	Page 1
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2	STATE OF NEW YORK
	CITY OF YONKERS
3	X
4	MINUTES OF
5	THE CITY OF YONKERS
6	BOARD OF ETHICS MEETING
7	OCTOBER 25, 2023 - 5:30 P.M.
8	AT
9	YONKERS CITY HALL
10	40 SOUTH BROADWAY
11	MAYOR'S CONFERENCE ROOM
12	YONKERS, NEW YORK 10701
13	X
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	MEMBERS:
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16	LOUIS MOSIELLO - CHAIR
17	MARIA FRAGOSO - MEMBER
18	DENNIS GALLEGO - MEMBER
19	KATHLEEN ENNIS - MEMBER
20	BRUCE DONNELLY - MEMBER
21	
22	PRESENT:
23	
	HELEN AGGREY, ESQ DEPUTY CORPORATION COUNSEL
2 4	
	WILLIAM SERRATORE
25	

1	PROCEEDINGS
2	CHAIR MOSIELLO: So it's
3	Wednesday, October 25th, 2023, it's
4	5:33, something like that, in the
5	evening, and we're going to
6	officially call the meeting of the
7	Ethics Board of the City of Yonkers
8	to order.
9	We will start by calling the
10	roll. I'll start with myself. I am
11	Louis Mosiello, I am the designated
12	chair.
13	MS. ENNIS: Kathleen Ennis,
L 4	member.
15	MS. FRAGOSO: Maria Fragoso,
1 6	member.
17	MR. GALLEGO: Dennis Gallego,
18	member.
1 9	MS. AGGREY: Helen Aggrey,
2 0	Deputy Corporation Counsel.
21	CHAIR MOSIELLO: So we have a
22	quorum and we call a meeting to
2 3	order. Has everybody had the
2 4	opportunity to peruse the minutes
2 5	that were submitted of the

MS. AGGREY: Are you prepared

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PROCEEDINGS

2 we had said in the minutes of 3 September 6th, we did not see any violation of the ethics code, there 4 5 didn't appear to us to be any. 6 we asked the Inspector General if he 7 thought our findings were correct, 8 and he responded with this letter 9 which, in essence, says that our 10 finding was appropriate, and there's 11 also a list of all the employees 12 related and how they received their 13 jobs. So I'm prepared to hear a 14 motion.

MR. GALLEGO: Make a motion to discuss this issue, which I believe -- unless you wanted to meet in executive, or can we discuss it.

MS. AGGREY: They're still on

MR. GALLEGO: I believe that, you know, even though we asked the IG for his opinion, which kind of agrees with the DA that there's no violation. And when we looked at the

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PROCEEDINGS

2 list of names as provided by the 3 financial disclosure, I reviewed them all myself, I looked them all up in 4 5 the HR system. They were either hired before the current 6 administration, or they were hired 7 8 off of a civil service list, or they 9 were hired by a city council. So I 10 think it's a moot point. We should 11 put it to bed and find no finding.

> CHAIR MOSIELLO: Okay. Would you like to put that in the form of a motion?

MR. GALLEGO: I make a motion that we just put this -- the whole issue of nepotism to bed in this situation with this list of names that was provided.

CHAIR MOSIELLO: So does your motion conclude a finding of --

MR. GALLEGO: Finding of no action required because there was nothing in violation of the ethics law.

	rage /
1	PROCEEDINGS
2	MS. AGGREY: I will second on
3	that.
4	CHAIR MOSIELLO: Any discussion
5	on this motion? All in favor signify
6	by saying "aye."
7	(A chorus of ayes.)
8	CHAIR MOSIELLO: Any negative
9	votes? Abstentions? No. This issue
10	is now to bed.
11	MS. ENNIS: Would this be an
12	appropriate time for me to comment
13	though on what the Inspector General
1 4	said about not being an investigative
15	arm for the Ethics Board?
1 6	CHAIR MOSIELLO: I think it's
17	appropriate.
18	MS. ENNIS: I think he is I

MS. ENNIS: I think he is -- I think the Inspector General is supposed to be. I think it's mentioned a few times here that the Ethics Board can ask the Inspector General to do an investigation, as well as the Corporation Counsel's office. So should that be -- can

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1	PROCEEDINGS
2	that be or should it be relayed to
3	MR. GALLEGO: I believe that it
4	should be you know, after the fact
5	of not a first review, but if we
6	can't come to a conclusion based on
7	the facts presented to the Ethics
8	Board, then we can present it to the
9	IG. I think it should be a last
10	resort rather than a first resort.
11	CHAIR MOSIELLO: What is the
12	investigative arm of this court,
13	Helen?
14	MS. AGGREY: As per the
15	charter, the investigative arm is the
16	board itself. You have the power to
17	subpoena, you have the power to
18	request documents, you have the power
19	that the Inspector General has in
2 0	addition to also directing the

CHAIR MOSIELLO: To?

you as well.

MS. AGGREY: To request

Corporation Counsel to do that for

subpoenas on their behalf, to request

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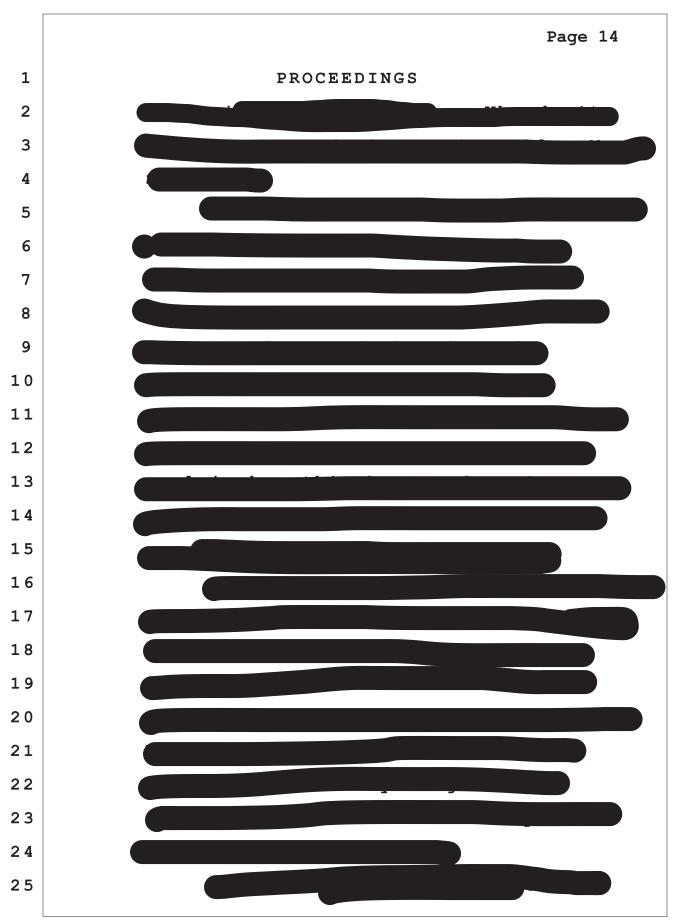
1	PROCEEDINGS
2	documents on your behalf.
3	CHAIR MOSIELLO: And it is
4	within the guidelines that if we need
5	some assistance or a secondary
6	looksie, that we can ask the
7	Inspector General to do that?
8	MS. AGGREY: As the charter
9	reads for the FSCS.
10	CHAIR MOSIELLO: Right.
11	MS. AGGREY: The only conflict
12	of laws is that under the IG's
13	legislation, it doesn't mention the
1 4	Ethics Board.
15	CHAIR MOSIELLO: It does not?
16	MS. AGGREY: It does not.
17	CHAIR MOSIELLO: Right.
18	Because he indicates it would only be
19	the City Counsel or the Mayor, right?
2 0	MS. AGGREY: Right. Because
21	the IG's legislation the IG was
22	created prior to the Ethics Board
23	creation. And when the Ethics Board
2 4	law was created, it didn't mention
2 5	the IG. It wasn't the IG's

