

1 **GREENBURGH CAMPAIGN FINANCE COMMISSION**
2 **MEETING MINUTES – NOVEMBER 28, 2000**
3 **(December 05, 2000)**

4
5 Present:

6 Catherine Lederer-Plaskett, Claire Lee, Harriet Leib, Charlotte Schienberg, Ervin Schliefer, Francis
7 Sheehan, Lester Steinman, Mary Tobias

8
9 Invited Speaker:

10 Paul J. Feiner Supervisor, Town of Greenburgh

11
12 Observers: (in alphabetical order)

13 Stephanie Bellino President, Lower Manor Woods Neighborhood Association

14 Danny Gold President, East Irvington Civic Association

15 Chairman, Council of Greenburgh Civic Associations

16 Ella Preiser Secretary/Spokesperson, Council of Greenburgh Civic Associations

17 Co-founder, Grassroots for Greenburgh

18
19 Absent:

20 Elizabeth Daniel, Andrew Goodman, Erin Malloy, Susan Mancuso, Mike Reynolds, Rev. Wilbert
21 Preston, Sally Schaadt

22
23
24 The thirteenth meeting of the commission was called to order at 7:02 p.m. in room 122, at
25 Rochambeau School, 228 Fisher Avenue, White Plains.

26
27 Co-chair Harriet Leib began the meeting by directing the members' attention to the following proposed
28 overview to the commission's report:

29
30 *GREENBURGH CAMPAIGN FINANCE COMMISSION*

31 *Report to the Greenburgh Town Board and the Westchester County League of Women Voters*

32 *Greenburgh Town Hall*

33 *December 13, 2000*

34
35 *The following report made by the Greenburgh Campaign Finance Commission is the result of more*
36 *than a year of organization, collaboration and research.*

37
38 *In September 1999, the Greenburgh Town Supervisor Paul Feiner contacted the Westchester County*
39 *League of Women Voters concerning campaign reform. In a meeting with League President (until*
40 *March 2000) Jo Brill, Government Studies Chairwoman Anne Nelson and League Vice President*
41 *Harriet Leib, he requested that the League form a committee that would review Greenburgh election*
42 *practices and then hopefully draft a ballot referendum for campaign reform for Town of Greenburgh*
43 *local elections. When making his request Supervisor Feiner placed no restrictions on the League's*
44 *work (or subsequently on the commission's work) or upon its recommendations. He suggested that 1.*
45 *The committee complete its work and make its recommendations by July 1, 2000; 2. The proposal*
46 *would need bonding for one year; and 3. After one year the Town Board would budget for the expense.*

47
48 *As a result of its strong commitment to campaign finance reform and its extensive experience in this*
49 *area the League's members knew and explained that although a community could not bond for an*
50 *operating expense, it might be able to create an oversight board through referendum, similar to the*

51 *recommendations given by Westchester County's Singer Commission. The League members also*
52 *suggested requesting a Home Rule message by going directly to the New York State Legislature.*

53
54 *Supervisor Feiner clarified that he hoped for a stronger message, one that clearly stated that he and*
55 *the town trustees wanted "clean elections." He hoped that what the commission would put forth would*
56 *have a "trickle up affect" and would resonate nationally.*

57
58 *He had already secured a commitment from Elizabeth Daniel of the Brennan Center for Justice at*
59 *NYU School of Law to provide assistance in three areas: 1. The requirements and limitations of*
60 *federal, state and local law; 2. Attempts and proposals made on campaign reform nationally; and 3.*
61 *Reasons for their success or failure.*

62
63 *The League's executive board discussed the pros and cons of the supervisor's request. After an*
64 *extensive debate the League decided in favor of the project because campaign finance reform has long*
65 *been a top priority of the organizations and because the League had been assured of the commission's*
66 *independence. A letter was sent to the town indicating the League's interest in the project and the*
67 *town authorized the formation of the commission. A number of names of people to serve on the*
68 *commission were suggested by the supervisor and by League members.*

69
70 *The commission has fifteen (15) members. It has held fourteen (14) full-commission meetings,*
71 *including a public hearing and this evening's report to the Town Board and the League of Women*
72 *Voters. All meetings have been open to the public. The commission interviewed members from the*
73 *Council of Civic Association, former member of the Singer Commission Amy Paulin, Chairman of the*
74 *Westchester Board of Legislators George Latimer, Yorktown Town Councilman Nicholas Bianco, Fair*
75 *Campaign Practices Committee member Evelyn Stock, Greenburgh Town Clerk Alfreda Williams,*
76 *Greenburgh Town Supervisor Paul Feiner, 1997 and 1999 Republican Town Council Candidate*
77 *Stephanie Bellino, 1997 Democrat Town Council Candidate Nancy Delahunt, 1999 Republican Town*
78 *Supervisor Candidate and Chair of the Greenburgh GOP William Pohlmann, and other members of*
79 *the Greenburgh community. The commission members formed subcommittees in the areas of ethics,*
80 *cable access, and public financing and met numerous times. The subcommittees made draft*
81 *recommendations which were brought to the full commission for discussion and approval. The*
82 *commission held a public hearing on June 5, 2000 and heard testimony relating to the committee's*
83 *draft recommendations. Further subcommittee and full commission meetings ensued which resulted in*
84 *the final recommendations being presented here tonight.*

85
86 *The end product is a result of the combination of research and of listening to the people of the town*
87 *and the county. We must all be proud of the people's interest and concern for the betterment and*
88 *fairness of the political process.*

89
90 *The commission would like to take this opportunity to thank the Town Board Trustees and particularly*
91 *the Town Supervisor for creating the commission, the Westchester League of Women Voters for*
92 *accepting the charge, with a special bow to Government Studies Chairwoman Anne Nelson, and finally*
93 *a special salute to the members of the commission who gave so generously of their time, who agreed*
94 *and disagreed but in the end came together to promote the best for the Town of Greenburgh.*

95
96 *Lester Steinman said that much of what is in the proposed overview occurred prior to the creation of*
97 *the commission and is not appropriate coming from the commission.*

98
99 *Harriet Leib said the overview is a history of the commission's creation.*

101 Lester Steinman said the overview gives the appearance that the commission is the League. It is a
102 separate entity created after the discussions mentioned in the overview. The commission was not part
103 of those discussions.

