

MINUTES
Town of Greenburgh Board of Ethics
Thursday, February 26, 2026
Greenburgh Town Hall, Lee F. Jackson Conference room

Board Members Present: Timothy Hays, Chair; Seth Segall, Secretary; Trudy Holand, Member, Darra Boyd, Member; Andrea Reed, Alternate Member; Sharon Makower Esq., Alternate Member.

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

- 1) The meeting was convened at 6:32 p.m. The roll was called and a quorum of the Board of Ethics (BoE) was present.
- 2) AGENDA: Ms. Holand moved to adopt the agenda with a correction to the date on the agenda. Chair Hays seconded the motion. The agenda was unanimously adopted with the corrected date.
- 3) MINUTES: Ms. Holand moved to accept the minutes of the 1/22/26 meeting and Ms. Makower seconded the motion. (Ms. Makower was able to second as an alternate as Ms. Boyd had not yet arrived at the meeting). The minutes were unanimously accepted.
- 4) ETHICS TRAINING: First Deputy Town Attorney Magana reported that everyone is in compliance.
- 5) FINANCIAL DISCLOSURE FORMS: First Deputy Town Attorney Magana reported that all financial disclosure forms have been completed. Requests to complete 2026 Financial Disclosure Forms completion will be sent out in mid-March and will be due in May.
- 6) CORRESPONDENCE: Correspondence consists of items mailed directly to the BoE and germane to its business. The BoE reserves the right to decide whether correspondence is relevant to ongoing or potential BoE business. A total of nine (9) items of correspondence was received between 12:00 p.m. January 22 2026 and 12:00 p.m. today. By decision of the Chair, this correspondence was not read aloud during the meeting, and these minutes will serve as the record of correspondence received.
 - a. An email dated 2/5/26 from Mr. Hal Samis reminding the BoE that the minutes of the 1/22/26 meeting were due to be posted.
 - b. An email dated 2/6/26 from Mr. Hal Samis objecting to: 1) the characterization of his emails in the 1/22/26 BoE minutes, 2) Secretary Segall's recounting of the Town Clerk's account of why the Town Clerk's Office could not respond more quickly re: BoE member's appointment dates and term lengths, 3) being limited to only 3 minutes during

- the public comment period, and 4) Chairman Hays' characterization of his speech having been "abusive" in the past.
- c. An email dated 2/11/26 from Complainants' Attorney Janet Linn containing a motion for Reargument and Reconsideration of BoE Decision 2025-5 on the basis of 1) an alleged mischaracterization of TB-1, and 2) an alleged mischaracterization of the Respondents' discovery responses and the effect of the allegedly inadequate responses on the decision of legislative immunity
 - d. An email dated 2/13/26 from Respondents' Attorney Vincent Toomey claiming that the CoE and BoE Internal Rules and Regulations do not provide opportunities for Motions to Reargue and Reconsider. He argues that while New York State Civil Practice Law and Rules (CPLR) does allow such motions, CPLR cover litigation and not administrative proceedings. He argues that the Complainants did not like the decision and are merely attempting a "do over," but there is no faulty reasoning in BoE Decision 2025-5 that could legitimate such a motion and the motion ought to be denied.
 - e. An email dated 2/15/26 from Mr. Hal Samis objecting to the time limitation on his public comment and the BoE's limitations on reporting only matters germane to its business in its minutes. He provides a history of how the BoE has limited public comment and correspondence in the past. He points out that he questioned the meaning of "RRV" in a 2024 email that was ignored at the time.
 - f. An email dated 2/17/26 from Attorney Linn rebutting Attorney Toomey's arguments and stating that it is an "indisputable fact" that the BoE made an obvious mistake in its citation of the language of TB-1 that is key to its conclusion and is the basis for their Motion. She also cites Volunteer Counsel Malara as saying that CPLR governs BoE proceedings.
 - g. An email dated 2/18/26 from Mr. Samis stating the date of the next BoE meeting has not been posted.
 - h. An email dated 2/24/26 from Mr. Samis reminding the BoE that the agenda for the 2/26/26 meeting is due to be posted.
 - i. An email dated 2/24/26 from Mr. Samis wondering about whether a word in the 2/26/26 BoE agenda was intended to be "adoption" or "adaptation."

7) MOTION TO REARGUE AND RECONSIDER BoE OPINION 2025-5:

Complainants' Attorney Janet Linn's written Motion to Reargue and Reconsider BoE Opinion 2025-5 was introduced. Neither the Complainants, the Respondents, nor their Counsels were present for oral argument. Chair Hays moved that the BoE go into executive session to deliberate on the motion. Ms. Holand seconded the motion. All the BoE Members voted in concurrence.

