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CITY OF NEW ROCHELLE  
BOARD OF ETHICS

-----X

IN RE: :

ETHICS COMPLAINT OF ROBERT COX :

-----X

515 North Avenue  
New Rochelle, NY 10801  
April 1, 2022  
10:40 a.m.

Examination of CHARLES STROME, in the  
above-captioned matter, held at the above time  
and place, before Howard Breshin, a Notary Public  
of the State of New York.

Page 2

1 STROME  
2  
3 A P P E A R A N C E S:  
4 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER, LLP  
5 Attorneys for the ETHICS COMMITTEE  
6 1133 Westchester Avenue  
7 White Plains, New York 10604  
8 BY: PETER A. MEISELS, ESQ.  
9 914 391-3690  
10  
11 ALSO PRESENT:  
12 CHARLES PHIPPS, Ethics Committee Member  
13 DAVID BLUMENTHAL, Ethics Committee Member  
14 NEW ROCHELLE LAW DEPARTMENT  
15 BY: DAWN WARREN, ESQ.  
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Page 3

1 STROME  
2 CHARLES STROME, a witness called  
3 on behalf of the City of New Rochelle, having  
4 been first duly sworn, was examined and testified  
5 as follows:  
6 THE COURT REPORTER: Can I have  
7 your name and address for the record?  
8 THE WITNESS: Charles Strome, 515  
9 North Avenue, New Rochelle, New York  
10 10801.  
11 EXAMINATION BY  
12 MR. MEISELS:  
13 Q. Good morning, Mr. Strome.  
14 A. Good morning.  
15 Q. We pre-marked certain documents,  
16 exhibits. And what we have done is, we marked  
17 actually two copies of Mr. Cox's original  
18 complaint dated March 20th, A-1 and A-2, then a  
19 follow-up letter that he wrote to the clerk on  
20 March 28th --  
21 A. Right.  
22 Q. -- as A-3 and a follow-up he wrote the  
23 same day with an amendment to the letter as A-4.  
24 We have also marked what looks like an Instagram  
25 message to Bob Cox from the Mayor as A-5, and

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1 STROME  
2 then a memo that you prepared to the Mayor as  
3 Exhibit B, and then lastly a chain of e-mails  
4 that begins with an e-mail to you from Councilman  
5 Tarantino dated back on March 19th as Exhibit C.  
6 What I am going to do is put them in  
7 front of you and I am going to first ask you if  
8 you recognize them and then put them in front of  
9 you and you are welcome to refer to them to  
10 refresh your recollection if you need to.  
11 A. Okay.  
12 Q. But basically we obviously know what  
13 has been said in writing and we want to really  
14 hear what you have to say.  
15 First, I am going to show you what was  
16 marked as A-1 and ask you if you recognize that  
17 document?  
18 A. Yes.  
19 Q. What do you understand it to be?  
20 A. A complaint filed by Robert Cox  
21 against the Mayor. And I happen to know that the  
22 et al is for members of the city council.  
23 Q. Okay. Now, since we marked it, this  
24 is an error, I am just going to show you A-2 and  
25 ask you if that is a duplicate of A-1?

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1 STROME  
2 A. It is.  
3 Q. I am going to show you what has been  
4 marked as A-3 and ask you if you can identify  
5 that document?  
6 A. Yes, some additional information to  
7 his original complaint.  
8 Q. All right. And I am going to show you  
9 what has been pre-marked as A-4 and ask you if  
10 you can identify that document?  
11 A. Yes, I can identify it as a supplement  
12 to the one -- A-3.  
13 Q. I am going to show you what is  
14 pre-marked as A-5 and ask you if you can identify  
15 that document?  
16 A. I have not seen this document.  
17 Q. Okay.  
18 A. It was read to me, but I haven't seen  
19 it in writing.  
20 Q. Okay. Fine.  
21 A. An e-mail or a text or something from  
22 the Mayor to Mr. Cox.  
23 Q. I am going to show you what is  
24 pre-marked as Exhibit B and ask you if you can  
25 identify that document?

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1 STROME  
2 A. Yes, I wrote it.  
3 Q. Is that the memo?  
4 A. My memo to the Mayor about the  
5 development commissioner position.  
6 Q. And I am going to show you what is  
7 marked as Exhibit C and ask you if you can  
8 identify that document? And I suggest you start  
9 at the end of the document and go forward.  
10 A. Yes, it is an exchange of e-mails  
11 between Councilmember Tarantino and myself and  
12 then I think it is the Mayor's response to my  
13 e-mail to Mr. Tarantino --  
14 Q. Okay.  
15 A. -- as the last item on the document.  
16 Q. Okay. We are meeting to investigate a  
17 complaint, the complaints filed by Mr. Cox. And  
18 according to his complaint, there came a time  
19 when the concept of appointing the Mayor to be  
20 the commissioner of development was discussed.  
21 A. That's correct.  
22 Q. When did that first happen?  
23 A. I would say about a year ago. We had  
24 an unsuccessful search for a replacement to  
25 commissioner of development who retired. And at

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1 STROME  
2 a meeting, at the end of the meeting I mentioned  
3 to the Mayor that we were having a hard time  
4 finding somebody to take the position and just  
5 sort of quipped, "Why don't you consider  
6 applying?"  
7 Q. And at the first time that you had the  
8 discussion between you and the Mayor about this  
9 is there anything else, in either words or  
10 substance, that was said at that time?  
11 A. Not really.  
12 Q. Okay. Did you have occasion to  
13 discuss it with him again after that?  
14 A. Yes, I don't remember how long after  
15 he came into my office to tell me that it was --  
16 he was intrigued by the idea and suggested we  
17 consider it further.  
18 Q. Okay. And did you respond to that?  
19 A. I said I would and I did over a few  
20 weeks, I don't remember how long it was, and then  
21 at some point, I don't remember when, I told him  
22 that I did not think it was a very good idea so I  
23 wasn't prepared to make that appointment.  
24 Q. Okay. And between the time that it  
25 was first discussed -- as I understand, it was