104
105 Catherine Lederer-Plaskett suggested having a representative of the League discuss the history of how
106 the commission was created.

107
108 Lester Steinman said the League could attach its own cover letter explaining how and why it chose to
109 participate.

110
111 Harriet Leib said the reason the overview was written the way it was is to clearly indicate that the
112 commission was formed with the understanding that there was independence. It is a very important
113 issue.

114
115 Catherine Lederer-Plaskett said it is important to have in writing that the commission was created with
116 independence. It could be a letter that is attached.

117
118 Lester Steinman said he has no objection to attaching a letter from the League indicating its
119 involvement with the commission's creation.

120
121 Harriet Leib said the end paragraphs indicate what the commission actually did.

122
123 Francis Sheehan said the last sentence in the second paragraph details what the supervisor expected the
124 commission to recommend. The later statement that "the League decided in favor of the project" could
125 be interpreted as the League supporting the supervisor's expectation instead of the independent study.
126 The two issues, what the supervisor wanted and what the League agreed to, need to be separate and
127 distinct.

128
129 Charlotte Schienberg agreed that a separate statement from the League is needed.

130
131 Harriet Leib, based on the discussion, said the cover letter should consist of paragraphs 2, 4, 5, and 6.
132 The report should include paragraphs 1 and 7. Paragraph 3, which she is uncomfortable including,
133 should be removed.

134
135 Lester Steinman said the term trustees should be deleted since a town government does not have
136 trustees.

137
138 Francis Sheehan explained the terminology. The Town Board consists of five members, including the
139 supervisor; the Town Council consists of the four members of the Town Board other than the
140 supervisor.

141
142 Harriet Leib said she would make the corrections and separate the paragraphs as previously discussed.

143
144 Harriet Leib said the minutes need to be approved. She asked if minutes were missing for one
145 meeting.

146
147 Francis Sheehan said the minutes for the first meeting after the summer break have not been
148 completed. The September meeting was primarily directed to refocusing member's attention to what
149 had been discussed prior to the summer break and the need for subcommittees to meet to complete

150 their work. He intends to complete those minutes to have a complete record of the commission's
151 meeting discussions.

152
153 Harriet Leib asked for a motion to approve the November 9, 2000 meeting minutes, which were
154 distributed in advance via e-mail. She had read the minutes twice and thanked the commission
155 secretary for a job well done.

156
157 Lester Steinman agreed and made a motion to approve the minutes, which were approved
158 unanimously.

159
160 Harriet Leib said the next issue is the cable subcommittee recommendations.

161
162 Francis Sheehan distributed copies of the revised cable subcommittee recommendations, dated
163 November 28, 2000, which follows:

164
165 *GREENBURGH CAMPAIGN FINANCE COMMISSION*
166 *CABLE ACCESS TELEVISION RECOMMENDATIONS*

167
168 *To ensure fair and equal access to the Town of Greenburgh's Cable Access Television (GCAT)*
169 *channels, including access by candidates for local town office, and to provide an incentive for local*
170 *campaign finance reform initiatives, the following recommendations need to be implemented:*

171
172 ➤ *Creation of an independent, not-for-profit Cable Access Television Board (CATB) similar to the*
173 *structure and powers of Larchmont/Mamaroneck's cable access board*

174
175 *The CATB should be mandated to oversee and manage all aspects of the GCAT system, including*
176 *receipt and disbursement of cable franchise fees, which should be directed toward improving the*
177 *town's cable access system, as is the case in Larchmont/Mamaroneck.*

178
179 *The CATB should be mandated to make quality training facilities, equipment, and 24 hr/day*
180 *channel space available on an open, non-discriminatory basis to residents of the Town of*
181 *Greenburgh and maximize the use of GCAT resources.*

182
183 *The GCAT system should be funded by fifty percent (50%) of the town's cable franchise fees,*
184 *phased in over four years, 20% in the first year and 10% additional in each of the following three*
185 *years. (Larchmont/Mamaroneck directs 100% of cable franchise fees toward improving its cable*
186 *access system.)*

187
188 ➤ *Formation of a Greenburgh Fair Election Practices Board (FEPB)*

189
190 *The Town Board should create a FEPB as described in the approved Ethics Subcommittee*
191 *recommendations and charge the FEPB, in part, with (1) creating the independent, not-for-profit*
192 *CATB's bylaws and rules of procedure, (2) determining how the board should be composed and*
193 *how members should be selected, and (3) filing for and obtaining the CATB's not-for-profit*
194 *classification. Once the CATB has been created, it should continue operation independent of the*
195 *FEPB pursuant to its not-for-profit status, bylaws and rules of procedure. Thereafter, the*
196 *FEPB's role should be limited to overseeing fair and equal baseline and incentive-based cable*
197 *access during the campaign season, and mediating disputes related thereto.*

198
199 ➤ *Provision of a baseline amount of fair and equal access to all candidates*

200
201 *The CATB's rules of procedure should mandate that the amount of studio and airtime provided*
202 *candidates be not less than that provided any other Greenburgh host/producer. This baseline*
203 *level of access should be provided a candidate even if he/she decides to not participate in*
204 *campaign finance reform initiatives. (The initiatives are outlined in the Public Finance*
205 *Subcommittee's recommendations.)*

206
207 ➤ *Provision of significantly increased cable access time as an incentive to candidates to voluntarily*
208 *agree to local campaign finance reform initiatives*

209
210 *The CATB's rules of procedure should mandate that any candidate who agrees to abide by all*
211 *local campaign finance reform initiatives (outlined elsewhere) should be entitled to have his/her*
212 *show aired in a continuous, non-stop, 24-hour loop on Saturdays and Sundays during the*
213 *campaign season (June 1st to the date of the general election) along with the shows/segments of*
214 *all other local candidates agreeing to the reforms. This airtime would be in addition to the*
215 *baseline access provided all candidates.*

216
217 Francis Sheehan reviewed the changes made pursuant to the commission's direction at its November 9,
218 2000 meeting that were incorporated into the document. The previously proposed distinct interim
219 commission to create the cable access board was deleted and the authority for creating the not-for-
220 profit, independent cable access board is now shown as being bestowed on the Fair Election Practices
221 Board (FEPB) proposed by the commission. Because of its importance in creating the cable access
222 board, the creation of the FEPB has been moved up to the second bullet point.

