

By Legislators Conley and Taylor

Intro. No. 52

LOCAL LAW NO. 2 OF 2016  
(As Amended by Motion No. 14 of 2016)

**ENACTING A LOCAL LAW AMENDING THE MONROE COUNTY CHARTER TO CREATE AN OFFICE OF PUBLIC INTEGRITY**

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

Section 1. Section C2-6 C. (9) of the Monroe County Charter is amended to read as follows:

(9) To confirm appointments of the County Executive to the positions of Director of Public Safety, Director of Public Health, Director of Parks, Executive Health Director of Monroe Community Hospital, Director of Transportation, Director of Aviation, Director of Office of Public Integrity, Director of Office for Veterans' Services, and Director of Human and Health Services in accordance with the procedures set forth in §A4-3 of the Administrative Code.

Section 2. The Monroe County Charter is amended by adding a new Section C6-25 to read as follows:

Section C6-25. Office of Public Integrity.

- A. Office established; Director. There shall be an Office of Public Integrity, the head of which shall be the Director of Office of Public Integrity.
- B. Powers and duties. The Director of Office of Public Integrity shall have the following powers and duties:
- (1) The ability to examine all County operations independently and have the full authority to report its findings to law enforcement, when necessary.
  - (2) Conduct financial and operational investigations/audits of County departments and provide recommendations to improve accountability and efficiency.
  - (3) Addressing concerns received from Monroe County residents regarding their government.
  - (4) Provide an annual report to the County Legislature and County Executive of its activities, and any additional reports that the Director deems necessary.
  - (5) The authority to require any County employee, head of a department, or a member of a board or commission to furnish such data, information or statements as may be necessary, unless prohibited or limited by law.
  - (6) The authority to subpoena witnesses, administer oaths or affirmations, take testimony and compel the production of such books, records and documents, including electronic data from any private vendor, including Local Development Corporations (LDCs), doing business with the County or that receives funds

from the County, relative to that private vendor or LDC's involvement with the County, as is deemed to be relevant by the Director for any inquiry or investigation undertaken pursuant to this section.

C. Term. The Director of Office of Public Integrity shall be appointed for a fixed term of five (5) years, the first appointment shall serve through December 31, 2020. The Director of Office of Public Integrity may be removed from office for cause by the County Executive and a report stating the reasons for removal will be submitted to the Monroe County Legislature. Any vacancy shall be filled in the manner provided for in the original appointment and such appointment shall fill the vacancy for any unexpired term.

D. Political activities prohibited. The Director of Office of Public Integrity shall not directly or indirectly engage in any political activity except (i) as otherwise authorized by this section or by law, (ii) to vote and to identify himself or herself as a member of a political party, and (iii) on behalf of measures to improve the administration of justice. Prohibited political activity shall include:

(1) Being a member of a political organization other than enrollment and membership in a political party;

(2) Being a member of any other group the principal purpose of which is to further the election or appointment of candidates to political office;

(3) Participating in any political campaign for any office or permitting his or her name to be used in connection with any activity of a political organization;

(4) Publicly endorsing or publicly opposing a candidate for public office;

(5) Making speeches on behalf of a political organization or another candidate;

(6) Attending political gatherings;

(7) Soliciting funds for or making a contribution to a political organization or candidate; or

(8) Purchasing tickets for politically sponsored dinners or other functions.

E. Whistleblower Protection. In addition to the protection provided for in the laws of the State of New York and Chapter 8 of the Monroe County Administrative Code, the County shall not take any adverse personnel action against an employee because of such employee disclosing a violation of a law, rule or regulation of which constitutes an improper governmental action. The identity and privacy of any whistleblower will be protected to the greatest extent possible under law.

Section 3. Section 8-3 A. of the Monroe County Code, Administrative Local Laws is amended to read as follows:

A. Any Monroe County employee may in good faith provide information on any matter involving illegal activity or misconduct to:

(1) The County Executive;

(2) The County Personnel Director;

- (3) The Controller;
- (4) The County Attorney;
- (5) The District Attorney;
- (6) The President of the County Legislature; or
- (7) The Director of Office of Public Integrity.

Section 4. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

Agenda/Charter Committee; January 25, 2016 - CV: 3-2  
File No. 16-0055

ENACTED: Date: March 8, 2016      Vote: 28-1  
*(Legislator Sheppard voted in the negative.)*

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓      VETOED: \_\_\_\_\_  
SIGNATURE: Thomas H. Vandenberg      DATE: 3/25/16  
EFFECTIVE DATE: 3/25/16