



October 18, 2021

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Hon. Mayor and Board of Trustees
Village of Pawling
9 Memorial Avenue
Pawling, New York 12564

Re: Planning Board Chairman Steve Goldberg
Our File No. 15028-001

Dear Mayor Taylor and Trustees:

This office represents Steve Goldberg regarding the Board's apparent intent to authorize an 'investigation' into Mr. Goldberg's conduct as Village Planning Board Chairman. There is no lawful basis for any investigation.

The genesis of this fishing expedition is Mr. Goldberg's interaction with Sean O'Connor concerning a potential sketch plan discussion among the Planning Board (which never occurred). The Planning Board's resolution, adopted on September 14, 2021, seeking to authorize the Van DeWater law firm to conduct an investigation states that "[i]t's my understanding" that Mr. Goldberg was involved in the O'Connor sketch plan, "including preparing the application, delivering the application fee and having several ex-parte conversations with the applicant's representative that including discussing the merits of the application. It is also my understanding that this is not an isolated incident and has also occurred on other recent applications", without identifying any such applications despite being recent in time.

Mr. Goldberg did not prepare the sketch drawing and did not have conversations with Mr. O'Connor about the merits of any application. He did deliver the sketch plan documents and a fee check to the Planning Board Secretary and made sure they were properly stamped. So, those Board members making and supporting that motion are incorrect. However, even if all of the Planning Board's "understandings" were true, which they are not, there is no ethical or other violation or misconduct.

These baseless “understandings” serve as the pretext for the fishing expedition, as described in Van DeWater’s September 22, 2021, retainer letter to the Planning Board, “to investigate and report whether Steve Goldberg, Planning Board Chairman, violated his oath of office, served on an application for which there is a conflict of interest, demonstrated partiality on an application, violated article 18 of the General Municipal Law or for any other misconduct, maladministration, malfeasance or malversation while in office.”

The O’Connor pretext is entirely baseless. The fishing expedition is gratuitous.

Mr. Goldberg has not violated any ethical or legal standard. With particular reference to “partiality on an application,” Mr. Goldberg informs me that the Planning Board has voted unanimously on all site plan applications in his tenure.

As the members of the Board of Trustees and the Planning Board are fully aware, any ‘investigation’ of Mr. Goldberg has nothing to do with Village government, and everything to do with local electoral politics. We demand that the Village Board and Planning Board immediately cease this politically motivated nonsense.

Very truly yours,


J. Benjamin Gailey

JBG/rmc

Cc: Village Planning Board (via email only – pbsecretary@villageofpawling.org)
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