

CITY OF COHOES

Charles Valenti, Chairperson
David Emanatian, Member
Deborah Gilchrist, Member
Melody Nadeau, Alternate



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BOARD OF ETHICS

DECISION: COMPLAINT NO. 23-2

BACKGROUND

PRIOR TO THE FEBRUARY 27, 2023 MEETING OF THE COHOES BOARD OF ETHICS (THE "BOARD") COMPLAINT NO. 23-2 WAS RECEIVED AND DISSEMINATED TO ITS MEMBERS. THE BOARD REVIEWED THE COMPLAINT AND INVITED THE COMPLAINANT TO APPEAR AT THE FEBRUARY 27, 2023 MEETING. THE COMPLAINANT WAS GIVEN ALL THE TIME NEEDED TO PRESENT DOCUMENTATION AND EVIDENCE IN SUPPORT OF THE COMPLAINT. ON MARCH 27, 2023 THE COMPLAINANT APPEARED AT THE MARCH 27, 2023 MEETING OF THE BOARD AND PRESENTED ADDITIONAL DOCUMENTATION AND TESTIMONY IN SUPPORT OF THE COMPLAINT.

ALLEGATION

THE COMPLAINANT ALLEGED THAT HE WAS TREATED DISRESPECTFULLY BY THE COHOES COMMISSIONER OF PUBLIC WORKS IN VIOLATION OF SECTION 36-6 OF THE CODE OF ETHICS OF THE CITY OF COHOES SINCE SUCH TREATMENT OCCURRED AFTER HIS BUSINESS DAY AND, THEREFORE, WHILE HE WAS A PRIVATE CITIZEN.

DISCUSSION

THE BOARD CONSIDERED THE DOCUMENTATION AND TESTIMONY PRESENTED, AS WELL AS THE LEGAL OPINION GIVEN TO IT BY THE CITY'S CORPORATION COUNSEL ON THE MATTER.

CONCLUSION

AFTER CONSIDERING THE DOCUMENTATION AND TESTIMONY PRESENTED TO IT, AS WELL AS THE LEGAL OPINION GIVEN TO IT BY THE CITY'S CORPORATION COUNSEL ON THE MATTER, THE BOARD DETERMINED THAT THE COMPLAINANT WAS NOT SUBJECT TO THE PROVISIONS OF THE CODE OF ETHICS OF THE CITY OF COHOES SINCE HE WAS NOT IN THE CAPACITY OF A PRIVATE CITIZEN DURING THE ALLEGED EVENTS OF THE COMPLAINT. THEREFORE, THE BOARD MADE NO

DETERMINATION AS TO THE VALIDITY OF THE EVENTS DESCRIBED IN THE COMPLAINT.

CONCUR

CHARLES VALENTI, CHAIRPERSON

DAVID EMANATIAN, MEMBER

DEBORAH GILCHRIST, MEMBER

PRESENT

MELODY NADEAU

MARCH 27, 2023