

1 **GREENBURGH CAMPAIGN FINANCE COMMISSION**
2 **MEETING MINUTES—APRIL 25, 2000**
3 **(May 21, 2000 draft)**
4

5 Present:

6 Catherine Lederer-Plaskett, Harriet Leib, Susan Mancuso, Rev. Wilbert Preston, Ervin Schliefer,
7 Francis Sheehan, Lester Steinman, Mary Tobias
8

9 Invited Speaker: Supervisor Paul Feiner
10

11 Observers: Stephanie Bellino (Lower Manor Woods Neighborhood Association), Lorrin Brown
12 (North Elmsford Neighborhood Association), Madelon O'Shea (Edgemont Community Council,
13 Inc.), William Pohlmann, Ella Preiser (Council of Greenburgh Civic Associations), Kathy Sundaram,
14 Carol Wielk (Secor Homes CA, Inc.)
15

16 Absent:

17 Andrew Goodman, Claire Lee, Erin Malloy, Mike Reynolds, Sally Schaadt, Charlotte Schienberg
18

19 Invited Speaker: Dan Greenfield, The Journal News
20
21

22 The sixth meeting of the commission was called to order at 7:35 p.m. in room 121, at Rochambeau
23 School, 228 Fisher Avenue, White Plains. An agenda was distributed. Copies of the draft March 17,
24 2000 and April 11 meeting minutes that were previously faxed, hand-delivered and/or e-mailed to each
25 commission member were also available.
26

27 Co-chair Harriet Leib said the first item on the agenda is to hear from our guest speaker, Dan
28 Greenfield, from the The Journal News. Since he is late, the commission will continue with the next
29 item on the agenda-- the Ethics Subcommittee report. Before detailing the Ethics Subcommittee
30 report, she explained to those present, specifically addressing the observing townspeople, that nothing
31 contained within the subcommittee report had been finalized. It is a work in progress. She distributed
32 copies to those present and called for a five-minute break while members read the report, which
33 follows in its entirety:
34

35 Ethics Subcommittee: Catherine Lederer-Plaskett, Harriet Leib, Charlotte Schienberg, Francis Sheehan,
36 Lester Steinman
37

38 The Ethics subcommittee is considering the following recommendations:
39

- 40 1. The Ethics code should be amended to reflect the following:
41 A Town officer or employee receiving directly or indirectly a gift/contribution from an entity including
42 but not limited to developers, consultants, architects, and attorneys having business with the Town or
43 before a Town board must recuse him/herself from voting on any matter involving said entity, and may
44 not lobby on behalf of said entity.
45

46 The timeframe for recusal before/after receipt of a gift/contribution is still to be discussed.
47

48 NY State restrictions on imposing mandatory campaign contribution/spending caps at the local level
49 were considered in making this recommendation.
50

51 The following are being considered:

- 52 A. Whether to alter the existing procedure by which the Ethics Board is permitted to hear complaints.
53 At present the Town Board must refer a matter to the Ethics Board before it can be heard; only the
54 Town Board has this authority. Ethics laws from Seattle, the City of White Plains, the Village of

- 55 Dobbs Ferry and elsewhere were provided as examples of ordinances that allow anyone to bring a
56 complaint before Government Ethics Boards.
- 57 B. Discussion continues as to whether to submit code language to the town board for approval or
58 whether a recommendation should be made specifying the areas requiring change. A combination
59 of the two was also considered. A portion being either a strong pointed recommendation followed
60 by a prepared code change in an addendum; or a preamble introducing the changes followed by the
61 prepared code change.
- 62 C. The terms under which a person is appointed to the ethics board were discussed. Should there be a
63 condition recommended which states a person must have or not have a political affiliation for a
64 specific period of time prior to his or her appointment?
65
- 66 2. The creation of a Fair Practices Board.
- 67 A. This board could be formed independent of the Town Board (similar to the one described by Evelyn
68 Stock) or under the Town Board.
- 69 B. The Board would be either bipartisan or nonpartisan.
- 70 C. The Board would be responsible for overseeing such things as cable, mailings, contribution
71 disclosure, etc.
72
- 73 3. A ban on neighborhood mailings at taxpayers' expense, newsletters etc. during the primary and general
74 election season.
- 75 A. The County passed a law banning certain types of mailings during campaigning periods.
- 76 B. The law could be amended to fit the needs of Greenburgh
77

78 Harriet Leib said there are three primary recommendations. Each recommendation contains subparts.
79 The subcommittee's first recommendation is that the Greenburgh Ethics Code should be amended.
80 After explaining that the Ethics Code applies to town officials and employees, she asked co-chair
81 Catherine Lederer-Plaskett to discuss the recommendation.
82

83 Catherine Lederer-Plaskett said the subcommittee, after deciding that the Greenburgh Ethics Code
84 needed to be amended, determined that the phrase "directly or indirectly" was a critically important
85 part of the proposed amendment. She said it goes to the heart of the incumbent campaign team
86 practice where one candidate accepts campaign money from developers, consultants for developers,
87 those suing the town, etc. and then uses that money to re-elect a slate of other incumbent candidates.
88 Under the proposed Ethics Code amendment, the other candidates could not claim, as they do now,
89 that they have not accepted contributions from developers, etc. The "directly or indirectly" clause was
90 suggested to plug that loophole.
91

92 Catherine Lederer-Plaskett said the recusal provision was included to address the widespread
93 perception that certain contributions influence certain votes. The commission has heard repeatedly that
94 local ordinances cannot override federal and NYS laws regarding contributions to candidates. Lester
95 Steinman suggested recusal as a means of addressing the problem, without running into a conflict with
96 campaign laws, and the subcommittee jumped on the idea as a great way of finding a legal means of
97 addressing a significant problem. The "directly or indirectly" clause would prevent any candidate on a
98 slate funded by an applicant's contribution from subsequently voting on the applicant's application.
99 However, timeframes still need to be discussed, along with allowing contributions to be returned once
100 a conflict has been identified.
101

102 Lester Steinman said the commission needs to consider the possibility that a majority of the Town
103 Board might have to recuse themselves. There are provisions that allow board members to vote on an
104 application even though a conflict of interest has been identified if recusal results in an insufficient
105 number of voting members.
106

107 Mary Tobias said the Town Board typically runs as a team so the possibility of not having a majority
108 of voting members on an application is very real.

109
110 Catherine Lederer-Plaskett said that, if a majority of Town Board members had to recuse themselves,
111 the publicity that would result from having to invoke the special provision mentioned by Lester
112 Steinman might be sufficient to discourage a majority from having such a conflict in the future.

113
114 Harriet Leib said the shame factor is an important consideration and can have a significant effect;
115 however, Mary Tobias' concern, that incumbents in Greenburgh routinely run as a team and would all
116 have to abstain from voting, needs to be addressed.

