

SUFFOLK COUNTY BOARD OF ETHICS
Minutes of Public Meeting Held on
October 5, 2016
In the Office of the Board of Ethics
Sunrise Business Center, 3500 Sunrise Highway, Room 364
Great River, New York 11739

Meeting: *Board Members present:* Linda Spahr, Richard Halverson, Anthony Parlatore and Eric Kopp. *Staff present:* Samantha Segal, Executive Director and Darlene Mohlmann, Board Secretary, taking minutes.

Ascertainment of Quorum: The meeting was called to order at 9:30 a.m. by Chair, Linda Spahr. A roll call was conducted and a quorum was present.

Adoption of Agenda: A motion was made by Linda Spahr, seconded by Eric Kopp, to adopt the agenda. Upon a vote being taken, motion was approved (4-0-0).

Adoption of Minutes: A motion was made by Richard Halverson, seconded by Anthony Parlatore to adopt the minutes of the September 21, 2016 meeting. Upon a vote being taken, motion was approved (4-0-0).

Public Session: Linda Spahr opened Public Session. No members of the public were present and no written testimony was submitted. Linda Spahr closed Public Session.

Chair Report: Press inquiries regarding FOIL. John Gross, Esq., the Board's Press Contact, was authorized by the Chair and the Executive Director to report to the newspaper.

Executive Director Report: Samantha Segal, Executive Director, reported and/or discussed the following:

- Training:
 - All-Employee Ethics Training:
 - Invitation Distributed;
 - Approximately 50 confirmed attendees to date, from various departments;
 - An additional training may be necessary if maximum capacity is reached;
- FOIL Procedure:
 - Electronic productions for non-Financial Disclosure Statement documents. Approved by the Board;
 - Record requests under Chapter 77;
 - No notice of an Article 78 proceeding;
 - FOIL Appeal denial letter: Federal exemptions as they instruct local laws, State exemptions, County exemptions, and County confidentiality laws;
- Legislative I.R. 1852-2016: to amend Suffolk County Code Chapter 77 post-employment restrictions:
 - Followed-up at Board's directive to County Executive through Counsel and the Presiding Officer through Counsel. Enclosed relevant Advisory Opinions, minutes, research, etc.;
- The Legislative Budget Review Office submits report on October 14, 2016, which will properly reflect the Board's request for additional staff, including an investigator.

Executive Session: A motion was made by Linda Spahr, seconded by Richard Halverson to go into Executive Session for the purpose of discussing confidential matters pertaining to the continuation of the Executive Director Report (including on personnel matter), one Hearing, one Notice of Violation, five Advisory Opinions and Counsel Updates in accordance with the Suffolk County Administrative Code §A30-8 and the New York State Open Meetings Law. Upon a vote being taken, motion was approved (4-0-0).

During Executive Session:

- The Board conducted a Hearing and held Index No. FDS 250/2015 in violation of Suffolk County Code §77-10, with a fine of \$250.00. Approved (4-0-0);

A motion was made:

- Withdraw Notice of Violation Index No. FDS 152/2015. Approved (4-0-0);

SUFFOLK COUNTY BOARD OF ETHICS

- To deny request for reconsideration of Advisory Opinion No. AO-2016-17. Approved (4-0-0);
- To approve Advisory Opinion No. AO-2016-15. Approved (4-0-0);
- To approve Advisory Opinion No. AO-2016-20. Approved (4-0-0);
- To approve Advisory Opinion No. AO-2016-22. Approved (4-0-0);
(Advisory Opinion Request No. AO-2016-21 was converted to Disclosure No. 003-2016);
- To issue an order to approve Disclosure 003-2016. Failed (2-2-0). Richard Halverson and Eric Kopp opposed;
- To reconsider Disclosure 003-2016. Approved (4-0-0);
- Upon reconsideration of Disclosure 003-2016, to issue an order to the employee requestor advising that the proposed conduct would be a violation of §77-3(C). Approved (4-0-0);

A motion was made by Linda Spahr, seconded by Eric Kopp, to close Executive Session. Upon a vote being taken, motion was approved (4-0-0).

New Business: The Board requested staff reach out to Space Committee to inquire about a publicly accessible office and to put the Board's Redaction Policy on the next agenda for review.

The next meeting of the Board will be held October 19, 2016 at 9:30 a.m.

There being no further business, a motion was made by Linda Spahr, seconded by Eric Kopp to adjourn the meeting. Upon a vote being taken, motion was approved (4-0-0) (11:40 a.m.).