

# ULSTER COUNTY BOARD OF ETHICS

DATE: July 9, 2024

TIME: 6:00 PM

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

BOARD MEMBERS PRESENT: Robert Nuzzo, Acting Chair  
Stephanie Ellis  
Deborah Schneer  
Paul Tully  
Brigid Walsh  
Anne Zahradnik

BOARD MEMBERS ABSENT:

OTHERS ATTENDING: March Gallagher, UC Comptroller  
Anthony Bjelke, Esq. Counsel to Comptroller,  
(Whiteman Osterman & Hanna, LLP)  
Patricia Doxsey, Daily Freeman  
Judy Riley, Secretary to the Board of Ethics

The Meeting was called to order at 6:03pm by Robert Nuzzo, Acting Chair.

Dan Shortt, Esq, Assistant County Attorney introduced himself to the Board and the Board members introduced themselves in turn.

The Chair asked if anyone had any revisions to the minutes from the June 11, 2024 meeting. No discussion. Motion to approve the minutes from the June 11, 2024 Board of Ethics Meeting, Paul Tully 1<sup>st</sup>, Anne Zahradnik 2<sup>nd</sup>, unanimously approved.

Dan Shortt, Esq. reviewed the Ethics Law and the complaint process with the Board and answered questions. Dan specifically explained sections 44-4, 44-8 and Appendix C and offered to write up a memo further detailing the hearing if a complaint reaches that level. He also briefly explained the FOIL procedure and timeframe for responding. The Board would need to determine if the information requested falls under FOIL exemptions. The Board can contact the County Attorney's Office (someone other than Dan as he is the FOIL Appeals Officer), as there may be relevant case law.

Old Business:

Review of Complaint (C-2024-002) - Robert Nuzzo recused himself from the matter.

6:25pm Motion was made to enter into Executive Session to discuss the complaint (C-2024-002) received by the Board, Paul Tully 1<sup>st</sup>, Brigid Walsh 2<sup>nd</sup>, unanimously approved.

6:37pm Motion was made to exit Executive Session, Deborah Schmeer 1<sup>st</sup>, Brigid Walsh 2<sup>nd</sup>, unanimously approved.

Motion was made to send letter to Complainant as modified in executive session, Brigid Walsh 1<sup>st</sup>, Anne Zahradnik 2<sup>nd</sup>, unanimously approved. (Robert Nuzzo abstained)

Judy Riley stated that she has received the 2023 Financial Disclosure Forms which can be reviewed by the Board members. There are quite a few outstanding which she will follow up on.

New Business:

Review of Request for Advisory Opinion (A-2024-006)

6:42pm Motion was made to enter into Executive Session to discuss the Request for Advisory Opinion (A-2024-006) received by the Board, Anne Zahradnik 1<sup>st</sup>, Deborah Schmeer 2<sup>nd</sup>, unanimously approved.

6:50pm Motion was made to exit Executive Session, Deborah Schmeer 1<sup>st</sup>, Brigid Walsh 2<sup>nd</sup>, unanimously approved.

Motion: Upon review of the Request for Advisory Opinion (A-2024-006), the Board of Ethics determined that there is no conflict of interest, however, the Board advises that the individual recuse himself from any matter that come before the Ulster County Planning Board as it relates to the municipality where he is employed, Brigid Walsh 1<sup>st</sup>, Anne Zahradnik 2<sup>nd</sup>, unanimously approved.

The Board discussed appointing a FOIL Officer and Alternate FOIL Officer to represent the Board of Ethics. Motion was made to appoint Paul Tully as the FOIL Officer, and Anne Zahradnik as the Alternate FOIL Officer, Brigid Walsh 1<sup>st</sup>, Deborah Schneer 2<sup>nd</sup>, unanimously approved.

Review of Request FOIL Request regarding a Complaint (Robert Nuzzo recused himself)

6:52pm Motion was made to enter into Executive Session to discuss the FOIL Request regarding an active complaint, Brigid Walsh1<sup>st</sup>, Anne Zahradnik 2<sup>nd</sup>, unanimously approved.

6:56pm Motion was made to exit Executive Session, Brigid Walsh1<sup>st</sup>, Stephanie Ellis 2<sup>nd</sup>, unanimously approved.

Motion: FOIL Officer will contact County Attorney's Office regarding the FOIL request and a 5 Day letter will be sent out in the next few days, Brigid Walsh 1<sup>st</sup>, Anne Zahradnik 2<sup>nd</sup>, unanimously approved. (Robert Nuzzo abstained)

Patricia Doxsey, a reporter from the Kingston Freeman, addressed the Board and was inquiring why the Board went into Executive Session to discuss a FOIL request – and stated that there are only specific reasons to go into Executive Session and a FOIL request is not one of them. The Board noted her statement on the record.

Comptroller March Gallagher stated that she also received a FOIL request on the matter before the Board.

6:58pm Motion to adjourn meeting, Brigid Walsh 1<sup>st</sup>, Anne Zahradnik 2<sup>nd</sup>, unanimously approved.