

ULSTER COUNTY BOARD OF ETHICS

DATE: May 31, 2022

TIME: 5:30 PM

PLACE: Ulster County Human Services Complex
100 Development Court, Building #2, Suite 400
(Veterans Agency Entrance)
Kingston, New York

BOARD MEMBERS PRESENT: Gerald Benjamin, Chair
Lou Klein
Marjorie Rovereto
Dylan Gallagher
Kenneth Hassett

BOARD MEMBERS ABSENT: None

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

Board of Ethics Meeting began at 5:34 PM.

New Board member, Dylan Gallagher, introduced himself to the other board members.

A Motion was made to appoint Lou Klein as Temporary Chair for the meeting. Ken Hassett 1st, Gerald Benjamin 2nd, unanimously approved.

Motion to approve the Board of Ethics minutes from the February 22, 2022 meeting. Marjorie Rovereto 1st, Dylan Gallagher 2nd, unanimously approved.

Motion made to suspend the order of business to accommodate Mr. DiFalco, Gerald Benjamin 1st, Ken Hassett 2nd, unanimously approved.

Joe DiFalco addressed the Board as it related to his complaint. L.Klein asked if Mr. DiFalco had been before the Ulster County Legislature. Mr. DiFalco stated only the last meeting.

G.Benjamin asked how would Mr. DiFalco solve the problem? What is the ethical issue?

K.Hassett stated that it is the County Planner's job to help the county. He reminded Mr. DiFalco that his complaint is about what happened before the project and whether they did anything unethical to create the board.

Motion was made to enter into Executive Session to discuss the Complaint, Ken Hassett 1st, Dylan Gallagher 2nd, unanimously approved.

Motion was made to exit Executive Session Gerald Benjamin 1st, Marjorie Rovereto 2nd, approved unanimously.

Motion was made: As a result of the discussion of the Board of Ethics in Executive Session and review of the FOIL response from the Legislature, the Board of Ethics will send a new FOIL request to the Ulster County Legislature which will ask for the names of those appointed to the Ulster County Housing Development Corporation, names and positions of those who made the appointments, and under what authority/statute were the appointments made? Gerald Benjamin 1st, Marjorie Rovereto 2nd, unanimously approved.

Motion was made to enter into Executive Session to discuss Complaint #1, Marjorie Rovereto 1st, Ken Hassett 2nd, unanimously approved.

Motion was made to exit Executive Session Ken Hassett 1st, Dylan Gallagher 2nd, unanimously approved.

Motion was made: The Board of Ethics will request information from the Ulster County Legislature regarding the Legislative subcommittee meeting held on February 9, 2022, including minutes from the meeting and any and all records of the meeting as it relates to the individual's complaint. Ken Hassett 1st, Dylan Gallagher 2nd, unanimously approved.

Motion was made to enter into Executive Session to discuss Complaint #2, Ken Hassett 1st, Marjorie Rovereto 2nd, unanimously approved.

Motion was made to exit Executive Session Ken Hassett 1st, Dylan Gallagher 2nd, unanimously approved.

Motion was made: Upon review of individual's complaint, the Board determined that it does not fall under the jurisdiction of the Ulster County Board of Ethics and recommends that the individual contact the person's Supervisor at the Ulster County Public Defender's Office. The

Board will send a letter stating the above with a copy of the Ulster County Ethics and Disclosure Law. Gerald Benjamin 1st, Marjorie Rovereto 2nd, unanimously approved.

The Board discussed creating a form to make it easier for people to determine what section of the Ethics and Disclosure Law applies to their Complaint or Request for Advisory Opinion.

Motion was made to enter into Executive Session to discuss Request for Advisory Opinion #1, Lou Klein 1st, Gerard Benjamin 2nd, unanimously approved.

Motion was made to exit Executive Session Marjorie Rovereto 1st, Dylan Gallagher 2nd, unanimously approved.

Motion was made: As a result of the discussion of the Board of Ethics in Executive Session in accordance with the Ulster County Ethics and Disclosure Law, the Board will send a letter in response to the request for advisory opinion, thanking her for her volunteerism and stating that there is no conflict of interest or appearance of conflict of interest that would preclude the individual from volunteering with the organization at this time. However, if there comes a time when the County does fund the organization, the individual must recuse themselves from all related matters. Gerald Benjamin 1st, Dylan Gallagher 2nd, unanimously approved.

Motion was made to enter into Executive Session to discuss Request for Advisory Opinion #2, Marjorie Rovereto 1st, Ken Hassett 2nd, unanimously approved.

Motion was made to exit Executive Session Gerald Benjamin 1st, Lou Klein 2nd, unanimously approved.

Motion was made: As a result of the discussion of the Board of Ethics in Executive Session in accordance with the Ulster County Ethics and Disclosure Law, the Board will send a letter in response to the request for advisory opinion, that under the unique facts and circumstances described in the letter as it relates to his official position when considering the "good cause eviction" proposed law, there appears to be no conflict of interest. Gerald Benjamin 1st, Lou Klein 2nd, unanimously approved.

The Board discussed the status of the 2019 and 2020 Financial Disclosure Forms. Judy Riley stated that there were 4 forms outstanding from 2019 and 1 form from 2020. She will continue to follow up.

Judy also stated that there were 2 outstanding letters with regard to the February 22, 2022 meeting that needed to be sent out.

Judy let the Board know that a FOIL request was received for documents and information related to the May 11, 2022 meeting which was cancelled. Judy responded to the request.

The Board discussed appointing a Chair for the remainder of the year. Gerald Benjamin volunteered. Motion was made to appoint Gerald Benjamin as Chair of the Board of Ethics for the remainder of the calendar year, Ken Hassett 1st, Marjorie Rovereto 2nd, unanimously approved.

The meeting was adjourned at 7:11pm.