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STATE OF NEW YORK  
CITY OF YONKERS

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MINUTES OF  
THE CITY OF YONKERS  
BOARD OF ETHICS MEETING  
March 20, 2024 - 5:30 P.M.

AT  
YONKERS CITY HALL  
40 SOUTH BROADWAY  
MAYOR'S CONFERENCE ROOM  
YONKERS, NEW YORK 10701

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M E M B E R S :

- LOUIS MOSIELLO - CHAIR
- DENNIS GALLEGRO - MEMBER
- KATHLEEN ENNIS - MEMBER
- BRUCE DONNELLY - MEMBER
- MARIA DEROSE - MEMBER

P R E S E N T :

- HELEN AGGREY, ESQ. - DEPUTY CORPORATION COUNSEL
- MATTHEW GALLAGHER, ESQ. - CORPORATION COUNSEL

PROCEEDINGS

1  
2 CHAIR MOSIELLO: I'm going to  
3 call this meeting of the Ethics Board  
4 to order. It's March 20th, 2024,  
5 it's 5:43 P.M., and we'll begin by  
6 calling roll. I'm Louis Mosiello,  
7 the chair.

8 MR. GALLEGO: Dennis Gallego,  
9 member.

10 MS. ENNIS: Kathy Ennis,  
11 Member.

12 MR. DONNELLY: Bruce Donnelly,  
13 member.

14 MS. DEROSE: Maria DeRose,  
15 member.

16 MS. AGGREY: Helen Aggrey,  
17 deputy corporation counsel.

18 MR. GALLAGHER: Matthew  
19 Gallagher, corporation counsel.

20 CHAIR MOSIELLO: Okay. Roll  
21 being called, there is a quorum, so  
22 we'll move onto the minutes from the  
23 meeting of December 6th, 2023. Has  
24 everybody had a chance to read the  
25 minutes and are there any

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PROCEEDINGS

corrections, deletions? Kathleen,  
you must have something.

MS. ENNIS: No, I have no  
corrections. As I said, we should  
speak more clearly, but there's  
nothing I would change.

CHAIR MOSIELLO: No hands being  
raised. Will somebody make a motion  
to accept the minutes?

MR. DONNELLY: I will  
introduce.

CHAIR MOSIELLO: Second,  
Dennis. All in favor?

(A chorus of ayes.)

CHAIR MOSIELLO: Opposed?  
None. So approved.

Report from the chair. Okay.  
I guess we have --

MR. GALLAGHER: Is it possible  
we can go out of order? We have two  
--

CHAIR MOSIELLO: Certainly.

MR. GALLEGRO: So item number  
seven, second and third bullet point.

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CHAIR MOSIELLO: Sure. All right. So we have a resolution for request for a waiver by Lee Ellman. How do you want to proceed with that?

MR. GALLEGO: Invite him up and speak as to why he would like a waiver.

CHAIR MOSIELLO: You might have to bring a chair with you.

MR. ELLMAN: No, I'll be fine. My custom is I am to speak to you from the --

[Crosstalk]

THE COURT REPORTER: Hold on, hold on.

MR. GALLAGHER: I'm very sorry about that. I forgot we were recording here.

MR. DONNELLY: Didn't it cite the charter on there? We don't have that, do we? That allows or doesn't allow --

MR. GALLAGHER: Yeah, I have it right here. I can read that section

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into the record.

MR. DONNELLY: Yeah, wouldn't it be better to start before --

CHAIR MOSIELLO: Oh sure, sure.

MR. DONNELLY: -- if you don't mind --

CHAIR MOSIELLO: What he's here to address --

MR. DONNELLY: Yes, because he's looking for --

THE COURT REPORTER: Again --  
(Whereupon, an off-the-record discussion was held.)

MR. DONNELLY: So just let me clarify. We're going out of order, correct, so we're going to go now with the latter part that was originally scheduled to allow Mr. Ellman to have the ability to --

CHAIR MOSIELLO: Well, corporation counsel has asked us to take it out of order and do the last two bullet points on item seven. So the first one is a resolution request

## PROCEEDINGS

1  
2 for a waiver from Lee Ellman.

