

MINUTES
Town of Greenburgh Board of Ethics
6:30 p.m.
Thursday, July 18, 2024
Town Hall, Lee F. Jackson Conference Room

Board Members Present: Blase J. Spinozzi, Chairperson; Trudy Holand, Secretary; Timothy Hays, Member; Seth Segall, Member, Andrea C. Reed, Alternate Member

Also Present: Joseph S. Malara , Esq., Volunteer Counsel; Joseph Danko, Esq., Town Attorney; Amanda Magana, First Deputy Town Attorney

Applicants: Hugh Schwartz, Janet Linn, Johan Snaggs, Susan Zieger, Douglas Zieger.

Prospective Board of Ethics Board Member: Darra Boyd

1. The meeting was convened at 6:33 p.m. A quorum of the Board of Ethics (BoE) was present.
2. AGENDA: The Agenda, as per motion of the Chair, was unanimously approved.
3. MINUTES: The secretary, after checking her notes, realized there was an omission in the proffered May 16, 2024 minutes in that they should read that Mr. Danko asked for a postponement on behalf of the Town Council and Mr. Duquesne, relevant to the matter of a request for Advisory Opinion 2024-1.
4. FINANCIAL DISCLOSURE FORMS: As mandated by the Code of Ethics, all Financial Disclosure Forms must be filed no later than May 15, 2024. First Deputy Town Attorney Magana informed the board that all parties required to file said form have done so.
5. ETHICS TRAINING: First Deputy Town Attorney Magana advised the BoE that the Town is constantly striving to ensure that all persons required to participate in Ethics Training do so timely.
6. ADVISORY OPINION 2024-1: As per written request dated April 23, 2024 from Hugh Schwartz and Johan Snaggs, both members of the Planning Board of the Town of Greenburgh, the BoE was requested to opine as to whether their positions on Viable Living, Inc., a not-for-profit corporation, was in violation of the Town's Code of Ethics.

Board Member Seth Segall at the May 16 meeting for personal reasons recused himself in this matter, after which the BoE heard from Mr. Schwartz, Mr. Snaggs and Ms. Linn with reference to the request. At that time, the BoE also took into consideration a three-page information submitted by Commissioner Garrett Duquesne, and a one-page email from Supervisor Feiner.

Based on the facts presented to the BoE, and after a review of the Code, the Board concluded the actions of Messrs Schwartz and Snaggs were not in violation of the Code of Ethics.

A formal opinion was subsequently drafted, forwarded to the BoE members, as well as posted online. At the 7/18/24 meeting, the Board was ready to vote on Advisory Opinion 2024-1. Before calling for a vote, the Chair gave a narrative explaining the circumstances of arriving at the opinion, following which the Chair offered all interested parties and members of the public an opportunity to comment on the draft opinion, to which no one responded.

The Chair called for a motion to accept the opinion as written, which was unanimously approved by the voting members of the BoE, whereby Advisory Opinion 2024-1 is to be placed on the Town's Website, as well as the Chair's comments to the public.

7. CORRESPONDENCE: The BoE was in receipt of the following emails from Hal Samis, addressed to multiple addressees including the BoE.

5/17/24 – Email from Samis explaining his absence from 5/16 meeting.

5/27/24 – Reminder from Samis to post the 5/16 minutes.

5/30/24 – Foil request from Hal Samis

6/11/24 – Samis inquiring as to June meeting which was previously canceled.

6/14/24 – Samis inquiring as to June meeting a second time which was previously canceled.

6/17 /24 – Samis acknowledging no BOE meeting in June.

6/18/24 - Samis requesting copy of Draft Advisory Opinion 2024-1.

7/11/24 – Samis writes “Free Willy.”

7/13/24 - Samis writes “Day of Infamy Part 1.”

7/15/24 – Samis writes “Day of Infamy Part 2.”

7/17/24 – Samis writes “Day of Infamy Part 3.”

There was no comment from the members of the BoE.

8. CITIZEN COMPLAINT: Pursuant to Section 570.1, a complaint was brought by Susan Zeiger, a resident of the Town of Greenburgh, against Supervisor Feiner citing Code Section “570.1 Declaration of Policy, Dishonesty and Abuse of Power by attempting to censor public access to a television show.”

The BoE heard from Ms. Zeiger, Douglas Zeiger and Town Attorney Joseph Danko with reference to this matter, at the conclusion of which the Board suggested the parties

attempt to resolve this matter among themselves. If unsuccessful, the BoE agreed it will explore the merits of the complaint at its next meeting.

9. VACANCIES ON THE BOARD OF ETHICS: At the request of the Town Board, Ms. Darra Boyd was in attendance at this evening's meeting. Ms. Boyd informed the Board that she has been selected by the Town Board to serve as a member of the BoE. The BoE members welcomed Ms. Boyd and are hopeful that she will be appointed prior to our next meeting.
10. NEXT MEETING DATE: 6:30 p.m., Thursday, September 19, 2024, 6:30 p.m. , Lee F. Jackson Conference Room, Greenburgh Town Hall.
11. MEETING ADJOURNED: The BoE, having concluded its business for the evening, the meeting was adjourned at 8:32 p.m.

SUBMITTED BY: Trudy Holand, Secretary