

## **Erie County Ethics Board**

May 2014 Meeting Minutes

May 5, 2014

8:00 a.m.

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**MEMBERS PRESENT:** Steven Schwartz, Chair  
Chris Trapp, Vice-Chair  
Kim Bowers, Secretary  
Rebecca Town  
Jeremy Toth, Ex-Officio

**OTHERS PRESENT:** Tami Burns-DiCioccio, Administrative Staff  
Peter Reese - guest

**MEMBERS ABSENT:** Anna Falicov

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1. Review and approval of April 2014 minutes.
  - A motion was made to approve the April meeting minutes by Kim Bowers and seconded by Chris Trapp.

**THE VOTE ON THE MOTION BEING:**

Steven Schwartz	AYE
Kim Bowers	AYE
Chris Trapp	AYE

**THE MOTION WAS APPROVED**

2. Membership Updates:
  - Rebecca Town's name and information was submitted to the Legislature for their approval. Waiting on status of official confirmation.
3. Follow-up Disclosure Delinquencies for candidates for office (Trapp):
  - Notice of those missing was sent to the Board of Elections.
4. 2013 Annual Activity Report:
  - Submitted and reviewed with Governmental Affairs of the Erie County Legislature. Mr. Toth also submitted to the County Executive for his files.
  - Also reviewed with them the Code of Ethics regarding gifts. Arthur Mussara requested further clarification of which Mr. Schwartz provided.
  - No further follow-up necessary.
5. Website / Email Updates:
  - No report at this time.
6. Communications:
  - Employment issues from Sardinia employee (Schwartz) – Letter was sent in response to email received that her “inquiry is beyond the scope of this Board and beyond the powers enumerated under the law governing the Board of Ethics.”
  - Opinion to Comptroller regarding use of County Seal (Schwartz) – that the County Seal should be used only for official county business.
  - Ethics Code for Lockport – nepotism article was circulated – they are revising their code.

7. New Business:

- Peter Reese in attendance, who voiced a complaint against the County Executive regarding appointed attorney(s) in a position on the Erie County Board of Ethics as Counsel when action is being taken against the County Executive. In the event this occurs in the future, we have attorneys on our board that could stand in their place or we could request a replacement with the County appointed attorney recusing his or herself. He also expressed concerns regarding member Anna Falicov and her connections to the Democratic Party.
- Further expressed concerns of the County Seal being used on County Executive Poloncarz's website and the use of the county seal on his political campaign. Although the seal has since been removed, our opinion to the County Comptroller is that county seal is limited to the purposes of official county business. Fundraising invitation implies access to senior County staff at fundraiser. The Ethics Board's opinion is that it is not within our jurisdiction to offer judgment and may be referred to the New York State Board of Elections.
- Schwartz noted:
  - i. Role of County attorney is ex-officio member of the Ethics Board.
  - ii. In terms of political conflict – no more than 3 people can be affiliated with a particular political party.
  - iii. County seal – there are other municipalities that address the specific issue of use of the County Seal. This may require further legislation.

8. Review of Letters and Forms

- Disclosure forms (268) were mailed out by April 1<sup>st</sup> and are due back by May 15<sup>th</sup>.
- Board began reviews of disclosure forms for 2013 and will continue these reviews in June.

Next meeting will be on Monday June 2, 2014 at 8:00 a.m.

9. A motion was made to adjourn the meeting by Chris Trapp and seconded by Kim Bowers.

**THE VOTE ON THE MOTION BEING:**

Steven Schwartz	AYE
Kim Bowers	AYE
Chris Trapp	AYE

**THE MOTION WAS UNANIMOUSLY APPROVED**

The meeting was adjourned 9:00 a.m. and reviews continued until 9:30 a.m.