3 MR. GALLAGHER: Okay. This  
4 waiver is pursuant to city charter  
5 code section C1A-36 entitled  
6 "waivers," and sub A provides that  
7 "the Ethics Board is empowered to  
8 grant waivers from certain provisions  
9 of the Ethics Board as provided  
10 herein."

11 B provides "the board may grant  
12 a waiver of the prohibition set forth  
13 in C1A-10 upon the affirmative  
14 supermajority vote of five members of  
15 the Ethics Board. Such waivers may  
16 include, but is not limited to,  
17 authorizing former city officers or  
18 employees to appear before the city  
19 on behalf of another person  
20 concerning a matter that was before  
21 the city officer or employee during  
22 his or her prior employment by or  
23 service to the city."

24 Subsection C says "an  
25 application for a waiver must be made

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PROCEEDINGS

in writing setting forth in detail the reason for the requested waiver." The rest of C is not pertinent.

D, provides "all waivers shall be issued in writing by the Ethics Board and contents of any waiver shall be a public record."

So Mr. Ellman is here. He has requested a waiver. He will tell us what his former position was with the city and why he would like a waiver going forward.

MR. ELLMAN: Thank you, Mr. Chairman. So I was the former deputy commissioner of planning from 2020 to 2023. Prior to that, since 1990 I was the director of planning for the city, and prior to that since 1981 I held a number of staff planning positions.

In my time after working for the city, what I would like to do is establish a consultancy and potentially represent clients before

## PROCEEDINGS

1  
2 the city boards, most likely the  
3 Planning Board and Zoning Board. It  
4 is, depending on how one reads the  
5 charter, it's not my intention to  
6 take up any work that I was directly  
7 involved in.

8 In other words, if there was --  
9 let's put a name to a project. Ridge  
10 Hill. I worked very, very extensively  
11 with Ridge Hill, so it's not my  
12 intention to immediately jump from  
13 city employment reviewing the people  
14 at Ridge Hill to representing Ridge  
15 Hill. However, what I would like to  
16 do is use my long-term knowledge of  
17 the City of Yonkers' codes and be  
18 able to establish a consultancy  
19 helping businesses and individuals,  
20 representing them before city boards.

21 CHAIR MOSIELLO: Does anybody  
22 have any questions for Lee?

23 MR. DONNELLY: I mean,  
24 obviously the first thing that comes  
25 to mind for me is what you just

## PROCEEDINGS

1  
2 brought up. Would that be  
3 representing immediately those groups  
4 that are current, and what is --  
5 secondly --

6 MR. ELLMAN: That's in a way a  
7 difficult question to answer, and I'm  
8 not sure what the charter says about  
9 it. I have broad experience, broad  
10 exposure to all things zoning and  
11 planning in the City of Yonkers. But  
12 it is not my intent to do the kind of  
13 jumping from government to private  
14 sector that makes it into the  
15 newspaper where someone is working  
16 for the Defense Department and then  
17 jumps and works for Boeing or for  
18 SpaceX. That's not at all what I'm  
19 looking to do. I'm looking to  
20 establish kind of a new role for  
21 myself and a new planning  
22 consultancy.

23 MR. GALLAGHER: If may I jump  
24 back to the code, C1A-36B references  
25 section C1A-10 of the code. C1A-10

## PROCEEDINGS

1  
2 entitled "post service or employment  
3 activities" provides "except as  
4 otherwise provided in this section, a  
5 city officer or employee shall not  
6 appear before the city on behalf of  
7 another person for a period of one  
8 year after the completion of his or  
9 her city service of employment. This  
10 subsection shall not prohibit a city  
11 officer employed from being elected  
12 to office, being appointed to any  
13 board or commission, being hired as a  
14 city officer or employee, or being  
15 paid by the city to appear as a  
16 witness in any proceeding on behalf  
17 of the city."

