

## ULSTER COUNTY BOARD OF ETHICS

NAME OF COMMITTEE: Board of Ethics

DATE: February 22, 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  
Marjorie Rovereto  
Gerald Benjamin

BOARD MEMBERS ABSENT: Kenneth Hassett

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

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The Board of Ethics Meeting was called to order at 5:45 PM by Derek Spada, Chair.

Motion to approve the Board of Ethics minutes from the January 24, 2022 meeting. Marjorie Rovereto 1<sup>st</sup>, Derek Spada 2<sup>nd</sup>, unanimously approved.

The Board addressed Mr. DiFalco with regard to his matter. The Board stated that they did not receive the documents requested per the FOIL request to the Ulster County Legislature. Mr. DiFalco stated that it was taking too long a decision should be made, and since the Board has not received a response from the legislature, they should base their decision on the information provided by Mr. DiFalco. Mr. DiFalco had recently submitted additional information to the Board related to the matter. Mr. DiFalco requested a printed Agenda – one was given to Mr. DiFalco. The Board stated that they would discuss the matter in Executive Session. Mr. DiFalco exited the meeting at 5:53pm.

5:55pm Motion was made to enter into Executive Session to discuss the Complaint, Derek Spada 1<sup>st</sup>, Gerald Benjamin 2<sup>nd</sup>, unanimously approved.

6:08pm Motion was made to exit Executive Session Derek Spada 1<sup>st</sup>, Marjorie Rovereto 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 another letter to the Clerk of the Legislature to follow-up with regard to the Board's FOIL request and previous letter and will reference the response time per FOIL and reiterate what documents the Board requested. Derek Spada 1<sup>st</sup>, Gerald Benjamin 2<sup>nd</sup>, unanimously approved.

6:14pm Motion was made to enter into Executive Session to discuss a new request for an Advisory Opinion, Derek Spada 1<sup>st</sup>, Lou Klein 2<sup>nd</sup>, unanimously approved.

6:31pm 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 decided to table the matter and send a letter to the individual requesting the advisory opinion for additional information: to provide a copy of the documents related to the electrical test they administer; is the refresher course required, how are tests administered – is it a classroom setting or one-on-one; what type of test is it – paper or hands-on test; who administers and grades the tests. Derek Spada 1<sup>st</sup>, Gerald Benjamin 2<sup>nd</sup>, unanimously approved.

6:32pm Motion was made to enter into Executive Session to discuss a Complaint, Derek Spada 1<sup>st</sup>, Marjorie Rovereto 2<sup>nd</sup>, unanimously approved.

6:43pm Motion was made to exit Executive Session Derek Spada 1<sup>st</sup>, Marjorie Rovereto 2<sup>nd</sup>,

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approved unanimously.

Motion was made: As a result of the discussion of the Board of Ethics in Executive Session and after consideration of the Ulster County Ethics and Disclosure Law and the additional information provided by Complainant which included an audio recording and social media posts; the Board determined that there was no evidence of an ethical violation as it relates to the person's role as a county official. The Board will send a letter to Complainant stating that the Board listened to recording and there was no ethical violation, and with regard to the removal of the political signs, there is no proof of who took the signs – witness, video, police report. Additionally, the Complaint does not reference the sections of the Ethics and Disclosure Law that were violated. Derek Spada 1<sup>st</sup>, Gerald Benjamin 2<sup>nd</sup>, unanimously approved.

The Board discussed the status of the 2019 and 2020 Financial Disclosure Forms. Judy R. stated that there are 12 forms (2019) outstanding and 9 forms (2020) outstanding. Judy will contact the remaining individuals by phone or email.

Derek will circulate possible dates for the next meeting to the members.

6:55pm Motion to adjourn the meeting: Derek Spada 1<sup>st</sup>, Lou Klein 2<sup>nd</sup>.

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