

City of Rochester Board of Ethics – November 21, 2023

MINUTES

Meeting called to order at 6:30 pm by Acting Board Chair Tim Weir.

Members present:

Doug Escher
Kevin Graham
Councilmember LaShay Harris
Timothy Weir

Members Not Present:

Mia Cannon
James Patterson
Carl Steinbrenner

Non-Members Present:

Linda Kingsley, Corporation Counsel
Lori Thomas
Cheryl Robinson
Rebecca Orbach
Barbara Campbell

Approval of Minutes

- Minutes for the October 10, 2023 meeting were unanimously approved.

Pending Business:

- The board resumed discussion of C23-1a which alleges a conflict of interest by a Zoning Board of Appeals member. Acting Chair Weir advised the board that Corporation Counsel had obtained additional documentation in regards to this matter and asked that Corporation Counsel provide the board with a briefing on what had been obtained.

Corporation Counsel Kingsley advised the board that she spoke with the ZBA board member under review and that he had requested all discussions regarding this matter be made in a public meeting rather than moving to an executive session. Based on this request, Corporation Counsel Kingsley identified the ZBA member as Tim Tompkins. According to Corporation Counsel Kingsley, Mr. Tompkins confirmed he last received commission fees from Home Leasing, Inc in April 2022 and, as a board member, voted

on three decisions relating to Home Leasing Inc. properties on September 23, 2022, October 31, 2022, and December 14, 2022. Mr. Tompkins confirmed that the property photo in question was of signage posted in 2017. In her legal opinion, Corporation Counsel Kingsley advised Mr. Tompkins had no conflict of interest at the time he voted on these matters and was not required to disclose or recuse himself from the votes. Corporation Counsel provided the supporting documentation to the Acting Chair who agreed to provide copies to each board member for further review.

It was agreed upon by the board to resume discussion of this matter at the December 12, 2023 meeting.

New Business:

- Acting Chair Weir noted receipt of a new complaint, designated C23-2, submitted by the Rochester Police Locust Club. This complaint alleges a conflict of interest by a City Councilmember and requests an advisory opinion from the board. Board member Lashay Harris advised that she has a conflict in this matter since the complaint involves a City Council colleague. Board member Harris recused herself from any deliberations or voting with respect to this complaint. Based on this recusal, Acting Chair Weir noted the board no longer had a quorum with only three board members available to vote on whether to accept the complaint. The board agreed the matter will be placed on the agenda for the December 12, 2023 meeting for further consideration.

Adjournment:

- The Acting Chair adjourned the meeting at 6: 52pm

Next Scheduled Meeting: December 12, 2023; 6:30pm
Council Chambers