18 Subsection B goes on to provide  
19 "the prohibition set forth in A shall  
20 be permanent as to particular matters  
21 on which the city officer or employee  
22 personally worked while a city  
23 officer or employee." A city officer  
24 employed personally works on a matter  
25 when that city officer or employee

PROCEEDINGS

1  
2 substantially involved with the  
3 matter or personally supervises or  
4 directs how that matter is to be  
5 handled."

6 So Mr. Ellman would be  
7 prohibited by that section without a  
8 waiver from working on anything that  
9 pretty much his department was  
10 involved in given that when he did  
11 retire he was -- deputy commissioner?

12 MR. ELLMAN: Deputy  
13 commissioner.

14 MR. GALLAGHER: Deputy  
15 commissioner. So that would pretty  
16 much involve everyone. So he would  
17 need a waiver in order to work on  
18 anything --

19 CHAIR MOSIELLO: Within the  
20 first year. After that he's free and  
21 clear, right?

22 MR. GALLAGHER: Yes, for a  
23 period of one year. He's free and  
24 clear.

25 CHAIR MOSIELLO: So in the

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first year?

MR. GALLAGHER: Yes.

CHAIR MOSIELLO: Does anybody have any other questions for either Mr. Ellman or corporation counsel?

None being heard. We thank you for your attendance. I'm assuming that we will discuss this in executive session later in the meeting?

MR. GALLAGHER: Yes.

CHAIR MOSIELLO: And the secretary legal counsel will provide you.

MR. ELLMAN: Okay.

CHAIR MOSIELLO: Thanks for coming in.

Okay. Next we have a resolution, request for a waiver from Mr. Sam Borrelli. Sam, you want to come up and do the thing?

MR. BORRELLI: Thank you, Mr. Chairman, members of the board.

So I'm here tonight to request

## PROCEEDINGS

1  
2 a waiver. I've been -- I was former  
3 building commissioner for over the  
4 last two years here in the City of  
5 Yonkers. And what I've done in my  
6 whole career has been very involved  
7 in codes and zoning and planning and  
8 construction. And so at this point  
9 in my career I've decided to retire  
10 and step outside of this umbrella and  
11 hopefully be able to continue my  
12 knowledge and my abilities to help  
13 and set forth people that need  
14 assistance and want some assistance  
15 from my expertise in order to be  
16 under the window of the one year. So  
17 I'm requesting that the board would  
18 possibly grant me that opportunity to  
19 proceed in my career.

20 CHAIR MOSIELLO: Questions for  
21 Mr. Borrelli? Anybody?

22 MR. DONNELLY: I can't be the  
23 only one, John.

24 CHAIR MOSIELLO: No, you got a  
25 question, go for it.

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MR. DONNELLY: I do. Mr. Borrelli, I don't know you. I'm Bruce Donnelly.

MR. BORRELLI: Hi.

MR. DONNELLY: I understand -- I just heard this the other day. You had 40 years with the city; is that correct?

MR. BORRELLI: No. I was here in the early nineties and then came back under Mayor Spano, so it's more like 20 years.

MR. DONNELLY: Oh, I'm sorry. Somebody said you had like 40 years experience.

MR. BORRELLI: Well, I've got 40 years --

MR. DONNELLY: Oh, he did. I'm sorry, Mr. Ellman did. I'm sorry, I'm mixing it up. That's all right. 20 years is still a handful either way no doubt.

MR. BORRELLI: Thank you.

MR. DONNELLY: I appreciate it.

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No, that's it.

CHAIR MOSIELLO: No more questions?

MR. DONNELLY: Just wanted to clarify that.

MS. ENNIS: Are you already retired?

MR. BORRELLI: Yes.

MS. ENNIS: Do you have your, like, business started?

MR. BORRELLI: No, at this point I'm just consulting a little bit and starting to, you know, produce myself to different clients.

MS. ENNIS: Right.

MR. BORRELLI: So I'm working my way towards that. And as the charter says, there's a year, but I didn't want to fall and get myself involved in anything, but I figure the best thing to do is ask for the waiver in case it happens.

MR. DONNELLY: Have you opened up a corporation or LLC yet?

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MR. BORRELLI: Not yet, no, I have not.

