



## City of Kingston Board of Ethics

Allen Nace, *Chair*  
Michael Decker  
Charlotte Adamis

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### ETHICS BOARD MINUTES September 19, 2023 City Hall Conference Room 2

The meeting of the City of Kingston Ethics Board was called to order by Chairman Allen Nace at 4:11 p.m.

**Roll Call: Present:** Allen Nace, Chair, Charlotte Adamis, Michael Decker

Also present were Ethics Board Clerk Ameer Peterson, Bartek Starodaj, Director Housing Initiatives  
Community member Moshe Strulo

**Minutes:** The minutes from the September 29, 2023, meeting were received and reviewed by the board members. Motion to approve the minutes: Charlotte Adamis; seconded by Michael Decker. The minutes were approved unanimously.

#### **Agenda:**

#### **Old Business:**

Financial Disclosures – for those who were notified more than 30 days ago will receive a notice of violation.

Request for an advisory opinion for eligibility of City employees or officials to apply and receive funding for the three (3) grants.

CA: CoK member or official on the review committee would be disallowed from applying.  
What guarantees are in place to insure there will be no favorable status.

BS: there is a set of valuation criteria

CA: ARPA – first come-first serve – concern that employees will know earlier than the public

BS: not widely shared publicly – fair amount of promotion – is on [www.engagekingston.com](http://www.engagekingston.com)  
Public announcement was done in June. Public was notified at the same time as employees.

MD: What does “internal CoK committee”. Those on the selection committee could affect their decision of their co-workers.

BS: One of the grant programs will be a mix of employees and non-employees. If it's in the same department, he'd have to consider options. Each committee will have between 4 and 6 members. Committees haven't been formed yet. All personal information is on the application. There will possibly be interview follow up.

Allen Nace: Concern about a committee member strongly convincing others.

BS: ARPA committee will be exclusively CoK employees.

CA: prevent nepotism

BS: \$75,000 per unit for ARPA – up to 4 units

ADU - \$125K per ADU – partnership between CoK, RUPCO, and UC – Home + 1

Income eligibility requirement 100% AMI – family of four – less than 112K - \$1.7M county-wide – 4 – 5 awards to City residents – application deadline 9/22/2023 – committee will be CoK, RUPCO, and UC – if too many people apply and are eligible, there is a narrative – an underserved neighborhood could be considered. Targeting homeowners who are low income.

DRI – residential rehab – state program. Up to \$40K for eligible residential repairs – building code, safety violations. Up to \$250K for entire program. Deadline was 9/8/2023. Received 15 applications. Committee has not been formed. State will want to review decisions before its approval. Income eligibility for tenants in effect for a period of time. Income eligibility requirement of applicant. One official has applied.

ARPA – total pool of \$1M. Released in June. Revised guidelines to increase \$75K unit but keep income eligibility stays the same. Committee will be made up of CoK employees. Homeowner could create a unit in their house, but it's geared toward developers. Applicants have no income restrictions, but tenants do. 60% AMI for 20 years. Studio \$1,080, 1 bedroom \$1,264.

AN: What happens if tenant is no longer AMI?

BS: Programs allows for income growth. Applications are rolling, but final deadline is December 15, 2023. Received one 1 completed application thus far. Corp Counsel will be involved if there's a conflict.

MD: Why only CoK employees on selection committee?

BS: Because applications are rolling and there will be multiple meetings, but will consider outside personnel.

AN: Will there be one (1) opinion or three (3)? i.e., one for each program or same advisory opinion for all three (3)?

CA: Program has been created to reduce/prevent favoritism. Written very specifically for recusal. Concern about ARPA being CoK employees on the committee. BS will be open to modifying.

MD: DRI – committee is Housing, Grants Management, and ?

AN: ARPA – recommend other than City employees be on the committee – all income eligible City of Kingston residents can apply, including CoK employees.

MD: exclude CoK employees or officials on committee

CA: For all three (3) programs, Bartek needs to devise a set of criteria for committee composition. There is nothing in City code to prevent an employee from receiving an award.

MD: Consult Ruth-Ann as to how she implements her awardee decision.

Advisory opinion It is not a violation of ethics for city employees and officials to be awarded funding from ADU, DRI, and ARPA grants.

Advise that process for committee selection is reviewed to ensure there is no conflict of interest or appearance of impropriety with the expectation of recusal if it is deemed necessary.

The Board advises that no committee should be composed exclusively of City of Kingston employees.

Md: motion to accept opinion as read  
CA: second  
Voted unanimously

Still some outstanding financial disclosures. Some are really late and will be receiving a notice. There are five (5) outstanding.

There are two vacancies pm the board

No complaints, no new complaints have been filed.

MD motion to adjourn 5:31  
CA: seconded

**New Business:**

A motion was made by and seconded by to go into executive session to discuss employee issues.

**Old Business:**

07162023 07182023 fka 07162023 Complaint – Charlotte Adamis: Article 18 – doesn't appear that it's within the Board's purview to decide. Cannot go outside the purview of the code as it is currently written. Cannot conflict with the code.

MJ: Board write to the Mayor: not within Board's purview– can make a recommendation to the Mayor that he can submit it to another agency/board.

Allegations constitute misconduct, but he didn't act on his threat to use his authority.

Charlotte Adamis: motion determine that the allegation doesn't fall within the Board's purview under Chapter 49 of the City Code

Michael Decker – seconded

Approved unanimously

Advisory Opinion Matt Jankowski and Allen Nace met with RuthAnn Devit to determine the process of grant awards. If an employee or official meets the qualifications/criteria, then they qualify.

Allen Nace: would like to meet with Bartek.

Matt Jankowsk: is reaching out to Steven Leventhal – Municipal Ethics Attorney – to get an opinion on General Municipal Law to see if he'd be available to lend insight

Charlotte: NYS issued an opinion is clear that employees should not benefit

Charlotte Adamis: Motion to continue discussion to eventually issue an advisory opinion as to whether or not employees and/or officials can apply for grants. Will request Bartek Starodaj to appear.

Michael Deckert Second

Carried unanimously

Charlotte Adamis: Exit Executive Session

Michael Decker: Second

Carried unanimously

The executive session was completed and the public meeting resumed at 5:53 pm.

**Public Meeting**

Annual Financial Disclosures – Original seven (7) given 30 days to comply and will be rescheduled to appear before the Ethics Board.

New letters – will be given 30 to comply

Notices and violations will be submitted to Board Clerk to issue letters.

Emailed complaint 07182023-1 fka 07162023 – Discussion and resolution. Allegations do not file under the purview of the Ethics Board pursuant to Chapter 49 of the City Code.

There are two (2) vacancies on the Board. If anyone knows anyone, they should notify the Mayor and apply through his office.

Board recommended that letter should come from the Mayor thanking her for service.

The Board has not issued an advisory opinion and the witness will communicate their availability to before t

**Motion to Adjourn Meeting:** A motion to close the meeting was made by Charlotte Adamis; Seconded by Michael Decker. Motion passed 3 – 0.

**The Meeting adjourned at 6:02 p.m.**

Respectfully submitted,

Amee Peterson