

1 **GREENBURGH CAMPAIGN FINANCE COMMISSION**
2 **MEETING MINUTES – APRIL 11, 2000**
3 **(approved April 25, 2000)**
4

5 Present:

6 Elizabeth Daniel, Catherine Lederer-Plaskett, Claire Lee, Harriet Leib, Erin Malloy, Susan Mancuso,
7 Charlotte Schienberg, Francis Sheehan, Lester Steinman, Mary Tobias
8

9 Invited Speakers: Yorktown Town Councilman Nicholas J. Bianco, Fair Campaign Practices
10 Committee member Evelyn Stock, Greenburgh Town Clerk Alfreda Williams
11

12 Observers: Robert Lee, William Pohlmann, Jewel Williams
13

14 Absent:

15 Andrew Goodman, Rev. Wilbert Preston, Mike Reynolds, Sally Schaadt, Ervin Schliefer
16
17

18 The fifth meeting of the commission was called to order at 7:35 p.m. in room 103, at Rochambeau
19 School, 228 Fisher Avenue, White Plains. An agenda was distributed as well as several handouts.
20 Copies of the previous minutes were not yet available.
21

22 Co-chair Harriet Leib asked each commission member to introduce him/herself to the guests.
23 Following the introductions, Ms. Leib introduced Yorktown Councilman Nicholas Bianco, stating that
24 he was invited to discuss his unsuccessful attempt to propose Campaign Finance Reform in Yorktown.
25 Ms. Leib stated that learning how/why Mr. Bianco's proposal was unsuccessful should be particularly
26 valuable to the commission.
27

28 Yorktown Councilman Nicholas Bianco submitted a copy of his introductory remarks to the
29 Commission Secretary and provided extra copies of his campaign reform proposal for those who had
30 not received the proposal at a prior commission meeting. He said that he ran for office in 1995. He
31 was fortunate in that his children's college tuitions were partially funded by scholarships. The
32 scholarships allowed him to redirect \$5,000 - \$6,000 of family funds, which had been earmarked for
33 his children's tuition, to his campaign. He said he was fortunate to have \$5,000 - \$6,000 to run for an
34 \$11,000/yr office even though he was/is not wealthy. Realizing he had an edge on others who did not
35 have similar resources, in October 1997 he proposed local campaign finance reform during a
36 Yorktown Town Board work session and advocated that a Campaign Finance Board be created. All of
37 the other councilpersons opposed his proposal and three of the five councilpersons were adamantly
38 opposed to holding a public hearing on the issue.
39

40 Mr. Bianco explained the reasons his proposal was unsuccessful. Some councilpersons thought it was
41 only a cable access television proposal and not truly campaign finance reform. Some cited taxpayer
42 costs even though the cable programs and operation are provided by the cable company at no cost to
43 the taxpayer. The other four Yorktown Town Council members just didn't want to move his reform
44 proposal and were not willing to propose any alternatives. Incumbents do not like challengers. As an
45 example, incumbents have their managers go through opponents' designation petitions to try to knock
46 them off the ballot. Incumbents do not personally do the challenge to claim the high-road. Instead,
47 they have others do the challenge for them.
48

49 Mr. Bianco said he felt some satisfaction when President Clinton proposed similar reform two years
50 later. The President's reform proposal also died.
51

52 Mr. Bianco, referring to his handout, described the composition of the proposed Yorktown Campaign
53 Finance Board, which would have 5 members appointed by the Town Board, serving staggered three
54 year terms. No more than two members could be enrolled in the same political party and each member
55 had to agree to not: (1) be a candidate for elected office, hold elected office, or be an officer in a
56 political party; (2) make contributions to a candidate for elected office; or (3) be a participant in any
57 campaign for a NYS elected office. The proposal defines the term "Elected Official" as meaning the
58 Supervisor, four-year Town Council, Town Clerk, Superintendent of Highways and Town Justice.

59
60 Mr. Bianco explained that the proposal outlines, by title, the availability of the "Yorktown Government
61 Channel", a cable access channel, to those candidates who abide by voluntary spending limits. If a
62 candidate for Town Supervisor limits contributions and expenditures to \$12,000 or less, then up to 180
63 minutes of free "government channel" cable access time will be made available to the candidate.
64 Candidates for Town Councilperson must not exceed a \$5,000 contribution/expenditure threshold and
65 candidates for the other three elected positions in Yorktown must not exceed \$10,000 to receive 120
66 minutes of free "government channel" cable access television time.

67
68 Mr. Bianco said that, in addition to the contribution and spending limits, in order to receive the free
69 cable access time under his proposal, candidates would have to qualify to be on a ballot during the
70 year, have an opponent before or after the primary, agree to public debates, disclose all contributions to
71 the Yorktown Campaign Finance Board that must be disclosed under NYS election law, adhere to the
72 Westchester County Fair Campaign Practices Committee's "Statement of Principles", comply with any
73 Yorktown Campaign Finance Board rules, refrain from using other cable access programs starting
74 September 1 of the election year except in an official capacity, and act in a professional manner while
75 on television. Debate appearances would not count against a candidate's cable access time allocation.

