

STATE OF NEW YORK

CITY OF YONKERS

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Minutes of

Ethics Board of the City Of Yonkers

September 6, 2023 - 5:30 P.M.

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B E F O R E:

LOUIS MOSIELLO, Chairman

DENNIS GALLEG0, Member

KATHLEEN ENNIS, Member

BRUCE DONNELLY, Member

JENNIFER OELKERS, Member

P R E S E N T:

HELEN AGGREY, Deputy Corporation Counsel

PROCEEDINGS

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2 THE CHAIRMAN: This is the
3 meeting of September 6th, 2023. It's
4 5:33 P.M. This is our second
5 required meeting of four for calendar
6 year 2023. I call the meeting to
7 order, and we're going to take the
8 roll. I'll start with me. I'm Louis
9 Mosiello, chair.

10 MR. GALLEG0: Dennis Gallego,
11 board member.

12 MS. ENNIS: Kathleen Ennis,
13 board member.

14 MS. OELKERS: Jennifer Oelkers,
15 board member.

16 MR. DONNELLY: Bruce Donnelly,
17 board member.

18 MS. AGGREY: Helen Aggrey with
19 the Corporation Counsel's office.

20 THE CHAIRMAN: Next on the
21 agenda is the approval of the minutes
22 of April 12th, 2023. Has anyone had
23 an opportunity to review the minutes
24 and are there any additions or
25 corrections?

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MR. GALLEGGO: I have none.

MS. ENNIS: I make a motion to accept the minutes.

THE CHAIRMAN: Motion's on the floor. Second?

MR. GALLEGGO: Second.

THE CHAIRMAN: Second, Dennis. All in favor indicate by saying aye.

(A chorus of ayes.)

THE CHAIRMAN: Is there any opposition? The minutes are adopted.

No report from the chair. Committee reports, none. Old business. Dennis, you're up.

MR. GALLEGGO: We're missing -- of the 2023 financial disclosure, we're missing four from the Board of Ed --

THE CHAIRMAN: 2022 or 2023?

MR. GALLEGGO: 2023. It's the one that we just filled out.

THE CHAIRMAN: Okay. We're missing what?

MR. GALLEGGO: We're missing

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four from the Board of Ed and ten from outstanding board members that we're still pursuing.

THE CHAIRMAN: And we've decided to put 2021 and 2022 to bed.

MR. GALLEGGO: We put it to bed and we close out the file on 2021 and 2022.

THE CHAIRMAN: Okay. If that concludes old business, new business. Okay. We have, unfortunately, a referral from the District Attorney Mimi Rocah based on the complaint by an organization called NYCD16 Indivisible. Has everyone had an opportunity to review that information?

MR. DONNELLY: Yep.

MR. GALLEGGO: Yep.

THE CHAIRMAN: I think we had a conversation about this at one point in the past. Have we had one?

MS. ENNIS: No.

THE CHAIRMAN: Correct me --

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did we have some cursory --

MS. AGGREY: We had -- yeah,
there was somebody who made an
informal -- it wasn't a complaint.
It just mentioned it in passing that
the recommendation's made to the
board of ethics.

THE CHAIRMAN: Right. We said
we would wait to see if there was
going to be a formal complaint.
Right. Well, we --

MS. AGGREY: Right. This one
came from the AG's office, the DA's
office, not from the individual --

THE CHAIRMAN: Well, the
individual went to the DA and the DA
--

MR. GALLEGGO: Came back --

THE CHAIRMAN: Individual sent
to the district attorney's office,
this organization, NYCDC16.

MS. ENNIS: But am I right that
the district attorney is just
forwarding --

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THE CHAIRMAN: Yes, she punted to us and a couple other also to Inspector General Liam and Office of the Comptroller of the state. What are our -- what do we do on something like this?

MS. AGGREY: So the ethics board, now that you have a referral in front of you, you must review the referral and come up with a response one way or the other.

THE CHAIRMAN: Okay.

MS. AGGREY: And either want to discuss today and enter into an executive session, if you want to go into details and, you know, do an investigative conversation. When we come out of executive session, we just need to give a general idea of what was discussed in executive session and vote on what the next step was going to be that was decided during the executive session.

