

APPENDIX ONE

The 1980 Code of Ethics Compliance Review



IDA W. SLOMINSKI
COMPTROLLER

County of Erie
OFFICE OF COMPTROLLER
EDWARD A. RATH OFFICE BUILDING
95 FRANKLIN STREET
BUFFALO, N. Y. 14202

COPY

July 8, 1980

The Honorable
Erie County Legislature
Erie County Hall
25 Delaware Avenue
Buffalo, New York 14202

Re: Erie County Code of Ethics Compliance Review

Honorable Members:

Pursuant to Article 18 of the General Municipal Law, the Erie County Legislature enacted Local Law No. 7 in 1973, which established a Code of Ethics for the County. The purpose of the Code is "...to establish high standards of ethical conduct for County officers and employees, to afford them clear guidance, and to assure public confidence in County government."

The Code of Ethics stipulates that "...every provision..., except as expressly limited, shall apply to every officer and employee of Erie County, whether paid or unpaid, including members of any administrative board, commission or other agency and every officer or employee paid from County funds...."

The scope of our review included the performance of such tests as were considered necessary in the circumstances to determine whether all officers and employees had received a copy of the Code; whether the necessary disclosure statements had been filed by those persons required to do so; and whether department heads were carrying out the annual review process required by the Code.

As more fully described in Exhibit A, Findings and Recommendations, our review disclosed the following conditions:

- Persons subject to certain provisions of the Code were not being notified annually of the disclosure requirements by their respective department heads.
- Required statements were not on file with the County Clerk for all persons subject to certain Code provisions.
- Compliance with the requirement that a copy of the Code be furnished to all County officers and employees could not be verified, using the records maintained by the County Clerk.

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July 8, 1980

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An inconsistency exists relative to the requirement for disclosing stock holdings.

Implementation of the recommendations contained in this report would not only provide additional assurance of countywide compliance with the specific provisions of the Code of Ethics, but would also reassure the public that the standards of ethical conduct established by the Code are being uniformly adhered to.

Very truly yours,

ALFREDA W. SLOMINSKI
Comptroller

AWS/sps

cc Edward J. Rutkowski,
County Executive

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Erie County Code of Ethics

Compliance Review

Findings and Recommendations

A. DISCLOSURE OF INTERESTS REGARDLESS OF CONFLICT

Notification of Employees Subject to Disclosure Requirements

Section 2(a) of the Code of Ethics specifies that, prior to January 31 of every year, the head of every County department or administrative unit must "...determine and compile a list of the persons in his department or agency who in his judgment are within the scope of this provision and to notify them in writing of this requirement." (i.e., the disclosure requirement).

Our review indicated that only one of the departments or administrative units listed in Exhibit B had complied with this particular requirement during 1980.

Filing of Necessary Statement by Employees Subject to Disclosure Requirements

Section 2(a) of the Code of Ethics also requires that every County officer or employee (excepting unpaid members of advisory boards, commissions, councils, and bodies) who holds an elective office; or who is in the exempt class of the civil service, excepting students or trainees; or who is authorized in the usual course of his duties to exercise a substantial degree of discretion in financial or regulatory transactions file, within 30 days after taking office, a statement either disclosing any interests or disclosing that they have no interests requiring disclosure. The required statement is to be prepared in duplicate, with one copy being retained in the department and the other forwarded to the County Clerk to be maintained on file as a matter of public record.

As of the date of our initial examination, 23 of the 37 departments and administrative units shown in Exhibit B did not have required statements on file with the County Clerk for all officers and employees subject to Section 2(a) of the Code. However, five additional departments had come into compliance by April 30, 1980, after being contacted by this Office.

Action Recommended

The effectiveness of the Code of Ethics in achieving its stated purposes is diminished unless all parties consistently exercise their assigned responsibilities. Based on the current lack of full compliance with various provisions of the Code, it is apparent that all department heads should be reminded of both the importance of the Code and their specific role in its administration. The Code should

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be amended to explicitly designate a specific County official to be responsible for assuring that the Code is adhered to in a consistent manner by all departments.

B. DISTRIBUTION OF THE CODE

Section 10 of the Code of Ethics requires that a copy of both the Code and Article 18 of the General Municipal Law be distributed to every officer and employee of the County. Compliance with this particular provision could not be substantiated from the records on file with the County Clerk. This problem appears attributable, at least in part, to the fact that a discrepancy exists between the instructions in Introductory Note (8) and those appearing on the acknowledgment form (Form No. 1). Specifically, the instructions on Form No. 1 indicate that a copy is to be filed with the County Clerk, while Introductory Note (8) states that a copy need not be filed with the County Clerk.

It was determined to be impractical in the circumstances to inspect records maintained at the individual department level to determine the degree of compliance with Section 10.

Action Required

The discrepancy in the instructions appearing on Form No. 1 and those set forth in Introductory Note (8) should be resolved in order to clarify the filing requirements for the acknowledgment form. The decision should then be disseminated to all departments.

