

CHAUTAUQUA COUNTY ETHICS BOARD MEETING MINUTES

DATE: September 15, 2021

LOCATION: Room 149, Gerace Office Building, 3 North Erie Street,
Mayville, New York 14757

TIME: 3:01 – 5:33 p.m.

MEMBERS PRESENT: John Hamels
Diane Hannum
John Marengo
Mary Kay Szwejbka

MEMBERS ABSENT: David Rowe

OTHERS PRESENT: Nathaniel Barone from the Public Defender's Office
Amanda Gallagher from the County Executive's Office
Kristen Wright from the County Law Department

CALL TO ORDER & PUBLIC NOTIFICATION:

Mary Kay called the meeting to order at 3:01 p.m.

Amanda confirmed proper public notification was completed as the notice of today's meeting was sent out to the local media and posted on the county website on September 7, 2021. The meeting agenda and materials were posted on the county website on September 8, 2021. She also confirmed that the meeting appeared in the Observer's "Community Notebook" section on September 9, 2021 and in the Post-Journal's "Briefly" section on September 10, 2021.

Nathaniel entered the meeting at 3:04 p.m.

REVIEW OF CASE NUMBERS 2021-07 AND 2021-12:

Mary Kay motioned to enter into executive session at 3:05 p.m. to discuss matters leading to the discipline, suspension, dismissal or removal of a particular person or persons, which was seconded by John H. All in favor.

Amanda left the meeting at 3:05 p.m.

Nathaniel left the meeting at 3:40 p.m.

Mary Kay motioned to leave executive session at 3:45 p.m., which was seconded by John M. All in favor.

Amanda returned to the meeting at 3:46 p.m.

APPROVAL OF MINUTES:

Diane requested that the August 25, 2021 minutes reflect the specific change that was requested by Amanda to the June 30, 2021 minutes when they were approved. The change was requested under the “Status of Annual Code of Ethics Training for County Employees and Board Members” section of the minutes to update the sentence, “In addition, there are 9 employees who are out on leave and will be required to complete it upon their return to work” to now read 18 employees instead of 9, due to an error where 9 employees were missed.

The draft August 25, 2021 minutes were tabled for discussion until the next meeting as there was not a quorum of those present at the last meeting to vote on them.

REPORT FROM COUNTY ATTORNEY:

Kristen reviewed the revised “Ethics Board Procedure - Financial Disclosure Statements and Ethics Board Training” document with the Board. On page 2 under minimum penalties, she wondered if the board wanted to set a monetary amount for the third year someone untimely complies with the statement or training requirements. There was general agreement that if someone was in non-compliance for a third year that it would then be up for the Board’s further review and determination.

John M. motioned to adopt the new procedures effective October 1, 2021, which was seconded by Diane. All in favor.

REVIEW CORRESPONDENCE:

John Marengo reported that he checked the Board’s P.O. Box today and there was no mail.

STATUS OF ANNUAL CODE OF ETHICS TRAINING FOR COUNTY EMPLOYEES AND BOARD MEMBERS:

Amanda reported 10 Annual Code of Ethics Training confirmations are still missing. This includes 2 active employees and 8 individuals who are still out on leave.

Amanda also reported she received an email from the Sheriff’s Office about an error on its end when the 2021 Code of Ethics Training was returned to the Human Resources Department. It provided documentation showing that two employees in the department that were previously thought to have not timely completed the annual training, did in fact complete the training by March 31, 2021 within the electronic training system the Sheriff’s Office utilizes to track the trainings completed by its employees. If the board is

satisfied with this documentation, then the Late Filing Notices letters that were previously sent to these individuals should be revoked.

There was general agreement from the Board that the Late Filing Notice letters be revoked as the training was timely completed by both parties.

The Board reviewed and approved 1 Request Form for an Extension of Time to Certify Completion of Ethics Training.

STATUS OF FINANCIAL DISCLOSURE FORMS AND ANNUAL FILING:

Amanda reported that so far for 2021, a total of 349 Statements of Financial Disclosure have been reviewed, approved and filed.

There are two annual forms that are still missing from active employees.

The Board has 3 Request Forms for an Extension of Time to File the Statement of Financial Disclosure Form to review at today's meeting.

REVIEW OF CASE NO. 2021-06:

Reporter for Case No. 2021-06 arrived at 4:08 p.m.

John H. motioned to enter into executive session at 4:09 p.m. to discuss matters leading to the discipline, suspension, dismissal or removal of a particular person or persons, which was seconded by Diane. All in favor.

Kristen left the meeting at 4:09 p.m.

Reporter left the meeting at 4:30 p.m.

Kristen returned to the meeting at 4:36 p.m.

John M. motioned to leave executive session at 5:05 p.m., which was seconded by Diane. All in favor.

John H. motioned to send a letter to reporter that the Board appreciates the report and will take it under advisement, which was seconded by John M. All in favor.

RETURN TO STATUS OF FINANCIAL DISCLOSURE FORMS AND ANNUAL FILING:

The Board reviewed and approved 2 Request Forms for an Extension of Time to File the Statement of Financial Disclosure Form. With this approval, the Board will also send a letter to the individual revoking the Late Filing Notice letter previously sent to the individual.

The Board reviewed and disapproved 1 Request Form for an Extension of Time to File the Statement of Financial Disclosure Form. A letter will be sent to the board member and department liaison requesting the board member timey comply in the future. The board also approved its accompanied disclosure statement.

NEXT MEETING:

The next meeting is scheduled for November 17, 2021 at 3 p.m. in the Gerace Office Building, Room 149.

MEETING ADJOURNED:

John H. motioned to adjourn the meeting at 5:33 p.m., which was seconded by Diane. All in favor.

Minutes prepared by Amanda Gallagher and respectfully submitted to John Marengo.