76
77 Mr. Bianco outlined the proposed penalties should a candidate exceed the allocated cable access time--
78 \$50 per minute, increased yearly based on the consumer price index (CPI). There was no way to avoid
79 paying a fine, he said. If the candidate was successful, the controller would be authorized to deduct the
80 fine from the official's paycheck. If the candidate was unsuccessful, cable access would be denied
81 during subsequent campaigns until the fine is paid. The fines collected are proportionally dispersed to
82 the other candidates running for the same office who voluntarily participate in the campaign reforms.

83
84 Mr. Bianco said his proposal was simple and has been considered by many groups since it was
85 proposed. It would cap how much is spent on campaigns. Currently, one must be a town board
86 member to appear on the "government channel". The incumbents own that channel. Anyone else who
87 wants to have a show must use another cable access channel, not the government channel. He said
88 candidates who are challengers basically have to trip before a News12 satellite truck to get on
89 television. In contrast, the government channel is on all the time. The Town Supervisor is on all
90 weekend in a continuous loop. A Town Councilperson has a show Friday evenings. On Mondays, the
91 County Legislators session is shown and on Tuesdays, Wednesday, and Thursdays, municipal
92 meetings are shown. Shows during the week contain captions indicating the dates/times when the
93 Town Supervisor's program will be shown.

94
95 Elizabeth Daniel asked if there are any rules governing cable access.

96
97 Mr. Bianco said he could have a program on the government channel and have it show repeatedly.
98 However, if he only had a show on during election time his opponent would likely object. Currently,
99 only the Town Supervisor and one Town Councilperson have a show.

100
101 Lester Steinman asked, "Who is to say someone cannot have a show?"

102
103 Mr. Bianco responded by stating that Mr. Steinman's question was a good one, adding that it would be
104 interesting to find out what would happen if John Q. Public would be prohibited because it is a
105 "government channel".
106
107 Elizabeth Daniel asked what would happen if a Zoning Board member wanted to host a cable show?
108
109 Mr. Bianco said he didn't know. He wouldn't stop anyone from having a show but he didn't know
110 what would be the response. He said Cablevision informed the town that the town owns the station
111 and can use the station any way it wants.
112
113 Harriet Leib asked if debates are shown on the channel.
114
115 Mr. Bianco said debates are not shown on the government channel.
116
117 Lester Steinman asked if any candidates have asked for debates to be shown.
118
119 Mr. Bianco said debates have been taped but have not been shown. He doesn't believe candidates
120 have asked.
121
122 Erin Malloy asked Mr. Bianco if he would know if the Town Supervisor was asked to play the debate
123 and refused the request.
124
125 Mr. Bianco said he wouldn't be told but he doubted that the Town Supervisor would reject such a
126 request since she was a candidate included in the debate.
127
128 Mary Tobias asked Mr. Bianco if he intended to resubmit his proposal to the Yorktown Town Board.
129
130 Mr. Bianco said he doesn't intend to resubmit the proposal since the composition of the board has not
131 changed. The other Councilpersons know his interest and have not approached him. He hasn't made
132 any attempt to approach them on the issue either. It is an important issue. It cost him \$8000 to run as
133 an incumbent last time. His opponent could not use the cable channel. It was a disadvantage to the
134 challenger because those who watch cable remember what you look like even if they do not remember
135 what you said.
136
137 Evelyn Stock asked Mr. Bianco if he submitted his proposal to the local newspaper.
138
139 Mr. Bianco responded that an article was written about the proposal but he did not get an editorial
140 supporting the concept.
141
142 Co-chair Catherine Lederer-Plaskett thanked Mr. Bianco for his participation.
143
144 Mr. Bianco thanked the commission for giving him the opportunity to speak. He said campaign
145 finance reform is a difficult issue. If someone wants to make an illegal contribution, it can be done
146 without anyone finding out. It doesn't matter if it is hard money or soft money.
147
148 Catherine Lederer-Plaskett introduced Alfreda Williams, the Town Clerk of the Town of Greenburgh,
149 saying she is in charge of cable access television in Greenburgh. Ms. Lederer-Plaskett said Cable
150 Access Committee member Del Hillgartner has spoken at a previous commission meeting and cable

151 access issues have been the focus of much of the commission's work. She asked Ms. Williams to
152 speak about Greenburgh's cable access policy.

153
154 Alfreda Williams said part of her responsibility as Town Clerk is the cable access system. The
155 responsibility began when her predecessor was Town Clerk. There are three cable access channels--
156 71, 72, 73, formally 14, 15, and 16. Channel 72 is the educational channel. It was unofficially deeded
157 over to Westchester Community College (WCC) to handle programs from the 6 of 11 school districts
158 in Greenburgh which have an arrangement with WCC. School districts without an arrangement, such
159 as Edgemont School District, can still tape a show and it will be aired. Channels 71 and 73 are under
160 town control and air programs 6 p.m. – 10 p.m., Monday through Friday. Town Board, Planning
161 Board, and Zoning Board of Appeals meetings are shown on Channel 71, along with public access
162 programs. Channel 73 is used solely for public access programs. Municipal meetings are not shown
163 on channel 73.

164
165 Ms. Williams said any resident can submit a pre-recorded tape for airing. Currently cable studio time
166 is limited to particular Thursday evenings, 6 p.m. – 10 p.m., and all the timeslots have already been
167 taken by hosts of existing shows. There is a waiting list. By the first of May, or shortly thereafter, a
168 new cable studio will open on East Hartsdale Avenue which should address the problem.

