

From: David Shapiro

Date: September 2, 2021 at 1:58:57 PM EDT

Subject: legal opinion regarding ordinance for 268A disclosures

Dear Members of the Committee on Confirmation and Appointments:

You have asked whether the Council may enact an ordinance which requires the City Clerk to provide copies of 268A ethics disclosures to the City Council upon filing with the City Clerk. While an Order and/or request would likely suffice, in my opinion, there is no legal prohibition on enacting such an ordinance, as the documents are otherwise public records, and the City Clerk reports directly to the City Council.

You have also asked for the process to rescind Special Municipal Employee status. Special municipal employee status may be rescinded by vote of the Council. (See State Ethics Commission Guidance: Special Municipal Employees- Explanation of the Conflict of Interest Law).

I am sending via bcc to prevent any inadvertent Open Meeting Law concerns.

Please let me know if you have any additional questions.

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