MR. DONNELLY: And you plan to work hand in hand with Mr. Ellman in that same capacity?

MR. BORRELLI: Oh no, apart and separate from Mr. Ellman.

MR. GALLAGHER: Gentlemen, can you speak separately?

MR. DONNELLY: Oh yeah, for the camera, sorry. That's really all I have.

CHAIR MOSIELLO: Okay. Sam, thanks for coming in, and we'll discuss it in executive session and corp counsel will get back to.

MR. BORRELLI: Excellent, thank you.

CHAIR MOSIELLO: Okay. We'll now go back -- oh, by the way, I neglected to welcome Maria to the board as our newest member.

MS. DEROSE: Thank you.

CHAIR MOSIELLO: You're

PROCEEDINGS

1  
2 welcome. Hope you don't mind  
3 watching the paint dry once in a  
4 while, but anyway, welcome.

5 MS. DEROSE: Thank you.

6 MR. DONNELLY: Mr. Chair, are  
7 we going to stick with the usual  
8 where the new person brings the  
9 doughnuts and/or pizza?

10 CHAIR MOSIELLO: Well,  
11 considering that Saturday is the  
12 parade, we were thinking more corn  
13 beef and cabbage.

14 MR. DONNELLY: I like the way  
15 you think.

16 CHAIR MOSIELLO: Anyway, let's  
17 go back to the regular order of  
18 business.

19 Okay. Report from the chair.  
20 The first is the review of the  
21 by-laws pertaining to the Ethics  
22 Board. Has everybody had a chance to  
23 review the by-laws and are there any  
24 suggestions, recommendations,  
25 corrections, motions, or is everybody

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happy with it just the way they are?

MS. ENNIS: Okay. Which  
by-laws?

CHAIR MOSIELLO: It's here. I  
guess --

MS. ENNIS: Oh. Did we all get  
--

CHAIR MOSIELLO: -- every so  
often we're supposed to review the  
by-laws and reconstitute them I  
guess.

MS. ENNIS: Oh. Because I --

MS. AGGREY: Now that we have a  
full board with the addition of the  
last member, we're hoping that this  
newly constituted board can review  
and see whether or not they want to  
make any changes to the by-laws or  
would we want to readopt them as is.

CHAIR MOSIELLO: Does counsel  
have any suggestions to make the  
operation of this board more smooth?

MR. GALLAGHER: I don't have  
anything, but at some point we are

1 PROCEEDINGS

2 going to have to adopt specific rules  
3 concerning hearing procedures, but we  
4 do not need to do that tonight. It  
5 would become part of your rules.

6 (The court reporter asks for  
7 clarification.)

8 MR. GALLAGHER: So C1A-31 of  
9 the code entitled "hearings and  
10 administrative enforcement" says  
11 "Ethics Board shall adopt rules  
12 regarding the conduct of all  
13 hearings. Such rules shall contain  
14 appropriate due process procedural  
15 mechanisms, as well as take into  
16 account any applicable provisions of  
17 law and collective bargaining  
18 agreements," which is really not  
19 applicable. "The Ethics Board shall  
20 conduct and complete each hearing  
21 with reasonable promptness."

22 So at some point we should  
23 adopt rules --

24 CHAIR MOSIELLO: So if we want  
25 to amend these by-laws, we can do

PROCEEDINGS

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2 that at any time of the year, doesn't  
3 have to be a particular time?

4 MR. GALLAGHER: That's correct.

5 CHAIR MOSIELLO: Okay.

6 MR. GALLAGHER: We would just  
7 add an addendum which my office would  
8 draft which would just have simple  
9 hearing procedures that of course I  
10 would advise you if we ever got to  
11 that point if we did go into a formal  
12 hearing for any particular matter.

13 CHAIR MOSIELLO: Okay. So that  
14 being said, do we need to have a  
15 motion to adopt these by-laws for the  
16 future?

