

**Town of Corning [TOC] Ethics Board  
Meeting Minutes  
November 6, 2018**

Chair Hope Johnson called the meeting to order at 6:04 pm.

Roll Call:, Hope Johnson, Dodie Clayberger, Dave Shafer, Dave Boyd, all present, Mike Morrongiello, absent.

The Pledge of Allegiance was recited.

**Minutes**

Minutes for the October 9 meeting were reviewed and Dave B made the motion to accept the minutes as written. Dodie seconded, all in favor, motion carried.

**TOC Code of Ethics Law Changes Update [Dave S recused himself and left room]**

The Ethics Law changes were tabled at the Oct Town Council meeting due to concern that Section 18a does not follow NYS General Municipal Law due to the recommendation that no member of the Town Council should be a voting member, only a non-voting liaison. Hope announced at the Oct EB meeting that she would do the research to determine if this was in fact law since other municipalities do not follow this.

She found an Informal Opinion from the NY Operating Attorney General [1986 & 1991] which stated, "We found that section 808 of General Municipal Law is not a general law within the home rule definition. Because section 808 gives cities (and other municipalities) the option to establish a board of ethics, it does not in terms and in effect apply alike to all cities (and to other classes of local governments). It applies only to those cities opting to come under it. Thus, we found that a local law dealing with the composition of a local board of ethics need not be consistent with the provisions of section 808 of the General Municipal Law."

Hope submitted this 'opinion' to the Town Council at the November meeting. She also noted that Town Supervisor Feehan submitted the issue to our Town attorney and he clearly said that he sees no legal reason that a Town Council member must be on the Ethics Board.

**2018 Disclosures**

Update was tabled again due to Mike M not being at meeting.

**Ethics Complaints**

Motion was made by Dodie to discuss the Lott and Senkiw ethic complaints investigations. Seconded by Dave S. Motion carried.

Maggie Lott asked to speak and provide additional information regarding her complaint against Jeff Bly. She showed pictures of 'sticks' that were planted where the agreed up on buffer barrier was to be planted. Maggie Lott also complained about Mr. Bennett and how disrespectfully he treated her at the planning board meeting. She asked that we review the audio tapes and the EB agreed to do.

Motion was made by Dave S to go into executive session to discuss the latest Lott complaints regarding treatment by Planning Board official and a Town employee. Seconded by Dave B. Motion carried. After discussion, the motion was made by Dodie to have Dave S take the information to the Town Board for further review. Seconded by Dave S. Motion carried. Motion to close the executive session was made by Dodie and seconded by Dave B. Motion carried.

**Next Meeting**

Next meeting date set for December 4th at 6:00 pm at the TOC offices.

Motion to adjourn by Mike, seconded by Dodie. Motion carried.

Respectfully submitted,

Hope Johnson  
Chair, TOC Ethics Board