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1 STROME  
2 approximately a year ago?  
3 A. A year ago, maybe more.  
4 Q. And the time that you told him you  
5 didn't think it was a very good idea, okay, how  
6 many, approximately how many times did the two of  
7 you discuss it?  
8 A. Formally once. We had a lunch to  
9 discuss it. And a few times informally, but not  
10 often.  
11 Q. Okay. At the lunch can you tell me,  
12 as best you can recall in words or substance,  
13 what he said to you and what you said to him?  
14 A. I said at that point I was very  
15 skeptical that it would be a wise appointment. I  
16 told him I thought the optics were very bad, that  
17 there would be a lot of people who would think  
18 that this was a political payoff and as a  
19 professional manager I don't want to go down that  
20 road. And he told me, in his opinion, that the  
21 optics don't matter. If he was the best person  
22 for the job, I should appoint him. And that was  
23 really the focus of the lunch.  
24 Q. At that time was there any discussion  
25 about whether or not he was the best person for

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1 STROME  
2 the job?  
3 A. Well, he thought he was, which is  
4 fine. I didn't express an opinion at the time,  
5 because we were not in the middle of a hiring  
6 process, we were in between. So the first one  
7 was over, we had not begun a second search.  
8 Which was what I intended to do in the second  
9 search was hire a recruitment firm to assist us  
10 in that effort.  
11 Q. As far as you know, does the city  
12 charter set forth qualifications for the position  
13 of commissioner of economic development?  
14 A. Yes, it does.  
15 Q. And at that time did you have any  
16 opinion as to whether or not the Mayor fit those  
17 qualifications?  
18 A. If you read them strictly by the  
19 language, no, he did not. My view is I don't  
20 think the charter restricts the manager from  
21 appointing somebody based solely on those  
22 qualifications, I think there is flexibility for  
23 the manager to do something outside of the  
24 charter if he or she chooses to. But it was  
25 pretty clear from what was in the charter that

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1 STROME  
2 the Mayor, he did not have the experience that  
3 was suggested in the charter.  
4 Q. In reference to this topic, was  
5 anything else said between the two of you at that  
6 lunch?  
7 A. On qualifications, I don't recall any  
8 conversation other than letting him know that  
9 there were specific qualifications in the charter  
10 and that would be a hard part of the optics,  
11 because I didn't think that there was a match.  
12 Q. Did he respond to that?  
13 A. I think he disagreed.  
14 Q. Is there anything else about the  
15 subject of his appointment to that position that  
16 was discussed at the lunch that you recall now?  
17 A. Not that I can recall.  
18 Q. Okay. Do you recall when the next  
19 time was, the occasion to discuss it with him?  
20 A. I think it was a few weeks after that  
21 and I told him that I was unable to make the  
22 appointment. I didn't think it was the right  
23 thing to do and I was going to move onto the  
24 second search.  
25 Q. Where did that conversation occur?

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1 STROME  
2 A. In my -- I told him in his office.  
3 Q. Was anyone present when you told him  
4 that?  
5 A. Just him and me.  
6 Q. And in words or substance, what did he  
7 say to you and what did you say to him?  
8 A. I said what I just said.  
9 Q. Right.  
10 A. And he said he was disappointed and  
11 wanted to think over what I had said to him.  
12 That's what I recall.  
13 Q. Okay. And did there come a time that  
14 you and he discussed this after that?  
15 A. Yes, I don't know if it was a couple  
16 of days or a week or two later, he came and asked  
17 me to reconsider.  
18 Q. And, to the best of your recollection,  
19 can you be more specific as to what he actually  
20 said when he asked you to reconsider?  
21 A. He said he thought that this was the  
22 right time for him to move into a different area  
23 of government, from politics to administration,  
24 and it was the right time for the city and that  
25 he thought he was the right person for the job.

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1 STROME  
2 And my response was, I really wasn't comfortable  
3 with that appointment, but as a friend and  
4 colleague, I would give it some thought. I also,  
5 I am sorry, I also suggested that if he wanted to  
6 be considered further, he should submit his  
7 resume through the application process with the  
8 recruiting firm, and he declined to do that.  
9 Q. Did he provide any explanation as to  
10 why he wasn't going to do that?  
11 A. No, he didn't. You have to ask him.  
12 MR. BLUMENTHAL: Approximately  
13 when is this, this meeting, for  
14 example?  
15 THE WITNESS: I would say it was  
16 three or four months after the topic  
17 was first discussed.  
18 MR. BLUMENTHAL: Approximately  
19 eight, nine months ago, approximately?  
20 THE WITNESS: That might be a  
21 little closer. I am not sure. I'd  
22 have to go back and look. It was  
23 shortly after we hired the recruitment  
24 firm to do the second search, so  
25 whenever that was.

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1 STROME  
2 MR. BLUMENTHAL: Sometime in the  
3 second half of last year?  
4 THE WITNESS: Yes.  
5 Q. Incidentally, what is the mayor's  
6 salary?  
7 A. About \$103,000.  
8 Q. And what is the commissioner of  
9 economic development's salary?  
10 A. About -- it is a range. You know, it  
11 depends on the qualifications and experience of  
12 the person who is in it, but it's between 200 and  
13 \$225,000.  
14 Q. After the meeting you had where he  
15 requested that you reconsider, did you have  
16 occasion to discuss the subject with him again?  
17 A. Just informally he would ask me how  
18 the search is going, how long it is going to take  
19 and how the process was going, but no formal  
20 conversations about it.  
21 Q. Now, there did come a time, am I  
22 correct, that you decided to write a written memo  
23 to him explaining your thought process?  
24 A. Yes.  
25 Q. Now, it is undated. Do you recall

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1 STROME  
2 when you wrote that?  
3 A. Yes, it was recently. I want to say  
4 it was probably four or five weeks ago.  
5 Q. Okay. And what were the circumstances  
6 that caused you to believe that writing that memo  
7 was appropriate?  
8 A. I felt I could better -- well, I  
9 had -- through the process, I had advised him of  
10 this at the very beginning, that I was going to  
11 talk to some people and get their input. And I  
12 said I was going to talk to people, a couple of  
13 people on the city council, some people from the  
14 county government, a couple of city managers,  
15 colleagues of mine and a couple of developers.  
16 And one of the manager friends suggested to me  
17 that I ought to get an opinion -- I had already  
18 had my concerns about the charter, implications  
19 of this, so I asked our legal department to get  
20 an opinion from our outside counsel as to whether  
21 it was a violation of the charter for me to make  
22 that kind of an appointment, and I got that. And  
23 then my manager friend said you should check with  
24 the ICMA, which is the International City  
25 Managers Association.

