

## **ETHICS BOARD**

### Meeting Minutes

*September 11, 2012*

*Present:* Leonard Barham, Bill Gregory, Melissa Hermans, Terry Sullivan, Philip Wellner

*Absent:* Linda Gabaccia, Walton Zelle

*Next meeting:* October 9, 2012, 7:00pm Town Hall Conference Room

In the absence of our Chair, Melissa Hermans called the meeting to order and read the Agenda for the evening with the following items to be considered:

1. Minutes (Review and passage)
2. Old business
3. New business
  - How to best familiarize new members of the Ethics Board with code
  - Followup on AG Schneiderman's 12/2011 letter to Town regarding current Ethics policy
  - Code revision

Len moved that we waive the reading of the minutes of the last meeting and pass them. Bill seconded the motion. Minutes of last meeting were passed.

There was no old business to discuss.

#### New business –

Familiarizing new members with the code:

- Len and Terry had read the code.
- Terry reported that she found many inaccuracies and inconsistencies having to do with dates, meeting times and the way that board positions rotate.
- Len found that the version of the Ethics code that Vanna has in the Town Office differs significantly from the version that appears on the Town website. Larry told Len that he would check with the website manager about this but Len had not heard back about this as of the time of our meeting.
- Len suggested that we search the code for major problems that need to be corrected, citing Linda's advice to consider problems with enforcement.
- Philip commented that enforcing penalties for infractions is an issue because the Ethics Board, although apolitical, has limited power and must hand these issues back to the political arena, i.e., the Town Board.
- Len commented that if the Town Board fails to act on the Ethics Board's advice, there seems to be nothing in the code of ethics to indicate that the Ethics Board can take another step.
- Bill noted that there seemed to be no definition of what the Town does to communicate back to the Ethics Board.

- Philip agreed that once the matter is referred to the Town Board, there seems to be no report back to the Ethics Board about the disposition of the matter. And, he pointed out, when these matters concern town employees, at times we will be referring them back to those who hired the employees and our recommendations may be seen as taking the power out of the Town Board's hands.

Follow-up on AG Schneiderman's letter to Town:

- Melissa read from Times Union article that Linda had linked to her email. However, we were uncertain how that AG's requests applied to our town. Melissa will obtain a copy of the AG's letter for our next meeting.

Revising the code:

- A motion was made to read the code together line by line in order to come to a mutual understanding of it and to spot areas in need of revision. Motion was seconded and passed.
- Philip suggested that when we have gone through the entire document, we review all of the proposed revisions and vote on them before we refer a revised document to the Town Board.
- Len began reading the code and the revision process began.

Proposed revisions –

23-1

A2,B1. Len: In addition to town employees and elected officials, add appointed officials, such as those on the Board of Zoning Appeals, Land Use, etc. This would be a change throughout the document.

B2. Binding opinions. Philip: Rewrite this section to simplify. Terry: Get some past examples together to better understand this section and how it applies in real life.

C. Terms of office. Bill: Terms were staggered so that the entire board didn't turn over at once, losing experienced members and knowledge of the process. Philip: Suggested simple four year term which will already be staggered due to date of appointment of each current member. T: Check county template.

D 1. Remove term "initial"

D3 Remove entire item

Start on E at next meeting, October 9, 7 PM

Melissa moved to close meeting. Terry seconded the motion and it was passed. Meeting was adjourned.