

TOWN OF WEST SENECA



West Seneca
Ethics Board

CHAIRPERSON
Michael Teager
VICE CHAIRPERSON
Theresa Funk
MEMBERS
Anna Garvey
Lawrence Kavanaugh, Jr.
Kayla Leonard

December 31, 2024

Dear Town Board:

Below is a brief summary of the Ethics Board's work in 2024.

In August 2024, the Ethics Board again passed suggested updates to the Ethics Code. These include the following, which were originally suggested and passed by the Ethics Board for consideration in April 2022 and again in February 2023:

- Updated language for §13-5 of the Ethics Code noting exceptions for completion of the contractor & vendor disclosure form
- Updated language for §13-2 of the Ethics Code defining both "independent contractor" and "vendor" (neither term is currently defined in the Ethics Code)

Our hope is that an official adoption of some updates to the form and code may alleviate confusion that accompanies the current form and related processes.

The Ethics Board's suggested revisions also included updating official code language regarding its composition. The Ethics Board originally approved proposed language for updating §13-7 A in December 2023. Some of the proposed changes simply align the code with current and recent practice and remove redundant language. Other changes, if passed, will require adjusted processes. The proposed updates include:

- Staggering members' terms so that one member is appointed each year (currently, three are appointed in one year, two in the subsequent year, with several years having no appointments)
- Adjusting the appointed terms for current members to align with the above scheme
- Appointing new members by a majority vote of the Town Board (this has been the case in recent years, but the current code stipulates that each member of the Town Board may appoint a member)
- Removing ex-officio members who are appointed and elected officials (this aligns with recent practice)
- Ensuring the appointed secretary comes from the Town Clerk's office to ensure minutes, agendas, and accompanying processes align with Town and State processes and requirements (this has been the case in recent years, which the Ethics Board appreciates, but it is by no means guaranteed)

Beyond the aforementioned suggested revisions, the Ethics Board also approved some general revisions of The Ethics Code (§13) in August 2024. Some of those changes pertain to how ethics complaints are filed and to whom they may be submitted as well as recusal language, as well as other miscellaneous

updates. Some revisions were suggested by the Town Attorney to the Ethics Board earlier this year, and we discussed said items with the Town Attorney at the Ethics Board's July 2024 meeting.

The Town Attorney was scheduled to attend the December 2024 meeting of the Ethics Board to provide a status update on the aforementioned code revisions. However, he did not attend the meeting and provided no update in a follow-up communication. The Ethics Board is advisory in nature, so any recommended revisions we pass are merely suggestions, but the expectation is that said suggestions would at least be received and considered.

To reiterate, this has been the third consecutive year (April '22, Feb. '23, Dec. '23, Aug. '24) in which the Ethics Board has passed a suggested revision of the Ethics Code for the Town Board's consideration. However, also for the third consecutive year, said revisions have gone to the Town Attorney upon passage and then received little or no action.

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 2024.

The Ethics Board would like to thank Ms. Paula Eade Newcomb for her service this year as Ethics Board Attorney, which unfortunately must now end as she assumes her role of West Seneca Town Justice. Ms. Eade Newcomb's insight and guidance were helpful in all matters, especially relating to the code revisions, and we were grateful to work with her while we did. The Ethics Board wishes her well on her next chapter.

Additionally, Ms. Molly Martin's continued service as secretary to the Ethics Board is worthy of praise. Ms. Martin is integral to the Ethics Board's operations, and we are grateful for both her secretarial role as well as her insight into the Town's operations, which has been deeply helpful in our continued work on suggesting revisions to the code and its processes.

Also of note is the public attendance at the Ethics Board's meetings in 2024, which has been the highest since at least 2020. Be it students completing an assignment for a government class or members of the public wanting their voices to be heard, the Ethics Board is pleased to see people engaging with their local government.

Thank you for your time.

Sincerely,

Michael Teager
Chairperson, Ethics Board