

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

March 27th, 2014 - 6 pm

I. Call to Order / Pledge

Called to order at 6:11pm

II. Roll Call

Present - Shaw Cubit Bennett Jamison Mazor Benbow
Absent - Ellis

III. Approval of Minutes from last meeting

Vote: 6 - Yes 0 - No

IV. Open Issues

1. Disposition of Case #E302132014 Inquiry of Councilman Wiltshire - ***Vote: Passed 6 Yes 0 No Dismissed with recommendation that when disclosure forms are received by the administration that a copy be forwarded to the Commission instead of waiting until the end date of filing.***
2. Meeting with NYS Attorney General, attending State session (Shaw)- ***Option presented to receive training from JCOPE or have Mr. Mancini can come to use. Rev. Shaw will follow up.***
3. Case#E102072014 - Councilman Doherty (Cubit) - ***Commission will continue investigation. To call in others for interview, including the respondent. - Vote: Passed 6 Yes 0 No***
4. Web site update (Cubit) - ***Passed with amendment Vote: 6 - Yes 0 - No. Changes to anonymity to cover protected class and whistleblower protection (city employees) Must be explicitly specified on form and web site. Will be submitted to City IT to be added.***
5. Update on review of Open Meetings Law. ***Commission's Counsel will review and provide an update as to when it is appropriate to enter executive session.***

V. New Business

1. Resolutions

- a. E3 - Resolution to strike from the Ethics Commission Meeting Guidelines §3-5.

3. Meetings and hearings.

(5). Any materials presented to the Commission during the public session of a meeting or proceeding for consideration by the Commission as a body shall be posted on the Commission's web site prior to the meeting to the extent practicable.

Vote: Passed 6 - Yes 0 - No

2. **Interview process for complainants and others - *Tabled Vote: 6 -Yes 0 - No***
3. **Annual report due to the Mayor - *In progress***
4. **Establish goals - *Training links added for City web site for employees to begin basic ethics training. In progress.***
5. **Counsel for Ethics Commission - *Nomination Jim Quinn***

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Vote: Passed 6 - Yes 0 - No

6. Case review

Case # E202132014 Complainant v. Robertson - Commission reviewed memorandum in support of Resolution to dismiss complaint. In the matter, discussion found that on the grounds of legality cited in the complaint and vagueness of city code that there was not enough detail to support the complaint. Items cited in regards to the Public Offices law specifically pertained to state, legislative and assembly members only and do not cover municipal employees or official.

Commissioner Cubit recommended that the matter be disposed and sent to Councilwoman Robertson appropriate reporting authority per §43-23(A) and that this is an issue of Code of Conduct and not an Ethics violation. Commissioner Mazor and Bennett disagreed and felt the issue should be disposed with no further action. Commissioner Jamison also felt issue did not warrant being passed on. Commissioner Cubit motioned to vote on resolution as presented, motioned seconded.

Vote 5 - Yes 0 - No : Disposition to be drafted to complainant and respondent and mailed within 30 days.

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

Meeting adjourned 8:34 pm - Next meeting April 24th 6:00 pm.