

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re GAIL CONIGLIO,)	Financial Disclosure Appeal No. FD 21-032
)	
Appellant.)	Final Order No. 24-XXX
_____)	

FINAL ORDER

This matter came before the Commission on Ethics, meeting in public session on September 13, 2024, on the appeal of Appellant, pursuant to Section 112.3145(8)(f), Florida Statutes, which assesses an automatic fine of \$25 per day on a person who fails to timely file a required CE Form 1, Statement of Financial Interests. The Commission may waive the fine in whole or in part for good cause shown, based on "unusual circumstances" surrounding the failure to file by the designated date. There are no matters in dispute. Appellant did not request a hearing before the Commission.

Findings of Fact

1. According to information provided to the Commission, Appellant served Mayor of the Town of Palm Beach, a position requiring the filing of a 2020 CE Form 1, Statement of Financial Interests. In 2021, the designated due date for submitting a 2020 CE Form 1 was July 1, 2021, with a grace period ending on September 1, 2021.
2. No later than June 1, 2021, the Palm Beach County Supervisor of Elections sent Appellant a 2020 CE Form 1. This notice was sent to Appellant at 360 S County Rd, Palm Beach, FL 33480.

3. No later than August 1, 2021 the Palm Beach County Supervisor of Elections sent Appellant a notice of delinquency by certified mail. This notice was sent to Appellant at the 360 S County Rd address.

4. On August 20, 2021, the Commission on Ethics mailed Appellant a postcard intended to remind her of her obligation to file a 2020 CE Form 1. The Commission mailed the postcard to the 360 S County Rd address.

5. On September 8, 2021, the Commission on Ethics mailed Appellant a courtesy notice of fines accruing. This letter was sent to the 360 S County Rd address.

6. On September 16, 2021, Appellant submitted her 2020 CE Form 1 to the Palm Beach County Supervisor of Elections, which was fifteen days after the expiration of the grace period.

7. On October 9, 2023, the Commission sent Appellant a notice of assessment of her automatic fine. The notice was sent by mail to the 360 S County Rd address. It indicated the total of Appellant's accrued automatic fine was \$375 and that the deadline to appeal was November 8, 2023.

8. On October 26, 2023, the Commission received Appellant's appeal of her automatic fine for Form Year 2020. In Part B of the appeal form, Appellant checked "lack of notification – failure to receive notice" as the general reason for her appeal. In Part C of the appeal form, where an appellant may provide a detailed explanation for his or her appeal, Appellant wrote that her tenure as Mayor ended in March of 2021. Appellant explained that the notices were sent to the town hall, not her home address. Due to isolation measures during the COVID-19 Pandemic, Appellant stated that visits to the town hall were restrictive and she was thus delayed in receiving notice.

Conclusions of Law

9. The Commission has jurisdiction over the subject matter of this proceeding pursuant to Section 112.3145, Florida Statutes.

10. Financial disclosure is required of public officials and employees because it enables the public to evaluate potential conflicts of interest, deters corruption, and increases public confidence in government.

11. Section 112.3145(8)(f)2., Florida Statutes, states:

Any reporting person may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and is entitled to a hearing before the commission, which may waive the fine in whole or in part for good cause shown. Any such request must be in writing and received by the commission within 30 days after the notice of payment due is transmitted. In such a case, the reporting person must, within the 30-day period, notify the person designated to review the timeliness of reports in writing of his or her intention to bring the matter before the commission. For purposes of this subparagraph, the term "unusual circumstances" does not include the failure to monitor an e-mail account or failure to receive notice if the person has not notified the commission of a change in his or her e-mail address.

12. Here, Appellant notes that she did not receive notice of her filing requirement because the notices were sent to her former public office rather than her home address. Additionally Appellant related that visits to the town hall were restrictive in nature at this time due to the COVID-19 pandemic. There is no evidence to dispute Appellant's claim that she did not receive notice of her filing requirement. Considering Appellant's claims, and that there is no evidence showing otherwise, there are "unusual circumstances" here that justify waiving the \$375 fine.

Order

Based on the foregoing facts and conclusions of law, the Commission hereby finds that unusual circumstances for failure to file have been demonstrated. We therefore waive the assessed fine of \$375.

ORDERED by the State of Florida Commission on Ethics meeting in public session on Friday, September 13, 2024.