C. INCONSISTENCY IN DISCLOSURE REQUIREMENTS

Section 2(a) (iii) (1) of the Code of Ethics requires those officers and employees subject to disclosure of their interests to identify "...any corporation for profit in which he, and/or his spouse, and/or any of his children holds 5% or more of the stock." However, the form used for disclosing interests (Form III) only requires disclosure of the stock holdings of the individual filing the statement.

Action Required

The language appearing in Form III relating to the disclosure of stock interests should be made consistent with that used in Section 2 of the Code. This would provide additional assurance that the intent of the Code relative to the disclosure of all interests is being consistently adhered to.

ERIE COUNTY CODE OF ETHICS REVIEW
COMPARISON OF PERSONS SUBJECT TO DISCLOSURE
WITH
DISCLOSURE STATEMENTS ON FILE
AS AT APRIL 30, 1980

Department or Administrative Unit	Subject to Disclosure(2)	Disclosures on File With County Clerk	Disclosures Not on File With County Clerk	Filed After Being Contacted by Comptroller's Office
Senior Services	22	22		14 ✓
Board of Elections	8	8		
Budget Division	6	5	1	
Bflo. & Erie Co. Library	12	12		5 ✓
Central Police Services	7	5	2	
Central Services Comptroller	①	1		
Correctional Facility	5	3	2	
County Clerk	8	6	2	
County Executive	15	8	7	
Criminal Justice Planning	①	1		
Data Processing	8	6	2	
District Attorney(1)	117	116	1	52
Employment & Training	5	4	1	1
Environment & Planning	5	2	3	
Erie Community College	4	1	3	
Health Care Center	107	37	70	
Erie Co. Laboratory	②	2		
Regional Planning Board(1)	35	33	2	2
Finance Dept.	5	5		
Fire Safety	②	2		
Forensic Clinic	11	6	5	
Health Dept.	3	3		
Juvenile Detention	②	2		
Law Dept.	29	29		
Legislative	30	30		
Mental Health	12	9	3	
Parks & Recreation	15	15		5 ✓
Personnel Dept.	5	5		1 ✓
Probation Dept.	3	3		
Public Works	131	95	36	
Purchase Division	13	13		7 ✓
Sheriff	42	9	33	
Social Services(1)	1275	64	1211(4)	
Veterans Services	②	2		
Youth Bureau	②	2		
Labor Relations	①		1	
TOTALS	1975/1957	572	1385	87(3)

- (1) Departmental policy requires all persons to file disclosures.
- (2) Sources of information were listings of persons subject to disclosure requirements provided by departments and the "Erie County Classification Schedule."
- (3) Included in total of disclosures on file.
- (4) Contrary to the requirements of the Code, a copy of the disclosure forms was retained in the department, but, one was not filed in the County Clerk's office.

APPENDIX TWO

A listing of legislative appointments to the Board of Ethics

Erie County Ethics Board Appointments and Term					
Date	Legislation #	Description	2007	2008	2009
12/22/04	comm 30E-42 CE	re-appt Ethics	David Mineo (Chairman) 12/22/04-12/31/09	David Mineo (Chairman)	David Mineo (Chairman)
2/5/04	comm 4E-31 CE	re-appt Ethics	Anne S. Simet 2/5/04- 12/31/08	Anne S. Simet	
11/18/07	comm 25E-20 CE	re-appt Ethics	Joseph P. DiVencenzo 11/18/04-12/31/07		
10/25/07	comm 16E-16 CE	appt Ethics	Steven Schwartz 10/25/07- 12/31/11	Steven Schwartz	Steven Schwartz
4/23/09	comm 6E-8 CE	appt Ethics			Maria LoTempio-Dines 4/23/09- 12/31/12
9/18/08	comm 13E-14 CE	appt Ethics		Sue Agos-Quinn 9/18/08- 12/31/12 **	Sue Agos-Quinn **

** Sue Agos-Quinn's appointment was not approved by the Legislature, but minutes list her as both an ex-officio member and as a member.

APPENDIX THREE

Blank copies of the 2008 Financial Disclosure Form for Erie County, the 2009 New York State Financial Disclosure Form and the 2009 Financial Disclosure Statement used by the Erie County Water Authority

County Position(s) _____

Board(s) and/or Committee(s) _____

Paid _____

Unpaid _____

**ANNUAL STATEMENT OF FINANCIAL DISCLOSURE FOR THE
COUNTY OF ERIE
FOR CALENDAR YEAR 2008**

(Include information for the period from 1-1-2008 to 12-31-2008)

Part A

1. Name & Address

First Name

Middle Initial

Last Name

Title

Department or Agency

Department or Agency Address

Residential Address

2. Spouse & Children

Marital Status: _____

Name of Spouse: _____

Dependent child/Age*

Dependent child/Age

Dependent child/Age

Dependent child/Age

Dependent child/Age

Dependent child/Age

* Dependent child is defined as a son, daughter or stepchild under 18, unmarried and living in your household.

Name: _____

3. Interest in Contracts

Describe any monetary interest and/or connection of you, your spouse or your dependent children in any contract involving the County or any municipal corporation located within the County of Erie.

Name of Family Member	Contract Description
_____	_____
_____	_____
_____	_____

4. Political Parties

List any positions you have held within the past five (5) years as an officer of any political party.

