

**Town of Riverdale Park**  
**Ethics Commission Meeting Minutes**  
**June 17, 2020**  
**7:00 p.m.**

**In Attendance**

John Wells, Chair  
Corey Beauford  
Andrea Huberty

Frederick Sussman, Town Attorney  
Jessica Barnes, Town Clerk

Mayor Alan Thompson administered the Oath of Office to John Wells, Corey Beauford, and Andrea Huberty.

The meeting was called to order at 7:05 p.m. by Mr. Wells.

**Agenda Approval**

Ms. Huberty made a motion to approve the amended June 17, 2020, Ethics Commission meeting agenda. The motion was seconded by Mr. Beauford. Vote: 3-0 (favorable)

*Discussion:*

Mr. Sussman suggested amending the agenda to add the Police Department procurement discussion under Unfinished Business.

**Approval of Minutes**

Mr. Beauford made a motion to approve the May 13, 2020, Ethics Commission meeting minutes. The motion was seconded by Ms. Huberty. Vote: 3-0 (favorable)

**New Business**

1. Review status of CY 2019 Financial Disclosure Statements

Town Attorney Fred Sussman provided an overview of the CY2019 Financial Disclosure Statements submitted since the May 13<sup>th</sup> Ethics Commission meeting. Mr. Sussman stated that all sixteen (16) of the Financial Disclosure Statements that had been submitted were sufficient and any required revisions were minor and appropriate. Mr. Sussman reported that the Financial Disclosure Statements for CM Faulx and CM Richardson were still outstanding. Mr. Sussman noted that CM Henry reported that his Financial Disclosure Statement was delivered to Town Hall.

Mr. Wells suggested that an official final notice be sent, as had been done in the past. Mr. Sussman reported that CM Faulx had not filed his Financial Disclosure Statements in a timely manner more than once. Ms. Barnes outlined the ways in which outreach was

conducted as authorized by the Ethics Commission and in recognition of the COVID-19 pandemic. Mr. Wells stated that he would prefer to take the same action as had been done in the past and send an official notice with a deadline. Mr. Beauford stated that he recognized that everything had slowed down due to the pandemic and he was comfortable with following the same process as in the past. Ms. Huberty recommended that the Commission take the same action for all who have outstanding Financial Disclosure Statements.

Mr. Wells suggested that the Commission send formal letters instead of e-mails moving forward. Ms. Barnes suggested that a template be created so that the same letters were sent year to year.

## **Unfinished Business**

### **1. Town Manager John Lestitian, Procurement in Police Department**

Mr. Wells thanked Town Manager Lestitian for joining the Ethics Commission meeting and requested more information regarding purchasing authority in the Riverdale Park Police Department.

Town Manager Lestitian explained that he was ultimately responsible for all Town purchasing and outlined the roles of the command staff (Chief of Police, Assistant Chief of Police, and Lieutenants) as it related to purchasing for the Police Department. Town Manager Lestitian explained that before his memo was sent to the Ethics Commission requesting that additional staff members be required to file Financial Disclosure Statements, he discussed the matter with the Leadership Team which included the Chief of Police. Mr. Lestitian also noted that at any time a lieutenant could fill the role of Acting Chief of Police or Acting Assistant Chief of Police if needed. Mr. Lestitian discussed the role a lieutenant had in researching vendors, obtaining price quotes, and ultimately making recommendations to the Chief of Police on purchasing matters.

Town Manager Lestitian stated that it was his position that anyone who was significantly involved in the purchasing process should complete a Financial Disclosure Statement (long form). Mr. Lestitian also stated that staff that had administrative roles with regard to purchasing should also complete a Financial Disclosure Statement specifically the short form which requires the disclosure of any gifts.

Mr. Wells asked how other municipalities handled procurement and Financial Disclosure Statements in their Police Departments. Mr. Lestitian stated that he thought that all jurisdictions handled it a bit differently and discussed his experience with the City of Hagerstown.

Mr. Lestitian noted that some of the Town's contracts were worth a large amount of money and transparency was important.

Ms. Huberty stated that she agreed that the lieutenants should file Financial Disclosure Statements but there was concern regarding the whether the Law Enforcement Officers Bill of Rights (LEOBR) applied. Ms. Huberty asked if there was a way to limit the authority of a lieutenant serving in the Acting Chief or Acting Assistant Chief position.

Town Manager Lestitian stated that a “work around” could be developed but his main concern was not day-to-day purchasing but rather the larger purchases such as vehicles or contractual services. Mr. Lestitian described the Town’s electronic voucher system for approval of routine purchases.

Mr. Sussman outlined potential next steps that the Commission could take as well as possible scenarios.

Mr. Sussman stated that the Town could also seek clarifying legislation from the General Assembly and suggested that the Town reach out to the Maryland Municipal League (MML) to determine the likelihood that an amendment to the LEOBR was possible. Mr. Sussman stated that the Ethics Commission could also create another Financial Disclosure Form that was more narrowly tailored to disclosure of interests that might have a bearing on procurement.

Town Manager Lestitian stated that MML could be a good first step in gathering additional information about how police departments in other jurisdictions handle Financial Disclosure Statements.

Ms. Huberty stated that she liked the concept of starting with MML and Mr. Beauford agreed.

Town Manager Lestitian thanked the members of the Ethics Commission for their service and for the opportunity to be part of their meeting.

Ms. Barnes discussed the services provided by MML and the potential value of the information that they could provide through their research services. Mr. Wells, Ms. Huberty, and Mr. Beauford agreed that they would like to review information compiled by MML from other jurisdictions on this topic.

Mr. Sussman discussed Legislative Action Requests (LARs) and the timeline for submitting LARs to MML for consideration. Ms. Huberty suggested that the Commission meet again before the LAR deadline and after information was received from MML. Mr. Sussman stated that he could also send out an inquiry to his colleagues in the Maryland Municipal Attorneys Association for additional information.

## **Hearings**

No hearings were scheduled for the June 17, 2020 Ethics Commission meeting.

## **Other Business**

There was no other business.

## **Next Meeting**

The next Ethics Commission meeting was tentatively scheduled for June 29, 2020 at 7:00 p.m.

## **Adjournment**

Ms. Huberty made a motion to adjourn the meeting at 8:01 p.m. The motion was seconded by Mr. Beauford. Vote: 3-0 (favorable)