Date Rendered

XXXXX

Chair, Florida Commission on Ethics

THIS ORDER CONSTITUTES FINAL AGENCY ACTION. ANY PARTY WHO IS ADVERSELY AFFECTED BY THIS ORDER HAS THE RIGHT TO SEEK JUDICIAL REVIEW UNDER SECTION 120.68, AND SECTION 112.3241, FLORIDA STATUTES, BY FILING A NOTICE OF ADMINISTRATIVE APPEAL PURSUANT TO RULE 9.110 FLORIDA RULES OF APPELLATE PROCEDURE, WITH THE CLERK OF THE COMMISSION ON ETHICS, AT EITHER 325 JOHN KNOX ROAD, BUILDING E, SUITE 200, TALLAHASSEE, FLORIDA 32303 OR P.O. DRAWER 15709, TALLAHASSEE, FLORIDA 32317-5709; AND BY FILING A COPY OF THE NOTICE OF APPEAL ATTACHED TO WHICH IS A CONFORMED COPY OF THE ORDER DESIGNATED IN THE NOTICE OF APPEAL ACCOMPANIED BY THE APPLICABLE FILING FEES WITH THE APPROPRIATE DISTRICT COURT OF APPEAL. THE NOTICE OF ADMINISTRATIVE APPEAL MUST BE FILED WITHIN 30 DAYS OF THE DATE THIS ORDER IS RENDERED.

XXX: sjz/aln

Ms. Gail Coniglio
1139 North Ocean Blvd
Palm Beach, FL 33480

21-032

205509



STATE OF FLORIDA COMMISSION ON ETHICS

325 John Knox Road
Building E, Suite 200
Tallahassee, FL 32303
Telephone: (850) 488-7864
Fax: (850) 488-3077

Email: disclosure@leg.state.fl.us

FLORIDA
COMMISSION ON ETHICS

OCT 26 2023

RECEIVED

APPEAL OF AUTOMATIC FINE FOR FORM YEAR 2020

DIRECTIONS: The information you provide in this form is critical for processing your appeal in a timely manner.

In Part A, please provide current contact information. If your contact information changes while your appeal is being processed, please notify us.

In Part B, please check any boxes that specify the general reason(s) for your appeal.

In Part C, please explain in detail the reason(s) for your appeal. In addition to your written explanation in Part C, you may attach any documents that support your appeal.

IMPORTANT: TO PRESERVE YOUR RIGHT TO APPEAL, THIS FORM OR OTHER WRITTEN APPEAL (AND ANY ATTACHMENTS) MUST BE FILED WITH (RECEIVED BY) THE COMMISSION ON ETHICS WITHIN THIRTY (30) DAYS OF THE DATE THE NOTICE OF ASSESSMENT OF AUTOMATIC FINE WAS MAILED TO YOU.

PLEASE SEND YOUR COMPLETED FORM TO ONE OF THE FOLLOWING:

Mailing Address: Commission on Ethics
P.O. Drawer 15709
Tallahassee, FL 32317-5709

Physical Address: Commission on Ethics
325 John Knox Road
Building E, Suite 200
Tallahassee, FL 32303

Fax: (850) 488-3077

Email: disclosure@leg.state.fl.us

PART A: YOUR INFORMATION

Name: Gail L. Coniglio

Address: 1139 No. Ocean Blvd City: Palm Beach State: FL Zip: 33480

Daytime Tel.: 561-644-0892 Cell: 561-644-0892

Email: gconiglio pb@gmail.com Filer ID# (if known): (PID# 205509)

Public Employer: Town of Palm Beach

Public Position: Mayor

CONTINUED ON REVERSE SIDE

PART B: GENERAL REASON(S) FOR YOUR APPEAL

Please choose any/all reasons that apply to your appeal.

I hereby appeal the Notice of Assessment of Automatic Fine on the following basis:

- a. **Sickness or injury** (Explain in Part C and attach a statement from attending physician, including dates and nature of illness or injury)
- b. **Lack of notification – Failure to receive notice** (Explain in Part C and provide documentation that supports your assertion that you never received certified mail delinquency notice: for example, incorrect address; misdelivered mail; change in employment; extended absence from home, etc.)
- c. **Claim of timely filing of financial disclosure** (Explain in Part C and provide copy of certified mail receipt and/or copy of completed form which had been previously filed, along with a sworn notarized statement that you filed prior to the deadline)
- d. **Left public position prior to December 31, 2020** (Explain in Part C and provide confirmation from agency that your office-holding/employment ended before 12/31/2020)
- e. **Other unusual circumstance** (Explain in Part C and provide documentation explaining uncommon, rare, or sudden occurrence that prevented timely filing prior to deadline)
- f. **Not required to file** (Explain in Part C and provide documentation that supports reason for not required to file)

PART C: DETAILED EXPLANATION OF YOUR APPEAL

Please provide a detailed explanation of your appeal, including why each option you selected in Part B is applicable to you. You may use the space provided and/or attach additional pages.