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1 STROME  
2 We go by a code of ethics. There are  
3 12 tenets on the code of ethics. And they -- he  
4 suggested that I ask them for an opinion as to  
5 whether it would be a violation for me, of our  
6 code of ethics, of our professional code of  
7 ethics.  
8 I got that opinion that stated it  
9 could potentially violate three tenets of the  
10 code of ethics and subject me to public censure,  
11 which is basically a violation advertised to our  
12 profession, so I certainly was not comfortable  
13 putting myself in that position.  
14 So having done that research, I felt  
15 it was better to put it in writing and explain it  
16 rather than try to do it orally, probably because  
17 I was more comfortable not having the  
18 conversation, just putting it in writing so that  
19 he could see why I was closing the door on the  
20 idea when I did. And the memo is  
21 self-explanatory if you read it.  
22 Q. Am I correct everything in the memo  
23 you understood to be accurate at the time you  
24 wrote it?  
25 A. Accurate then and accurate now.

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1 STROME  
2 Q. You mentioned that you did give notice  
3 to the city council about this possibility. Do  
4 you recall who they were?  
5 A. I spoke -- I had intended to speak to  
6 two, I had asked them to speak confidentially,  
7 which I knew was not going to be the case but I  
8 did it anyway. I spoke to Councilman Tarantino  
9 and Councilwoman Lopez. And then Councilmember  
10 Hyden had heard about the idea and he proactively  
11 approached me, so I ended up speaking to three  
12 councilmembers. I had only intended to speak to  
13 one democrat and one republican.  
14 Q. Do you recall what Councilwoman Lopez'  
15 reaction was to the concept?  
16 A. Not positive.  
17 Q. Can you be more specific?  
18 A. She said, I don't think that would be  
19 a good idea.  
20 Q. Do you recall what Councilman  
21 Tarantino's reaction was to the concept?  
22 A. It is going to be a terrible idea.  
23 Q. And Councilman Hyden's response,  
24 reaction?  
25 A. Pretty similar to what Councilman

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1 STROME  
2 Tarantino said.  
3 Q. Now, during the course of your  
4 conversations with members of the council about  
5 this, did anyone raise the issue with you about  
6 the charter provision that prohibits members of  
7 the council from approaching the city manager  
8 concerning employment decisions?  
9 A. No, no, I am sure they had no idea  
10 that that section of the charter existed, so they  
11 didn't bring that up, no.  
12 Q. In any of your conversations with the  
13 Mayor was that subject discussed?  
14 A. I told him I thought there was a  
15 charter problem with an appointment of that kind.  
16 At what point I don't remember, but I did tell  
17 him that. Prior to writing the memo, I had told  
18 him I thought there was a charter and that I was  
19 going to get a legal opinion on that from outside  
20 counsel.  
21 Q. Did he express any reaction to that?  
22 A. He did think, he felt there was no  
23 problem --  
24 Q. Did he --  
25 A. -- with the charter.

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1 STROME  
2 Q. Did he explain why he thought there  
3 was no problem?  
4 A. He said he didn't read it the way I  
5 was interpreting it.  
6 Q. Okay. Did you speak to former mayors,  
7 by any chance?  
8 A. I spoke to the county clerk. He's a  
9 person from county government. I spoke to him  
10 because he was a former mayor. Also, at one  
11 point he was a city manager in another community,  
12 so I thought he would have a good perspective.  
13 Q. What was his reaction to the concept?  
14 A. He said that the Mayor was probably  
15 qualified but would have to resign his position  
16 for a while before accepting a job of this kind  
17 and expressed his doubt that it could be done  
18 while he is sitting mayor, in office as mayor.  
19 Q. And was any discussion about the  
20 charter --  
21 A. No, no.  
22 Q. You mentioned you discussed this with  
23 other city managers. Are you comfortable telling  
24 us who you spoke to?  
25 A. Spoke to Steve Altieri, who is the

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1 STROME  
2 retired Town Administrator of Mamaroneck; Steve  
3 Pappalardo, the retired manager of Scarsdale; and  
4 Peter Korn, who was my predecessor here.  
5 Q. What did Peter Korn think?  
6 A. All three of them pretty much thought  
7 I was crazy to be considering it in the first  
8 place.  
9 Q. And did any of them express reasons as  
10 to why they were opposed to it?  
11 A. They all expressed the sentiment that  
12 ultimately I came to, that it was not proper for  
13 a professional government executive to make a  
14 political appointment per se to a commissioner,  
15 to a professional job. He thought it would look  
16 like -- particularly since my situation is I am  
17 retiring at the end of the year, they felt it  
18 would look like a sweetheart deal on my way out  
19 the door and that it would have a bad impact on  
20 my professional reputation.  
21 Q. Am I correct that those managers were  
22 all previously employed in positions like yours,  
23 where there was a strong manager, a weak mayor  
24 form of government?  
25 A. Well, Mr. Korn was here, so the same

