

STATE OF NEW YORK

CITY OF YONKERS

- - - - -x

MINUTES OF
THE CITY OF YONKERS
BOARD OF ETHICS MEETING
June 20, 2024 - 5:40 p.m.

AT
YONKERS CITY HALL
40 South Broadway
Yonkers, New York 10701

- - - - -x

MEMBERS:

LOUIS MOSIELLO - CHAIR

DENNIS GALLEGO - MEMBER

KATHLEEN ENNIS - MEMBER

MARIA FRAGOSO - MEMBER

PRESENT:

HELEN AGGREY, ESQ. - DEPUTY CORPORATION
COUNSEL

MATTHEW GALLAGHER, ESQ. - CORPORATION
COUNSEL

* * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

CHAIR MOSIELLO: The time is
twenty minutes of six, in other words,
5:40 p.m. and we have a quorum and we
call this meeting of the ethics board
for June 20th, 2024 to order.

We're going to start by calling
the roll.

I'll start with myself, I am
Louis Mosiello, Designated Chairman.

MR. GALLEGO: Dennis Gallego,
member.

MS. FRAGOSO: Maria Fragoso,
member.

MS. ENNIS: Kathleen Ennis,
member.

CHAIR MOSIELLO: Do you want to
put your names on the record?

MS. AGGREY: Helen Aggrey,
deputy corporation counsel.

MR. GALLAGHER: Matthew
Gallagher, corporation counsel.

CHAIR MOSIELLO: Okay, we have
the minutes of last meeting, of
March 20th, '24. Has everybody had

1 PROCEEDINGS

2 the opportunity to read and -- does
3 anybody wish to correct or move --

4 MS. ENNIS: Very small
5 corrections.

6 CHAIR MOSIELLO: Please, go
7 forward.

8 MS. ENNIS: On page 15, line 15,
9 Mr. Borelli was saying -- continuing a
10 little bit about starting the
11 business, you know, to produce myself
12 to different clients, I think that
13 word was probably "introduced".

14 CHAIR MOSIELLO: Okay, that's
15 reasonable.

16 MS. ENNIS: And on page 65,
17 line 9, Mr. Donnelly, they have him
18 saying "I'm honestly just familiar
19 with it at all." I think he was
20 saying "I'm just not familiar with it
21 at all".

22 CHAIR MOSIELLO: Okay.

23 MS. ENNIS: Because he was
24 looking for an explanation --

25 CHAIR MOSIELLO: Yes.

1 PROCEEDINGS

2 MS. ENNIS: -- of who has to do
3 the financial disclosures.

4 CHAIR MOSIELLO: Do you have
5 anything else, Kathleen?

6 MS. ENNIS: That's it.

7 CHAIR MOSIELLO: Well, the chair
8 will entertain a motion to accept the
9 minutes as correct.

10 MR. GALLEGGO: So moved.

11 MR. MOSIELLO: First, Dennis.
12 Second?

13 MS. FRAGOSO: Second.

14 CHAIR MOSIELLO: Maria.

15 All in favor indicate by saying
16 "aye".

17 BOARD MEMBERS: Aye.

18 CHAIR MOSIELLO: Aye.

19 Any opposition? None.

20 Report from the chair.

21 According to our agenda, we're
22 supposed to talk about the rules of
23 procedure for conducting hearings.

24 MR. GALLAGHER: Yeah, just a
25 little discussion.

1 PROCEEDINGS

2 So pursuant to Ethics Rules
3 C1A-31, entitled Hearings
4 Administrative Enforcement:

5 A, the ethics board shall adopt
6 rules governing the conduct of
7 hearings. Such rules shall contain
8 appropriate due process procedural
9 mechanisms, as well as take into
10 account any applicable provision flaw
11 and collective bargaining agreement.

12 The ethics board shall conduct
13 and complete each hearing with
14 reasonable promptness.

15 Pursuant to that rule, I took a
16 look at Westchester County Board of
17 Ethics Rules with respect to
18 conducting hearings, and I'm just
19 circulating it to everybody in the
20 room.

21 I think we could get away
22 with -- if we turn to page two of the
23 rules, these are very straight
24 forward, due process requirements.

25 We have the notice of hearing

PROCEEDINGS

section and the -- on the next page,
the hearing procedure section.