My tenure as Mayor ended at the March 2021 election date. However, the notification was sent to Town Hall and not my home address. Therefore, the statement of financial interests was delayed beyond the appropriate filing date. (please see additional page)

OPTIONAL REQUEST FOR HEARING

In addition to this written appeal, I specifically request to appear before the Commission in a hearing pursuant to Section 112.3144(8)(f)3 or Section 112.3145(8)(g)3, Florida Statutes. Commission meetings occur in Tallahassee.

SIGNATURE

I have received and read the Notice of Assessment of Automatic Fine and its instructions on How to Appeal and I understand my options. I am requesting disposition of this matter as indicated.

10/19/2023
DATE

Jail L. Coniglio
SIGNATURE

From: Holmes, Kim HOLMES.KIM@leg.state.fl.us
Subject: Financial Disclosure Certified-Form
Year 2020
Date: 17 Oct 2023 at 3:43:29 PM
To: gconigliopb@gmail.com

Good afternoon, Ms. Coniglio.

Per our telephone conversation, attached is a copy of the certified receipt from the Palm Beach County Supervisor of Elections office. The certified was mailed in July 2021, the first notification was mailed by regular mail mid-May 2021. Both notices were sent to the same address, 360 S County Rd, Palm Beach, FL 33480.

Additionally, according to our records, the courtesy reminders were mailed to the same listed address.

2021 Fine Year Event Chronology		Invoice Transaction	
Date	Type	Description	Reference
08/20/2021	Postcard Sent	Courtesy Postcard Reminder	Print Queue: 8/20/2021 Printing Confirmed: 8/20/2021
Letter Sent To: Mrs Gail L. Coniglio 360 S County Rd Palm Beach, FL 33480-6725			
09/17/2021	Letter Sent	Courtesy Notice of Fines Accruing	Print Queue: 9/17/2021 Printing Confirmed: 9/17/2021
Letter Sent To: Mrs Gail L. Coniglio 360 S County Rd Palm Beach, FL 33480-6725			

If you have any questions or need further assistance, please do not hesitate to contact me.

Sincerely,
Kimberly R. Holmes
Program Administrator
Financial Disclosure Section
Florida Commission on Ethics
P.O. Drawer 15709
Tallahassee, FL 32317-5709
(850) 488-7864
(850) 488-3077 (Fax)
www.ethics.state.fl.us

Physical address:
325 John Knox Road
Building E, Suite 200
Tallahassee, FL 32303

SENDER COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the "A" label on the front of your item.
- Place addressed by

Complete Mail
 Palm Beach, FL 33480

205509

9590 9402 5009 8189 2914 30

2. Attach Return Receipt Post-Service Date
 7020 0090 0000 6471 5527
 PS Form 3871, July 2015 PSN 7520-02-000-9003

COVER THE THIS SECTION CAREFULLY

- A. Signature
- B. Received by
- C. Date of Delivery
- D. Is delivery address different from item 1? Yes No
- E. Yes, enter delivery address below

- 1. Agency, local, or other
- 2. Registered letter
- 3. Registered mail
- 4. Registered mail (insured)
- 5. Registered mail (signature required)
- 6. Registered mail (signature and return receipt)
- 7. Registered mail (signature and return receipt with insurance)
- 8. Registered mail (signature and return receipt with insurance and return receipt)
- 9. Registered mail (signature and return receipt with insurance and return receipt with return receipt)
- 10. Registered mail (signature and return receipt with insurance and return receipt with return receipt and return receipt)
- 11. Registered mail (signature and return receipt with insurance and return receipt with return receipt and return receipt with return receipt)
- 12. Registered mail (signature and return receipt with insurance and return receipt with return receipt and return receipt with return receipt and return receipt)
- 13. Registered mail (signature and return receipt with insurance and return receipt with return receipt and return receipt with return receipt and return receipt and return receipt)
- 14. Registered mail (signature and return receipt with insurance and return receipt with return receipt and return receipt with return receipt and return receipt and return receipt and return receipt)
- 15. Registered mail (signature and return receipt with insurance and return receipt with return receipt and return receipt with return receipt and return receipt and return receipt and return receipt and return receipt)
- 16. Registered mail (signature and return receipt with insurance and return receipt with return receipt and return receipt with return receipt and return receipt and return receipt and return receipt and return receipt and return receipt)
- 17. Registered mail (signature and return receipt with insurance and return receipt with return receipt and return receipt with return receipt and return receipt and return receipt and return receipt and return receipt and return receipt and return receipt)
- 18. Registered mail (signature and return receipt with insurance and return receipt with return receipt and return receipt with return receipt and return receipt and return receipt and return receipt and return receipt and return receipt and return receipt and return receipt)
- 19. Registered mail (signature and return receipt with insurance and return receipt with return receipt and return receipt with return receipt and return receipt and return receipt and return receipt and return receipt and return receipt and return receipt and return receipt and return receipt)
- 20. Registered mail (signature and return receipt with insurance and return receipt with return receipt and return receipt with return receipt and return receipt and return receipt and return receipt and return receipt and return receipt and return receipt and return receipt and return receipt and return receipt)

