

WARREN COUNTY BOARD OF ETHICS

AUGUST 2, 2024

Board of Ethics Members PRESENT:

Members - Loretta LeBar (Vice-Chair); Ann Marie Scheidegger; Kim M. Diaz; James C. Hicks
Alternate Member - Paula Hayes

Board of Ethics Members ABSENT:

G. Thomas Moynihan Jr. (Chair)

GUESTS:

Larry Elmen, Warren County Attorney
Amanda Allen, Clerk of the Board
Leslie Lovelace, Secretary to the Clerk of the Board

Please note, the following contains a summarization of the August 2, 2024 meeting of the Warren County Board of Ethics; the meeting in its entirety can be viewed using the following links:

Warren County website - <https://warrencountyny.gov>

Warren County's YouTube Channel Part 1 - <https://www.youtube.com/watch?v=UPsus1RQy8o>

Part 2 - <https://www.youtube.com/watch?v=b4H8NnpfdVw>

Part 3 - <https://www.youtube.com/watch?v=dDJXju7n3yo>

Copies of the meeting agenda were distributed; a copy of the agenda is on file with the meeting minutes.

Commencing the agenda review as follows:

- I. Call to Order by Chair: In the absence of Chair Moynihan, Vice-Chair LeBar called the meeting to order at 10:00 a.m.
- II. Roll Call and Establishing Quorum: Roll called; quorum was established.
- III. Motion to Waive Reading of Minutes and Approve Minutes from Prior Meetings (*July 10, 2024 and July 12, 2024*).

Vice-Chair LeBar requested a motion to make a grammatical correction to the July 10, 2024 meeting minutes, specifically to amend the last line of the second to last paragraph on the first page to read "*as the allegation was determined to be unsubstantiated*", as well as to waive the reading of minutes and approve them, as amended.

The requested motion was made by Ms. Hayes, seconded by Mr. Hicks and carried by a unanimous vote of those present (*Mr. Moynihan absent*), with Ms. Scheidegger abstaining, to waive the reading of the July 10, 2024 Board of Ethics meeting minutes and to approve them as amended.

Note: At the August 8, 2024 meeting, the Board of Ethics approved an amendment to the August 2, 2024 meeting minutes to note that Thomas Moynihan Jr. did not attend because he had recused himself from all matters before the Board at the August 2, 2024 meeting.

The requested motion was made by Ms. Hayes, seconded by Ms. Diaz and carried by a unanimous vote of those present (*Mr. Moynihan absent*) to amend the minutes of the August 2, 2024 meeting, as outlined above.

Motion was made by Ms. Diaz, seconded by Ms. Hayes and carried by a unanimous vote of those present (*Mr. Moynihan absent*) to waive reading of minutes of the July 12, 2024 meeting and approve same.

- IV. Public Comment and Privilege of the Floor: There was no one present wishing to speak.
- V. Old Business:

- a. Request for motion to enter into executive session per Public Officer's Law 105(1)(f) to consider matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or persons concerning Board of Ethics Complaint #2024-2, #2024-3 and #2024-4.

Motion was made by Ms. Diaz, seconded by Ms. Hayes and carried by a unanimous vote of those present (*Mr. Moynihan absent*) to enter into executive session pursuant to Section 105(1)(f) of the Public Officer's Law as outlined above.

Executive session was held from 10:02 a.m. until 1:20 p.m.

Upon reconvening, Vice-Chair LeBar stated that no action was taken on either Complaint #2024-2 or #2024-3. She apprised on July 19, 2024 the Board of Ethics received a sworn statement alleging violations of the Code of Ethics Section 5, use of municipal position for personal or private gain and Section 14, use of Warren County resources. She added that Complaint #2024-4 was reviewed and discussed during today's executive session as required by the Standing Rules and Procedures paragraph 5(g). Vice-Chair LeBar requested a motion to vote on whether the filed document demonstrated factual allegations to establish reasonable cause that a County Officer or employee violated a specific code provision.

Motion was made by Ms. Hayes, seconded by Ms. Diaz and carried by a unanimous vote of those present (*Mr. Moynihan absent*); Larry Elmen, *County Attorney*, requested clarification and inquired if the motion was to proceed with or dismiss Complaint #2024-4 and Vice-Chair LeBar replied she did not believe they were dismissing.

Vice-Chair LeBar called for a motion to enter into executive session pursuant to Section 105(1)(f) of the Public Officer's Law to consider matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or persons concerning Board of Ethics Complaint # 2024-1. It was noted that Ms. Scheidegger was excused from the meeting at this point as she had recused herself from the matter; Ms. Scheidegger exited the meeting at 1:23 p.m.

Motion was made by Mr. Hicks, seconded by Ms. Diaz and carried by a unanimous vote of those present (*Mr. Moynihan and Ms. Scheidegger absent*) to enter into executive session pursuant to Section 105(1)(f) of the Public Officer's Law, for the purposes outlined above.

Executive session was held from 1:24 p.m. until 1:35 p.m.

Upon reconvening, Vice-Chair LeBar noted no action was taken on Complaint #2024-1 during executive session.

- VI. New Business: None.
- VII. Discussion Items: None.
- VIII. Second Public Comment and Privilege of the Floor: There was no one present wishing to speak.
- IX. Next Meeting Date: August 8, 2024 at 10:00 a.m.
- X. Motion to Adjourn:

As there was no further business to come before the Warren County Board of Ethics, on motion by Ms. Diaz, seconded by Ms. Hayes and carried by a unanimous vote of those present (*Mr. Moynihan and Ms. Scheidegger absent*) the meeting was adjourned at 1:36 p.m.

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