

MINUTES
Town of Greenburgh
Board of Ethics
Thursday, January 18, 2024
Greenburgh Town Hall, Lee F. Jackson Conference Room

Board Members present: Blase J. Spinozzi, Chair; Seth Segall, Member; Timothy Hays, Member and Acting Secretary; Joseph Malara, Esq., Volunteer Counsel. Also attending: Amanda Magana, Esq., Deputy Town Attorney.

- 1.) The meeting was called to order at 6:32 p.m. A quorum of the Board of Ethics was present.
- 2.) **Election of Officers for 2024:** Incumbent Chair Blase J. Spinozzi proceeded with the election of new officers. Timothy Hays nominated Blase J. Spinozzi for Chair; the nomination was seconded by Seth Segall; Spinozzi was elected without opposition. Timothy Hays nominated Trudy Holand for Secretary, seconded by Segall. Holand was elected without opposition.
- 3.) **The January 18 Agenda** was unanimously adopted.
- 4.) **Minutes of the November 16, 2023**, meeting were unanimously approved.
- 5.) **Ethics Training update:** Amanda Magana, Esq., told the Board that notices would be sent to elected and appointed Town officials and board members in February; they will be due by mid-May at Greenburgh Town Clerk's office.
- 6.) **Correspondence.** There were five pieces of correspondence from Town resident Hal Samis of Hartsdale. The chair asked if any members had any comment on any of the correspondence and no one did, the chair then recognized Volunteer Counsel Joseph S. Malara, Esq., who commented on some of the correspondence as follows:
Re: Hal Samis's email of November 16, 2023, claiming that the agenda omitted the time of the meeting. A review of the agenda submitted to the Town Clerk for posting, and a review of the posted agenda, show that the date, time, and location were included.
Re: Hal Samis email of November 20, 2023 re: Minutes of October 26, 2023 meeting. Prior to to the November 16th meeting the proposed minutes of the October 26th meeting were posted. In paragraph five of those minutes, reference was made to an inquiry as to whether the Friends of the Library were required to take the town's sexual harassment training. The proposed minutes included the phrase "the Town therefore has no jurisdiction in this matter." At the November 16th meeting, Amanda Magana, Esq. advised the board that at its Oct. 16th meeting, the BOE determined that the board did not have jurisdiction. Counsel asked that the proposed minutes be changed to reflect that point. The BOE unanimously approved changing the proposed minutes to read "The BOE determined that it has no jurisdiction." After agreeing to the change, the BOE unanimously accepted the minutes of the Oct. 26th meeting and those minutes as changed were posted on the town's website.
Re: Hal Samis's emails of Nov. 16th, 2023, Nov. 20th, 2023, and Jan. 8th, 2024.
Mr. Samis is under the impression that a request was made by Claire Pizzutti on behalf of the Friends of the Greenburgh Library for an advisory opinion regarding whether the Friends are required to take the Town's sexual harassment training.

The sexual harassment training coordinator for the Town of Greenburgh is Amrita Bharat. On September 13, 2023, Ms. Bharat sent the schedule for the Sexual Harassment Training to the Friends of the Library. On the same day, Claire Pizzuti emailed Ms. Bharat taking the position that the Friends have never done the Sexual Harassment Training. She states that the Friends are not a town agency and not part of the town.

Ms. Bharat sought advice from the Town Attorney's office over this issue.

Ms. Pizzutti sent another email on September 27th, under the subject heading "Volunteer Sexual Harassment Awareness training 2023" wherein she reiterates that the Friends are not part of the town or the library.

On September 28th Ms. Bharat sent an email to Ms. Pizzuti stating that she checked the status of the inquiry with the Legal Department and that they placed the question before the BOE. The question was sent to the BOE chair; he asked whether the question concerned ethics training or sexual harassment training. Despite the confusion, it was determined that the question was whether the Friends were required to take the Town's sexual harassment training.

Before the Oct. 26th meeting Claire Pizzuti sent an email to the BOE explaining the Friends' position in this matter. At the Oct. 26th meeting, the BOE concluded that it did not have jurisdiction over the question and that the question was under the Legal department's purview.

Mr. Samis was then allowed to respond to Mr. Malara's comments. Mr. Samis claimed that the BOE has failed to follow the ethics code when they did not promulgate BOE rules and regulations following the election of officers.

Mr. Samis also claimed the Board of Ethics had no authority to render opinions on potential conflicts of interest on behalf of prospective board, committee, or agency members as it had done in the past. Mr. Malara responded that the ethics code clearly states the Board's authority to render such opinions.

- 7.) **Vacancies on Board of Ethics:** Anthony R. Wynne is scheduled to be appointed to the Board of Ethics at the Tuesday, January 23rd meeting of the Greenburgh Town Board.
- 8.) **Next meeting:** the Board of Ethics will meet on Thursday, February 15, starting at 6:30 p.m., at the Lee F. Jackson Conference Room.
- 9.) The meeting was adjourned at 6:58 p.m.