

ULSTER COUNTY BOARD OF ETHICS

DATE: November 8, 2023

TIME: 5:00 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, Temporary Chair
Deborah Schneer
Dylan Gallagher
Anne Zahradnik

BOARD MEMBERS ABSENT:

OTHERS ATTENDING: Judy Riley, Secretary to the Board of Ethics
Richard Williams, Esq, Assistant County Attorney

The Meeting was called to order at 5:03pm by Robert Nuzzo, Acting Chair.

The Chair asked if anyone had any revisions to the minutes from the August 22, 2023 meeting. No discussion. Motion to approve the minutes from the August 22, 2023 Board of Ethics Meeting, Dylan Gallagher 1st, Anne Zahradnik 2nd, unanimously approved.

The Chair stated that he contacted County Executive Jen Metzger and Legislative Chair Tracey Bartels regarding the vacant positions on the Board and the need to have more members, especially in case someone may need to recuse themselves from a matter. They are both working on making appointments.

The Chair asked if everyone had reviewed the draft of the 2022 Annual Report and if there was any discussion. Motion was made to approve the 2022 Annual Report and have it filed with the County Executive and Clerk of the Legislature, Dylan Gallagher 1st, Deborah Schneer 2nd, unanimously approved.

Old Business:

Judy Riley stated that the 2021 forms are complete and will be archived. She will plan to pick up the 2022 Financial Disclosure Forms and will contact the Board members to review them. She will also have to follow up with the individuals who have not filed their forms.

New Business:

Motion was made to go into Executive Session to discuss a complaint which was forwarded from the Town of Gardiner's Ethics Board, Dylan Gallagher 1st, Robert Nuzzo 2nd, unanimously approved.

Motion was made to exit Executive Session, Deborah Schneer 1st, Anne Zahradnik 2nd, unanimously approved.

Motion was made to send a letter responding to Complainant stating that the scope of this Board's review is limited to determining whether the conduct at issue violates the applicable Town of Gardiner's Code of Ethics, specifically §26-5, which prohibits a Town officer or employee from using his/her official position or office to take any action that he/she "has reason to know may provide a personal financial benefit or secure privileges or exemptions not generally available to the public at large" for a "family member of the officer or employee." Town of Gardiner's Ethics Law §26-4 defines "family member" as "a person who is a spouse, child or stepchild, sibling, parent, grandparent or grandchild of the officer or employee, or a member of the household of the officer or employee." The Complaint therefore is dismissed.

Anne Zahradnik 1st, Robert Nuzzo 2nd, unanimously approved.

The Board then discussed two (2) requests for advisory opinions which were submitted by one individual related to a legislative committee meeting. Request #1 – Can a certain Ulster County Legislator vote on a certain policy related to Resolution 669? Motion was made to send an email to requester to provide more information regarding: the Legislator's involvement with the other organizations listed in the request, Dylan Gallagher 1st, Deborah Schneer 2nd, unanimously approved.

Request #2 – Can a certain Ulster County Legislator advocate for something that is related to an organization for which they sit on? Motion was made to request a copy of the minutes related to the meeting referred to in the request, Dylan Gallagher 1st, Deborah Schneer 2nd, unanimously approved.

Another Request for Advisory Opinion was brought before the Board. Dylan Gallagher recused himself, therefore there was not a quorum to discuss the request. The Board asked Judy Riley to email individual to let them know that as soon as another Board member is appointed, they will reconvene and take up the matter.

6:02pm Motion was made to adjourn the meeting, Dylan Gallagher 1st, Deb Schneer 2nd, unanimously approved.