

PUBLIC HEARING PLL 11-2008 p. 1

MINUTES OF A PUBLIC HEARING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, NOVEMBER 10, 2008 AT 7:30 P.M. IN THE COURTROOM AT VILLAGE HALL, MAMARONECK, NEW YORK

PRESENT:	Mayor	Kathleen Savolt
	Trustees	Thomas A. Murphy Toni Pergola Ryan John M. Hofstetter Randi Robinowitz
	Village Manager	Leonard M. Verrastro
	Village Attorney	Janet M. Insardi
	Police Department	Edward Flynn
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:		None

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Board of Trustees of the Village of Mamaroneck on the 10th day of November, 2008 at 7:30 p.m., or as soon thereafter as all parties can be heard, at the municipal building located at 169 Mount Pleasant Avenue, Mamaroneck, New York, to consider PROPOSED LOCAL LAW NO. 11-2008, a local law creating a new Chapter 21 (Ethics) of the Code of the Village of Mamaroneck.

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law No. 11-2008 is on file with the Clerk-Treasurer of the Village of Mamaroneck.

PLEASE TAKE FURTHER NOTICE that at said public hearing, all persons interested will be given an opportunity to be heard.

BY ORDER OF THE BOARD OF TRUSTEES OF
THE VILLAGE OF MAMARONECK, NEW YORK

Agostino A. Fusco
Clerk-Treasurer

Dated: November 3, 2008

On motion of Trustee Murphy, seconded by Trustee Ryan:

RESOLVED that the Public Hearing on Proposed Local Law 11-2008 be and is hereby opened.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt
Nays: None

Trustee Hofstetter gave a brief history on this law. He, and his colleagues who ran with him, felt that the Ethics Law needed to be updated when they were appointed as Trustees as they felt the law lacking and it had not been updated in a very long time. They felt that it needed to address even the appearance of a conflict of interest. Trustee Hofstetter thanked Ms. Insardi for all of her work on drafting this proposed local law. He also thanked the Mayor for her work on this.

Ms. Insardi stated that this law is based on model ordinances that were recently the subject of a three-part article in The Municipal Lawyer. Other municipalities Ethics Codes were looked at as well.

Mr. Irving Scharf of Richbell Road appeared to ask that copies of this law be distributed to interested residents and not be closed at this meeting, so that residents can be heard. The Mayor informed Mr. Scharf that the public hearing was scheduled at the last meeting, notice of the public hearing was published in the local newspaper and copies of the proposed local law were available on the Village website and also at the Clerk-Treasurer's office. She also informed any resident who would like to receive a copy of a proposed local law and does not have access to the internet to come to Village Hall for a copy.

Trustee Murphy had a question on page 10 where it states that members of the ethics board may not participate in any election campaign and perhaps it should read any local election campaign. He is concerned that under the First Amendment we cannot stop individuals from participating in a campaign. Perhaps it is the word participate that needs to be looked at. Ms. Insardi will look at the language.

Trustee Ryan questioned the statement that no ethics board member shall serve more than two terms. She thought that if a replacement could not be found for a member, they could be held over until one was appointed. Ms. Insardi will clarify this.

Mayor Savolt announced that Mr. Verrastro is going to be honored at the Chamber of Commerce annual dinner on January 9, 2009 and under this draft law, it wasn't clear if he could attend. The Board wants to be sure that if someone is being honored for their service, that the ethics code does not preclude them from attending the ceremony.

Ms. Insardi suggested that as substantive changes to the law will be made, the Board close the hearing tonight and a new public hearing be scheduled in connection with the revised law after the changes are made.

On motion of Trustee Ryan, seconded by Trustee Murphy:

RESOLVED that the Public Hearing on Proposed Local Law 11-2008 be and is hereby closed.

Ayes: Robinowitz, Hofstetter, Ryan, Murphy, Savolt
Nays: None

RESPECTFULLY SUBMITTED BY:
AGOSTINO A. FUSCO, CLERK-TREASURER

