

Minutes Nassau County Board of Ethics
Public Session

Meeting date and place: January 30, 2019 at 8:00 A.M.
One West Street, Mineola, New York 11501

Board Members Present: Kenneth L. Gartner, Chair
Jared A. Kasschau, County Attorney
Michael Pernick, Member
Christopher Devane, Member
Daniel Palmieri, Member

Board Counsel: Steven G. Leventhal

Secretary to the Board: Nicholas Vevante, Deputy County Attorney, taking minutes

Also in attendance: Representatives from the Nassau County Comptroller's Office

The meeting was called to order at 8:06 a.m. All members of the Board were present and so there was a quorum.

The first item was the adoption of the minutes from the December 20, 2019 meeting. Judge Palmeri moved, and Mr. Kasschau seconded adopting the minutes. The vote passed unanimously.

Mr. Vevante then gave an update for the filing of a financial disclosure forms for the fiscal year 2017. Mr. Vevante informed the Board that there were still 12 outstanding forms. Mr. Vevante tolde the Board that he sent out emails to the employees who still have not filed informing them that they were required to disclose by the meeting date. The Board suggested that Mr. Vevante and Mr. Leventhal call the individual employees who have not yet filed and give them a short time amount of time to file before disciplinary proceedings would begin.

Next, Mr. Kasschau let the Board know the status made towards electronic filing of the financial disclosure forms. Mr. Kasschau, who consulted with the Nassau County IT Department said the electronic filing would be available for the filing this year. Mr. Leventhal then suggested that a person be designated to help someone upload the financial disclosure form when they do not have access to a computer. He also suggested that there be some language indicating that the designate person was authorized to upload on that person's behalf. Mr. Leventhal also suggested that there be assistance for employees who do not speak English. Mr. Kasschau stated that the County is developing programs to provide language services for non-English speakers which may be useful for this endeavor. Mr. Leventhal recommended that the Board approve new instructions for the completing and filing of disclosure forms.

Mr. Vevante informed the Board that he was still reviewing his intern Lexis Mollica's work regarding redacting advisory opinions and that he would give the Board's counsel his recommendation for public disclosure by the end of next week, after which the recommendations would be circulated to the Board. The Board members indicated that they plan to review Mr. Vevante's recommendation at the next meeting.

Then there was a discussion about the Board's role in reviewing the financial disclosure forms submitted by employees. Mr. Leventhal informed the Board that in the past members of the County Attorney's Office have checked the disclosure forms to confirm that all persons required to file have done so, that all questions were answered; and have spot checked the forms for potential conflicts of interest. Mr. Leventhal noted that the Board had adopted a policy that set out the methodology that the Board will use in evaluating the financial disclosure forms.

There was then a discussion on selecting a date to have a meeting dedicated to reviewing the proposed Code of Ethics revisions submitted to the Board by Mr. Leventhal and members of the County Attorney's Legal Counsel Bureau. It was decided that meeting would be on February 28, 2019 starting at 7:00 a.m.

The Board decided to defer the discussion of ethics training until after the meeting discussing the proposed update to the Code of Ethics.

It was decided that Mr. Leventhal and Mr. Vevante would work together to prepare a proposed annual report for the Board's review.

Mr. Vevante prepare an email to be sent out to all the department heads asking for a list of employees who are policy makers.

Mr. Kasschau moved to go into executive session to discuss requests for advisory opinions, attorney-client consolation, and interviewing special counsel to the Board. Mr. Devane seconded. The motion was passed unanimously at 8:34.

At 10:00 the Mr. Devane moved to adjourn the executive session and was seconded by Mr. Pernick, it carried unanimously.

Mr. Devane moved to have Steve Leventhal continue on as special counsel to the Board. Judge Palmeri seconded the motion and it carried unanimously.

At 10:02 Mr. Gartner moved to adjourn the meeting, seconded by Mr. Pernick. The motion carried unanimously.