

THE INCORPORATED VILLAGE OF MASTIC BEACH
369 NEIGHBORHOOD ROAD
MASTIC BEACH, NY 11951
ETHICS ADVISORY COMMITTEE MEETING MINUTES
MARCH 19TH 2015

PRESIDING OFFICER: Victor Viola, *Chairperson*

MEMBERS OF THE ETHICS COMMITTEE PRESENT AND VOTING:
Debra 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 Advisory Committee

4. **OLD BUSINESS**
APPROVAL OF MINUTES
Motion offered by **John Mutt**, seconded by **Joe Mallia** to accept the meeting minutes, dated February 20th 2015
Motion carried –4-Yes; 0-No

ADMINISTRATIVE

5. Joe Mallia declared that in the minutes of the trustee work session on March 4th the Board approved the name change of the Ethics Committee to the Ethics Advisory Committee.
6. Victor Viola declared the village has approved the allocation of a locked storage cabinet in village hall that the Committee can store associated documentation and other pertinent material. Only the committee chairperson will have access to the cabinet. If the chairperson is not available then the deputy chairperson will have access.
7. Joe Mallia demonstrated a prototype of a possible public facing Ethics web site for group development and future consideration by the Board of Trustee's.
8. The Committee discussed village emails and access to electronic documents in a centralized, shared and secure location.

NEW BUSINESS

9. ADOPTION - ETHICS ADVISORY COMPLAINT FORM

Motion offered by **Victor Viola**, seconded by **Joe Mallia** accepting the Ethics Complaint form **VMBECCF-2** as the current official form for public submission of complaints. **(Form is included as Exhibit A)**

Motion Carried – 4-Yes; 0-No

10. ADOPTION - ETHICS POLICY AND PROCEDURE DOCUMENT

Motion offered by **John Mutt**, seconded by **Debra Metz** accepting the document **VMBPP-1** as the current official Public and Procedures document for the Ethics Advisory Committee. **(Document is included as Exhibit B)**

Motion Carried – 4-Yes; 0-No

11. APPROVAL – LETTERS TO CURRENT COMPLAINANTS

Motion offered by **John Mutt**, seconded by **Debra Metz** accepting the document to be sent to the five current complainants requesting resubmission of their complaints (**Letters are included as exhibits C1-C5**)

Motion Carried – 4-Yes; 0-No

12. Motion offered by **Victor Viola**, seconded by **Deborah Metz** to adjourn the work session at 8:40 pm

Respectfully Submitted

Joe Mallia, *Reporting Secretary*

Please explain your complaint fully, if insufficient space is provided additional sheets may be attached, providing a detailed description of the facts and the actions of the person(s) named on page 1 of this form. Include relevant dates and the names and addresses of persons whom you believe may be witnesses.

Identify below any supporting documents, i.e. Emails, contracts, photographs, invoices, statements of witnesses, and audio/visual recordings. Attach all supporting documents to this form.

Please Read the statement below, sign and date:

I, _____, hereby acknowledge that making a false statement herein is punishable as a misdemeanor under section 210.45 of the New York State Penal Law

Date: _____

Complainant's Signature: _____

Complainant's Name Printed: _____

NOTICE: It shall be unlawful for any person to make a complaint or threaten to make a complaint to the Committee against a public servant, or to offer to withdraw a complaint against a public servant, in order to improperly influence that public servant's vote, opinion, judgment, action, decision or exercise of discretion as a public servant. Such conduct will constitute a violation punishable by a fine of not more than \$1,500.



VILLAGE OF MASTIC BEACH ETHICS ADVISORY COMMITTEE

369 Neighborhood Rd.
Mastic Beach NY, 11951
Office. 631.281.2326
Fax.631.772.2432

Chairperson
Victor Viola

Members
Debra Metz
John Mutt
Joe Mallia

February 23rd 2015

Adopted Policies and Procedures

1. All complaints should be addressed to:

Mastic Beach Village Ethics Advisory Committee
C/ O Village Clerk
369 Neighborhood Rd.
Mastic Beach NY, 11951

2. Complaints should be mailed or delivered in person in a sealed envelope to the Village Clerk, who will stamp the envelope in with date and time.
3. No e-mail complaints will be accepted.
4. For clarity, use one form per person. If complaint involves multiple persons a complaint form for each person is required.
5. All complaints must provide the following to the extent the information is available:
 - a. The name of the individual(s) who is (are) the subject of the Complaint.
 - b. The time, date, and location of the alleged violation.
 - c. A detailed description of facts as to the alleged violation.
 - d. The complainant's association and/or affiliation to the person (s) who is (are) the subject of the Complaint.
 - e. The name and contact information (phone number, address, email, fax) of the individual Complainant or referring agency/department.
 - f. Any supporting documents, including but not limited to: emails, contracts, photographs, invoices, statements of witnesses, and audio visual recordings will be reviewed for probative value and included in the Board's reasonable cause determination of conducting a further investigation, hearing, or dismissal.

