

Chairperson Teager called the meeting to order at 6:04 P.M.

ROLL CALL:

Members Present	Michael Teager, Chairperson Amy Carpenter, Vice-Chairperson Teresa Funk Lawrence Kavanaugh, Jr. Rodney Montgomery
Absent	Jon Minear, Deputy Town Attorney Amy Kobler, Town Clerk Tina Hawthorne, Town Attorney

MINUTES TO BE APPROVED

Motion by Chairperson Teager, seconded by Ms. Funk, to approve Minutes of the July 7, 2021, meeting.

Ayes: All

Noes: None

Motion Carried

COMMUNICATIONS

Revisions to the Independent Contractor Disclosure Form

Chairperson Teager provided copies of the attached disclosure form with the suggested changes highlighted and noted the edits are related to grammar, formatting, and clarity. Ethics Board Attorney Minear reviewed the changes and suggested adding the position of "shareholder" to list.

OPEN DISCUSSION

Chairperson Teager stated Mr. Montgomery suggested having a work session to further review and amend the disclosure form. Once the form is completed the board can officially adopt it and then suggest where the form should fall within the procurement policy.

Motion by Chairperson Teager, seconded by Ms. Carpenter, to schedule a work session on August 16, 2021, at 6 P.M. in the small conference room of the West Seneca Library and Community Center.

Ayes: All

Noes: None

Motion Carried

Chairperson Teager listed the items to be covered in the work session to be the disclosure form, where the form can be inserted in the procurement policy, and revisions to the definitions in the Ethics Code.

Chairperson Teager stated Mr. Minear has an upcoming conflict in his schedule every other month beginning September 1, 2021. The board can decide to either hold the meetings without him or reschedule them.

Ms. Carpenter stated more people have been caught stealing and embezzling from fire halls and unions and suggested the Ethics Board consider holding training for community based organizations to raise awareness of the issue.

EXECUTIVE SESSION

Motion by Chairperson Teager, seconded by Mr. Kavanaugh, to enter 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

Mr. Kavanaugh questioned if the board members terms had been updated online. Chairperson Teager confirmed they have been.

ADJOURNMENT

Motion by Chairperson Teager, seconded by Mr. Kavanaugh, to adjourn the meeting at 6:45 P.M.

Ayes: All

Noes: None

Motion Carried

Margaret A. Martin

Margaret A. Martin

Deputy Town Clerk/Secretary to the Ethics Board

TOWN OF WEST SENECA



ANNUAL STATEMENT OF DISCLOSURE FOR INDEPENDENT CONTRACTORS & VENDORS

FOR CALENDAR YEAR: _____

INSTRUCTIONS:

All individuals who have an ownership interest in a business entity, including, but not limited to, a corporation, limited liability company, partnership, sole proprietorship, or any other business entity organized under the laws of New York State, or authorized to do business in New York State, shall complete this form prior to signing a contract or entering into an arrangement with the Town to provide goods or services.

FILL OUT COMPLETELY:

BUSINESS ENTITY NAME: _____
(include type of entity (corp., LLC, PPL, partnership, sole proprietor))

BUSINESS ENTITY ADDRESS: _____ NY _____
(Street Address) (Town) (Zip Code)

YOUR NAME: _____
(Last) (First) (Middle initial)

ADDRESS: _____ NY _____
(Street Address) (Town) (Zip Code)

PHONE: _____ EMAIL: _____

POSITION HELD: Check all that apply to you _____

- Officer
- Director
- Manager
- Member
- Sales Representative
- Shareholder

OWNERSHIP INTEREST (yes or no, if yes, what percentage)¹: _____

COMPENSATION INTEREST (yes or no)²: _____

Please **list** any real property in the Town of West Seneca where you, as an individual³, own or hold any ownership interest⁴:

Please **list** any relatives employed by the Town of West Seneca or appointed to serve on a committee in the Town of West Seneca:

<u>Relative Name</u>	<u>Relationship</u>	<u>Position Held</u>

Relative – A spouse, parent, stepparent, sibling, step-sibling, sibling’s spouse, child, stepchild, uncle, aunt, nephew, niece or household member of a Town official, officer or employee and individuals having any of these relationships to the spouse of the Town official, officer or employee.

The purpose of this Annual Statement of Disclosure is to identify potential conflicts of interest before such conflicts occur. In answering the questions on this Annual Statement of Disclosure, the following definitions are critical:

1. Interest, as used in this Annual Statement of Disclosure, is defined as follows:

- A. Providing goods, influence, investment, property or service(s) to any person, business or entity for which compensation or benefit is expected or received; and

¹ Ownership Interest, includes, but is not limited to, the ownership of stock, membership units, silent partner, an ownership of a right to vote, or any other ownership interest, monetary or nonmonetary where one would receive a benefit from such business.

² Compensation Interest, includes, but is not limited to, one’s compensation, monetary or nonmonetary, being contingent, in whole or in part (e.g., commission, bonus, etc.), upon executing a business arrangement with the Town.

³ For the purpose of this section an individual shall be deemed to have an ownership interest when he or she individually maintains any ownership interest in real property, or (a) is an officer or director of a business entity that owns any interest in real property or (b) owns or controls stock of a corporate or business entity that owns any interest in real property, or (c) is a member of a partnership or limited liability company, which maintains any ownership interest in real property.

⁴ See footnote 1 above

B. Holding ownership, title or right, individually⁵ or with others, to real property, within the Town of West Seneca.

2. Contract, as used in this Annual Statement of Disclosure, shall be defined in accordance with the Standard English usage.

Please answer the following questions.

1. Have you, your spouse/partner or relatives had any interest⁶ in any business or entity doing business with the Town currently or within the past twelve (12) months?

Yes: _____ No: _____

2. Have you, your spouse/partner or relatives had any interest in any contract made or executed by the Town of West Seneca within the past twelve (12) months?

Yes: _____ No: _____

If you answered yes to either of these 2 questions, describe the nature of the interest.⁷ Please attach an additional page if necessary.

List any position held in any other business, association or not-for-profit organization held by you, your spouse/partner or relatives that has or could in the future transact business with the Town of West Seneca.

<u>Business Name</u>	<u>Person Name</u>	<u>Nature of Business</u>

⁵ See footnote 3 above.

⁶ Interest, as defined in the Town of West Seneca's Code of Ethics § 13-2, is "[d]eemed to include the affairs of the official, officer or employee or their spouse, minor children and dependents, firm, partnership, or association in which such official, officer or employee is a member or employee; a corporation in which such official officer or employee is an officer, director, or employee; and a corporation of which any stock is owned or controlled directly by the official, officer or employee."

⁷ See footnote 6 above.

During the current year, if there are any changes in your answers to anything on this form, you must file an amended Annual Statement of Disclosure with the Town Clerk within thirty (30) days of such change.

I HEREBY CERTIFY THAT THE INFORMATION I HAVE PROVIDED IN THIS ANNUAL STATEMENT OF DISCLOSURE IS TRUE, CORRECT, AND COMPLETE. I HAVE REVIEWED THE CURRENT CODE OF ETHICS FOR THE TOWN OF WEST SENECA.

Date: _____

(Signature)

(Print Name)

(Return this form to the Town Clerk)