THE CHAIRMAN: So the chair

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will entertain a motion to move to
executive session.

MR. GALLEGGO: So moved.

THE CHAIRMAN: Second?

MS. ENNIS: Second.

THE CHAIRMAN: All in favor?

(A chorus of ayes.)

THE CHAIRMAN: The motion is
carried.

(Whereupon, an executive
session was held.)

THE CHAIRMAN: Okay. In
executive session the role of the
ethics board vis-à-vis the inquiry
that was filed with the board was
discussed. And does anybody have a
motion to make relative to further
action? I'll make a motion. I make
a motion that through our legal
counsel we send a message to the
Inspector General, a letter to the
Inspector General indicating that
there is nothing in the
correspondence that shows us evidence

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of an ethics violation and that we request the Inspector General look further into this and let us know as to whether he sees a breach of the ethics, breach of ethics. Helen?

MR. DONNELLY: As it pertains to the hiring practice, is that what we're talking about?

THE CHAIRMAN: Like we said before, we know that -- we know that he has the ability to look into the employment records and see who was hired by Spencer, who he was hired by, Amicone, so you can eliminate a bunch that way, and then you have civil service that can eliminate some of them. So if there's an ethics violation, we'll know when he investigates that. That what's he does.

Helen, do you want to say something more about the --

MS. AGGREY: I think everything's in here the Inspector

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General will look at, not just the hiring practices.

THE CHAIRMAN: Right, well, I mean --

MS. AGGREY: There's that second issue also.

THE CHAIRMAN: He was given an entire company of --

MS. AGGREY: Yeah, that's what I mean. He wouldn't just --

THE CHAIRMAN: So for purposes of articulating what we're going to do, we're going to ask Helen to give us a synopsis of what the letter would say for our approval.

MS. AGGREY: So the resolution of the board of ethics is substantially in this form. "Whereas a letter dated May 4th, 2023, from the District Attorney Mimi A. Rocah was received by the board of ethics purporting to allege nepotism on behalf of Mayor Mike Spano. And whereas the board of ethics by the

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2 letter has not found there to be any
3 ethical violations, however, it would
4 require further investigation,
5 whereas the board of ethics would
6 like the inspector general to opine
7 on the allegations in the May 4th
8 letter. Now, therefore, the board of
9 ethics hereby requests the Law
10 Department, Corporation Counsel's
11 office to refer this matter to the
12 Inspector General for a report
13 regarding their findings of the
14 allegations.

15 THE CHAIRMAN: Does anybody
16 have any other things they would like
17 to see regarding what Helen outlined
18 as the letter that's going to be sent
19 to Liam McLaughlin?

20 MS. OELKERS: No.

21 THE CHAIRMAN: If there are no
22 corrections or additions, would
23 somebody like to make a motion that
24 this resolution be sent?

25 MR. GALLEGGO: So moved.

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MS. ENNIS: Second.

THE CHAIRMAN: All in favor
indicate by saying aye.

(A chorus of ayes.)

THE CHAIRMAN: Hearing none,
the motion is passed. Okay. That's
done. Next we have a review of
complaints. We have a complaint by a
citizen, a Mr. Mark Parolisi from
Yonkers who indicates that he
believes that a William Serratore, an
employee of Yonkers, violated the
ethics rules by showing up at a
Democratic fundraiser where the City
of Yonkers employee shirt clearly
says his name and his department that
he works for.

Helen, what would be the proper
procedure to handle this?

MS. AGGREY: Again, same as
before. If you want to go into
discussions regarding the
allegations, we can go into executive
session and have a candid

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conversation of what --

THE CHAIRMAN: Okay. Let's do that.

MS. AGGREY: -- and then we would come out of executive session.

THE CHAIRMAN: Okay. Can I hear a motion to go into executive session?

MR. GALLEGGO: So moved.

MR. DONNELLY: Motion.

THE CHAIRMAN: Second? All in favor indicate by saying aye.

(A chorus of ayes.)