5. Gifts and Honoraria

The term "gifts" includes gifts of cash, property, personal items, services, payments to third parties on your behalf, loans, forgiveness of debt, honoraria, travel, entertainment, hospitality, tickets, any financial transaction on terms not available to the general public, and any other payments that are not reportable as income. The term "gifts" shall not include normal hospitality or promotional materials received within the past year if such hospitality or materials which when aggregated by source, do not exceed \$75.00 in value and are not received in circumstances in which it might reasonably be inferred that they were given with the intention to influence or reward you in relation to the performance of your duties.

Name: _____

List the source of all gifts received during the preceding calendar year by you, your spouse, or dependent child in excess of \$75.00, excluding gifts from a relative.

Gifts/Honoraria

Source

Part B

Note: For questions 6 to 8, do not report exact dollar amounts. Instead, report categories of amounts using the following:

Category A: Under \$5,000

Category D: \$25,001 to \$50,000

Category B: \$5,001 to \$10,000

Category E: \$50,001 to \$100,000

Category C: \$10,001 to \$25,000

Category F: Over \$100,000

6. Financial Interests

- a. **Business Positions.** List any office, trusteeship, directorship, partnership or other position in any business, association, proprietary or not-for-profit organization held by you, or your spouse or dependent children, if any, and indicate whether these businesses are involved with the County of Erie or any agency in any manner.

Name of Family Member	Position	Organization	Nature of Involvement with County or Agency
_____	_____	_____	_____
_____	_____	_____	_____

- b. **Outside Employment.** Describe any outside occupation, employment, trade, business or profession providing more than \$1,000/year for you or your spouse or dependent children, if any, and indicate whether such activities are regulated by any state or local agency.

Name of Family Member	Position	Organization	Nature of Involvement with County or Agency
_____	_____	_____	_____
_____	_____	_____	_____

Name: _____

- c. **Future Employment.** Describe any contract or agreement you and anyone else with respect to your employment after leaving your County office or position.

- d. **Past Employment.** Identify the source and nature of any income in excess of \$1,000 during the reporting year from any prior employer, including deferred income, contributions to a pension or retirement fund, profit sharing plan, severance pay or payments under a buy-out agreement.

Name and Address of income source	Description of (i.e. Pension, Deferred, etc.)	Category of amount
_____	_____	_____
_____	_____	_____
_____	_____	_____

- e. **Investments.** Itemize and describe all investments which exceed a value of \$5,000 (except for investments held as shares of fractional interests of an entity or enterprise, where the value of such investment does not exceed 5% of the total value of the entity or enterprise) in any business, corporation, partnership or other assets, excluding personal savings and retirement accounts, but including stocks, bonds, loans, pledged collateral and other investments, for you or your spouse or dependent children, if any.

Name and Address of Family Member	Description of investment or business	Category of amount
_____	_____	_____
_____	_____	_____
_____	_____	_____

- f. **Real Estate.** List the location of all real estate, including your personal residence, within the County of Erie in which you, your spouse or dependent children, if any, have an interest, regardless of the value of such real estate.

Name of Family Member	Address of Real Estate	Category of amount
_____	_____	_____
_____	_____	_____

Name: _____

- g. **Trusts.** Identify each interest in a trust or estate or similar beneficial interest in any assets in excess of \$2,000 (except for IRS eligible retirement plans or interests in an estate or trust of a relative) for you and your spouse and dependent children.

Name of Family Member	Trustee	Description Trust	Category of Amount
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

- h. **Other Income.** Identify the source and nature of any income in excess of \$1,000/year from any source not described above, including teaching income, lecture fees, consultant fees, contractual income or other income of any nature, for you or your spouse or your dependent children, if any.

Name of Family Member	Name, Address Income Source	Nature of Income	Category of Amount
_____	_____	_____	_____
_____	_____	_____	_____

7. **Third-Party Reimbursements**

Identify and describe the source of any third-party payment or reimbursement for County of Erie travel-related expenditures in excess of \$250.00 for any matter that relates to your official duties. The term "reimbursement" includes any travel-related expenses provided by anyone other than the County for speaking engagements, conferences or fact-finding events that relate to your official duties.

Source	Description	Category Of Amount
_____	_____	_____
_____	_____	_____
_____	_____	_____

Name: _____

8. Debts

Describe all debts of you, your spouse, and dependent children in excess of \$5,000 (other than debts owed to relatives, mortgages on your primary residence and retail accommodations such as charge accounts, lines of credit and credit cards, extended in the normal course of business, which are ordinarily available to the general public by financial institutions and/or merchants and which are not extended in circumstances in which it might be reasonably inferred that they were extended with the intention to influence or reward you in relation to the performance of your duties):

Name of Family Member	Name of Creditor	Category of Amount
_____	_____	_____
_____	_____	_____
_____	_____	_____

Sworn and subscribed by me

This ____ day of _____, 20____

Signature

NOTE: YOUR SIGNATURE DOES NOT HAVE TO BE ACKNOWLEDGED BY A NOTARY PUBLIC; YOU ARE SIMPLY SWEARING THE VERACITY OF THE INFORMATION YOU HAVE PROVIDED ON THE FORM.

