

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

August 28th, 2014 - 6 pm

I. Call to Order / Pledge

II. Roll Call

Shaw Cubit Bennett Jamison Mazor Ellis Benbow

III. Approval of Minutes from last meeting

IV. Open Issues

1. Case#E102072014 (Shaw)
2. Agreement with Counsel (Shaw)

V. New Business

1. Annual disclosures
2. Case review - new cases, potential cases.
3. Jurisdiction Questions (Att-A)
4. Letter from Filippo (Att-B)
5. Review of items identified by John Mancini
6. Getting the word out on the on-line training

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.

VII. Adjournment

Att-A

1. Commission jurisdiction

Question: This has been asked several times by City officials, reporters, public and even ourselves. The main one that comes to mind is the police and fire department. Though only the Fire Chief and Police Chief are required to file an annual disclosure, I don't see in the code where officers are exempt from filing provided it falls under certain provisions such as entering into a contract for a side business with the city.

2. Ethics oversight to IDA. LDC CRC.

Question: I have asked this question of the IDA and they said no but in a luncheon I was at with the AG's office it was a much different answer. I think we need to get clarification on this and make sure when we are reviewing our changes to the §43 Code of Ethics that we make sure it is spelled out some how for inclusions and exclusions. The IDA's charter does not separate it from the City but have them as a body of the City, similar to us, but even with us there is limited oversight of us from the Mayor and the City Council, meaning they would handle complaints against us.

Att-B

From: Christopher Philipppo [toff@mac.com]
Sent: Wednesday, August 20, 2014 8:40 AM
To: ethics@troyny.gov
Subject: State Comptroller's Report Number S4-09-91

“We found that the City did not develop adequate procedures to monitor compliance with its Code and related statutory requirements. For example City established an Ethics Board to review annual financial disclosure statements and ethics complaints. However, one Ethics Board member told us that he has never met the other Ethics Board members and has not been asked to attend any meetings since he was appointed to the position in March 2008. Another Ethics Board member told us that the Board has not met since 2007 and she has never seen the annual financial disclosure statements that the Ethics Board is required to review annually. As a result, we found that 22 of the 72 individuals required to file these statements did not do so. One of the 22 individuals was an Ethics Board member, and another was a City Councilman. This is particularly troubling because those individuals should be setting an example for other City officers and employees. When a local government does not develop mechanisms to ensure compliance with its code of ethics, local officials have little assurance that they are preventing and detecting unethical conduct.”

“Although officials told us that recent revisions to the Code addressed whistle-blower protection, we could not locate the revised section and the head of personnel was not aware of such revision.”

<http://www.osc.state.ny.us/localgov/audits/swr/2010/ethics/troy.pdf>

Were all the problems in the report addressed and all the recommendations implemented?

Which City Councilman didn't file an annual financial disclosure?

Thank you for any help you can provide,

Chris Philipppo