117
118 Mary Tobias said the recusal provision will cause a big problem with the Town Board.

119
120 Catherine Lederer-Plaskett said there are significant problems with the current situation as well. The
121 commission is trying to address the problem within the restrictions of NYS law. The recusal provision
122 is an innovative way to address a significant problem. No other suggestions that comply with NYS
123 law have been offered.

124
125 Harriet Leib said County Legislator George Latimer was previously asked if any reforms resulted from
126 the Singer Commission. His response was that it created a climate for reform. Hopefully, this
127 commission will create the same climate for reform in Greenburgh.

128
129 Catherine Lederer-Plaskett said another recommendation of the Ethics Subcommittee is the creation of
130 a Fair Practices Board.

131
132 Lester Steinman said the opportunity for an official to return a previously received campaign
133 contribution that would necessitate recusal was discussed by the subcommittee but is not in the
134 distributed written proposal.

135
136 Catherine Lederer-Plaskett agreed, adding that the omission was inadvertent.

137
138 Susan Mancuso read aloud in its entirety the first Ethics Subcommittee recommendation. She said the
139 recommendation far exceeds what is being asked of the commission. If she accepted a gift, what
140 should she be restricted from doing, she asked.

141
142 Harriet Leib said the commission is trying to address a perception of favorable treatment of
143 contributors.

144
145 Susan Mancuso repeated that the provisions restricting employees from accepting gifts far exceeds the
146 charge of the commission, which is limited to campaign finance issues.

147
148 Catherine Lederer-Plaskett said that Lester Steinman commented that the commission has not heard
149 from the public that lack of money is a barrier to running for office. However, there are significant
150 advantages to incumbents because of the contributions they accept. Regarding the gifts, she said
151 White Plains does not allow employees or elected officials to accept any gifts, regardless of how small.

152
153 Susan Mancuso said that this is a campaign finance commission and yet the town's Ethics Code is
154 being questioned. It is beyond the commission's charge.

155
156 Harriet Leib said the issues all complement each other. It may seem as though it is beyond the scope
157 of the commission but it really isn't.

158

159 Susan Mancuso asked how a candidate is affect by an employee accepting gifts. She asked if the
160 members believe the commission should recommend developers be restricted from giving gifts to
161 employees as well as candidates.
162

163 Catherine Lederer-Plaskett said that there is a perception that contributions have an undue influence
164 and prevent a level playing field upon which challengers can compete.
165

166 Susan Mancuso said she disagrees.
167

168 Lester Steinman said this discussion mirrors what goes on at subcommittee meetings. The detailed
169 draft is a mistake. Details will kill the commission's work because a clause can be pulled apart and
170 debated and debated, causing the overall worthy objective to be lost. There should not be even the
171 perception of someone making a contribution which affects a vote yet all that is lost in the proposal
172 because of a debate about specific wording.
173

174 Susan Mancuso said the commission is being overly broad. The commission must be specific in what
175 is being addressed, otherwise what is trying to be accomplished is lost. It is peculiar that the
176 commission is now including how employees receive gifts, etc. She doesn't disagree that employees
177 should be prohibited from accepting gifts but the commission is singling out a subset of candidates for
178 the gift ban. It does not restrict all candidates from accepting gifts, just those elected or who are
179 employees. There is no consistency. It is unfair to leave out the non-incumbents.
180

181 Francis Sheehan said the records show that there is no advantage to developers giving money to non-
182 incumbents. A review of the financial filings show that developers contributed to the incumbents, not
183 the challengers.
184

185 Harriet Leib asked Susan Mancuso how she would address the issue differently.
186

187 Susan Mancuso said that a Fair Practices Board could adopt rules that apply to everyone. The board
188 could address the gift issue, as well as a much greater concern that has been mentioned-- media
189 access. The commission has heard repeatedly that access is money and money is access. Access is
190 through the media. The same rules must apply to everyone. The Fair Practices Board could control
191 the money aspect and the media aspect. She said that Francis Sheehan proposed at a subcommittee
192 meeting that candidates who signed on to voluntary local campaign reforms should receive a "carrot",
193 the carrot being rights to cable access media time. She supports that proposal.
194

195 Mary Tobias said that the subcommittee proposal doesn't appear to be singling out any particular
196 candidate because it affects any candidate who wins election. If a candidate loses, the issue is moot
197 because the candidate is not in a position to help a developer who may have contributed. Any
198 candidate who receives contributions from developers and wins election would have to recuse
199 him/herself from voting.
200

201 Harriet Leib said a developer could contribute to both candidates, just to cover him/herself, similar to
202 betting on a horse. A person who can contribution to both candidates should not have an advantage
203 over someone only able to contribute to one candidate. That would be unfair.
204

205 Catherine Lederer-Plaskett said whichever candidate received the contribution and was subsequently
206 elected would have to recuse him/herself. She said the clause Susan Mancuso is objecting to in the
207 Ethics Subcommittee's first recommendation, "A Town officer or employee", was a mutually agreed
208 upon amendment suggested by Lester Steinman. It was not her wording. She asked if anyone thought
209 it was legal to include other than town employees and officials in the town's Ethics Law. She said it
210 was worded the way it was because it was the subcommittee's decision that the Ethics Law could only
211 pertain to town employees and elected officials. Since NYS preempts mandatory local campaign

212 contribution restrictions, the recusal provision, which applies to everyone elected, regardless of party
213 affiliation, addresses a serious, repeatedly mentioned problem in Greenburgh regarding developer
214 contributions. Increased cable access alone is not sufficient to balance the influence of large campaign
215 coffers that result from developer contributions. Many residents do not have cable and the mainstream
216 press provides very limited coverage. It is a shame Dan Greenfield from The Journal News failed to
217 show up for the meeting because he could have been asked why so little attention is given local
218 candidates, particular non-incumbent candidates, and why they twice inaccurately listed the names of
219 non-incumbent Greenburgh candidates. Regarding the possibility that the proposed Ethics Law
220 amendments might be challenged, she said the threat of a challenge should not discourage the
221 commission from doing what is right. The commission should move forward. Anyone watching a
222 Senate hearing on C-SPAN can see that any proposed law can be criticized but that does not mean new
223 laws should no longer be adopted.
224

225 Susan Mancuso, asking to respond, said the commissioners must decide whether a “messy job” or a
226 good job is the goal. She said the subcommittee’s proposal is messy. While the commissioners may
227 not agree on all the issues, everyone should agree that fairness is the ultimate goal. The provision in
228 the Ethics Law that restricts gifts to incumbents but not all candidates is not fair.
229

230 Harriet Leib asked Susan Mancuso if a gift restriction imposed by a Fair Practices Board would be
231 acceptable.
232