State of New York
COMMISSION ON PUBLIC INTEGRITY
540 Broadway
Albany, NY 12207

Annual Statement of Financial Disclosure: For calendar year 2009

1. NAME (Last)	(First)	(MI)
2. (a) TITLE OF POSITION	(b) DEPARTMENT, AGENCY OR OTHER GOVERNMENTAL ENTITY	
(c) ADDRESS OF PRESENT OFFICE	(d) OFFICE TELEPHONE NUMBER ()	
3. (a) MARITAL STATUS	IF MARRIED, PLEASE GIVE SPOUSE'S FULL NAME (including maiden name where applicable)	
(b) LIST THE NAMES OF ALL UNEMANCIPATED CHILDREN		

Answer each of the following questions completely, with respect to calendar year 2009, unless another period or date is otherwise specified. If additional space is needed, attach additional pages.

Whenever a "value" or "amount" is required to be reported herein, such value or amount shall be reported as being within one of the following Categories: Category A - under \$5,000; Category B - \$5,000 to under \$20,000; Category C - \$20,000 to under \$60,000; Category D - \$60,000 to under \$100,000; Category E - \$100,000 to under \$250,000; and Category F - \$250,000 or over. A reporting individual shall indicate the Category by letter only. Categories are not subject to public inspection.

Whenever "income" is required to be reported herein, the term "income" shall mean the aggregate net income before taxes from the source identified.

The term "calendar year" shall mean the year ending December 31st preceding the date of filing of the annual statement.

4. (a) List any office, trusteeship, directorship, partnership, or position of any nature, whether compensated or not, held by the reporting individual with any firm, corporation, association, partnership, or other organization other than the State of New York. Include compensated honorary positions; do NOT list membership or uncompensated honorary positions. If the listed entity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant part of the business or activity or said entity, did business with, or had matters other than ministerial matters before any state or local agency, list the name of any such agency.

☐ NONE

POSITION

ORGANIZATION

STATE OR
LOCAL AGENCY

4. (b) List any office, trusteeship, directorship, partnership, or position of any nature, whether compensated or not, held by the spouse or unemancipated child of the reporting individual, with any firm, corporation, association, partnership, or other organization other than the State of New York. Include compensated honorary positions; do NOT list membership or uncompensated honorary positions. If the listed entity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before, any state or local agency, list the name of any such agency.

☐ NONEPOSITIONORGANIZATION

STATE OR

LOCAL AGENCY

5. (a) List the name, address and description of any occupation, employment (other than the employment listed under Item 2 above), trade, business or profession engaged in by the reporting individual. If such activity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before, any state or local agency, list the name of any such agency.

☐ NONEPOSITIONNAME AND ADDRESS
OF ORGANIZATIONDESCRIPTION

STATE OR

LOCAL AGENCY

- | NAME AND ADDRESS
OF ORGANIZATION | POSITION | STATE OR
LOCAL AGENCY |
|-------------------------------------|----------|--------------------------|
| | NONE | |

- | CATEGORY OF
VALUE OF CONTRACT | CONTRACTING STATE
OR LOCAL AGENCY | RELATIONSHIP TO ENTITY
AND INTEREST IN CONTRACT | ENTITY WHICH HELD
INTEREST IN CONTRACT | NONE | |
|----------------------------------|--------------------------------------|--|---|--------------------------|--|
| | | | | SELF, SPOUSE
OR CHILD | |
| | | | | | |

VALUE/AMOUNT CATEGORIES	A - UNDER \$5,000	B - \$5,000 to under \$20,000	C - \$20,000 to under \$60,000	D - \$60,000 to under \$100,000	E - \$100,000 to under \$250,000	F - \$250,000 or over
1. Total	100	100	100	100	100	100
2. Total	100	100	100	100	100	100
3. Total	100	100	100	100	100	100
4. Total	100	100	100	100	100	100
5. Total	100	100	100	100	100	100
6. Total	100	100	100	100	100	100
7. Total	100	100	100	100	100	100
8. Total	100	100	100	100	100	100
9. Total	100	100	100	100	100	100
10. Total	100	100	100	100	100	100
11. Total	100	100	100	100	100	100
12. Total	100	100	100	100	100	100
13. Total	100	100	100	100	100	100
14. Total	100	100	100	100	100	100
15. Total	100	100	100	100	100	100
16. Total	100	100	100	100	100	100
17. Total	100	100	100	100	100	100
18. Total	100	100	100	100	100	100
19. Total	100	100	100	100	100	100
20. Total	100	100	100	100	100	100
21. Total	100	100	100	100	100	100
22. Total	100	100	100	100	100	100
23. Total	100	100	100	100	100	100
24. Total	100	100	100	100	100	100
25. Total	100	100	100	100	100	100
26. Total	100	100	100	100	100	100
27. Total	100	100	100	100	100	100
28. Total	100	100	100	100	100	100
29. Total	100	100	100	100	100	100
30. Total	100	100	100	100	100	100
31. Total	100	100	100	100	100	100
32. Total	100	100	100	100	100	100
33. Total	100	100	100	100	100	100
34. Total	100	100	100	100	100	100
35. Total	100	100	100	100	100	100
36. Total	100	100	100	100	100	100
37. Total	100	100	100	100	100	100
38. Total	100	100	100	100	100	100
39. Total	100	100	100	100	100	100
40. Total	100	100	100	100	100	100
41. Total	100	100	100	100	100	100
42. Total	100	100	100	100	100	100
43. Total	100	100	100	100	100	100
44. Total	100	100	100	100	100	100
45. Total	100	100	100	100	100	100
46. Total	100	100	100	100	100	100
47. Total	100	100	100	100	100	100
48. Total	100	100	100	100	100	100
49. Total	100	100	100	100	100	100
50. Total	100	100	100	100	100	100
51. Total	100	100	100	100	100	100
52. Total	100	100	100	100	100	100
53. Total	100	100	100	100	100	100
54. Total	100	100	100	100	100	100
55. Total	100	100	100	100	100	100
56. Total	100	100	100	100	100	100

