

MINUTES of the **ETHICS BOARD** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Rm. 350, Buffalo, New York, on the 3rd day of May 2018 as amended on August 16, 2018

PRESENT: **Jerome D. Schad, Chairman**
Mark S. Carney, Vice Chairman
Karl J. Simmeth, Jr., Treasurer
Terrence D. McCracken, Secretary to the Authority
Robert J. Lichtenthal, Jr., Deputy Director
Earl Jann, Executive Director
Russell J. Stoll, Executive Engineer
Karen A. Prendergast, Comptroller
Daniel J. NeMoyer, Director of Human Resources
Jacqueline Mattina, Deputy Associate Attorney
Darlene Sikorski-Petritz, Deputy Associate Attorney
Richard Planavsky, Chief Business Officer Manager/Budget Director
John J. Mogavero, Chemist/Chief WTPO
Paul J. Whittam, Director of Water Quality
Susan L. Rinaldo, Cash Manager
Joseph T. Burns, Deputy Administrative Director
Anthony Alessi, Claims Representative/Risk Manager
Steven V. D'Amico, Business Office Manager

ATTENDEES: **Sean Dwyer**
Mike Wymer

CALL TO ORDER

PLEDGE TO THE FLAG

I. - ROLL CALL

II. - REPORTS

III. - COMMUNICATIONS AND BILLS

IV. - UNFINISHED BUSINESS

V. - NEW BUSINESS**A. Financial Disclosure Report Form Per Policy No. 11**

Jackie Mattina distributed to the Commissioners a memorandum from Margaret Murphy, Associate Attorney, to Leslie Ortiz-Fogg, Assistant County Attorney addressing the Authority's annual financial disclosure statements. Ms. Mattina reported that while it has been established that certain employees of ECWA need to file a financial disclosure form, there is an ongoing discussion on what form should be filed with the Erie County Board of Ethics. The main issue with the filing with Erie County Board of Ethics is whether the financial disclosure should relate to the filer's relationship with the County of Erie or the ECWA. The Erie County Board of Ethics' next meeting is on May 14, 2018 wherein they will review this issue and make a determination and advise us. In the meantime, the County Board is giving ECWA employees an extension until June 15, 2018 to file and waives any requirement to submit forms for 2016. Chairman Schad thanked Margaret Murphy and Ms. Mattina for their work on this. He opened up discussion from the other Commissioners. Commissioner Carney raised a question if we are sure the County has the ability to waive the 2016 filing. After discussion, Commissioner Carney asked for a further response from the legal department on the issue. Commissioner Carney raised the question as to whether or not we were going to limit who has to file. Ms. Mattina said that Authority Policy No. 11 identifies, at this point, who is required to file but for 2018 a review is being done to identify an appropriate new list going forward. Chairman Schad said the issue that he sees is in reference to the General Municipal Law and that, apparently, if somebody has to file two in two places, one form might be acceptable if it covers enough ground, and, thus, the meeting on the 14th might create a vehicle for the Authority to use one form which we would file with the County and which would be sufficient to meet the requirements of our own policy. Chairman Schad concurs with Commissioner Mr. Carney's concern that there is an independent issue regarding whether the Authority's current one-page form may still have to be filed to address the past year's filing issue. Chairman Schad said that it is his intention to make sure that Authority comes into compliance with its disclosure requirements.

VI. - ADJOURNMENT

Motion by Mr. Simmeth seconded by Mr. Carney and carried that the meeting adjourn.

DISCUSSION

None

VOTE

Ayes: Three; Commrs. Schad, Carney and Simmeth

Noes: None

A handwritten signature in black ink, appearing to read "T. D. McCracken", written in a cursive style.

Terrence D. McCracken
Secretary to the Authority

TF