Domestic Return Receipt

U.S. Postal ServiceSM
CERTIFIED MAIL[®] RECEIPT
 ASSOCIATE MAIL ONLY

For delivery instructions, visit www.usps.com

7220 0220 2900 0000 6079 4255 96

205509

Complete Mail
 Palm Beach, FL 33480

9590 9402 5009 8189 2914 30

7020 0090 0000 6471 5527

Gail L. Coniglio

Sept. 19, 2023

Dear Kimberly,

I am grateful for your lengthy phone call on Tuesday, Sept. 17th. Following receipt of the notice of fine assessment I have attached a copy of the certified receipt from the P.B.Co. Supervisor of Elections, identifying both the dates and mailing address of the two notifications. Each of these documents were sent to Town Hall at 360 So. County Rd Palm Beach, Florida. Due to the extreme measures of isolation during the pandemic, our visits to Town Hall were restrictive. While I understand the requirement for timely filing; I was unaware of the request. As noted, my home address is 1139 North Ocean Blvd. P.B. Fl. 33480

over,

I appreciate your time and attention to this matter.
Please do not hesitate to call me if additional information is needed.

Sincerely Yours,
Gail F. Coniglio

FORM 1

STATEMENT OF FINANCIAL INTERESTS

2020

Please print or type your name, mailing address, agency name, and position below:

LAST NAME -- FIRST NAME -- MIDDLE NAME :

Coniglio Gail Lynn

MAILING ADDRESS :

1139 N. Ocean Blvd

Palm Beach 33480 Palm Beach

NAME OF AGENCY :

Town of Palm Beach

NAME OF OFFICE OR POSITION HELD OR SOUGHT :

Mayor

CHECK ONLY IF CANDIDATE OR NEW EMPLOYEE OR APPOINTEE

FOR OFFICE USE ONLY

SUPERVISOR OF ELECTIONS
21 SEP 17 PM 12:05
CLERK OF COURT

6-16-21

Processed
205509

****** THIS SECTION MUST BE COMPLETED ******

DISCLOSURE PERIOD:

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2020.

MANNER OF CALCULATING REPORTABLE INTERESTS:

FILERS HAVE THE OPTION OF USING REPORTING THRESHOLDS THAT ARE ABSOLUTE DOLLAR VALUES, WHICH REQUIRES FEWER CALCULATIONS, OR USING COMPARATIVE THRESHOLDS, WHICH ARE USUALLY BASED ON PERCENTAGE VALUES (see instructions for further details). CHECK THE ONE YOU ARE USING (must check one):

COMPARATIVE (PERCENTAGE) THRESHOLDS OR DOLLAR VALUE THRESHOLDS

PART A -- PRIMARY SOURCES OF INCOME [Major sources of income to the reporting person - See instructions] (If you have nothing to report, write "none" or "n/a")

NAME OF SOURCE OF INCOME	SOURCE'S ADDRESS	DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY
ERBadleys Inc	104 S. Clematis St. WPB	restaurant
Poinciana Capital	Royal Poinciana Way PB	Building

PART B -- SECONDARY SOURCES OF INCOME [Major customers, clients, and other sources of income to businesses owned by the reporting person - See instructions] (If you have nothing to report, write "none" or "n/a")

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

PART C -- REAL PROPERTY [Land, buildings owned by the reporting person - See instructions] (If you have nothing to report, write "none" or "n/a")

1139 N. Ocean Blvd PB 33480
261 Royal Poinciana Way PB 33480

You are not limited to the space on the lines on this form. Attach additional sheets, if necessary.

FILING INSTRUCTIONS for when and where to file this form are located at the bottom of page 2.

INSTRUCTIONS on who must file this form and how to fill it out begin on page 3.