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1 STROME  
2 form of government. In Scarsdale it is a village  
3 manager form of government. In Mamaroneck it is  
4 a town administrator, which is slightly  
5 different. The administrator has less executive  
6 authority than a manager but, you know, it is  
7 very similar.  
8 Q. Did you have an opportunity to solicit  
9 the thoughts of anyone actually in the real  
10 estate industry?  
11 A. I spoke with Joe Apicella and Mark  
12 Weingarten. Joe is a developer for MacQuesten  
13 Development Company. And Mark is, I am sure you  
14 know, is an attorney for -- I don't know the  
15 firm's name. It has got a lot of names.  
16 Q. DelBello --  
17 A. Donnellan, DelBello, and he represents  
18 many developers in Westchester County, legal  
19 representative.  
20 Q. What was Mr. Apicella's opinion of  
21 this concept?  
22 A. He said it would not be good for the  
23 city, it would look like I was giving somebody a  
24 gift on the way out the door.  
25 Q. Okay. And what was Mr. Weingarten's

Page 21

1 STROME  
2 opinion?  
3 A. Less negative but the same. He  
4 respected the Mayor, the Mayor could probably do  
5 the job, but optically it was not going to be an  
6 easy thing to do.  
7 Q. In arriving at your conclusion that  
8 this was not something that you were comfortable  
9 doing, did you have a concern about the charter  
10 provision that establishes the council manager  
11 form of government for the City of New Rochelle?  
12 A. Yes, if you read the memo, the major  
13 concerns other than the optics were the charter.  
14 But the number one concern was I was not going to  
15 subject myself to violating my professional code  
16 of ethics.  
17 Q. And as you already testified, you did  
18 solicit an opinion from the ICMA?  
19 A. Yes.  
20 Q. Am I correct that you have been the  
21 city manager here for 25 years?  
22 A. Twenty-three. February of 2002 I was  
23 the acting manager, November of 2002 I was named  
24 permanent manager. So it is 22 1/2 I have been  
25 in this role.

Page 22

1 STROME

2 Q. And you have been a member of the ICMA

3 for---

4 A. Thirty-five years.

5 Q. Thirty-five years. Okay.

6 Based upon your experience as city

7 manager and a member of ICMA, what do you believe

8 the ethics of your profession require when you

9 are filing a high level administrative position?

10 A. That a thorough review process take

11 place and that the candidate selected meets the

12 basic qualifications for the job, and that it is

13 a transparent process.

14 Q. And within your responsibilities as a

15 professional manager, what role does merit play

16 versus politics?

17 A. Politics has no role. Merit-based

18 appointment. Doesn't eliminate in my mind

19 somebody who's a politician who may be qualified,

20 but they have to be qualified and they have to go

21 through the process, the hiring process.

22 Q. During your interactions with the

23 Mayor concerning the subject of his being

24 appointed to the commissioner's position as

25 commissioner of economic development, did you

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1 STROME

2 feel any pressure to make that appointment?

3 A. There was no outward pressure, there

4 was no attempt to coerce or threaten or, you

5 know, force me to make the appointment. By

6 nature of my relationship with him, as he is the

7 mayor and I am the city manager, and he is on the

8 city council and one of the members who I report

9 to, I felt pressure. I am not sure if there was

10 any intent to exert pressure, you'd have to ask

11 him that. But it was a natural pressure because

12 of the dynamic in the relationship. It was a

13 very uncomfortable situation.

14 Q. So is this an accurate take on it,

15 that because you report to the city council, they

16 hired you and theoretically they can fire you,

17 there was inherently a feeling of some pressure

18 because it is coming from your boss?

19 A. It wasn't a feeling that I would get

20 fired, it is just a feeling that he is a boss, he

21 is also I consider him somewhat of a friend and

22 he was really anxiously hoping that he was going

23 to get the job, and I knew there would be a lot

24 of disappointment when he didn't get it. I was

25 not worried about getting terminated or having

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1 STROME

2 some kind of ramification or anything done to me

3 as a result, it was just a feeling of

4 disappointing somebody that you know and work

5 with and have worked with for 22 years, actually

6 longer, 30 years.

7 Q. Going back to the charter, okay. I am

8 just going to read to you what Article VII,

9 Section 76 says, and it is in your memo. That

10 there is a requirement for the position of

11 commissioner of economic development that's 10

12 years of progressively responsible technical and

13 managerial experience in community planning,

14 traffic engineering, renewals and redevelopment

15 projects or planning and administration. Does

16 that meet with your understanding?

17 A. Yes.

18 Q. Do you understand that the Mayor has

19 any of those qualifications?

20 A. No, he does not. Although, I will say

21 that I don't know if I am right or wrong about

22 this, but I view those as guidelines. Not every

23 commissioner of economic development that I have

24 hired, and I hired quite a few, has had those

25 exact experiences but they have had some of it.

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1 STROME

2 I believe the manager has the right to veer

3 outside of that lane. Those charter provisions

4 are, I am not a lawyer so I could be wrong, but

5 they are like a job specification. They are

6 suggestions but I don't think you have to go by

7 the word. Somebody could have seven years of

8 experience and other attributes that aren't

9 written in the charter that make them an

10 attractive candidate and, therefore, I don't

11 think you violate it by appointing somebody who

12 doesn't have exactly what it says in the charter.

13 Q. In addition to your discussions with

14 the Mayor about his possible appointment to the

15 position, did any other person discuss it with

16 you in terms of suggesting that he would be an

17 appropriate candidate?

18 A. Kathleen Gill was involved in the

19 beginning. She was at the lunch and she felt

20 uncomfortable the day after the lunch or a couple

21 of days after the lunch. She told the Mayor and

22 myself that she would like to withdraw herself

23 from this discussion. So after that lunch it was

24 just him and me.