17 MR. GALLAGHER: Yes.

18 CHAIR MOSIELLO: May I hear a  
19 motion from somebody to adopt the  
20 by-laws?

21 MR. GALLEGGO: So moved.

22 CHAIR MOSIELLO: Dennis.  
23 Second? I'll second it. All in  
24 favor?

25 (A chorus of ayes.)

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MS. ENNIS: Did we receive them online? Maybe that's --

CHAIR MOSIELLO: No, I got them in the mail. They came in that big packet. Did you get the big packet?

MS. ENNIS: I got the big packet.

CHAIR MOSIELLO: It was in there.

MR. DONNELLY: I'm looking for it as well.

CHAIR MOSIELLO: I spent some --

MS. ENNIS: I had the charter from the past.

CHAIR MOSIELLO: Nothing was separated into categories. I had to go through page by page to separate it into categories.

MS. ENNIS: I went through all the pages too, but I don't remember seeing that.

MS. AGGREY: That's it.

MR. DONNELLY: That's it,

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that's the one we're talking about,  
right?

MS. AGGREY: Yeah.

MR. DONNELLY: That's only a  
piece of it, yeah.

MR. GALLAGHER: We can take a  
couple of minutes to review them.  
They're not particularly long or  
complicated.

MS. ENNIS: See, I saw the pad  
--

CHAIR MOSIELLO: Would it be  
inappropriate to put this off to the  
next meeting?

MR. GALLAGHER: No.

CHAIR MOSIELLO: Cathleen,  
would you feel more comfortable if we  
put this off to the next meeting?

MS. ENNIS: If it was in here I  
would think I read it, but --

MR. DONNELLY: Yeah, I did the  
same thing. I missed it.

MS. ENNIS: Oh, here we are.  
Okay. Sorry. Yes, I did because

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then I really wanted to read more, so I dug out the actual charter that I had there.

MR. DONNELLY: Did we have a motion?

CHAIR MOSIELLO: We have a motion and I seconded, but in deference to Kathleen, I want to see if she wants us to rescind that motion --

MS. ENNIS: No, no, I'm okay with this.

CHAIR MOSIELLO: Okay. Then all in favor of the motion, please indicate by saying aye.

(A chorus of ayes.)

CHAIR MOSIELLO: Any negative votes? Any abstentions? So moved.

Second bullet point on the report from the chair is review of Local Law 2-2024 board meeting minutes. Now, what is that all about?

MS. AGGREY: So at a City

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2 Council meeting on January 16th,  
3 2024, the council president  
4 introduced legislation amending the  
5 charter for the Board of Ethics for  
6 meeting and voting mandating that  
7 going forward, all minutes, motions  
8 resolutions, advisory opinions,  
9 actions or anything else done by the  
10 Board of Ethics, those records should  
11 be uploaded onto the city's website  
12 and made publicly available. So I  
13 just wanted --

14 CHAIR MOSIELLO: And that was  
15 passed by the City Council?

16 MS. AGGREY: That was passed by  
17 the City --

18 CHAIR MOSIELLO: So you're  
19 saying that the public meeting, which  
20 this is, is going to now be put on to  
21 --

22 MS. AGGREY: The website.

23 MS. ENNIS: Websites.

24 MS. AGGREY: Yeah. The Board  
25 of Ethics is required to maintain and

## 1 PROCEEDINGS

2 index records for future reference,  
3 and posts will otherwise be made  
4 available to the public in accordance  
5 with provision 106 of the Public  
6 Officers Law. However, any such  
7 minutes may be subject to such  
8 redaction as permitted.

9 So basically it's saying that  
10 usually our Ethics meetings and  
11 transcripts are not on the websites.  
12 Once the board has a meeting and when  
13 the transcript comes in, she wants  
14 the meeting, the transcript and the  
15 resolutions and everything else that  
16 the board votes on to be made  
17 publicly available.

18 CHAIR MOSIELLO: Right. Would  
19 that include things like the minutes?  
20 But the minutes are not necessarily  
21 approved for publication for a couple  
22 of months after they're taken, so we  
23 can't have the court reporter taking  
24 the minutes and putting them on the  
25 site before they're adopted.

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MR. GALLAGHER: No.