PART D — INTANGIBLE PERSONAL PROPERTY [Stocks, bonds, certificates of deposit, etc. - See instructions]
 (If you have nothing to report, write "none" or "n/a")

TYPE OF INTANGIBLE	BUSINESS ENTITY TO WHICH THE PROPERTY RELATES
personal property	none

PART E — LIABILITIES [Major debts - See instructions]
 (If you have nothing to report, write "none" or "n/a")

NAME OF CREDITOR	ADDRESS OF CREDITOR
Wells Fargo	So. County Rd PB 33480

PART F — INTERESTS IN SPECIFIED BUSINESSES [Ownership or positions in certain types of businesses - See instructions]
 (If you have nothing to report, write "none" or "n/a")

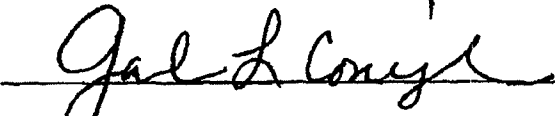
NAME OF BUSINESS ENTITY	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2
	Poinciana Capital	
ADDRESS OF BUSINESS ENTITY	DB FL	
PRINCIPAL BUSINESS ACTIVITY	real estate	
POSITION HELD WITH ENTITY	vice-pres	
DO I OWN MORE THAN A 5% INTEREST IN THE BUSINESS	50%	
NATURE OF MY OWNERSHIP INTEREST		

PART G — TRAINING For elected municipal officers, appointed school superintendents, and commissioners of a community redevelopment agency created under Part III, Chapter 163 required to complete annual ethics training pursuant to section 112.3142, F.S.

I CERTIFY THAT I HAVE COMPLETED THE REQUIRED TRAINING.

IF ANY OF PARTS A THROUGH G ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE

SIGNATURE OF FILER:

Signature: 

Date Signed: 9/16/21

CPA or ATTORNEY SIGNATURE ONLY

If a certified public accountant licensed under Chapter 473, or attorney in good standing with the Florida Bar prepared this form for you, he or she must complete the following statement:

I, _____, prepared the CE Form 1 in accordance with Section 112.3145, Florida Statutes, and the instructions to the form. Upon my reasonable knowledge and belief, the disclosure herein is true and correct.

CPA/Attorney Signature: _____

Date Signed: _____

FILING INSTRUCTIONS:

If you were mailed the form by the Commission on Ethics or a County Supervisor of Elections for your annual disclosure filing, return the form to that location. To determine what category your position falls under, see page 3 of instructions.

Local officers/employees file with the Supervisor of Elections of the county in which they permanently reside. (If you do not permanently reside in Florida, file with the Supervisor of the county where your agency has its headquarters.) Form 1 filers who file with the Supervisor of Elections may file by mail or email. Contact your Supervisor of Elections for the mailing address or email address to use. Do not email your form to the Commission on Ethics, it will be returned.

State officers or specified state employees who file with the Commission on Ethics may file by mail or email. To file by mail, send the completed form to P.O. Drawer 15709, Tallahassee, FL 32317-5709; physical address: 325 John Knox Rd, Bldg E, Ste 200, Tallahassee, FL 32303. To file with the Commission by email, scan your completed form and any attachments as a pdf (do not use any other format), send it to CEForm1@leg.state.fl.us and retain a copy for your records. Do not file by both mail and email. Choose only one filing method. Form 6s will not be accepted via email.

Candidates file this form together with their filing papers.

MULTIPLE FILING UNNECESSARY: A candidate who files a Form 1 with a qualifying officer is not required to file with the Commission or Supervisor of Elections.

WHEN TO FILE: Initially, each local officer/employee, state officer, and specified state employee must file **within 30 days** of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment.

Candidates must file at the same time they file their qualifying papers.

Thereafter, file by July 1 following each calendar year in which they hold their positions.

Finally, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2020.

Financial Disclosures

From: Prine,Emily <PRINE.EMILY@leg.state.fl.us>
Sent: Friday, September 17, 2021 10:33 AM
To: Financial Disclosures
Subject: [Warning - External Email |>] Recorded 205509
Attachments: Coniglio Gail.pdf

Caution: This is an external email. Please be careful when clicking links or opening attachments. Think before you click! When in doubt, just contact your IT Department.

PLEASE NOTE: Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. Florida Statute 668.6076

**BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS**

In re **Gail L. Coniglio**
Mayor
Town Council
Palm Beach

PID#: 205509

NOTICE OF ASSESSMENT OF AUTOMATIC FINE

The Commission on Ethics hereby gives notice of an assessment of a fine against you pursuant to Section 112.3145(8)(g), Florida Statutes, due to your failure to timely file your 2020 CE Form 1, Statement Of Financial Interests. Under the law, your 2020 CE Form 1, Statement of Financial Interests, was due by July 1, 2021. The law provided for a penalty-free grace period extending the due date to September 1, 2021. After that date, you accrued fines of \$25.00 per day for each day your financial disclosure was late, pursuant to Section 112.3145(8)(g), Florida Statutes.

