

**MINUTES**  
**Town of Greenburgh Board of Ethics**  
**Thursday, March 20, 2025**  
**Greenburgh Town Hall, Lee F. Jackson Conference room**

Board Members Present: Timothy Hays, Chair; Seth Segall, Secretary; Trudy Holand, Member; Andrea Reed, Alternate Member.

Also Present: Joseph S. Malara, Esq., Volunteer Counsel; Joseph Danko, Esq., Town Attorney; Amanda Magana, Esq., First Deputy Town Attorney; Ms. Barbara Marciante, Official Court Reporter; Detective Michael Marino, Greenburgh Police Department; Mr. Hal Samis.

1. The meeting was convened at 6:37 p.m. A quorum of the Board of Ethics (BoE) was present.
2. AGENDA: Ms. Holand moved to adopt the agenda and Ms. Reed seconded the motion. The agenda was unanimously adopted.
3. MINUTES: Ms. Holand moved to accept the minutes of the February 13 , 2024 meeting and Chairman Hays seconded the motion. The minutes were unanimously accepted.
4. ETHICS TRAINING: First Deputy Town Attorney Magana reported that Confidential Secretary to the Town Attorney Martha Salciccia sent reminders this month Town officers, employees, and agency members to take the required ethics training if they had not taken it during the previous three years.
5. FINANCIAL DISCLOSURE FORMS: First Deputy Town Attorney Magana reported that Confidential Secretary to the Town Attorney Martha Salciccia sent out notices this month to Town officers, employees, and agency members to complete their required annual financial disclosure forms by 5/15/25.
6. CORRESPONDENCE: Seventeen items of correspondence were received since 2/13/25:
  - A. An email dated 2/28/25 from Mr. Hal Samis approving of the 2/13/25 BoE minutes.
  - B. An email dated 3/5/25 from Mr. Johan Snaggs asking when the transcript of the 2/13/25 BoE meeting would become available.
  - C. An email dated 3/5/25 from Volunteer Counsel Malara stating the BoE does not control when transcripts become available.
  - D. An email dated 3/5/25 from Mr. Johan Snaggs asking Town Attorney Joseph Danko if his department is responsible for transcripts.
  - E. An email dated 3/5/25 from Town Attorney Joseph Danko stating his department is not responsible for transcripts but would request an update from the court reporter.
  - F. An email dated 3/6/25 from Mr. Hugh Schwartz requesting that certain comments be incorporated into the BoE decision in the complaint of Snaggs and Schwartz vs. Haber.

- G. An email dated 3/17/25 from Mr. Hugh Schwartz regarding Snaggs et al. vs. Sheehan et al. stating he believes an investigation will prove the Town Board's actions were designed to dismantle AVL, Incorporated because it was too independent from the Board and to replace experienced Planning Board members with inexperienced ones who would act less independently from the Town Board.
- H. An email dated 3/17/25 from Mr. Johan Snaggs inquiring whether the written opinion dismissing the complaint of Snaggs and Schwartz vs. Haber would be available prior to the 3/20/25 meeting.
- I. An email dated 3/18/25 from Mr. Hal Samis requesting the BOE agenda for the 3/20/25 meeting be posted to the Town website.
- J. An email dated 3/18/25 from Attorney Evan Mattel requesting the BOE disregard Mr. Hugh Schwartz's 3/17/25 request that his comments be included in its written opinion.
- K. An email dated 3/18/25 from Mr. Johan Snaggs in response to Attorney Mattel's email denying he made a request for his comments to be included in the BOE written opinion.
- L. An email dated 3/18/25 from Mr. Hugh Schwartz clarifying that his request for his comments to be included in the BOE opinion were his and his own alone, and that his intent was not to change the opinion but only to ensure the opinion was consistent with the oral presentation of the decision in the 2/13/25 meeting.
- M. An email dated 3/18/25 from Attorney Vincent Toomey stating Mr. Schwartz's request was an inappropriate attempt to influence the written opinion.
- N. An email dated 3/18/25 from Mr. Hugh Schwartz rejecting Attorney Toomey's accusation that he was attempting to influence the written opinion.
- O. An email dated 3/19/25 from Mr. Hal Samis requesting confirmation of the Town policy that the Town Clerk cannot notarize complaints against the Town of Greenburgh, its public officers, employees, or agency members. If this is Town policy, he requests it be changed since notarizing complaints seems burdensome, expensive, and unnecessary. [In a discussion of this email during the meeting, Town Attorney Danko reported that while the restriction on the Town Clerk's notarization of complaints had formerly been Town policy, it no longer was.]
- P. An email dated 3/19/25 from Ms. Dorothy Caulfield in Attorney Toomey's office with the Respondents' responses to the BOE interrogatories attached.
- Q. An email dated 3/20/25 from Seth Segall to Ms. Caulfield in Attorney Toomey's office seeking clarification as to whether an attachment had been inadvertently omitted from the responses to the BOE interrogatories.

