

## Town of Lansing Board

### Re: Ethics Committee Report regarding Scott Pinney

At the request of Lansing Town Supervisor, Scott Pinney, the Town of Lansing Ethics Committee conducted an investigation regarding the purchase of highway material from Genoa Sand and Gravel and the rental of heavy equipment from Eagle Rental, companies that his wife, Tracy Pinney, owns (it was also noted that the company that Scott Pinney owns, Alex Cole Paving, had regularly done business with the Town of Lansing, but ceased all such relations when Scott Pinney took office). During the course of the investigation the Ethics Committee held several meetings to examine this issue.

The investigation consisted of interviews of Scott Pinney, Town of Lansing Supervisor and Guy Krogh, Town of Lansing Attorney, an examination of Town of Lansing Highway Department purchasing documents and a review of audit reports by the State of New York.

Several factors were considered as we reached our decision as to the ethical conduct of Scott Pinney in the above described matter.

1. Scott Pinney disclosed his business relationships with the Town of Lansing Attorney, Town of Lansing Board, Town of Lansing Ethics Committee and made public his business relationships through a news article in the Lansing Star. Much of this disclosure took place even before he had assumed office. In addition Scott proactively sought an advisory opinion, long before the audit by New York State, from the New York State Comptroller's office about this subject to which he has received no response.
2. The Town of Lansing Highway Department has independent purchasing authority and does not require Town of Lansing Board approval for individual purchases. Furthermore, Scott Pinney had an alternate Town Board Member approve payment of any purchase orders relating to either Genoa Sand and Gravel or Eagle Rental.
3. Once the New York State Comptroller's Office recommended that the Town of Lansing Highway Department discontinue purchasing material from Genoa Sand and Gravel and renting equipment from Eagle Rental to avoid the opportunity for impropriety, the Highway Department discontinued purchasing from these two companies. This change resulted in thousands of dollars in increased cost to the Highway Department and the taxpayers of Lansing.
4. After examining Town of Lansing Highway Department Purchase Orders it was determined that gravel was correctly purchased at the Tompkins or Cayuga County bid prices (such that there was no actual negotiation over price and the contract price had been set by the respective County's bid procedures). In addition equipment rentals followed purchasing procedures requiring three (3) quotes prior to selecting the vendor. It is also noted that prior to and throughout this time the Town of Lansing had stricter purchasing and procurement requirements than as required by New York State, and these were adhered to in each and all purchases and procurements.

5. The purchasing system of the Town of Lansing Highway Department was independently audited by both the State of New York and by the accounting firm of Ciaschi, Dietershagen Little and Mickelson and no improprieties were found.

Given the information considered above, the Town of Lansing Ethics Committee finds that no unethical behavior has taken place and agrees that the auditor's recommendation of discontinuing doing business with Genoa Sand and Gravel and Eagle Rental should remain in place as a method of avoiding an opportunity for impropriety.

It is the request of the Town of Lansing Ethics Committee that any future Ethics issues should be referred to the Ethics Committee in writing via the attached form with the understanding that the investigation process will include an in person interview.

Respectfully Submitted,

Scott M. Pronti  
Chair – Town of Lansing Ethics Committee

Thomas Jones  
Town of Lansing Ethics Committee

Hurf Sheldon  
Town of Lansing Ethics Committee

Marty Christopher  
Town of Lansing Ethics Committee

Jack French  
Town of Lansing Ethics Committee