MR. DONNELLY: I would assume that once they're approved by the committee --

CHAIR MOSIELLO: Right, but they'll be --

MR. DONNELLY: It doesn't matter.

MS. AGGREY: The FOIA law doesn't require minutes to be adopted before they are minutes. Because the next round of minutes will show the correction of the prior minutes.

CHAIR MOSIELLO: I see.

MS. AGGREY: So once the transcripts are available, they are public records.

CHAIR MOSIELLO: Okay. So what actions are required by our board to review Local Law 2-2024?

MS. AGGREY: This is more for our information letting you know that the minutes --

CHAIR MOSIELLO: So this is

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just notification.

MS. AGGREY: -- are going to be public.

CHAIR MOSIELLO: Okay, we're notified.

MR. GALLAGHER: Just so you know, this passed on January 23rd this year 7-0.

CHAIR MOSIELLO: Okay. Moving on. Committee reports. We have no real committees so there is no committee reports.

Review of old business. We discussed last time the discrepancy between the two authorizations for investigations, ours which says one thing and the inspector general's that says another. My understanding is that corporation counsel has discussed this with the inspector general.

MR. GALLAGHER: I have.

CHAIR MOSIELLO: And there is no issue.

## PROCEEDINGS

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2 MR. GALLAGHER: No issue. And  
3 more likely than not, if there's some  
4 preliminary investigation for some  
5 matters, my office has the capacity  
6 to handle it. We have two  
7 investigators on staff. We're very  
8 familiar with matters that come  
9 before this board because of my role.  
10 So with some guidance from this board  
11 at any particular meeting, I'll be  
12 able to handle it.

13 The only reason why I think it  
14 became some type of issue is because  
15 there have been some concurrent  
16 complaints filed with both the  
17 inspector general in this office --  
18 meaning this board, but there doesn't  
19 seem to be any issue with respect to  
20 that conflict in the law right now.

21 CHAIR MOSIELLO: Okay. It  
22 really wasn't a conflict. It was  
23 just a matter of trying to figure out  
24 which way we were supposed to go with  
25 it. Anybody have a problem?

PROCEEDINGS

1  
2 MR. DONNELLY: Right. Just for  
3 clarification, so for future, if we  
4 need investigative services in one  
5 way, first avenue would be through  
6 the corporation counsel, your office.  
7 Second. If we need it, then we would  
8 present it as we normally would have  
9 to the IG's office.

10 MR. GALLAGHER: Yeah. And I  
11 would certainly guide you down that  
12 path.

13 MR. DONNELLY: Right.

14 MR. GALLAGHER: Okay. So we're  
15 good with that.

16 Now, next we have the letter  
17 from the Yonkers Taxpayers dated  
18 September 18th, reference to

19 [REDACTED]

20 [REDACTED]

21 MR. DONNELLY: [REDACTED]

22 MR. GALLAGHER: Yes. If we're  
23 going to discuss this complaint we'll  
24 go into executive session.

25 CHAIR MOSIELLO: Okay. Are we

PROCEEDINGS

1  
2 going to do all these executive  
3 session things at one time in  
4 executive session so we don't have to  
5 go in and out, in and out? Would  
6 that be okay? So would the same  
7 theory apply from the letter from Sam  
8 Dahdal, okay? And would the same  
9 issue apply on the letter regarding  
10 TD and FJ?

11 MR. GALLAGHER: Yes.

12 CHAIR MOSIELLO: Okay. So that  
13 leaves us down to -- we're going to  
14 hold those off for executive session  
15 along with requests for the waivers.

16 So also we have a resolution  
17 number 1 of 2024 approving the list  
18 of employees for 2024 that have to  
19 submit their financial disclosure  
20 forms. This is Dennis's baby.

21 MR. GALLEGO: Yep.

22 CHAIR MOSIELLO: Always been  
23 Dennis's baby. And --

24 MR. GALLEGO: So we reviewed  
25 with all --

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PROCEEDINGS

CHAIR MOSIELLO: And the list  
-- he gave us last --

(Whereupon, an off-the-record  
discussion was held.)