25 Q. Okay. So did any person other than

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1 STROME  
2 the Mayor come to you to suggest that he be  
3 appointed?  
4 A. No.  
5 Q. In terms of going back to our city  
6 charter and referring to Article 6, Section 43,  
7 which has in substance: No councilperson may  
8 request the appointment or removal of any person  
9 to or from employment by the city manager. Do  
10 you understand that to be the substance of it?  
11 A. Yes.  
12 Q. Do you think that the request that  
13 came from the Mayor violated that section of the  
14 charter?  
15 A. So it is a little tricky. I made the  
16 first suggestion, so I thought -- I think that  
17 was okay. I think it gets questionable after I  
18 told him no and he asked me to reconsider, that's  
19 where it gets a little tricky for me.  
20 Q. Okay. Now, in reference to that  
21 provision of the charter, did the Mayor ever  
22 discuss with you your appointment of Kathleen  
23 Gill to be the deputy city manager?  
24 A. No. Related to the development  
25 commissioner position? No.

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1 STROME  
2 Q. No, related independent of that. Did  
3 he ever discuss it with you at all?  
4 A. So if I can tell what happened.  
5 Q. Yes, please. Exactly.  
6 A. A couple of weeks after I sent the  
7 memo to the Mayor about the development  
8 commissioner position - and by the way, we never  
9 had a discussion about that memo for the next two  
10 weeks - I then appointed Adam Salgado as the  
11 development commissioner and kind of just  
12 formalized what was going on here for the last  
13 three and a half years, made Kathleen the deputy  
14 city manager. So up until that appointment, I  
15 had no discussions with the Mayor or anybody else  
16 on the council about that, because those  
17 appointments are solely within the discretion of  
18 the city manager. I sent a memo to the Mayor and  
19 council announcing those appointments. I think  
20 it was a couple of Fridays ago, two or three  
21 Fridays ago.  
22 Q. Now, after you sent that memo did the  
23 Mayor bring up the topic with you?  
24 A. I was told by a third-hand party, who  
25 I don't wish to identify, that the Mayor was

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1 STROME  
2 calling councilpeople to get support for him, to  
3 come to me to express his concern with the  
4 appointment of a deputy city manager since --  
5 that he had issues with that appointment as  
6 deputy city manager.  
7 So the next morning -- I think I sent  
8 it on a Friday, the appointments, a Thursday.  
9 The next morning, after hearing that the night  
10 before, I went into him and I kind of confronted  
11 him about it. I had heard that he was getting  
12 votes to terminate me. So I said, if you want me  
13 to leave, I will leave. And he said, I wasn't  
14 doing that, I have a concern with the timing of  
15 the appointment, that it would handcuff the next  
16 city manager and the management team by having a  
17 deputy city manager in place.  
18 The deputy city manager position in  
19 the charter is different from commissioner  
20 positions as it is not identified as a singular  
21 position, it is just a paragraph that says the  
22 manager has the right to appoint the deputy city  
23 manager if he or she so chooses who would be de  
24 facto the manager when I am out of town or sick.  
25 I had been writing a letter to Kathleen every six

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1 STROME  
2 months for the last three years saying that she  
3 is the acting manager in the event of my not  
4 being around. So that's a little different than  
5 like the commissioner of development position.  
6 But he said that he was concerned with  
7 the timing of the appointment because I was  
8 leaving and they were starting a search for a  
9 city manager, as they are, and that this might be  
10 a problem for that search. I told him I didn't  
11 agree with that. They had the right to hire a  
12 manager and the next manager has the right to  
13 hire or fire whoever they want. So I didn't  
14 think it was going to have any impact on the  
15 ability to hire a new manager or what would  
16 happen when the new manager starts.  
17 Q. Did he suggest to you that you might  
18 want to rescind that appointment until the search  
19 was completed?  
20 A. No, he never said to me that I should  
21 rescind the appointment. There was no -- you are  
22 talking about the city manager search?  
23 Q. Yes.  
24 A. He said he wanted to come to me with  
25 his concerns but he couldn't get three other

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1 STROME  
2 members of the council to agree with him so he  
3 dropped the item, the issue, he was dropping the  
4 issue.  
5 MR. BLUMENTHAL: Can you repeat  
6 that?  
7 THE WITNESS: When I said -- when  
8 I went to see him and he explained to  
9 me his concern was with the timing, not  
10 to terminate me, he said because I  
11 could not get three other councilpeople  
12 to agree with me, I was not going to  
13 come talk to you and I was going to  
14 drop the issue.  
15 MR. BLUMENTHAL: Thank you.  
16 THE WITNESS: The discussion about  
17 this issue was initiated by me, not  
18 him. I can only assume if he had three  
19 other councilpeople that agreed with  
20 him, he was going to come talk to me.  
21 But he said since he didn't, he was not  
22 going to do it.  
23 Q. Is it of special significance of his  
24 coming to you with three other councilpeople for  
25 a total of four?

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1 STROME  
2 A. Well, I think it is implied that if he  
3 comes to me with four people, that the majority  
4 of the council doesn't agree with the decision.  
5 From my perspective, I don't care, he could have  
6 come to me with seven. It is my authority to  
7 make the appointment and I wouldn't -- he didn't  
8 ask me to rescind it, but I would not rescind it  
9 anyway if all seven came to me.  
10 I did find it curious that he was  
11 calling councilpeople to come talk to me about a  
12 concern. That's never happened before, you know.  
13 Councilmembers have had concerns with things,  
14 obviously over 20 years, and no one has ever felt  
15 the need to go get three other people to agree  
16 with them, just simply have a conversation with  
17 me. So I thought that was odd.  
18 Q. Your present employment status, have  
19 you actually retired or are you on a contract or  
20 are you still awaiting retirement?  
21 A. I was planning to retire last August  
22 and the city council and I agreed that it would  
23 be better if I not leave in the middle of the  
24 pandemic. So I retired in August and I have a  
25 contract that dealt with last year because of

