

Minutes Nassau County Board of Ethics
Public Session

Meeting date and place: July 11, 2019 at 7:30 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 and
representatives from the Inspector General's Office

The meeting was called to order at 7:35 a.m. All members of the Board were present.

The first item was the adoption of the minutes from the June 5, 2019 meetings. Mr. Pernick moved, and Mr. Devane seconded adopting the minutes. The vote passed unanimously.

Mr. Vevante then gave an update for the filing of a financial disclosure forms for the reporting year 2018. He informed the Board that there were 767 Nassau County officers or employees who need to file with 21 outstanding. There are 4 employees Mr. Vevante was not sure were still employed by the County and 7 that he still needed to reach out to give a notice to cure their deficient filing. This list also did not include political party chairs or non-incumbent candidates for county-wide elective office. Mr. Vevante informed the Board that he contacted the state ethic's board and should be receiving the financial disclosure forms that the party chairs submitted to the Board within a week. Mr. Vevante also informed the Board that he scheduled a phone call with the counsel for the Board of Elections to get the home address of the non-incumbent candidates for elected office who have not yet filed their disclosure forms. Mr. Leventhal asked Mr. Vevante to make sure that the candidates understood the candidates need to file a financial disclosure form and not their campaign finance information.

There was then a discussion about changes to Resolution 1-2019. After the discussion Mr. Leventhal said he would incorporate the changes and circulate the updated version to the Board.

Then there was a discussion on the next procedures for getting delinquent filers to file their disclosure forms. It was decided by the Board that the next steps will be for Mr. Vevante to send a letter to the delinquent filers informing that if they do not file the Board will consider beginning procedures to impose penalties. In the meantime, Mr. Leventhal and Mr. Vevante would make themselves available one morning and one afternoon and invite the delinquent filers to attend a meeting where they can explain why they have not filed their forms yet.

Mr. Vevante then informed the Board that the file room for the Board of Ethics currently has financial disclosure forms going back to the early 1990s. Mr. Vevante asked the Board if he could start a process to get rid of the old forms. Mr. Leventhal inquired about the retention schedule for the financial disclosure forms and Mr. Kasschau informed him that it was 7 years. Mr. Vevante was allowed to reach out to the County Clerk, the County's Records Manager, to ask for their assistance in the procedures and how to destroy the old documents. However, the Board emphasized that the old financial disclosure forms could not leave their custody until it went to a shredding company. The County Clerk's Office or any other entity was not to have possession of the disclosure forms. Mr. Kasschau also said to make sure there were no litigation holds on any old forms.

Mr. Kasschau moved to go into executive session to discuss advisory opinions, exemption requests, and special counsel selection. Mr. Devane seconded. The motion was passed unanimously at 8:19.

At 10:04 Mr. Kasschau moved to adjourn the executive session and was seconded by Mr. Pernick, it carried unanimously.

At 10:04 Mr. Kasschau moved to adjourn the meeting, seconded by Mr. Pernick. The motion carried unanimously.