CHAIR MOSIELLO: Okay. So we  
have a package here of a list of  
names for those who would be required  
to file financial disclosure forms.

MR. GALLEGO: Yep.

CHAIR MOSIELLO: Dennis, do you  
have anything you would like to say  
before we consider this?

MR. GALLEGO: Nope.

CHAIR MOSIELLO: Has anybody  
ever --

MR. GALLEGO: It's an update of  
the previous year's list. We will go  
back to each department and let them  
verify all the names that were on  
there, make all the updates for those  
being updated by department.

CHAIR MOSIELLO: Okay.

MR. GALLEGO: But we needed the  
approval to get ready to do the

PROCEEDINGS

mailing beginning of April.

CHAIR MOSIELLO: Okay. Anybody have any questions, concerns?

MR. DONNELLY: Is this a normal operation annually that gets done through every department it's determined that anybody has a --

CHAIR MOSIELLO: Not every department. If your name's on the list your name's on the list, you're required to disclose a financial form with the city. But it's not every single person that works with the City of Yonkers.

MR. GALLAGHER: It includes people like me, Helen.

MS. AGGREY: It depends on a title, the type of title you're assigned.

CHAIR MOSIELLO: Members of many boards.

MR. DONNELLY: Okay. Can we add that just for slight discussion a little bit further when we get into

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PROCEEDINGS

executive session for informational purposes, all right?

MR. GALLAGHER: It depends on what the discussion is. So we can have that discussion in executive session. If I don't believe we should be in executive session, when we come out of it we can discuss it.

MR. DONNELLY: Absolutely. That is all I'm saying.

CHAIR MOSIELLO: Okay. So review of complaints and then after executive session then we'll talk about our next meeting.

All right. I would entertain a motion to move into executive session.

MR. GALLEGO: So moved.

CHAIR MOSIELLO: By Dennis. Second.

MS. ENNIS: Second.

CHAIR MOSIELLO: Kathleen. All in favor, please say aye.

(A chorus of ayes.)

PROCEEDINGS

CHAIR MOSIELLO: We are now in executive session.

(Whereupon, the board entered into executive session.)

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[REDACTED]

(Whereupon, the board exited executive session.)

CHAIR MOSIELLO: We are now in regular session, and we will go back to resolution one of 2024 to approve

PROCEEDINGS

1  
2 the list of employees for financial  
3 disclosures for 2024.

4 Can I have a motion to approve  
5 that list.

6 MR. GALLEGO: So moved.

7 CHAIR MOSIELLO: Dennis.

8 Second?

9 MS. ENNIS: Second.

10 CHAIR MOSIELLO: Kathleen. All  
11 in favor indicate by saying aye.

12 (A chorus of ayes.)

13 CHAIR MOSIELLO: Any negative  
14 votes? None heard? Okay. So I  
15 think we're through this list.

16 MR. GALLAGHER: Now we have to  
17 discuss what action we took -- were  
18 there any votes taken in executive  
19 session, which there were. So I will  
20 present those votes.

21 So on item six, review of old  
22 business, we have first bullet point  
23 letter from Yonkers Taxpayers dated  
24 September 18th, 2023. The board took  
25 the following action. They voted 5-0

## PROCEEDINGS

1  
2 with two absent today to open up the  
3 investigation and send the letter as  
4 required by the code to advise the  
5 subject of the complaint that the  
6 complaint had been filed and that an  
7 investigation has been opened.

8 Then with respect to item six,  
9 bullet point two, the letter from Sam  
10 Dahdal dated October 2nd, 2023, this  
11 body voted in executive session 5-0,  
12 two out to open up the investigation  
13 to send out the letter required under  
14 the charter to advise the subject of  
15 this complaint that the board had  
16 received the complaint and that the  
17 matter was under investigation.

18 Finally, under six, bullet  
19 point three, a similar vote was  
20 taken. Letters from various citizens  
21 regarding complaints against TD and  
22 FJ. The board voted 5-0 with two  
23 absent to open up an investigation  
24 and send the letter required under  
25 the charter advising the subject of

1 PROCEEDINGS

2 the complaint that a complaint had  
3 been filed and that the matter was  
4 under investigation.

