



## *Monroe County Legislature*

**CARRIE M. ANDREWS**  
ASSISTANT DEMOCRATIC LEADER

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February 24, 2011

To the Honorable  
Monroe County Legislature  
39 West Main Street  
Rochester, New York 14614

**Re: Creation of an Office of Public Integrity To Combat Public Corruption and To Restore and Strengthen the Public's Faith in County Government**

Honorable Legislators:

Over the past several years, this community has witness an unprecedented number of allegations and admissions of misconduct by public and elected officials. Such actions only work to further degrade the public's perception and trust of government; and dishearten the public that the people elected and charged with leading this community are not up for the job.

While some actions have been taken by the County Administration in response to such incidents of misconduct, the taxpayers would be better served with a more proactive and comprehensive approach. Clearly, it is time for this Honorable Body to take the initiative in order to combat the entrenched sense of entitlement and infallibility that seems to be so pervasive these days.

Members of this Honorable Body call for the establishment of an Office of Public Integrity to oversee and investigate various operations. With several successful similar initiatives around the State, such an office would be able to properly oversee all of County Government in a fair, non-partisan manner. Therefore, we propose the establishment of the Monroe County Office of Public Integrity.

Such office shall report to an independent five-member board, with one member appointed by the County Executive and two members each to be appointed by the Majority and Minority Leaders of the Monroe County Legislature. The responsibilities of the office shall include, but not be limited to:

- To coordinate the analysis, investigation and resolution of concerns and complaints involving County Government operations;



- To initiate periodic reviews of the financial records and procedures of all County departments, bureaus and their subdivisions in accordance with accepted auditing principles and practices;
- To initiate periodic reviews of local development companies, public authorities and any other local authorities created by local government, as defined in the Public Authorities Accountability Act, in accordance with accepted auditing principles and practices;
- To provide policy recommendations designed to prevent and detect fraud, waste, and abuse, and to promote economy, efficiency and effectiveness in all County operations
- To report biannually to the Clerk of the Monroe County Legislature on the office's activities, and provide updates to the Monroe County Legislature as requested;
- To work and coordinate with law enforcement agencies as necessary;

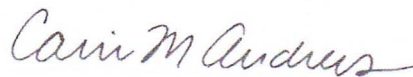
The Office of Public Integrity shall work with the existing whistleblower hotline, and also produce a guide for all employees on how to report suspicions of misconduct. This Office will be able to serve as a foundation for greater collaboration among all municipalities within Monroe County. By providing local towns, villages and schools districts access to an Independent Office, we would be able to better serve and protect all taxpayers across this County, while also providing a cost-effective approach to managing ethics within all levels of government. For these reasons, we also call for the establishment of a task force to study how such collaboration with municipalities within the County of Monroe could be achieved.

**The specific legislative action required:**

1. Schedule and hold a public hearing on the attached proposed local law.
2. Enact the local law amending the Monroe County Code and Charter, as attached.

This proposal has no impact on the revenues/expenditures of the 2011 Monroe County Budget. The Office created by this local law shall be established and appropriately staffed beginning on January 1, 2012. The authorized position and salary appropriated for the Budget Director shall be transferred to adequately compensate the Director of the Office of Public Integrity.

Respectfully Submitted,



Carrie M. Andrews  
Assistant Minority Leader



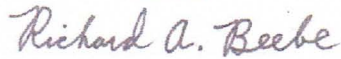
Ted O'Brien  
Democratic Minority  
Leader



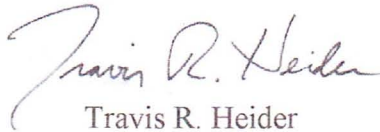
Calvin Lee, Jr.  
Assistant Minority Leader



Vincent Esposito  
Deputy Minority Leader



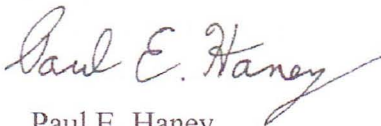
Richard A. Beebe  
Legislator - District 6



Travis R. Heider  
Legislator - District 14



Glenn J. Gamble  
Legislator - District 22



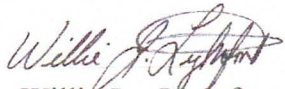
Paul E. Haney  
Legislator - District 23



