

BOARD OF ETHICS MEETING MINUTES
FRIDAY, August 9, 2019

TOWN OF NORTH CASTLE
15 BEDFORD ROAD
ARMONK, NY

Public Meeting:

DATE: August 9, 2019

TIME: 8:37 a.m. called to order

PLACE: Hergenhan Recreation Center, Upstairs Conference Room

PRESENT: Board of Ethics Members

David Simonds, Chair
Brett Summers, Secretary
Susan Shimer
Edward Lobermann
Kerri Kazak-Lowe
Nils Chittenden, Alternate

OTHERS PRESENT:

José Berra, Liaison with the Town Board

1. Call to Order

At 8:37 a.m. the meeting was called to order by the Chair.

2. Revision and Adoption of Agenda

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

A motion was made by Mr. Simonds and seconded by Mr. Summers to adopt the agenda. Vote: 5-yes, 0-no. Motion carried.

3. Comments from the Public

None

4. Unfinished Business

4.1 Annual Disclosure Obligation
Follow up re Non-Filers

Messrs Chittenden and Berra arrive. Mr. Simonds reported that he followed up with all non-filers via email and received numerous immediate replies. He believes he copied all of the Board of Ethics members in each case. Approximately 20 individuals have yet to file their forms with the Town Clerk despite their assurances to Mr. Simonds. Board members divided the list of remaining non-filers and undertook to reach out to each individual and maintain a record of each such communication.

For future filing years, there was consensus on the plan for follow up for those who fail to meet a March 15 filing deadline. Annual disclosure forms would be distributed on February 15 of each year, with follow up reminders being distributed by email one week before the March 15 filing deadline. A list of those who miss the March 15 filing deadline would be created and follow up emails would be sent within 7 days. Individual phone calls would be made to those who continue to fail to file within 30 days of the March 15 deadline. After 60 days following the March 15 filing deadline, those who continue to fail to file will receive a formal certified letter, return receipt requested, setting forth the scheduled date of a meeting of the Board of Ethics for an opportunity to be heard as to why the Board of Ethics should not find reasonable

cause to believe a violation of the Code of Ethics has occurred. Mr. Summers will draft the form of the letter for discussion at the next meeting.

For the current year, following attempted communications by individual board members, the Chair will follow up after Labor Day with a certified letter to those remaining non-filers.

Mr. Berra will prepare a suggested spreadsheet format for the purpose of tracking next year's filing obligations.

**4.2 Annual Disclosure Form
Certification of Non-Interest**

Mr. Berra will prepare a list of contract vendees to be updated in January of each year to be distributed with the annual Ethics Disclosure Statement. Mr. Chittenden will attempt to create an electronic PDF form that may be filled in on-line, and Ms. Kazak-Lowe will work with the Town Clerk to explore web based compliance options.

**4.3 Educational Initiative
Video Script
Video Scheduling**

Mr. Simonds and Mr. Summers will follow up with the interim Town Administrator as well as Mr. Kevin Hay, the new Town Administrator, to schedule a date for video taping.

5. New Business
None

6. Chair's Report
None

7. Topics for Future Agendas / Requests for Information

Mr. Berra has yet to receive specific objections or concerns from the Town Board but will keep the Board of Ethics informed in this regard or efforts to schedule a work session.

8. Communications to the Board of Ethics
None

9. Approval of Minutes of April 30, 2019 Meeting
A motion was made by Mr. Summers and seconded by Ms. Shimer to approve the draft Board of Ethics Minutes of June 6, 2019. Vote: 5-yes, 0-no. Motion carried.

10. Adjournment
At 10:24 a.m., a motion was made by Mr. Summers and seconded by Mr. Simonds to adjourn the meeting. Vote: 5-yes, 0-no. Motion carried.

The public meeting ended at 10:24 a.m.

Respectfully submitted,



Brett Summers, Secretary

October 2, 2019
Date