7. List any position the reporting individual held as an officer of any political party or political organization, as a member of any political party committee, or as a political party district leader. The term "party" shall have the same meaning as "party" in the Election Law. The term "political organization" means any party or independent body as defined in the Election Law or any organization that is affiliated with or a subsidiary of a party or independent body.

☐ NONE

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8. (a) If the reporting individual practices law, is licensed by the Department of State as a real estate broker or agent, or practices a profession licensed by the Department of Education, give a general description of the principal subject areas of matters undertaken by such individual. Additionally, if such an individual practices with a firm or corporation and is a partner or shareholder of the firm or corporation, give a general description of principal subject areas of matters undertaken by such firm or corporation. Do not list the name of individual clients, customers or patients.

☐ NONE

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- (b) List the name, principal address and general description or the nature of the business activity of any entity in which the reporting individual or such individual's spouse had an investment in excess of \$1,000 excluding investments in securities and interests in real property.

☐ NONE

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9. List each source of gifts, EXCLUDING campaign contributions, in EXCESS of \$1,000, received during the reporting period for which this statement is filed by the reporting individual or such individual's spouse or unemancipated child from the same donor, EXCLUDING gifts from a relative. INCLUDE the name and address of the donor. The term "gifts" does not include reimbursements, which term is defined in Item 10. Indicate the value and nature of each such gift.

☐ NONE

SELF, SPOUSE
OR CHILD

NAME OF DONOR
ADDRESS
NATURE OF GIFT
CATEGORY OF
VALUE OF GIFT

NAME OF DONOR	ADDRESS	NATURE OF GIFT	CATEGORY OF VALUE OF GIFT

10. Identify and briefly describe the source of any reimbursements for expenditures, EXCLUDING campaign expenditures and expenditures in connection with official duties reimbursed by the state, in EXCESS of \$1,000 from each such source. For purposes of this item, the term "reimbursements" shall mean any travel-related expenses provided by non-governmental sources and for activities related to the reporting individual's official duties such as, speaking engagements, conferences, or fact finding events. The term "reimbursement" does NOT include gifts reported under Item 9.

☐ NONE

SOURCE

DESCRIPTION

SOURCE	DESCRIPTION

VALUE/AMOUNT
CATEGORIES

A - UNDER \$5,000
B - \$5,000 to under \$20,000

C - \$20,000 to under \$60,000
D - \$60,000 to under \$100,000

E - \$100,000 to under \$250,000
F - \$250,000 or over

11. List the identity and value, if reasonably ascertainable, of each interest in a trust, estate or other beneficial interest, including retirement plans other than retirement plans of the State of New York or the City of New York, and deferred compensation plans (e.g., 401, 403(b), 457, etc.) established in accordance with the Internal Revenue Code in which the REPORTING INDIVIDUAL held a beneficial interest in EXCESS of \$1,000 at any time during the preceding year. Do NOT report interests in a trust, estate or other beneficial interest established by or for, or the estate of, a relative.

☐ NONE

IDENTITY

CATEGORY OF
VALUE *

* THE VALUE OF SUCH INTEREST SHALL BE REPORTED ONLY IF REASONABLY ASCERTAINABLE

12. (a) Describe the terms of, and the parties to, any contract, promise, or other agreement between the reporting individual and any person, firm, or corporation with respect to the employment of such individual after leaving office or position (other than a leave of absence).

☐ NONE

(b) Describe the parties to and the terms of any agreement providing for continuation of payments or benefits to the REPORTING INDIVIDUAL in EXCESS of \$1,000 from a prior employer OTHER THAN the State. (This includes interests in or contributions to a pension fund, profit-sharing plan, or life or health insurance; buy-out agreements; severance payments; etc.)