223
224 Lester Steinman questioned the mandatory requirement of 24 hour playing of candidates' tapes on the
225 weekends, even if only one candidate participates in the reforms.

226
227 Francis Sheehan said that provision had not been altered from the previously approved proposal and
228 only applies to weekends. It is the only real "nugget" being offered by the commission to entice
229 candidates to comply with proposed campaign reform initiatives. If only one candidate initially
230 participates and has a tape running nonstop then candidates who previously decided to not participate
231 may want to reconsider to cut into the time the opponent's tape airs. Cable access coverage is the only
232 incentive at this point and it needs to be as enticing as possible.

233
234 Claire Lee said the wording should remain as proposed.

235
236 Mary Tobias agreed.

237
238 Harriet Leib agreed that the wording should not be changed. She said the next report for consideration
239 is the Ethics proposal. She asked Lester Steinman to comment on the proposal.

240
241 Catherine Lederer-Plaskett asked to reopen the approval of the November 9, 2000 minutes, which she
242 had not read prior to the meeting. While reading the minutes during the meeting, she noticed the
243 statement on page 15, lines 765-767. She said she had a problem with the statement appearing in the
244 minutes.

245
246 Francis Sheehan said her statement was a verbatim quote that he did not attempt to paraphrase due to
247 its importance in relaying the tone of her phone conversation with the supervisor and what could
248 happen to the commission's recommendations should public funding not be proposed.

249

250 Lester Steinman said one way of handling the quote is that Catherine Lederer-Plaskett could move to
251 amend her remarks.

252
253 Catherine Lederer-Plaskett suggested amending her remark to indicate that the supervisor would not
254 "be as inclined to" sell the commission's recommendations to the Town Board if public financing is
255 not included.

256
257 Francis Sheehan had no objection to the amending of the comments in the November 9, 2000 meeting
258 minutes.

259
260 Harriet Leib asked for a motion to accept the amendment.

261
262 Claire Lee made the motion to accept Catherine Lederer-Plaskett amended comment, which was
263 unanimously adopted.

264
265 Harriet Leib said the next report is the Ethics proposal.

266
267 Lester Steinman distributed copies of the revised Ethics proposal, which follows:

268
269 *Report of the Ethics Subcommittee*
270 *November 10, 2000*

271
272 *To promote strong public confidence in the integrity and fairness of the election process in the Town of*
273 *Greenburgh; to insure that the performance of elected Town officials in their assigned responsibilities*
274 *is not unduly influenced by large campaign contributions; to protect against the misuse of public funds*
275 *for partisan political purposes by monitoring taxpayer-financed mailings and the use of Town staff,*
276 *office amenities and communication facilities during the campaign season (June-November) to insure*
277 *that such mailings and uses are in furtherance of a proper public purpose; and to guarantee that all*
278 *candidates for Town office have reasonable access to Greenburgh Cable Television during the*
279 *campaign season; the Greenburgh Campaign Finance Commission recommends the establishment of a*
280 *Fair Election Practices Board ("FEPB ") for the Town of Greenburgh to oversee election campaigns*
281 *for local Town offices and to address ethical and financial issues that arise during and as a result of*
282 *those campaigns.*

283
284 *The FEPB would consist of five (5) members appointed by the Town Board. Each of the four (4)*
285 *political parties which polled for its gubernatorial candidate the four highest number of votes in the*
286 *Town of Greenburgh at the last preceding gubernatorial election as determined by the records of the*
287 *New York State Board of Elections, would be entitled to one representative on the FEPB to be selected*
288 *by the Town Board from two candidates submitted by the respective Chairs of these parties. The fifth*
289 *member of the FEPB would be a representative of the League of Women Voters of the Rivertowns*
290 *selected by the Town Board from two candidates submitted by the League.*

291
292 *The term of office for each member would be five (5) years provided, however, that the first members*
293 *so appointed would serve staggered terms with the League's initial representative serving a five year*
294 *term and the political parties' representatives serving four, three, two and one year initial terms in*
295 *descending order of their respective registration numbers in the Town. The FEPB Chair would be*
296 *chosen by the membership. A member could be removed for cause by the Town Board after a public*
297 *hearing. All actions taken by the FEPB would require the approval of a minimum of three members.*
298 *In addition to the establishment of the FEPB, the Commission recommends that the Town Board adopt*

299 *legislation necessary to eliminate potential conflicts of interest and to promote a level playing field for*
300 *all candidates as follows:*

- 301
- 302 1. *Where an election campaign related issue coming before the FEPB also involves allegations of*
303 *substance regarding conduct which may be in violation of the Town of Greenburgh's Code of*
304 *Ethics, the investigation of such alleged ethics code violation would be referred by the FEPB to*
305 *the Town's Board of Ethics. Notwithstanding any provision to the contrary in the Code of Ethics,*
306 *no additional referral from the Town Board would be required for the Board of Ethics to*
307 *consider and opine on the alleged misconduct.*
 - 308
 - 309 2. *A Town elected official shall recuse him/herself from voting on any application made by an*
310 *individual or entity which, during the twenty-four (24) months immediately preceding the date of*
311 *the vote, has made contributions and/or gifts to the official in the aggregate of \$500 or more. In*
312 *the event that the application of this provision shall result in an inability to obtain the required*
313 *number of votes for the Town Board to take action on a matter, the affected member or members*
314 *may then vote provided they first publicly disclose at the meeting the total amount contributed by*
315 *the applicant during the preceding twenty-four (24) months.*
 - 316
 - 317 3. *The use of an incumbent's name, voice, or likeness in public (taxpayer-financed) print or*
318 *broadcast advertisements pertaining to any Town of Greenburgh entity or service shall be*
319 *prohibited during the campaign season (June-November) immediately prior to the November*
320 *election at which the incumbent is running for reelection.*
 - 321
 - 322 4. *In Town facilities where campaigning or campaign material is permitted, those Town facilities*
323 *shall be available to all candidates for Town office regardless of their residency.*

324

325 Lester Steinman said that the revision includes the changes agreed to at the last meeting.

326

327 Harriet Leib asked if there were any comments regarding the Ethics Subcommittee recommendations.
328 There being none, she asked the proposal be accepted as approved, which it was.