Inasmuch as your 2020 CE Form 1 was filed September 16, 2021 with the Supervisor of Elections for Palm Beach County, you are fined the amount of \$375.00 (\$25.00 per day for 15 day(s) late). This fine must be paid to the Commission on Ethics within 30 days of the date of this notice unless you appeal the fine to the Commission. The Commission has the authority to consider the appeal and waive the fine in whole or in part if your failure to file on time was due to "unusual circumstances" surrounding the failure to file.

HOW TO APPEAL

1. Read these instructions carefully before submitting your appeal.
2. **LEGAL AUTHORITY:** Appeals are governed by Section 112.3145(8)(g)3., Florida Statutes, and Commission Rule 34-8.215, Florida Administrative Code.
3. **FORMAT:** Your appeal must be in writing and mailed to Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709, or delivered to Florida Commission on Ethics, 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303. The appeal may take the form of a letter or you may use the appeal form included in this mailing. The appeal form also is available at the Commission's website: www.ethics.state.fl.us. Click on "Financial Disclosure" and then the link to the sample appeal form.
4. **DUE DATE:** Your appeal must be received by the Commission on Ethics on or before **November 8, 2023**. **NOTE:** Failure to timely file an appeal will constitute a waiver of your right to appeal and will result in the entry of a default order against you.
5. **UNUSUAL CIRCUMSTANCES:** An appeal must demonstrate that you submitted your CE Form 1 after the extended due date because of "unusual circumstances." "Unusual circumstances" is defined in Commission Rule 34-8.215(4), Florida Administrative Code, as "uncommon, rare, or sudden events over which the reporting individual had no control and which directly result in the failure to act in accordance with the filing requirements." Therefore, circumstances that allowed for time to take steps necessary to file on time do not constitute "unusual circumstances" that will allow the Commission to waive the fine. You have the burden to establish "unusual circumstances." Your appeal must specifically state the circumstances that led to your not filing by September 1, 2021, and must include any documentation or evidence supporting your appeal, such as:
 - a. **SICKNESS/INJURY:** a statement from attending physician, including dates and nature of the illness or injury;
 - b. **LACK OF NOTICE (WRONG ADDRESS):** documentation that you did not reside at the address to which notice was sent;
 - c. **LACK OF NOTICE (ABSENCE FROM HOME):** documentation establishing the period of time of your absence covering the notification period;
 - d. **CLAIM OF TIMELY FILING OF FINANCIAL DISCLOSURE:** (1) an affidavit from you attesting under oath or affirmation that you filed your financial disclosure and your recollection of when

and how you filed and (2) a copy of a certified mail receipt and/or a copy of the completed form which was filed. If you have witnesses to your filing, we also will need an affidavit from each witness. **NOTE:** A claim of having filed the CE Form 1F for the current year does not satisfy the CE Form 1 filing requirement or excuse a late filing;

- e. **LEFT PUBLIC POSITION BEFORE DECEMBER 31, 2020:** confirmation of your last date of office or employment by your former agency, showing the last date to be before December 31, 2020; or
 - f. **UNCLAIMED CERTIFIED MAIL:** if delinquency notice was addressed correctly but not received, you must explain why.
6. **YOUR RIGHT TO A HEARING:** You have the right to have your appeal heard by the Commission and to appear before the Commission at the hearing, but, to exercise this right, you must specifically request a hearing in your appeal. If you do not request a hearing, you will waive your right to a hearing, the Commission will determine the outcome of your appeal based upon the written record (including the documentation you provide and any documentation in your case file), and you will receive no further notice until after the Commission decides your appeal.

FAILURE TO PAY FINE OR FILE APPEAL WITHIN 30 DAYS

If you do not timely file an appeal or pay the assessed fine within 30 days of this Notice, a default order will be entered against you and the Commission will take the steps provided by law to collect the fine, including:

- Referral to the CFO of the Department of Financial Services, if you are a salaried state officer or employee, for withholding of a portion of your salary until the fine is satisfied; or
- Referral to your agency's governing body for withholding of a portion of your salary until the fine is satisfied;
- Referral to a collection agency, which can seek garnishment of your wages; and/or
- An additional civil penalty, not limited by this automatic fine, may be imposed if your disclosure statement is filed more than 60 days late and a complaint is filed against you pursuant to Section 112.324, Florida Statutes.

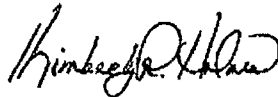
Please contact our office if you have any questions about this matter.

CERTIFICATE OF MAILING

I certify that a copy of the foregoing Notice of Assessment of Automatic Fine was furnished to:

Mrs Gail L. Coniglio
360 S County Rd
Palm Beach, FL 33480 -6735

by Certified Mail on this Monday, October 09, 2023.



