

STATE OF NEW YORK: COUNTY OF SUFFOLK
SUFFOLK COUNTY BOARD OF ETHICS

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In the Matter of the Inquiry of

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STATE OF NEW YORK: COUNTY SUFFOLK
COUNTY BOARD OF ETHICS
Advisory Opinion 2017-17
January 3, 2018

NOTICE: THIS ADVISORY OPINION IS SUBJECT TO REVISION OR WITHDRAWAL

Applications requesting its modification, clarification, or withdrawal must be made in accordance with Suffolk County Board of Ethics rules. Unless an application for the revision or withdrawal of an advisory opinion is timely received, it shall become final. Nothing shall prohibit the Suffolk County Board of Ethics, on its own motion, from reconsidering, revising or withdrawing an advisory opinion at any time.

Summary: The Requestor, a Department of Economic Development Aviation Division employee, has submitted an advisory opinion request to the Suffolk County Board of Ethics asking the Board to review potential spousal conflicts for her husband’s potential procurement opportunities in the Town of ██████████. Under the facts presented, it is not a conflict of interest that falls under the Board’s purview for review under § A30-3 , Advisory Opinions.

Analyzed Laws and Rules: The Laws of Suffolk County; Suffolk County Administrative Code XXX, SCBE and COIB Advisory Opinions; and Suffolk County Code Chapter 77, the Suffolk County Board of Ethics Rules, and, § A30-3 , Advisory Opinions.

Procedural History: This Advisory Opinion Standing vote occurred on 12/20/17, with fact finding concluding on 12/28/17. On 1/3/2018, the Board determined by majority vote that there is not a conflict of interest that falls under the Board’s purview for review under § A30-3 , Advisory Opinions.

Opinion: The Requestor, a Department of Economic Development Aviation Division employee, has submitted an advisory opinion request to the Suffolk County Board of Ethics asking the Board to review potential spousal conflicts for her husband’s potential procurement opportunities in the Town of ██████████. The Board determined that standing exists for this Advisory Opinion request due to the Requestor’s position as a county employee, and within its jurisdiction as future conduct (*Suffolk County Administrative Code §A30-1, §A30-3, Suffolk County Code Chapter 77, §77-1*).

Under the facts presented here, the Board finds the requested topic for review, spousal conflicts for her husband’s potential procurement opportunities in the Town of Brookhaven is a subject matter that is outside the Board’s jurisdiction for review under § A30-3 , Advisory Opinions.

CONCLUSION

Accordingly, the Board finds that pursuant to the Suffolk County Code, the requested future conduct, as

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described herein, it is not a conflict of interest that falls under the Board's purview for review under § A30-3 ,
Advisory Opinions.

Pursuant to Suffolk County Board of Ethics Resolution 004/2013 passed on January 30, 2013, the requester shall have 15 business days from the time this Advisory Opinion has been rendered. (excluding Saturday, Sunday, or a legal holiday) to file a request for reconsideration supported by new material facts submitted to the Board.

The forgoing is the opinion of the Board.

Dated: Great River, New York
January 3, 2018

Eric A. Kopp - Chair