And, finally, we have the rules
of evidence and record of hearing
section. And, finally, actually,
decision.

There's no reason to reinvent
the wheel, we can take what we need
out of this. I believe we can put
something together for you, for the
next meeting, for you to adopt.

CHAIR MOSIELLO: That sounds
like a good idea. I think we give
everybody a chance to digest this and
we'll address it at the next meeting.

MR. GALLAGHER: That's --

CHAIR MOSIELLO: That's fine.

MR. GALLAGHER: Perfect.

CHAIR MOSIELLO: Next, committee
reports.

The only committee I can think
of is Dennis, financial disclosures.

MR. GALLEGGO: At this point,
we're missing two city employee

PROCEEDINGS

personnel, one being Counselman Merante and one person from the Board of Building & Housing Department, those are the only two city employees that we're missing.

We're missing thirteen from the Board of Ed, we just e-mailed them again, today, to see if they can get those processed.

And we're missing forty sorted board members.

CHAIR MOSIELLO: Active board members?

MS. FRAGOSO: You can authorize my signature.

CHAIR MOSIELLO: Forty active board members?

MR. GALLEGGO: Forty active board members.

So we're actively pursuing them, I haunt them on a regular basis.

CHAIR MOSIELLO: Good. You're doing a fine job, Dennis.

MR. GALLEGGO: We try.

1 PROCEEDINGS

2 CHAIR MOSIELLO: Let's move on.

3 Review of all business -- I'm
4 going to defer to matters to which
5 ones you want to -- what order you
6 want to take this?

7 MR. GALLAGHER: Let's start with
8 Lee Ellman's resolution.

9 CHAIR MOSIELLO: Okay.

10 MR. GALLAGHER: You know, the
11 board had the opportunity to meet with
12 Mr. Ellman, I believe, two meetings
13 ago and, you know, I don't see
14 anything that would prohibit this
15 board from considering this
16 resolution.

17 So it's basically up to the
18 board as to whether they would like to
19 bring Mr. Ellman's waiver, which would
20 only be good for six months because in
21 a year, you know, it's over.

22 CHAIR MOSIELLO: Does anybody
23 have anything they'd like to discuss
24 relative to a waiver for Mr. Ellman,
25 which would be -- so one-year waiver

1 PROCEEDINGS

2 but six months have already passed.

3 In that case, can I hear a
4 motion?

5 MR. GALLEGO: So moved.

6 CHAIR MOSIELLO: Motion by
7 Dennis. Can I hear a second?

8 MS. ENNIS: So moved.

9 MR. MOSIELLO: Second by
10 Kathleen.

11 All those in favor indicate by
12 saying "aye".

13 [a chorus of ayes]

14 CHAIR MOSIELLO: Aye. Are there
15 any negative votes?

16 None being heard. That
17 resolution is passed.

18 There you go. Done.

19 MR. GALLAGHER: Moving right
20 along.

21 CHAIR MOSIELLO: Moving right
22 along. Do you want to take Sam
23 Borelli next?

24 MR. GALLAHER: Sam Borelli's not
25 here, right now.

1 PROCEEDINGS

2 CHAIR MOSIELLO: You want to
3 skip that for now?

4 MR. GALLAGHER: Yes, he will be
5 here -- letters from Yonkers tax
6 payer, dated September 18th, 2023,
7 which is on page four, five of your
8 record.

9 You can see the bate stamps in
10 the lower right-hand corner.

11 CHAIR MOSIELLO: Okay.

12 MR. GALLAGHER: [REDACTED]

13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]

18 [REDACTED] has been requested,
19 she had a subpoena, that's also
20 indicated, that's also part of the
21 record, on page six.

22 She has not appeared. Her
23 counsel appears to be here, today.
24 What he intends to offer to the board,
25 I do not know, we're not in the

1 PROCEEDINGS

2 investigation stage, we're not in the
3 hearing stage, we're in the
4 investigation stage, so she was
5 invited in to be interviewed.

6 If you would like to take any
7 action with respect to Mr. Murtagh and
8 hear what he has to say, that's up to
9 the board.

