duly elected head of an executive department or a State or municipality who is not classified under a State or municipal merit or civil-service system; or
 - d) an individual holding elective office

SECTION 1503. NONPARTISAN PERMITTED

Section 1502 (a) (3) of this title (5 USCS Section 1502 (a) (3) does not prohibit any State or local officer or employee from being a candidate in any election if none of the candidates is to be nominated or elected at such election as representing a party any of whose candidates for Presidential elector received votes in the last preceding election at which Presidential electors were selected.

SECTION 1504. INVESTIGATIONS: NOTICE OF HEARING

When a Federal agency charged with the duty of making a loan or grant of funds of the United States for use in an activity by a State or local officer or employee has reason to believe that the officer or employee has violated Section 1502 of this title (5 USCS Sec. 1502), it shall report the matter to the Special Counsel. On receipt of the report or on receipt of other information which seems to the Special Counsel to warrant an investigation, the Special Counsel shall investigate the report and such other information and present his findings and any charges based on such findings to the Merit Systems Protections Board, which shall

- (1) fix a time and place for hearing; and
- (2) send, by registered or certified mail, to the officer or employee charged with the violation and to the State or local agency employing him a notice setting for the a summary of the alleged violation and giving the time and place of the hearing.

The hearing may not be held earlier than 10 days after the mailing of the notice.

SECTION 1505. HEARINGS' ADJUDICATIONS: NOTICE OF DETERMINATIONS

Either the State or local officer or employee or the State or local agency employing him or both are entitled to appear with counsel at the hearing under Section 1504 of this title (5 USCS Sec. 1504), and be heard. After this hearing, the Merit Systems Protection Board shall

- (1) determine whether a violation of Section 1502 of this title (5 USCS Section 1502) has occurred;
- (2) determine whether the violation warrants the removal of the officer or employee from his office or employment; and

- (3) notify the officer or employee and the agency of the determination by registered or certified mail

SECTION 1506. ORDERS; WITHHOLDING LOANS OR GRANTS;
LIMITATIONS

- (1) When the Merit Systems Protection Board finds
 - a) that a State or local officer has not been removed from his office or employment within 30 days after notice of a determination by the Board that he has violated Section 1502 of this title (5 USCS Section 1502) and that the violation warrants removal; or
 - b) that the State or local officer or employee has been removed and has been appointed within 18 months after his removal to an office or employment in the same State in a State or local agency which does not receive loans or grants from a Federal agency the Board shall make and certify to the appropriate Federal agency an order requiring that the agency withhold from its loans or grants to the State or local agency to which notice was given an amount equal to 2 years pay at the rate the officer or employee was receiving at the time of the violation. When the State or local agency to which appointment within 18 months after removal has been made is one that receives loans or grants from a Federal agency, the board order shall direct that the withholding be made from the State or local agency.
- (2) Notice of the order shall be sent by registered or certified mail to the State or local agency from which the amount is ordered to be withheld. After the order becomes final, the Federal agency to which the order is certified shall withhold the amount in accordance with the terms of the order. Except as provided by Section 1508 of this title (5 USCS Section 1508), a determination or order of that Board becomes final at the end of 30 days after mailing the notice of the determination order.
- (3) The Board may not require an amount to be withheld from a loan or grant pledged by a State or local agency as security for its bonds or notes if the withholding of that amount would jeopardize the payment of the principal or interest on the bonds or notes.

SECTION 1507. SUBPOENAS AND DEPOSITIONS

- (1) The Merit Systems Protection Board may require by subpoena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter before it as a result of this chapter (5 USCS Section 1501 et seq.). Any member of the Board may sign subpoenas, and members of the Board and its examiners when authorized by the Board may administer oaths, examine witnesses, and receive evidence. The attendance of witnesses and the production of documentary evidence may be required from any place in the United States at the designated place of hearing. In case of disobedience to a subpoena, the Board may invoke the aid of a court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence. In case of contumacy or refusal to obey a subpoena issued to a person, the United States District Court, within whose jurisdiction the inquiry is carried on, may issue an order requiring him to appear before the Board, or to produce documentary evidence if so ordered, or to give evidence concerning the matter in question; and

any failure to obey the order of the court may be punished by the court as a contempt thereof.

- (2) The Board may order testimony to be taken by deposition at any stage of a proceeding or investigation before it as a result of this chapter (5 USCS Section 1501 et seq.). Depositions may be taken before an individual designated by the Board and having the power to administer oaths. Testimony shall be reduced to writing by the individual taking the deposition, or under his direction, and shall be subscribed by the deponent. Any person may be compelled to appear and depose and to produce documentary evidence before the Board as provided by this section.
- (3) A person may not be excused from attending and testifying or from producing documentary evidence or in obedience to a subpoena on the ground that the testimony evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled to testify, or produce evidence, documentary or otherwise, before the Board in obedience to a subpoena issued by it. A person so testifying is not exempt from prosecution and punishment for perjury committed in so testifying.