THE CHAIRMAN: So moved.

(Whereupon, an executive session was held.)

THE CHAIRMAN: Would anybody like to make a motion with regard to the complaint that we're dealing with at the moment?

MR. GALLEGGO: I make a motion that the next meeting we bring Mr. Serratore in to explain his version or his side of the story.

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THE CHAIRMAN: So a motion has been made to invite city employee William Serratore to attend the next ethics board meeting in October 18th to discuss the allegations made.

MR. GALLEG0: Good.

MS. AGGREY: And directing the Corporation Counsel's office to send written notice.

THE CHAIRMAN: We'll go back to new business. Does anybody have --

MS. AGGREY: So moved?

THE CHAIRMAN: Oh, we didn't? About the letter?

MS. AGGREY: Yeah.

THE CHAIRMAN: Oh no, he's got a motion on the table. Second on the motion?

MS. ENNIS: Second.

THE CHAIRMAN: All in favor?

(A chorus of ayes.)

THE CHAIRMAN: Any abstentions or negative votes?

Okay. We're back to the end of

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2 the meeting now, which we're going to
3 set our new meetings. Unfortunately,
4 like I said earlier, before we
5 started our meeting, I like to try to
6 call the meetings in March, June,
7 September and December, avoiding
8 obvious holiday periods. I looked on
9 the calendar this morning. This is
10 September 6th. If we go to
11 December 6th, which is when we would
12 normally have a regular meeting, and
13 then go halfway between today and
14 December 6th, it comes out to
15 October 18th. It's a Wednesday.

16 So what I'm suggesting, if
17 everybody is okay with it, a meeting
18 -- a third required meeting on
19 October 18th in which Mr. Serratore
20 would be invited, and then consider a
21 third meeting for now December 6th.
22 How does -- anybody have any comments
23 on that?

24 MR. DONNELLY: So it's October
25 what?

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THE CHAIRMAN: I'm suggesting
October 18th, which is a Wednesday,
and December 6th.

MS. OELKERS: I think that
works. This is at 5:30 always,
right?

CHAIRMAN MOSIELLO: Yeah. I
want to ask Helen something about
that. Do we always have to meet at
5:30? Can't we -- I mean, would it
be inconvenient to meet earlier?
Because --

MS. AGGREY: Well, the parking
lot.

MS. ENNIS: People, you know --

THE CHAIRMAN: Oh, do they --

MS. ENNIS: Yeah, the employees
are out of here for the night. Just
--

MS. AGGREY: They're out like
4:30.

THE CHAIRMAN: They're gone by
4:30, so I was just thinking that
making them at 5:30 seems like --

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MS. OELKERS: I can do like
four o'clock.

MR. GALLEG0: Make it four
o'clock? They start to leave the
parking lot by four.

THE CHAIRMAN: You want to make
it 4:00, 4:30, something like that.

MS. OELKERS: Yeah, I think
that's great.

THE CHAIRMAN: Does that work
in everybody's world?

MR. DONNELLY: Brilliant.

THE CHAIRMAN: Kathleen?

MS. ENNIS: Yeah.

THE CHAIRMAN: Okay, let's try
--

MS. OELKERS: At least for the
October one, that would be better,
please.

MR. GALLEG0: Helen, you can
have my space at four o'clock.

THE CHAIRMAN: Let's try
setting the next meeting at
October 18th at 4:30. Is everybody

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okay with that?

MS. OELKERS: That's great.

MS. ENNIS: Yeah, that's great.

THE CHAIRMAN: So be it. So keep in mind the 6th of September because we have to have an obligatory fourth meeting, even if we just come in and go through the agenda and leave, which is what we sometimes do.

So, all good. Anybody have anything else they want to bring up? I'll entertain a motion to adjourn.

MR. GALLEGGO: Second.

THE CHAIRMAN: Kathleen first.

MS. ENNIS: I make a motion and he seconded.

THE CHAIRMAN: All in favor?

(A chorus of ayes.)

THE CHAIRMAN: Meeting adjourned.

(Whereupon, at 6:15 P.M., the above matter concluded.)

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