

**BOARD OF ETHICS MEETING MINUTES
MONDAY APRIL 16, 2021**

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

Public Meeting:

DATE: April 16, 2021

TIME: 8:34 a.m. called to order

PLACE: Virtual meeting conducted via Zoom. Public comments and requests for invitations to virtually attend the meeting were to be received at kkazak.ethicsboard@gmail.com. None were received either before or during the meeting.

PRESENT: Board of Ethics Members
Brett Summers, Chair
Kerri Kazak, Secretary
Edward Lobermann
Susan Shimer
David Simonds
José Berra, Town Board Liaison
Charity Lunder, Member of the Public

1. Call to Order

At 8:34 a.m. the meeting was called to order by the Chair.

2. Revision and Adoption of Agenda

E. Lobermann moved to adopt the agenda, K. Kazak seconded. Vote: 5-yes, 0-no.
Motion carried.

3. Comments from the Public

None.

4. Discussion About Recording of Meetings

J. Berra to check with Kevin Hays whether meetings must be recorded. E. Lobermann thinks meetings should be recorded as minutes don't capture everything. J. Berra to research with Town Clerk what the town is doing. B. Summers asked J. Berra to check whether links to the recordings are available to us.

5. Unfinished Business

5.1 Educational Initiative

Group discussed the Town Board's reaction to the Ethics Board's annual review presented by B. Summers at the Town Board meeting of 2/24/21, and M. Schiliro's statement that the Ethics Board could not move forward with its educational initiative until the Town Board had reviewed all the Ethics Board's recommendations. S. Shimer reported that B. DiGiacinto had called her the day after the Town Board meeting and S. Shimer had emphasized to her the importance of the educational initiative. B. DiGiacinto has said that the educational initiative would be addressed by the Town Board along with all the other issues the Ethics Board had raised. B. Summers reported on his meeting with S. Hussain who supported us writing our recommendations in a letter to the Town Board. After discussion, the group decided that the next step would be for B. Summers, K. Kazak, and J. Berra to set up a call with M. Schiliro for an informal conversation about the educational initiative. B. Summers asked J. Berra to advocate for our educational initiative. J. Berra requested that he be copied on all emails to M. Schiliro and M. Berard.

6. New Business

6.1 2021 Ethics Forms Submissions

All forms for 2021 are now in.

6.2 Resignation of Nils Chittenden

S. Shimer stated she was deeply troubled that Nils resigned and expressed her strong disagreement with the Town's position that he is not a resident because he bought a home in Connecticut but is residing in Armonk five days a week. A consensus of the board agreed. C. Lunder stated that it is just a weekend or retirement home. J. Berra reported that N. Chittenden wants to maintain a strong relationship with the Town Board and thus recommends that the Ethics Board not pursue the issue any further.

6.3 New Alternate Member For Ethics Board

S. Shimer was curious why C. Lunder had not been given an interview by the Town Board for the alternate position. C. Lunder stated that she had filed her application in January and had not heard anything from the Town. J. Berra asked C. Lunder to follow up with M. Berard and let him know the result. S. Shimer noted that Section 27-19.E of the code requires that the alternates not be from the same political party. D. Simonds stated that this means the political affiliation of the alternates is relative to the alternates, not relative to the political makeup of the Ethics Board. E. Loberman noted that the Town Clerk has never announced the vacancy for alternate at the Town Board meetings. B. Summers agreed to ask the Town Clerk to announce the vacancies.

6.4 Review of Hypothetical Ethics Cases

J. Berra expressed that the board was fortunate that there haven't been any violations, but as a result, the board cannot cultivate its expertise when it is not working on a case. B. Summers noted that any training for the board shouldn't be more than 1 ½ hours and it would take many hours to go through hypotheticals. S. Shimer stated that it would be better to go through actual cases that have come up throughout the state instead of going through hypotheticals. She noted that we should start with the recent case in Mt. Kisco that B. Summers relayed, in which the Mt. Kisco Ethics Board recommended the finding of a violation of the ethics code by the chair of the Planning Board, and the Village Board, affirming the recommendation, asked the Planning Board chair to resign. The Mt. Kisco Village Board has mandated ethics education for all elected and appointed town government members. B. Summers stated that he would put together a list of names of the chairs of Boards of Ethics for other towns in Westchester. Next steps: K. Kazak will circulate hypothetical cases she has found from NYS Assoc. of Counties, County Government Institute; B. Summers will ask about training sessions at the next Westchester County Board of Ethics meeting; and Mt. Kisco Board of Ethics will let B. Summers know how their case is moving forward.

7. Chair's Report

Covered above.

8. Topics for Future Agendas / Requests for Information / Date for Next Meeting

8.1 Date for Next Meeting

A date for the next meeting of the Board of Ethics was set for May 25, 2021 at 8:30 am via Zoom.

9. Communications to the Board of Ethics

None.

10. Approval of Minutes of February 22, 2021 Meeting

E. Lobermann moved to approve the draft minutes of the February 22, 2021 Board of Ethics meeting, and B. Summers seconded. Vote: 4-yes, 0-no. Motion carried.

11. Adjournment

At 9:50 a.m., a motion was made by K. Kazak to adjourn the meeting, and E. Lobermann seconded. Vote: 4-yes, 0-no. Motion carried.

The public meeting ended at 9:50 a.m.

Respectfully submitted,

Kerri Kazak
Kerri Kazak Secretary

May 25, 2021
Date