

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

ETHICS BOARD
APPROVED MEETING MINUTES
March 4, 2020

Chairperson Carpenter called the meeting to order at 6:02 P.M.

ROLL CALL: Members Present – Amy Carpenter, Chairperson
Rodney Montgomery, Vice Chairperson
Teresa Funk
Jon Minear, Deputy Town Attorney
Amy Kobler, Town Clerk

Members Absent - Tina Hawthorne, Town Attorney
Lawrence Kavanaugh, Jr.

APPROVAL OF MINUTES

Chairperson Carpenter requested a point be added to page two, section B that states she said, “anyone can be an Ethics Board Member”.

Motion by Ms. Funk, seconded by Rodney Montgomery, to approve the Ethics Board Meeting Minutes from February 5, 2020, including the proposed amendment.

Ayes: All

Noes: None

Motion Carried

COMMUNICATIONS

I. Ethics Training Plan

Ms. Theresa Funk distributed a draft copy of a presentation on the “Ethics Code Training”.

The Ethics Code mentions that the Department of Human Resources will distribute copies of the Ethics Code. Considering the drastic changes made to the code, Ms. Funk also feels that the Ethics Board should help get it dispersed and discuss some of the points with necessary people in the town.

Ms. Funk met with Supervisor Dickson to discuss the best approach to execute the training.

- They discussed any potential issues with the unions. Ms. Funk said that Supervisor Dickson did not believe this would be a problem. Also, if Mr. Brian

Adams makes the decision that the unions will be trained, then the unions will be trained.

- Ms. Funk thinks that Supervisor Dickson would like to incorporate some other training pieces as well.
- She also said that it was Supervisor Dickson's opinion that one of the attorneys should be present for questions. Deputy Town Attorney Minear was receptive to this point.

Ms. Funk reached out to Mr. Adams.

- He is currently reviewing the draft PowerPoint.
- She mentioned to Mr. Adams that the presentation should take about a half hour and it will be focused towards what is applicable to the workers, and include examples.
- When making the presentation, the Ethics Board will also distribute a copy of the code to each of the participating trainees.
- Ms. Funk suggested to Mr. Adams that the training should take place in groups so that employees are not all absent from his department at the same time.
- She thinks that training with the unions will likely take place early in the morning (at about 7:00am).

Mr. Adams will be getting back to Ms. Funk with his review and thoughts on the presentation. Supervisor Dickson will follow up with Ms. Funk regarding training for the rest of the West Seneca employees and boards.

II. Review of Disclosure Forms

Chairperson Carpenter displayed the Disclosure Form and Instructions on a laptop.

There was brief discussion about the remaining names that Chairperson Carpenter needs for her list of individuals who are to complete the Disclosure Form. Town Clerk Amy Kobler will help Chairperson Carpenter with the members of the Library Board and Town Assessors Office.

III. Training for Members of the Ethics Board

Chairperson Carpenter asked Vice Chairperson Montgomery if he had made any progress regarding training for the members of the Ethics Board. Vice Chairperson Montgomery said he can connect with Supervisory Dickson on the matter.

There was an Ethics Training that Town Attorney Hawthorne took part in while she was in New York City. Deputy Town Attorney Minear said that Town Attorney Hawthorne's training was with Steve Leventhal. He does not know what her review of the training is. However, he is aware that Mr. Leventhal was fired from his position in Long Island for lying and not disclosing items on a Disclosure Form.

OPEN DISCUSSION

I. Independent Contractor Forms

Ms. Funk changed the cover letter.

Secretary Amelia Greenan set up an email address for the Ethics Board. The address is EthicsBoard@TWSNY.org. It will be a distribution group to all Ethics Board Members.

Ms. Funk said changes need to be made to the Independent Contractor Form. She asked if the Ethics Board should use the current form in the meantime before the revised copy is complete. The Ethics Board concluded that because the form is incorrect, it has to be amended before it can be used. Deputy Town Attorney Minear said he will find a new Contractor Disclosure Form.

Ms. Funk made the following remarks/suggestions/questions regarding the Independent Contractor Form:

- 1) It is more difficult for larger companies to fill out this form than it is for smaller companies with fewer employees. It was suggested during the discussion that there should be two different forms depending on the size of the company. Deputy Town Attorney Minear said he will look further into this potential issue. He also said there is no disclosure currently in place.
- 2) Ms. Funk asked if we should ask about political donations made to town parties. Deputy Town Attorney Minear said that political donations are already disclosed online. Chairperson Carpenter agreed that we should not include questions about political donations.

GENERAL PUBLIC COMMENTS

Chairperson Carpenter asked the public if they had any questions. Since the public was mostly comprised of students, Chairperson Carpenter gave them a brief overview of the Ethic Board.

EXECUTIVE SESSION

Motion by Chairperson Carpenter, seconded by Vice Chairperson Montgomery to move into Executive Session to review an ethic complaint.

Ayes: All

Noes: None

Motion Carried

Motion by Ms. Funk, seconded by Chairperson Carpenter to table the ethic complaint to next meeting.

Ayes: All

Noes: None

Motion Carried

Motion by Chairperson Carpenter, seconded by Ms. Funk to move out of Executive Session.

Ayes: All

Noes: None

Motion Carried

ADJOURNMENT

Motion by Vice Chairperson Montgomery, seconded by Chairperson Carpenter to adjourn the meeting at 6:47 p.m.

Ayes: All

Noes: None

Motion Carried



Amelia S. Greenan

Secretary to the Ethics Board