

**From:** [tarcor211@aol.com](mailto:tarcor211@aol.com) <[tarcor211@aol.com](mailto:tarcor211@aol.com)>

**Sent:** Saturday, March 19, 2022 1:16 PM

**To:** Strome, Chuck <[Cstrome@newrochelleny.com](mailto:Cstrome@newrochelleny.com)>;  
[ivar@ivarhyden.org](mailto:ivar@ivarhyden.org)

**Subject:** Ethics Codes

Chuck

After speaking with some council members it has come to my attention that the Mayor has reached out to them to persuade them in going to you with four votes to force you to rescind the appointment of Kathleen Gill as Deputy City Manager. My question to you would be is this a violation of the Ethics Code and City Charter to pursue this by the Mayor .It seems to me that the Mayor would be threatening the City Manager with his job by letting him know if he does not do what he wants he will be terminated. Can you get an opinion on this and let us know.

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• The following morning, Chuck received a call -- I do not know from whom -- letting him know of these conversations. From this call, Chuck obtained the misimpression that I was seeking his termination, and then confronted me with his concerns. I assured Chuck in clear and unambiguous terms that he was mistaken. He accepted this assurance that I was not seeking or threatening his termination, confirmed this in subsequent conversations with others, and then acknowledged to me that he had misinterpreted the information received in his call earlier that morning. It was only in this context -- in order to set the record straight and explain what had actually transpired in the prior day's discussions with Council Members -- that it was necessary for me to describe to Chuck my concerns about the Deputy City Manager appointment. In

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other words, I never initiated a conversation with Chuck about this subject and had no plans to; had it not been for Chuck raising the matter with me, we would never have discussed the issue at all.

Most of us have, at one point or another, shared personnel assessments with each other and/or offered suggestions to our management team. To deem the conversations in question a violation of the Charter requires a significant mischaracterization of their content and is also inconsistent with our long-standing practice of open, respectful manager-council interactions on all subjects. **EXTERNAL SENDER: DO NOT CLICK links or open attachments** unless you recognize the sender and know the content is safe. If unsure, contact IT for guidance. It is unfortunate that this sequence of events, conversations, and misunderstandings has now obviously generated an uncomfortable level of tension and mistrust among us. I accept my share of responsibility for preserving the constructive relationships we have all enjoyed and worked hard to build.

I do not anticipate addressing this issue further via email, but I will, of course, share this account with outside counsel if asked, and will also be pleased to answer questions that counsel may have. Feel free to call me if you would like to discuss.

Noam

**From:** Strome, Chuck <[Cstrome@newrochelleny.com](mailto:Cstrome@newrochelleny.com)>  
**Sent:** Sunday, March 20, 2022 11:05 AM  
**To:** [tarcor211@aol.com](mailto:tarcor211@aol.com) <[tarcor211@aol.com](mailto:tarcor211@aol.com)>  
**Cc:** Bramson, Noam <[nbramson@newrochelleny.com](mailto:nbramson@newrochelleny.com)>; Lopez-Hanratty, Martha <[mlopez@newrochelleny.com](mailto:mlopez@newrochelleny.com)>; Yadira Ramos Herbert <[yadira.ramos.herbert@gmail.com](mailto:yadira.ramos.herbert@gmail.com)>; Ivar Hyden <[ivar@ivarhyden.org](mailto:ivar@ivarhyden.org)>; Kaye, Sara <[skaye@newrochelleny.com](mailto:skaye@newrochelleny.com)>; Fried, Elizabeth <[efried@newrochelleny.com](mailto:efried@newrochelleny.com)>  
**Subject:** RE: Ethics Codes

In response to your inquiry below, I will seek an opinion from the City's outside counsel relative to the Code of Ethics. On the question of the Charter, I will also request an opinion but I believe the answer to your question is rather clear. I have attached the relevant Article of the Charter for your review. The most relevant sections as they relate to your question are the following:

Section 41: "The City Manager shall have the power to appoint and remove a Deputy City Manager, who shall perform such duties as he shall direct. He shall designate the deputy or a department head to undertake the responsibilities and powers of the City Manager and have the title of Acting City Manager during his absence or disability. During the period of a vacancy in the position of City Manager, the Acting City Manager shall have the responsibilities and powers of the City Manager and perform his duties under the title of Acting City Manager...."

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Section 43: "Neither the Council nor any of its committees or members shall direct or request the appointment of any person to, or his removal from, office or employment by the City Manager or any of his subordinates. Except for the purpose of inquiry, the Council and its members shall deal with that portion of the administrative service for which the Manager is responsible solely through the Manager, and neither the Council nor any member thereof shall give orders to any subordinate of the city, either publicly or privately."

As I stated above, not being a lawyer I cannot provide a legal opinion on either the Charter or Ethics question and I will ask our outside Counsel to do so. However, it is my opinion the sections of the Charter cited above speak for themselves relative to the question you posed.

As to this particular instance, I can advise you that my position on this appointment would not change even if all 7 members of the City Council approached me and requested that I rescind the appointment. As you requested, I have copied the entire City Council on this email.

Let me know if you need any additional information.

**From:** Bramson, Noam <[nbramson@newrochelleny.com](mailto:nbramson@newrochelleny.com)>  
**Sent:** Sunday, March 20, 2022, 7:39 PM  
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**Subject:** Re: Ethics Codes

Given the sensitive nature of this claim, I think it important to offer a full and clear description of the conversations in question, and to address what I believe are significant mischaracterizations in the inquiry.

- Chuck's memorandum announcing the Deputy Manager appointment raised for me concerns related to timing and context. On the eve of our search for a City Manager, I felt that a title change might constrain a new Manager's ability to establish a leadership structure of their choosing.
- I reached out to Council Members Lopez, Ramos-Herbert, Kaye, and Fried to seek their feedback. (I would have called CMs Tarantino and Hyden, as well, but they had already responded to Chuck's memorandum via email to express their support, and so their views were known.) The purpose of my outreach was to determine whether or not others saw the matter similarly to me. If my concerns were widely-held, then I would judge it appropriate to bring the issue to Chuck's attention. If not, then I would let the matter go. At no time did I say or imply that a vote would be held. At no time did I say or imply that Chuck would be threatened, implicitly or explicitly, with termination. At no time, did I say or imply that Chuck would be "forced" to rescind his appointment. Instead, I viewed such a prospective conversation with Chuck as fully consistent with the informal discussions many of us have had about personnel over the years and which Chuck has typically welcomed, while always reserving for himself the full and final right to make appointments, as he deems appropriate.
- During these calls with Council Members, some argued that -- regardless of whether my concerns were valid or shared by others -- raising them with Chuck would simply create tension without constructive purpose. I was persuaded by and accepted this point. With that, I considered the matter closed.