

Erie County Ethics Board  
Meeting Minutes

January 4, 2021 8 a.m.:

Conference Room 1404 Rath Building

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

STAFF: Erin Molisani, Counsel  
David Bojanowski

EXCUSED:

OTHERS PRESENT: Leslie Ortiz-Fogg, former Counsel (on the phone)  
Ross Kostecky, Legislature Office (recording)

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1. Meeting call to order 8:06.
  - i. Introduction of Erin Molisani, new Counsel to the Board, Office of County Attorney
  - ii. Legislative reappointment of Chris Trapp to term ending 12/31/2025
2. November, 2020 meeting Minutes reviewed and approved with changes. (The minutes did not reflect name of the member to second Downey's motion to accept faxed reviews) on motion of Kennedy, Seconded Trapp.
3. Election of Officers for 2021  
Chair- Steven Schwartz nominated by Chris Trapp  
Vice-Chair-Chris Trapp nominated by Steven Schwartz  
Secretary-Rebecca Town nominated by Steven Schwartz.  
Kennedy moved to close nominations, seconded by Trapp. Slate approved unanimously.
4. Determining Schedule of Monday morning Board Meetings for 2021:  
January 4, 2021  
February 1, 2021  
March 1, 2021  
April 5, 2021  
May 3, 2021  
June 7, 2021  
July 12, 2021  
August 2, 2021  
September 13, 2021  
October 4, 2021  
November 1, 2021  
December 6, 2021

Dates approved, David will post on the website.

## 5. Website / Email Updates

- i. Request for opinions/actions: Follow-up on previous requests for opinions and new requests
  - a. 6/29/20 recovered from Spam folder on 11/5/2020. Based upon Chair's communication with complainant, the request for action was withdrawn. Social media issue.
  - b. 11/19/20 Request for opinion from employee regarding potential appearance of conflict of interest. Being reviewed by Ortiz-Fogg and Trapp. Molisani will take over for Ortiz-Fogg. Conflict of interest issue.
  - c. 12/2/20 Schwartz reviewed and discussed with department regarding whether employees of agencies contracted by department can serve on Advisory Board of Agency. Request withdrawn.
  - d. Multiple complaints received regarding actions and comments made by a public official at a public protest. Some requested removal of said elected official. This board does not have this authority. The Board will craft a response to complainants on the following:
    1. Whether the attendance and speech is protected
    2. If there is an issue of criminal liability where should the complainant turn
    3. That the board does not have authority to remove a public official.Trapp will draft points 1 and 2. Molisani will research the removal issue and draft point 3.
- ii. Updates to website: Minutes, agenda, Board updates
- iii. FOIL Requests: Pending and awaiting submission of fees.
- iv. Other communications:
  - i. Schwartz will speak at the Buffalo Rotary Club in February.
  - ii. General request on how to file a complaint responded by Chair.

## 6. Old Business:

- i. Review of revisions to Financial Disclosure for use in 2021\*
  - i. Section 1
    1. Insert date on front- "RETURN FORM BY MAY 15, 2021"
    2. Language changed to reflect ability to fill and submit a form electronically but requires either an original signature for submission or a faxed signed copy or a scanned signed copy. Discussion followed on creating a secure email account and fax line.
    3. Put "required" next to email address.
  - ii. Section 2
    1. Added space between name and dependent child
    2. Added language "you, your spouse or domestic partner" for consistency in 4, 6, 6b,
    3. Page 5 e underline "excluding ...and retirement accounts"
    4. F, G, H added "your domestic partner"
    5. Clarify language to exclude student loans

Bojanowski will make changes and send them out to the Board.

- ii. Letter to Department Heads requesting list of those who must file Disclosures in 2021 added "Please include board members and their position"
- iii. Next meeting scheduled for Monday, February 1, 2021.

7. Public Comments: None

8. Motion to adjourn at 9:15 a.m. by Trapp, seconded Kennedy