

August 30, 2018

Ethics Committee meeting minutes

6:17 p.m. meeting call to order

Attendees: R. Manley, S. Muller, M. Keefe, K. Pelland

There are still two vacancies on the board that need to be filled. It was noted that this meeting was open to the public and there were no attendees. Muller moved to accept the minutes from the last meeting. Keith seconded the motion. All were in favor and the minutes were accepted.

### Open issues

Amend the agenda regarding open seats on the board. Manley sent a letter on March 12<sup>th</sup>, 2018 to the Council regarding the two open spots. No answer to date from the Council. Manley also had an email exchange with the Mayor and there has been no response to date. Both the majority and the minority each have an open seat on the committee. Muller will reach out to Anasha Cummings and David Bissember regarding the openings. Manley will reach out to the Mayor as well. Keefe will reach out to Carmella Mantello and Jim Gullie.

**Annual disclosures** - Muller stated he made a preliminary review for conflicts and found none. Were all disclosures filed? Muller will check with Corporation Counsel. What are we looking for? All applications seem to be in order and everyone tried to answer honestly. There will only be a problem if someone does not report a conflict.

Muller raised an issue regarding advisory opinions. We have to rely on the information submitted.

**Advisory Opinion – request submitted by Steven Strichman regarding Dylan Turek, who applied for position of Economic Development Coordinator.**

Turek applied for position of Economic Development coordinator. Can he accept the job based on his private interests? What can he be involved or not involved in? Turek also supplied a list of his outside interests and where he would recuse himself regarding Conflict Of Interest ("COI"). Neil Pellone Architecture COI, none.

Job description of Economic Development Coordinator does not entail Turek hiring or making decisions on businesses being hired. Motion was made based on an analysis of documents provided and discussion by the committee. No COI. Muller seconded the motion and all were in favor.

Troy Farmers Market, if partnership terminated, no financial connection. Pelland made a motion to vote no seconded by Keefe, all in favor. Manley will draft letter and circulate for proof and approval via email by end of week dated September 7, 2018.

**Advisory opinion – request submitted by Charles Doyle regarding Jeanette Joseph’s application to TRIP.**

Jeanette Joseph is the cousin of Joseph Henkel of Troy Fire Department. Not immediate family member and Joseph does not have any connection to TRIP. Simply being related to firefighter is not an issue. Based on information presented, not immediate family member and not involved in decision-making for TRIP. Manley made a motion no COI based on information, seconded by Muller. Keefe will draft advisory letter. All in favor.

**Complaint filed by Mark McGrath**

First knowledge of complaint via email chain From Muller regarding article in the Times Union. Also reviewed email chain between McGrath, Mayor, City Council, Corporation Counsel, and Digital First Media submitted with formal complaint.

Open discussion regarding complaint regarding whether or not an ethics violation occurred based on information received. Failure to provide documents requested was not due to personal gain or benefit and records were ultimately received by Mr. McGrath, although not on his requested timeline. Ethics Committee determined this was not an issue of violation by a City employee. Issue regarded timeliness of response to request for documents and documents were received, just not in the timeframe requested due to a valid reason. Motion was made to deny the complaint for no violation. Seconded by Pelland. All in favor. Manley will draft letter to Mr. McGrath. Letter will be mailed first class, not via email.

**Other business**

Revisiting Kelly Ayotte complaint - not an ethics violation. If Ms. Ayotte can supply further information specific to person or persons employed by the City based on guidelines of Ethics Committee we can re-open and review. Case closed, no new complaints filed to date.

Email issues - Manley cannot send emails from our account. Do not want to use personal email addresses. No response from city regarding this problem. Website design, we are getting FOIL requests from mortgage companies. Brought this up to John Salka and he is looking into it. Manley will continue follow-up with City on this issue.

No other business, motion to adjourn made by Manley. Seconded by Keith. All in agreement. Meeting adjourned at 7:13 p.m.