10 CHAIR MOSIELLO: Well, should we
11 do that in order or should we skip
12 around and then pull them in? How do
13 you think we should --

14 MR. GALLAGHER: Well, I mean, I
15 haven't -- I can ask him if [REDACTED]
16 is here and he can just come, let us
17 know. And if she's not here, there's
18 really no discussion. I mean, why
19 would we have a discussion with her
20 attorney.

21 CHAIR MOSIELLO: Let's do that.
22 Do you want me to check?

23 MS. AGGREY: Should we go into
24 executive session?

25 CHAIR MOSIELLO: What?

1 PROCEEDINGS

2 MS. AGGREY: Should we go in
3 executive session?

4 CHAIR MOSIELLO: Oh, well, let's
5 see -- do we have to go into executive
6 session? She's not here and he's not
7 going to address us, he may not be in
8 need.

9 MR. GALLAGHER: I don't
10 remember.

11 Bruce just called me. Let me
12 let him know that we don't need him.

13 [Mr. Gallagher made a phone
14 call.]

15 CHAIR MOSIELLO: Do you want to
16 wrap this? Tie this in a bow or --

17 MR. GALLAGHER: Well, let's see
18 what he has to say and if she's
19 coming.

20 I mean, if he just wants to make
21 a statement, he can do that, it's up
22 to the board as to how they'd like to
23 proceed.

24 CHAIR MOSIELLO: John Murtagh?

25 MR. GALLAGHER: Yeah, John

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

Murtagh.

CHAIR MOSIELLO: John. John.

[John Murtagh entered the
conference room.]

MR. GALLAGHER: Good afternoon,
John, do you want to put your name on
the record, if you're going to speak?

MR. MURTAGH: Sure. John
Murtagh, Murtagh, Cossu, Venditti,
Castro-Blanco on behalf of [REDACTED]

[REDACTED]
May I?

CHAIR MOSIELLO: Please do.

MR. GALLAGHER: Please.

MS. AGGREY: Make a motion --

MR. GALLAGHER: Yes, motion to
be going to executive session.

CHAIR MOSIELLO: Okay.

MR. MURTAGH: May I?

MR. GALLAGHER: Please.

CHAIR MOSIELLO: Yes, just sit
down. And, please -- the chair will
accept a motion for executive session.

MS. ENNIS: Motion.

PROCEEDINGS

MR MOSIELLO: Kathleen.

MS. FRAGOSO: Second.

CHAIR MOSIELLO: Maria. All in
favor say "aye".

[a chorus of ayes]

CHAIR MOSIELLO: Aye.

(Page 14, line 8, through page
61, line 2, were executive session and
bound under seperate cover.)

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

CHAIR MOSIELLO: We are now back into regular session.

So now we have to go back --

MR. GALLAGHER: And vote.

CHAIR MOSIELLO: Bring this around, again. We have to go back and redo all of these things in -- okay, so did we do Ellman yet?

MR. GALLAGHER: Now we can vote on it.

CHAIR MOSIELLO: Okay, has the motion been made?

MR. GALLEGO: So moved. On which one?

CHAIR MOSIELLO: Ellman's waiver?

MS. Fragoso: We did.

CHAIR MOSIELLO: We did that?

MR. GALLEGO: We did that.

MR. GALLAGHER: We did, my apologies.

CHAIR MOSIELLO: So now the next thing would be the resolution for Sam

1 PROCEEDINGS

2 Borelli's waiver. No?

3 MR. GALLAGHER: My advice would
4 be to, you know, keep it open.

5 CHAIR MOSIELLO: Okay. So we're
6 going to hold that over.

7 MR. GALLAGHER: Hold it over.

8 CHAIR MOSIELLO: The next would
9 be the letter from the letter from --

10 MR. GALLAGHER: That's [REDACTED]

11 [REDACTED]

12 CHAIR MOSIELLO: [REDACTED]
13 And did we need to do anything now, in
14 regular session?

15 MR. GALLAGHER: Other than hold
16 it over?

17 CHAIR MOSIELLO: We're going to
18 hold that over also.

19 MR. GALLAGHER: And just for the
20 record, I did respond to all of the
21 assertions, the legal claims that
22 Mr. Murtagh made with respect to not
23 being provided with adequate due
24 process, with respect to procedures
25 set forth in the ethics code, which is

1 PROCEEDINGS

2 one of the reasons why if we needed to
3 move forward I wanted us to discuss
4 the rules of procedure for conducting
5 hearings in case we need it in the
6 future.