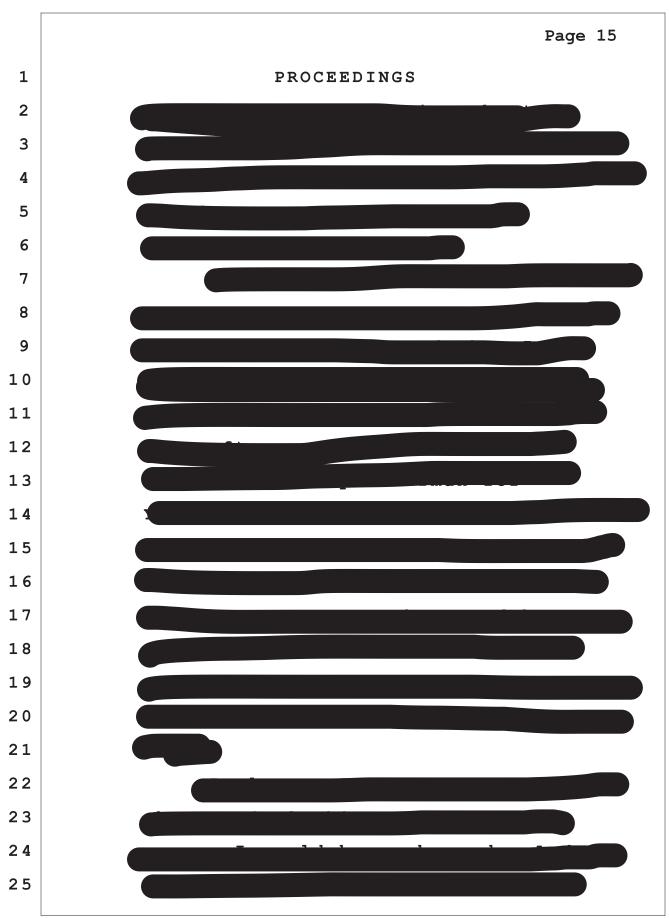
1	PROCEEDINGS
2	legislation wasn't changed to include
3	the Ethics Board, so there's that
4	over which one takes precedence.
5	CHAIR MOSIELLO: I think
6	Kathleen has a great point
7	MS. ENNIS: I think it says
8	here at least twice.
9	CHAIR MOSIELLO: Right, so is
10	there something that we should do to
11	try and hopefully avoid this dilemma
12	once again in the future? Is this
13	something we can do to request the
14	City Council maybe put something in
15	the Ethics Board rules and
16	regulations that say that under
17	certain circumstances we would have
18	the authority to reach out to the IG?
19	MS. AGGREY: It currently says
20	that.
21	CHAIR MOSIELLO: In our rules
22	but not if
23	MS. ENNIS: But in the IG's
24	rules?
25	MS. AGGREY: That is a

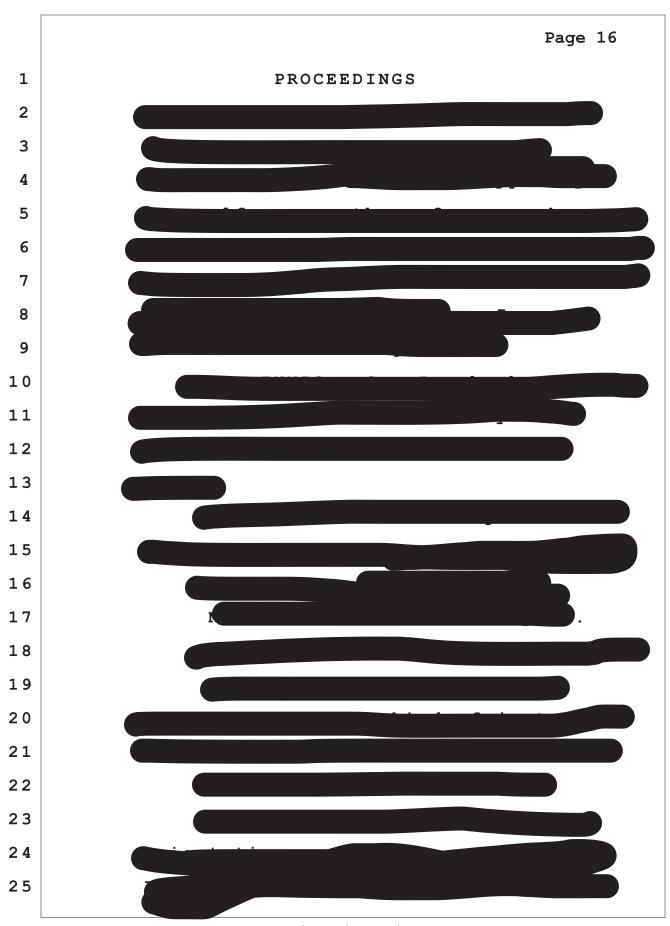
1	PROCEEDINGS
2	recommendation that this board can
3	make.
4	CHAIR MOSIELLO: In doing so,
5	do we need to notify the Inspector
6	General that we're going to do that?
7	MS. AGGREY: There's nothing
8	that says you can't do it.
9	CHAIR MOSIELLO: Christine, you
1 0	brought it up. Would you like to
11	follow through on this, what would
12	you like to do?
13	MS. ENNIS: I'd like the
L 4	Corporation Counsel to follow through
15	on it.
1 6	CHAIR MOSIELLO: You want to
17	put it in the form of a motion?
18	MS. ENNIS: That the
19	Corporation Counsel begin the process
2 0	of coordinating with the Inspector
21	General's office no, that's not
2 2	right. Of
2 3	CHAIR MOSIELLO: Spelling out.
2 4	MS. ENNIS: Yeah, spelling out
2 5	a rule for the Inspector General that