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1 STROME  
2 pension requirements and this year. There is an  
3 option for next year, mutual option which I've  
4 chosen not to exercise. So I am retired but  
5 still in service.  
6 Q. Now, in the event that the Mayor  
7 decides that he wants to get together a group of  
8 councilpeople to fire you, given that you have a  
9 contract --  
10 A. I serve at their pleasure. And my  
11 reading of it is calling other councilpeople, it  
12 is kind of odd. Calling other councilpeople to  
13 get a majority to fire the manager is perfectly  
14 appropriate if you have a valid reason. That is  
15 their right, I serve at their pleasure. I am not  
16 sure why he felt the need to call other  
17 councilpeople to come talk to me about some other  
18 matter, you know, procedural matter, that's -- I  
19 don't know why that was necessary.  
20 And my original talking to him was  
21 because I was under the impression that why else  
22 would he be getting three votes other than to  
23 terminate me? And that would have been fine,  
24 they have the right to do that. If they did it  
25 for this reason, I think I would have a case to

Page 33

1 STROME  
2 challenge it. But never got to that and he says  
3 he never -- he told me he never talked about  
4 termination with any of the councilmembers, but I  
5 wasn't on the phone call so I have no idea what  
6 was discussed.  
7 I have only spoken to him about the  
8 nature of those phone calls. He explained to me  
9 what he was doing and I have spoken to  
10 Councilmember Fried and Councilmember  
11 Ramos-Herbert and Councilmember Lopez, but not --  
12 the nature of the calls was not discussed. They  
13 just wanted to call and say they were sorry that  
14 all this stuff was going on. I didn't probe with  
15 them what he was talking to them about, I didn't  
16 want to put them in that position. So my  
17 understanding of the nature of the phone calls is  
18 only through what I have heard from him and what  
19 I have heard third hand from other people.  
20 Q. When you say third hand, that would be  
21 people other than councilpeople?  
22 A. Not other than councilmembers, but  
23 other than those three councilmembers.  
24 Q. What have you heard third hand from  
25 councilpeople?

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1 STROME  
2 A. I have heard that the phone calls were  
3 being made to get four votes to come to me and  
4 ask me to rescind the appointment of the deputy  
5 city manager. I have no knowledge that's true  
6 but that's what I was told.  
7 Q. If what you heard was accurate, okay,  
8 would that not violate the charter provision,  
9 provisions that councilpeople are not supposed to  
10 approach you in reference to employment  
11 decisions?  
12 A. Also, it is a little tricky. If it  
13 was about the nature of the -- if the Mayor's  
14 characterization is accurate, then it would have  
15 been appropriate to come to me prior to an  
16 appointment and just say, because you are leaving  
17 we don't think you should hire a deputy city  
18 manager. That may be unfair because they had no  
19 idea, they should have known, but they didn't  
20 have any idea I was going to hire a deputy city  
21 manager. Once the appointment is made, I believe  
22 you can read the charter to say there should be  
23 no conversation. They have no authority to come  
24 to me about the nature of that appointment. Once  
25 I made it, I have made it, it is my right to make

Page 35

1 STROME  
2 it and they have no role in the decision. I  
3 think the charter is pretty clear on that.  
4 Q. Okay. Specifically take a look at  
5 what is marked as Exhibit C. It should be at the  
6 bottom of your pile. It is a chain of e-mails,  
7 okay? And please go to the last page of it.  
8 A. Last page of the front or the last?  
9 Q. The beginning.  
10 A. The beginning.  
11 Q. The beginning of the chain. And I am  
12 specifically referring to an e-mail -- by the  
13 way, is "Tarcor" Councilman --  
14 A. Yes, Tarantino.  
15 Q. Tarantino. And I am looking at the  
16 e-mail that he sent to you, copying Ivar Hyden,  
17 on March 19th. He says, "Chuck, after speaking  
18 with some councilmembers, it has come to my  
19 attention that the Mayor has reached out to them  
20 to persuade them in going to you with four votes  
21 to force you to rescind the appointment of  
22 Kathleen Gill as Deputy City Manager.  
23 "My question to you would be: Is this  
24 a violation of the ethics code and charter, to  
25 pursue this by the Mayor? It seems to me that

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1 STROME  
2 the Mayor would be threatening the city manager  
3 with his job, letting him know if he does not do  
4 what he wants he will be terminated. Can you get  
5 an opinion on this and let us know?"  
6 Do you recall getting that e-mail?  
7 A. For sure. Yes.  
8 Q. What, if anything, did you do about it  
9 after you got it?  
10 A. I replied and gave my opinion, stated  
11 that I wasn't an attorney and I would get an  
12 opinion from an outside legal attorney.  
13 Q. Which I understand you did.  
14 A. I got late last week and a final  
15 opinion yesterday.  
16 Q. Okay. I am not going to ask you about  
17 that for this reason, that was a lawyer/client  
18 relationship. And the proceedings of this board,  
19 okay, although now nonpublic, unfortunately in  
20 their infinite wisdom the state court has decided  
21 that the Sunshine Law trumps our local law and  
22 may become public.  
23 Okay. Did you ever learn in any  
24 fashion whether there was any veracity to what  
25 Councilman Tarantino told you he heard?

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1 STROME  
2 A. I have not -- no one involved in the  
3 phone calls has told me that that's an accurate  
4 description of the phone calls.  
5 Q. Has anyone told you it was inaccurate?  
6 A. The Mayor.  
7 Q. Other than that, has anyone said it  
8 was not inaccurate?  
9 A. I didn't discuss it with anybody. I  
10 did not discuss it with him.  
11 Q. Now, on that e-mail I noticed that  
12 Ivar Hyden -- Hyden or Hayden?  
13 A. Hyden.  
14 Q. Ivar Hyden is copied.  
15 A. I do know why.  
16 Q. Tell me why.  
17 A. Because after the appointments were  
18 made of Adam and Kathleen, Councilmember Hyden  
19 and Councilmember Tarantino both sent e-mails  
20 saying that they supported the appointments, as  
21 did Councilmember Lopez and Councilmember Fried.  
22 Councilmember Hyden and Councilmember Tarantino  
23 wrote lengthy e-mails. Councilmember Fried and  
24 Councilmember Lopez just simply said, fine, I  
25 support the appointments or just a brief saying