329

330 Francis Sheehan said the commission needs to move away from referring to the proposals as
331 subcommittee proposals because they are now approved proposals of the commission. A commission
332 proposal has more weight than a subcommittee proposal and the documents should reflect the broad-
333 based support.

334

335 Harriet Leib and Catherine Lederer-Plaskett agreed.

336

337 Harriet Leib asked who wanted to discuss Elizabeth Daniel's public finance proposal and then
338 volunteered Lester Steinman to discuss the 11/27/2000 e-mail transmittal, which follows:

339

340 *Meaningful Phase I.. The Goals of the Greenburgh Recommendations*

341

342 *For the last year, the Commission has considered and reviewed several different models of*
343 *campaign finance reform — including systems of voluntary spending limits, public funding, and lower*
344 *contribution limits. As a part of that review, we also collected evidence about campaigning in*
345 *Greenburgh and about how the political process is perceived by Greenburgh residents. We heard*
346 *from candidates, successful and unsuccessful; we heard from members of neighborhood associations;*
347 *and we held a public hearing. From those meetings, we determined that Greenburgh does not yet need*
348 *its own full-scale campaign finance reform program. In part, we determined that it would be*

349 *administratively cumbersome, but we also found it was not the most effective way to address the*
350 *concerns expressed. Instead, we believe that the recommendations addressed in detail below form an*
351 *effective first step for Greenburgh. The recommendations from the Commission reflect an attempt to*
352 *further the core goals of any campaign finance reform program tailored to the needs and political*
353 *realities of Greenburgh. We do not consider the recommendations to be the final word on campaign*
354 *finance reform in Greenburgh; we consider this to be a meaningful beginning.*

355
356 *First, the recusal and/or full and current disclosure requirement represents a major step*
357 *toward preventing the appearance of corruption. When a town council member recuses himself or*
358 *herself, the possibility that the member's vote has been influenced is removed. In addition, the town is*
359 *put on notice at the time of the vote that certain interests with business before the council have made*
360 *contributions to local candidate campaigns. Similarly, if enough council members must recuse*
361 *themselves that there is no quorum and only full disclosure is required, the town is again put on notice*
362 *at the critical time that particular interests have made significant contributions to local officials. This*
363 *timely transparency -- that is linking political contributions with particular votes -- is a critical*
364 *component in fighting corruption.*

365
366 *Second, recommendations for increased and equal access to public facilities such as parks and*
367 *local cable channels form an important first step in ensuring that all candidates -- regardless of wealth*
368 *or the benefits of incumbency -- will have the opportunity to get their messages to the voters of*
369 *Greenburgh.*

370
371 *Third, the establishment of the campaign oversight committee provides an important link in*
372 *furthering citizen confidence in Greenburgh's electoral process. By establishing and enforcing*
373 *guidelines relating to the use of public resources by incumbents during the campaign season, the*
374 *committee ensures that no candidate may take special advantage during the election and thus, create*
375 *an uneven playing field.*

376
377 *Fourth, the provision of significantly increased cable access time to candidates who agree to*
378 *abide by certain contribution limitations and enhanced disclosure gives Greenburgh an opportunity to*
379 *put a thorough reform program in place. The enhanced cable access ensures that candidates can*
380 *reach the public without spending and raising substantial sums of money. In addition, the voluntary*
381 *spending and contribution limits can serve to reduce the role of money in the campaign and thus,*
382 *reduce the appearance of corruption.*

383
384 *In closing, one of the primary goals of any campaign finance system is to combat corruption*
385 *and the appearance of corruption -- including the sense that "special" or "moneyed" interests have*
386 *too much power over elected officials. Another goal of campaign finance reform is to ensure that all*
387 *candidates, regardless of wealth, have the opportunity and ability to communicate with voters during*
388 *the election season. We believe these recommendations serve both goals and form an important first*
389 *step to a more thorough reform program in the future, should one be needed.*

390
391 Lester Steinman said references to spending caps needs to be deleted because spending caps are not
392 being proposed. He also objected to the word "corruption" used throughout the document and
393 suggested substituting phrases such as "preventing conflicts of interest and the appearance of
394 impropriety" and "a critical component of preserving the integrity of the process," as appropriate.

395
396 Harriet Leib agreed, stating that "corruption" is a harsh word. The commission members read through
397 the document, substituting various phrases where appropriate for the word "corruption".

398

399 Lester Steinman then read the following draft proposal by Elizabeth Daniel:

400

401

RECOMMENDATIONS OF PUBLIC FINANCE COMMITTEE

402

403

404

405

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411

1. Disclosure by participating candidates should be more frequent and more descriptive than state law requires, and include the contributor's full name, residence, business address, and employer.

412

413

414

2. An agreement to accept contributions no greater than \$250 (recommended) per election.

415

416

417

418

3. An agreement not to accept "interested" contributions as defined by the Fair Elections Practices Commission.

419

420

421

4. An agreement to participate in a minimum number of debates sponsored by non-partisan organizations.

422

423

424

425

426

Francis Sheehan recommended changing the preamble clause "access to the local cable access station" to indicate cable access as proposed by the commission. It is not enough to give candidates access to a television station, the access has to be to a fair, high-quality cable access system as proposed by the commission to be a meaningful incentive for reform.

427

Lester Steinman said he would make the change.

