

Ethics Board Meeting Minutes: April 27, 2022

Town Board Meeting Room

Present: James Martorano, Chair, Mary Capoccia, Robert Giordano, Lawrence Kilian and Lynette Waterhouse

The meeting was called to order by the chair at 7:03 PM

- 1) The minutes from the 4/13/2022 meeting were approved
- 2) The proposal to mandate the publication of an advisory opinion rendered as a result of investigation of a complaint was discussed with the suggestion that it would benefit the Town Board and the Town for the ethics board's findings to be made public. In another matter, J.M. suggested that it was constitutional for officials and employees to be asked to fill out a disclosure statement, but he believed that that the disclosure statement should be revised to be made less intrusive.
- 3) Sections 45-12 through 45-19 of the proposed 3/14/2020 draft of the ethics code were discussed paragraph by paragraph. All proposed changes were approved unanimously with the following exceptions or changes:
 - a. Section 45-12 Investigations by Board: 4 of 5 with one abstention agreed in principle that the results of the ethics board investigations should be made public. Final wording to be determined.
 - b. Section 45-13 A was revised as follows: "With the exception of closed sessions, all meetings of the Board of Ethics shall be open to the public unless expressly provided otherwise by applicable law."
 - c. Section 45-13 C was revised as follows: "The following documents shall be made available to the public:"
 - d. Section 45-15 Disciplinary action: Three of five members thought that there was a need to exempt union members. M.C. agreed to get the CSEA contract for our review. Final wording to be determined. A proposal to require the ethics board's report on the annual disclosure statements to be made public was not supported by a majority.
 - e. Section 45-18 Attorney to be member of Board was removed.
 - f. Section 45-4 Definitions: The following was added: "Recusal – Recusal means that an official or employee may not deliberate, vote or participate in any way in the matter. The official or employee should disclose the conflict and leave the room while the matter is being considered.
 - g. Section 45-19 was renumbered to 45-18. The word, thereafter, was removed from paragraph B.
- 4) The next meeting is scheduled for Wednesday May 11, at 6:00 PM in person at Town Hall.