233 Susan Mancuso said it would because it would apply across the board to all candidates, or at least to all
234 candidates who voluntarily sign on to the local reforms. From what she read the Fair Practices Board
235 could not impose mandatory restrictions on all candidates. Its decisions would only affect candidates
236 who voluntarily decide to agree to the restrictions.
237

238 Lester Steinman said restrictions imposed by a local Fair Practices Board would only apply to
239 candidates willing to voluntarily comply.
240

241 Harriet Leib asked if Greenburgh’s Ethics Law currently requires an incumbent to recuse him/herself
242 from voting on applications filed by applicants who contributed to his/her campaign.
243

244 Susan Mancuso said it does not currently require recusal.
245

246 Lester Steinman said most ethics laws do not address candidate’s contributions to avoid running afoul
247 of federal and NYS regulations. One of the reasons the subcommittee developed the recusal concept is
248 to avoid being preempted by federal and state regulations while trying to address a perception that
249 applicants are receiving favorable votes by making campaign contributions. He disagrees with Susan
250 Mancuso’s statement that the recusal provision unfairly singles out incumbents. It applies to town
251 officials who have the power to vote on a campaign contributor’s application and affect the outcome.
252 If a candidate is unsuccessful, the contribution cannot influence the recipient’s vote because the
253 defeated candidate doesn’t get to vote. Candidates cannot be prohibited by local regulations from
254 receiving campaign contributions that are otherwise legal. What can be addressed is the perception
255 that the contribution is somehow affecting the decisions a candidate makes after being elected.
256 Regarding non-elected town officials and staff members, their receipt of gifts, etc. should be addressed
257 in a separate provision of the Ethics Code. Even though employees may make decisions regarding
258 issuing permits, etc., those issues are not directly campaign-related. It is conceivable that some might
259 argue that Greenburgh’s Ethics Code needs improvement in many areas; however, the commission is
260 not charged with re-writing the ethics code. The commission should focus on those provisions of the
261 ethics code which are specifically campaign-related.
262

263 Susan Mancuso, referring to Catherine Lederer-Plaskett's statement regarding cable access for
264 candidates being insufficient, said there is no doubt that incumbents have greater access to newspapers
265 and challengers have a more difficult time getting media access. Cable, however, is something that
266 can be controlled locally. Newspapers cannot be forced to provide more time to candidates. The
267 commission should focus on what can be locally addressed.
268

269 Rev. Wilbert Preston said his concern with the first recommendation of the Ethics Subcommittee
270 proposal is that it could be perceived as penalizing a person for winning an election.
271

272 Harriet Leib said that the recusal provision would only apply if an elected official is asked to vote on a
273 campaign contributor's application.
274

275 Rev. Wilbert Preston said the candidate should not be penalized for winning. It creates a perception of
276 penalizing the winner and perception can become reality.
277

278 Catherine Lederer-Plaskett said the perception is that developers in Greenburgh influence voting. The
279 records show the amount of money contributed by developers, etc. is not small and there is a
280 perception that it results in a bias toward the developers. Even if the perception is false, it is
281 widespread and needs to be addressed.
282

283 Rev. Wilbert Preston said the bias cannot be proven and legislating that incumbents cannot vote on an
284 application still amounts to a penalty on the candidate for accepting the contribution and winning.
285

286 Francis Sheehan asked Rev. Wilbert Preston to help him understand the penalty he claims is imposed
287 on a candidate. Using the SCI building on Hillside Avenue as a hypothetical example, he asked if it
288 would be penalizing an elected official to require that he/she recuse him/herself from voting on an
289 application to rezone the property to something more profitable if the application was made by the
290 owner of the building who had previous made significant contributions to the elected official's
291 campaign.
292

293 Rev. Wilbert Preston said some candidates may not be able to afford returning the owner's money after
294 being elected and would be prevented from voting on the application. The recusal provision not only
295 penalizes successful candidates it may even deter some candidates from running for office.
296

297 Lester Steinman said that the commission must recognize that many candidates run at the urging of the
298 community regarding a particular issue. What may result is that the candidate cannot vote on the issue
299 which caused him/her to run. The provision cannot be absolutist and prevent an elected official from
300 voting on precisely the issue on which he/she campaigned.
301

302 Ervin Schliefer said that, while the commission's work may be on the leading edge of many issues, this
303 one may already have been the subject of legal decisions in other jurisdictions in the state or country.
304 Additional research is needed.
305

306 Catherine Lederer-Plaskett said many ethics laws, such as the City of White Plains' ethics law, prohibit
307 gifts to incumbents, staff, etc.
308

309 Lester Steinman said that most ethics laws do not address campaign contributions.
310

311 Harriet Leib suggested moving on. Referring to the third recommendation of the Ethics Subcommittee
312 she said that mailings involving all candidates, such as the LWV's voting guide, would be banned. It
313 should be directed toward a candidate's mailings.
314

315 Catherine Lederer-Plaskett said the wording of #3 is intentionally vague because additional input and
316 work by the subcommittee is still needed.
317

318 Catherine Lederer-Plaskett said that next subcommittee report is from the Public Finance
319 subcommittee. The subcommittee discussed a previously made comment that, while the commission
320 has heard many complaints about developer contributions and abuses involving cable access, no one
321 has stated that he/she was prevented from running due to limited finances. The focus has been on the
322 process of creating a Fair Practices Board. If the board were set up should it have two Democrats and
323 two Republicans, and another member to make it an odd number? These issues still need to be
324 resolved. [Note: The Public Finance Subcommittee report is included in the April 11, 2000 minutes.]
325

326 Harriet Leib asked if the Public Finance Subcommittee had made a decision regarding the need for
327 public financing.
328

329 Lester Steinman said that the subcommittee has yet to hear comments citing a need for public finance.
330 While he was not present for the March 17, 2000, meeting, he read the minutes, which made him feel
331 as though he was present. At that meeting, Westchester County Legislator George Latimer spoke
332 about how the public financing provision was the death knell of the Singer Commission.
333

334 Harriet Leib said that, in actuality, cable access, media access or some type of newsletter is a form of
335 public access.
336

337 Catherine Lederer-Plaskett said that Lester Steinman's observation from reading the minutes is correct.
338 Legislator Latimer made it clear that asking for public funds to support candidates' campaigns killed
339 the reform measure.
340

341 Ervin Schliefer said there may be widespread opposition to public financing but at this point there is
342 insufficient data to make that conclusion. We just don't know if there is opposition, and if so, the level
343 of that opposition. Additional input is needed.
344

345 Catherine Lederer-Plaskett said that, in an effort to obtain additional input, the subcommittee drafted a
346 list of questions to ask candidates. She handed out copies of the questions. She said Supervisor Feiner
347 had received a copy of the following questions in advance of the meeting:
348