428

429

430

431

432

433

Francis Sheehan said he spoke to a campaign treasurer. The first provision would require treasurers to maintain two sets of documents, one for the Board of Elections and a more detailed one for the proposed Fair Elections Practices Board. He agrees with the idea of increased disclosure of data but has learned that it would be an overwhelming task for a volunteer treasurer.

434

Lester Steinman suggested deleting the first provision.

435

436

437

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446

Francis Sheehan said the second provision does not limit the amount of money an individual candidate can contribute, basically allowing a very wealthy candidate to pour tens of thousands of dollars into his/her own campaign and still get increased cable access in Greenburgh. Candidates should not be allowed to buy an election and still be considered "blue ribbon" candidates. He suggested leaving the individual contribution at \$250 and adding a salary-based percentage limit on the candidates' personal funds. For example, a 10% limit on a town supervisor who earns \$100,000 would be \$10,000; a town council member who earns \$23,000, would be limited to \$2,300. It would still be a significant amount of money. The limit would not prohibit anyone from mounting a campaign but would but some cap on how much could be personally spent. Perhaps a 5% limit would be more appropriate. Regardless, a cap is needed.

447

448

Catherine Lederer-Plaskett said that caps on contributions tend to hurt challengers, not incumbents. Incumbents tend to have large coffers from prior elections with which challengers can't compete.

449
450 Francis Sheehan said the provision could be written to limit the candidate to a percentage that includes
451 any personal monies and past campaign funds.
452
453 Catherine Lederer-Plaskett said the incumbents tend to run as a team and pool their money, which is
454 not addressed in the proposal.
455
456 Harriet Leib said caps on candidate contributions are needed.
457
458 Lester Steinman said that he would defer to whatever recommendation Catherine Lederer-Plaskett and
459 Francis Sheehan agree upon.
460
461 Francis Sheehan suggested the dollar limit, whatever it is, apply to the total of the candidate's personal
462 funds and prior campaign funds. If the limit is \$5,000 then the candidate may not contribute more than
463 \$5,000 from both personal funds and any prior campaign fund. Everyone other than a candidate would
464 be limited to the contribution limit of \$250.
465
466 Catherine Lederer-Plaskett agreed with the proposal.
467
468 Harriet Leib said she prefers a set dollar amount on candidates instead of a percentage.
469
470 Francis Sheehan said the reason he proposed a percentage was because there is a difference in the cost
471 of a race for supervisor and one for town council. However, he does not object to a fixed dollar
472 amount instead of a salary-based percentage.
473
474 Mary Tobias said \$10,000 is a large amount of money to allow a candidate to contribute to a local race.
475
476 Catherine Lederer-Plaskett suggested an across-the-board dollar amount.
477
478 Harriet Leib asked how much a town council race costs.
479
480 Francis Sheehan said a competitive town council race requires about \$15,000. To start a campaign
481 candidates must expend money until contributions are received. The first mailing must be paid for by
482 the candidate if he/she has no prior campaign fund.
483
484 Ervin Schliefer suggested amending the second provision to provide for a \$2,500 combined limit for
485 the candidate's own funds or funds in a campaign account from a prior campaign. The
486 recommendation was unanimously approved by the commission.
487
488 Lester Steinman said the term "interested" in the third provision is problematic.
489
490 Francis Sheehan said the term "interested" isn't needed. The candidates need to abide by the rules of
491 the Fair Elections Practices Board and should not accept contributions the board deems inappropriate.
492
493 Harriet Leib suggested substituting the word "inappropriate" for "interested".
494
495 Francis Sheehan said the fourth provision of the proposal regarding a candidate being required to
496 attend a minimum number debates assumes that someone will sponsor the debates and it does not
497 require that the debate be sponsored by a non-partisan group. In the last election, the League of
498 Women Voters sponsored debates and many incumbent-candidates failed to appear, claiming

499 scheduling conflicts with small friendly neighborhood debates they planned to attend. Candidates
500 should be required to attend League of Women Voters debates and Council of Greenburgh Civic
501 Association debates if they are held. Candidates should not be considered to have debated if they fail
502 to attend major sponsor debates, such as those sponsored by the League of Women Voters.

503
504 Claire Lee asked what the Singer Commission recommended.

505
506 Harriet Leib said the Singer Commission recommended two debates.

507
508 Mary Tobias said the word “if” must be included in the proposal because the minimum number of
509 sponsored debates may be zero.

510
511 Harriet Leib asked Lester Steinman to make the suggested changes to reflect that candidates must
512 attend at least two debates-- one by the League of Women Voters, if the League sponsors a debate; and
513 a second debate if sponsored by another non-partisan organization.

514
515 Lester Steinman said he would take the Ethics recommendations out of draft status and would make
516 the approved changes to the Public Finance recommendations.

517
518 Harriet Leib said the changes, once made, should complete the commission’s work.

519
520 Supervisor Paul Feiner arrived at 8:02 p.m.

521
522 Harriet Leib welcomed and introduced Supervisor Feiner.

523
524 Supervisor Feiner said that he has not yet seen the commission’s report. He thinks very strongly that
525 an “extreme measure” is needed to abolish campaign fundraising in its entirety. There should be a
526 referendum that will be a model for the country to follow. No candidate should be able to accept any
527 money from anyone. The town should send out a series of mailings for the candidates and use cable
528 television to promote the candidates’ views on issues. Based on his experience as a candidate for both
529 federal office and local office, there are so many ways to get around contribution rules and regulations.
530 For example, most developers will only contribute to an incumbent. If a developer is prohibited from
531 contributing to a campaign, the developer won’t contribute. Instead, he will call his friends to make
532 contributions. It is done all the time. No one will be able to track down that the real source of the
533 contributions was the developer. The incumbents will have all the advantages they had before the
534 reform restrictions because the contributions will be made through the “back door”. Anyone can get
535 around Ethics rules and regulations, based on his observations of the national elections. A very strict
536 rule is needed to prevent the influence of contributions: No one should be allowed to contribute to
537 candidates.

