

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

December 18th, 2014 - 6 pm

I. Call to Order

Called to order at 6:07pm

II. Roll Call

Present Shaw Cubit Bennett Mazor Ellis

Absent Benbow, Jamison

III. Approval of Minutes from last meeting

Motion Bennett / Mazor : Aye 5 - No 0

IV. Open Issues

1. Annual disclosures and Jurisdiction - *Commissioner Bennett / Commission Counsel*
Two more received. Motioned to table.
Motion Cubit / Ellis : Ayes 5 - No 0
2. Changes and review of Nepotism - *Commissioners Jamison and Mazor*
Remains tabled from November meeting

V. New Business

1. Case review
 - *Case #E509152014-REV - Robertson v. Hoffman Review*
Motion of recusal of Chairman Shaw and appoint Commissioner Bennett as acting chair for case.
Motion Ellis / Mazor : Aye 5 - No 0
Councilwoman Robertson resubmitted a formal complaint on December 1st. Discussion commenced on the details of the complaint, Commissioner Cubit commented that the complaint cites no violations, and only refers to the commissions own procedures in the City Code. Commissioner Bennett stated that the Complaint now alleges Retaliation in violation of Code § 43-3.1. The Complainant alleges she was terminated from her employment with the Albany School District, but it is not clear from the Complaint when the termination occurred and how Respondent could have caused the termination. Commission agreed to adjourn the case pending receipt of additional documentation from Complainant relating to her termination. Commission determined that the Secretary should inform Complainant that additional information was necessary for the Complaint to go forward. The Secretary will ask Complainant to provide a written response the certain questions relating to her termination and to provide relevant supporting documentation no later than January 31, 2015. The January 31, 2015 deadline was chosen to provide Complainant with adequate time to obtain documents from her former employer in the light of the fact that she may be unable to do so during the holidays. Motion to adjourn and send letter to Complainant entered.
Motion Cubit / Ellis : Aye 4 - No 0

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.

1. Prior to adjournment Commissioner Cubit requested to address to the Commission with some thoughts for the closing of our 2014 session.

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Tonight we will be part of history, though it may not seem like much to many and often treated as a joke by the few based on the past. Tonight the Troy City Ethics Commission will close it's 2014 session and we will have the departure of five very dedicated individuals who I have had the pleasure to serve with, as it is the end of their terms. While this years session had a rocky start it has allowed us to begin to work towards shaping a logical, fair and well defined Ethics Policy for the City of Troy. We have had the pleasure of working with various State Agencies, including the New York Conference of Mayors with John Mancini, the Joint Commission on Public Ethics (JCOPE), the State Comptroller and NYS AG office. Some successes I feel that should be noted:

1. Established a filing policy for complaints
2. Established a web presence on the City's web site
3. Established on-line training for all City Officials, and Employees in conjunction with the NYS Comptrollers Office.
4. Retain Legal Counsel at no charge to tax payers
5. Issued several advisory opinions
6. Mediated six complaints
7. Last but not least we held 10 meeting session this year, 12 were scheduled but a quorum was not achieved for two meetings. That is more meetings and effort than the past 20+ years.

While we still have a long way to go what I would like to work on for the upcoming year(s) include:

1. Strengthen the City Code of Ethics and eliminate the vagueness and loopholes that exist.
2. Incorporate a Vendor Disclosure Policy in the City Code.
3. Enhance the current Ethics Code to include Local Municipal Campaign Finance Oversight.
4. Establish classroom training for all Elected and appointed Officials and employees through the Ethics Commission.
5. Smaller items such as guaranteed service agreement from the City for Postage Cost, Office Supplies, Secure file cabinets.
6. Also a stronger support from the City, City Council as well as seeking out the Ethics Commission for advice before any potential issue arises.

I look forward to the next year and working with the new commissioners when they begin their appointments January 1st.

VII. Adjournment

Meeting adjourned at 7:35pm

Next meeting January 22nd 6:00 pm.

Organizational meeting for 2015

- 1. Welcome new Commissioners*
- 2. Election of Chair and Secretary*
- 3. Approval of Meeting Guidelines*
- 4. Schedule for Public Officer/Meeting Online Training.*