- 8) EXECUTIVE SESSION: Executive session began at 6:40 pm and ended at 7:19 pm. No votes were taken.
- 9) DECISIONS: Public Session was restarted at 7:20 p.m. Ms. Boyd moved to dismiss the Motion to Reargue and Reconsider BoE Opinion 2025-5 on the grounds that there is no provision in the CoE or in the BoE Internal Rules and Regulations for Motions to Reargue and Reconsider. Ms. Holand seconded the motion. There were four (4) votes for the motion with no (0) votes against it, and no (0) abstentions.

- 10) REVISION OF INTERNAL RULES AND REGULATIONS: Secretary Segall moved to amend the Internal Rules and Regulations as adopted in the January 2026 meeting with five (5) changes: 1) adding “Agency Members and Employees” to the list of parties who can bring complaints before or ask an opinion of the BoE so that the Internal Rules and Regulations are consistent with the CoE, 2) replacing the acronym “RRV” with the term “alleged violation” or an “allegation of violation” wherever it occurs in the document, 4) replacing the term “RRV form” with the term “Code of Ethics Citizen’s Complaint Form,” which is the correct title for the form; and 5) stipulating that only correspondence received by the BoE that is relevant to BoE business be included in the minutes. Chair Hayes seconded the motion. The vote was (4) members for the amendments with no (0) votes against it, and no (0) abstentions.

After the vote was taken there was discussion of additional amendments. Volunteer Counsel Malara requested that the words “and the relief/remedy sought” be added to what is currently §3 (c) (1) (iii). First Deputy Town Attorney Magana recommended changing the use of pronouns so that document is more in accord with contemporary standards of usage. Ms. Makower agreed to review the document and make changes in pronoun usage. There was also concern expressed by several members as to the numbering of the multilevel lists within the document. Chair Hays agreed to review the document to provide a more standardized multilevel list numbering system. When revisions are complete, reviewed by members, and accepted, a new 2026 version of the Internal Rules and Regulations will be added to the website.

11) DISCUSSION OF PROPOSED AMENDMENTS TO THE CODE OF ETHICS:

Volunteer Counsel Joseph Malara recommended amending the Code of Ethics § 570-11B so that it would state that there would be no more than three members of the same political party serving as its members. He also recommended that § 570-11D (3) be amended to include a statement that filed complaints specify the relief/remedy sought by the complainant.

Ms. Makower pointed out that § 570-5 B contains outmoded language about publicly traded securities (e.g. listing the American Stock Exchange) and needs updating.

Secretary Segall initiated discussion about several possible for amendments. He wondered about the language in § 540-A (1) (b), (c), and (d) in which there are classes of individuals one may not “solicit or accept” gifts from while there are other classes one may not “solicit” from but one may “accept” from. Why not simplify the wording so that is always that one may neither solicit or accept? Ms. Makower explained a possible underlying logic for the current wording: that one can accept from individuals in volunteer positions, but not in positions where their work is financially compensated.

Secretary Segall raised a question about § 574-A (2), wondering why not simply state that contributions to the Town cannot be made by any entity that has current business pending before the Town or any of its agencies which could reasonably be assumed to accrue to the entity's financial benefit? Volunteer Counsel Malara then gave an example of a charitable group seeking a Town permit for a fund-raising carnival that might also donate to the Town

on other occasions as part of its charitable giving activities. A blanket ban on all gifts with entities who have business before the Town would ban similar innocuous activities.

Secretary Segall suggested that the amount one could receive for officiating at a marriage in § 574-A (4) be raised from \$75 to \$100 to make it concordant with Article 18.

Secretary Segall also suggested that the line in § 570-17 A (2) that reads "No Public Officer or Employee may supervise a relative in the performance of the relative's official powers or duties" should be amended to include, "nor may they delegate supervision of a relative to a person they supervise."

No vote was taken on any of these proposed amendments. Chair Hays suggested this discussion be continued at a future BoE meeting at a time when members have had more time to consider them.

12) NEW BUSINESS:

Ms. Holand and Chair Hays reported they were both interviewed at a recent Town Board work session as part of their reappointment processes.

Secretary Segall mentioned that he had corresponded with Town Council Member Francis Sheehan about the fact that BoE members terms were no longer staggered as specified in Code of Ethics § 570-11 A (1). Mr. Sheehan replied that the Town Board would seek to alter term lengths to bring them into compliance with the CoE.

13) PUBLIC COMMENT/DISCUSSION: Chair Hays tabled public comment and discussion until the next meeting.

14) NEXT MEETING DATE: The next scheduled meeting will be on Thursday, March 19, 2026 at 6:30 p.m. in the Lee F. Jackson Conference Room, Greenburgh Town Hall.

15) MEETING ADJOURNED: There being no other business, Ms. Holand moved the meeting be adjourned and Chair Hays seconded the motion. Without objection, the meeting was adjourned at 8:09 p.m.

SUBMITTED BY: Seth Segall, Secretary, on March 11, 2026.