☐ NONE

13. List below the nature and amount of any income in EXCESS of \$1,000 from EACH SOURCE for the reporting individual and such individual's spouse for the taxable year last occurring prior to the date of filing. Nature of income includes, but is not limited to, all income (other than that received from the employment listed under Item 2 above) from compensated employment whether public or private, directorships and other fiduciary positions, contractual arrangements, teaching income, partnerships, honorariums, lecture fees, consultant fees, bank and bond interest, dividends, income derived from a trust, real estate rents, and recognized gains from the sale or exchange of real or other property. Income from a business or profession and real estate rents shall be reported with the source identified by the building address in case of real estate rents and otherwise by the name of the entity and not by the name of the individual customers, clients or tenants, with the aggregate net income before taxes for each building address or entity. The receipt of maintenance received in connection with a matrimonial action, alimony and child support payments shall not be listed.

☐ NONE

SELF/SPOUSE	SOURCE	NATURE	CATEGORY OF AMOUNT

14. List the sources of any deferred income (not retirement income) in EXCESS of \$1,000 from each source to be paid to the reporting individual following the close of the calendar year for which this disclosure statement is filed, other than deferred compensation reported in Item 11 hereinabove. Deferred income derived from the practice of a profession shall be listed in the aggregate and shall identify as the source, the name of the firm, corporation, partnership or association through which the income was derived, but shall not identify individual clients.

☐ NONE

SOURCE	CATEGORY OF AMOUNT

VALUE/AMOUNT	A - UNDER \$5,000	C - \$20,000 to under \$60,000	E - \$100,000 to under \$250,000
CATEGORIES	B - \$5,000 to under \$20,000	D - \$60,000 to under \$100,000	F - \$250,000 or over

☐ NONE

ASSIGNED OR
TRANSFERRED TO

CATEGORY OF VALUE	VALUE
1. Category 1	1. Category 1
2. Category 2	2. Category 2
3. Category 3	3. Category 3
4. Category 4	4. Category 4
5. Category 5	5. Category 5
6. Category 6	6. Category 6
7. Category 7	7. Category 7
8. Category 8	8. Category 8
9. Category 9	9. Category 9
10. Category 10	10. Category 10
11. Category 11	11. Category 11
12. Category 12	12. Category 12
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90. Category 90	90. Category 90
91. Category 91	91. Category 91
92. Category 92	92. Category 92
93. Category 93	93. Category 93
94. Category 94	94. Category 94
95. Category 95	95. Category 95
96.	

16. List below the type and market value of securities held by the reporting individual or such individual's spouse from each issuing entity in EXCESS of \$1,000 at the close of the taxable year last occurring prior to the date of filing, including the name of the issuing entity exclusive of securities held by the reporting individual issued by a professional corporation. Whenever an interest in securities exists through a beneficial interest in a trust, the securities held in such trust shall be listed ONLY IF the reporting individual has knowledge thereof except where the reporting individual or the reporting individual's spouse has transferred assets to such trust for his or her benefit in which event such securities shall be listed unless they are not ascertainable by the reporting individual because the trustee is under an obligation or has been instructed in writing not to disclose the contents of the trust to the reporting individual. Securities of which the reporting individual or the reporting individual's spouse is the owner of record but in which such individual or the reporting individual's spouse has no beneficial interest shall not be listed. Indicate percentage of ownership ONLY if the reporting person or the reporting person's spouse holds more than five percent (5%) of the stock of a corporation in which the stock is publicly traded or more than ten percent (10%) of the stock of a corporation in which the stock is NOT publicly traded. Also list securities owned for investment purposes by a corporation more than fifty percent (50%) of the stock of which is owned or controlled by the reporting individual or such individual's spouse. For the purpose of this item the term "securities" shall mean mutual funds, bonds, mortgages, notes, obligations, warrants and stocks of any class, investment interests in limited or general partnerships and certificates of deposits (CDs) and such other evidences of indebtedness and certificates of interest as are usually referred to as securities. The market value for such securities shall be reported only if reasonably ascertainable and shall not be reported if the security is an interest in a general partnership that was listed in Item 8(a) or if the security is corporate stock, NOT publicly traded, in a trade or business of a reporting individual or a reporting individual's spouse.

☐ NONE

**CATEGORY OF
MARKET VALUE**

****CATEGORY OF MARKET VALUE AS OF THE CLOSE OF THE TAXABLE YEAR LAST OCCURRING PRIOR TO THE FILING OF THIS STATEMENT.**

E - \$100,000 to under \$250,000

F - \$250,000 or over

17. List below the location, size, general nature, acquisition date, market value and percentage of ownership of any real property in which any vested or contingent interest in EXCESS of \$1,000 is held by the reporting individual or the reporting individual's spouse. Also list real property owned for investment purposes by a corporation more than fifty percent (50%) of the stock of which is owned or controlled by the reporting individual or such individual's spouse. Do NOT list any real property which is the primary or secondary personal residence of the reporting individual or the reporting individual's spouse, except where there is a co-owner who is other than a relative.

☐ NONE

SELF/SPOUSE/ CORPORATION	LOCATION	SIZE	GENERAL NATURE	ACQUISITION DATE	PERCENTAGE OF OWNERSHIP	CATEGORY OF MARKET VALUE

18. List below all notes and accounts receivable, other than from goods or services sold, held by the reporting individual at the close of the taxable year last occurring prior to the date of filing and other debts owed to such individual at the close of the taxable year last occurring prior to the date of filing, in EXCESS of \$1,000, including the name of the debtor, type of obligation, date due and the nature of the collateral securing payment of each, if any, excluding securities reported in Item 16 hereinabove. Debts, notes and accounts receivable owed to the individual by a relative shall not be reported.