7 CHAIR MOSIELLO: Okay. We'll
8 move onto letters from Sam Dahdal --

9 MR. GALLAGHER: Yes.

10 CHAIR MOSIELLO: -- dated
11 October 2nd, 2023.

12 MR. GALLAGHER: So, again, the
13 question before this honorable board
14 is whether he violated ClA6, which is
15 whether he took official action or
16 failed to take official action in a
17 manner which he knows or has reason to
18 know may result in a financial benefit
19 for himself, a member of his household
20 or his relatives.

21 So we have the two items,
22 1060 Nepperhan Avenue and the carpet
23 mill.

24 CHAIR MOSIELLO: Based on the
25 information that I heard in executive

PROCEEDINGS

session, both from Mr. Borelli and from corporation counsel, I don't see -- I don't see a problem, personally.

Does anybody else see something? Kathleen? Dennis?

So how do we take care of this?

MR. GALLAGHER: The same way we took care --

CHAIR MOSIELLO: We didn't do that yet.

MR. GALLAGHER: Yes, we didn't.

Okay, so under the ethics code, Section C1A-30, complaints and investigations, and we're in the investigation stage, G, upon completion of its investigation the ethics board shall take one or more of the following actions.

So the issue is -- first issue is whether this investigation is complete.

CHAIR MOSIELLO: Do we deem this investigation complete?

PROCEEDINGS

MS. FRAGOSO: I believe so.

MS. MOSIELLO: Do we all agree?

MR. GALLEGO: Yes.

CHAIR MOSIELLO: Do we need a
vote?

MR. GALLAGHER: Please.

CHAIR MOSIELLO: No? Yes?

MR. GALLAGHER: Why not?

CHAIR MOSIELLO: Okay.

MR. GALLEGO: Make a motion to
dismiss?

MR. GALLAGHER: First motion to
close the investigation.

MR. GALLEGO: Motion to close
the investigation.

CHAIR MOSIELLO: Dennis. Is
there a second?

MS. FRAGOSO: Second.

CHAIR MOSIELLO: Maria.

All in favor?

[a chorus of ayes.]

CHAIR MOSIELLO: Aye.

Unanimous.

Next.

1 PROCEEDINGS

2 MR. GALLAGHER: And now what to
3 do with it, now that you've closed it,
4 you have a motion to do whatever you
5 want to do now that the motion is --

6 MR. GALLEGGO: -- motion to
7 dismiss.

8 CHAIR MOSIELLO: Dennis makes a
9 motion to dismiss the investigation.

10 Was there second?

11 MS. FRAGOSO: (Indicating).

12 MR. MOSIELLO: Maria again. All
13 in favor, please, indicate by saying
14 "aye".

15 [a chorus of ayes]

16 MR. MOSIELLO: Any extensions or
17 negative votes?

18 MR. GALLEGGO: No.

19 CHAIR MOSIELLO: Okay, we're
20 moving onto Frank Jereis and the other
21 counsel person.

22 MR. GALLAGHER: Okay, we heard
23 from Mr. Jereis, we have documents in
24 the records concerning the complaint
25 and statement and response from

PROCEEDINGS

Mr. Jereis, which also matches three exhibits.

Mr. Jereis appeared with counsel and we have the same question before for this honorable board as to what to do with the investigation at this stage.

MR. GALLEG0: Motion to close.

CHAIR MOSIELLO: Motion to close the investigation?

MS. ENNIS: Yes.

CHAIR MOSIELLO: Second by Ms. Ennis.

All in favor indicate by saying aye.

[a chorus of ayes]

CHAIR MOSIELLO: Aye, that's unanimous.

MR. GALLEG0: Motion to dismiss.

CHAIR MOSIELLO: By Mr. Gallego. Second?

MS. FRAGOSO: (Indicating).

CHAIR MOSIELLO: By Maria Fragoso.