SECTION 1508. JUDICIAL REVIEW

A party aggrieved by a determination or order of the Merit Systems Protection Board under Section 1504, 1505 or 1506 of this title (5 USCS Sections 1504, 1505, 1506 or Section 1506) may within 30 days after the mailing of notice of the determination or order, institute proceedings for review thereof by filing a petition in the United States District Court for the district in which the State or local officer or employee resides. The institution of the proceedings does not operate as a stay of the determination or order unless

- (1) the court specifically orders a stay; and
- (2) the officer or employee is suspended from his office or employment while the proceedings are pending

A copy of the petitions shall immediately be served on the Board, and thereupon the Board shall certify and file in the court a transcript of the record on which the determination or order was made. The court shall review the entire record including questions of fact and questions of law. If application is made to the court for leave to adduce additional evidence, and it is shown to the satisfaction of the court that the additional evidence may materially affect the result of the proceedings and that there were reasonable grounds for failure to adduce this evidence in the hearing before the Board, the court may direct that the additional evidence be taken before the board in the manner and on the terms and conditions fixed by the Court. The Board may modify its findings of fact or its determination or order in view of the additional evidence and shall file with the court the modified findings, determination, or orders; and the modified findings of fact, if supported by substantial evidence, are conclusive. The court shall affirm the determination or order, or the modified determination or order, if the court determines that it is in accordance with law. If the court determines that the determination or order, or the modified determination or order, is not in accordance with the law, the court shall remand the proceeding to the Board with direction either to make a determination or order determined by the court to be lawful or to take such further proceedings as,

in the opinion of the court, the law requires. The judgment and decree of the court are final, subject to review by the appropriate United States Court of Appeals as in other cases, and the judgment and decree of the Court of Appeals are final, subject to review by the Supreme Court of the United States on certiorari or certification as provided by Section 1254 of title 28 (28 USCS Section 1254). If a provision of this section is held to be invalid as applied to a party by a determination or order of the Board, the determination or order becomes final and effective as to that party as if the provision had not been enacted.

APPENDIX B

ULSTER COUNTY ETHICS LAW

A LOCAL LAW ADOPTING THE CODE OF ETHICS, ESTABLISHING A BOARD OF ETHICS, AND REQUIRING CERTAIN COUNTY OFFICERS AND LOCAL POLITICAL PARTY OFFICIALS TO FILE A FINANCIAL DISCLOSURE FORM PURSUANT TO THE GENERAL MUNICIPAL LAW

Local Law Number 11 of 2008, County Of Ulster a Local Law Known as the Ulster County Ethics and Disclosure Law

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION I. TITLE

This Local Law shall be known as “The Ulster County Ethics and Disclosure Law.”

SECTION II. PURPOSE

A) The purposes of this Local Law are:

1. To establish standards of ethical conduct for officers, employees and consultants of Ulster County;
2. To provide officers, employees and consultants of Ulster County, whether elected or appointed, paid or volunteer, with clear guidance on such standards;
3. To promote public confidence and integrity in the agencies and administrative offices of our local government;
4. To facilitate the consideration of potential ethical problems before they arise, to minimize unwarranted suspicion, and to enhance the accountability of government to the people by requiring public disclosure of financial interests that may influence or be perceived to influence the actions of Ulster County officers and employees; and
5. To provide for the fair and effective administration of this Local Law.

B) This Local Law is enacted pursuant to Section 806 of the General Municipal Law of the State of New York and Section 10 of the Municipal Home Rule Law and is not intended to authorize any conduct prohibited by Article 18 of the General Municipal Law.

SECTION III. DEFINITIONS

Unless otherwise stated or unless the context otherwise requires, the following terms shall, for the purpose of this Local Law, have the meaning herein indicated:

- A) “Appear” and “appear before” mean communicating in any form, including, without limitation, personally, through another person, by letter, or by telephone or electronic means.
- B) “Board of Ethics” means the Board of Ethics of the County of Ulster established pursuant to Section VIII of this Local Law.
- C) “Chief fiscal officer” means the treasurer, commissioner of finance, or other officer possessing similar powers and duties.
- D) “Contract” means any claim, account or demand against or agreement with the County, 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, local law or other proceeding where such publication is required or authorized by law.

E) "Contractual goods/services" means any work performed or goods delivered by the County officer to another person under mutual agreement of the two parties and provided the transaction has been finalized, without dispute, by the two parties.

F) "County" means County of Ulster, and shall include any 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 the County or to benefit the real property within the County.

G) "County officer or employee" means any officer or employee of the County, whether paid or unpaid, and includes, without limitation, all members of any office, board, body, advisory board, council, commission, agency, department, district, administration, division, bureau or committee of the County. "County officer or employee" shall not include:

1. Judge, justice, officer or employee of the court system; or
2. Member of an advisory board of the County if, but only if, the advisory board has no authority to implement its recommendations or to act on behalf of the County or to restrict the authority of the County to act. No entity established pursuant to the General Municipal Law of the State of New York shall be deemed an advisory board for purposes of this paragraph.

H) "Customer" or "client" means any person for whom a County officer or employee has directly supplied contractual goods/services during the previous twenty-four (24) hours.

D) "Domestic partner" means a person at least eighteen years of age who, with respect to another person:

1. Is formally a party in a domestic partnership or similar relationship with the other person, entered into pursuant to the laws of the United States or any state, local or foreign jurisdiction, or registered as the domestic partner of the person with any registry maintained by the employer of either party or any state, municipality, or foreign jurisdiction; or
2. Is formally recognized as a beneficiary or covered person under the other person's employment benefits or health insurance; or 3. Is dependent or mutually interdependent on the other person for support, as evidenced by the totality of the circumstances indicating a mutual intent to be domestic partners including but not limited to: common ownership or joint leasing of real or personal property; common house-holding, shared income or shared expenses; children in common; signs of intent to marry or become domestic partners under subparagraph (1) or (2) of this paragraph; or the length of the personal relationship of the persons. Each party to a domestic partnership shall be considered to be the domestic partner of the other party. "Domestic partner" shall not include a person who is related to the other person by blood in a manner that would bar marriage to the other person in New York State. "Domestic partner" shall also not include any person who is less than eighteen years of age or who is the adopted child of the other person or who is related by blood in a manner that would bar marriage in New York State to a person who is the lawful spouse of the other person.

J) "Gift" and "financial benefit" shall include any money, service, license, permit, contract, authorization, loan, travel, entertainment, hospitality, or any promise thereof, or any other gratuity or promise thereof or anything of value. A financial transaction may be a financial benefit but shall not be a gift unless it is on terms not available to the general public. "Gift" and "financial benefit" do not include campaign contributions authorized by law.

