

Erie County Ethics Board Meeting
Minutes

March 8, 2021 8 a.m.:

Conference Room 727 (7th Floor)- Rath Building

MEMBERS:

Steven Schwartz, Chair
Chris Trapp, Vice-Chair
Rebecca Town, Secretary
Ellen Kennedy

STAFF:

Leslie Ortiz-Fogg, Counsel
David Bojanowski

EXCUSED:

Brian Downey

OTHERS PRESENT:

Ross Kostecky, Legislature Office (recording)
Another unidentified community member also recording

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1. Meeting called to order at 8:05 am.
 2. February, 2021 meeting Minutes reviewed and approved on motion of Kennedy, seconded by Schwartz. Trapp abstained.
 3. Website / Email Updates:
 - A. Request for opinions/actions: Follow-up on previous requests for opinions and new requests
 - i. Multiple complaints received regarding actions and comments made by a public official at a public protest including request for removal of said elected official. This board does not have this authority. The Board has drafted a response to complainants.
 - ii. 1/12/2021 Further information has been requested regarding a complaint alleging "intimidation" and "inappropriate" communications from an elected official. Chair Schwartz is awaiting more information as to the content of the communication.
 - iii. 12/29/2020 Complaint and request for investigation of public attacks on a local business by an elected official in official communications and public social media under investigation. Member Downey is investigating and drafting a response. Chair Schwartz has been in communication with the complainant.
 - iv. 2/24/2021- Complaint against public official alleging improper use of county resources on social media for personal and political gain. Chair Schwartz has reached out to request more information.
 - B. The website has been updated with minutes, agenda and updated the new Financial Disclosure Form. It will be amended to reflect Ortiz-Fogg will be listed as counsel.
 - C. FOIL Requests: No new FOIL requests.
 - D. Other communications:
 - i. Chair Schwartz presented at the Rotary Club on Board of Ethics and a donation from Rotary was made to vaccinate children for polio.

- ii. County Attorney response to Reese complaints regarding Board of Ethics meeting including request to move meetings to 8:30 am when Rath Building is open to the public. Complaints related to business being conducted after the meeting ended were in fact social in nature were also addressed. Motion to change meeting time to 8:30 am by Kennedy, seconded by Trapp.
 - iii. Communication made seeking to obtain information on where to file a complaint against the Board of Ethics for violating open meetings law. The party has also sent a request pursuant to FOIL seeking all legal expenses incurred from actions of the Board of Ethics for the last five years.
- 4. Old Business:
 - A. All department heads and boards have provided the Board with names and contact information of anyone required to file a financial disclosure for 2021 prior to the requested date of March 1, 2021.
 - B. All Financial Disclosure Forms and most Cover letters have been printed in preparation for distribution on March 15, 2021 to be returned May 15, 2021. Motion to accept dates by Trapp, seconded by Kennedy.
 - C. Bojanowski will follow-up on communications with Board of Elections to receive names of candidates for public office who are required to submit Financial Disclosures (Ethics Law 2018 Section 4c). The Board of Ethics will send financial disclosures to these individuals in addition to the notices the Board of Elections is required to send. Bojanowski will also confirm all statutory dates that are applicable.
- 5. New Business
 - A. Board members will review a draft of the Annual Report to Legislature and County Executive and respond to Chair Schwartz in the next 10 days prior to submission.
 - B. Next meeting scheduled for Monday, April 5, 2021
- 6. No Public Comments
- 7. Motion to adjourn at 8:35 by Trapp, Seconded by Kennedy