1 PROCEEDINGS

2 All in favor?

3 [a chorus of ayes]

4 MR. MOSIELLO: Aye. Okay. Look
5 at us, just moving right along.

6 MS. AGGREY: We need to put in
7 dismissal.

8 MR. GALLAGHER: Excuse me?

9 MS. AGGREY: We can put a
10 dismissal.

11 MR. GALLAGHER: Okay, yes.

12 The reason for the dismal, we
13 can put together -- some type of
14 formal written dismissal that we can
15 put together on your behalf --

16 CHAIR MOSIELLO: And?

17 MR. GALLAGHER: -- so that you
18 can adopt it --

19 You've made the motion but we
20 can formulize it.

21 CHAIR MOSIELLO: And once we
22 have it writing then we would just
23 adopt it.

24 MR. GALLAGHER: And then that
25 would be posted.

1 PROCEEDINGS

2 MS. AGGREY: -- include the
3 reason draft it, it's incoherent.

4 CHAIR MOSIELLO: The reason for
5 us dropping the investigation, because
6 the --

7 MR. GALLAGHER: Which
8 investigation are we talking about
9 right now?

10 So we didn't do it for
11 Mr. Jereis, at first.

12 MS. AGGREY: One was just --

13 MR. GALLAGHER: Okay.

14 MS. AGGREY: For --

15 MR. GALLEGO: Jereis.

16 MR. GALLAGHER: I'm sorry --

17 MS. AGGREY: And for Sam Dahdal,
18 you did mention based on the --

19 CHAIR MOSIELLO: Right.

20 MR. AGGREY: For Mr. Jereis who
21 didn't say anything at all.

22 MR. GALLAGHER: Okay.

23 CHAIR MOSIELLO: Okay.

24 MR. GALLAGHER: Let me fix that
25 for the record.

PROCEEDINGS

1
2 With respect to the complaint
3 against Frankie Jereis, the issue
4 before this honorable board is
5 pursuant to C1A-13 Interest in
6 Contracts with the city, the issue is
7 specifically B, whether any city
8 officer or employee who has, will have
9 or later acquires an interest in any
10 actual potential contract with the
11 city shall publicly disclose the
12 nature and extend an interest in
13 accordance with 803 of General
14 Municipal Law.

15 Any -- C, any officer or
16 employee who willfully and knowingly
17 violates the provisions of this
18 section shall be guilty of a
19 misdemeanor to the extent provided by
20 Section 805 of the General Municipal
21 Law.

22 So the issue for this honorable
23 board is whether, based on the record
24 and the interview with Mr. Jereis he
25 acted willfully.

1 PROCEEDINGS

2 CHAIR MOSIELLO: So can we adopt
3 the position that we, in our
4 investigation, do not believe that the
5 person was acting willfully and what's
6 the other word?

7 MR. GALLAGHER: Willfully.

8 CHAIR MOSIELLO: Willfully.
9 Okay, would that do?

10 MS. AGGREY: Yes.

11 CHAIR MOSIELLO: That satisfies
12 everything?

13 MS. AGGREY: Yes.

14 MR. GALLAGHER: So on that
15 basis, that is why you voted to close
16 the investigation and dismiss.

17 CHAIR MOSIELLO: That's right.

18 MR. GALLAGHER: Okay.

19 CHAIR MOSIELLO: Okay, so now we
20 got that.

21 Can we move on? Thank, God.

22 Review of new business,
23 correspondence letter from Sam Dahdal.

24 Another letter from Sam Dahdal?

25 MR. GALLAGHER: That concerns

PROCEEDINGS

Mr. Dahdal's -- I mean, Mr. Borelli's request for a waiver, which has been held over, so there's no reason to address it.

CHAIR MOSIELLO: Correspondence, contract disclosure for Vincent Camp --

MR. GALLAGHER: -- Campisi, that's on page 236.

At the very end, yes, there it is.

Okay, I can read it into the record:

To whom it may concern, I, Vincent Campisi, being a full-time employee of the City of Yonkers will enter into a contract with the City as a, quote, unquote, entertainer to provide DJ services at Murray's Skating Rink for three hours per night on Fridays in the months of June, July and August.

This by no way is conflict of interest with my full-time job with

1 PROCEEDINGS

2 the city, as I don't deal with any
3 contracts or money as a network
4 engineer, thank you very much, Vincent
5 Campisi.

