

**ORANGE COUNTY BOARD OF ETHICS**

**MINUTES**

**October 21, 2021**

Present:

Richard B. Golden, Chair  
Paul K. Johnson  
Daniel B. Clarino  
Gordon L. Dean  
Jeffrey G. Berry

Also in attendance:

James T. Towne, Jr., Board Counsel

Absent:

Marcus A. Horrego

Chair Golden called the meeting to order at 3:06 p.m.

Dr. Johnson moved to approve the minutes of September 16, 2021. Seconded by Judge Berry. All in favor. Carried.

Chair Golden reviewed Counsel’s September bill in the amount of \$358.75. Chair Golden stated that the County is still working on Counsel’s contract extension, therefore, past invoices have not yet been paid. Counsel’s extension contract has an end date of April 30, 2023. Judge Berry moved to approve the September 2021 Counsel Bill in the amount of \$358.75. Seconded by Mr. Clarino. All in favor. Carried.

At 3:08 p.m., Mr. Dean moved to go into Executive Session to review both agenda items from September’s meeting for which motions were not made; Request for Opinion RFO-03-21 and Disclosure Letter DL-02-21, as well as October agenda items; Confidential Secretary Position, Board members with Expiring Terms and Update on Delinquent Filers. Seconded by Judge Berry. All in favor. Carried.

At 3:40 p.m., Mr. Clarino moved to come out of Executive Session, seconded by Dr. Johnson. All in favor. Carried.

Regarding Request for Opinion RFO-03-21, although the individual has withdrawn the Request for Opinion, Judge Berry moved that an opinion should still be rendered by the Board. The opinion drafted by Counsel will be sent to the individual. Seconded by Mr. Dean. All in favor. Carried

Regarding DL-02-21, Judge Berry moved that Counsel draft a letter as discussed in Executive Session. Seconded by Mr. Clarino. All in favor. Carried.

Regarding the Confidential Secretary Position, Judge Berry moved to accept Barbara Guarnuccio's resignation. Seconded by Mr. Clarino. All in favor. Carried. Mr. Golden moved to approve the hiring of Kelly LaVelle. Seconded by Dr. Johnson. All in favor. Carried.

Regarding Board Members with Expiring Terms, Judge Berry reported that he is undecided as to his willingness to serve an additional term. Members Gordon L. Dean and Marcus A. Horrego have both expressed a willingness to continue as a Board Member. There remains one vacant position which was brought to the attention of the Legislature by Dr. Johnson. Chair Golden moved to continue discussion of this matter at the November meeting. Seconded by Dr. Johnson. All in favor. Carried.

Dr. Johnson moved that the 6 remaining delinquent filers be referred to the District Attorney's office for further action. Seconded by Judge Berry. All in favor. Carried.

Chair Golden reviewed a Findings of Fact and Conclusion of Law that was sent to the Board by Goldman Attorneys PLLC, which is the firm that represents the Board of Ethics of the Town of New Windsor. The consensus of the Board was that no action is required by this Board and the decision will be filed.

Dr. Johnson advised the Board that the County's review of the Board of Ethic's annual budget was favorable. At this meeting, Legislator Hines asked why the Financial Disclosure Forms of candidates for county offices are not posted to the Board of Ethic's website. After a review of Orange County's Ethics and Disclosure Law it was found that the Board is not required to post an unsuccessful candidate's Financial Disclosure Form to the site. A letter will be drafted to Legislator Hines to advise him of this. Additionally, the letter will inform him of one unsuccessful candidate that has yet to file a Financial Disclosure Form with the Board.

At 4:00 p.m., Dr. Johnson moved to go into Executive Session to address a question of Counsel. Seconded by Mr. Clarino. All in favor. Carried.

At 4:01 p.m., Dr. Johnson moved to come out of Executive Session. Seconded by Judge Berry. All in favor. Carried.

The next meeting was scheduled for November 18, 2021, at 3:00 p.m.

At 4:06 p.m., Judge Berry moved that the meeting be adjourned. Seconded by Mr. Dean. All in favor. Carried.