K) "Interest" means direct or pecuniary or material benefit accruing to a County officer or employee as a result of a contract with the County which such officer or

employee serves. For purposes of this local law, a County officer or employee shall be deemed to have an interest in the contract of (a) his or her spouse, domestic partner, minor children and dependents, except that a contract of employment with the municipality which such officer or employee serves, (b) a firm, partnership or association of which such officer is a member or employee, (c) a corporation of which such officer or employee is an officer, director or employee and (d) a corporation, any stock of which is owned and controlled directly or indirectly by such officer or employee.

L) "Ministerial act" means an action performed in a prescribed manner without the exercise of judgment or discretion as to the propriety of the act.

M) "Outside employer or business" means:

1. Any activity, other than service to the County, from which the County officer or employee receives compensation for services rendered or goods sold or produced;
2. Any entity, other than the County, of which the County officer or employee is a member, officer, director, or employee and from which he/she receives compensation for services rendered or goods sold or produced; or
3. Any entity in which the County officer or employee has an ownership interest, except a corporation of which the County officer or employee owns less than five (5%) percent of the outstanding stock. For purposes of this definition, "compensation" shall not include reimbursement for necessary expenses, including travel expenses.

N) "Person" means both individuals and entities.

O) "Relative/immediate family member" means a spouse, domestic partner, child or person claimed as a dependent on the County officer's or employee's latest individual state income tax return.

P) "Subordinate" of a County officer or employee means another County officer or employee over whose activities he/she has direction, supervision, or control, except those who serve in positions that are in the exempt classification under Section 41 of the

Civil Service Law of the State of New York or in the unclassified service under subdivisions (a) through (f) of Section 35 of that law.

SECTION IV. STANDARD OF CONDUCT

A) General prohibition. A County officer or employee shall not use his/her official position or office, or take or fail to take any action in a matter which he/she knows or has reason to know may provide a personal financial benefit or secure unwarranted privileges or exemptions for any of the following persons:

1. County officer or employee;
2. His/her outside employer, employee or business;
3. Relative or immediate family member;
4. Customer or client;
5. Campaign contributors.

B) Recusal. A County officer or employee shall promptly recuse himself/herself from acting on a matter before the County, when acting on the matter, or failing to act on the matter, may benefit the persons listed above, financially or otherwise or give the reasonable appearance of a conflict of interest or impropriety. Whenever a County officer or employee is required to recuse himself/herself, he/she must refrain from further participation in the matter (as officer or employee, but not as a private citizen).

C) Gifts. A County officer or employee shall not accept or solicit any gift valued over seventh-five (\$75) dollars, nor shall he/she accept or solicit any gift or financial benefit under circumstances in which it could reasonably be inferred that the gift was intended to influence such County officer or employee in the performance of

his/her official duties or was intended to be a reward for any official action on his/her part.

D) Representation. A County officer or employee shall not represent any private interest before any County agency or in any litigation in which the County of Ulster is a party or complainant.

E) Appearances. A County officer or employee shall not appear before any agency of the County, except on his/her own behalf or on behalf of the County or on behalf of his or her constituent(s) in the case of a Legislator.

F) Confidential information. The NY State Freedom of Information Law (Public Officers Law § 87(2)) describes information that is confidential. This description should guide County employees and officers as to the information that should be considered confidential. Confidential information under this Ethics and Disclosure Law does not exceed the bounds for confidential information set by Public Officers Law § 87(2).

Before a County employee or officer discloses information that may be considered confidential, he/she is encouraged to seek a written determination from the County Records Access Officer. The County Records Access Officer may seek an opinion from the County Attorney prior to making a determination. The restrictions on disclosure and use of confidential information described herein apply without regard to the circumstances in which the information was acquired, and include information gained through means other than the possessor's association with the County.

G) Political solicitation. A County officer or employee shall not request or authorize anyone else to request any subordinate of the officer or employee to participate in an election campaign or contribute to a political committee.

H) Future employment. A County officer or employee shall not, after the termination of service or employment with the County, appear for financial gain before any board or agency of the County in relation to any case for a period of two (2) years and shall not appear for financial gain at any time in any proceeding or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

I) Avoidance of conflicts. County officers and employees shall not knowingly acquire, solicit, negotiate for, or accept any interest, employment, or anything of value which would put them in violation of this Local Law.

J) Inducement of others. A County officer or employee shall not induce or aid another officer or employee of the County to violate any of the provisions in this Local Law.

K) Investments. A County officer or employee shall not invest or hold any investment directly or indirectly in any business, financial, commercial or other private transaction, which would create a conflict with his/her official duties.

L) Disclosure regarding contract with employment of relatives and domestic partners.

1. Every County officer and employee related closer in degree, by blood or marriage than first cousin, including a domestic partner or person related by domestic partner circumstances, to any person(s) seeking a contractual relationship with the County or seeking employment within any department, section or function of the County shall disclose such relationship as provided for pursuant to the further provisions of this section.

2. Any member of any County board, commission, council or other County agency related closer in degree by blood or marriage than first cousin, including a domestic partner or person related by domestic partner circumstances, to any person(s) seeking employment or making application before such body in which they serve shall disclose such relationship as provided for in this section.

3. The disclosure requirements of this section shall be made in writing, directed to the Clerk of the Legislature and shall be made at the earliest opportunity next following the date upon which such officer, employee, or board member, commission member, council member, or agency member first learns of or has knowledge of the making of the application by the person seeking employment and/or appointment.

