

**BOARD OF ETHICS MEETING MINUTES
WEDNESDAY, DECEMBER 7, 2016**

**TOWN OF NORTH CASTLE
15 BEDFORD ROAD
ARMONK, NY**

Public Meeting:

DATE: December 7, 2016

TIME: 9:15 a.m.

PLACE: Judges' Conference Room, Town Hall

PRESENT: Board of Ethics Members

John Klem

Susan Shimer

David Simonds

Brett Summers, departed 11:15 a.m.

Edward Lobermann, arrived 9:30 a.m.

Rabbi Stacy Bergman, Alternate

OTHERS PRESENT:

None

1. Call to Order

At 9:15 a.m. the meeting was called to order by consensus.

2. Revision and Adoption of Agenda

Action: 2.1 Revisions (if necessary) and adoption of Agenda

The following agenda was adopted by unanimous consent:

1. Welcome and Introductions
2. Board Chair
3. Board Meetings
4. Town Board Updates
5. Email Accounts
6. Indemnity Insurance for Board of Ethics Members
7. Town Board Liaison
8. Doing Board business via email
9. Internal Guidelines
 - Sample Document
10. Annual Disclosures
 - Collecting/Distributing
11. Plain Language Guide for Employees and Volunteers

3. New Business

Information: 3.1 Welcome and Introductions

Individual Board members introduced themselves, provided basic background information and shared relevant experience.

Discussion, Action: 3.2 Board Chair

The Board selected David Simonds by unanimous consent to serve a one-year term as Chair of the Board of Ethics. After discussion, it was agreed that, for future meetings, the Chair would be responsible for polling members and drafting proposed agendas, and

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submitting such agendas to the town clerk in advance of such meetings to ensure adequate public notice.

Action: 3.3 Board Secretary

The Board selected Brett Summers by unanimous consent to serve a one-year term as Secretary of the Board of Ethics. It was agreed that the Secretary would be prepare draft minutes following each meeting to be submitted for approval at a subsequent Board meeting, and that the Secretary would assume the responsibilities of the Chair in the Chair's absence.

Action: 3.4 Board Meetings

The Board determined by unanimous consent to schedule a minimum of two public meetings per year; the first meeting to be scheduled during the first quarter, and the second meeting to be scheduled during the third quarter.

[Edward Lobermann, arrived 9:30 a.m.]

Discussion, Action: 3.5 Town Board Updates

After discussion, the Board of Ethics determined by consensus to prepare an annual update and report to the Town Board. Such report would be finalized and adopted at the Board of Ethics' third quarter meeting, with the expectation that the report would be submitted or presented to the Town Board during one of the Town Board's October meetings.

Information, Discussion, Action: 3.6 Email Accounts

After information about and discussion of New York State's Freedom of Information Law, the Board determined by unanimous consent that individual Board members would each create dedicated Board of Ethics email addresses following the format of FirstInitialLastname.ethicsboard@gmail.com. The purpose would be to use the newly created accounts for all Board of Ethics communications, and end the practice of using any other email accounts for such purposes.

Information, Discussion, Action: 3.7 Indemnity Insurance for Board Members

After information about and discussion of the need for individual Board of Ethics members to be appropriately indemnified by the Town of North Castle for liability stemming from their volunteer work on the Board of Ethics Committee, it was determined that the Chair would be communicating with the Town Clerk, Town Board Liaison to the Board of Ethics and/or the Supervisor to present the recommendation and inquire about covering Board of Ethics members under such policies.

Discussion, Action: 3.8 Town Board Liaison

There was unanimous agreement that the selection of the Town Board liaison to the Board of Ethics would be a matter for the Town Board, and such liaison would be invited to attend all future Board of Ethics meetings, with the exception of those portions of Board of Ethics meetings in Executive Session.

Information, Discussion, Action: 3.9 Doing Board Business via Email

After information about and discussion of New York State's Open Meetings Law (a/k/a Sunshine laws) and Freedom of Information Law, the Board of Ethics determined by unanimous consent that individual members would avoid discussion of substantive matters via email. It was agreed, however, that email is the appropriate means for attempting to resolve procedural issues including scheduling, as well as distributing documents relevant to the business of the Board.

Information, Discussion, Action: 3.10 Internal Guidelines/Sample Document

The Board agreed by unanimous consent to undertake the process of memorializing agreed upon procedures for the operations of the Board of Ethics in a document entitled "Internal Guidelines," the first draft of which was prepared in advance of the December meeting by Susan Shimer. The draft was based in large part on the internal guidelines of the Ethics Board of Yorktown with consideration given to published procedures of the Ethics

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Boards in many other towns in New York State. The Internal Guidelines document also contains a section on Receipt and Investigation of Complaints setting forth general protocols for how complaints are to be received and reviewed, and the process for issuing Advisory Opinions. After extensive discussion of its many terms, the Chair volunteered to revise the draft Internal Guidelines incorporating agreed changes, and circulate the document for continued discussion at the next meeting of the Board of Ethics.

[**Brett Summers**, leaves 11:15 a.m.]

Information, Discussion, Action: 3.11 Annual Disclosure Forms

The Board discussed drafts of a proposed annual Disclosure Statement for Town Officials and Employees, a Conflict of Interest Disclosure form, a Complaint Form, and a form for a Request for an Advisory Opinion. The Chair volunteered to revise the draft Internal Guidelines incorporating agreed changes, and circulate for the document for continued discussion at the next meeting of the Board of Ethics.

Information, Discussion, Action: 3.12 Plain Language Guide for Employees and Volunteers

The Board discussed the possibility of having a Plain Language Guide for Employees and Volunteers, and Sue Shimer volunteered to prepare a first draft of such a document for further discussion at the next meeting of the Board of Ethics.

4. Adjournment

There was unanimous consent of those members present to end the public meeting at 12:00 p.m.

Respectfully submitted,



Brett Summers, Secretary

March 10, 2017

Date