

THE INCORPORATED VILLAGE OF MASTIC BEACH

**369 NEIGHBORHOOD ROAD
MASTIC BEACH, NY 11951**

**BOARD OF ETHICS MEETING MINUTES
FEBRUARY 20TH 2015**

PRESIDING OFFICER: Victor Viola, *Chairperson*

MEMBERS OF THE ETHICS COMMITTEE PRESENT AND VOTING:

Deborah Metz, John Mutt, Joe Mallia

MEMBERS OF THE ETHICS COMMITTEE ABSENT: OPEN SEAT

OFFICIALS OF THE ETHICS BOARD PRESENT:

Scott Augustine esq *Committee Attorney*

1. CALL TO ORDER AND WELCOME

Victor Viola called the meeting to order at 7:00pm and welcomed those in attendance

2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Victor Viola led the salute to the flag and asked for a moment of silence for U.S. service members both past and present

3. ROLL CALL

Joe Mallia conducted a roll call of the Ethics Committee

4. OLD BUSINESS

APPROVAL OF MINUTES

Motion offered by **Victor Viola**, seconded by **Joe Mallia** to accept the meeting minutes, dated January 20th 2015 which are included here:

1. Each member introduced him or herself and gave a brief introduction and background.
2. Victor Viola requested that he be considered for the position of Committee Chairman. All members agreed. Vote: Unanimous.
3. The Chairperson first stated that each of us including the Village Trustees has an affiliation or connection to some organization or association. He stated we have to put that aside and concentrate

and address the complaints with an open mind and without prejudice.

- i. Joe Mallia stated he has never been affiliated with any Mastic Beach organization or association.
4. The Chairman made a motion that we take the complaints home to read them over and meet at a later date to discuss and come to a decision. The committee over ruled him. Vote: Unanimous against.
5. Joe Mallia read the first complaint from Frank Fugarino. The committee discussed the complaint and came to a decision that the complaint was unsubstantiated. A vote was taken; All in favor that it be dismissed. Unanimous.
6. Joe Mallia read the next complaint from Ewa Wolmut-Stankiewicz. The complaint was discussed. Committee member John Mutt made a motion to table it for clarification. Joe Mallia seconded it; Vote: Unanimous.
7. Joe Mallia read the next complaint from Jasper Fugarino. The complaint was discussed and the committee members came to a decision that it was unsubstantiated. A vote was taken all in favor that it be dismissed; Unanimous.
8. Joe Mallia read the next complaint from John Sumwalt. The complaint was discussed. A motion was made by John Mutt to table it for clarification. Seconded by Joe Mallia. Vote; All in favor Unanimous.
9. Joe Mallia read the next complaint from Jane Powers. The complaint was discussed. Joe Mallia made a motion to table it for clarification. Seconded by John Mutt. Vote; Unanimous.
10. After the complaints were read and ruled on the committee requested that an attorney be present at our meetings. The Chairman would draft a letter to request a secretary to record the minutes and an attorney to clarify any legal questions.
11. The Chairman will send a letter to the MBPOA requesting when Maura Spery and Bruce Summa were members also the use of MBPOA hall by Maura Spery on two occasions.
12. Meeting was adjourned.
Motion to accept by Victor Viola, 2nd Joe Mallia
Motion carried –4-Yes; 0-No

NEW BUSINESS

1. Lawyer Augustine provided each committee member a copy of the following
 - a) Village of Mastic Beach Minutes from the December 16th 2014 general meeting which by resolution created this Ethics Committee
 - b) Village of Mastic Beach Minutes from January 7th 2015 Board Meeting naming each of the committee members to the committee
 - c) Village of Mastic Beach Ethic Code 40
 - d) New York State law 806 and 808
2. Motion offered by **Victor Viola**, seconded by **John Mutt** to set aside all decisions from the January 20th meeting for the following reasons:
 - i. Failure to adhere to the open meetings law – Village Hall doors were locked
 - ii. Committee members had not taken an oath of office

Motion Carried – 4-Yes; 0-No

3. Motion offered by **Joe Mallia**, seconded by **John Mutt** to elect Victor Viola as Committee Chairmen

Motion Carried – 4- Yes; 0-No

4. Motion offered by **Victor Viola**, seconded by **Deborah Metz** to accept minutes in a summary format for this and future Ethics Board meetings
Summary format means the majority of the minutes would be restricted to motions, and noteworthy discussion (ie distribution of official documentation, verbal clarification by complainants, etc.)

