

Erie County Ethics Board

April Meeting Minutes

April 1, 2019 8 a.m. 16th Floor Rath Building

MEMBERS:

Steven Schwartz, Chair
Chris Trapp, Vice-Chair
Rebecca Town, Secretary
Warren Galloway
Brian Downey,
Leslie Ortiz-Fogg, Ex-Officio

STAFF:

Vianne Uthman, Administrative Staff

OTHERS PRESENT:

___ Ross Kostecky, Legislature Office (recording)

1. Meeting called to order at 8:07 a.m.
2. March 2019 meeting minutes reviewed and approved on motion of member Trapp seconded by Schwartz.
3. Website Updates / Email Updates:
 - i. On a request for opinion regarding accepting Sabres tickets from a vendor, the Board responded that it would not be appropriate even if the tickets were disseminated to non-policy making individuals.
A complaint regarding treatment in the courts that fell outside the purview of the Board was also received and will be responded to.
 - ii. Updates to the website include the current Financial Disclosure form and Annual Report.
 - iii. FOIL Requests:
 - i. 3/12/19 FOIL request for FOIL request for all FOIL request submitted to the Board of Ethics by citizens/organizations from February 1, 2019 through March 11, 2019. Rather than summarize, the Board will forward the actual requests.
 - ii. A 3/20/19 Request for an elected official's disclosures was received that sought disclosures filed during a 15 years span. A response went out indicating that we are looking to see how far back our records go. Chair Schwartz will communicate our record retention policy of 7 years and the cost associated with filling the request.
4. Old Business:
 - i. There have been no updates in the matter of Morton vs. County of Erie, et al.
 - ii. Distribution of Financial Disclosures for return by May 15, 2019 have been hand delivered or mailed today.
 - a. Chair Schwartz has offered to meet with Central Police Services Board of Trustees now required to have members file disclosures on April 18th.
 - b. Member Downey has been working on contacting political party chairs to determine who must file annual disclosures.
 - c. The Board will meet after Board meeting on May 6 and June 10 to review financial disclosures.

- iii. The Chair has been in communication with candidate for elected office who failed to file a financial disclosure in 2018. They claimed that they were not informed of the requirement. This has prompted the Board to consider how candidates will be informed of the requirement in future.
 - a. The Board will begin requesting a list of candidates from the Board of Elections including from the previous election period.
 - b. It does not appear that Judicial Candidates are included in the definition of elected officials required to file.
 - c. The Chair with Vianne Uthman will schedule a meeting with the Board of Elections to establish procedures for notification and reporting.
- iv. The Chair sent the Annual Report to the Legislature and County Executive on March 22, 2019.

5. New Business:

- i. Proposal for procedure to ensure notification of candidates of County offices of requirement to file Financial Disclosure: Board of Ethics is required to request a list of candidates for elected office in Erie County from the Board of Elections. The law does not clarify who is required to notify candidates of the requirement. The Board of Ethics will request that the Board of Elections notify candidates upon filing and a letter will be sent to candidates from the Board of Ethics as well.
- ii. The June meeting is moved from June 3rd to June 10th.
- iii. The Board established a seven year retention policy for financial disclosures.
- iv. Vianne Uthman will find out if Board identifications can be enhanced with chips to allow entrance at all doors.

5. Next meeting scheduled for Monday May 6, 2019 at 8 a.m.

6. Motion to adjourn made at 9:27 am by Trapp seconded by Galloway.