

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

May 29th, 2014 - 6 pm

I. Call to Order / Pledge -

Called to order at 6:03pm

II. Roll Call

Present:	Shaw	Cubit	Bennett	Mazor	Ellis
Absent:			Benbow		Jamison

III. Approval of Minutes from last meeting - Motion Ellis Second Cubit - Ayes - 5 No - 0

IV. Open Issues

1. Case#E102072014 hearing

Present - Councilman Robert Doherty and Majority Legislative Counsel Joe Liccardi - Commenced at 6:10 / Concluded 6:45 (Audio Transcript only available.)

2. Agreement with Counsel

Pending per Chairman Shaw

3. Counsel for Ethics Commission - Updates on Open Meeting Law

No update but Counsel recommended the exemptions under Section 108 of the OML are discretionary and needs to be used with care. Noted deliberations with counsel on cases is acceptable under that section.

4. Training - City wide, Employees and Officials.

Combined with item 5

5. Audit review - follow up.

Commissioner Cubit contacted the States AG and Comptroller. Training material is no longer available for ordering but sent link to download ethics poster. Commissioner Cubit checked size and a print off would take approximately 8 sheets of paper. Requesting the Mayors office see if they can get reproduced for distribution to all city notice boards. Commissioner Cubit also made note that City's website has the link for online training. Other items from Comptrollers audit still remain to be completed.

6. Annual disclosures - Requested list of position required to file and who is in those positions from law department.

Commissioner Cubit received, per request a partial list of those required to submit from Corporate Counsel. Disclosures still have not been received by the commission to date.

V. New Business

1. Training - Internal

- a) John Mancini of the NYS conference of mayor has agreed to attend our June 26th (6pm) meeting to share knowledge which will further our growth as an ethics commission. As that date approaches, provide Rev. Shaw with questions for him to address.

2. Case review - new cases, potential cases.

- a. Planning demolition and disclosure issues: King St., King Fuels, Scolite etc.
Commissioner Cubit and Mazor have been attending the public hearings held by the City Council to review what happened in regards to the process of demolition at those sites as

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well as the review of the RFP changes that may have occurred during the Scolite sale process. Commissioner Bennett questioned why the interest. Commissioner Cubit stated that per the State procurement requirements a municipality is required to receive disclosure statements from vendors. Commissioner Cubit also stated that the City has stated that they are following the state procurement procedures. Review of these disclosure would help determine if there are interest of city officials or employees and vendors that would create an unfair advantage over other vendors or create the appearance of such situations that could be dealt with through either transactional disclosures or vendor disclosures. Counsel felt that either of those are out of the jurisdiction of the Ethics Commission. Commissioner Cubit stated that the commission should not only respond to formal complaints but should make the effort to observe, obtain and open investigations on it own, regardless of outcome. Chairman Shaw recommended that everyone try to attend the next hearing to get up to speed. Commissioner Cubit offered recordings of the previous hearings also commented that he is awaiting for vendor records from the City including disclosures, records should be ready within a week.

b. Conflict of interest in hiring practices: (Agenda Addition)

Violations of civil service hiring practices have been mentioned to the Commission. These included nepotism, and residency requirements being ignored. Commission is awaiting further specific information.

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

Motioned by Cubit, Second by Ellis (Ayes 5 - No 0) - Adjourned 7:50 pm.