Motion Carried – 4-Yes; 0-No

5. Motion offered by **Deborah Metz**, seconded by **Victor Viola** to adopt a simplified version of Roberts Rules of order during any meeting conducted by the Ethics Committee

Motion Carried – 4-Yes; 0-No

6. Motion offered by **Victor Viola**, seconded by **Deborah Metz** to appoint Joe Mallia as Deputy Chairmen

Motion Carried – 4-Yes; 0-No

7. Motion offered by **Victor Viola**, seconded by **Deborah Metz** to accept the following:
 1. Scheduling of meetings in accordance with the Open Meeting Law.
 2. Publishing an agenda is optional.
 3. Adoption of a policy of polite and professional interaction amongst the committee members.
 4. Adopt the Suffolk County Ethics Board Advisory and complaint violation forms.
 5. Adopt where applicable the Suffolk County Policy and Procedure process.
 6. Chairperson will request a village email address for each committee member.
 7. Fast track form creation and policy and procedure documentation for review by the committee and communicate the new information to residence with current complaints.
 8. It is the committee's duty to continually review the policies and procedures and its own conduct to identify areas of improvement.
 9. The Chairperson will ask the Board of Trustee's to pass a resolution to allow ethics training for identified village employee's, elected officials, board and committee members.
 10. The chairperson requests the recording secretary to draft a letter on ethics committee letterhead outlining the adopted policy and procedures in this motion
 11. Contact all current complainants with the policy and procedure letter and complaint form and ask that they resubmit their complaint.
 12. Chairperson read the following policy and procedure for adoption as Exhibit A at the end of these minutes

Motion Carried – 4-Yes; 0-No

8. Motion offered by **Joe Mallia**, seconded by **Victor Viola** to draft a letter on ethics committee letterhead requesting Mayor Biondi and the board of trustee's to rename the "Ethics Committee" to the "Ethics Advisory Committee". The reason being to more easily identify the committee as an advisory body.

Motion Carried – 4-Yes; 0-No

9. Motion offered by **Victor Viola**, seconded by **Deborah Metz** to adjourn the work session at 9:02 pm

Respectfully Submitted

Joe Mallia, *Reporting Secretary*

EXHIBIT A

Adopted Policies and Procedures

1. All complaints should be addressed to the Mastic Beach Village Ethics Committee.
2. Complaints should be mailed or delivered in person in a sealed envelope to the Village Clerk.
3. No e-mail complaints will be accepted.
4. The Ethics Committee Chairperson will receive all complaints from the Village Clerk and notify all the Committee members to schedule a meeting to review the complaints.
5. A complaint form has to be completely filled out and written as simply and clearly as possible. Each complaint should be numbered for tracking purposes.
6. Only one complaint form per person that you have a complaint against. If you are complaining about more than one person you have to fill out a complaint for each person.
7. All meetings shall comply with the OML. It should be posted in the South Shore Press, The Long Island Advance and on the Village web site. The time frame should be as follows. One week to put it in the paper and on the Village web site, one week for the public to view it, one week to set up the next available date at Village hall.
8. The time frame for Committee minutes to be posted to the Village web site should be as follows. The secretary has one week to organize the minutes. The secretary will e-mail it to the Committee members for their approval. On the approval of the Committee the secretary will e-mail it to the Village Clerk. This should take approximately two weeks.
9. The committee's will continually review the policies and procedures and its own conduct to identify areas of improvement.

10. The Ethics Committee should have an annual meeting to take testimony from the general public on whether the codes are functioning effectively and to hear recommendations of improvements.