



City of Kingston Board of Ethics Meeting

Minutes to the Board of Ethics Meeting

Those present were Allen Nace, Mike Decker, Jackie DeCicco and Benjamin Heffley.
Also in attendance: Joe and Ellen DiFalco

Absent: Dana Blackman and Bob DiBella

The meeting was called to order at 5:39pm on October 3, 2018 in conference room 1 of City Hall.

The meeting minutes were read by Allen Nace. Correction was made to the typo in Michael Decker's name in the first paragraph. Motion was made by Mike Decker to accept the meeting minutes from January 16, 2018. Seconded by Jackie DeCicco. All were in favor.

Mike Decker's term expired in July.

According to the provisions of the Public Officers Law, after the expiration of your term, a member is permitted to continue to serve in "holdover" status until the position is filled by the Mayor by appointment.

As a holdover, the member continues to deliberate and vote on applications before the Board until a new appointment is made. There is no authority for an applicant to challenge a vote on the grounds that a member of the Board was serving as a holdover rather than within their formal term of office.

Resolution #001-2018 – To Set Two Fixed Yearly Meeting Dates was read and motion was made by Jackie DeCicco to adopt the resolution. The motion was seconded by Mike Decker and all were in favor.

Resolution #002-2018 – To Set Forth One or More Specific Locations for the Noticing of Board of Ethics Meetings was read and motion made by Jackie DeCicco to adopt the resolution. The motion was seconded by Mike Decker and all were in favor.

Disclosures were received from the City Clerk's Office. The Board reviewed the list of disclosures received and noticed several were missing. After reviewing the list and comparing those received against the list we found that some were received but weren't checked off while a few were received from employees who weren't required to submit them. Those disclosures will be returned to the City Clerk and an updated list will be requested from the Clerk's Office with a deadline to get the remaining disclosures prior to our next meeting. Ellen DiFalco asked what the repercussions were for an employee or Board/Commission member who doesn't comply with submitting the disclosure. The Board members agreed that action would need to be taken if someone does not submit the disclosure yearly who is required to. The decision was made to ask the Clerk to send out a notice to those still needing to submit stating there may be a penalty charged to anyone who refuses to submit the disclosure by the deadline. The disclosures received will be reviewed prior to the next meeting with any questionable disclosures to be discussed at the next meeting.

Motion was made by Jackie DeCicco to go into Executive Session to review complaint #12716. Motion was seconded by Mike Decker. Executive session began at 6:15pm and lasted until 6:44pm.

Motion was made by Jackie DeCicco to go into Executive Session to review complaint #12716 as it pertains to the employment of particular persons named in said complaint. Motion was seconded by Mike Decker. Executive session began at 6:15pm and lasted until 6:44pm.

The regular meeting continued at 6:44pm where, after review, the Board unanimously determined that there was nothing to substantiate the complaint and would prepare a written disposition of the inquiry.

Joe DiFalco asked about the complaint. When he was told what it was regarding he wanted to know why it appeared now when it was submitted almost two years ago. The Board did not have an answer to the question since it was submitted to the Board since the January meeting and the Board members were all appointed in July 2017.

The Board discussed implementing a process in which a complaint can be submitted online directly to the Board members without submitting them through the Clerk's Office. Research will be done prior to the next meeting for discussion.

Next meeting will be held prior to January 15th. No date was set.

Motion was made by Jackie DeCicco to adjourn the meeting. Motion was seconded by Mike Decker. The meeting was adjourned at 7:12pm.

Respectfully submitted,
Jackie DeCicco, Secretary