KIMBERLY R. HOLMES
Program Administrator

Florida Commission on Ethics
P. O. Drawer 15709
Tallahassee, FL 32317-5709

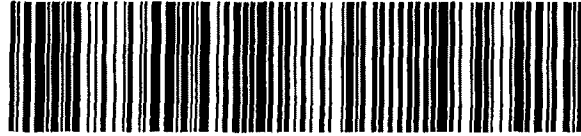
-or-

Florida Commission on Ethics
325 John Knox Road, Building E, Ste. 200
Tallahassee, FL 32303

Tel.: (850) 488-7864
Fax: (850) 488-3077
Email: disclosure@leg.state.fl.us



STATE OF FLORIDA
 COMMISSION ON ETHICS
 PO DRAWER 15709
 TALLAHASSEE, FL 32317-5709



9214 8901 0661 5400 0189 6157 94

RETURN RECEIPT (ELECTRONIC)

205509

GAIL L. CONIGLIO
 360 S COUNTY RD
 PALM BEACH, FL 33480-6735

¹⁸
URGENT - Open Immediately!

CUT / FOLD HERE

Zone 4

6"X9" ENVELOPE
 CUT / FOLD HERE

CUT / FOLD HERE

NOV 05 2021

RECEIVED

**Florida Commission on Ethics
Financial Disclosure Notification System
Delinquency Certification (2021)**

I Wendy Sartory Link, the Supervisor of Elections of
Palm Beach County, hereby certify that each person whose ID
number, name, agency, and position appears above or on the attached
list:

(1) was sent a notice of the July 1, 2021 financial disclosure deadline and
a blank Form 1, Statement of Financial Interests, not later than June 1,
2021;

(2) was determined to be delinquent in filing a Form 1, Statement of
Financial Interests, by July 1, 2021;

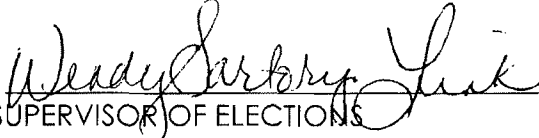
(3) was sent a delinquency notice by certified mail not later than August
1, 2021 advising him or her of the grace period in effect until September 1,
2021; and of the penalties that could be imposed as provided in Section
112.3145(8)(c), Florida Statutes; and

(4) did not file a Form 1, Statement of Financial Interests, until the date
shown or, had not filed a Form 1, Statement of Financial Interests by
October 31, 2021; and further

(5) that the date of filing shown is based upon the earliest of the following:

- (a) when the Form 1 was actually received by my office;
- (b) when the Form 1 was postmarked;
- (c) when the certificate of mailing (if any) was dated; or
- (d) when the receipt (if any) from an established courier company was
dated.

Signed



SUPERVISOR OF ELECTIONS

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Coniglio Gail L.
 205509
 Palm Beach Mayor
 360 S County Rd
 Palm Beach, FL 33480



9590 9402 5366 9189 2504 00

2. Article Number (Transfer from service label)
 7020 0090 0000 6609 5527
 PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
Gail L. Coniglio
 Agent
 Addressee

B. Received by (Print Name)
Gail L. Coniglio

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

**U.S. Postal Service™
 CERTIFIED MAIL® RECEIPT**
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®

Certified Mail Fee \$ _____

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Postmark Here

Total Pos \$ 205509

Sent To Coniglio Gail L.
 Palm Beach Mayor
 360 S County Rd
 Palm Beach, FL 33480

7020 0090 0000 6609 5527



Financial Disclosure Management System
THE FLORIDA COMMISSION ON ETHICS

Filer - Fines and Appeals - PID 205509 - Gail Coniglio

Filer Information

Org Membership

Forms

Communications

Fines and Appeals >

View All

Filer Flags

- [2000](#) [2001](#) [2002](#) [2003](#) [2004](#)
- [2005](#) [2006](#) [2007](#) [2008](#) [2009](#)
- [2010](#) [2011](#) [2012](#) [2013](#) [2014](#)
- [2015](#) [2016](#) [2017](#) [2018](#) [2019](#)
- [2020\(\\$\)](#) [2021](#) [2022](#)

<<2022 Form Year

Status

Filing: ACTIVE

Fine: No Fine

Flags

Public Address

Filing Extensions

Indefinite: None

Temporary:

None

Eligible for Fines

[Update Flags](#)

The filer has fines for: [2021 \(Appeal\)](#)

2021 Fines and Appeals

Form Year 2020 Filed Forms						
Received Date	Form Type	Form Signed	Filed by Email	Filing Location	Updated	Comments
09/16/21	Form 1	Yes	Yes	SOE	PRINEE on 09/16/2021	Received by COE on behalf of Palm Beach Supervisor of Elections

