

**TOWN OF WEST SENECA
1250 Union Road
West Seneca, NY 14224**

**ETHICS BOARD
Work Session
August 23, 2018**

Chairperson Carpenter called the meeting to order at 6:00 PM.

ROLL CALL:

Members Present – Amy Carpenter
Rodney Montgomery
William Bauer
Jacqueline Felser
Theresa Funk
James Lazaros
Jon Minear, Deputy Town Attorney
John J Fenz, Town Attorney

ADMINISTRATION OF OATH

Mr. Bauer was sworn in by Town Clerk, Jacqueline Felser as a member of the Ethics Board.

MEMBER DISCUSSION

Meaning of Ethics

A group discussion was held by members as to what they believed to be the meaning of ethics with some examples being morals, values, honesty, fairness, courtesy, respect and integrity.

Transparency

Members reviewed the current code and compared the Town of West Seneca Code to other municipalities. Chairperson Carpenter suggested two impactful things to ask before making decisions are “how will my action build public trust” and “why is this right thing to do”. Chairperson Carpenter stated transparency is a huge part of being ethical and shared an article regarding the Amherst Town Board.

Annual Financial Disclosure Statement

Mr. Lazaros commented on the Annual Financial Disclosure Statement and questioned if West Seneca town officials have filed statements. Town Attorney John Fenz responded under the current Code of Ethics and NYS law, town officials are not required to file a statement due to the Town of West Seneca having a population of fewer than 50,000 residents. The Ethics Board may make a recommendation to the Town Board to amend the Code of Ethics and require annual disclosures.

Ethics Code

Discussion was held regarding areas of the Ethics Code that the Ethics Board would like to provide value based guidance and included the following:

- Purchasing
 - ✓ Town Attorney John Fenz stated a values based system would complement the town's rigid procurement policy.
 - ✓ Chairperson Carpenter commented officials should think beforehand if the purchase something that is actually needed.
- Hiring practices
 - ✓ Chairperson Carpenter commented on the union policies that are in place and questioned if the town needs to hire above minimum staffing requirements.
- Transparency
 - ✓ Chairperson Carpenter would like to see recommendations as to user friendly budget documents.
- Town Board meetings
 - ✓ Mrs. Funk commented on courtesy between the public and Town Board on both sides.
- Job Descriptions and Workman's Compensation Claims
 - ✓ Mr. Lazaros questioned if job descriptions are in place for employees - Town Attorney John Fenz stated descriptions are set by the county and the town is working on descriptions with the Human Resources Department.
 - ✓ Chairperson Carpenter questioned the legitimacy of some claims.
- Whistle Blower Policy and complaint form with a system/plan in place
 - ✓ Town Attorney John Fenz stated there is not a system in place but there are protections under General Municipal Law for whistle blowers.
 - ✓ Discussion was held regarding posting an approved whistle blower form onto the town website.
 - ✓ Town Attorney John Fenz explained a complaint has the possibility of resulting in employee discipline and confidentiality rules would apply; it was recommended the complaint come through the Town Attorney's office for processing to determine what information should be shared.

Definition of Family

Discussion was held on the current code and the definition of family:

- ✓ The NYS Comptroller's model code lists family as spouse, parent, step parent, sibling, step sibling, siblings spouse, siblings child, siblings step child, uncle, aunt, niece, nephew, first cousin or household member.
- ✓ The current code states family as a direct descendant of the same grandparent.
- ✓ Discussion was held that if a family member goes through the proper channels (i.e. civil service test) they should not be disqualified from the position.
- ✓ Job descriptions should not be changed after the fact or before the employee is hired.

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SEPTEMBER MEETING

Members have requested holding a work session with the Director of Finance and Human Resources for information and recommendations.

Chairperson Carpenter requested the next work session to focus on the definitions contained in the Code of Ethics.

The next meeting will be a work session and will be held on September 20, 2018 at 6:00 P.M.

The work session concluded at 7:08 P.M.

Amy M. Kobler
Deputy Town Clerk/Secretary to the Ethics Board