☐ NONE

NAME OF DEBTOR	TYPE OF OBLIGATION, DATE DUE, AND NATURE OF COLLATERAL, IF ANY	CATEGORY OF AMOUNT

VALUE/AMOUNT	A - UNDER \$5,000	C - \$20,000 to under \$60,000	E - \$100,000 to under \$250,000
CATEGORIES	B - \$5,000 to under \$20,000	D - \$60,000 to under \$100,000	F - \$250,000 or over

19. List below all liabilities of the reporting individual and such individual's spouse, in EXCESS of \$5,000 as of the date of filing of this statement, other than liabilities to a relative. Do NOT list liabilities incurred by, or guarantees made by, the reporting individual or such individual's spouse or by any proprietorship, partnership or corporation in which the reporting individual or such individual's spouse has an interest, when incurred or made in the ordinary course of the trade, business or professional practice of the reporting individual or such individual's spouse. Include the name of the creditor and any collateral pledged by such individual to secure payment of any such liability. A reporting individual shall not list any obligation to pay maintenance in connection with a matrimonial action, alimony or child support payments. Any loan issued in the ordinary course of business by a financial institution to finance educational costs, the cost of home purchase or improvements for a primary or secondary residence, or purchase of a personally owned motor vehicle, household furniture or appliances shall be excluded. If any such reportable liability has been guaranteed by any third person, list the liability and name the guarantor.



NONE

NAME OF CREDITOR
OR GUARANTOR

TYPE OF LIABILITY AND
COLLATERAL, IF ANY

CATEGORY OF
AMOUNT

The requirements of law relating to the reporting of financial interests are in the public interest and no adverse inference of unethical or illegal conduct or behavior will be drawn merely from compliance with these requirements

X

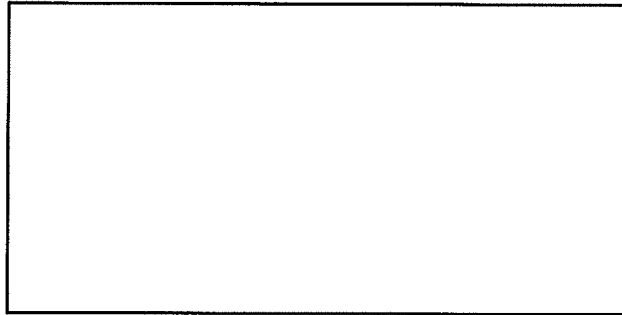
(Signature of Reporting Individual)

Date (month/day/year)

REMINDERS:

- Please review the Statement to ensure all questions have been answered, including both parts (a) and (b) for questions 3, 4, 5, 8 and 12.
- Please remember to sign and date the Statement.
- Please keep a copy of the completed Statement for your records.
- Please be aware that any sheets attached to the Statement are also subject to public inspection.

VALUE/AMOUNT	A - UNDER \$5,000	C - \$20,000 to under \$60,000	E - \$100,000 to under \$250,000
CATEGORIES	B - \$5,000 to under \$20,000	D - \$60,000 to under \$100,000	F - \$250,000 or over



If the address label is either missing or incorrect, please print your correct home address on the lines below:

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ERIE COUNTY WATER AUTHORITY

CONFLICTS OF INTEREST AND FINANCIAL DISCLOSURE STATEMENT

I hereby acknowledge receipt and review of the Erie County Water Authority's Code of Ethics Statement and that I understand its content and intent. In compliance with the Code of Ethics I have answered one of the two statements listed below.

1. Pursuant to the ECWA's Code of Ethics, I wish to disclose any financial interest or stock holdings (except where such holdings represent less than 5% ownership of a widely held corporation whose stock is quoted and sold on the open market) that may constitute a conflict of interest:

Dated this _____ day of _____, 20____.

(Signature)

(Print name)

(Position and Department)

2. Pursuant to the ECWA's Code of Ethics, I hold that I have no outside financial interest or stock holdings (that represent a 5% or more ownership of a widely held corporation whose stock is quoted and sold on the open market) that might create a conflict of interest.

Dated this _____ day of _____, 20____.

(Signature)

(Print name)

(Position and Department)

On this _____ day of _____, 20____ before me personally came _____
to me known to be the person who executed the foregoing statement, and acknowledged the
execution thereof.

Notary Public (Affix Stamp)

APPENDIX FOUR

A listing of those persons who did not file an Ethics Disclosure Form and a listing of the number of forms filed.