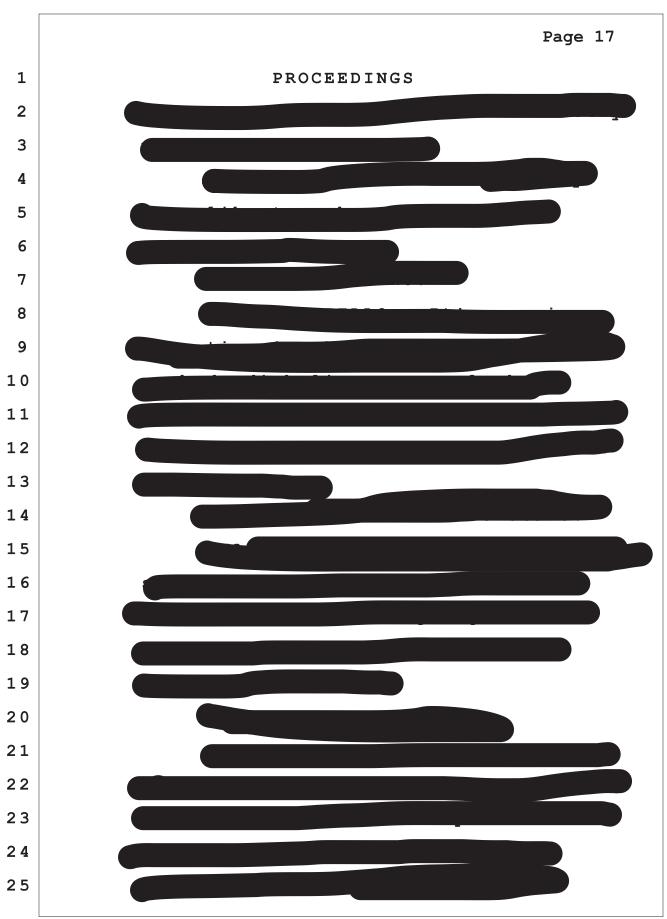
1	PROCEEDINGS
2	the Ethics Board can request
3	investigations when they see a
4	possible ethics violation.
5	CHAIR MOSIELLO: How about to
6	coordinate the two standing rules,
7	one of which includes the Ethics
8	Board's ability to reach out to the
9	IG and the lack of that in the
10	Inspector General's rules, to try to
11	coordinate those two so they fit
12	better together?
13	MS. FRAGOSO: They probably
14	have to amend theirs.
15	CHAIR MOSIELLO: That's what
16	I'm saying. It's probably just a
17	matter of adding three words in.
18	MS. AGGREY: Yeah.
19	CHAIR MOSIELLO: Anybody would
20	like to second that?
21	MR. GALLEGO: I'll second.
22	CHAIR MOSIELLO: Any
23	objections? All in favor say "aye."
24	(A chorus of ayes.)
25	CHAIR MOSIELLO: Any

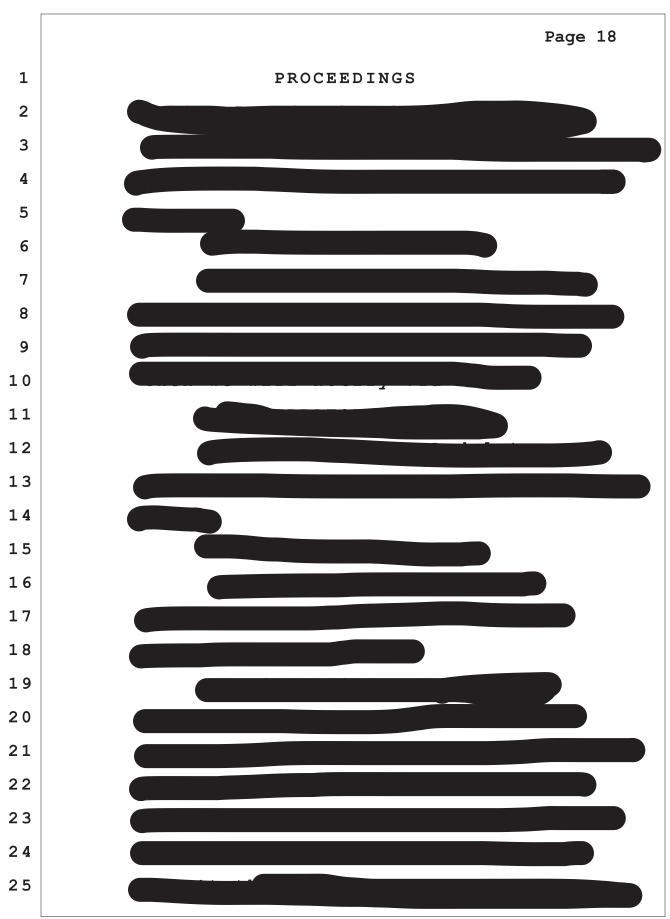
1	PROCEEDINGS
2	abstentions or negatives votes? No?
3	Now we move on.
4	Now we're onto our second issue
5	from your last meeting for Mr.
6	William Serratore. How do we handle
7	this, Helen? Do we just do this in
8	open meeting or
9	MS. AGGREY: You're going to go
10	into executive session with
11	Mr. Serratore.
12	CHAIR MOSIELLO: And it's going
13	to be recorded?
14	MS. AGGREY: And it's going to
15	be recorded.
16	CHAIR MOSIELLO: So can I have
17	a motion to move into executive
18	session?
19	MR. GALLEGO: So moved.
20	MS. FRAGOSO: Second.
21	CHAIR MOSIELLO: All in favor
22	say "aye."
23	(A chorus of ayes.)
2 4	CHAIR MOSIELLO: We are now in
25	executive session,

