

**Minutes of the Special Work Session of the  
Board of Ethics of the Village of Mamaroneck**

**Held on:** Sunday, February 28, 2010 3:30 PM

**Location:** St. Thomas Church Office Building  
168 W. Boston Post Rd., Mamaroneck, NY

**Present:** Patricia Castellani  
Charles Mitchell  
Deborah Tammearu  
Ann Marie Terrone  
Lloyd Green

**Members of the Public** Suzanne McCrory  
Stuart Tiekert

**1. Call to Order**

The meeting was called to order at 3:31 PM by Chairperson Charles Mitchell

**2. Purpose and Focus**

It was noted by Mr. Mitchell that the purpose of today's meeting was to prepare for the working session of the VOM BOT on Monday, March 01, 2010. Specifically, our focus will be on the Annual Disclosure Form and recommendations which will be made to the VOM BOT.

**3. Annual Disclosure Form**

Regarding the Annual Disclosure Form, the following was noted: first, there is a major concern regarding confidentiality within the VOM Offices; Second, some reformatting of the Form would be helpful, as explained by BOT Member Terrone; Third, a safe and secure place for storage of the forms is to be identified and implemented. Fourth, as required by the Ethics Code, the forms are to be stored for a period of 6 years.

**4. Contents of Forms and Freedom of Information Law (FOIL)**

BOT Member Green discussed and explained 4 major areas concerning the form:

1. Who is being asked to complete the form?
2. What is being asked within the form?
3. Who reviews and stores the form?
4. Public access.

Member Green noted there are sometimes exceptions allowed or stipulated to #1, "Who?" Volunteer firefighters and auxiliary police are two such examples. However, court rulings on this issue have determined that volunteers are not exempt from completing disclosure forms.

Regarding #2, “What?” – Green noted that credit card debt and mortgage information are not requested. What is requested includes relatives employed by the VOM and maters and/or clients coming before the VOM.

Federal Form 278 was referenced to demonstrate the depth and breadth of what is sometimes asked for on this type of form. Court cases concerning Police and Firefighters in New York City were also referenced, citing that these persons must disclose.

Concerning #3 – Who reviews and stores this form? The Attorney for the VOM and the Board of Ethics.

Concerning #4 – Public access, Member Green noted the right to know vs. the right to know everything.

#### **5. BOE’s review and comments on #’s 1 – 4:**

#1: Who is being asked to disclose? Officials, employees and those volunteers who have purchasing power or the power to render decisions.

#2. What is being asked? We agree that naming relatives may be a legitimate concern for some volunteers and perhaps they might be excused from doing so. Members of Boards which deal with land use, such as zoning or architectural review, should disclose.

#3. Who reviews? The Board of Ethics with counsel, as needed, from the Attorney for the VOM.

#4. Access. These forms should be received in sealed envelopes, clearly marked “confidential, and opened only by members of the Board of Ethics. There should be a safe and secure storage area within the VOM’s offices. VOM will follow the provisions of NYS FOIL.

#### **6. Apparent Misconceptions**

It was noted by the BOE that the following need to be addressed by VOM:

1. Local shopping issue; VOM needs to reach out to Police and Fire Departments to explain the Ethics Code.

2. Within the Ethics Code, some simple clarification is needed concerning the wearing of VOM uniforms while earning outside income.

#### **7. BOE Recommendations**

1. See Annual Report

2. Noted that the question concerning client disclosure is open-ended and might benefit from a time frame/limit.

#### **7. Adjournment**

The meeting was adjourned at 4:27 PM

Deborah Tammearu  
Secretary