Appendix Four

Departments/Boards/Political Party	2008 Filers 1/1/07-12/31/07	Should Be ⁽¹⁾	2009 Filers 1/1/08-12/31/08	Should Be ⁽¹⁾	2010 Filers 1/1/09-12/31/09	Should Be ⁽¹⁾	Comments ⁽²⁾
Board of Elections	4	4	4	4	5	7	Eve and Thompson
Board of Ethics	0	3	1	3	2	4	DiVenanzo, Mineo, Simet, Simet and Schwartz
Budget	2	2	2	3	5	5	Cercone
Candidates for Office	0	26	2	3	15	20	Sedita, Rooney, Hernandez, Williams, Strauch and Quinlan
Central Police Services	1	1	1	1	1	1	
Commission on the Status of Women	1	1	1	1	0	0	
Comptroller	7	7	7	7	7	7	
Conservative Party	1	1	1	1	1	1	
Clerk	8	8	8	10	9	9	Dillon and Sorrentino
County Executive	4	4	6	6	4	5	Hammonds
Democratic Party	1	1	1	1	1	1	
Division of Information & Support Services	4	4	3	5	2	2	Macmurray, Stevenson
District Attorney	26	26	25	25	22	22	
Erie Community College	26	26	23	23	24	25	Gaglione
Erie County Industrial Development Agency	18	18	17	17	16	21	Brandon, Busse, Dandes, Mohan, Vogan
Equal Employment Opportunity	1	1	1	1	1	1	
Environment and Planning	9	9	14	16	14	18	Murray, Sinnott, Horton, Schunk
Erie County Water Authority	33	33	N/A	N/A	N/A	N/A	
Emergency Services	0	3	3	3	3	4	Messing
Fleet Services	1	1	0	0	0	0	Bartholomew resigned 1/1/08
Health	18	18	18	18	15	19	Van Wagner, Webster, Galluzzo, Kumrow
Independence Party	1	1	1	1	1	1	
Labor Relations	3	3	2	2	2	2	
Law	17	17	17	17	16	19	Dudek, Reina, Tuppen
Legislature	23	23	21	21	24	24	
Mental Health	2	2	2	2	2	2	
Office of the Disabled	0	1	1	1	1	1	Kaznica
Parks	3	3	2	3	2	2	Sedita
Personnel	3	3	2	2	2	2	
Probation	3	3	2	3	2	2	Martin
Public Works	3	3	4	5	3	5	Gonsiorek, Gonsiorek, Quinn
Public Advocacy	0	0	0	0	1	1	
Purchase	6	6	5	5	5	6	Bower
Real Property	2	2	2	2	1	2	Wahl
Republican Party	1	1	1	1	1	1	
Senior Services	1	1	1	1	1	1	
Sewer	0	0	10	10	7	7	
Sewer Board	35	35	30	30	30	30	
Sheriff	10	10	11	12	11	12	Rankin, Flynn
Social Services	24	24	27	27	26	30	Kulbacki, Sobolewski, DeMartino, D'Orazio
Veterans	1	1	1	1	1	1	
TOTAL	303	-	280	-	286	-	
(number of filers per Personnel)		336		294		323	
(number of filers per review)	-		-		-		
Difference		33		14		37	

(1) The Column "Should Be" represents Audit's opinion as to the number of persons who should file a Disclosure. The names to support the "Should Be" figure have been provided to the Board and are subject to the Board's approval. The "Should Be" figure also includes those persons who did not file a Disclosure despite being informed they should.

(2) The "Comments" column lists the last name of those persons who didn't file, or who we believe should file.

Individuals who did not file an Ethics Disclosure Form for 2009				
NUMBER	DEPARTMENT	TITLE	SALUTATION	FIRST NAME LAST NAME
1	Board of Elections	Deputy Commissioner	Mr.	Arthur Eve, Jr.
2	Candidate	Legislator Candidate	Mr.	Ralph Hernandez
3	Candidate	Legislator Candidate	Mr.	Dylan Quinlan
4	Candidate	Legislator Candidate	Mr.	Justin Rooney
5	Candidate	Legislator Candidate	Mr.	Eric Strauch
6	Candidate	Legislator Candidate	Mr.	Matthew Williams
7	County Executive	Deputy County Executive (1)	Mr.	Al Hammonds
8	ECC	Board of Trustees	Ms.	Nancy Gaglione
9	ECIDA	Board Member	Mr.	Barry Brandon
10	ECIDA	Board Member	Ms.	Mary Busse
11	ECIDA	Board Member	Mr.	Jonathan Dandes
12	ECIDA	Board Member	Hon.	Satish Mohan
13	ECIDA	Board Member	Mr.	Richard Vogan
14	Environment & Planning	Coordinator of Sewer Project Construction Deputy Commissioner of Planning and Environmental Compliance	Ms.	Angela Horton
15	Environment & Planning	Senior Project Engineer	Mr.	William Murray
16	Environment & Planning	Commissioner	Mr.	Clayton Schunk
17	Environment & Planning	Board Member	Ms.	Holly Sinnott
18	Health	Board Member	Mr.	Dennis Galluzzo
19	Health	Board Member	Ms.	Krista Van Wagner
20	Health	Board Member	Dr.	Nathanial Webster
21	Purchasing	Surplus & Equipment Worker	Mr.	Michael Bower
22	Social Services	Director - Medicaid & Managed Care	Mr.	Jim Kulbacki

(1) On August 5, 2010, after our Exit Meeting, Audit was informed that Al Hammonds had filed his Disclosure Form. It was dated August 4, 2010.