169
170 Ms. Williams described the financing of cable access. She said there are two financing streams. One
171 stream is a 5% franchise fee paid by Cablevision, based on the number of Greenburgh customers,
172 which goes into the general fund, similar to franchise fees for Con Ed and telephone utilities. The
173 other stream is a \$55,000 annual fee that Cablevision provides for purchasing cable-related capital
174 equipment. The money has been used to upgrade cable equipment, purchase remote cameras, etc. The
175 town has a 10-year agreement with the cable company that began in 1995.

176
177 Catherine Lederer-Plaskett asked if the \$55,000 equipment fund is placed in the general fund.

178
179 Ms. Williams said the equipment money is kept separately.

180
181 Catherine Lederer-Plaskett said that one cable access program shows a group of boys discussing
182 gaseous body functions at 6:30 p.m. She said there also appears to be many religious programs which
183 do not originate in Greenburgh. She asked how such programs get on cable.

184
185 Ms. Williams said that, unless there is nudity, cable access rules require that shows be aired if the
186 producer is a Greenburgh resident. A show made elsewhere needs a resident of Greenburgh to serve as
187 the producer and includes the resident's name in the credits. When she came into office, she put out an
188 open call for tapes. If a host has a Greenburgh producer, the show must be aired.

189
190 Catherine Lederer-Plaskett asked if there is any priority given residents.

191
192 Ms. Williams said they have tried but because of cable access regulations if someone has a producer in
193 Greenburgh they must be shown unless the show is objectionable. We have been trying to narrow
194 down the number of outside shows but have been receiving complaints from those submitting tapes
195 from outside of town. For example, the host of "Dirge of the Charlatans", Clay Tiffany, has objected
196 to the termination date he was given.

197
198 Erin Malloy asked how Ms. Williams determines if a show is objectionable.

199

200 Ms. Williams said they watch the tapes submitted before they are played. Shows must be 30 minutes
201 long. Sometimes tapes must be edited to shorten them. They have to be monitored to determine if
202 they are indecent. If a tape contains indecent content, they wouldn't play it.

203
204 Harriet Leib said that commission members have heard that there had not been an equitable
205 distribution of time during the last election. She asked how the time was allocated.

206
207 Ms. Williams said she sent out a letter on August 6th to each candidate asking if he/she wanted to air a
208 campaign tape. If the candidate wanted to provide a tape it would be aired. If studio time were needed
209 it would have been provided on a Thursday evening. She made a decision two weeks before primary
210 day that the tapes would air alphabetically A-Z one week and Z-A the next. Some candidates
211 complained so they changed the format for the general election. The Wednesday and Thursday
212 evening before the general election all the candidates' segments aired, starting at 7:30 p.m. and
213 continuing until all the segments played. There was no particular order.

214
215 Mary Tobias asked if regular shows such as Supervisor Feiner's cable show continued to be aired
216 during the election session.

217
218 Catherine Lederer-Plaskett said the 3C's show, on which several opposition candidates appeared, did
219 not run during the same period.

220
221 Ms. Williams said Town Council candidate Francis Sheehan and Town Judge candidate James Hubert
222 asked that their appearances on the "The Three C's" show be used as their campaign segment.

223
224 Catherine Lederer-Plaskett said James Hubert was on the "The Three C's" show and the show on
225 which he appeared was preempted because he was a candidate and was using the tape as his campaign
226 segment.

227
228 Ms. William's said that may be correct.

229
230 Lester Steinman asked if Ms. Williams was acting according to written rules.

231
232 Ms. Williams said she met with the Cable Access Committee in early April or March and the
233 committee suggested that we implement the policy that was followed.

234
235 Claire Lee asked who Ms. Williams was referring to when she used the term "we"?

236
237 Ms. Williams said there are five members on the Cable Access Committee.

238
239 Lester Steinman asked Ms. Williams who handles scheduling.

240
241 Ms. Williams said she handled scheduling for the election segments. They had an unfortunate
242 situation in that the former Cable Access Director left abruptly last year and his replacement, who
243 started in June, had no knowledge of the town. He had to do a lot of filming.

244
245 Lester Steinman asked who now decides program scheduling.

246
247 Ms. Williams said the Cable Access Director now makes the decisions regarding what gets aired and
248 when it is scheduled.

249

250 Lester Steinman asked Ms. Williams if the Cable Access Director acts according to written guidelines.

251

252 Ms. Williams said that the Town Board last year adopted rules for campaign-related segments.

253

254 Harriet Leib asked if the Cable Access Director is given sufficient time to perform the duties required
255 of him.

256

257 Ms. Williams responded that the director has not been given enough hours. She has asked the Town
258 Board to increase his hours. However, the Town Board decided that it would be wasteful to increase
259 his hours until the new studio is available since studio taping time is currently limited to Thursday
260 evenings. She is proposing increasing the number of hours.

261

262 Mary Tobias said much emphasis is being placed on the new studio that is quite small and will
263 reportedly be used for multiple purposes, such as a youth entrepreneurial program.

264

265 Ms. Williams said her understanding is that a responsible adult will be at the studio at all times. It will
266 be a dedicated studio space with possible other uses a few hours a week when the cable equipment is
267 secured.