5 CHAIR MOSIELLO: And you have  
6 to put on the record what we're doing  
7 about the requests for --

8 MR. GALLAGHER: Yes, sorry.  
9 And with respect to seven, review of  
10 new business, resolution, request for  
11 waiver, Lee Ellman, it was voted to  
12 hold it over at least one meeting,  
13 and with respect to resolution  
14 request for a waiver for Sam  
15 Borrelli, it was, again, 5-0 with two  
16 absent to hold the matter over for  
17 the next meeting.

18 CHAIR MOSIELLO: Okay.  
19 Everybody happy with this so far?  
20 Okay. Next meeting, I would like to  
21 suggest Wednesday June 19th. Is that  
22 okay with everybody?

23 MR. GALLEGO: I hope I'm here  
24 tomorrow.

25 MS. ENNIS: But you know, I'm

PROCEEDINGS

1  
2 looking at the calendar. That's  
3 Juneteenth.

4 CHAIR MOSIELLO: What's wrong  
5 with that? We can have --

6 MS. ENNIS: Isn't that a  
7 holiday?

8 MR. GALLAGHER: It's a holiday.

9 CHAIR MOSIELLO: It's actually  
10 an official holiday?

11 MR. GALLAGHER: Yes.

12 MS. ENNIS: I mean, at least  
13 that's what it says on my official  
14 calendar.

15 MR. GALLAGHER: It's a city  
16 holiday.

17 CHAIR MOSIELLO: Oh, okay. How  
18 about the day after? Does it have to  
19 be on a Wednesday?

20 MR. GALLAGHER: It can be on  
21 any day you want.

22 CHAIR MOSIELLO: How about the  
23 day before or the day after? I mean  
24 I'm just looking for that period of  
25 time. That week was what I was

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looking for.

MS. ENNIS: The day before I have a written meeting. I'm forgetting what meeting --

CHAIR MOSIELLO: How about that Thursday?

MR. DONNELLY: For all intents and purposes -- I'm sorry, you good?

MS. ENNIS: Go ahead.

MR. DONNELLY: Okay. I'm just going to say unless we need additional time for the investigations that are being done, why not move it a little closer to the beginning of June for the purposes of the summer and --

CHAIR MOSIELLO: Well, if you want to give them more time for the investigation, you're making it shorter, you're making it shorter.

MR. DONNELLY: That's what I'm saying. Unless they need more time for what we're doing here.

CHAIR MOSIELLO: Oh. I don't

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know.

MR. DONNELLY: But I was suggesting possibly moving it rather than the middle of June to the beginning of June. But it's consistent with what your office and the IG is --

CHAIR MOSIELLO: I don't know where my calendar is other than I knew that June 19th looked good to me so that's why I suggested it. I don't know what to tell you. We can -- what --

MS. ENNIS: Well --

MR. GALLAGHER: We can always set the meeting. If there's a problem with the date we can always adjust it by email.

MR. DONNELLY: Sure.

MS. ENNIS: Well, if you want the next day I'm okay with the 20th.

CHAIR MOSIELLO: So can we tentatively make it for the 20th, everybody can look at their calendars

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PROCEEDINGS

and if we need --

MS. ENNIS: That's a Thursday.

CHAIR MOSIELLO: Or if corporation counsel says hey, listen, we need to meet sooner, then we'll canvass the board and pick another day. Does that work for everybody?

MR. DONNELLY: Sounds good.

CHAIR MOSIELLO: So we're talking June 20th. It's a Thursday. Okay? All in favor?

(A chorus of ayes.)

CHAIR MOSIELLO: Oh. We have to adjourn. Motion to adjourn.

MR. GALLEGO: So moved.

MS. ENNIS: Second.

CHAIR MOSIELLO: All in favor?

(A chorus of ayes.)

CHAIR MOSIELLO: We're adjourned.

(Whereupon, at 6:40 P.M., the above matter concluded.)

• • • •