M) Use of public property. No officer or employee shall request or permit the use of County owned vehicles, equipment, materials or property for personal convenience or profit except when such services are available to the public generally or are provided as policy for the use of such officer or employee in the conduct of official duties.

N) Waiver. A County officer or employee may apply for a Waiver Request Form from any of the standards set forth herein upon a showing of compelling need. A Waiver Request Form will be available from the Clerk of the Legislature or the Board of Ethics, and may be modified from time to time as deemed necessary.

SECTION V. INTEREST IN CONTRACTS WITH THE COUNTY

A) Prohibited interests.

1. No County officer or employee shall have an interest in a contract with the County, or an interest in a bank or trust company, that is prohibited by Section 801 of the General Municipal Law of the State of New York.

2. Specifically, no County officer or employee shall have an interest in any contract with the County, when he or she, individually or as a member of a board, has the power or duty to negotiate, prepare, authorize or approve the contract or approve payment thereunder; audit bills or claims under the contract, or appoint an officer or employee who has any powers or duties set forth above; and no County chief fiscal officer, treasurer, or his or her deputy or employee, shall have an interest in a bank or trust company designated as a depository, paying agent, registration agent for investment of funds of the County of Ulster. This shall in no event be construed to preclude the payment of lawful compensation and necessary expenses of any County officer or employee in one or more positions of public employment, the holding of which is not prohibited by law.

3. Any contract willfully entered into by or with the County in which there is an interest prohibited shall be null, void, and wholly unenforceable, to the extent provided by § 804 of the General Municipal Law.

B) Discloseable interests.

In accordance with § 803 of General Municipal Law, any County officer or employee who has, will have, or later acquires an interest in or whose spouse or domestic partner has, will have or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the County, shall publicly disclose the nature and extent of such interest in writing to and filing with his or her immediate supervisor and the Clerk of the County Legislature as soon as he or she has knowledge of such actual or prospective interest and as more specifically set forth in Section VI (Annual Disclosure) herein. Such written disclosure shall be made a part of and set forth in the official records of the proceedings of the Legislature. The Clerk of the Legislature shall also immediately file a copy of such disclosure with County Executive and the Board of Ethics.

SECTION VI. ANNUAL DISCLOSURE

Annual disclosure will take place in accordance with § 812 of General Municipal Law except the following provisions shall be controlling:

Pursuant to Resolution No. 390 dated December 10, 2008, Introductory Local Law No. 2 of 2008 was adopted by the Ulster County Legislature, herein and after known as Local Law No. 11 of 2008 (A Local Law Known As The Ulster County Ethics and Disclosure).

SECTION VI. ANNUAL DISCLOSURE.

A. County officials and employees required to file disclosure statement. Annual disclosure statements shall be filed by all elected County officials, department heads and their deputies and those individuals who have the authority for policy making decisions including, but not limited to, the following list of titles, which may be amended from time to time by the Chief Executive Officer of the County of Ulster with the approval of the County Legislature so as to include all those titles that are applicable, and the list of titles should be amended to properly reflect correct titles in certain departments in accordance with the Ulster County Charter and the Administrative Code for the County of Ulster, and recent changes to the Ulster County Development Corporation.

The list of titles is hereby amended as follows:

1. COUNTY OFFICERS

EXECUTIVE

Executive

Deputy Executives

LEGISLATURE

Chairperson

Legislators

Clerk to the Legislature

Deputy Clerks

Counsel to the Legislature

Minority Counsel

DISTRICT ATTORNEY

District Attorney

Assistant District Attorneys

CONSUMER FRAUD BUREAU

Director of Consumer Affairs

Deputy Director of Consumer Affairs

Director of Weights and Measures

Deputy Director of Weights and Measures

DEPARTMENT OF PUBLIC DEFENDER

Public Defender

Deputy and Assistant Public Defenders

COMPTROLLER

Comptroller

Deputy Comptrollers

Auditor

Deputy Auditors

DEPARTMENT OF FINANCE

Commissioner of Finance

Deputy Commissioners of Finance

DEPARTMENT OF PURCHASING

Director of Purchasing

Deputy Directors of Purchasing
REAL PROPERTY TAX SERVICE AGENCY
Director
Deputy Directors
COUNTY CLERK
County Clerk
Deputy County Clerks
Motor Vehicle Supervisors
COUNTY ATTORNEY
County Attorney
Deputy County Attorneys
Assistant County Attorneys
DEPARTMENT OF PERSONNEL
Personnel Director
Deputy Personnel Directors
BOARD OF ELECTIONS
Commissioners
Deputy Commissioners
DEPARTMENT OF PUBLIC WORKS
Commissioner of Public Works
Deputy Commissioners of Public Works
Buildings and Grounds Administrative Manager
Highways and Bridges Administrative Manager
DEPARTMENT OF PUBLIC TRANSPORTATION
Director of Public Transportation
Deputy Directors of Public Transportation
DEPARTMENT OF INFORMATION SERVICES
Information Services Director
Deputy Information Services Directors
Assistant Director I.S./Application Development
Assistant Director I.S./Operations
Assistant Director I.S./Technical Support
INSURANCE DEPARTMENT
County Insurance Officer
Deputy Insurance Officers
SHERIFF
Sheriff
Under Sheriff
Head of Civil Division
Head of Criminal Division
Corrections Superintendent
Warden
DEPARTMENT OF PROBATION
Director
Deputy Probation Directors
ALTERNATIVE SENTENCING PROGRAM
Coordinator
Deputy Coordinators
STOP DWI
Coordinator
Deputy Coordinators
FIRE COORDINATOR
Fire Coordinator

