

Albany County Ethics Commission Meeting Minutes- DRAFT MINUTES
March 29, 2023 3:00pm
Room 940
Albany County Office Building
112 State Street, Albany, NY 12207

Meeting conducted in person

In attendance: James Melita- Member, Bernard Malone- Member, Gerard Maney- Chairman, Sia Googas- Ethics Counsel, and Patrick Collins- Legislative Assistant
3 of 4 members present- quorum present

Meeting was called to order by Chairman Maney at 3:17 p.m.

1. Reviewed the meeting minutes from the February 8, 2023 meeting, a motion was made by Mr. Malone to adopt the minutes without modification. The motion was seconded by Mr. Melita, and the meeting minutes were adopted unanimously.
2. Reviewed the 2022 Annual Report, a motion was made by Mr. Melita to adopt the 2022 Annual Report without modification. The motion was seconded by Mr. Malone and the 2022 Annual Report was adopted unanimously.
3. An update on the return of the 2022 Financial Disclosure Forms was provided by Mr. Collins.
 - a. The Ethics Commission discussed how to enforce non-compliance of completing a Financial Disclosure Form by required filers and directed Ms. Googas to research the topic and present her findings at a later meeting.
 - b. The Ethics Commission reviewed newly provided 2022 Financial Disclosures Forms.
4. The Ethics Commission reviewed the current Financial Disclosure Form and after discussion recommended the following changes to the Financial Disclosure Form with a motion made by Mr. Melita, which was seconded by Mr. Malone. The following recommended changes were adopted unanimously:
 - a. The reference to “Appendix A” should be stricken from the document and replaced with “Annual FDS Filer List”
 - b. Question 2 should remove the reference to relative to be consistent with the Ethics Law
 - c. Required Filers B should include a reference to Advisory Councils to be consistent with the Ethics Law
5. Chairman Maney updated the Ethics Commission on his search for potential counsel to represent the Ethics Commission during the Preliminary Review Phase of the Ethics Complaint submitted on October 19, 2022 and the amendment submitted on January 11, 2023.

- a. Three candidates for outside counsel were contacted by Chairman Maney as to their interest in representing the Ethics Commission during the Preliminary Review Phase. Two candidates had responded to Chairman Maney and he was awaiting for the response from the third.
 - b. After discussion, Mr. Melita moved to provide Chairman Maney with the authority to approve outside counsel after he heard from the third candidate and to work with Ms. Googas in coordinating whatever is required by the Law Department and the County Comptroller to proceed with employing outside counsel. The motion was seconded by Mr. Malone and the motion was passed unanimously.
6. The Commission discussed the list of Required Filers for 2023
- a. Human Resources Commissioner Clement presented the list of Required Filers that are employees of the County of Albany. Ms. Clement explained that she recommended removing the title of investigator as a potential required filer for the Sheriff's Department, Social Services Department, District Attorney Office and Public Defender's Office as the work of these investigators does not involve policy making or interactions with money, contracts or other financial issues covered by the Ethics Law. Ms. Clement explained that she recommended removing the assistant attorney titles in the Law Department, District Attorney's Office and the Office's of the Public Defenders and Alternate Public as potential required filers. These are lower level attorneys who are not high ranking officials or policy making officials and their job duties do not involve money, contracts, or other financial issues covered by the Ethics Law. Ms. Clement explained how she reviewed job titles who had director in the title and after review recommended removing director titles in the Social Services Department, Sheriff's Department, and Nursing Home as their function does not make them high ranking officials or policy making officials and their job duties do not involve money, contracts, or other financial issues covered by the Ethics Law.
 - b. Mr. Collins presented the list of required filers for Board members appointed by the County Executive or the County Legislature. Mr. Collins explained that two boards were deleted from the 2022 list as the boards were dissolved after completing their function.
 - c. Mr. Melita had to depart the meeting unexpectedly, and with his departure causing quorum to be lost, moved to adopt the lists of Required Filers for 2023 subject to any modifications by Chairman Maney after further discussion and notice to the proper parties. Mr. Malone seconded the motion and it was adopted unanimously.

- d. Motion to adjourn – Mr. Malone moved to adjourn, Mr. Melita seconded. The motion was passed unanimously.

Meeting ended at 4:08 pm.

Editor's Note: Pursuant to the authority granted to him by the Commission, Chairman Maney recommended that assistant county attorney titles remain on the list of required filers for 2023 as these attorneys have the authority to negotiate and draft contracts and advise the County Attorney on policy issues that can affect the County and thus are subject to the Ethics Law.

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