Page 38

1 STROME  
2 it was okay.  
3 Q. Other than the Mayor who sits on the  
4 council, did any other person on the council  
5 respond to you negatively as to your appointment  
6 of Kathleen as the deputy?  
7 A. No. Just to be clear, the Mayor never  
8 responded negatively specifically about her. He  
9 told me his concern was with the timing of the  
10 appointment, not the person appointed.  
11 Q. Okay.  
12 A. That's what he told me. I don't know  
13 that it's --  
14 Q. Okay.  
15 A. I won't speculate.  
16 Q. The way I see my role here is to get  
17 the ball rolling, but this is obviously the  
18 investigation by the committee, not me, so I am  
19 going to ask them if they have questions.  
20 EXAMINATION BY  
21 MR. BLUMENTHAL:  
22 Q. First, I would like to thank you for  
23 your many years of service, as I have lived here  
24 now almost 35 years and you have been in your  
25 role more than half of that. From my

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1 STROME  
2 perspective, it is an amazing job, so thank you  
3 very much.  
4 A. Thank you.  
5 Q. Has there been any instances prior to  
6 what you testified for the last hour or so where  
7 the Mayor may have broached the line and ever  
8 spoke to you about personnel issues that made you  
9 feel you are uncomfortable or even gave you  
10 agreement but was always something that now in  
11 retrospect could have been construed as in  
12 violation or possible issues with the charter?  
13 A. No.  
14 Q. This issue that has occurred over the  
15 last I will call it 12, 13 months is something  
16 that is out of character and it's unusual that he  
17 may or may not have broached something that  
18 whether he thought it was an issue, you did sense  
19 that it was an issue?  
20 A. I would say I have had discussions,  
21 informal discussions with members of council  
22 related to personnel but they were just informal  
23 discussions. This was much more involved.  
24 Q. I think I saw a document that the  
25 Mayor had written to Mr. Cox where he took

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1 STROME  
2 umbrage at a complaint. And he said, he used the  
3 word informal in that e-mail and things like  
4 that. I don't think it is in this document, it  
5 was in another document that I have seen over the  
6 last week.  
7 A. This one, due to the sensitive nature  
8 of this claim? He sent it to the city council  
9 and me, not to Mr. Cox.  
10 Q. Oh, okay. It was about the complaint,  
11 then?  
12 A. About the second issue, the deputy  
13 manager position.  
14 Q. Right. So could he have, from your  
15 perspective, could he have been -- would you take  
16 that as accurate or -- what he may have said and  
17 how you took it could be very different and I  
18 think your perspective is actually a lot more  
19 important to me, whether you are feeling that he  
20 stepped over the line.  
21 A. I don't want to opine on stepping over  
22 the line. I will say this is a fairly accurate  
23 description of what he told me, this e-mail. I  
24 believe him when he says he did not call  
25 councilmembers to seek my termination, but I

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1 STROME  
2 don't know anything other than that. I don't  
3 know the nature of the phone calls, what he was  
4 actually talking to them about. I assume you  
5 will call him and call them and you will figure  
6 that out at some point. As I said before, I just  
7 found it odd that at this point he felt the need  
8 to call three people to come talk to me about  
9 something.  
10 Q. Mr. Meisels did mention a couple of  
11 times about the financial situation where the two  
12 salaries are significantly different. Again, I  
13 am not trying to put thoughts in anyone's mind.  
14 Could there be pressure on the Mayor to increase  
15 his compensation and jump over the fence from his  
16 political role?  
17 A. I know him a long time and I am sure  
18 he thought the increase in salary would be nice,  
19 but I don't think that was his motivation. I  
20 don't think he was trying to do a money grab. I  
21 think he really wanted the position and genuinely  
22 thought he was qualified for it. We never  
23 discussed what the salary would be. I mean we  
24 both know what it is, but I don't think that was  
25 driving his desire. I think he will tell you

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1 STROME  
2 that he is at a point in his career where he  
3 wants to move out of politics and into another  
4 realm and he thought this was one possible  
5 scenario, that he could do it.  
6 MR. BLUMENTHAL: Thank you.  
7 MR. PHIPPS: Not right now.  
8 MR. MEISELS: I have one follow-up  
9 question.  
10 EXAMINATION BY  
11 MR. MEISELS:  
12 Q. Did he ever explain to you why at this  
13 stage of his career he would want to move out of  
14 politics and go into professional government?  
15 A. Well, he has been mayor for, I don't  
16 know, 16 or 17 years, he was on the city council  
17 before that. He's been very interested in  
18 economic development while he has been mayor, and  
19 the opportunities in the political realm were  
20 narrowing, there weren't many options for him  
21 there and he felt that -- I believe he feels that  
22 he is at a point in his life where he needs to do  
23 something different. I don't think he wants to  
24 be mayor anymore, but you have to ask him that.  
25 Q. Obviously, the board is investigating

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1 STROME  
2 the complaints filed actually by Robert Cox.  
3 MR. PHIPPS: Let me ask a  
4 question.  
5 EXAMINATION BY  
6 MR. PHIPPS:  
7 Q. When councilpeople are elected to  
8 their respective positions, do they have to read  
9 the charter?  
10 A. I don't think they have to. I would  
11 advise them to, but there is nothing that says  
12 they have to read the charter that I am aware of.  
13 Q. The Mayor, is he aware of the charter?  
14 He can be aware of it, but does he know the  
15 charter, the provisions in the charter, to your  
16 knowledge?  
17 A. To my knowledge, I think he, like me,  
18 knows certain sections. Going through this, I  
19 know more about it now than I did earlier. You  
20 know, I know and I suspect he knows what the form  
21 of government is and how it operates. I don't  
22 think he believes -- he did say to me the idea  
23 that the city council can't talk amongst  
24 themselves about a matter, I think he used the  
25 words "is ridiculous on its face." But I don't