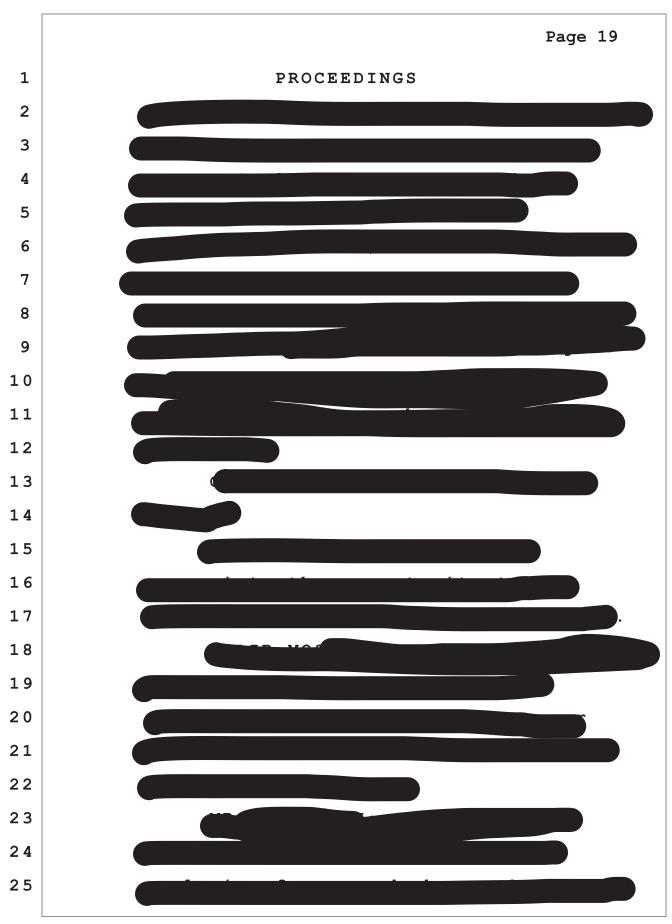


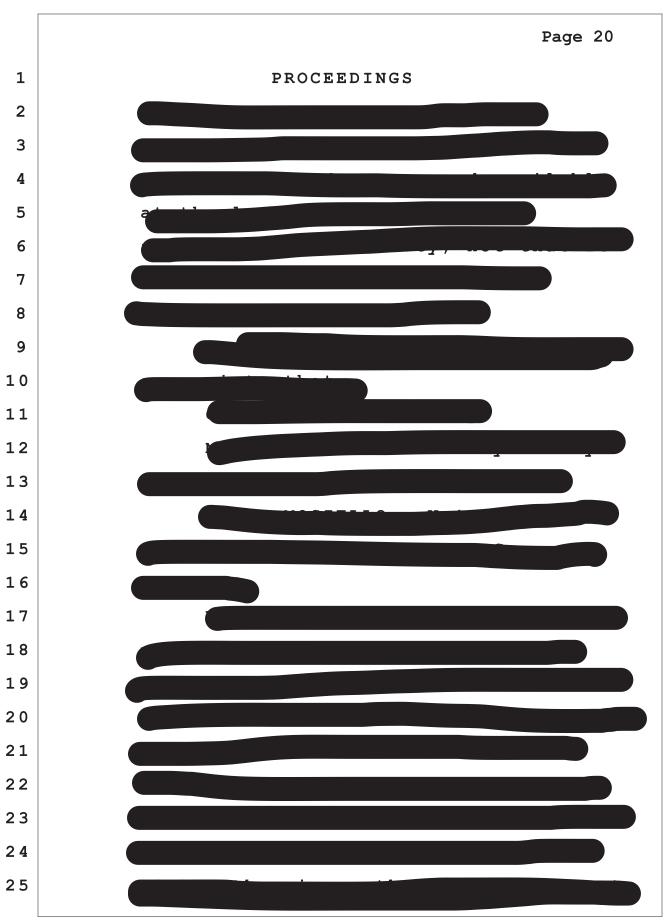


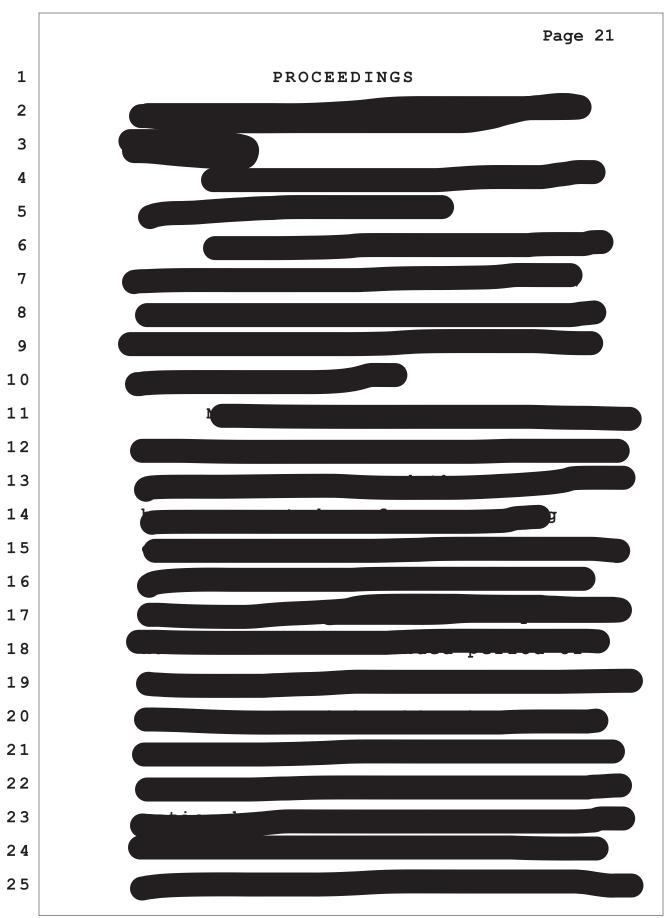


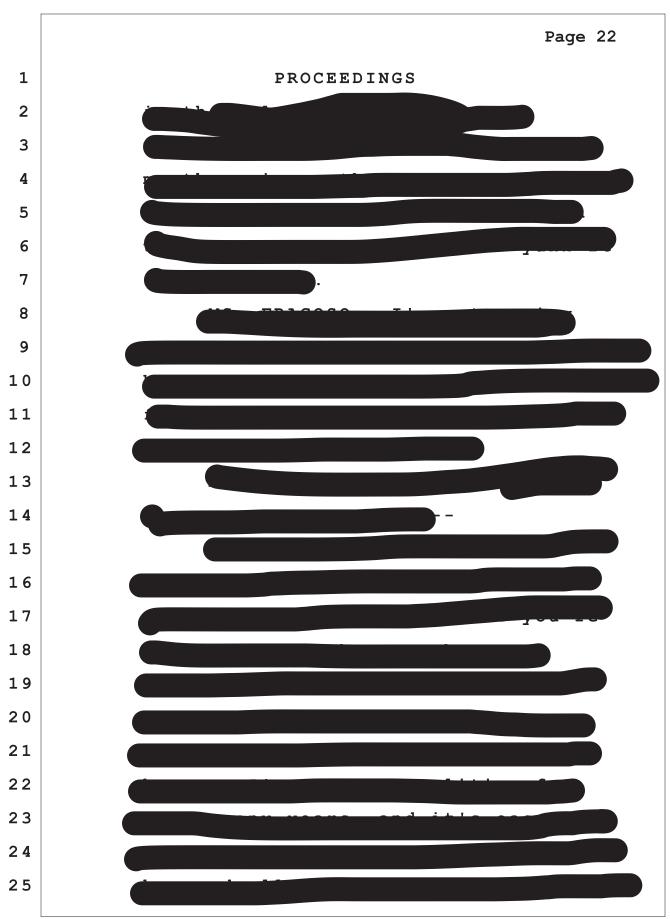


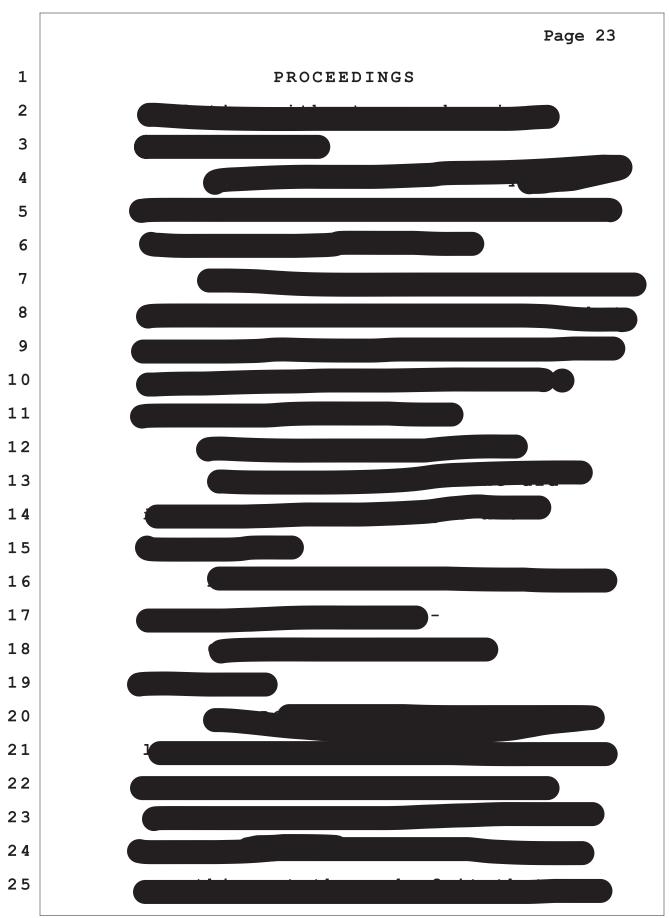


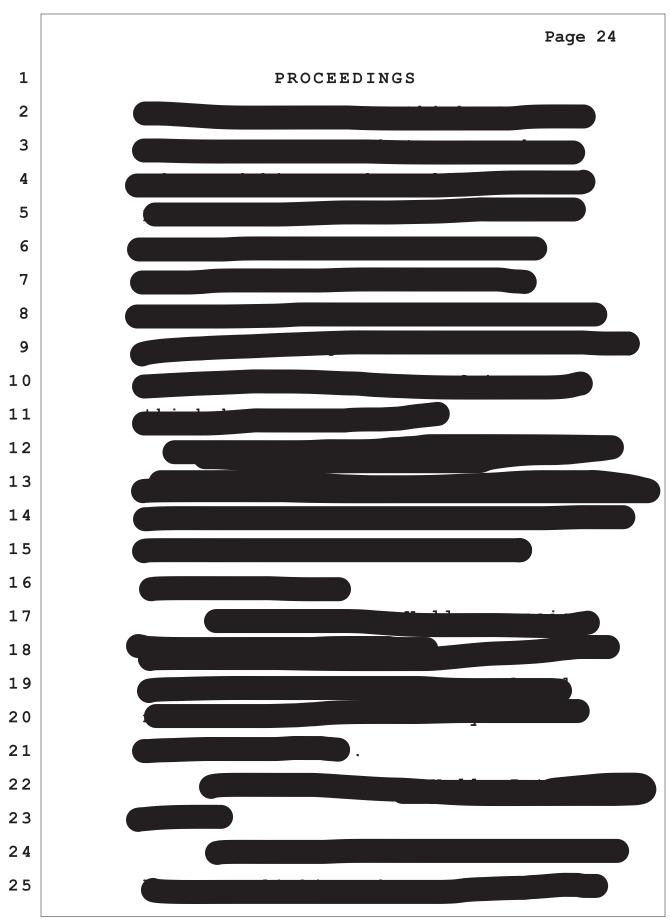


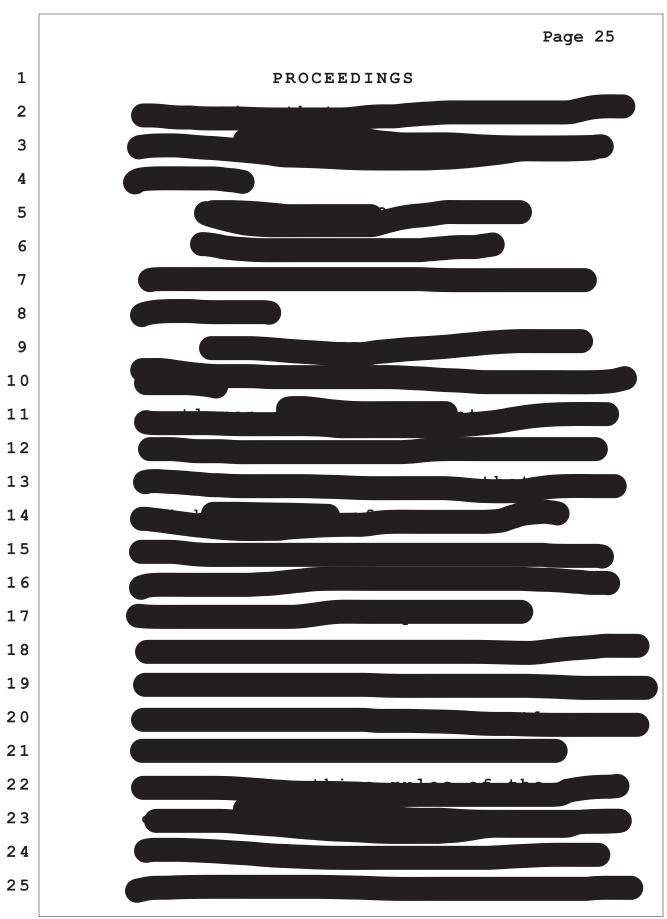


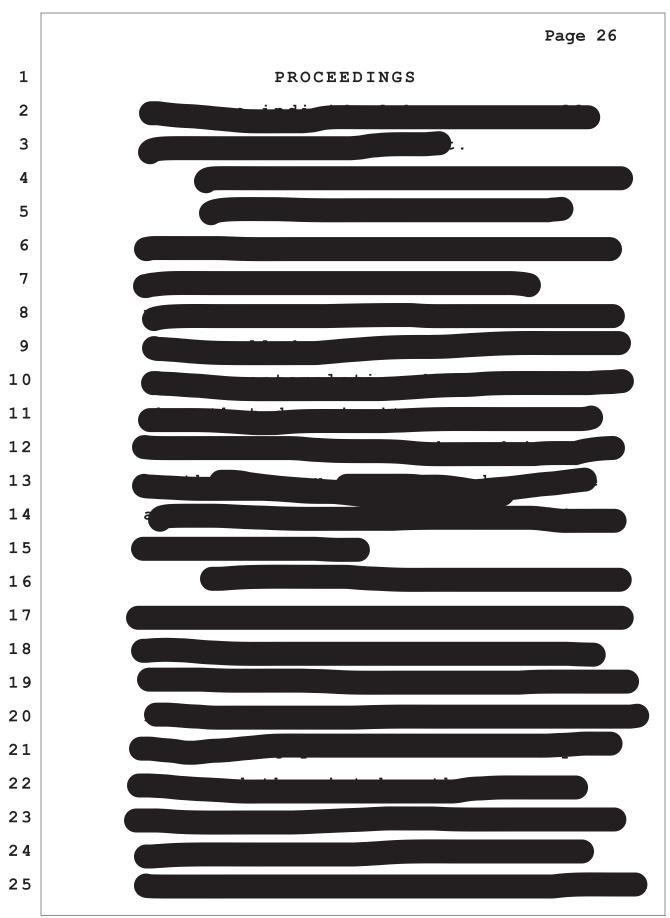


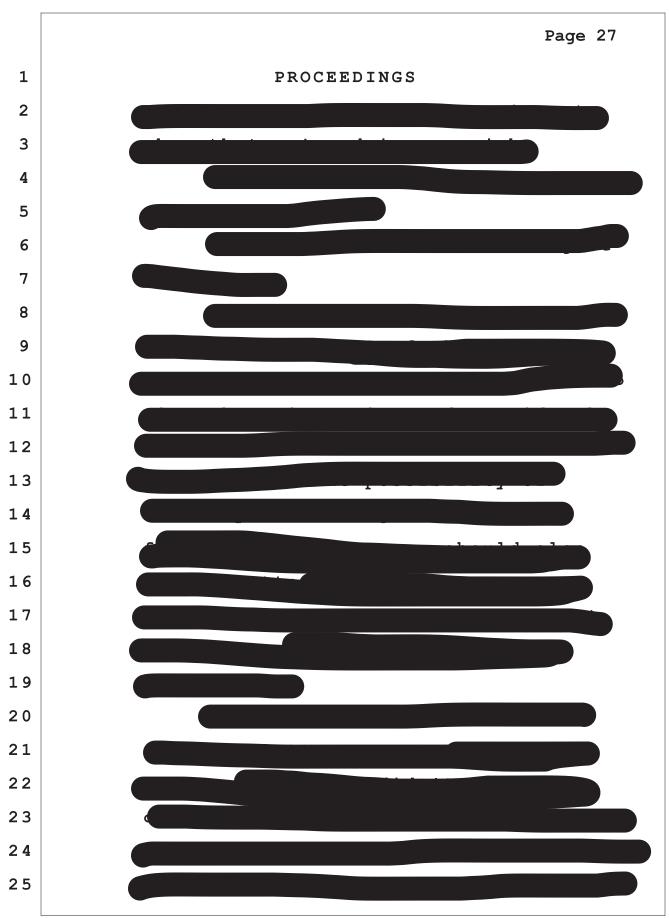


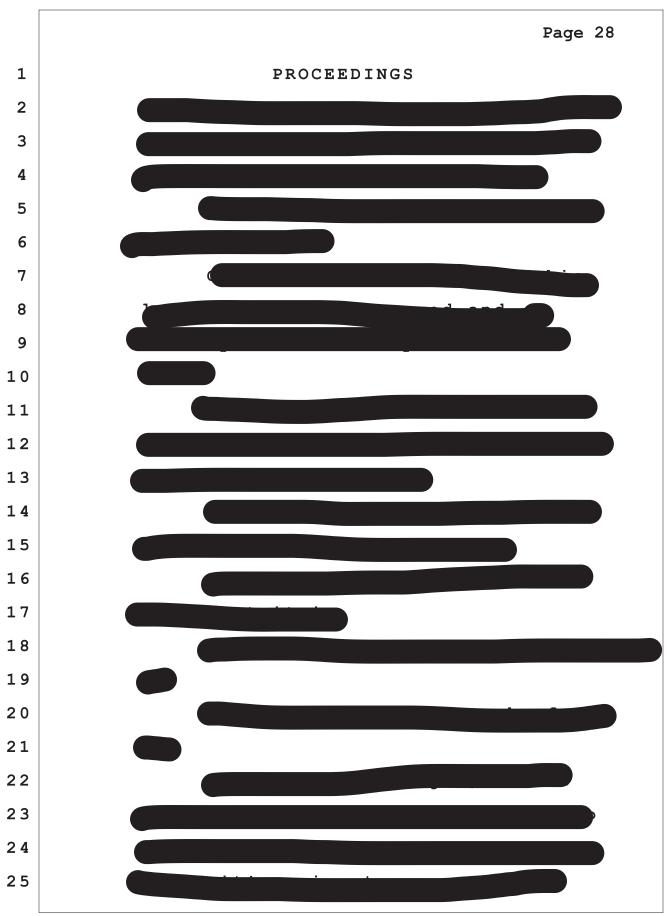


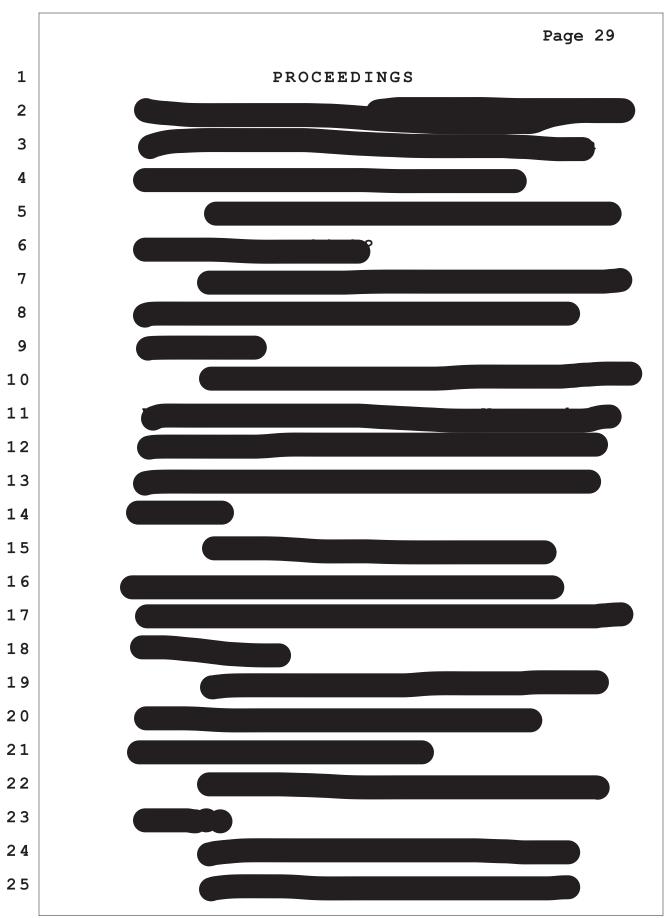


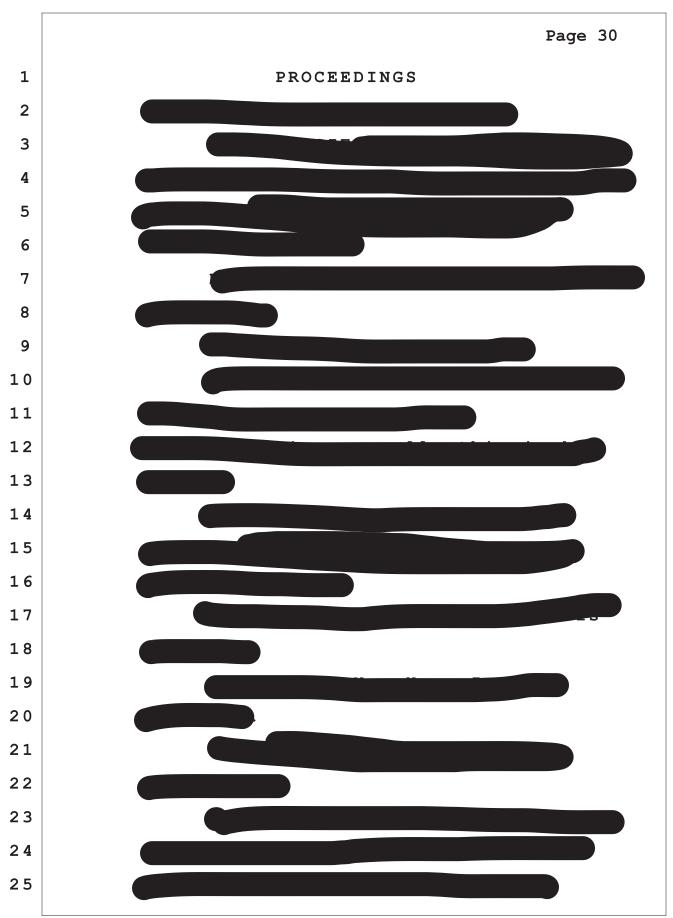


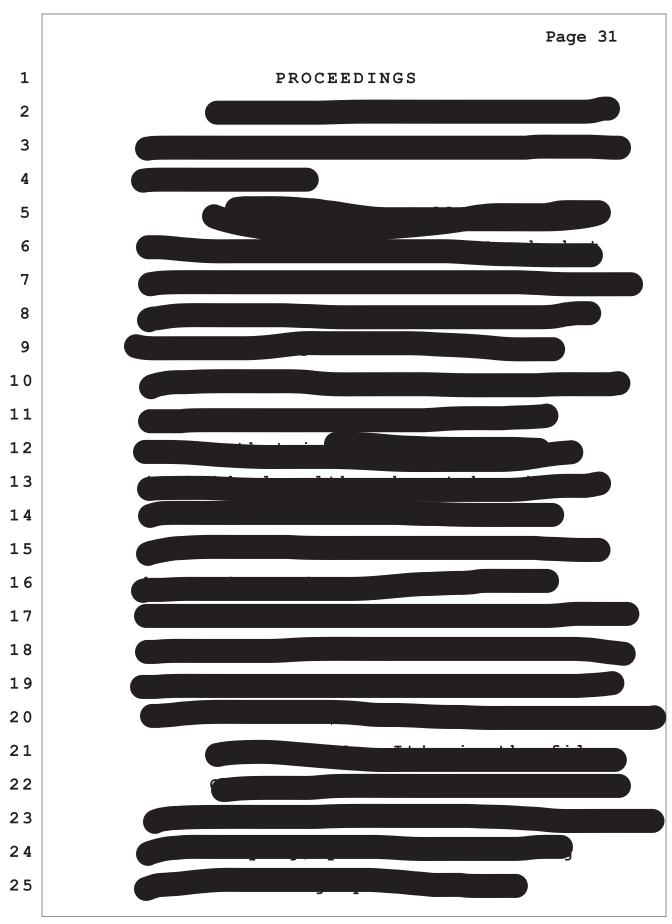












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1	PROCEEDINGS
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16	Okay.
17	Motion to leave executive, go into
18	regular session, motion
19	MR. GALLEGO: So moved.
20	MS. FRAGOSO: Second.
21	CHAIR MOSIELLO: All in favor