2021 Fine Information				Update Fine Information Assign Agency Contact			
Fine Balance	Fine Status	Fine Date	Original Assessment	Fine Amount	Last Payment Date	Payment Plan Start Date	Payment Plan Amount
\$375.00	Appeal	10/9/2023	\$375.00	\$375.00			
Fine Address 360 S County Rd Palm Beach FL 33480-6735 Org/Suborg Palm Beach-Town Council							

2021 Fine Payment History						
Date Posted	Description	Amount	Method	Payment ID	Comments	
10/9/2023	Fine Levied	+ \$375.00			Fined \$375.00	
Current Balance: \$375.00						

 **Add a New Filer**

 **Jump To A Filer**



PID:

 **Quick Filer Search**


First Name:

Last Name:

2021 Fine Year Event
Chronology

 Date	Type	Description	Reference
 08/20/2021	Postcard Sent	Courtesy Postcard Reminder	Print Queue: 8/20/2021 Printing Confirmed: 8/20/2021

Letter Sent To:
Mrs Gail L. Coniglio
360 S County Rd
Palm Beach, FL 33480 -6735

 09/8/2021	Letter Sent	Courtesy Notice of Fines Accruing	Print Queue: 9/8/2021 Printing Confirmed: 9/8/2021
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Letter Sent To:
Mrs Gail L. Coniglio
360 S County Rd
Palm Beach, FL 33480 -6735

09/15/2021 Filer
Communication: Wednesday, September 15, 2021
Email

From: Prine.Emily Sent: Emily Prine
10:38 AM To:
amber@pbcelections.org Cc:
'qnieves@TownOfPalmBeach.com'
Subject: FW: Gail Coniglio- Form
F1 2020.pdf Amber, Please
confirm you received the final.

09/15/2021 Filer
Communication: Wednesday, September 15, 2021
Email

From: Prine.Emily Sent: Emily Prine
10:40 AM To:
'qnieves@TownOfPalmBeach.com'
Subject: FW: Gail Coniglio- Form
F1 2020.pdf SENT FORM 1 2020

09/15/2021 Filer Ms. Nieves says she sent final as Emily Prine
 Communication: courtesy/filer was just
 Phone reappointed/believes she filed
 long ago regular mail Also
 discussed the possibility form
 was emailed told coordinator to
forward original if found and I
 will back date.

09/16/2021 Form Received Form 1 Received, Signed Form 1
 Received by
 Received by
 COE on behalf
 of Palm Beach
 Supervisor of
 Elections SOE

Form Received By: Emily Prine
 Filing Location: Palm Beach County SOE
 Record Created By: Emily Prine on 09/16/2021

09/16/2021 Filer -----Original Message----- From: Emily Prine
 Communication: Queenester Nieves Sent:
 Email Thursday, September 16, 2021
 9:19 AM To: Prine.Emily Cc:
 Amber Sacks Subject: Emailing:
 Coniglio Form 1 2020 Good
 Morning please see Ms. Coniglio
 Form 1 Thank you so very much.
 Queenester Nieves

09/16/2021 Filer -----Original Message----- From: Emily Prine
 Communication: Prine.Emily Sent: Thursday,
 Email September 16, 2021 9:28 AM To:
 'Queenester Nieves' Cc: Amber
 Sacks Subject: RE: Emailing:
 Coniglio Form 1 2020 Thank you,
 form has been recorded. The
 filer will receive fine notification
 in January 2022, along with
 information to submit an appeal.
 The process is lengthy.

10/9/2023 Fine Levied Fined \$375.00 Journal:
10/9/2023
 1:22 PM

10/9/2023 Notice of Assessed Fine Initial Fine Notice Journal:
10/9/2023
 2:04 PM

10/9/2023 Letter Sent Notice of Assessed Fine - Filer 1st Fine Letter Print Queue:
10/9/2023
 Printing
 Confirmed:
 10/9/2023

Letter Sent To:
 Mrs Gail L. Coniglio
 360 S County Rd
 Palm Beach, FL 33480 -6735

11/12/2023 Fine Appeal FD 21-032 Journal:
11/12/2023
 11:19 PM

2021 Fine Appeal – FD 21-032	<input type="button" value="Update Appeal"/> <input type="button" value="Withdraw Appeal"/>
	<input type="button" value="Assign Attorney"/> <input type="button" value="Request More Info"/>
	<input type="button" value="Record Appeal Outcome"/>
Appeal Status: Active Appeal Receipt Date: 10/26/2023 Timely Filed: Yes Print Appeal Letter: Yes Hearing Requested: No Appeal Reason: Lack of Notification Appeal Notes:	No Hearing Requested

	Appeal Number: FD 21-032 Appeal Analyst Assigned: Final Order Number: Final Order Date:	
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