

WARREN COUNTY BOARD OF ETHICS
MAY 26, 2022

MEMBERS PRESENT:

Robert Iusi, Government Member
Brian Pilatzke, Esq., Alternate Government Member
Ash Anand, Government Member
Martin Deslauriers, Alternate Member
Diana Palmer, Alternate Government Member

GUESTS:

Larry Elmen, Warren County Attorney
Robert Terwilliger, First Assistant County Attorney
Don Lehman, Director of Public Affairs (via Zoom)
Ryan Moore, County Administrator
Tammie Delorenzo, Assistant to the County Administrator (via Zoom)
Peter McDevitt, City of Glens Falls Ward 2 Supervisor (via Zoom)
Amanda Allen, Clerk of the Board
Leslie Lovelace, Secretary to the Clerk of the Board

Please note, the following contains a summarization of the May 26, 2022 meeting of the Warren County Ethics Board; the meeting in its entirety can be viewed on the Warren County website using the following link: <https://warrencountyny.gov>

Note: Pursuant to New York Legislation (S.50001.A.40001): "Notwithstanding the provisions of article 7 of the public officers law to the contrary, any state agency, department, corporation, office, authority, board, or commission, as well as any local public body, or public corporation as defined in section 66 of the general construction law, or political subdivisions as defined in section 100 of the general municipal law, or a committee or subcommittee or other similar body of such entity, shall be authorized to meet and take such action authorized by law without permitting in public in-person access to meetings and authorize such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed" All of the Committee members in attendance were physically present.

Copies of the Board of Ethics agenda were distributed to those in attendance, *a copy of the agenda is on file with the meeting minutes.*

Commencing the agenda review as follows:

- I. Call to Order - Mr. Anand called the meeting to order at 1:01 p.m.
- II. Roll Call - Mr. Anand requested the members introduce themselves for roll call.
- III. Reading & Approval of Minutes from April 20, 2022 - It was the consensus of the Committee members to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.
- IV. Public Comment - None.

Larry Elmen, *County Attorney*, provided clarification on the requirements of the Open Meetings Law and the basis for executive sessions as requested by Mr. Anand. Committee debated whether it was appropriate to enter into executive session to discuss matters before the Board that day; consensus was to hold discussion in open session.

Mr. Elmen exited the meeting at 1:40 p.m. and Robert Terwilliger, *First Assistant County Attorney*,

assumed the position of legal counsel to the Board of Ethics.

Discussion continued with regard to whether the Board of Ethics was subject to the Open Meetings Law requirements due to the uncertainty regarding if the meetings of the Board of Ethics qualified as a "Public" meeting.

Motion was made by Mr. Deslauriers and seconded by Mr. Anand to table the conversation pending clarification from Mr. Elmen; Mr. Anand there was unanimous agreement to the motion.

- V. Unfinished Business:
 - a. Advisory Opinion 2022-1: Prize from Convention Raffle - Discussion was held, during which Mr. Terwilliger indicated there was no new information on the matter that should be discussed.

Motion was made by Mr. Deslauriers and seconded by Mr. Iusi to dismiss the advisory opinion 2022-1: prize from convention raffle; Mr. Anand there was unanimous agreement to the motion.

- VI. New Business:
 - a. Document, dated May 13, 2022 - Board was advised a non-sworn complaint was filed and due to individual names referenced in the document an executive session was warranted.
 - b. Financial Disclosure Statement Review - Board was advised this item was on the agenda in case there were questions or for further review.

Motion was made by Mr. Deslauriers and seconded by Mr. Anand to enter into an executive session pursuant to Section 105(f) of the Public Officer's Law; Mr. Anand there was unanimous agreement to the motion.

Motion was made by Mr. Deslauriers and seconded by Mr. Iusi that Ryan Moore, *County Administrator*, and Robert Terwilliger, *First Assistant County Attorney*, participate in the executive session; Mr. Anand there was unanimous agreement to the motion.

Executive session was held from 1:53 p.m. until 2:16 p.m.

Upon reconvening, Mr. Anand apprised no action was taken and no advisory opinions were issued.

- VII. Announcements:
 - a. Next Scheduled Meeting Date and Time - there being nothing on the agenda to warrant a new meeting, Board determined a future meeting would be scheduled should the County Attorney's Office determine one was necessary.
- VIII. Adjournment of Public Meeting - As there was no further business to come before the Warren County Board of Ethics, on motion by Mr. Iusi and seconded by Mr. Deslauriers, Mr. Anand declared the meeting adjourned at 2:18 p.m.

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