Deputy Coordinator
DEPARTMENT OF EMERGENCY COMMUNICATIONS/
EMERGENCY MANAGEMENT
Director
Deputy Directors
DEPARTMENT OF HEALTH
Commissioner of Health or Public Health Director
Deputy Commissioner of Health or Deputy Public Health Director
Director of Patient Services
Medical Examiner
Deputy Medical Examiners
Commissioner of Health
Medical Consultant
DEPARTMENT OF MENTAL HEALTH
Director
Deputy Director of Administration
Commissioner of Mental Health
Deputy Commissioners of Mental Health
DEPARTMENT OF COMMUNITY CORRECTIONS
Director
Assistant Director
DEPARTMENT OF SOCIAL SERVICES
Commissioner of Social Services
Deputy Commissioners of Social Services
DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES
Director of Residential Health Care Facilities
Deputy Directors
DEPARTMENT OF EMPLOYMENT AND TRAINING
Director of Employment and Training
Deputy Directors
VETERANS' SERVICE AGENCY
Director
Deputy Directors
OFFICE FOR THE AGING
Director
Deputy Directors
YOUTH BUREAU
Director of the Youth Bureau
Deputy Directors
DEPARTMENT OF PLANNING
Director
Deputy Directors
SAFETY DEPARTMENT
Safety Officer
Deputy Safety Officer
ULSTER COUNTY COMMUNITY COLLEGE
President
Vice President
Dean of Administration
Dean of Academic Affairs
Dean of Advancement & Continuing Education
College Attorney
COMMISSION OF HUMAN RIGHTS

Commissioner of Human Rights
BOARD OF ETHICS
Members of the Board of Ethics
PERIODIC COMPENSATION REVIEW COMMITTEE
Members of Periodic Compensation Review Committee
DEPARTMENT OF THE ENVIRONMENT
Coordinator Director of the Department of Environment
Deputy Coordinators Directors
DEPARTMENT OF TOURISM
Director of Tourism
Deputy Directors
TRAFFIC SAFETY
Coordinator of Traffic Safety
Deputy Coordinator of Traffic Safety
COUNTY HISTORIAN
County Historian
ULSTER COUNTY DEVELOPMENT CORPORATION
Members of the Corporation/Public Authority
ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Chief Executive Officer or Director of the Agency
Members of the Agency
ULSTER COUNTY RESOURCE RECOVERY AGENCY
Chief Executive Officer or Director of the Agency
Members of the Agency

2. LOCAL POLITICAL PARTY OFFICIALS

A) The Annual Financial Disclosure Statement shall also be required of local political party officials.

1. The term "local political party official" shall mean:

- a. Any chairperson of a County committee elected pursuant to § 2-112 of the Election Law, or his or her successor in office, who received compensation or expenses from constituted committee or political committee funds during the reporting period aggregating a combined total of thirty thousand (\$30,000.00) dollars or more; or
- b. That person by whatever title designated who, pursuant to the rules of a County committee or in actual practice, possesses or performs any or all of the following duties or roles, provided that such person received compensation or expenses from constituted committee or political committee funds during the reporting period aggregating a combined total of thirty thousand (\$30,000.00) dollars or more:
 - (i) The principal political, executive and administrative office of the County committee;
 - (ii) The power of general management over the affairs of the County committee;
 - (iii) The power to exercise the powers of the chairman of the County committee as provided for in the rules of the County committee;
 - (iv) The power to preside at all meetings of the County Executive Committee if such a committee is created by the rules of the County committee or exists de facto, or any other committee or subcommittee of the County committee vested by such rules with or having de facto the power of general management over the affairs of the County committee at times when the County committee is not in actual session;
 - (v) The power to call a meeting of the County committee or of any committee or subcommittee vested with the rights, powers, duties or privileges of the County committee pursuant to the rules of the County committee, for the purpose of filling an office at a special election in accordance with § 6-114 of the Election Law, for the

purpose of filling a vacancy in accordance with § 6-116 of such law, or for the purpose of filling a vacancy or vacancies in the County committee which exists by reason of an increase in the number of election districts with the County occasioned by a change of the boundaries of one or more election districts, taking effect after the election of its members, or for the purpose of determining the districts that the elected members shall represent until the next election at which such members of such committee are elected; provided, however, that in no event shall such power encompass the power of a chairperson of an assembly district committee or other district committee smaller than a county and created by the rules of the County committee, to call a meeting of such district committee for such purpose;

(vi) The power to direct the treasurer of the party to expend funds of the County committee or;

(vii) The power to procure from one or more bank accounts of the County committee the necessary funds to defray the expense of the County committee.

B) The terms “constituted committee” and “political committee,” as used in this subdivision, shall have the same meanings as those contained in Section 14-100 of the Election Law.

C) Each appointing authority or department head shall annually determine, by February 1st of each year, if there are any other officers or employees, within his/her department, holding policy-making positions. A list of such employees or officers shall then be immediately forwarded to the Chairman of the Ulster County Legislature for the year 2008 and to the County Executive thereafter.

D) Time and Place for Filing. Annual Disclosure Statements shall be filed with the Clerk of the County Legislature:

1. Within sixty (60) days of taking office; and

2. No later than May 1st of each year thereafter.

E) Changes in Disclosed Information. Except as provided in Section V(B) herein, within thirty (30) days after a change in the information contained in his/her most recently filed Annual Disclosure Statement, a County officer or employee shall file a signed amendment to the statement.

F) Contents of Annual Disclosure Statements and Waiver Request Forms. The County Legislature shall have the power and authority to promulgate and amend the form from time to time by resolution and as provided for in and in conformity with § 811 of

General Municipal Law.

G) The Annual Disclosure Form shall be acknowledged and notarized and in substantially the form which is annexed hereto and made a part hereof as Appendix “A”.

H) Maintenance of Annual Disclosure Statements. The Clerk of the County Legislature shall transmit to the Board of Ethics and the Chief Executive Officer of the

County all Annual Disclosure Statements required by this Local Law within five (5) business days of receiving such statements. All Annual Disclosure Statements shall be submitted in sealed envelopes.

