

November 30, 2016

John Clarkson
Town Supervisor
Bethlehem Town Hall
445 Delaware Avenue
Delmar, New York 12054

Dear Supervisor Clarkson:

The Town of Bethlehem Board of Ethics is pleased to present you and the Bethlehem Town Board with our 2016 Annual Report.

The Town of Bethlehem Code of Ethics was adopted in June 2012 and amended in 2013. Five residents appointed by the Town Board, all serving three year terms with three ending in 2016 and two ending in 2017, are authorized to render advisory opinions to officers and employees of the Town, receive complaints, conduct investigations and make recommendations to the Town Board regarding such complaints.

In 2016, the Ethics Board held four meetings – January 26, April 19, August 29 and September 7.

At our January and April meetings, the Board met and without any complaints or requests for advisory opinions pending, discussed ways to maintain awareness among town residents, employees, appointees and elected officials of its responsibilities under the Code of Ethics.

On August 12, 2016, the Board of Ethics received a complaint, which was filed by Mr. Arthur Siegel on behalf of the Fieldstone Drive Coalition to Preserve the Safety and Character of Our Street. It sought to have John Smolinsky, Chair of the Bethlehem Planning Board, “recused from any further participation in, or consideration of, the Planning and Highway Department’s effort to convert Fieldstone Drive from a dead end street into a through street” because Mr. Smolinsky “pre-judged” the Fieldstone Drive cut-through issue.

In accordance with the Town Ethics Code and the Ethics Board’s procedures, the Ethics Board met on August 29 to consider the complaint. Four of the Board’s five members participated in an Executive Session discussion to undertake an initial review of the complaint. The Ethics Board, after leaving Executive Session, announced that the members present voted unanimously to suspend its review so that Board members could research and review potentially applicable laws. The Ethics Board adjourned until September 7.

On September 7, all five Ethics Board members participated in an Executive Session discussion to continue the Board’s initial review of the complaint. After our discussion, the Ethics Board

voted 4-1 to dismiss the complaint because it did not allege a violation of the town's Ethics Code, New York State General Municipal Law Article 18, or any other state or local laws relating to conflicts of interests or ethics.

Also, we remind the Town Board that the terms of three of the Ethics Board's current members – Lisa Allendorph, Michael Fallon and Loretta Simon – expire on December 31, 2016. In addition, George Lenhardt has submitted his resignation from the Ethics Board; it is effective December 1.

Finally, we thank the Town Board for recognizing the importance of an effective town Code of Ethics and an active Ethics Board, and for the opportunity to serve the people of the Town of Bethlehem.

Respectfully submitted,

Michael Fallon, Chair
Lisa Allendorph
George Lenhardt
Loretta Simon
Theresa Schillaci

c: Joyce Becker
Doris Davis
Julie Sasso
David VanLuven