22	say "aye."
23	(A chorus of ayes.)
2 4	CHAIR MOSIELLO: Okay. We are
25	now in regular session.

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PROCEEDINGS

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Having had a conversation -well, this will all be recorded,
right, this is all being recorded?
But that recording is separate. The
executive recording session is
separate.

We are now out of executive section and we have discussed with Mr. Serratore, employee of the City of Yonkers, the complaint filed by another citizen of Yonkers. And he has indicated to us that he was unaware of the policy in as much as he hadn't been given his new employee orientation as of yet at the time, and that he apologized profusely for making that mistake and promised it would never happen again.

Would anybody like to add something to that synopsis?

MR. GALLEGO: Just that we're going to provide a letter to be put in his file which simply says he's now been educated and it will be

1	PROCEEDINGS
2	removed within a period of 90 days
3	CHAIR MOSIELLO: Well, after
4	that I put that synopsis on the
5	board, now we need a motion from
6	somebody about how we're going to
7	send a letter.
8	MR. GALLEGO: All right, I make
9	a motion that we put a letter in
10	Mr. Serratore's file notifying that
11	he had a violation of the Ethics
12	Board and that the letter was being
13	that he's now since been educated
14	on the policy, that the letter be
15	sent to his file, which will be
16	removed within 90 days, that as long
17	as he doesn't do it again, is a moot
18	point.
19	MS. ENNIS: Okay. Can we use
20	the word
21	MR. DONNELLY: Acknowledgement?
22	CHAIR MOSIELLO: Unintentional
23	violation?
24	MR. GALLEGO: Well, I'm saying
25	we just put a letter in. We can

1	PROCEEDINGS
2	compose the letter before it goes
3	down.
4	MR. DONNELLY: A letter of
5	acknowledgement
6	CHAIR MOSIELLO: Oh, so we
7	don't have to say exactly what the
8	wording of the letter is, right?
9	We're going to it leave that in
10	Helen's hands?
11	MS. AGGREY: Yes.
12	MS. FRAGOSO: She's like no.
13	CHAIR MOSIELLO: Helen, you
14	know there's other committees. You
15	got to get a little seniority.
16	Anyway, a motion is on the
17	floor for a letter to be written from
18	the Ethics Board Counsel to Mr.
19	Serratore indicating that he has, in
20	fact, violated the ethics rules
21	unintentionally and that the letter
22	is to be placed in his file for a
23	period not to exceed 90 days at which
24	time the letter will be removed and
25	destroyed.