I) Good Faith Efforts. Failure to disclose the information required by subsection A of this section with respect to a County officer’s or employee’s spouse or domestic partner or other relative shall not constitute a violation of the subsection if the officer or employee has made a good faith effort to obtain the information and if he/she sets forth those efforts in his/her Annual Disclosure Statement.

J) Distribution of Disclosure Form. On or before the 1st day of March of each year, beginning with the year 2009 and thereafter, the County Executive of the County of

Ulster shall cause the Annual Statement of Financial Disclosure to be distributed to those persons filling the positions as denominated in subdivision A and B set forth above.

K) Hardship Provision. Any person who is subject to the reporting requirements of this section and who timely filed with the Internal Revenue Service an application for automatic extension of time in which to file his or her individual income tax return for the immediately preceding calendar or fiscal year shall be required to submit such financial disclosure statement on or before May 1st but may, without being subjected to any civil penalty on account of a deficient statement, indicate with respect to any item of the disclosure statement that information with respect thereto is lacking but will be supplied in a supplemental statement of financial disclosure, which shall be filed on or before the seventh day after the expiration of the period of such automatic extension of time within which to file such individual income tax return, provided that failure to file or to timely file such supplementary statement of financial disclosure or the filing of an incomplete or deficient supplementary statement of financial disclosure shall be subject to the notice and penalty provisions of this section respecting Annual Statements of Financial Disclosure as if such supplementary statements were an annual statement.

SECTION VII. PENALTIES FOR VIOLATIONS

A) Void Contracts. Any contract or agreement entered into by or with the County in which there is an interest prohibited by this law shall be null, void, and wholly unenforceable, to the extent provided by § 804 of General Municipal Law unless ratified by the County Legislature.

1. Such ratification shall not affect the imposition of any criminal or civil penalties pursuant to this local law or any other provision of law.

2. Upon determination by the Board of Ethics that such a violation has occurred, the Board of Ethics shall have the power, upon consultation with the head of the department involved, or with the chief executive officer of the County, to render forfeit and void the transaction in question.

B) Civil Penalties. Any County officer or employee who violates any provision of this law including any reporting individual who knowingly and willfully fails to file an Annual Statement of Financial Disclosure or 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 this law, shall be assessed a civil penalty in an amount not to exceed ten thousand (\$10,000.00) dollars. Assessment of a civil penalty hereunder shall be made by the Ulster County Board of Ethics. Assessment of a civil penalty shall be final unless modified, suspended or vacated within thirty (30) days of imposition and, upon becoming final, shall be subject to review at the instance of the affected reporting individual in a proceeding commenced against the Ulster County Board of Ethics pursuant to Article Seventy-Eight of the Civil Practice Law and Rules.

C) Criminal Penalties. For a violation of this law, other than for conduct which constitutes a violation of Subdivision Twelve of § 73 of the Public Officers Law, the Ulster County Board of Ethics may, in lieu of a civil penalty, refer a violation to the appropriate prosecutor and upon such conviction but only after such referral, such violation shall be punishable as a Class A misdemeanor. A civil penalty for false filing may not be imposed hereunder in the event a category of "value" or "amount" reported hereunder is incorrect unless such reported information is falsely understated.

D) Disciplinary Action. Any County officer or employee who violates any provision of this law may be warned or reprimanded or suspended or removed from office or employment, or be subject to any other sanction authorized by law or collective

bargaining agreement, by the appointing authority or body authorized by law to impose such sanctions. A warning, reprimand, suspension, removal or other authorized sanction may be imposed in addition to any other penalty contained in this section or in any other provision of law.

SECTION VIII. BOARD OF ETHICS

A) Establishment.

1. *There shall be a Board of Ethics consisting of five members, who, prior to January 1, 2009, shall be appointed by the Ulster County Legislature, and thereafter shall be appointed by the County Executive, subject to confirmation of the County Legislature.*
2. *Board of Ethics members shall serve without compensation and at the pleasure of the County Legislature prior to January 1, 2009 and thereafter at the pleasure of the County Executive.*
3. *No more than two members shall be of the same political party.*
4. *Members of the Board of Ethics shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes.*
5. There shall be support staff and funds as may be appropriated annually toward the Ethics Board's maintenance and operation.
6. The County Attorney or Attorney(s) shall provide legal and advisory services to the Board of Ethics as it may require in the performance of its duties. If the County Attorney or Attorney(s) for the County have a potential conflict of interest, the County shall make funds available for outside counsel.
7. The Board of Ethics shall elect a Chair from among its members. The Chair or a majority of the Board may call a meeting of the Board. The Board of Ethics shall meet a minimum of two (2) times a year.
8. Three (3) members of the Board shall constitute a quorum and shall be required for the purpose of conducting a meeting. A concurring vote of three (3) members shall be required for the Board to take action.
9. Prior to January 1, 2009, any Board of Ethics member may be removed from office by a majority vote of the County Legislature for failure to fulfill the duties of the office or for the violation of this Local Law and shall be given written notice and an opportunity to be heard. After January 1, 2009, *members shall serve at the pleasure of the County Executive* and may be removed from office by the County Executive at his or her discretion.

B) Qualifications.

1. All members of the Board of Ethics shall reside in the County of Ulster, be over twenty-five (25) years of age, and a registered voter for at least five (5) years prior to appointment.
2. *No more than two (2) members of the Board of Ethics may be enrolled in the same political party.* Enrollment in a political party shall be deemed effective in conformance with Article 5 of Election Law of the State of New York.
3. No member shall hold office in a political party or hold elective office in the County. For purposes of this section, office in a political party shall mean all offices in any political party including the office of committee person or committee member.
4. A member may make campaign contributions but not otherwise participate in any Ulster County election campaign.
5. One (1) member may be an appointed officer or employee of the County.

