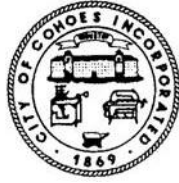


CITY OF COHOES

Charles Valenti, Chairperson
David Emanatian, Member
Deborah Gilchrist, Member
Laura Anglin, Alternate



PO Box 142
COHOES, NEW YORK 12047
ETHICS-BOARD@CI.COHOES.NY.US

BOARD OF ETHICS

DECISION: COMPLAINT # 16-3

BACKGROUND:

PRIOR TO THE OCTOBER 24, 2016 MEETING OF THE COHOES BOARD OF ETHICS (THE "BOARD") COMPLAINT #16-3 WAS RECEIVED AND DISSEMINATED TO ITS MEMBERS. THE BOARD REVIEWED THE COMPLAINT AND INVITED THE COMPLAINANT TO APPEAR AT THE NOVEMBER 21, 2016 MEETING. THE COMPLAINANT APPEARED BEFORE THE BOARD AND OUTLINED HIS CASE DURING THE MEETING. THE COMPLAINANT WAS GIVEN AS MUCH TIME AS HE NEEDED TO MAKE THE PRESENTATION.

ON DECEMBER 21, 2016 THE BOARD CONVENED A MEETING TO HEAR THE TESTIMONY OF THE CITY ASSESSOR WHO WAS INVOLVED IN COMPLAINT #16-3. THE CITY ASSESSOR APPEARED BEFORE THE BOARD AND OUTLINED HIS CASE DURING THE MEETING. THE CITY ASSESSOR WAS GIVEN AS MUCH TIME AS NEEDED TO MAKE THE PRESENTATION.

ALLEGATIONS:

THE COMPLAINT ALLEGES THAT THE CITY ASSESSOR HAS VIOLATED SECTION 36-6 OF THE COHOES CODE OF ETHICS WHICH STATES THAT "AN OFFICER OR EMPLOYEE OF THE CITY OF COHOES SHALL TREAT ALL MEMBERS OF THE PUBLIC, WHETHER A PERSON, FIRM, OR CORPORATION OR OTHER ORGANIZATION, WITH RESPECT AND IN A PROFESSIONAL MANNER, WITH EQUAL CONSIDERATION AND WITHOUT SPECIAL ADVANTAGE IN CARRYING OUT HIS OR HER OFFICIAL DUTIES." TO BE SPECIFIC THE COMPLAINT ALLEGES THAT THE CITY ASSESSOR INSISTED UPON A CONFIDENTIALITY AGREEMENT RELATING TO TAX CERTIORARI PROCEEDINGS CONCERNING PROPERTY OWNED BY THE COMPLAINANT. THIS WAS NOT REQUIRED FOR ANY OTHER PROPERTY OWNER IN A SIMILAR CIRCUMSTANCE.

[Type text]

DISCUSSION

THE BOARD THOROUGHLY REVIEWED THE DOCUMENTATION SUBMITTED BY COMPLAINANT AND CONSIDERED THE TESTIMONY PRESENTED AT THE MEETINGS. THE BOARD NOTED THAT THE CONFIDENTIALITY AGREEMENT WAS INITIATED BY OUTSIDE COUNSEL FOR THE CITY OF COHOES AND WAS AGREED UPON BY THE COHOES COMMON COUNCIL, THE COMPLAINANT, THE ATTORNEY FOR THE COMPLAINANT, AND A JUDGE OF THE ALBANY COUNTY SUPREME COURT.

CONCLUSION

AFTER A THOROUGH REVIEW OF COMPLAINT #16-3, AS WELL AS ALL ACCOMPANYING DOCUMENTATION AND TESTIMONY, THE BOARD DECIDED TO DISMISS THE COMPLAINT AS UNFOUNDED. THIS DECISION SHALL CONSTITUTE THE FINAL DETERMINATION BY THE BOARD.

CONCUR:

CHARLES VALENTI, CHAIRPERSON

DEBORAH GILCHRIST, MEMBER

DAVID EMANATIAN, MEMBER

PRESENT:

LAURA ANGLIN, ALTERNATE MEMBER

DECEMBER 21, 2016