268

269 Erin Malloy asked which cable channels are affected.

270

271 Ms. Williams said both channels, 71 and 73, show basically the same programs.

272

273 Erin Malloy said that the commission had heard that there was a "Feiner beauty spot" showing after
274 the League of Women Voters debates. She asked Ms. Williams if she knew anything about that
275 program.

276

277 Ms. Williams said the Cable Director was new.

278

279 Francis Sheehan asked Ms. Williams if she was claiming that the part-time Cable Director, who was
280 new to the Town, acted on his own initiative to find and air a segment about the town that has been
281 characterized as a "puff piece" about town services and the incumbents. It wasn't previously played
282 and hasn't played since. It seems to have only aired after the League of Women Voters-sponsored
283 debate of the incumbents and their opponents. It even played on the eve of Election Day in clear
284 violation of the rules adopted by the Town Board.

285

286 Ms. Williams said she did not know how the segment got on.

287

288 Catherine Lederer-Plaskett said that one of the incumbents appeared on cable on the day of election.

289

290 Francis Sheehan said that Ms. Williams was the incumbent who appeared on Election Day.

291

292 Ms. Williams said that should not have happened.

293

294 Catherine Lederer-Plaskett said that there is so much interest in cable access television. She asked Ms.
295 Williams who now makes the decision of assigning timeslots.

296

297 Ms. Williams said we do not know how many timeslots there will be. We are only now doing the
298 remodeling of the new studio. Supervisor Feiner has sent out letters to members of the Steinberg
299 Center, the community center, local schools, etc. asking for cable access program hosts and producers.

300
301 Catherine Lederer-Plaskett asked about the status of existing requests for cable programs.
302
303 Ms. Williams said existing requests will be handled first. They are on file with the staff. There are
304 problems getting studio help because they tend to have full-time video production jobs and do not want
305 to jeopardize their existing jobs to work for the town.
306
307 Catherine Lederer-Plaskett thanked Ms. Williams for helping the commission with its work.
308
309 Mr. Bianco said that the biggest problem with the Greenburgh cable access system he has heard is that
310 there is no independent board making scheduling decisions. An independent board is needed, he said,
311 or there will be unresolved disagreements. He doesn't relish Ms. Williams' role.
312
313 Harriet Leib introduced Evelyn Stock, a member of BOCES and immediate past president of the New
314 York State League of Women Voters. She has served on many committees and is very knowledgeable
315 about campaign practices, currently serving as a member of the Westchester County Fair Campaign
316 Practices Committee.
317
318 Evelyn Stock explained how the Westchester County Fair Campaign Practices Committee started.
319 Elections can be quite dirty, and the dirtiness goes from election to election. Milton Hoffman, editor of
320 The Reporter Dispatch, now The Journal News, challenged the League of Women Voters to come up
321 with a committee that would address some of the dirtiness of elections. The League cannot take sides
322 in campaigns so a separate committee was needed. A procedural manual was created and has been
323 updated every year. The committee consists of college presidents, etc., without regard to party
324 affiliation. It is an independent committee. An important consideration was that the local newspapers
325 supported the committee and wanted it to be successful. The political parties also showed support for
326 the committee. The support of the newspapers has been critical because the committee does not issue
327 rulings. It has no teeth. It can only issue findings. The publicity associated with a finding is what
328 gives the committee teeth.
329
330 Ms. Stock said the Westchester County Fair Campaign Practices Committee has made a difference.
331 They listen to complaints and then, after the parties leave, they phrase a complaint. Every word is
332 chosen carefully. They tend to give considerable leeway to routine political discourse, such as a claim
333 that someone isn't doing a good job. However, if a candidate states that the tax rate went up 10% and
334 it actually went up 5% then that would be something that would result in the committee issuing a
335 finding.
336
337 Ms. Stock said it is important to fix whatever you have and use the newspapers to help you. The
338 Reporter Dispatch had an enormous impact in making their committee better. Use the editorial board.
339 Go to them. Don't wait for the editorial board to call you. Tell the editorial board your findings.
340
341 Lester Steinman asked Ms. Stock what is the jurisdiction of the Westchester County Fair Campaign
342 Practices Committee.
343
344 Ms. Stock said the committee handles issues involving any election, even congressional elections.
345
346 Lester Steinman asked if Town of Greenburgh elections would be within their jurisdiction.
347

348 Ms. Stock said that when she started with the committee Susan Tolchin opposed Paul Feiner for
349 Supervisor. She was told that the workload would not be significant but the Tolchin/Feiner election
350 kept them very busy.

351
352 Lester Steinman asked Ms. Stock if the committee could handle current Greenburgh election disputes.

353
354 Ms. Stock said only candidates can ask for findings.

355
356 Lester Steinman said that the commission's Ethics Subcommittee heard a suggestion that the
357 Greenburgh Ethics Board consider complaints filed by other than Town Board members. The Fair
358 Practices Committee seems to limit access as well.

359
360 Ms. Stock said the committee will only accept complaints filed by candidates.

361
362 Catherine Lederer-Plaskett asked Ms. Stock what the committee looks for?

363
364 Ms. Stock said the committee looks for any misrepresentation, distortion, or lying, that does not
365 involve a legal issue. The committee does not address legal issues.

