

**BOARD OF ETHICS MEETING MINUTES  
TUESDAY MAY 25, 2021**

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

**Public Meeting:**

**DATE:** May 25, 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](mailto: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**

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

**3. Comments from the Public**

None.

**4. Unfinished Business**

**4.1 Educational Initiative**

K. Kazak reported back based on a conversation with M. Berard that the Town Board's position is that the Ethics Board cannot pursue an educational initiative with Town employees or department heads, other than preparing an educational video to be posted on the Town's intranet. J. Berra reported that, subsequent to the Board of Ethics annual report to the Town Board, he didn't recall formal Town Board action, discussion or consensus on this topic. After a lengthy discussion on whether and how to respond, the consensus was that the Ethics Board hears the Town Board's direction and will not pursue the educational initiative, but is concerned that the Town Board is unaware that the County and Mt. Kisco will be implementing some degree of periodic formal ethics training for their elected officials and employees. It was agreed that J. Berra would follow up with S. Hussain (who also favored some form of a regular ethics refresher), as well as the Supervisor and other members of the Town Board. J. Berra would report back to the Board of Ethics at some point.

**5. New Business**

**5.1 Two New Alternate Members For Ethics Board**

C. Lunder was interviewed by the Town Board for the position of alternate on May 12. K. Kazak will request that the Town Clerk announce the other alternate opening at upcoming Town Board meetings.

**5.2 Review of Hypothetical Ethics Cases**

B. Summers reported that Steven Leventhal recently ran a training session for the Westchester County Board of Ethics using real life hypotheticals. S. Shimer expressed concern that as ethics codes vary by town, we can discuss hypotheticals but must always return to the specific content of North Castle's ethics code. After noting that local ethics codes can expand but not limit state ethics law and common law, B. Summers briefly discussed hypotheticals on what constitutes a gift to a town officer or employee, emphasizing that part of the function of an ethics board is to help individuals avoid situations that might constitute inadvertent violations.

**6. Chair's Report**

Covered above.

**7. Topics for Future Agendas / Requests for Information / Date for Next Meeting**

Next meeting will be Wednesday October 6, 2021 at 8:30 am.

**8. Communications to the Board of Ethics**

None.

**9. Approval of Minutes of April 16, 2021 Meeting**

D. Simonds moved to approve the draft minutes as amended of the April 16, 2021 Board of Ethics meeting, and K. Kazak seconded. Vote: 5-yes, 0-no. Motion carried.

**10. Adjournment**

At 10:10 a.m., a motion was made by S. Shimer to adjourn the meeting, and D. Simonds seconded. Vote: 5-yes, 0-no. Motion carried.

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

Respectfully submitted,

Kerri Kazak  
Kerri Kazak Secretary

July 7, 2021  
Date