

**City of Troy, Ethics Commission Monthly Minutes**

**433 River Street Troy, New York 12180**

Date of Meeting: 2/20/14 6:00 pm

I. Call to Order *Meeting called to order 6:06pm*

II. Roll Call *Present - Mazor, Bennett, Shaw, Cubit, Jamison, Ellis, Benbow*

III. Approval of Minutes from last meeting *Approve 7-yes 0-no*

*Commissioner Bennett questioned why Commissioner Cubit attended the law meeting and why should the meeting be open to the council members. Commissioner Jamison called a point of information that questions for the previous minutes should have already been discussed, that this was just a time to vote on accepting the minutes as documented. Motioned to vote by Jamison, Second Mazor.*

IV. Open Issues

a) **Res. #E1** Lift from table for approval of "Ethics Commission Meeting guidelines"

Adoption and addition to §43-19 of the Troy City Charter *Approved 7-yes 0-no*

*Resolution passed 7-yes 0-no*

*Commissioner Bennett and Chairman Shaw rose the question of authority to dictate our meetings, rules and regulation. Commissioner Cubit pointed out the City Charter §43-20(C)a. allow for the commission to promulgate. Motion to vote - Jamison / Second - Mazor*

b) Update on Chief Tedesco Complaint - *Topic of information - no complaint filed, remove from future agendas - no vote conducted*

V. New Business

a) Counsel and support staffing for Ethics Commission - *Ongoing search for legal council.*

*Commission Chair Shaw has been discussing with one party about providing the commission legal assistance. Commissioner Cubit also passed on the Chairman's contact information to a retired judge and lawyer who may be interested. There may also be the opportunity for an intern to work with us from Albany Law School, pending if the college adopts a unpaid internship program. Commissioner Cubit has supplied the college the commissions contact information for the future.*

b) Ethics investigation into Councilman Bob Doherty's appearance at a recent New York State Liquor Authority meeting (Intent to investigate - *Case #E102072014*). *Passed 7-yes 0-no*

*Motion to go ahead with investigation - Ellis / Second - Jamison*

c) Councilwoman Anastasia Robertson (District 2) - has publicly asked residents to file a class action lawsuit against the city. *Case #E202132014 Dismissed 6-yes 0-no 1-Abstained*

*Motion to dismiss - Cubit / Second - Bennett Recusal - Chairman Shaw*

*Commissioner Cubit motioned to dismiss due to complainant not being present.*

d) Councilman Rodney Wiltshire (At-Large) - Need to determine if he has a financial interest in Kokopellis. *Case #E302132014 Passed 7-yes 0-no*

*Motion to act to request disclosure statement - Mazor / Second - Jamison*

*Commissioner Cubit suggested that we call Councilman over during session to questions.*

*Committee disagreed. Commission Mazor commented that she has 2012/2013 and there is no*

*mention of a greater than 5% interest in Kokopellis. Suggested we just need the 2014 Annual disclosure, Mayors office has not turned any over as of yet.*

e) Move Ethics meetings from 6:00pm to 7:00pm.

*Requested by finance committee (at the request of Commissioner Cubit) **Combine with item f***

f) **Res. #E2** Change of meeting nights. Due to the expressed interest in our commissions meetings, we have been asked to move to a less busy night now. *Request of the Administration Approved with revision 5-yes 2-no Revision last Thursday of month at 6:00 pm*

*Commissioner Cubit opened discussion based on the request of not only the Finance Committee, but the Law Committee, and the Administration. Commissioner Bennett said that she was uncomfortable with moving because of the Council. Commissioner Cubit stated this was not because of the Council but that Thursday was the busiest night of the week for meetings and to allow for citizens to attend it might be better to move time. Administration recommended changing day. All discussed best night and time. Commissioner Ellis commented the city needs to provide us space regardless. Motion by Cubit to Vote with changes / Second - Benbow (Roll Vote) YES-Benbow, Mazor, Shaw, Bennett, Cubit NO-Jamison, Ellis*

g) A discussion of a simple way the community can contact the entire commission without publishing everyone's e-mail address. A simple "contact commission" option could be placed on the web site. Each member of the commission would receive the e-mail. Single e-mail address distribution list. *Approved 7-yes 0-no*

*Method decided on was a single e-mail distribution list that goes to all members but will on have the a single designated person respond. It was also discussed that the commission still needs the city to update the website with the single e-mail address and the correct names of the current commissioners serving. Commission also discussed when the web site will have the directions and formal complaint form. Commissioner Cubit stated he has the directions ready as well as the form, just need the IT Department to make it happen. Motion to vote Bennett on agreed method / Second - Ellis*

VI. Public forum: *Opened floor at 8:10 pm*

The public is encouraged to attend the ethics commission's monthly meeting to ask questions related to matters discussed, submit written complaints or to ask question of an ethics nature. Speakers are limited to 5 minutes and are to be directed to the Commission only.

VII. Adjournment *Meeting adjournment 8:34pm*

**Notes:**

Chairman Shaw called Executive called to review items b, c, d under §105(d) of the Open meetings law and in accordance to Troy, NY Ethics Commission Guidelines §3-2.

Tina Urzan of North Central Troy, protested call for executive session.

**Protest officially noted 7:25 pm.**

Motion made by Commissioner Bennett, 2nd by Commissioner Cubit

*Vote: Yes - 7 No - 0 Motion passed*

*Convened Executive Session at 7:38*

*Returned to General Session at 8:04*

*Reported to public all items voted on during executive session*