366
367 Harriet Leib said the Greenburgh Ethics Board is said to be a puppet board in that charges must come
368 from the Town Board.

369
370 Catherine Lederer-Plaskett said the commission is considering other means of getting to the Ethics
371 Board without overwhelming the board.

372
373 Ms. Stock said that when she became chair her initial concern was that maybe complaints would not be
374 filed, maybe no one would come before them.

375
376 Catherine Lederer-Plaskett said the commission was considering incentive plans for candidates, cable
377 access, etc., but it can't work without an oversight committee.

378
379 Ms. Stock said that the committee's board was initially appointed by the League. The membership
380 was of such high caliber that no one questioned their involvement. Once we started, people got very
381 involved and enjoyed doing it. The members are overworked during election time. After an election is
382 a very slow period for the committee. The committee receives several thousand dollars in funding
383 from the Peggy Freedmen Foundation. The funding is used to pay for their manuals, which are given
384 to towns, school, etc.

385
386 Lester Steinman asked Ms. Stock if the committee has written procedural guidelines.

387
388 Ms. Stock said the manual that is revised annually contains specific procedures regarding how the
389 meetings are run, etc. She will provide commission members with copies. There are also copies in the
390 League of Women Voters' office.

391
392 Elizabeth Daniel asked how committee members are replaced.

393
394 Ms. Stock said replacements are considered jointly by the committee and the League of Women
395 Voters. There must be 3 members to have a hearing.

396
397 Lester Steinman asked if party registration is considered.

398
399 Ms. Stock responded, "not really". The committee is working on greater gender, color, and race
400 diversity. They consider issues other than party.
401
402 Harriet Leib asked if the committee would be handling issues involving any violation of the county's
403 ban on political literature sent by legislators who are candidates.
404
405 Ms. Stock said that if it is against the law to send the literature then the committee would not get
406 involved. The committee does not handle legal issues.
407
408 Catherine Lederer-Plaskett said it appears any Greenburgh system would be a voluntary system, so
409 violations would not be against the law.
410
411 Catherine Lederer-Plaskett asked if all members of the committee vote.
412
413 Ms. Stock said that there are 11 members but they don't all vote.
414
415 Elizabeth Daniel asked what encourages candidates to come to the committee.
416
417 Ms. Stock said publicity drives the committee's effectiveness.
418
419 Harriet Leib asked if all parties are represented on the committee?
420
421 Ms. Stock said all parties are invited but they don't all send representatives.
422
423 Claire Lee said an undercurrent at commission meetings is that one party in Greenburgh gets no
424 recognition.
425
426 Ms. Stock said the committee invites all political parties.
427
428 Catherine Lederer-Plaskett thanked Ms. Stock for attending.
429
430 Ms. Stock said, in the interest of full disclosure, she was a guest of the Yorktown Town Supervisor on
431 her cable show that airs on the Yorktown government channel previously discussed.
432
433 Catherine Lederer-Plaskett stated that the next agenda item involves subcommittee reports. She said
434 there are many people who want to speak to the commission and candidates should be scheduled
435 separately on different nights. The Public Financing Subcommittee met just prior to the commission
436 meeting. Lester Steinman, Elizabeth Daniel and she determined that the June commission completion
437 deadline is not realistic. The commission is scheduled to have a public hearing on May 2. It should be
438 held later than that, after more information is received.
439
440 Catherine Lederer-Plaskett asked Claire Lee, Cable Subcommittee Chair, for an update.
441
442 Claire Lee said she cannot attend on May 2nd. Regarding the Cable Subcommittee Report, the
443 subcommittee is still working on it. She said she believes Catherine Lederer-Plaskett was right a
444 month ago when she stated the rules already exist, the subcommittee only has to figure out how to
445 enforce them.
446

447 Harriet Leib said she has already made commitments in June, expecting the commission to have
448 completed its work. She can go along with extending the deadline but the commission needs a goal, a
449 target date.

450
451 Catherine Lederer-Plaskett said maybe the subcommittees need to meet more often, as unpleasant as
452 the idea sounds.

453
454 Harriet Leib suggested listening to each subcommittee to see how far along the work has come.

455
456 Francis Sheehan said this evening was the first time he heard that the cable rules are okay, requiring
457 only enforcement.

458
459 Harriet Leib said a representative of the press will be at the next commission meeting.

460
461 Lester Steinman said we need written reports from the subcommittees. If the conclusion is that the
462 cable regulations are okay there must be research to support the statement, including data obtained
463 from looking at other cable regulations. The Ethics Subcommittee must do the same type of research.
464 Conclusions must be based on data. One of the problems facing this commission is attendance.
465 Attendance is poor at subcommittee meetings.

466
467 Harriet Leib read the attendance sheet, stating that absences are to be expected with such a large group.
468 If the time must be extended, then so be it. She said that Paul Feiner had asked the commission to look
469 at the possibility of having a Q&A-type campaign-related brochure. She asked subcommittee
470 members to keep the idea in mind during their meetings.

471
472 Harriet Leib asked Claire Lee to continue with the Cable Subcommittee update.

473
474 Claire Lee said the committee is looking at cable proposals.

475
476 Lester Steinman said Mamaroneck has cable regulations. He will mail a copy to the Commission
477 Secretary.