- 349 1. Do you believe that we need a form of public financing of campaigns in Greenburgh?
- 350 2. Are there inequities being created under the present system, for example in regard to cable
351 access or mailings?
- 352 3. Should an elected official who receives contributions be allowed to vote on matters related to
353 the contributor?
- 354 4. Do you believe contribution limitations should be set? If so, what do you believe that
355 contribution limit should be?
- 356 5. What do you believe public attitude toward public finance of local elections is in the Town of
357 Greenburgh?
- 358 6. What do you believe to be the most effective form of campaigning? In other words, what
359 works?
- 360 7. What are your recommendations for campaign reform?
- 361 8. It has been suggested that the commission prepare a referendum to be placed on the November
362 ballot. If you support this suggestion please describe the referendum you envision. Do you
363 know of any legal basis for such a referendum in the State of New York?
364

365 Ervin Schliefer said that the questionnaire is limited to town officials, not candidates in general.
366

367 Catherine Lederer-Plaskett said she hoped to invite candidates who were not successful to future
368 meetings.
369

370 Catherine Lederer-Plaskett said the next subcommittee report is from the Legal Subcommittee.
371

372 Lester Steinman said the Legal Subcommittee has been participating in and keeping up with the issues
373 raised by the other subcommittees.
374

375 Catherine Lederer-Plaskett said the next subcommittee report is from the Cable Subcommittee.
376

377 Susan Mancuso said the cable subcommittee has developed a proposed working draft regarding
378 campaign access to cable. Copies of the following were distributed:
379

380 GREENBURGH CABLE TV CAMPAIGN ACCESS GUIDELINES

381 Working Draft

382 Section 1. Definitions

383 A. CAMPAIGN SEASON. The period from June 1 to the date of the general election in any year in which a
384 town election is held.

385 B. CANDIDATE. A candidate-aspirant, a primary candidate, or a general election candidate.

386 C. CANDIDATE-ASPIRANT. An individual who has executed the Town of Greenburgh Campaign Reform
387 pledge and is seeking petition signatures as required under state law in order to appear on a ballot in a
388 primary election for a town office.

389 D. PRIMARY CANDIDATE. An individual who has executed the Town of Greenburgh Campaign Reform
390 pledge and who is otherwise eligible pursuant to state election law to appear on a ballot in a primary election
391 for a town office.

392 E. GENERAL ELECTION CANDIDATE. An individual who has executed the Town of Greenburgh
393 Campaign Reform pledge and who is otherwise eligible pursuant to state election law to appear on a ballot
394 in a general election for a town office.

395 F. PRE-PRIMARY SEASON. The period commencing June 1 in a year when an election is to be held for
396 Town Office until the date the Board of Elections certifies the candidates qualifying to appear on the ballot
397 in the primary election.

398 G. PRIMARY SEASON. The period commencing the day after the date when the board of Elections has
399 certified the candidates eligible to appear on the ballot in the primary election until the day of the primary
400 election in a year when an election is to be held for a town office.

401 H. GENERAL ELECTION SEASON. The period commencing the day after the date after the primary election
402 until the day of the general election in a year when an election is to be held for town office.
403

404 Section 2. Access.

405 A. Each candidate shall have access to the Greenburgh Cable TV production facilities for the purposes of
406 producing videotape recordings to be aired on the Greenburgh Cable Access TV stations during the
407 Campaign Season.

408 B. Monthly recordings. A candidate shall have access to the Greenburgh Cable TV production facilities for the
409 purposes of producing one 10-minute videotape for each calendar month a candidate is a candidate-aspirant,
410 a primary candidate or a general election candidate. Once a succeeding tape is produced, it shall replace any
411 prior videotape aired on behalf of a candidate. No more than one tape shall be aired on behalf of a given
412 candidate at any given time.

413 1. *Candidate-aspirant.* Candidate-aspirants shall have access to the Greenburgh Cable TV production
414 facilities for the purposes of producing two 10-minute videotapes, to be aired during the months of June
415 and July.

416 2. *Primary Candidates.* Primary candidates shall have access to the Greenburgh Cable TV production
417 facilities for the purposes of producing four 10-minute videotapes, to be aired during the months of
418 June, July, August and September.

419 3. *General Election Candidates.* General election candidates shall have access to the Greenburgh Cable
420 TV production facilities for the purposes of producing four 10-minute video tapes, to be aired during the
421 months of June, July, August, September, October and November. This provision shall apply to

422 candidates who have received the nomination of their respective parties and are not opposed in the
423 primary election.

424 4. During campaign season, all candidates shall otherwise limit appearances on Greenburgh Cable TV to
425 the conduct of official Town business. Any candidate otherwise hosting a regularly-scheduled program
426 shall be required during Campaign Season to use a substitute host.

427

428 Section 3. Campaign Reform Committee.

429 Any disputes in connection with the administration of these guideline shall be referred to the Campaign
430 Reform Committee. The decision of the Committee shall be binding on all candidates.

431

432 Section 4. Pledge.

433 In order to receive access to Greenburgh Cable Television in accordance with the Greenburgh Cable TV
434 guidelines, a candidate shall enter into the following pledge: By signing this agreement, I hereby declare
435 my candidacy for the elective office of [office title]. I further represent that I am actively seeking signatures
436 on petitions to place my name on the ballot as a primary candidate or that I am the nominee of the [state
437 party name] for this elective office. I hereby agree to comply with the Rules and Regulations of the Town
438 of Greenburgh Campaign Reform Committee.

439

440 Susan Mancuso said it appears the campaign season is divided into three categories. The first stage is
441 when a prospective candidate is working toward being certified by the Board of Elections as a
442 candidate in the primary or general election. The second stage is the time period before the primary
443 after the candidate has been certified by the Board of Elections as a candidate. The third stage is after
444 the primary when the candidate has successfully obtained a position on the general election ballot. The
445 proposal calls for every candidate to have equal access to cable access television. Each candidate
446 would be entitled to have the town produce a 10-minute segment each month using the Greenburgh
447 facilities to be aired on a regular basis, equally with all other primary and general election candidates.
448 The segments would change monthly and every candidate would have an equal shot at being the first
449 segment shown. Oversight has not been addressed yet. Some entity, such as a Fair Practices Board,
450 needs to oversee disputes.

451

452 Harriet Leib suggested that the pledge include compliance with local reforms, such as limits on
453 campaign contributions, etc.

454

455 Susan Mancuso said the pledge could contain whatever was deemed appropriate for candidates to gain
456 the right to be on the airways from June to November. The proposal also bans candidates from having
457 a regular cable access program from June to November. A candidate with a regular cable access
458 program would have to find someone else to host his/her show during campaign season.

