

**Town of Riverdale Park**  
**Ethics Commission Meeting Minutes**  
**January 12, 2021**  
**7:15 p.m.**

**In Attendance**

John Wells, Chair  
Corey Beauford  
April Engram, Alternate  
Andrea Huberty

Frederick Sussman, Town Attorney  
Jessica Barnes, Director of Administrative Services/Town Clerk  
John N. Lestitian, Town Manager

Mr. Wells called the meeting to order at 7: 18 p.m.

**Roll Call**

1. Agenda Approval

There were no changes to the agenda.

2. Approval of Minutes: December 15, 2020

Ms. Huberty made a motion to approve the Ethics Commission minutes from the December 15, 2020 meeting as submitted. The motion was seconded by Mr. Beauford.  
Vote: 3-0 (Favorable)

**Unfinished Business**

1. Financial Disclosure for Municipal Police Officers

Mr. Wells thanked Town Manager Lestitian for attending the meeting to discuss Financial Disclosure Statements for Town staff, specifically municipal police officers.

Mr. Wells stated that the Commission had some additional questions regarding the request to expand the list of staff required to file Financial Disclosure Statements. Mr. Wells stated that the Commission was seeking clarity regarding which positions within the Police Department were recommended to complete the more detailed Financial Disclosure Statement (Long Form). Mr. Wells stated that a letter from the Assistant Attorney General indicated that a municipality could determine who would be required to fill out the Long Form versus the less detailed Financial Disclosure Statement (Short Form). Mr. Wells stated that the Commission was aware of the concerns raised by a Lieutenant related to the Law Enforcement Officers Bill of Rights (LEOBR) and the

Commission wanted to be sure that only the necessary positions were required to fill out a Long Form.

Town Manager Lestitian provided an overview of his recommendation with regard to Financial Disclosure Statements for members of the Police Department's Command Staff. Town Manager Lestitian discussed the responsibilities of the Lieutenants as it related to procurement, including vendor relations, screening of vendors for acquisition of products, and the disposition of items such as aged vehicles and equipment. Town Manager Lestitian discussed the value of some of the contracts that the Town had with vendors for products and services related to the Police Department.

Town Manager Lestitian stated that the Town's updated Position Descriptions would include clarification regarding which positions were involved in procurement and vendor relations (across the entire organization) and the Town's Purchasing and Procurement Manual would include similar information. Town Attorney Fred Sussman stated that he thought that including information regarding procurement responsibilities in the Position Descriptions would be helpful.

Ms. Huberty asked if the requirement to file a Financial Disclosure Statement could be included in job advertisements so that it would be clear when someone decided to apply for a position that they would have to file a Financial Disclosure Statement. Town Manager Lestitian discussed the process for creating and approving Position Descriptions.

Ms. Engram asked if language could be included in all Positions Descriptions stating that the person in the position may be required to disclose Conflicts of Interest or some similar language. Town Manager Lestitian stated that Chapter 32 of the Town Code also gave the Ethics Commission the authority to designate who needed to file Financial Disclosure Statements.

Mr. Beauford stated that he was concerned that including language in position descriptions would put the Commission in the role to review Long Forms for applicants for positions with the Town and Town Manager Lestitian clarified that Financial Disclosure Statements would only be required for employees of the Town, not applicants for positions.

Mr. Wells asked if any current Position Descriptions included language about Financial Disclosure Statements and Town Manager Lestitian replied that they did not. Town Manager Lestitian stated that the Director of Finance and Employee Services was currently working to update all Position Descriptions.

Town Manager Lestitian clarified that it was his position that any employee involved in procurement or vendor relations should file a Financial Disclosure Statement in order to be as transparent.

Town Attorney Sussman stated that the Town Manager's recommendation to identify procurement or vendor relations responsibilities, as well as any other duties that may have an impact on potential conflicts of interest, in all Position Descriptions was a good approach.

Town Attorney Sussman asked to what extent the Lieutenants were involved in policy making and Town Manager Lestitian replied that Lieutenants, and sometimes Sergeants, were involved in the initial drafting of policy. Town Manager Lestitian added that it was not uncommon for a Lieutenant to be in the role of Acting Chief of Police or Acting Assistant Chief of Police for a period of time.

Town Attorney Sussman stated that if it was the will of the Commission to require Long Forms to be filed by Lieutenants then an explanation should be included for why the decision was made such as their role in procurement, vendor relations, or that they may be called upon to fill the duties and responsibilities of the Chief or Assistant Chief of Police.

Ms. Huberty asked for clarification regarding the requested action and the Town Manager provided an overview.

Mr. Wells suggested that continuity of operations was another justification for the completion of the Long Form.

Town Manager Lestitian stated that he appreciated the work of the Ethics Commission and the Town staff were committed to transparency and good governance.

Mr. Wells thanked the Town Manager for providing additional information to the Commission. Town Manager Lestitian stated that the updated Position Descriptions would be shared with the Commission once they were completed.

Ms. Huberty stated that she was fine with adding the Operations Manager and Finance Manager to the list of staff that were required to file a Financial Disclosure Statement and any staff member with procurement or vendor relations responsibilities should complete a Long Form.

Mr. Wells stated that the Town Manager's "across the board" approach was fair.

Ms. Ingram stated that she thought that it would be helpful to add the procurement responsibilities to the Position Descriptions and she was supportive of applying the same

standards to all employees with regard to filing Financial Disclosure Statements. Ms. Engram stated that she appreciated the discussion regarding continuity of operations.

Mr. Beauford stated that he agreed with the comments of all of the Commission Members and requiring the same thing for all employees promoted transparency.

Ms. Huberty made a motion to add the Operations Manager and Finance Manager to the list of employees to fill out a Long Form. The motion was seconded by Mr. Beauford  
Vote: 3-0 (Favorable)

Ms. Huberty noted that the Lieutenants were already included on the list of employees to complete the Long Form.

Ms. Engram asked if there was a particular portion of the Long Form that the Lieutenant was concerned with completing and Town Clerk Barnes replied that she did not recall a specific section that was of concern. Town Clerk Barnes provided a timeline of the discussion regarding Financial Disclosure Statements for Lieutenants.

Town Attorney Sussman suggested that a policy statement could be created, or the details of the Commission's discussion could be included in the meeting minutes. Town Clerk Barnes stated that, from a record keeping perspective, a policy statement would be preferred for continuity. Ms. Engram, Mr. Beauford, and Ms. Huberty all agreed.

Mr. Wells stated that he would draft a policy statement and send it to the Commission Members for feedback.

## **Hearings**

There were no hearings scheduled for the January 12, 2021 Ethics Commission meeting.

## **New Business**

Town Clerk Barnes asked if the Commission would like to make a presentation to the Mayor and Council during Ethics Awareness Month (March) as they had done in previous years. Mr. Wells stated that the Commission would like to make a presentation to the Mayor and Council on March 1<sup>st</sup>.

## **Other Business**

There was no other business.

## **Next Meeting**

Town Clerk Barnes stated that the Ethics Commission would also need to meet on April 8<sup>th</sup> to review Financial Disclosure Statements submitted by the candidates for elective office.

## **Adjournment**

Mr. Beauford made a motion to adjourn the meeting at 8:14 p.m. The motion was seconded by Ms. Huberty. Vote: 3-0 (Favorable)