C) Powers and duties.

1. *The Board of Ethics shall render advisory opinions to the officers and employees of the County of Ulster with respect to Article 18 of General Municipal Law, the Code Ethics of the County of Ulster (as Set forth herein and known as "The Ulster County Ethics and Disclosure Law"), and the Administrative Code. Such advisory opinions*

shall be in response to written request from any such officer or employee under such rules and regulations as the Board may prescribe.

a. The Board shall render advisory opinions with respect to all matters covered by this law. An advisory opinion shall be rendered on the request of a county officer or employee or supervisory official of a county officer or employee and shall apply only to such public servant. The request shall be in such form as the Board may require and shall be signed by the person making the request. The opinion of the Board shall be based on such facts as presented in the request or subsequently submitted in a written, signed document.

b. Advisory opinions shall be issued only with respect to proposed future action by a public servant. A county officer or employee whose conduct or action is the subject of an advisory opinion shall not be subject to penalties or sanctions by virtue of acting or failing to act due to a reasonable reliance on the opinion, unless material facts were omitted or misstated in the request for an opinion. The Board may amend a previously issued advisory opinion after giving reasonable notice to the county officer or employee that it is reconsidering its opinion; provided that such amended advisory opinion shall apply only to future conduct or action of the public servant.

c. The Board shall make public its advisory opinions with such deletions as may be necessary to prevent disclosure of the identity of any county officer or employee or other involved party. The advisory opinions of the Board shall be indexed by subject matter and shall be maintained on an annual and cumulative basis.

d. For purposes of this subdivision, county officer or employee includes a current, prospective and county officer or employee, and a supervisory official includes a supervisory official who shall supervise, supervises or has supervised either a current, prospective or former county officer or employee.

2. *The Board may also accept from the general public or any of its own members or any county officer or employee a complaint or allegation of conflict of interest of any officer or employee of Ulster County.* The Board may also accept from the general public or any of its own members or any county officer or employee a complaint or allegation of a violation of this law by a county officer or employee.

a. All such complaints shall be signed; and

b. *All such complaints or allegations are to be kept in the confidential records of the Board.*

3. Should the Board determine that there appears to be no merit to the complaint, it shall dismiss the complaint and notify the county officer or employee of its determination in writing.

4. Hearings.

a. *Should the Board determine that there appears to be merit or probable cause in the complaint or allegation, it shall send a written invitation to the officer or employee in question to appear at a private meeting of the Board and explain the apparent conflict of interest.* The written invitation shall be in the form of a notice and shall contain a statement of the facts upon which the Board has relied for its determination of probable cause and a statement of the provisions of law allegedly violated. The Board shall also inform the county officer or employee of the Board's procedural rules. Such county officer or employee shall have a reasonable time to respond either orally or in writing, and shall have the right to be represented by counsel or any other person.

b. If, after consideration of the response of the officer or employee, the Board determines that there remains probable cause to believe that a violation has occurred, the Board shall hold or direct a hearing to be held on the record to determine whether such violation has occurred, or refer the matter to the appropriate department or appointing authority if the county officer or employee is subject to the jurisdiction of any state law or collective bargaining agreement which provides for conduct of disciplinary proceedings. When such matter is referred to

such department or appointing authority, the department or appointing authority shall consult with the Board before issuing a final decision.

c. Should such officer or employee fail to appear in response to such invitation or should he or she appear and fail to satisfy the Board that there is no conflict of interest or violation of this law, the Board shall send a written report on the matter to the County Executive and the Clerk of the Legislature. The report shall not be made public except by the County Executive or by the unanimous vote of the Board.

d. If the Board determines, after a hearing or the opportunity for a hearing, that a county officer or employee has violated this law, it shall, after consultation with the head of the department or appointing authority for the officer or employee, issue an order either imposing such penalties as provided for by this law as it deems appropriate, or recommending such penalties to the head of the department or appointing authority. The order shall include findings of fact and conclusions of law. When a penalty is recommended, the head of the department or the appointing authority shall report to the Board what action was taken.

e. Hearings of the Board shall not be public unless requested by the public servant. The order and the Board's findings and conclusions shall be made public.

f. The Board shall maintain an index of all persons found to be in violation of this law, by name, office and date of order. The index and the determination of probable cause and orders in such cases shall be made available for public inspection and copying.

g. Nothing contained in this section shall prohibit the appointing officer of a county officer or employee from terminating or otherwise disciplining such public servant, where such appointing officer is otherwise authorized to do so; provided, however, that such action by the appointing officer shall not preclude the Board from exercising its powers and duties under this law with respect to actions of any public servant.

h. For purposes of this subdivision, the term county officer or employee shall include both current and former county officers and employees.

i. The Board of Ethics shall adopt rules governing the conduct of adjudicatory proceedings and appeals relating to the proceedings authorized herein including the assessment of the civil penalties herein authorized. Such rules shall provide for the due process procedural mechanisms substantially similar to those set forth in Article Three of the State Administrative Procedure Act but such mechanisms need not be identical in terms of scope.

j. Any person compelled to appear in person or who voluntarily appears before the Board of Ethics shall be accorded the right to be accompanied, represented by, and/or advised by counsel.

5. In addition, the Board may make recommendations with respect to the County Code of Ethics or amendments thereto upon the request of the Ulster County Legislature (as set forth herein and known as "The Ulster County Ethics and Disclosure Law"). The Board, upon its formulation, shall promulgate its own rules and regulations as to its forms and procedures and shall maintain records of its opinions and proceedings. Copies of all rules and regulations promulgated by the Board and any and all amendments thereto which may be adopted from time to time shall filed with the Clerk of the Ulster County Legislature within ten days of their adoption.