459

460 Catherine Lederer-Plaskett asked how the subcommittee proposes to address cable access time by
461 candidate-incumbents at Town Board meetings.

462

463 Susan Mancuso said a provision has been included that excludes shows involving regular town
464 business from regulation.

465

466 Catherine Lederer-Plaskett asked Ms. Mancuso how she justifies distinguishing between incumbents'
467 cable access time and non-incumbents' cable access time while earlier in the meeting claiming it is
468 unfair to treat incumbents and non-incumbents differently regarding the receipt of gifts, etc.

469

470 Susan Mancuso said these are issues that need to be addressed.

471

472 Rev. Wilbert Preston said that he gets invited to speak at church meetings throughout Greenburgh. He
473 asked if he would be prohibited from doing so based on the proposal.

474

475 Catherine Lederer-Plaskett said the proposal only affects candidates appearing on cable access
476 television. Candidates may speak at all the meetings they wish, without restriction. The provisions
477 only affect the showing of those meetings on cable access stations.
478

479 Harriet Leib said that it would be inappropriate to prevent Town Board meetings from being televised.
480

481 Catherine Lederer-Plaskett said she is not suggesting prohibiting televised Town Board meetings.
482 Perhaps some form of equal air time would be appropriate to balance time spent by incumbent-
483 candidates making speeches at the board meetings.
484

485 Susan Mancuso said that many people who are or may become candidates speak at Town Board
486 meetings. She said Mr. Sheehan, for example, frequently speaks at Town Board meetings.
487

488 Catherine Lederer-Plaskett said that the limited time period a person gets to speak at a Town Board
489 meeting cannot be equated with the time incumbents get throughout the meeting.
490

491 Susan Mancuso said that there are limits to what can be done. Even a camera angle can make a
492 difference and can be a source of complaint. The process cannot be micromanaged.
493

494 Catherine Lederer-Plaskett said that a campaign session is being defined as from June to November.
495 What she is looking for as a minimum is fair and equal access to the public during that limited time
496 period.
497

498 Lester Steinman said he agrees with Susan Mancuso. There is nothing improper about having a Town
499 Board meeting, even during campaign season. The commission cannot eliminate every vested
500 advantage of incumbency. Incumbents cannot be expected to worry about how holding a special
501 meeting will impact their allotment of time on cable. Such micromanaging is inappropriate.
502

503 Francis Sheehan said he agrees that it would be inappropriate to restrict or limit official Town Board
504 business from being televised, including during campaign season. However, much of what transpires
505 at Town Board meetings is not official business, particularly during campaign season. He said the
506 Supervisor frequently starts off Town Board meetings with self-serving announcements which may last
507 30 minutes or more. It is that part of the meeting, or the issuance of community awards by those board
508 members who are candidates in the upcoming election, that may be the proper subject of equal time
509 provisions. Regarding the subcommittee proposal being discussed, the subcommittee met and
510 discussed these issues but no consensus was reached and none of the subcommittee members saw the
511 wording of the provisions until this evening.
512

513 Harriet Leib said that Susan Mancuso did say it was a work in progress.
514

515 Francis Sheehan said that he is on the subcommittee and finds the proposal a disincentive to candidates
516 to sign on to any reforms this commission may propose. A person who has a 30 minute weekly cable
517 show would have to give up that show in order to receive 10-minute monthly segments. It doesn't
518 make sense.
519

520 Susan Mancuso said that candidates will sign on to the 10-minute segments if the public believes
521 reform is important and the candidate wants to avoid negative publicity that would result from not
522 signing on.
523

524 Francis Sheehan said the issue for a candidate is access to the public. Incumbents can make lengthy
525 speeches during televised Town Board meetings without restriction, yet challengers are being asked to
526 reduce their one-and-only cable access time from 30-minutes to 10-minutes in order to be considered
527 as a participant in a fair access reform. It doesn't seem fair.

528
529 Lester Steinman asked if an incumbent's 30-minute cable show would also be reduced to 10-minutes,
530 similar to a challenger's cable show.
531

532 Susan Mancuso said it would.
533

534 Francis Sheehan repeated that the issue is the amount of time a candidate has access to the public. He
535 said reducing an incumbent's cable show from 30-minutes to 10-minutes while continuing to allow
536 them to make self-serving uninterrupted speeches at Town Board meetings is not equivalent to
537 reducing a challenger's cable access time from 30-minutes to 10-minutes since that challenger has no
538 other means of appearing on cable access.
539

540 Lester Steinman said Mr. Sheehan's complaint is the "ox is being gored on the other side". If an
541 incumbent's 30-minute show is being swept out, then it makes sense to also sweep out a challenger's
542 30-minute show.
543

544 Francis Sheehan said that three of the five Town Board members come up for re-election at the same
545 time and run as a team. Therefore, since each of the three incumbents get 10-minutes, the team would
546 still get 30-minutes of access time, in addition to the time spent at Town Board meetings, whereas a
547 challenger would be limited to 10-minutes access time total. If the goal is fair cable access television
548 exposure, the proposal doesn't work and serves as a disincentive for a candidate with a 30-minute
549 show to sign on.
550

551 Lester Steinman said that he only did a quick read of the cable access proposal handed him and has not
552 fully worked through it. Any proposal must make sure that all candidates have cable access time.
553

554 Francis Sheehan said that many of the issues raised were also raised at the subcommittee meeting.
555 There is something wrong with the process. The subcommittee did not reach consensus on many of
556 the issues in the proposal and yet they are presented to the full commission for consideration. The
557 subcommittee has not even had an opportunity to review the wording of the draft being discussed.
558

559 Catherine Lederer-Plaskett said that, unlike the way the Ethics Subcommittee and Public Finance
560 Subcommittees wrote their reports, each containing caveats when there wasn't full agreement, when
561 she read the Cable Subcommittee report it appeared as though it was unanimously agreed upon.
562

563 Lester Steinman said that Larchmont/Mamaroneck has an extensive publication regarding their cable
564 access. Two of the pages involve cable access, which he gave to the subcommittee.
565

566 Susan Mancuso said the subcommittee reviewed those regulations.
567

568 Francis Sheehan said another issue that has not been addressed is that the Town Board controls all
569 decisions regarding cable access in Greenburgh-- who gets a show, when it airs, etc. Susan Mancuso
570 mentioned earlier that camera angles can affect a presentation. One of the issues for a challenger
571 considering signing on to reforms with cable access as an incentive is who controls that cable access
572 and the production of the 10-minute segments. Every two years three of the five town board members,
573 as well as the Town Clerk, are up for re-election and make all the decisions regarding access by
574 challengers. Cable incentives will not be effective until a system such as the one used in
575 Larchmont/Mamaroneck is adopted in Greenburgh. There, a non-profit organization has total control
576 of cable access, including negotiating the franchise agreement with the cable company. The
577 subcommittee's proposal calls for challengers to buy into a system controlled by their opponents who
578 have been shown in the past to manipulate cable access to the disadvantage of their challengers. The
579 organizational structure of cable access must change.
580

