

himself from a matter, the chairman still led the discussion on the matter. He said he researched Robert's Rules and while it was not against the rules to do that, he felt it was unethical under the code to recuse yourself and then continue to share your opinion."

DISCUSSION ON THE MEANING OF "RECUSAL"

- Definition found in Code of Ethics for "recusal": the act of abstaining from participation and any official action due to a conflict of interest"

DISCUSSION ON SUBMISSION OF FORMAL COMPLAINTS

- Ms. Funk wanted to make the following point clear in upcoming presentation: The Ethics Board is not investigating (on their own) any and all ethics violation that comes along. Rather, a formal complaint has to first be filed and then the Ethics Board will investigate it.
- Town Attorney Hawthorne commented that part of the upcoming Ethics Presentation will include how to make the formal complaint.

DISCUSSION ON TRAINING

Chairperson Carpenter suggested Ethics Board make recommendations to the Town Board on who needs to be trained in the Town Code.

Vice Chairperson Montgomery asked Councilman Bill Hanley (who was present) if he ever had to partake in training on the Ethics Code. His answer was, "No, but I did have to sign off on receiving the code".

Mr. Bauer suggested incorporating Ethics Code Training into required Sexual Harassment Training. Ms. Funk replied that the Ethics Board's recommendation to the Town Board is that any new hires will get a copy of the Town Code immediately and that there should be an annual training.

Mr. Bauer also asked if the unions will be adopt the Town Code or not. Ms. Funk said that she thinks the union will have to take part in the training, but will not necessarily have to sign having received Town Code. Mr. Bauer said doing so might add something to a union's contract that the union did not negotiate. Town Attorney Hawthorne clarified that the code would become "Local Law #4" and that means it is a new law being past and a town statute to be followed.

Councilman Bill Hanley's suggestion – if you put the Town Code in an employee handbook and that employee signs off, they will be acknowledging that he/she has received it.

Ms. Funk made a point that no one seems to have been trained on the Ethics Code

Ms. Funk commented that the Ethics Board's suggestion to Town Board is that when the handbook is created, the code should be included. Until then, every new employee should be given a copy and preferably sign that they have received it. Additionally, every employee in town should get a new copy annually (if any changes have been made).

Town Attorney Hawthorne suggested that it might be more cost effective to give everyone an

annual memo telling the employee where they can read the updated code online.

Discussion took place on how to properly precede giving presentation to Town Board on Code of Ethics on August 12th.

- The Ethics Board agreed it is important that the public has the opportunity to give input.
- The Ethics Board will submit the Code of Ethics to the Town Board and if it gets approved, the Ethics Board will suggest ways on how to implement it. The Town Board can then decide how they would like to implement it.
- It is not up to the Ethics Board how the Town Board implements the Ethics Code, but the Ethics Board can make recommendations.
- Town Attorney Hawthorne regarding procedure: The Ethics Board can present the Town Code however they please. The Code will then be open to the public for comment and questions. These comments and questions will be directed to the Town Board, unless the Town Board defers to the Ethics Board.

Ms. Funk will prepare a template for Ethics Board Presentation.

ADJOURNMENT

Motion by Mr. Montgomery, seconded by Chairperson Carpenter to adjourn the meeting at 7:46p.m.

Ayes: All

Noes: None

Motion Carried



Amelia S. Greenan
Secretary to the Ethics Board