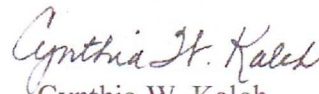
Joshua Bauroth  
Legislator - District 24



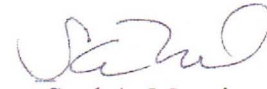
C. Stephen Eckel  
Legislator - District 26



Willie Joe Lightfoot  
Legislator - District 27



Cynthia W. Kaleh  
Legislator - District 28



Saul A. Maneiro  
Legislator - District 29

By Legislators \_\_\_\_\_ and \_\_\_\_\_

Intro. No. \_\_\_\_\_

LOCAL LAW NO. \_\_\_\_\_ OF 2011

**A LOCAL LAW ENTITLED "CREATING AN OFFICE OF PUBLIC INTEGRITY AND TO ESTABLISH A TASK FORCE FOR INTERMUNICIPAL ETHICS COOPERATION"**

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

**Section 1.** Chapter 45 of the Administrative Local Laws of Monroe County is amended to add the following:

Article VI – Office of Public Integrity

Section 45-26 Establishment

- A. There is hereby established an Office of Public Integrity, consisting of a Director who shall have the duty to coordinate the analysis, investigation and resolution of complaints and concerns involving County Government Operations, and the duty to initiate periodic reviews of county departments and their subdivisions, local development corporations, public authorities and other local authorities created by local government.
- B. There is hereby established a five member Public Integrity board whose duty shall be to hire, manage and oversee the Director of the Office of Public Integrity and to ensure the Director fulfills his mission. The five members shall be appointed as follows: One by the County Executive, two by the Majority Leader of the Monroe County Legislature, two by the Minority Leader of the Monroe County Legislature. Such board members shall not be employees or elected or appointed officials of New York State, Monroe County, or any other political subdivisions in New York State.

Section 45-27 Powers and Duties

- A. The Director of the Office of Public Integrity shall have the following powers and duties:
  - To coordinate the analysis, investigation and resolution of concerns and complaints involving County Government operations
  - To initiate periodic reviews of the financial records and procedures of all County departments, bureaus and their subdivisions in accordance with accepted auditing principles and practices;
  - To initiate periodic reviews of local development companies, public authorities and any other local authorities created by local government, as defined in the Public Authorities Accountability Act, in accordance with accepted auditing principles and practices;
  - To provide policy recommendations designed to prevent and detect fraud, waste, and abuse, and to promote economy, efficiency and effectiveness in all County operations

- To report biannually to the Clerk of the Monroe County Legislature on the office's activities, and provide updates to the Monroe County Legislature as requested;
- To work and coordinate with law enforcement agencies as necessary;

Section 45-28 Miscellaneous

- A) All County employees, agents, contractors or consultants shall cooperate fully with any inquiry or investigation by the Office of Public Integrity;

**Section 2.** There shall be established a task force composed of no more than nine individuals, two each to be appointed by the Majority and Minority Leaders in the Monroe County Legislature, and one to be appointed by the County Executive. Additional appointments to the task force may be made as necessary by the County Executive upon the recommendation of any Town, Village, School District or City located in Monroe County. Such appointees shall have a demonstrated knowledge of ethics policies and enforcement in a City, Town or Village located in Monroe County. The task force shall hold at least two public meetings and shall be charged with exploring consolidated ethics enforcement in the municipalities located in Monroe County. The task force shall report to the Legislature no later than six (6) months after their appointment.

**Section 3.** If any clause, sentence, paragraph, section or article of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the proceeding in which such adjudication shall have been rendered.

**Section 4.** The clerk of the Monroe County Legislature is hereby authorized and directed to cause a copy of the foregoing local law to be published in the county's official newspapers.

**Section 5.** This local law shall take effect immediately upon filing with the Secretary of State pursuant to Section 27 of the New York State Municipal Home Rule Law.

File No. 11-0\_\_\_\_\_ .LL

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF LOCAL LAW: \_\_\_\_\_

Added Language is underlined  
Deleted Language is ~~stricken~~