

WARREN COUNTY BOARD OF ETHICS

APRIL 19, 2018

PRESENT:

Dr. James Morrissey, Non-Governmental Member (Chairman)
Dr. Bill Tedesco, Non-Governmental Member
Edna Wells, Alternate Government Member

GUESTS:

Ryan Moore, County Administrator
Mary Elizabeth Kissane, Warren County Attorney
Amanda Allen, Clerk of the Board
Douglas Beaty, Town of Queensbury, Supervisor
Claudia Braymer, City of Glens Falls, Ward 3 Supervisor
Peter McDevitt, City of Glens Falls, Ward 2 Supervisor
Kevin Conine, Warren County Sheriff's Department
Christopher Hatin, Warren County Sheriff's Department
Travis Whitehead, Town of Queensbury, Resident
Don Lehman, *The Post Star*
Leslie Lovelace, Secretary to the Clerk of the Board

Dr. Morrissey called the meeting to order at 9:35 a.m.

Privilege of the floor was offered to anyone wishing to address the Board.

Claudia Braymer introduced herself as Glens Falls Ward 3 Supervisor. She advised she had attended one meeting in prior years and inquired why this meeting was taking place without new members having been appointed; she added suggestions for new members were made at the April 11th Personnel & Higher Education Committee Meeting. Ms. Braymer questioned the presence of a quorum for this meeting and Dr. Morrissey confirmed there was a quorum present and that the Board of Ethics would be adding new members in the future.

Peter McDevitt, Glens Falls Ward 2 Supervisor, apprised the issue he was in attendance to present to the Board of Ethics concerned the integrity and credibility of elections; he noted a situation had occurred which caused numerous violations to the Law and the Warren County Sheriff's code of conduct. He explained he was asking the Board of Ethics to determine whether the perception of the endorsement of Rachel Seeber, who had run for the Town of Queensbury Supervisor position, by employees of the Warren County Sheriff's Office was in conflict with Sheriff's Office Regulation 085: Political Activities and Election Law-ELN 17-110: Misdemeanors concerning police commissioners or officers or members of any police force. Mr. McDevitt proceeded to review a list of exhibits he had gathered which he believed were in violation of both of the above. The exhibits accompanied a letter Mr. McDevitt sent to the Warren County Board of Ethics seeking review of the matter. *Copies of the aforementioned documents are on file with the minutes.*

Kevin Conine, Investigator, Warren County Sheriff's Office, introduced himself and informed Mr. McDevitt failed to mention that Rachel Seeber was his wife; he added that Dr. Tedesco had been his physician for the last twenty-five years. He noted Sheriff York allowed his employees to act as normal citizens while off duty and explained the picture referenced was of himself and his wife taken while attending a vote counting by the Board of Elections. He acknowledged that in the photo he was wearing his work clothes which included a shirt displaying the Sheriff's Office insignia, but explained this was because he had just left work. He admitted it was an oversight on his part for not removing or covering up the shirt.

Christopher Hatin, Investigator, Warren County Sheriff's Office, introduced himself. He noted he was mentioned multiple times in Mr. McDevitt's report, although Mr. McDevitt had not read his name aloud when presenting his case to the Ethics Board in this meeting. He stated that the accusations Mr. McDevitt had made were false. He informed he was a long-time friend of both Investigator Conine and his wife, and although he had not campaigned for Ms. Seeber either on or off duty, he fully supported her. Mr. Hatin questioned who had provided Mr. McDevitt

with the information on which he based his accusation that Mr. Hatin had been responsible for pinning letters to the homes of Conservative Party members; Mr. McDevitt declined to provide this information, but advised there was a photograph of Mr. Hatin on social media endorsing Ms. Seeber in the election.

A discussion ensued during which Ms. Kissane advised the members of the Ethics Board that they could chose to enter into an executive session to discuss the matter further.

Dr. Morrissey declared an executive session pursuant to Section 105(f) of the Public Officer's Law which was held from 9:56 a.m. until 11:01 a.m.

Upon reconvening, Ms. Kissane announced that no action had been taken during the executive session.

Ms. Kissane notified The Ethics Board had rendered decisions on three matters which Dr. Morrissey would make public by reading them aloud, as follows:

- 1) Complaint with regard to the conduct of employees of the Warren County Sheriff's Office during the election for the Supervisor of the Town of Queensbury:

The County Board of Ethics is only authorized to render advisory opinions with respect to Article 18 of the General Municipal Law and the Warren County Code of Ethics. Therefore, we don't feel that we have the authority to review the complaint against the Sheriff's Office. The decision may rest with a higher authority.

- 2) Complaint with regard to Supervisor Sokol's request for an advisory opinion as to whether a conflict of interest arose when he voted in favor of Resolution No. 133 of 2018 which authorized payment to the Lake Champlain-Lake George Regional Planning Board

After review of the Warren County Ethics & Disclosure Law and the opinion rendered by the Warren County Attorney dated March 28, 2018, we agree with the opinion rendered by the County Attorney that there was no conflict of interest when Supervisor Sokol voted in favor of Resolution No. 133 of 2018. However, in the future, in an abundance of caution, we recommend that Supervisor Sokol abstain from any votes relating to funding of the Regional Planning Board

- 3) Complaint with regard to the conduct of Gail Seaman at Thurman Town Board meetings and discussions she had on social media.

Regarding the complaint made against Gail Seaman, we do not have the authority to review this complaint. The Warren County Ethics & Disclosure Law only applies to officers and employees of Warren County and Mrs. Seaman is neither.

Mr. McDevitt thanked the Board for the courtesy they extended him and for their opinions.

As there was no further business to come before the Warren County Board of Ethics, on motion by Ms. Wells and seconded by Dr. Tedesco, Dr. Morrissey adjourned the meeting at 11:04 a.m.

Respectfully submitted,
Leslie Lovelace, Secretary to the Clerk of the Board