478
479 Claire Lee agreed that subcommittee attendance has been a problem. The first subcommittee meeting
480 consisted of Francis Sheehan and herself. Francis Sheehan wrote something up. She asked the
481 subcommittee members to meet after the meeting to pick another meeting date.

482
483 Harriet Leib said the Ethics Subcommittee has revised, revised, and revised again a draft proposal.
484 The revised proposal was distributed to all the members. She asked Charlotte Schienberg,
485 subcommittee chair, to discuss the proposal.

486
487 Charlotte Schienberg asked everyone to read the eight preliminary suggestions contained on the draft
488 Ethics Subcommittee report which was distributed at the beginning of the meeting.

489
490 The eight preliminary Ethics subcommittee suggestions are: (1) the Ethics Code needs to be
491 strengthened/changed; (2) the change could involve submitting specific code language to the Town
492 Board for approval and/or generalized statements about areas needing change; (3) persons having
493 business before the town have made campaign contributions to Town Board members creating a
494 perception of improper influence and that such persons should be given a copy of the Ethics Code; (4)
495 the Ethics Code should be amended to require a recipient of campaign contributions, either
496 individually or as part of a team effort, to recuse him/herself from any matter involving such person

497 making the contribution for a time period to be determined; (5) a home rule request be made to the
498 state to amend campaign contributions as applied to Greenburgh elections and simultaneously at the
499 local level amend the Ethics Code and create an Election Practices Board to monitor present
500 provisions; (6) address issues involving contributions to one candidate funding a campaign slate; (7)
501 adopt a campaign-season ban on taxpayer-financed mailings using Westchester County's legislation as
502 a model; and (8) explore the possibility of providing another means of access to the Greenburgh Ethics
503 Board by creating a new Campaign Practices Board with referral powers.

504
505 Susan Mancuso said the Ethics Code is administered by the Greenburgh Ethics Board. If the Ethics
506 Code is going to be to revised, as proposed in #5, there may be some infighting and the change may be
507 cumbersome.

508

509 Harriet Leib said that currently only the Town Board can refer complaints to the Town Board.

510

511 Susan Mancuso agreed.

512

513 Lester Steinman said it is a common practice for Ethics Board referrals to be limited to those from the
514 municipal board. The Ethics Subcommittee has been considering creating a new board as a means of
515 forwarding campaign-related issues to the Ethics Board without overwhelming the Ethics Board with
516 referrals.

517

518 Susan Mancuso said she hasn't fully considered the issue yet but thought the Fair Campaign Practices
519 Committee discussed earlier might be able to deal with these types of issues.

520

521 Catherine Lederer-Plaskett said the Fair Campaign Practices Committee does not deal with the breadth
522 of issues under consideration by the commission.

523

524 Susan Mancuso said she understands, but the candidates could take them to Ms. Stock's committee.

525

526 Ms. Stock said that the Fair Campaign Practices Committee does not address those kinds of issues
527 because they are legal issues.

528

529 Susan Mancuso asked if the Fair Campaign Practices Committee could handle issues involving cable.
530 Maybe the candidates would take cable issues to the Committee if they were willing to take on those
531 types of issues. She is hearing everything is unfair and there is a sense of unfairness on cable. With
532 the Practices Committee there would be publicity.

533

534 Catherine Lederer-Plaskett said that is not what the League of Women Voters is about.
535 Recommendations were a big issue in the Ethics Subcommittee. One issue that was very exciting was
536 Lester Steinman's suggestion that, instead of trying to limit contributions due to NYS restrictions,
537 instead persons taking contributions must recuse him/herself from any participation in any action
538 associated with the contributor. It is item #4 of the subcommittee's proposal.

539

540 Elizabeth Daniel said there are two issues: what can be done and what should be done.

541

542 Harriet Leib asked Ms. Mancuso if the Ethics Board is a functioning board.

543

544 Susan Mancuso responded that to the best of her knowledge it does function. Perhaps others know
545 differently. The Ethics Board governs town employees and town officials. That's it. Candidates are

546 not their purview. She said it is a separate thing to govern her as an employee and Francis Sheehan as
547 a candidate.

548
549 Catherine Lederer-Plaskett said that is why we considered creating a separate oversight board.

550
551 Susan Mancuso said having to create a separate board underscores the problems with changing the
552 Ethics Code.

553
554 Harriet Leib said the two entities would have separate functions.

555
556 Catherine Lederer-Plaskett said the Ethics Board has teeth and, ultimately, almost everything comes
557 down to Ethics. What is designated as Ethics by the state needs to be addressed. We need to
558 determine what needs to be changed and then determine how the change can be made.

559
560 Lester Steinman said the concept is that any change to the Ethics Law would still apply to town
561 officers and employees, and any remedies would be through their board. Anything else would be poor
562 practice.

563
564 Harriet Leib read the proposal wording verbatim, adding that the two entities would serve separate
565 functions.

566
567 Susan Mancuso said there are limitations as to what can be done through local law. A local law has to
568 be voted on by the Town Board, which makes it a political issue. If voters can vote on it that would be
569 better. A referendum would be a much more preferable way to proceed if it can be done.

570
571 Catherine Lederer-Plaskett said Lester Steinman has already done the research on that issue.

