**Meeting Minutes – Ethics Board February 6, 2023**

1. Call the meeting to order – Motion by Heather Gresham (HG) and seconded by Ellen Kennedy (EK). **8:37 am**

1. No Changes to the Meeting Minutes for January 2023. **Chris Trapp abstained**

1. Website ? Email Updates

* 1. Can members of the Amherst Town Board serve as employees of Erie County Government?  Depends upon duties and job descriptions.  Taunya Abaya (TA) – will conduct investigations of job descriptions of County Employees to see if the duties are similar with the duties for members of the Amherst Town Board.  Bill Licata to forward Financial Disclosures and job descriptions of Michael Szukala (Medicaid Inspector General), Shawn Lavin (Deputy Commissioner for Department of Personnel) and Angela Marinucci (Commissioner of Senior Services) to Taunya Abaya (TN).

* 1. Updates to Website – Bill Licata to provide any emails or filings with the website – current email and password do not allow access.

* 1. FOIL Requests

* 1. Other communications

1. Old Business

* 1. Chief Ethics Officer – (HG) Why does this have to be an a attorney?  Was this posted?  This is too short a period of time, this was only posted for ten (10) days.  Christopher Trapp (CT) do we make a recommendation to the County Executive?  Brian Downey (BD)  We need to have a larger net to get attorneys from Erie bar Association and the Women’s Bar Association?  (HG)  Why does this have to be an attorney?  (BD)  Are we keeping out others who have the skills for this job?  (HG)Read the job description from the Erie County Jobs Posting.  (BD)  There is a lot of extra time needed to do these functions?  There are more attorney related activities: taking notes, collecting the forms.  There are a lot of administrative functions that an attorney may not want to do. (HG)  Chief Ethics Officer could do trainings.  (HG) Will reach out to Commissioner Bray for more explanation of the job description and what is needed.  (BD) The job description is very broad, why does someone need four (4) years of practice in the legal community? (CT)  What kinds of motions will Chief Ethics Officer be responsible for?  Motions in Court or motions at meetings?  (HG) Questions for Brian Bray – Why does the position have to be filled by an attorney?  Where was this advertised?  Is there an opportunity to increase the posting period?  Why the need for ethics experience?  What is the relation to the Ethics Board?  Who does this person report to?  Who directs the Chief Ethics Officer’s work?  Daily management of the Ethics Board?  What types of training is CEO responsible for?  (CT)  Steve Schwartz was the person who handled these responsibilities and he made the recommendation for a CEO.

* 1. Claim against the County Executive for driving during the Blizzard 2022 during a driving ban?  (CT) We are taking no action on this.  (BD) Not our call to bring Vehicle and Traffic Law Charges.  (HG)  Is it possible to send an email with the ethics laws to the person who lodged the complaint?

* 1. Evans Supervisor conflict of interest in holding position as Deputy County Comptroller – (EK) Comptroller said there was no conflict and Ethics Board accepted this determination. (AR) Did some research on job description and since there was no direct auditing function as Town Supervisor there is no conflict. (CT) The question seems to be whether there is some incompatability of job positions?  (AR/TA) – will work together on this one and the Amherst Town Board conflicts investigations.

* 1. Dates for Annual Financial Disclosure Forms: (CT)  There is a need to get financial disclosure forms into the Erie County board of Ethics by May 15, 2023. Bill Licata (BL) to get Ethics Letter to Department Heads requesting a list of employees who need to file Ethics Forms with the Erie County Ethics Board.  Time Line – February 6, 2023 Kayla Witherspoon (KW) will send a draft letter to (BL) and Ethics Board for their review – asking Department Heads to provide a list of employees who need to file Financial Disclosure Forms.  The letter to Department Heads must be sent out in middle February \_\_, 2023.  The list of all employees required to file Financial Disclosure Forms should be received by March 15, 2023.  By April 3, 2023 all County Employees will be sent Financial Disclosure Forms for filing with Ethics Board by May 15, 2023.

* 1. MEMO from Brian bray regarding a change in the dates that independent candidates can file their financial disclosure forms with the Erie County Ethics Board.  Elected County Officials have to have their Financial Disclosure forms by May 15 can we just make the independent candidates disclosure forms due on May 15?  (BD) The law states that candidates must have their financial disclosure forms on APRIL 15, isn’t this just more logical date for requirements?  (If there is a late filing of tax returns, there is a one month period allowed for late filings or complex taxes?) (AR and Bill Licata – will do research on the statutes and the law to see what the law requires and if there is another way to solve this which will not require chang

* 1. See above d.

* 1. Report on Town of West Seneca – Town Clerk Head of Town Democratic Party – (CT)  West Seneca Board has refused to investigate or render an opinion.  Erie County Ethics Board not getting involved.

1. Next Meeting march 6, 2023 – (BD) may have a problem because he will be arriving back in Buffalo and midnight previous day).
2. **Motion to adjourn Heather Gresham second Brian Downey 9:59**