

**City of Troy, Ethics Commission Monthly Meeting Minutes
433 River Street Troy, New York 12180**

February 25th, 2015 - 6 pm

I. Call to Order

Welcome new commissioners Sarah Fish and Susan Scales

II. Roll Call

Cubit Bennett Carmichael Ellis Fish Scales

III. Approval of Minutes from last meeting

Motion: Carmichael/Ellis Passed Ayes: 6/No:0

IV. Open Issues

1. Resolution #E5 Adoption of the Commission's Regular Monthly Meeting Schedule for 2015 - *Commissioner Ellis thanked to commission for adjusting the dates to accommodate his teaching schedule at HVCC.*
Motion Cubit/ Carmichael Passed Ayes:6/No:0
2. Annual disclosures and Jurisdiction - *Commission agreed that these need to be completed regardless of start of 2015 Filing period. Secretary Cubit will obtain list from Chairwoman Bennett and follow through on remaining discrepancies.*
3. Review of Nepotism in City Charter - *Commissioner Cubit and Fish will pick up review process and begin a fact finding on what changes need to be made to the city charter in regards to nepotism.*
4. Public Officers and Committee Training - *Commissioner Cubit and Carmichael attended the webinar training on February 25th, 2015. Comments and review indicated that though much of the training was geared towards fiduciary responsibilities there as an ethics element that did provide clarity towards reporting and the fact that actual perceived conflicts of interest should be taken as seriously as actual. It is recommended that other from the commission should consider attending when able.*

V. New Business

1. Case review
 - *Case #E509152014-REV - Robertson v. Hoffman Review, update received from complainant - Discussion included that there was no supporting documentation provided to substantiate claims of retaliation. Commission voted to dismiss claim pending final draft from legal counsel regarding this case.*
Motion Cubit/ Ellis Passed Ayes:6/No:0
 - *Case #E610082014-REV Hoffman v. Robertson, Amended complaint received. Complaint has been adjourned pending completion of the Internal Affairs investigation by the Troy Police Department Inspectional Services Bureau. Notification to be sent to Legal Counsel for Sgt. Hoffman.*
Motion Fish/ Carmichael Passed Ayes:6/No:0
 - *Case #E202122015 - Deitz v. Troy, Complaint Received. Notification of receipt sent to Complainant and Andrew Donovan, City Engineer who oversees Code Enforcement as well as the Mayors Office. Case has been dismissed on*

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grounds that complainant did not provide proof of violation of the City's Code of Ethics §43-1(A). It was also the opinion of the Commission that the Mr. Donovan should address this type of issue unless an actual Ethics violation can be shown.

Motion Cubit/ Carmichael Passed Ayes:6/No:0

2. Advisory Opinions

- *A0102112015 - Filing of annual disclosure statements for Troy Community Land Bank.* The Commission has reviewed filing procedures and it was determined in summary that the Troy Community Land Bank is required to file annual disclosure to the "Foreclosing Governmental Unit" or "Tax District" as defined by the Land Bank Act, Article 18 of the General Municipal Law, and through direction of the Empire State Development Corporation and State Authorities Budgeting Office (ABO). It was also determined that the City of Troy Annual Disclosure Form should be filled out completely by anyone required to file. Commissioner Cubit will draft Opinion for Chairwoman Bennett and issue upon final approval.

Motion Cubit/ Carmichael Passed Ayes:6/No:0

VI. Public forum

The public is encouraged to attend the ethics commissions monthly meeting to address the commission, or to turn in sworn complaints (there will be no discussion on submitted complaints or current cases). Speakers are limited to 5 minutes and are to be directed to the Commission only.

1. XXXXXXXX Redacted XXXXXXXX

2. Commissioner Carmichael addressed the Commission providing a verbal disclosure that a complaint against the Commission may be filed with the Mayors Office and City Council in regards to a FOIL request made by Commissioner Carmichael before she was actually an appointed commissioner. The Commission thanked Commissioner Carmichael and reiterated that it is in her right as it is in any persons right to FOIL information and that the Commission would support that right. Commissioner Cubit expressed his concern that FOIL requests are being leaked as fast as they are being processed, if not before a request is filled and in this case individuals who are being are being FOILED that are no longer public officers or employees of the City and are being notified that requests are filed for information.

VII. Adjournment

Motioned Cubit/Ellis Ayes:6/No:0 Adjourned 7:56pm

Next meeting scheduled for March 18th at 6:00pm. Main conference room City Hall.