572
573 Lester Steinman said NYS does not provide for ballot initiatives. Even if a referendum was possible,
574 the referendum would have to be advanced through a Town Board local law.

575
576 Harriet Leib said that the county held a referendum regarding the County Executive's powers.

577
578 Lester Steinman said one basis for a referendum in NYS is the diminution of an elected official's
579 powers. The basis for holding a referendum is delineated in NYS law and that is one of the
580 permissible reasons for holding a referendum.

581
582 Catherine Lederer-Plaskett said the commission needs to look at the most productive method of
583 obtaining change.

584
585 Susan Mancuso said that if we had a referendum that would be the preferable method, because the
586 voters would directly decide the issue.

587
588 Harriet Leib asked if the Ethics Subcommittee should continue in the direction it is pursuing.

589
590 Erin Malloy said that ultimately there must be some oversight group.

591
592 Lester Steinman said the report from the Public Financing Subcommittee will reinforce Ms. Malloy's
593 call for an oversight group.

594

595 Francis Sheehan said that the cable proposal he submitted to the Cable Subcommittee this evening also
596 recommends an oversight group so there seems to be a growing consensus for the need for an oversight
597 board or commission.

598

599 Catherine Lederer-Plaskett said that Elizabeth Daniel wrote a well-worded summary.

600

601 Elizabeth Daniel handed out the summary she prepared and read significant excerpts from the handout,
602 reprinted below in its entirety:

603

604 *Options for a System of Voluntary Campaign Finance Reform for Greenburgh Town Council Elections*

605

606 What follows is an outline of options for a voluntary system of campaign finance as developed. Any
607 system of campaign finance enacted by the town must be voluntary because state law governs the area.

608

609 I. Fair Elections Practices Commission

610

611 Establish a commission of five volunteers charged with overseeing the town's voluntary campaign
612 finance reform system. The members should be nominated and appointed in a manner to assure that the
613 commission runs in a non-partisan manner.

614

615 The commission will have the authority to hire an auditor during campaign season and in the several
616 months after the campaigns. The auditor's duties should include: determining whether participating
617 candidates complied with this law and issuing reports on the campaign activities of participating and
618 non-participating candidates based on their state-mandated filings with the county board of elections.

619

620 II. Optional Public Funding

621

622 A. Types of public funding

623

624 To encourage candidates to participate in a system of voluntary contribution and spending limits, the
625 town must offer incentives for candidates to participate. There are three types of incentives:

- 626 (1) Matching funds: the town will provide a 2-1 match for contributions of \$100 or less;
- 627 (2) Block grants: qualifying candidates receive a lump sum contribution from the town of 25-50
628 percent of the spending limit;
- 629 (3) Free or reduced-cost services: qualifying candidates receive a certain number of free mailings from
630 the town, additional time on the local access cable stations, voter guides with free space for
631 participating candidates, free use of town parks and other public/gathering spaces, etc.; or
- 632 (4) A mix of the cash grant programs with a grant of services

633

634 Please note that the amounts and specific services referred to in the three types of incentives are offered
635 by way of example. This commission should discuss and take testimony on the options.

636

637 Pros and cons of the incentive options:

638

639 Matching funds: Matching funds are an efficient way to get public money to competitive candidates.
640 Because the public money is allocated only when the candidate is raising private money, the system
641 ensures that marginal candidates will be unlikely to receive much public money. The system could be
642 administratively intensive because the money must be provided throughout the campaign season as the
643 candidate raises money.

644

645 Block grants: Block grants provide an administratively simple way of allocating public money to
646 candidates who agree to abide by the spending limits. Because the grants are based on a percentage of
647 the spending limits, the spending limit must be set accurately. Additionally, because all qualifying

648 candidates get the same amount of money, strict qualifying standards may be more important in this
649 system than in a matching fund system -- to ensure that the money goes to viable candidates.
650

651 Free services: The public may find this system more acceptable -- although it won't necessarily be
652 cheaper -- than a system that gives actual money to candidates. In addition, the types of services
653 provided -- mailings, tv access, and use of public space -- have the benefit of encouraging candidates to
654 reach out to voters. This system may be administratively difficult because it will require oversight to
655 ensure that, for example, mailings go out as scheduled, time in the parks and on tv is allocated fairly
656 and efficiently.

657
658 Mix: It is common to include some free tv time or other services to participating candidates as well as a
659 cash grant.
660

661 Recommendation: Without knowing more about how campaigns are run in Greenburgh, I cannot make
662 a firm recommendation at this time. However, if the public were willing to support a matching fund
663 program and we determined that public funding would help make Greenburgh elections more
664 competitive, I would probably recommend matching funds because that system is the most likely one to
665 encourage participation.
666

667 B. Qualifying requirements

668
669 Any public funding system must include ways that candidates qualify for the public money -- in
670 addition to their agreement to accept spending limits, lower contribution limits, and increased
671 disclosure.
672

673 Note: The more generous the public funding system, the more rigorous the qualifying requirements.
674 Structure of qualifying requirements: The most common way for candidates to qualify in other systems
675 is by raising a certain amount of money in small contribution (e.g., under \$50) from residents.
676

677 III. Contribution Limitations

678
679 A. Current limits are approximately: \$1,200 for primary; \$2,000 for the general election.
680

