

Chairperson Teager called the meeting to order at 6:00 P.M.

ROLL CALL:

Members Present - Michael Teager, Chairperson
Teresa Funk, Vice-Chairperson
Anna Garvey
Lawrence Kavanaugh, Jr.
Jon Minear, Deputy Town Attorney

Absent - Kayla Leonard

MINUTES TO BE APPROVED

Motion by Chairperson Teager, seconded by Mr. Kavanaugh, to approve Minutes of the November 9, 2022, meeting.

Ayes: All

Noes: None

Motion Carried

COMMUNICATIONS

Ethics Code - Disclosure Form

Chairperson Teager stated Town Attorney Trapp was consulted regarding the disclosure form and stated there are two options for the Ethics Board can consider:

1. Remove the disclosure form from the town code while still leaving a reference to the form as this would allow changes to be made without updating the town code. Vice-Chairperson Funk stated there is a cost involved with Town Code updates and this will save the town money.

Motion by Chairperson Teager, seconded by Mr. Kavanaugh, to keep the disclosure forms in the Ethics Code as updated and amended at the April 2022 meeting, but remove the form from the Ethics Code itself.

Ayes: All

Noes: None

Motion Carried

2. There is an exception in the language of parties that must complete the disclosure form and NYS bids were proposed to be included. Mr. Kavanaugh questioned what a state bid is. Deputy Town Attorney Minear stated he will investigate this and report back to the Ethics Board.

Board Composition

Chairperson Teager stated the requirement of the Town Clerk and the Town Attorney as members of the Ethics Board has raised some issues:

1. The Town Clerk receive ethics complaints and a conflict of interest could exist. Chairperson Teager stated Town Clerk Kobler suggested the language could state the Town Clerk and/or one of their appointees/delegates serves in their ex officio role.
2. The Ethics Board has their own designated attorney and requiring the Town Attorney to be a member creates a conflict.

Vice-Chairperson Funk stated in her opinion the language should be updated. Chairperson Teager reiterated his preference to have a conduit to Town Hall on the board. Mr. Kavanaugh stated he agrees with updating the language, also. Chairperson Teager stated he will further revise the language and present it at the next meeting.

Complaints vs. Advisory Opinions Procedures

Chairperson Teager referred to Ethics Code 13-7b and questioned the difference between an advisory opinion and a complaint; it is his understanding the former is prospective, and the latter is already occurring. Ms. Garvey stated an advisory opinion is preemptive, an effort to avoid an ethics violation, and a complaint is after the fact. Mr. Minear stated in practice, an advisory opinion pertains to something that has not occurred and the goal is to avoid a violation, whereas, a complaint is conduct or a violation that has occurred and an investigation must be conducted.

Board Member Training

Ms. Funk stated she completed the training, Politics in the Workplace and Conflicts of Interest. Ms. Funk stated she learned that lobbyists cannot hold positions at the state level, and heads of political parties holding public offices.

EXECUTIVE SESSION

Motion by Chairperson Teager, seconded by Mr. Kavanaugh, to enter into executive session to review disclosure forms, as they pertain to past employment history, future employment plans, employment history of a corporation or limited liability company, and/or matters that may lead to the employment, demotion, discipline, suspension, dismissal, or removal of a particular person or business entity.

Ayes: All Noes: None Motion Carried

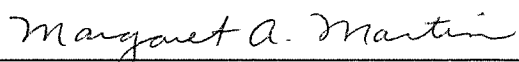
Motion by Chairperson Teager, seconded by Ms. Funk, to move out of executive session at 6:57 P.M.

Ayes: All Noes: None Motion Carried

ADJOURNMENT

Motion by Chairperson Teager, seconded by Ms. Funk, to adjourn the meeting at 6:57 P.M.

Ayes: All Noes: None Motion Carried



Margaret A. Martin
Deputy Town Clerk/Secretary to the Ethics Board