581 Susan Mancuso said the proposal was written with the full understanding that a majority of the
582 subcommittee supported the provisions. She is surprised to hear Mr. Sheehan say that these provisions
583 were not agreed upon. Regarding Mr. Sheehan's point about the non-profit organization, that could be
584 a great idea but it probably does not fall within the confines of campaign finance. It was actually Mr.
585 Sheehan's idea that cable access be used quid pro quo as an incentive for signing onto campaign
586 reforms. Regarding the camera angles, etc., that is always a problem. The provision gives candidates
587 access to the town's production studio. However, if someone wants to tape a show elsewhere to
588 produce a better production that should be allowed as well.
589

590 Francis Sheehan asked Susan Mancuso if the proposal would allow candidates to use the facilities to
591 edit and produce their own tapes.
592

593 Susan Mancuso said she doesn't see a problem with candidates doing that.
594

595 Harriet Leib said that the commission has had a very enlightening discussion. The subcommittees
596 should go back and review their proposals, considering the comments heard this evening, and come
597 back with their recommendations.
598

599 Catherine Lederer-Plaskett suggested that the cable subcommittee consider adopting the Ethics
600 Subcommittee's policy of referring any issue upon which there isn't unanimous agreement to the full
601 commission. When there are only four or five subcommittee members, one or two dissenting members
602 can be enough to indicate significant disagreement requiring resolution by the entire commission.
603

604 Harriet Leib suggested each subcommittee consider developing a Plan A and a Plan B for presentation
605 to the entire commission.
606

607 Harriet Leib asked if anyone had the opportunity to go to the NYC Campaign Finance Board facilities.
608

609 Ervin Schliefer said he went with Erin Malloy. The NYC board has been in operation since 1988.
610 This is their third election cycle. It is quite large. There are 45 employees, but that number increases
611 to 65 during election time. There is a five member non-partisan, not a bi-partisan, board. There is
612 software that is used to make sure the candidates are complying with the rules. The principles are the
613 same as what this commission seems to want to accomplish. The executive director told them that
614 there wasn't much support or opposition in 1988 when the board was created. It was on the ballot and
615 it had support from civic groups and the media. This commission might want to look toward those two
616 groups to get its proposals enacted.
617

618 Harriet Leib said it was her understanding that it was a fluke that it passed because it was basically
619 hidden in another proposal that had support.
620

621 Ervin Schliefer said he had not heard that comment but it might be accurate since he was told the
622 proposal had neither widespread support or opposition. He said that it would be helpful to get the local
623 newspapers involved. If the civic associations support the proposal as did those in New York City,
624 some form of local reform could be adopted in Greenburgh. Most NYC incumbents hate the finance
625 board but don't have the nerve to propose getting rid of it.
626

627 Catherine Lederer-Plaskett asked Ervin Schliefer if he was given a copy of the language that appeared
628 on the ballot.
629

630 Ervin Schliefer said he wasn't but he was given a copy of the statute.
631

632 Lester Steinman said the NYC board funds the finance board out of the NYC budget. Property taxes in
633 NYC is not nearly the issue that it is in Westchester and therefore the cost of the program to taxpayers
634 is not the same as it would be here.
635

636 Harriet Leib said she recalls Nicole Gordon stating that they wanted to change the charter for
637 something else and the finance reform measure was squeezed into the change. It passed by being
638 piggybacked on other legislation.
639

640 Harriet Leib said the next item on the agenda is approval of the March 17, 2000 and April 11, 2000
641 minutes.
642

643 Harriet Leib moved the minutes be approved. Catherine Lederer-Plaskett seconded the motion. The
644 minutes were unanimously adopted.
645

646 Catherine Lederer-Plaskett said the next issue is selecting additional dates for meetings.
647

648 Lester Steinman said the commission should consider going back to morning meetings since evening
649 meeting attendance has been poor. We need to hear from more members.
650

651 Harriet Leib said the commission scheduled evening meetings to accommodate a member who said she
652 cannot attend morning meetings but she has not attended the evening meetings either.
653

654 Stephanie Bellino said that Sally Schaadt had mentioned to commission members weeks ago that she
655 could not attend this meeting due to a school board meeting. She also cannot attend a May 2, 2000
656 meeting because the LWV is holding the school election debates that evening.
657

658 Harriet Leib said the May 2, 2000 meeting has been canceled.
659

660 Madelon O'Shea stated that the Council of Greenburgh Civic Associations will be holding its monthly
661 meeting on May 9, 2000 in the evening.
662

663 Lester Steinman suggested trying a morning meeting since the evenings seem problematic.
664

665 Harriet Leib suggested May 11, 2000, at 12:30 p.m. at Rochambeau, room 121 if available.
666

667 Rev. Wilbert Preston said that he wasn't present when subcommittee selection was made and would
668 gladly serve on one of them.
669

670 Harriet Leib welcomed Supervisor Feiner who arrived as scheduled at 9:05 p.m. She said that the
671 commission looks forward to hearing from him.
672

673 Catherine Lederer-Plaskett said that she forwarded the Supervisor questions in advance so he could
674 respond to them at the meeting.
675

676 Supervisor Feiner thanked the commissioners for their service. He feels very strongly that there needs
677 to be public financing of elections. If it was up to him there would be 100% public funding of local
678 elections. He would like a ballot question asking the voters if they would like to abolish campaign
679 contributions. He read an article recently in the NY Times regarding funding of elections in Maine.
680 Greenburgh should consider the same thing. If the commission is unwilling to take that approach then
681 the commission should consider creating a bi-partisan panel to oversee the conduct of elections in the
682 town. The bi-partisan panel would be similar in composition to this commission. They would figure
683 out what are the ten most important issues facing the community. Instead of giving public funds
684 directly to the candidates, the money raised through taxes could be used to give each candidate an
685 equal opportunity to communicate with the public through a mailing to all town residents. Each

686 candidate could be given the opportunity to provide 100-word answers about each of the ten issues
687 identified as important by the bi-partisan panel. He thinks enough public funds could be obtained to
688 also produce radio and television info-commercials that could appear on radio and cable access stations
689 as well as CNN and the Discovery Channel.
690

691 Supervisor Feiner said he is a challenger in a congressional race against an incumbent who can raise
692 substantially more money than he can. The incumbent also has the advantages of incumbency. When
693 he ran the last time, he could not raise enough to communicate with the voters. He could only afford to
694 send 2-3 mailings to Democrats who voted in off-year elections. Republicans and Independence voters
695 never received his mailings. If voters get information about the candidates they can make a more
696 informed decision. The second proposal, where the increased taxes do not go directly to candidates,
697 might be the preferred approach since he does not see how voters could reject that method of public
698 financing.
699