538
539 Supervisor Feiner said prohibiting contributions would benefit challengers. A decision should not be
540 made based on the like or dislike of his administration. A campaign finance reform plan should be in
541 place for decades, not just the next few years. The only reason a referendum is preferred is so that the
542 reforms cannot be changed by future town administrations that may not like the reforms. It is almost
543 impossible for a Town Board to change a referendum adopted by the voters.

544
545 Lester Steinman asked Supervisor Feiner if he proposes full funding of all local candidates.

546
547 Supervisor Feiner said that he could support full funding or a partial funding approach involving 2-3
548 mailings on given issues. The mailings would be like the League of Women Voters’ pre-election

549 guide, but more detailed. There could be a brochure on land-use issues and another mailing that was
550 biographical. Cable television with really fair guidelines could be used by the candidates. A candidate
551 who has ten million dollars will not opt into the proposal but in a few years it would be very difficult
552 for a candidate for local office to win an election without participating because participation will gain
553 credibility with the public. A candidate who opts in would not need any money.

554
555 Lester Steinman said a candidate would need to expend money to support the campaign at the lowest
556 level. Going door-to-door costs money.

557
558 Catherine Lederer-Plaskett said palm cards are expensive.

559
560 Supervisor Feiner said a certain amount of money could be given to each candidate or slate to cover
561 those costs but it would be better to do it right by fully funding the candidates. It would be a model for
562 the nation. It would really have an impact. It would also be easier to sell the commission's proposal to
563 the Town Board if it includes public funding. He would aggressively push it even though he has all the
564 advantages of incumbency. He wants to be enthusiastic when he reads the commission's proposal,
565 which he would be if a public funding referendum were one of the recommendations.

566
567 Mary Tobias said a full-funding approach would be very expensive to the taxpayers because
568 campaigns are expensive. Mailings are particularly expensive. Candidates with money will not play
569 along.

570
571 Supervisor Feiner said town races do not have to be expensive. He can win next year's supervisor
572 election with "a couple thousand dollars". In his race against Congressman Gilman, he sent out one
573 mailing in Westchester and spent one-half hour campaigning in Greenburgh and received 65% of the
574 vote in Westchester. Most incumbents, whether they are town council members or a town supervisor,
575 have all the advantages. He wants to come up with a plan that gives a challenger the ability to
576 communicate with the public. Most challengers cannot reach out to the voters. Very few people will
577 contribute to an underdog or someone other than an incumbent. They want to contribute to someone
578 who will win. Under his plan, a challenger would be able to reach the voters and say that the
579 incumbent did something wrong and the challenger could do better. The voter guide would gain
580 tremendous credibility with the public because it would not be just another piece of campaign
581 propaganda.

582
583 Supervisor Feiner said he is convinced full taxpayer funding of candidates would actually save
584 taxpayers money long-term. There is so much temptation for people in government to give non-
585 bidding contracts to people who will donate to a campaign. For example, he required a potential
586 contributor to undergo competitive bidding and because he did so the contributor, who lost the bid,
587 refused to hold a promised fund-raiser. If he didn't require the competitive bidding it would have
588 driven up the cost to taxpayers. Ultimately, with his proposal, there will be no influence by
589 contributors. It would be a plus for the town and save taxpayers money in the long run.

590
591 Mary Tobias said that to really level the playing field, a challenger would need a large amount of
592 money to offset the name recognition of an incumbent-opponent. The supervisor is well known so a
593 challenger without his name recognition would need a much larger amount of pre-election voter
594 contact to counter the difference, which 2-3 joint mailings would not accomplish.

595
596 Harriet Leib explained to Supervisor Feiner that many on the commission personally support public
597 financing but, after listening to the community and others, came to the realization that it would not be a
598 realistic recommendation. The commission members came to the commission with open minds. She

599 said commission member Ervin Schliefer was also on the county's Singer Commission and he came to
600 the same realization.

601
602 Catherine Lederer-Plaskett said the commission is trying to level the playing field without significant
603 tax dollars. Supervisor Feiner was able to receive 65% of the vote in Westchester with one mailing.
604 Challengers cannot expect to do the same. They would have to do many mailings to be competitive.
605

606 Supervisor Feiner said that if Catherine Lederer-Plaskett ran against him and he was trying to put
607 cellular antennas in people's backyards and was supporting a 2000 unit development that could clog
608 the streets, with his taxpayer-funded mailing proposal, every voter would learn what she supports and
609 what she doesn't like about him. People would be influenced by what was in the nonpartisan guide.
610 Voters are issue-oriented in local races. His proposal would result in a better chance to have a more
611 diverse town board, and result in a Town Board with members from different political parties. The
612 playing field can never be leveled between incumbents and challengers. For example, he did not have
613 enough money in his congressional campaign against Congressman Gilman to reach every voter.
614

615 Supervisor Feiner said he has not seen the commission's report yet. There may be parts of it he likes.
616 He will try selling the recommendations he likes to the Town Board. He would feel better selling it if
617 one of the recommendations was that no campaign contributions were allowed. The other
618 recommendations, such as more cable access, could be included also. He would be much more
619 receptive to really giving the commission's recommendations everything he has and making them a
620 major priority and really working aggressively for them if campaign funding was included.
621

622 Supervisor Feiner said he has already spoken to the Town Council members and already knows it will
623 not be easy to sell the commission's recommendations to them. If he could simplify the
624 recommendations, his job of selling them would be easier.
625

626 Supervisor Feiner said he will have to find a legal way to have a campaign funding referendum. If one
627 is not legal, then the state legislature could be asked for home rule permission so the town could put a
628 campaign funding reform measure on the ballot. If there is something much more extreme than what
629 the commission is proposing, then he could tell Town Council members it is a package deal and get the
630 other proposed reforms. He could go to Albany and ask permission. He thinks he would be successful
631 getting the state legislature to go along with it. If the Town Council members do not like it they can
632 campaign against it, but he would campaign for it. If the voters do not approve it, then local
633 campaigning can continue with the old ways.
634

635 Harriet Leib said she hopes the town won't go back to the old ways. She said she hopes the town will
636 adopt the commission's recommendations.
637

638 Supervisor Feiner said the public should be given a chance to decide if they want or don't want politics
639 as it is. He knows, based on the comments he hears at the supermarket every week, that the public
640 would support public funding.
641

642 Harriet Leib said the public did not express that opinion to the commission.
643

644 Supervisor Feiner said the commission could have heard from activists or people who tend to show up
645 at meetings. They are one segment of the community.
646

647 Mary Tobias said the public Supervisor Feiner is talking to might be less inclined to support public
648 funding if the actual tax increase needed for such funding was known.

