

Erie County Board of Ethics
Meeting Minutes

October 5, 2020 8 a.m.: Room 1419A-DPW Conference Room Rath Building

MEMBERS: Steven Schwartz, Chair
Chris Trapp, Vice-Chair
Rebecca Town, Secretary
Brian Downey
Ellen Kennedy

STAFF: Leslie Ortiz-Fogg, Counsel

UNEXCUSED: David Bojanowski

OTHERS PRESENT: Art Mussara, Legislature Office (recording)

1. Meeting called to order at 8:06 a.m.
2. August 2020 meeting minutes approved on motion of member Downey, seconded by member Kennedy.
3. Website Email Updates:
 - i. Request for opinions/actions and follow-ups:
 - A. The Board received a request for opinion from a County Department about accepting an offer of free admission to a private park for ECDOH employees, extended as a thank you for their services during the pandemic. Chair Schwartz recommended that they not accept this gift.
 - B. Chair Schwartz answered questions regarding reporting at a course for first time supervisors.
 - ii. The website has been updated with Minutes, Agenda and Annual Report added. Personnel short disclosure form was removed to avoid any confusion about reporting to Board.
 - iii. No foil requests.
 - iv. Other communications: Follow-up on investigation
 - A. On 8/3/2020 the board received from Legislature Submissions Pursuant to EC Code of Ethics, Disclosure of Family Members Employed by any governmental agencies.
 - B. 8/3/20 Schwartz and Trapp met with an elected official to review the official's use of links to personal and campaign web pages at bottom of County official communications. He agreed to remove any such links and avoid these in the future. A letter was sent confirming these actions and offering an appeal process on these decisions.
4. New Business:
 - i. Results of Follow-ups to Disclosures: Three Conflict of Interest letters were sent to elected officials and a Board member cautioning them to avoid of conflict of interest, and informing them about any necessary recusals and requirement to report conflicts to the Clerk of the Legislature and the County Attorney:
 - A. An elected official with spouse working in a county department received a Conflict of Interest Letter.
 - B. A Board member who improperly encouraged the selection of an attorney from their own office also received a Conflict of Interest letter with requirements to report

conflicts to Clerk of the Legislature and County Attorney. The County Attorney's Office determines selection of any outside counsel.

- C. Elected official who in on Board of Directors of agency that receives county funding and transfers money to the officials department received a Conflict of Interest Letter.
- D. No county elections requiring candidates to file this year.
- E. Directed staff to work with departments to conduct an early review lists of employees that should be filing disclosures to avoid past reporting delays.

ii. The Board reviewed the Financial Disclosure for use in 2021. Discussion on form language for family members or members of a household. Bold and enlarge the word required next to email for follow ups. Added language "no dependent children" for clarification. The question of how to consider potential conflicts related to income from past employment on the form. This issues will be revisited. Member Trapp to send out the state form to use in considering any language changes to the form. Comments should be sent to Ellen Kennedy who will collate these for the next meeting.

iii. Next meeting scheduled for Monday, November 2, 2020 at 8 a.m.

5. No Public Comments

6. Motion to adjourn at 9:06 am by Trapp, seconded by Schwartz.