6. The Board shall not act with respect to officers and employees of any municipality located within the County or agency thereof where such municipality has established its own Board of Ethics, except that the local board may, at its option refer matters to the County Board.

7. No meeting or proceeding or hearing of the Board of Ethics concerning a possible violation of this law by a county officer or employee shall be open to the public,

except upon the request of the officer or employee or as required by the provisions of Article 7 of the Public Officers Law or by some other state or federal law or regulation.

D) The Board of Ethics shall also have the following powers and duties:

1. To administer the provisions of this County Law.
2. To prescribe and promulgate rules and regulations governing its own organization and procedures.
3. To review, index and maintain all Annual Disclosure Statements filed with the Board of Ethics.
4. To prepare and submit an annual report to the Ulster County Legislature summarizing the activities of the Board of Ethics, listing any recommended changes to the text or administration of this Local Law.
5. To provide for public inspection of certain records. The only records of the Board of Ethics which shall be available for public inspection are those whose disclosure is required by Article 6 of the Public Officers Law of the State of New York or by some other state or federal law or regulation.
6. To receive, review and approve or disapprove all requests for waivers related to this law. [See Section IV. (o)].

SECTION IX. JUDICIAL REVIEW

Any person aggrieved by a recommendation of the Board of Ethics, as implemented by the County, may seek judicial review and relief pursuant to Article 78 of the Civil Practice Law and Rules of the State of New York.

SECTION X. SUPERSESSION OF GENERAL MUNICIPAL LAW SECTION 808

Whenever the requirements of this Local Law are inconsistent with the provisions of Section 808 of the General Municipal Law, the more restrictive provision, or those imposing higher standards shall govern.

SECTION XI. MISCELLANEOUS PROVISIONS

- A) No existing right or remedy shall be lost, impaired, or affected by reason of this Local Law.
- B) Nothing in this Local Law shall be deemed to bar or prevent a present or former county officer or employee from timely filing any claim, account, demand, or suit against the County on behalf of himself/herself or any member of his/her family arising out of personal injury or property damage or any lawful benefit authorized or permitted by law.
- C) If any provision of this Local Law is held by a court of competent jurisdiction to be invalid, that decision shall not affect the validity and effectiveness of the remaining provisions of this law.

SECTION XII. DISTRIBUTION AND POSTING

- A) Within ninety (90) days after the effective date of this section, and thereafter as appropriate, the Board of Ethics shall transmit to the Ulster County Legislature and Clerk of the Legislature, in a form suitable for posting, copies of those provisions of this Local Law which the Board of Ethics deems necessary for posting in the County of Ulster. Within ten (10) days after receipt of those copies, the Clerk of the Legislature shall cause the copies to be posted conspicuously where public notices are generally posted.
- B) Within ninety (90) days after the effective date of this section, and thereafter as appropriate, the Board of Ethics shall transmit to the Clerk of the Legislature, in a

form suitable for distribution, copies of those provisions of this Local Law, which the Board of

Ethics deems necessary for distribution to the officers and employees of the County. Within ten (10) days after receipt of those copies, the Clerk of the Legislature shall cause the copies to be distributed to every officer and employee of the County, and made readily available to the public. Every County officer or employee elected or appointed thereafter shall be furnished a copy of those provisions within ten (10) days after entering upon the duties of his/her position.

C) Failure of the County to comply with the provisions of this section or failure of any County officer or employee to receive a copy of these provisions of this Local Law shall have no effect on the duty of compliance with this Local Law or on the enforcement of its provisions.

SECTION XIII. REPEALER

Local Law Number 1 of 1970, Local Law Number 1 of 1989 and Local Law Number 1 of 1990 are hereby superseded and repealed.

SECTION XIV. EFFECTIVE DATE

This Local Law shall take effect immediately upon the filing in the office of the Secretary of State in compliance with all applicable provisions of law.

(Note: this local law incorporates relevant provisions of the Ulster County Charter. Charter language is included in italics and cannot be changed without amending the Charter.) Adopted: December 10, 2008

APPENDIX C
 CLARIFICATION OF RETIREE HEALTH BENEFITS
 AS PER RESOLUTION 155 OF MAY 9, 2007

Brenda Bartholomew/Personnel
 Department /Ulster County
 5/31/2007 02:27PM

Email Correspondence

Please be advised the following principles have been discussed and voted on by the Labor Relations and Negotiating Committee for the Manager Labor Agreement.

It is the intent of the agreement to allow 60 days for an employee who is eligible to retire; the opportunity to retire with the retirement benefits in place prior to the Legislative changes effective May 9, 2007. The last day for filing for this purpose is July 9, 2007. Since the process of filing with the New York State Retirement system can take 30 to 90 days, employees do not have to be off the payroll as of July 9, 2007. However employees must file their retirement papers with the State of New York by July 10, 2007 and forward a dated copy from New York State to the Personnel Department. The last day any employee intending to retire may be on payroll is October 10, 2007.

The following is the previous retirement benefits that will be honored if you choose to file your retirement intention by July 9th compared to the retirement benefit per the Legislative changes of May 9, 2007:

The previous retiree health insurance contribution is as follows (at least 6 years of service):

<u>Years of Employment</u>	<u>County Contribution</u>
Under 10 years	50% plus 1% per year of service
Over 10 years	75%
Over 15 years	85%
Over 20 years	90%
Over 25 years	100%

New Retiree Health Insurance – Effective 60 days after Legislature approval

<u>Years of Employment</u>	<u>County Contribution</u>
Less than 10 years	0
10-15 years	60%
16-20 years	75%
21-24 years	85%
25 + years	90%