

## ULSTER COUNTY BOARD OF ETHICS

NAME OF COMMITTEE: Board of Ethics

DATE: January 24, 2022

TIME: 5:30 PM

PLACE: Law Offices of Basch & Keegan  
303 Clinton Avenue  
Kingston, New York

BOARD MEMBERS PRESENT: Derek Spada, Chair  
Lou Klein  
Kenneth Hassett  
Gerald Benjamin (at 6:05pm)

BOARD MEMBERS ABSENT: Marjorie Rovereto

OTHERS ATTENDING: Judy Riley, Assistant to the Board of Ethics  
Joseph DiFalco, Citizen

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The Board of Ethics Meeting was called to order at 5:36 PM by Derek Spada, Chair.

Mr. DiFalco was in attendance and the Board discussed his 3-page letter with 3 exhibits which was an additional submission to his original complaint. Mr. DiFalco discussed the matter and wants a decision and feels it is taking too long. He asked if the Board had received the information they requested from the Clerk of the Legislature. They had not. Mr. DiFalco stated that he would be submitting more information and allegations with regard to a FOIA request he has pending. Ken H. stated that the Board can only address any conflicts as it relates to the Ulster County Board of Ethics & Disclosure Law. Gerry B. asked if the complaint addresses any focused allegation as it relates to the Ethics & Disclosure Law? Lou K. agrees that it has to relate to a conflict of interest or to some other area of the Ethics Law. One letter refers to 44-2 of the Ethics & Disclosure Law. Mr. DiFalco stated that there was an appearance of a conflict of interest and an ethical violation. He will be bringing the Board of Ethics further charges but would not elaborate. Mr. DiFalco left at 6:02pm.

6:03 pm Motion was made to enter into Executive Session to discuss the Complaint, Derek Spada 1<sup>st</sup>, Ken Hassett 2<sup>nd</sup>, unanimously approved.

6:30pm Motion was made to exit Executive Session Derek Spada 1<sup>st</sup>, Gerald Benjamin 2<sup>nd</sup>, approved unanimously.

Motion was made: As a result of the discussion of the Board of Ethics in Executive Session the Board will send letter to complainant stating that they will review all the information after they receive Complainants next submission which will complete his complaint submission to the Board. The letter will ask complainant to be specific and to reference the sections of the Ulster County Board of Ethics & Disclosure Law as it relates to the allegations, and will call for a timely submission so they have the information before the next board meeting. This matter will be tabled in its entirety until the next meeting and the Board will send a letter to the Clerk of the Legislature regarding the Board's previous request. Board may ask the County Attorney for an advisory opinion after response from Clerk of Legislature. Derek Spada 1<sup>st</sup>, Gerald Benjamin 2<sup>nd</sup>, unanimously approved.

Motion to approve the Board of Ethics minutes from the December 6, 2021 meeting. Derek Spada 1<sup>st</sup>, Ken Hassett 2<sup>nd</sup>, unanimously approved.

Motion was made to appoint Derek Spada as the Chair of the Board of Ethics for 2022. Lou Klein 1<sup>st</sup>, Ken Hassett 2<sup>nd</sup>, unanimously approved.

Derek S. gave an update with regard to the invoices he sent the County for use of his conference room. He submitted invoices for the last 3 meetings. He has not been paid yet. He did talk to the County Attorney and will be paid out the County Attorney's budget. They are looking at options as to where to meet on county property.

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The Board discussed the status of the 2019 and 2020 Financial Disclosure Forms. Judy R. stated that there are 29 forms (2019) outstanding and 15 forms (2020) outstanding. Motion was made to send a letter to the outstanding filers stating that the Ethics and Disclosure Law provides for thoughtful civil and criminal penalties for failure to file the Annual Financial Disclosure Form. Forms must be filed with the Clerk of the Legislature no later than February 17<sup>th</sup>. Derek Spada 1<sup>st</sup>, Gerald Benjamin 2<sup>nd</sup>, unanimously approved.

Next meeting will be held February 22, 2022 at 5:30pm.

6:47pm Motion to adjourn the meeting: Derek Spada 1<sup>st</sup>, Gerald Benjamin 2<sup>nd</sup>.

Respectfully submitted, Judy Riley, Secretary to the Board of Ethics.