649
650 Ervin Schliefer said he would be more comfortable if there was some empirical data showing support
651 for a referendum.
652
653 Catherine Lederer-Plaskett said the Fair Election Practices Board proposed by the commission will
654 have to be funded somehow. The recommendations will require some funding. The problem the
655 commission had to contend with is that almost everything involved in a campaign involves funding,
656 such as a telephone bank, etc. Aside from the comments at public meetings, Harriet Leib and she have
657 their own social circles and have discussed with each other how raising the issue of taxpayer funding
658 raises a red flag. The county also did not want to touch public funding of campaigns.
659
660 Harriet Leib said that is why the Singer Commission's campaign finance reform proposal died.
661
662 Supervisor Feiner said the Singer Commission died because everyone was in government. Everyone is
663 for campaign finance reform until they get elected. Once they get elected, there are so many
664 advantages of incumbency, they turn against the reforms. His hidden agenda is for Greenburgh to
665 adopt campaign finance reform that is so strong that it becomes a model for the county, which then
666 becomes a model for the state, which then becomes a model for the country. He wants to focus on the
667 issue next year and get it passed so it will be impossible for the county to not pass county-wide
668 reforms. Once one community does it, it puts pressure on other communities. It is a bottom-up
669 approach, putting pressure on the higher levels of government to do something.
670
671 Supervisor Feiner said that when he first proposed the town's open space referendum, he campaigned
672 for it and it got 64% of the vote. He is running for re-election next year. He will make it a major part
673 of his campaign. His gut feeling is he would get the same percentage of people to vote for it who vote
674 for him. It would pass.
675
676 Mary Tobias asked Supervisor Feiner if he questioned the commission's public hearing.
677
678 Supervisor Feiner said his comments regarding public comments heard by the commission were not
679 intended to mean that the commission did not hold open and fair meetings. The commission tried
680 extremely hard to open up the process and did everything that could be done to obtain public comment.
681 The problem is that the average voter does not show up at meetings unless threatened by an issue.
682 Campaign finance is not an issue that causes people to show up. He wants to prove to people that
683 campaign finance reform could work. If the commission were to recommend his proposal and it does
684 not work, modifications could always be made. It could be changed, tweaked, until it is something to
685 be proud of.
686
687 Charlotte Schienberg introduced herself to Supervisor Feiner and said that she is proud of the
688 commission's recommendations and that he will be pleasantly surprised with the report.
689
690 Supervisor Feiner said that he needs to be able to sell the recommendations to the Town Council. The
691 Town Council members have told him that the commission was not asked to look at ethics issues, etc.
692 His ability to get something enacted will be 100% easier if public funding of campaigns were included
693 with all the other recommendations of the commission. He does not want the report to be dumped. He
694 does not want others to say that the Town Board isn't doing anything or isn't doing enough after
695 having a commission look at the issues. He wants something on the books. If the commission throws
696 in public campaign funding, he can sell it to the Town Council.
697

698 Harriet Leib said the commission had a Public Financing Subcommittee which developed meaningful
699 phase I recommendations, which open the door to further reforms. The commission is hoping the
700 Town Board will create the proposed Fair Elections Practices Board, which hopefully will eventually
701 have the power to add to the recommendations of the commission. It is a gradual process. The
702 commission is certainly not closing the door on additional reforms.

703
704 Supervisor Feiner said the commission should seize the moment. There is only one opportunity. He
705 can sell it. It would take work but he could sell it. If he could sell the public funding aspect, then he
706 could sell a good chunk of what is in the commission's report. Without public funding, what will
707 happen is the Town Council will take a little bit from here and there in the report and people will not
708 feel as though many of the commission's recommendations were approved. With public funding, he
709 would campaign day and night to get the voters to approve it. It should be part of a referendum and
710 put to a vote of the public. He would campaign aggressively for it.

711
712 Charlotte Schienberg said that he would be pleasantly surprised with what the commission
713 recommends.

714
715 Supervisor Feiner said he has been in elective office for eighteen years and knows what garbage is
716 involved in the process. He knows how horrible fundraising is. He knows how corrupt the whole
717 process is. He knows how sleazy the system can get. He wants to end it. It is not only developers. If
718 someone contributes \$1000 and has a fundraiser for him, and then someone proposes a subdivision
719 near the contributor's house, it can interfere with his independent analysis of the project. Public
720 funding would end that. Everyone would have a level playing field.

721
722 Charlotte Schienberg said that the commission is proposing controls for many of the issues he raised
723 and that he should wait for the report because he will like what he sees.

724
725 Supervisor Feiner asked when he would get the final report.

726
727 Catherine Lederer-Plaskett said the commission would be presenting the report at the December 13,
728 2000 Town Board meeting and would get copies of the report to the board in advance.

729
730 Supervisor Feiner asked the commission to consider what he said after he leaves. He said another
731 possibility would be to ask the state legislature for home rule permission and present the commission's
732 package in its entirety to the voters. The voters could vote it up or down. It would avoid having the
733 Town Council complain about all the rules in the proposal. Otherwise, he will have a difficult time
734 selling it to the Town Council. With the home rule approach, he could tell the Town Council that the
735 least they could do is present it to the voters. If Town Council members don't like it, they can
736 campaign against it. He would lobby for it. The commission could also include a provision that after
737 four years the proposal must be reviewed.

738
739 Harriet Leib said the supervisor has given the commission much to consider and thanked him for his
740 attendance and comments.

741
742 Supervisor Feiner left the meeting at 8:40 p.m.