1	PROCEEDINGS
2	MR. DONNELLY: Fair enough.
3	CHAIR MOSIELLO: That's good.
4	MS. FRAGOSO: Yep.
5	CHAIR MOSIELLO: Will anybody
6	second that motion? Bruce. All in
7	favor?
8	(A chorus of ayes.)
9	CHAIR MOSIELLO: All right,
10	next.
11	MS. AGGREY: Also for the
12	record, can you note yourself for the
13	record?
14	MR. DONNELLY: I did. Bruce
15	Donnelly.
16	CHAIR MOSIELLO: I think that
17	concludes all of our old business,
18	and we move onto new business.
19	MR. DONNELLY: Lou, before we
20	get to new business, I'd just like to
21	make a quick statement before, if you
22	guys don't mind.
23	CHAIR MOSIELLO: Sure.
2 4	MR. DONNELLY: So after being
25	appointed, I had questions about the

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fact that, one, I was a district leader for the Republican party, so I had obviously waited to get some information on that. And last week sometime I did get that, to the best that I could, and so I resigned as a district leader from the City of Yonkers GOP, so everybody's aware in case it has been -- I'm sure there's more than one or two individuals from the city that have looked at it. people monitor what goes on here, and I don't want anybody to sit here and say -- yes, I did sit as a district leader, but I did resign that position so I can remain on this committee. All right? everybody's aware of that.

PROCEEDINGS

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be noted for the record that

Committee Member Jennifer Oelkers has

submitted her resignation to the

board. She didn't indicate the

reason, but just did indicate she was

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CHAIR MOSIELLO:

It also should

1	PROCEEDINGS
2	happy to have served with us even for
3	a brief period of time and that she
4	finds it necessary to resign. So we
5	have it on the record.
6	Okay, so now we'll go to new
7	business. Is that okay with
8	everybody? New business. We have a
9	letter from Yonkers taxpayers dated
10	September 18th. So according to this
11	letter, somebody is complaining
12	MR. GALLEGO: This is going to
13	be executive session now
L 4	CHAIR MOSIELLO: Oh, we got to
15	do executive session for this too,
1 6	right? Motion to enter executive
17	session?
18	MR. GALLEGO: So moved.
1 9	MS. FRAGOSO: Second.
2 0	CHAIR MOSIELLO: All in favor?
21	(A chorus of ayes.)
22	MR. GALLEGO: I'll amend the
2 3	motion to include the letter from the
2 4	Yonkers citizen as well as the
2 5	letters from was it Sam Didal

1	PROCEEDINGS
2	(phonetic)?
3	CHAIR MOSIELLO: Sam Didal. We
4	have two issues to discuss and we're
5	going to do them both in executive
6	session, one second. Second?
7	MS. FRAGOSO: Second.
8	CHAIR MOSIELLO: All in favor?
9	(A chorus of ayes.)
10	(Whereupon, an executive
11	session was held without the presence
12	of the stenographer.)
13	CHAIR MOSIELLO: We've moved
1 4	out of executive session and in
15	regular session now. During
16	executive session we discussed two
17	pieces of new business. The first
18	was a letter, an anonymous letter to
1 9	the Ethics Board making an accusation
2 0	that an employee for the City of
21	Yonkers was doing campaign work on
22	City time. Would someone like it
2 3	make a motion in regard to this
2 4	issue?
2 5	MR. DONNELLY: I'd like to make

1	PROCEEDINGS
2	a motion. I'd like to make a motion
3	that City Counsel, Corporation
4	Counsel send a request or letter to
5	human resources having them provide
6	the Ethics Committee with the unnamed
7	employee's job description, their
8	time card, coming in and going out,
9	as well as the parking lot log for
10	that individual employee for the
11	period of June 1st through
12	September 30th, 2023. Anyone second?
13	CHAIR MOSIELLO: Is there a
14	second?
15	MR. GALLEGO: So moved.
16	MS. ENNIS: I'll second.
17	CHAIR MOSIELLO: All in favor
18	please indicate by saying "aye."
19	(A chorus of ayes.)
2 0	CHAIR MOSIELLO: Is there any
21	negatives or abstentions? None being
22	heard, that motion is passed.
23	Our second piece of new
2 4	business was the letter from a
2 5	contractor in the City of Yonkers who

1 **PROCEEDINGS** sent an extensive packet making some 3 accusations of what he believed were 4 either criminal and/or ethics 5 violations. I would like to make a motion 6 7 that the Corporation Counsel's office 8 review the packet that was sent to the Ethics Board and to break it down 9 10 into what actually would be ethics 11 violations that should be considered 12 by this board. That is what we're 13 concerned with. Anything else would 14 have to be referred to different 15 authorities. 16 Does anybody have anything that 17 they would like to add to that 18 Would anyone like to second motion? 19 that motion? MR. GALLEGO: So moved. 20 21 CHAIR MOSIELLO: Bruce. All in 22 favor? 23 (A chorus of ayes.) 24 CHAIR MOSIELLO: Any opposed, 25 abstentions? None heard, that is

1	PROCEEDINGS
2	passed.
3	We're required to have four
4	meetings a year. We've only had
5	three based on a variety of different
6	reasons. So we originally had a
7	meeting scheduled or tentatively
8	scheduled for December 6th, Wednesday
9	December 6th. Is everybody good with
10	that date so we can get that fourth
11	meeting in? We'll make it at 5:30.
12	MR. DONNELLY: That's the
13	meeting we tentatively set, right?
14	MS. ENNIS: Yeah.
15	CHAIR MOSIELLO: Right.
16	MR. DONNELLY: Because I have
17	that here already.
18	CHAIR MOSIELLO: We're going to
19	lock it in stone now. Everyone okay
2 0	with that?
21	MR. GALLEGO: Yes.
2 2	MS. FRAGOSO: Yes.
2 3	MR. DONNELLY: Yep.
2 4	CHAIR MOSIELLO: So
2 5	December 6th will be the fourth

	Page 43
1	PROCEEDINGS
2	obligatory meeting of this board.
3	Does anybody have anything they
4	want to bring up, talk about,
5	anything before we adjourn the
6	meeting? I'll entertain a motion to
7	adjourn.
8	MR. GALLEGO: So moved.
9	CHAIR MOSIELLO: Dennis and
10	Bruce. Thank you very much. So
11	moved.
12	(Time noted: 6:27 P.M.)
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	Page 44
1	PROCEEDINGS
2	CERTIFICATE
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4	STATE OF NEW YORK)
	: SS.:
5	COUNTY OF WESTCHESTER)
6	
7	
8	I, NATHAN DAVIS, a Notary Public for
9	and within the State of New York, do hereby
10	certify:
11	That the witness whose examination is
12	hereinbefore set forth was duly sworn and
13	that such examination is a true record of
14	the testimony given by that witness.
15	I further certify that I am not
16	related to any of the parties to this
17	action by blood or by marriage and that I
18	am in no way interested in the outcome of
19	this matter.
20	IN WITNESS WHEREOF, I have hereunto
21	set my hand this 2nd day of November 2023.
22	
23	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
2 4	nathan Davis
	NATHAN DAVIS