

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

ROLL CALL:

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

Absent - None

MINUTES TO BE APPROVED

Motion by Chairperson Teager, seconded by Ms. Funk, to approve Minutes of the December 8, 2021, meeting.

Ayes: All

Noes: None

Motion Carried

COMMUNICATIONS

- Selection of Chairperson and Vice-Chairperson

Motion by Ms. Funk, seconded by Mr. Kavanaugh, to nominate Michael Teager as Chairperson of the Ethics Board.

Ayes: All

Noes: None

Motion Carried

Motion by Mr. Kavanaugh, seconded by Chairperson Teager, to nominate Theresa Funk as Vice-Chairperson of the Ethics Board.

Ayes: All

Noes: None

Motion Carried

- 2021 Report

Chairperson Teager submitted the attached report to the Town Board summarizing the Ethics Board activities of 2021.

- 2022 Priorities

Chairperson Teager listed the following items he would like the Ethics Board to prioritize for 2022:

1. Complete the Contractor Disclosure Form revision
2. Create an ethics training module that would be available for newly appointed individuals
3. Recusal Policy for the Ethics Code
4. Codify an ethics complaints submittal policy

Vice-Chairperson Funk questioned if the process would be added to the Ethics Code. Chairperson Teager stated he is unsure if that would be necessary, and the goal is to establish a policy. Ms. Funk stated she has seen processes outlined in other Ethics Codes. Chairperson Teager stated the complaint form is in the code and would

like to explore revising it to require the complainant to indicate the code being violated. Deputy Town Attorney Minear cautioned that lay people may not be capable of correctly identifying the violations. Chairperson Teager stated an optional field could be added to the complaint form instead.

Mr. Kavanaugh referred to correspondence from the new Town Attorney Chris Trapp and his reference to the Erie County Board of Ethics having their own rules and regulations and stated this board does not. Mr. Kavanaugh suggested adding a process to the list.

Chairperson Teager agreed a procedure that could be shared with other boards would be very beneficial but completing the Contractor Disclosure Form should be the top priority and he will meet with Supervisor Dickson and at least one department head that deals with multiple vendors. Additionally, Chairperson Teager stated he will also work on the training module and asked Mr. Kavanaugh to work on the recusal policy. Mr. Kavanaugh stated he would suggest using the NYS policy he presented as 13-12.

Ms. Funk stated there were some items from the online ethics training that could be incorporated into the Ethics Code as part of the revision process.

Mr. Kavanaugh welcomed the new members.

PUBLIC COMMENTS

No comments were received.

EXECUTIVE SESSION

Motion by Chairperson Teager, seconded by Ms. Leonard, 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

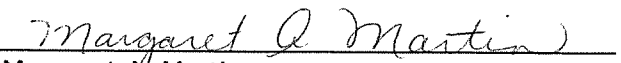
Motion Carried

PUBLIC SESSION

Ms. Funk referred to a previous discussion regarding the Town Clerk's participation on the Ethics Board and questioned the status. Chairperson Teager stated the Ethics Board could decide prior to making revisions to the Ethics Code.

ADJOURNMENT

Motion by Chairperson Teager, seconded by Mr. Kavanaugh, to adjourn the meeting at 6:42 P.M.


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

TOWN OF WEST SENECA



West Seneca
Ethics Board

CHAIRPERSON
Michael Teager
VICE CHAIRPERSON
Amy Carpenter
MEMBERS
Theresa Funk
Lawrence Kavanaugh, Jr.
Rodney Montgomery

December 31, 2021

Dear Town Board:

With 2021 drawing to a close, I want to submit a brief report on the Ethics Board's work this past year.

Early this year, the Town Board approved (thank you) our updating the term dates for several board members to align with the seats established in the Town of West Seneca Ethics Code §13-7 A. This discrepancy existed because such a realignment of the then-current Ethics Board didn't occur with the adoption of the current Ethics Code in 2019.

With Town operations somewhat normalizing for a portion of this year, the Ethics Board sought to improve some administrative aspects, and several months' work went toward a revision of the independent contractor disclosure form and the process around such. Because the current Ethics Code was adopted shortly before the start of the COVID-19 pandemic, which affected many of the Town's operations, we ran into several lingering questions as to whom such disclosures applied (e.g., precisely who is to complete an independent contractor form is ambiguous in the code) and how such data would be gathered in a way that would be thorough and transparent yet not a burden to Town staff and department heads. This work continues, and we hope to finalize this our work on this and submit a revision to the Town Board for consideration in the first half of 2022.

Individual financial disclosure forms for elected officials, appointees, and department heads are separate from the above, and our reviewing and handling of those has continued without issue throughout 2021.

In compliance with the training and educational requirements specified in the Ethics Code, the board members completed the following:

- Webinar from JCOPE: *Online Ethics Orientation Training Video* (and associated documents) regarding ethics requirements at the state level
- Webinar from the Office of the State Comptroller: *Conflict of Interests and Ethics for Municipal Officers and Employees* (and associated documents) regarding municipal ethics requirements as defined in New York State's General Municipal Law
- Information regarding transparency and ethics changes recently enacted by the Governor, including Executive Order 10: Updating the State's Ethics Training Requirements

Looking ahead to 2022, the Ethics Board is looking at putting together an ethics training module (specific to West Seneca's Ethics Code) that could be made available to all new elected officials, appointees, and

staff on a rolling basis. Separately, the board is also considering other items that, once investigated and fleshed out, may help further clarify processes and/or promote transparency within the Town.

The close of this year ends the terms for both Vice Chairperson Amy Carpenter as well as Rodney Montgomery. Both individuals have given much of their time and attention to the Ethics Board and the Town for several years, and their contributions are to be appreciated. On a personal note, Vice Chairperson Carpenter, whose service to the Town of West Seneca long precedes her appointment to the Ethics Board, was quite helpful to me upon my election as Chairperson, as this was my first full year with the board.

Also of note is Ms. Molly Martin's appointment of secretary to the Ethics Board. Ms. Martin has been a tremendous, helpful asset, and we are all thankful for her involvement.

I look forward to seeing what the Ethics Board accomplishes in the new year. Thank you for your time.

Sincerely,

Michael Teager
Chairperson, Ethics Board