6 CHAIR MOSIELLO: Does he need us
7 to sign off on something like this?

8 MR. GALLAGHER: He just needs to
9 notify you.

10 CHAIR MOSIELLO: Oh. So we're
11 notified. Do we have to say anything?
12 Do we have to do anything?

13 MR. GALLAGHER: No.

14 MS. FRAGOSO: Asdsadsa/TPRAEU no
15 conjecture.

16 CHAIR MOSIELLO: So he let us
17 know and we don't see any problem with
18 it.

19 MR. GALLAGHER: This ties into
20 what wasn't done in the other case.

21 CHAIR MOSIELLO: Got it.

22 MS. FRAGOSO: So he was doing
23 the right thing.

24 MR. GALLAGHER: Yes.

25 MS. FRAGOSO: Before he breaks

1 PROCEEDINGS

2 any -- if he does any asdsad/TPRAOULSZ
3 he just informed the board.

4 MR. GALLAGHER: This is what the
5 other gentleman was accused of not
6 doing.

7 MS. FRAGOSO: Yes.

8 CHAIR MOSIELLO: Are there any
9 complaints to review, other than what
10 we just did?

11 MS. FRAGOSO: No.

12 CHAIR MOSIELLO: Next meeting,
13 okay, I'm going to throw my dates out
14 and then you guys can work on that.

15 I always like to go December,
16 beginning of December, and that would
17 be our fourth meeting of the year.

18 MR. GALLAGHER: We really need
19 to meet before that, probably in
20 September.

21 CHAIR MOSIELLO: September?

22 MR. GALLAGHER: Yeah, and it
23 says at least four meetings, it
24 doesn't say --

25 CHAIR MOSIELLO: It only says

PROCEEDINGS

four.

No, I'm only kidding.

MR. GALLAGHER: We've addressed everything that's before this honorable board. The only remaining complaint is we have -- what remains is the [REDACTED] complaint and we have the issue with respect to Mr. Borelli's waiver.

So it shouldn't be too complicated a meeting.

There is litigation with respect to [REDACTED], which may interfere with this, it may make me decide that, you know, we should move forward on that right now, but we're not there yet, we're at the very beginning stages of litigation.

CHAIR MOSIELLO: So what are we -- this is June.

Oh, I'm sorry, I didn't mean December. Usually, it's every three months, September.

No, I'm sorry.

1 PROCEEDINGS

2 MR. GALLAGHER: Summer's over?

3 CHAIR MOSIELLO: I'm sorry.

4 Yeah, usually, it's September
5 and then December, that's where we --
6 September is fine.

7 Everybody wants to meet the
8 second week? Third week? When?

9 That'll be the third meeting,
10 right, March 3rd.

11 MS. FRAGOSO: The third week in
12 September.

13 CHAIR MOSIELLO: Right, March,
14 June.

15 MS. ENNIS: We used to do
16 Wednesday, right?

17 CHAIR MOSIELLO: Yes.

18 MS. ENNIS: Do you prefer
19 Wednesday?

20 CHAIR MOSIELLO: It doesn't
21 matter. This is fine.

22 MS. ENNIS: That would be
23 September --

24 CHAIR MOSIELLO: That sounds
25 good. 9/18.

1 PROCEEDINGS

2 Do we need to make a motion on
3 that? No?

4 MS. AGGREY: No.

5 CHAIR MOSIELLO: Are we all in
6 agreement, September 18th?

7 MR. GALLEGO: Yes.

8 MS. FRAGOSO: Yes.

9 CHAIR MOSIELLO: Okay, great,
10 that's the next meeting.

11 So other than that, I think we
12 can call for an adjournment.

13 Anybody --

14 MR. GALLEGO: So moved.

15 CHAIR MOSIELLO: Thank you,
16 Dennis. Second?

17 MS. FRAGOSO: (Indicating).

18 CHAIR MOSIELLO: Maria.

19 All in favor indicate by saying
20 aye.

21 Aye.

22 [Whereupon, at 6:38 p.m., the
23 above matter concluded.]

24

25

CERTIFICATION

I, Helen Wandzilak, a Notary Public
for and within the State of New York, do
hereby certify:

That the witness whose testimony as
herein set forth, was duly sworn by me;
and that the within transcript is a true
record of the testimony given by said
witness.

I further certify that I am not
related to any of the parties to this
action by blood or marriage, and that I am
in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 23rd day of July, 2024.



HELEN WANDZILAK

* * *