

Albany County Ethics Commission Meeting Minutes
March 10, 2021 3:00pm
Room 940
Albany County Office Building
112 State Street, Albany, NY 12207

Meeting conducted in person and remotely via Turbo-Bridge phone conference.

In attendance: Hyde Clarke, Michael Rest, Bernard Malone, Gerard Maney, Patrick Collins, Sia Googas and Jennifer Clement

Meeting was called to order by Chairman Malone at 3:19 p.m.

All 4 members present- quorum present

1. Reviewed the meeting minutes from October 27, 2020 meeting-- a motion to adopt the minutes was made by Mr. Rest, seconded by Mr. Maney, minutes were adopted with one abstention.
2. Chairman Malone discussed the receipt and review of the titles and offices required to fill out the Financial Disclosure Forms. A list was distributed by Mr. Collins. The Commissioner of Human Resources, Ms. Clement, addressed the members and discussed the list that was submitted.
3. Ms. Clement explained that the list was updated by including newly created titles for the 2021 budget and she removing titles if that no longer existed within the budget. Ms. Clement explained that the list before the Commission was of high ranking positions and policy making officials and included 357 filled positions and 12 vacancies.
4. Chairman Malone inquired about what board positions were required to complete the Financial Disclosure Form. Mr. Collins stated that board positions that have been appointed by a County officer must complete the Financial Disclosure Form. Mr. Collins explained that the heads of the various boards would be contacted by the Clerk of the Legislature and notified of the obligation to complete the form. Chairman Malone inquired whether a list of board positions could be compiled and provided to the Commission by the Clerk of the Legislature. Mr. Collins said that could be completed and circulated to the Commission via email. Judge Maney agreed that the Commission should review the list of board positions required to complete the Financial Disclosure Form. Mr. Clarke inquired about the timing to adopt the list of board positions.
5. Chairman Malone inquired about the process if employees or board positions do not respond to the Financial Disclosure Form. Mr. Collins stated that all employees must be respond by May 15th and getting compliance often requires multiple attempts by the Clerk of the Legislature. Mr. Collins indicated that it

is often more difficult to get board positions to complete the form as there is no penalty for not responding.

6. A Motion to accept the list of positions required to complete the Financial Disclosure Form that was provided by Ms. Clement was made by Mr. Maney, Mr. Clarke seconded. The motion was unanimous.
7. Ms. Clement discussed that a delay in Financial Disclosure Forms being submitted timely last year was due to the COVID-19 pandemic and a lack of ability for employees to find a notary. She indicated that this may also present an issue this year. She expressed that Human Resources is working towards allowing electronic notarization. Mr. Maney suggested that employees be made aware where to find notaries in the building and utilize the various legal departments to get their Financial Disclosure Forms notarized.
8. Chairman Malone requested to review and update the Financial Disclosure Form to make it more clear and concise. He requested that Ms. Googas and a contact in the Human Resource Department work with the Commission. Chairman Malone indicated that there should be a more clear explanation of what constitutes a high ranking county position and whether there needs to be a separate category for a policy making official.
9. Chairman Malone requested a review of what information has to be included in the Financial Disclosure form and whether the breadth of information requested is an invasion of privacy. Chairman Malone questioned the breath of the information needed from relatives of the filer of the Financial Disclosure Form. Mr. Maney indicated he believed the Financial Disclosure Form mirrors that from required for New York State and that they are written to allow for a check for a conflict of interest. Mr. Maney agreed that the form needs to be clarified and be more user friendly.
10. Chairman Malone indicated that the Board should consider a deeper review of what positions truly need to complete the Financial Disclosure form. Chairman Malone provided an example that an assistant public defender or an assistant district attorney need to file but they are not necessarily a policy making official or hold a high ranking position.
11. Chairman Malone and Mr. Collins discussed that updating the Financial Disclosure Form may require amending the Local Law.
12. The Comptroller's Audit of the Commission was discussed by Chairman Malone. Mr. Maney stated that at a previous meeting Mr. Apostol, former attorney to the Commission, indicated that many recommendations of the report were implemented, but some needed to be reviewed and approved by the Commission. Mr. Maney requested that at the next meeting, Ms. Googas provide an update as to what recommendations need to be reviewed by the Commission for adoption. Chairman Malone requested that a review and

discussion of the Comptroller's Report be placed on the agenda for the next meeting.

13. Chairman Malone discussed the need to submit a 2020 Annual Report of the Ethics Commission. The Commission has not had any new complaints submitted, but would like to submit their recommendations about updating the Financial Disclosure Form to the County Legislature. Chairman Malone requested that Mr. Collins and Ms. Googas prepare a brief Annual Report for 2020 that can be reviewed by the Ethics Commission for submittal.
14. Motion to adjourn – Mr. Rest moved to adjourn, Mr. Clarke seconded. The motion was unanimous.

Meeting ends 4:00 pm.