6. The Ethics Advisory Committee Chairperson or Deputy Chairperson will:
 - a. Receive all complaints from the Village Clerk.
 - b. Assign a complaint number to the complaint.
 - c. Provide the complainant with confirmation that the complaint was opened via email or correspondence through USPS.
 - d. Notify all committee members and schedule a meeting to review the complaint.
7. The Ethics Advisory Committee will catalog all Complaints by the assigned Complaint number.
8. The Village of Mastic Beach Ethics Advisory Committee Members, may not provide assistance or advice to the Complainant in preparing the Complaint for submission to the Ethics Advisory Committee. Upon review of the Complaint, additional information may be requested from the Complainant by the Village of Mastic Beach Ethics Advisory Committee.
9. The Village of Mastic Beach Ethics Advisory Committee will notify the Complainant of its determination dismissing the complaint or to conduct a further review within 45 days of receipt.
10. Dismissal of a Complaint does not preclude the Complainant from renewing a Complaint with additional documentation for the Village of Mastic Beach Ethics Advisory Committee to review. Upon the Village of Mastic Beach Ethics Advisory Committee determination that three unfounded complaints were filed in the same six-month period from the same matter, the Board has the right to refuse any additional identical complaints from said Complainant during the remainder of that six-month time period.
11. All meetings shall comply with the OML. Scheduled meetings will be posted in the official newspaper and on the Village web site. It is the responsibility of the committee attorney to post. 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.
12. 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 draft minutes and will email the committee member a copy for their review.

13. The Ethics Advisory 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.

Approved 3-19-2015 _____



VILLAGE OF MASTIC BEACH
ETHICS ADVISORY COMMITTEE

Mastic Beach NY, 11951
Office. 631.281.2326
Fax.631.772.2432

Chairperson
Victor Viola

Members
Debra Metz
John Mutt
Joe Mallia

March 19th 2015

Ms. Wolmut-Stankiewicz,

This letter is in regards to your initial complaint submitted on January 13th 2015.

On January 7th 2015, the Village of Mastic Beach Board of Trustee's and Mayor Biondi, voted to appoint members to a newly formed ethics board. Since that time the members have been working with the village clerk and village attorney to identify and acquire the tools and support the committee will need in order to properly provide this service to the community.

Adhering to the open meeting law the committee held a work session on February 20th 2015. We were introduced to our lawyer Scott Augustine esq who will be consulting with the committee as we build policies, procedures and review complaints and opinions. The committee, with input from Mr. Augustine and the public, have started to build procedures based on the Suffolk County Ethics Board. By doing this we have a tested set of policies which will allow us to move forward and do what the board of trustees and the public have asked us to do.

As part of the process a complaint form has been created to simplify the submission process. The committee asks your indulgence and requests you resubmit your complaint on the attached form. A separate complaint will need to be filed for each individual. You would need to supply a list of what documentation has been provided and sign page two.

Attached please find the current policies and procedures and Ethics Complaint form.

Best Regards,

Victor Viola
Chairmen
VMB Ethics Advisory Committee



VILLAGE OF MASTIC BEACH
ETHICS ADVISORY COMMITTEE

Mastic Beach NY, 11951
Office. 631.281.2326
Fax.631.772.2432

Chairperson
Victor Viola

Members
Debra Metz
John Mutt
Joe Mallia

March 19th 2015

Mr. F. Fugarino,

This letter is in regards to your complaint submitted on January 12th 2015 and your amended complaint that was submitted via certified mail on January 28th 2015. Thank you for the clarification.

On January 7th 2015, the Village of Mastic Beach Board of Trustee's and Mayor Biondi, voted to appoint members to a newly formed ethics board. Since that time the members have been working with the village clerk and village attorney to identify and acquire the tools and support the committee will need in order to properly provide this service to the community.

Adhering to the open meeting law the committee held a work session on February 20th 2015. We were introduced to our lawyer Scott Augustine esq who will be consulting with the committee as we build policies, procedures and review complaints and opinions. The committee, with input from Mr. Augustine and the public, have started to build procedures based on the Suffolk County Ethics Board. By doing this we have a tested set of policies which will allow us to move forward and do what the board of trustees and the public have asked us to do.