681 B. Recommended limits for participating candidates: The limits should be low enough that a
682 contribution does not raise the appearance of corruption or undue influence, but not so low that
683 candidates cannot raise enough money for their campaigns. Also, since this is a voluntary system, the
684 limits should not be so low that they substantially disadvantage participating candidates.
685

686 C. Participating candidates could be required to pledge not to accept interested contributions
687

688 IV. Expenditure Limitations

689
690 A. Estimate what it costs to run a competitive campaign in the primary and general elections. Set limits
691 for both elections. Allow participating candidates to re-allocate part of the spending limit for their
692 general election limit to their spending limit in the primary.
693

694 B. The limits must be generous enough that candidates will agree to participate.
695

696 V. Enhanced disclosure

697
698 Participating candidates should be required to agree to disclosure requirements that go beyond what is
699 included in state law. For instance, the name, residence, business address, and name of employer, must
700 be included. We could also require more frequent disclosure.
701

702 Elizabeth Daniel said item II lays out common types of public funding. The commission needs to keep
703 in mind administrative ease. Item II A(3) could be great but an administrative nightmare. To make the
704 public more at ease with public financing it is important to have good qualifying rules to ensure only
705 viable candidates receive funds.

706
707 Charlotte Schienberg said the NYC finance board calls candidates who can qualify “serious
708 candidates”.

709
710 Elizabeth Daniel said that she has spoken to Lester Steinman and Catherine Lederer-Plaskett as well as
711 others regarding the need to hear from candidates and incumbents about what they need, how much
712 cable time, etc. The commission needs to find out what Greenburgh needs and what Greenburgh is
713 comfortable providing.

714
715 Erin Malloy asked if the candidates and incumbents should appear before a subcommittee or before the
716 entire commission.

717
718 Elizabeth Daniel said she thought it best if the entire commission hears the wants/needs of candidates
719 and incumbents. She welcomes phone calls and e-mails on the issue. She generally can be reached at
720 work until 7 p.m.

721
722 Catherine Lederer-Plaskett said anyone who can't make it to a subcommittee meeting can submit
723 questions to the subcommittee in writing.

724
725 Elizabeth Daniel emphasized the handout submitted is a draft that still contains typos.

726
727 Lester Steinman reported that the Legal Subcommittee will work with the other subcommittees,
728 providing help as needed.

729
730 Harriet Leib said the NYC Campaign Finance Board is very impressive, much bigger than anything
731 this commission could recommend. It is something to see. She said the next commission meeting is
732 April 25 at 7:30 p.m. In the interim the subcommittees should meet.

733
734 Francis Sheehan asked what the purpose of the public hearing will be if the current idea is to hear from
735 candidates and incumbents one by one at commission meetings.

736
737 Catherine Lederer-Plaskett said the commission needs to gather more information before holding the
738 public hearing.

739
740 Lester Steinman said the commission needs additional input.

741
742 Elizabeth Daniel said the commission can benefit from obtaining the testimony in advance of the
743 public hearing to make informed proposals.

744
745 Harriet Leib suggested that the commission segue to the issue of money. A suggestion has been made
746 for every commission member to contribute \$10 dollars for cover the commissions costs which have
747 been borne entirely, or almost entirely, by Catherine Lederer-Plaskett.

748
749 Every commission member listed as present at this (4/11/00) meeting contributed \$10 toward the
750 commission's operating costs.

751

752 Francis Sheehan suggested segueing back to the issue of delaying the May 2 public hearing. He said
753 he already reserved Town Hall, as he did when the commission was considering an April date for a
754 public hearing. Before Town Hall is reserved again a certain date must be determined because other
755 groups are being deprived of the room once it is listed as reserved. He wanted it to be clear that his
756 primary concern is that individual invitations to former candidates and incumbents at upcoming
757 meetings would greatly delay the commission's work. It is better to publicly notice everyone that a
758 public hearing will be held for anyone interested in speaking about local campaign finance reform.
759 The commission could then listen to anyone who wants to speak. If someone decides not to attend
760 then that would not be the commission's fault. The commission could not be accused of being
761 selective. The current proposal calls for the commission to decide who is worthy of being personally
762 invited to commission meetings, which will likely be controversial.

763
764 Lester Steinman said he believed hearing from the candidates and incumbents in advance would be
765 valuable.

766
767 Francis Sheehan asked if it would be as valuable as inviting everyone who wanted to speak to speak at
768 a public hearing.

769
770 Lester Steinman responded yes.

771
772 Catherine Lederer-Plaskett, Susan Mancuso, Harriet Leib, Erin Malloy, and Elizabeth Daniel agreed
773 with Mr. Steinman.

774
775 Harriet Leib, after consulting with the members, said the Ethics Subcommittee would meet at noon on
776 April 24, 2000 at Lester Steinman's office.

777
778 Claire Lee, after consulting with the members, announced the Cable Subcommittee would meet at
779 10 a.m. on April 18, 2000 at her home.

780
781 The next meeting of the commission will be held on April 25, 2000, at 7:30 p.m., at Rochambeau
782 School, 228 Fisher Avenue, White Plains.

783
784 Meeting was adjourned at 9:45 p.m.

785
786
787 Respectfully submitted,
788 Francis Sheehan, Commission Secretary