7) CITIZEN COMPLAINT: Re: Johan Snaggs, Hugh Schwartz and Walter Simon vs. Francis Sheehan, Gina Jackson, Joy Haber, and Ellen Hendrickx. Volunteer Counsel Malara reported the respondents' responses to Phase 1 interrogatories were received on 3/19/25. First Deputy Town Attorney Magana asked whether submissions had been requested from the complainants and Mr. Malara replied they had not. Mr. Malara informed the respondents' and claimants' legal counsels on 2/13/25 that there would be no need for their attendance at today's meeting as the BoE wouldn't have had sufficient time to review the responses to the interrogatories. The complainants, respondents, and their attorneys were not present today and the complaint was continued until the 4/17/25 meeting.

8) OPINION 2025-4: Re: Citizen Complaint Johan Snaggs & Hugh Schwartz vs. Joy Haber. Chairman Hays read the opinion aloud. Ms. Holand moved to adopt the opinion and Ms. Reed seconded. Ms. Reed and Ms. Holand and Chairman Hays voted to adopt the opinion and Secretary Segall abstained due to recusal. The opinion was adopted.

9) DISCUSSION/PUBLIC COMMENT:

A) Mr. Hal Samis suggested financial disclosure forms need only be completed upon hiring or appointment and updated only when there was a major change rather than annually. First Deputy Town Attorney Magana and Town Attorney Danko expressed concern people would fail to remember to do so. Town Attorney Danko wondered whether reminding people to review and update their old financial disclosure forms annually might suffice. Mr. Samis asked since the forms were never reviewed, what was their point? First Deputy Town Attorney Magana replied that the forms are reviewed for completeness but not for accuracy, and that they serve as a resource in that citizens can FOIL them whenever they are concerned about the accuracy of the information reported and potential conflicts of interest.

B) Mr. Samis suggested public comment should not be restricted to complaints currently before the BoE. Secretary Segall suggested the BoE might be open to broadening what is allowed as long as comments are specifically germane to the BoE's purview.

C) Mr. Samis asked why BoE deliberations are held in executive session. Shouldn't they be conducted in public? Volunteer Counsel Malara replied that BoE deliberations included privileged legal communications from counsel to BoE members, and that BoE deliberations are similar to trial jury deliberations; he then asked Mr. Samis if he would want jury deliberations to be conducted in public. Secretary Segall stated BoE decisions potentially affect people's reputations and there is a danger of needless damage to individuals' reputations if deliberations were conducted in public.

D) Mr. Samis stated the Code of Ethics was 20 years old and needed updating. First Deputy Town Attorney Magana agreed some updates are probably needed.

E) Mr. Samis suggested the Town website include BoE members political affiliations next to their names. Chairman Hays responded that seemed reasonable and asked if any BoE members objected; none did.

F) Chairman Hays thanked Mr. Samis for his suggestions and said the BoE would take them under consideration.

10) NEXT MEETING DATE: 6:30 p.m., Thursday, April 17 , 2025, Lee F. Jackson Conference Room, Greenburgh Town Hall.

11) MEETING ADJOURNED: There being no other business, Secretary Segall moved the meeting be adjourned and Ms. Holand seconded. Without objection, the meeting was adjourned at 7:18 p.m..

SUBMITTED BY: Seth Segall, Secretary on April 3, 2025.