700 Supervisor Feiner said that there are state and federal laws regulating freedom of speech. The 10-
701 question voter guide could be an incentive to get candidates to agree to conditions. The conditions
702 could include prohibitions on candidates soliciting funds from developers.
703

704 Supervisor Feiner said that he feels strongly that cable should be non-partisan. He would like
705 everyone to be given equal access. After June or July, no candidate, including incumbents, should be
706 given more airtime than anyone else. He would definitely support those changes. If a proposal was
707 placed on the ballot and it was approved he would be willing to turn over the administration of cable
708 television to a bi-partisan panel.
709

710 Supervisor Feiner said that it is not the amount of money that is raised in a local election that makes a
711 difference, it is the ability to communicate with the voters. With the informational voters guide, within
712 a few election cycles, the guides would have tremendous credibility and voters would be voting in off-
713 year elections based on information in the guide.
714

715 Supervisor Feiner said his goal is to come up with a referendum at the local level, which could lead to
716 county, state and federal reforms.
717

718 Supervisor Feiner, responding to the question "Should elected officials be allowed to vote on matters
719 related to a contributor", said that everyone in the town can contribute, it is not just the developers.
720 Someone from the community may not want a fence to be erected next to their property. The current
721 system requires candidates to raise funds so they have an easy chance to win. He said those conclude
722 his comments in response to the questions provided. If there are any other questions he would gladly
723 answer them, he said.
724

725 Mary Tobias asked Supervisor Feiner if he was advocating public financing of cable television since
726 the town already has cable access television.
727

728 Supervisor Feiner said that he does not watch cable access television and he doubts many others do.
729 He has not watched a public access program in 3-4 years. He watches CNN. A voter like him will not
730 see something on public access. He believes a majority of Greenburgh residents do not watch public
731 access programs. Candidates need to be on popular channels such as CNN and the Discovery Channel.
732 To reach the maximum audience, we need to get the message out. If having a moratorium was an
733 important issue next year, for example, and money could be raised from a referendum, each candidate
734 would be given the opportunity to say, for example, that Greenburgh is being overdeveloped and
735 becoming "cementburgh". He could give a different opinion. Everyone would know where every
736 candidate stood on an issue. If a voter later sees him at the supermarket he might be told his position
737 on an issue in the guide was wrong. His referendum proposal will hurt incumbents like him because

738 challengers would be given the opportunity to communicate with the voters. All the advantages of
739 incumbency will never be eliminated. That is impossible. This gives challengers a fighting chance to
740 get their message out. In fact, if the voter guide is adopted, Supervisor Feiner said he believes in 46
741 years there would be a two party government in the town. It would be healthy for the community to
742 have a real challenge in local elections.
743

744 Lester Steinman said that with public financing there needs to be some threshold of support shown for
745 the candidate in order to qualify for public financing. What should that threshold be? He also asked
746 Supervisor Feiner to comment regarding how much money is necessary to run a competitive race for
747 supervisor in Town.
748

749 Supervisor Feiner said that everyone running for office must be treated equally. Who should decide
750 who is a serious candidate? When he first ran for county legislator he had no support, and he won
751 against Abinanti. The Democratic party and the Republican party was against him, yet he still won.
752 Anyone who qualifies and gets on the ballot should be allowed public financing. There are many small
753 parties-- the Right-to-Life, the Green party, the Working Families party, the Liberal party and the
754 Conservative Party-- and anyone who gets on the ballot should have the same opportunity to
755 communicate as anyone else on the ballot. If Mr. Sheehan runs for office, for example, why should he
756 be allowed to talk but not someone on the Liberal line.
757

758 Supervisor Feiner said that he was talking with Nicole Gordon today, who is a good friend of his, and
759 learned that some members went to the NYC finance board today. The problem with NYC's campaign
760 finance laws is that candidates can still raise money from developers. It isn't as good as it could be.
761

762 Lester Steinman said that leads to the second question. There is no threshold basically to qualify for
763 funds. How much public money will a candidate receive?
764

765 Supervisor Feiner said one concept is full public funding. He hasn't had a serious challenge in recent
766 years for Supervisor. His greatest expense last year was staying on the ballot, which cost \$9,000. His
767 team was able to win the primary. He said he spent \$10,000-\$15,000 last year. However, in a hotly
768 contested Supervisor's race the cost could rise to \$70,000, \$80,000 or \$100,000. In his first Supervisor
769 race in 1991, to his recollection, he raised about \$70,000 to win against Lois Bronz in the primary and
770 then Anthony Veteran in the general election.
771

772 Lester Steinman asked Supervisor Feiner to try to quantify how much the town would have to raise to
773 implement his plan of fully funding all candidates able to get on the ballot.
774

775 Supervisor Feiner said the voter guide makes a lot of sense. It is not just individual candidates. For
776 example, if there is a primary for Town Council and there is someone who can't stand him who wins
777 the Democratic primary. Just because we traditionally run as a ticket does not mean everyone who is a
778 Democratic and everyone who is a Republican will run as a ticket. Will every candidate be given
779 \$30,000 or \$50,000, or will the party be given the money? When he ran as a County Legislator
780 Anthony Veteran didn't want to associate with him and didn't give him a penny to help him. In
781 Orangetown, Tom Kleiner is having trouble with his Town Council right now. There are many fights.
782 If he runs they may not run as a team. A voter guide would be important to someone not running as a
783 team. If the referendum passed, it might generate in the first year \$30,000 - \$50,000. A decision
784 would have to be made regarding how many mailings would be sent and if they should be focused
785 mailings. Conditions could be put on participating, and candidates would have to decide if they don't
786 want in.
787

788 Harriet Leib said the shame factor is an important tool.
789

790 Catherine Lederer-Plaskett asked Supervisor Feiner what, in his opinion, is the most effective method
791 of campaigning.
792

793 Supervisor Feiner said voter contact is the reason he has been elected and re-elected. In the Town of
794 Greenburgh you don't have to buy an election but you must have the ability to communicate.
795 Challengers get very little press coverage. For example, the primary coverage of Nancy Delahunt and
796 Francis Sheehan was very limited. The Scarsdale Inquirer is better than most and may print letters to
797 the editor but few residents read that paper. The Journal News will do an article when the challenger
798 announces and another right before the election when it is probably too late to affect the election. To
799 win an election, communication with the public must be cumulative.
800

801 Catherine Lederer-Plaskett asked Supervisor Feiner if the voter guide should be available for the
802 primary or for the general election.
803

