

WARREN COUNTY BOARD OF ETHICS
DECEMBER 29, 2021

PRESENT:

Robert Iusi, Government Member
Brian Pilatzke, Esq., Alternate Government Member
Ash Anand, Government Member
Diana Palmer, Alternate Government Member
Connie Bosse, Non-Governmental Member (Chairwoman)
Martin Deslauriers, Alternate Non-Governmental Member

GUESTS:

Larry Elmen, Warren County Attorney
Tammie DeLorenzo, Assistant to the County Administrator
Don Lehman, Director of Public Affairs
Ryan Moore, County Administrator
Michael Swan, County Treasurer
Douglas Beaty, Town of Queensbury Supervisor At Large (via Zoom)
Claudia Braymer, City of Glens Falls, Ward 3 Supervisor
Daniel Bruno, City of Glens Falls, Ward 4 Supervisor
John Diamond, City of Glens Falls Ward 1 Supervisor
Bennet Driscoll, City of Glens Falls, Ward 5 Supervisor
Kevin Geraghty, Town of Warrensburg Supervisor
Andrea Hogan, Town of Johnsbury Supervisor
Craig Leggett, Town of Chester Supervisor (via Zoom)
Eugene Merlino, Town of Luzerne Supervisor
Rachel Seeber, Chairwoman of the Board/Town of Queensbury Supervisor At Large
John Strough, Town of Queensbury Supervisor
Frank Thomas, Warren County Budget Officer/Town of Stony Creek Supervisor
Michael Wild, Town of Queensbury Supervisor At Large (via Zoom)
Sarah McLenithan, Deputy Clerk of the Board
Molly Ganotes-Gleason, Legislative Office Specialist
Leslie Lovelace, Secretary to the Clerk of the Board

Please note, the following contains a summarization of the December 29, 2021 meeting of the Warren County Ethics Board; the meeting in its entirety can be viewed on the Warren County website using the following link: <https://warrencountyny.gov>

Note: Pursuant to New York Legislation (S.50001.A.40001): "Notwithstanding the provisions of article 7 of the public officers law to the contrary, any state agency, department, corporation, office, authority, board, or commission, as well as any local public body, or public corporation as defined in section 66 of the general construction law, or political subdivisions as defined in section 100 of the general municipal law, or a committee or subcommittee or other similar body of such entity, shall be authorized to meet and take such action authorized by law without permitting in public in-person access to meetings and authorize such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed" All of the Committee members were physically present.

Ms. Seeber requested Mr. Iusi act as Temporary Chairman and advised Ryan Moore, *County Administrator*, and Larry Elmen, *County Attorney*, would be speaking in regards to policies, procedures and concerns with the law as well as an opportunity to answer questions the board may have. She thanked the members on behalf of Warren County for volunteering to serve on the board.

Mr. Iusi assumed the position of Temporary Chairman and called the meeting to order at 11:02 a.m. He requested the members to introduce themselves.

The agenda review commenced as follows:

Item 1) Overview of responsibilities of the Board of Ethics - Mr. Moore proceeded to read aloud Section 20 paragraph (d) and (e) of the Local Law No. 6 of 2021, Warren County Ethics and Disclosure Law.

Item 2) Discussion regarding election of officers - Mr. Elmen stated as the legal advisor he recommended the three active members vote to select a Chair.

A brief discussion ensued in regards to who would become chair, following which a motion was made by Ms. Bosse, seconded by Mr. Anand and carried unanimously to appoint Ms. Bosse as Chair.

Mr. Elmen suggested the committee also select a Vice-Chair following which Mr. Iusi volunteered to fill that position.

A motion was made by Ms. Bosse, seconded by Mr. Anand and carried unanimously to appoint Mr. Iusi as Vice-Chair.

Mr. Elmen stated by default the 3rd Chair would be Mr. Anand in the absence of Ms. Bosse and Mr. Iusi and a vote was not necessary.