As part of the process a complaint form has been created to simplify the submission process. The committee asks your indulgence and requests you resubmit your complaint on the attached form. A separate complaint will need to be filed for each individual. You would need to supply a list of what documentation has been provided and sign page two.

Attached please find the current policies and procedures and Ethics Complaint form.

Best Regards,

Victor Viola
Chairman
VMB Ethics Advisory Committee



VILLAGE OF MASTIC BEACH
ETHICS ADVISORY COMMITTEE

Mastic Beach NY, 11951
Office. 631.281.2326
Fax.631.772.2432

Chairperson
Victor Viola

Members
Debra Metz
John Mutt
Joe Mallia

March 19th 2015

Ms. Powers,

This letter is in regards to your initial complaint submitted via email on January 15th 2015.

On January 7th 2015, the Village of Mastic Beach Board of Trustee's and Mayor Biondi, voted to appoint members to a newly formed ethics board. Since that time the members have been working with the village clerk and village attorney to identify and acquire the tools and support the committee will need in order to properly provide this service to the community.

Adhering to the open meeting law the committee held a work session on February 20th 2015. We were introduced to our lawyer Scott Augustine esq who will be consulting with the committee as we build policies, procedures and review complaints and opinions. The committee, with input from Mr. Augustine and the public, have started to build procedures based on the Suffolk County Ethics Board. By doing this we have a tested set of policies which will allow us to move forward and do what the board of trustees and the public have asked us to do.

As part of the process a complaint form has been created to simplify the submission process. The committee asks your indulgence and requests you resubmit your complaint on the attached form. A separate complaint will need to be filed for each individual. You would need to supply a list of what documentation has been provided and sign page two.

Attached please find the current policies and procedures and Ethics Complaint form.

Best Regards,

Victor Viola
Chairmen
VMB Ethics Advisory Committee



VILLAGE OF MASTIC BEACH
ETHICS ADVISORY COMMITTEE

Mastic Beach NY, 11951
Office. 631.281.2326
Fax.631.772.2432

Chairperson
Victor Viola

Members
Debra Metz
John Mutt
Joe Mallia

March 19th 2015

Mr. J. Fugarino,

This letter is in regards to your initial complaint submitted via email on January 15th 2015.

On January 7th 2015, the Village of Mastic Beach Board of Trustee's and Mayor Biondi, voted to appoint members to a newly formed ethics board. Since that time the members have been working with the village clerk and village attorney to identify and acquire the tools and support the committee will need in order to properly provide this service to the community.

Adhering to the open meeting law the committee held a work session on February 20th 2015. We were introduced to our lawyer Scott Augustine esq who will be consulting with the committee as we build policies, procedures and review complaints and opinions. The committee, with input from Mr. Augustine and the public, have started to build procedures based on the Suffolk County Ethics Board. By doing this we have a tested set of policies which will allow us to move forward and do what the board of trustees and the public have asked us to do.

As part of the process a complaint form has been created to simplify the submission process. The committee asks your indulgence and requests you resubmit your complaint on the attached form. A separate complaint will need to be filed for each individual. You would need to supply a list of what documentation has been provided and sign page two.

Attached please find the current policies and procedures and Ethics Complaint form.

Best Regards,

Victor Viola
Chairmen
VMB Ethics Advisory Committee



VILLAGE OF MASTIC BEACH
ETHICS ADVISORY COMMITTEE

Mastic Beach NY, 11951
Office. 631.281.2326
Fax.631.772.2432

Chairperson
Victor Viola

Members
Debra Metz
John Mutt
Joe Mallia

March 19th 2015

Mr. Sumwalt,

This letter is in regards to your initial complaint submitted via email on January 15th 2015.

On January 7th 2015, the Village of Mastic Beach Board of Trustee's and Mayor Biondi, voted to appoint members to a newly formed ethics board. Since that time the members have been working with the village clerk and village attorney to identify and acquire the tools and support the committee will need in order to properly provide this service to the community.

Adhering to the open meeting law the committee held a work session on February 20th 2015. We were introduced to our lawyer Scott Augustine esq who will be consulting with the committee as we build policies, procedures and review complaints and opinions. The committee, with input from Mr. Augustine and the public, have started to build procedures based on the Suffolk County Ethics Board. By doing this we have a tested set of policies which will allow us to move forward and do what the board of trustees and the public have asked us to do.

As part of the process a complaint form has been created to simplify the submission process. The committee asks your indulgence and requests you resubmit your complaint on the attached form. A separate complaint will need to be filed for each individual. You would need to supply a list of what documentation has been provided and sign page two.

Attached please find the current policies and procedures and Ethics Complaint form.

Best Regards,

Victor Viola
Chairmen
VMB Ethics Advisory Committee