804 Supervisor Feiner said he would support a voter guide for both the primary and general elections.
805

806 Catherine Lederer-Plaskett said to Supervisor Feiner his comment about NYC's system being less than
807 it could be because candidates still raise money from developers seems contradictory, since candidates
808 in Greenburgh will still need to raise money if the publicly-funded voter guide proposal is adopted.
809

810 Supervisor Feiner said as a challenger to Congressman Gillman he has a problem communicating. He
811 cannot get much media coverage whereas Gillman as an incumbent doesn't have that problem. It is
812 hard to get name recognition. The best way to beat an incumbent is to get the issues to the voters. A
813 voter guide sent to everyone in the town would probably eliminate the need to do fund-raising because
814 the voters would be making an informed choice.
815

816 Catherine Lederer-Plaskett asked if the voter guide would solve the problems with the NYC system.
817

818 Supervisor Feiner said that it would because a condition of opting into the system could be that the
819 candidate could not accept money from developers. He has been pushing a referendum because, if the
820 voters decide local finance reform is needed, only the voters could overturn it. A referendum would let
821 the voters decide if the current system is okay or if changes are needed.
822

823 Mary Tobias asked what would happen to an existing large war chest of a candidate who wants to
824 participate in the public financing but also use the war chest to send out additional mailings.
825

826 Supervisor Feiner said he would be willing to put another condition on participation. A candidate
827 could be limited to using funds raised in a particular time period during the election year. He is not
828 looking at reform as a gimmick. He wants real campaign finance reform at the local level. He wants
829 to truly level the playing field. Additional restrictions could be placed on participation, such as each
830 individual can only raise \$20,000.
831

832 Mary Tobias said it is very difficult for opponents to raise large amounts of money without going to
833 "the big guys", the people with the deep pockets. By the time a challenger raises money it is too late in
834 the race. She is concerned about the lopsidedness of the process. A challenger cannot complete with
835 an existing large war chest.
836

837 Supervisor Feiner said another limit on participation in the voters guide could be that only a certain
838 amount of money can be spent-- \$0, \$5000, or \$10,000. No additional spending would be fine with
839 him. If a candidate doesn't participate the shame factor would be significant from the negative
840 publicity. A candidate could use the voter guide to tell everyone in Greenburgh that the opponent
841 refused to participate. The residents would vote against the person because he didn't participate. He

842 could sell the proposal to the Town Board this year but the commission needs to take the initiative now
843 because everyone is thinking about next year's election.

844
845 Harriet Leib said that many of the comments the commission heard involved contributions from
846 developers. Do you need to take money from developers?
847

848 Supervisor Feiner said that there have been numerous instances in the last two years where he has
849 voted against the interests of developers. You have to reach out to everyone. If you don't, you might
850 as well give up the race, particularly in a congressional race.
851

852 Francis Sheehan said that the commission has heard repeatedly that a referendum on this issue in New
853 York State is not legal. He asked Supervisor Feiner how a referendum could be justified?
854

855 Supervisor Feiner said that the issue has to be tied to bonding or a home rule change could be sought.
856

857 Harriet Leib said another method would be to change the powers of the elected officials, similar to
858 what the county did for the County Executive.
859

860 Supervisor Feiner said that the whole system is disgusting. If the town votes on this and something is
861 approved with restrictions, such as a war chest can't be used on a town election, then a bi-partisan
862 panel could come up with 10 questions. Five mailings could be sent out to everyone in the town. The
863 proposal could even provide for printing fliers for candidates to hand out with the answers on them.
864 Anyone who does not participate will be shut out. It would end contributions by those seeking
865 favoritism for their contributions.
866

867 Francis Sheehan said to Supervisor Feiner that the two incumbent Town Council members spent about
868 \$500 on their re-elections because he funded the rest of their campaigns. Mr. Sheehan asked
869 Supervisor Feiner if he thought a 10-question taxpayer-funded brochure is sufficient for a challenger to
870 overcome such organized opposition.
871

872 Supervisor Feiner said that restrictions could be imposed to address that. Any candidate who
873 participates could be prevented from taking contributions, from him or anyone else.
874

875 Catherine Lederer-Plaskett asked the Supervisor if he would support a restriction that required each
876 candidate to run individually, not as a team.
877

878 Supervisor Feiner said that he has a right to run as a team and send out literature as a team. If Diana
879 Juettner seeks re-election next year, he has a right to support her. If there is a restriction against
880 anyone contributing to a candidate, then he would not be able to give another candidate money.
881 However, if candidates can raise money then he has a right to give candidates contributions as well.
882

883 Catherine Lederer-Plaskett said that is the problem the commission is running into. Candidates have
884 the right to do all sorts of things and local regulations cannot stop them. What must be decided is what
885 are candidate's "rights" and which "rights" should have conditions placed upon them in return for
886 participating in the voluntary system.
887

888 Supervisor Feiner said he wants to have campaign finance reform. If no private funds are allowed,
889 then he would not be allowed to fund Diana Juettner's campaign because he wants the reforms to
890 work. He was talking with Susan Mancuso earlier in the week about the commission's discussion of
891 what is a credible candidate. This proposal will likely hurt him and his team. This commission needs
892 to look long-term. With a referendum only the voters can overturn what is proposed, not a future town
893 board.
894

895 Francis Sheehan said the commission has repeatedly discussed his charge and comments have been
896 made regarding whether proposals being offered are too broad or too narrow. He asked Supervisor
897 Feiner what, if any, restrictions has he placed on the commission's recommendations.
898

899 Supervisor Feiner said the only restriction is that there be a referendum placed on the ballot dealing
900 with partial or full campaign financing so the voters could decide.
901

902 Catherine Lederer-Plaskett asked Supervisor Feiner if he was saying that he would not support the
903 recommendations of the commission if a referendum was not legally possible due to NYS restrictions
904 on what can be submitted to the public in the form of a referendum. Lester Steinman has repeatedly
905 stated that a referendum on these issues may not be possible in NYS.
906

907 Supervisor Feiner said that if a referendum cannot be held, an informal vote could be held in the town.
908 A mailing could be sent out and a machine placed at a designated polling place so voters could cast
909 their ballot informally. The town can also ask the state legislature to grant a home rule request to give
910 the voters an opportunity to vote.
911

912 Harriet Leib said to Supervisor Feiner that when he asked the League of Women Voters to take on the
913 commission, the League agreed with the condition that the commission would be totally independent
914 and could come up with recommendations other than that related to the charge.
915

916 Supervisor Feiner agreed with Harriet Leib's statement.
917

918 Harriet Leib and Catherine Lederer-Plaskett thanked Supervisor Feiner for attending.
919

920 The meeting was adjourned at 9:50 p.m.
921
922

923 Respectfully submitted,
924 Francis Sheehan, Commission Secretary