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1 STROME  
2 think any of them, nor could I say that I do,  
3 would be an expert or have great knowledge of  
4 what is written in the charter. When I need to  
5 know something, I go to the charter and read it  
6 and look it up.  
7 Q. I was thinking it is something that  
8 they would do, like an orientation?  
9 A. I do have a -- when new members of  
10 council are elected, I offer them the opportunity  
11 to meet and go over the form of government, the  
12 charter in general and with some specifics and I  
13 suggest that they read it. But the Mayor was on  
14 the city council prior to me being the city  
15 manager, so I can't speak to what the manager did  
16 when he got elected the first time.  
17 MR. PHIPPS: Okay.  
18 EXAMINATION BY  
19 MR. MEISELS:  
20 Q. The board is investigating the  
21 multi-faceted complaint filed by Robert Cox. It  
22 could be observed that the complaint falls into  
23 two categories. One, managing relating to the  
24 appointment of the commissioner of economic  
25 development and two, managing relating to the

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1 STROME  
2 appointment of Kathleen Gill as deputy city  
3 manager.  
4 In reference to those two areas of  
5 inquiry, is there anything else that you think  
6 the board ought to know that we haven't asked you  
7 about or given you an opportunity to testify to?  
8 A. No, I answered what I could and I  
9 think the memo that I wrote on the development  
10 commissioner position is self-explanatory and  
11 states my feelings. And the e-mail that I wrote  
12 on the day after in response to Councilmember  
13 Tarantino's request that I ought to get a legal  
14 opinion but I gave my own opinion, I think that  
15 speaks for itself, too. So I think you have a  
16 pretty good idea of what my feelings are.  
17 MR. MEISELS: Okay. Any further  
18 questions?  
19 EXAMINATION BY  
20 MR. BLUMENTHAL:  
21 Q. I know it's not something you can  
22 answer, but it's amazing how Mr. Cox got this  
23 information.  
24 A. No, it is not.  
25 MR. PHIPPS: It is not?

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1 STROME

2 A. It is New Rochelle. Nothing is secret

3 here.

4 Q. It is pretty timely.

5 A. Listen, I don't know how he got the

6 information. I know he talks to a lot of people

7 and then he FOILS for information. And, you

8 know, once you know what a topic is, you can ask

9 for any document related to that topic and it

10 gets released.

11 Honestly, the memo I wrote to the

12 Mayor, I wrote privileged and confidential on it

13 with the intent - I am not a lawyer - my intent

14 was that only he and I would see that memo. I

15 did that out of respect for him. I didn't think

16 that this should be public and I am rather

17 disappointed that it has gotten to this point,

18 but I guess that's my fault, but I don't know how

19 I could have made that document not releasable.

20 But I had no idea that it would be released and

21 it is disturbing to me that it was released and

22 we are sitting here now.

23 Q. Is there a way that, assuming this

24 just moves along for the next nine months, that

25 Kathleen, yourself and the Mayor could work

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1 STROME

2 together?

3 A. I have no problem working with the

4 Mayor and I don't think she does either. I don't

5 think it's -- listen, from the beginning he said

6 to me whatever -- on the development commissioner

7 position, whatever your decision is I will accept

8 it and we'll go on with our normal relationship.

9 I believed him then and I believe that's what's

10 happened. I don't want to speak for whether he

11 and Kathleen can work together, but I know her

12 pretty well, I know him pretty well, they are

13 both professionals and since this has all

14 happened they have had meetings and they are

15 working well together. I would expect everybody

16 to act professionally. I can only speak for

17 myself. It hasn't had a negative -- I mean

18 obviously it has an impact, but it has not had an

19 impact big enough to not make me be able to work

20 with him.

21 MR. BLUMENTHAL: Thank you.

22 MR. PHIPPS: Before you go I, too,

23 want to express my thanks for you being

24 the person you are because I have known

25 you a long time.

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1 STROME

2 THE WITNESS: Yes, we have.

3 MR. PHIPPS: I have worked with

4 you a long time and I am, too, not

5 happy about this.

6 THE WITNESS: Not what we want to

7 do.

8 MR. PHIPPS: We have been around a

9 long time, 40 years or so, so you know.

10 We have seen a lot, so...

11 THE WITNESS: I appreciate it.

12 MR. MEISELS: You gentlemen have

13 anything further?

14 MR. PHIPPS: No, I don't.

15 THE WITNESS: Okay.

16 MR. PHIPPS: We appreciate it.

17 (Time noted: 11:30 a.m.)

18

19 \_\_\_\_\_

20 CHARLES STROME

21 Subscribed and sworn to before me

22 this \_\_\_\_ day of \_\_\_\_\_, 2022.

23

24 \_\_\_\_\_

25 NOTARY PUBLIC

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1 CERTIFICATION  
 2  
 3 STATE OF NEW YORK )  
 4 ) ss:  
 5 COUNTY OF WESTCHESTER )  
 6  
 7 I, HOWARD BRESHIN, a Court Reporter  
 8 and Notary Public within and for the State of New  
 9 York, do hereby certify:  
 10 That I reported the proceedings that  
 11 are hereinbefore set forth, and that such  
 12 transcript is a true and accurate record of said  
 13 proceedings.  
 14 I further certify that I am not  
 15 related to any of the parties to this action by  
 16 blood or marriage, and that I am in no way  
 17 interested in the outcome of this matter.  
 18 IN WITNESS WHEREOF, I have hereunto  
 19 set my hand.  
 20  
 21  
 22   
 23 HOWARD BRESHIN,  
 24 COURT REPORTER  
 25

1 ERRATA SHEET  
 2 VERITEXT/NEW YORK REPORTING, LLC  
 3 CASE NAME: Board Of Ethics Meeting v.  
 4 DATE OF DEPOSITION: 4/1/2022  
 5 WITNESSES' NAME: Charles Strome  
 6  
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 21  
 22 Charles Strome  
 23 SUBSCRIBED AND SWORN TO BEFORE ME  
 24 THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
 25 (NOTARY PUBLIC) MY COMMISSION EXPIRES.

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