Item 3) Overview of Annual Ethics Training Program - Mr. Moore apprised the training information could be found in Section 14 paragraph (d) of the Ethics and Disclosure Law which he read aloud. He explained the I.T. Department had installed the training through the KnowBe4 system which used county e-mail addresses to notify employees to complete the training and track the progress of the completed training which produced a certificate at the end of the training. He apprised Tammie DeLorenzo, *Assistant to the County Administrator*, designed and recorded the training program. A brief discussion ensued in regards to the filing of the training certificates and the possibility of the program becoming interactive in the future.

Item 4) Overview of Annual Statement of Financial Disclosure process - Mr. Moore referred to Appendix "A" of the Warren County Ethics and Disclosure Law which listed who must file a financial disclosure statement along with the deadline for filing and he indicated Appendix "B" was the Financial Disclosure form which had been updated this year by the Board of Supervisors. A brief discussion ensued in regards to the Financial Disclosure Form.

Item 5) Review of Outside Interest Form - Mr. Moore referred to Section 11 paragraph (b) which he read aloud. He apprised the Outside Interest Form was located in Appendix "C". A brief discussion ensued in regards to the form.

Item 6) Discussion regarding rules for the Board of Ethics - Mr. Elmen provided an overview of the rules outside of the policy that applied to the Board of Ethics which included the New York State Open Meetings Law for Public Meetings and the definition of a meeting. He stated the term of the members terminated on December 31, 2021 and a motion would be required for the current members to continue to serve on the Warren County Board of Ethics and he recommended voting on a request and referring it to the Personnel, Administration & Higher Education Committee for a two-year term commencing January 2022 and terminate December 2023.

Motion was made by Ms. Bosse, seconded by Mr. Iusi and carried unanimously to re-appoint members to the Warren County Board of Ethics for a term commencing January 21, 2022 and terminating December 31, 2023 and refer same to the Personnel, Administration & Higher Education Committee.

A lengthy discussion ensued in regards to the rules for the Board of Ethics during which Mr. Elmen informed there were 7 ethic complaints to be addressed.

Motion was made by Ms. Bosse, seconded by Mr. Iusi and carried unanimously to allow the County Attorney's Office to receive/review the complaint forms and deem what complaints were an ethics complaint and forward those to the Ethics Board and address the current complaints during the meeting in an executive session.

Mr. Elmen apprised an executive session was necessary to discuss 7 complaints regarding matters leading to the appointment/employment promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

Motion was made by Mr. Anand, seconded by Mr. Iusi and carried unanimously pursuant to Section 105 (f) of the Public Officer's Law.

Executive session was held from 12:29 p.m. until 1:23 p.m.

Motion was made by Ms. Bosse, seconded by Mr. Iusi and carried unanimously that all documents which allege a violation of the code of ethics shall be initially reviewed by the County Attorney and forwarded to the chair person for the board of ethics to determine one of the following:

- 1) Whether the chair has a conflict
- 2) Whether the document states a complaint under the code and would be referred to the full Board of Ethics
- 3) Whether no action shall be taken on the document

Mr. Elmen stated the Chair requested he make the action taken public record and he read the following aloud:

- Document #1 dated 9/17/21 submitted at 6:03 p.m. - No action taken
- Document #2 dated 9/18/21 submitted at 2:38 p.m. - No action taken
- Document #3 dated 9/27/21 submitted at 10:51 a.m. - No action taken
- Document #4 dated 10/6/21 submitted at 11:16 a.m. - No action taken
- Document #5 dated 10/19/21 submitted at 10:57 a.m. - No action taken
- Document #6 dated 10/19/21 submitted at 7:59 p.m. - No action taken
- Document #7 dated 10/19/21 submitted at 8:24 p.m. - No action taken

Note: Ms. Bosse recused herself and exited the executive session for document #7 with Vice-Chair Mr. Iusi acting as Chair

Mr. Elmen stated the Board of Ethics deemed no further action was necessary on any of the complaints.

Item 7) Set future meeting dates - Ms. Bosse stated future meeting dates would not be scheduled until board appointments were made.

Ms. Bosse extended privilege of the floor to the public, during which comments were made by: Ms. Braymer and Chairwoman Seeber.

As there was no further business to come before the Warren County Board of Ethics, on motion by Mr. Iusi and Ms. Bosse adjourned the meeting at 1:29 p.m.

Respectfully submitted,
Leslie Lovelace, Secretary to the Clerk of the Board