743
744 Harriet Leib asked Claire Lee to contact the Rivertowns League of Women Voters that the commission
745 would be presenting the recommendations at the Town Board's December 13, 2000, meeting, at 7:15
746 p.m.

747

748 Francis Sheehan suggested revisiting the Public Finance Subcommittee recommendations to address
749 in-kind donations such as those mentioned by Supervisor Feiner. He said candidates are supposed to
750 timely file financial disclosure forms with the Board of Elections several times each year. Many
751 candidates do not treat the deadlines as firm deadlines, but they should, at least those expecting to
752 receive greatly increased cable access time. Full compliance with the election laws, including timely
753 compliance with financial filings that include direct and in-kind donations should be encouraged. It
754 could be added as one of the Public Finance Subcommittee recommendations.
755

756 Lester Steinman suggested including the wording in the cable access recommendations instead because
757 the Public Finance Subcommittee recommendations are the voluntary steps a candidate must follow to
758 receive extended cable access. Compliance with finance disclosure is not voluntary. It is NYS law. It
759 would be stronger to include the proposed wording in the cable access recommendations.
760

761 Francis Sheehan agreed.
762

763 Harriet Leib asked Francis Sheehan to update the Cable Subcommittee recommendations to reflect the
764 new wording.
765

766 Francis Sheehan suggested that candidates who comply with the proposed reform measures be
767 considered "blue ribbon" candidates, similar to the label the Singer Commission proposed giving
768 participating candidates.
769

770 Harriet Leib agreed.
771

772 Catherine Lederer-Plaskett said that the home rule issue raised by Supervisor Feiner should be left to
773 Supervisor Feiner to do with what he wishes. The commission should not get involved in the issue. If
774 he wants to do it, let him go ahead with it. There are some issues recommended by the commission
775 that will cost money to implement such as the Fair Elections Practices Board. It is up to the Town
776 Board to find funding.
777

778 Harriet Leib said the creation of a board was the issue the county used for justifying a referendum.
779

780 Lester Steinman said the commission should maintain its position regarding not getting involved in the
781 referendum issue. The town will need an opinion from its bond council regarding the feasibility of
782 having a referendum. It is not an issue the commission can or should address.
783

784 Stephanie Bellino, after asking if she could speak, thanked the commission for all its hard work. She
785 said opponent-candidates learned during the last election how poor and unfair is the town-controlled
786 cable access system. She said the commission needs to really push its reform recommendations. If the
787 Supervisor wants a campaign funding ballot issue, he could put his proposal on the village ballots in
788 March and, if it is approved, it could then go forward in November on the ballot in the unincorporated
789 area. She again thanked the commission.
790

791 Harriet Leib asked how the presentations should be made. She suggested each of the subcommittees
792 present its particular recommendations.
793

794 Catherine Lederer-Plaskett said the commission is listed on the Town Board's meeting agenda under
795 "Supervisor's Announcements". An overview is all that is needed. Copies of the documents should be
796 available for those who want them.
797

798 Charlotte Schienberg said there are bullet points on some of the recommendations that can be read.

799
800 Catherine Lederer-Plaskett said the presentation should not be lengthy. It is very close to the holidays.
801 Much of it can be presented in the documents.

802
803 Harriet Leib said Francis Sheehan is the publicity person. She said she will invite George Latimer,
804 Tom Abinanti and Lois Bronz.

805
806 Francis Sheehan said that the presenters should present the subcommittee's recommendations as
807 approved commission recommendations. They are no longer subcommittee recommendations.

808
809 Catherine Lederer-Plaskett suggested having an actual vote to accept each of the subcommittee
810 recommendations as approved by the commission in case it was not done earlier.

811
812 Claire Lee made the motion to approve all three subcommittee recommendations. The motion was
813 adopted unanimously.

814
815 Harriet Leib said that Catherine Lederer-Plaskett and she would make the initial presentation. The
816 subcommittee chairs can present the approved recommendations.

817
818 Catherine Lederer-Plaskett suggested the commission break with past practice and have the town make
819 the copies of the reports.

820
821 Lester Steinman asked if the report was going to be voluminous.

822
823 Harriet Leib said the report should consist of the overview and the three approved subcommittee
824 recommendations.

825
826 Charlotte Schienberg said there should be supporting backup material in the report.

827
828 Harriet Leib said the Town Board members have the meeting minutes through June but the
829 commission can give them a complete set in the final report. She asked Francis Sheehan to prepare a
830 complete set.

831
832 Francis Sheehan said the pages consisting of the overview and recommendations should look as though
833 it is a single document from the entire commission, not separate documents from subcommittees.

834
835 Harriet Leib asked what date the material should be forwarded to the Town Board.

836
837 Catherine Lederer-Plaskett said the date previously decided was about December 1.

838
839 Harriet Leib said a December 6th transmittal will be fine.

840
841 Francis Sheehan said it would be good to have the final report to send to the press and include in the
842 press release.

843
844 Lester Steinman agreed and suggested waiting until the packets were compiled before sending the
845 press release.

846

847 Harriet Leib said the copies will be ready by December 8^h. The press could be given a heads-up that
848 additional detail is coming. She will get the final documents to Francis Sheehan. She asked who will
849 make the copies.

850
851 Francis Sheehan asked what happened to the \$100 that commission members contributed earlier in the
852 year.

853
854 Catherine Lederer-Plaskett said the money was used for coffee at an earlier meeting and all the copies
855 she made at the Board of Elections.

856
857 Francis Sheehan said he was concerned because the minutes of an earlier meeting indicate that he has a
858 set of the copied Board of Elections documents and he never received them.

859
860 Catherine Lederer-Plaskett said she would give Francis Sheehan the documents.

861
862 Francis Sheehan said a copy would be fine.

863
864 Harriet Leib asked Francis Sheehan to send her an updated copy of the cable access recommendations.

865
866 Francis Sheehan said he would e-mail the minutes of the meeting even though the commission will not
867 be having another meeting to approve them.

868
869
870 The meeting was adjourned at 9:01 p.m.

871
872
873 Respectfully submitted,

874 Francis Sheehan, Commission Secretary