



## Fwd: NYS and Town Ethics - Town implementation & Tilden Project Ethics Board decision

1 message

**Elizabeth Brutsch** <nlpb.brutsch@gmail.com>  
To: PZ Clerk <pzclerk@townofnewlebanon.com>

Wed, Nov 19, 2025 at 6:51 AM

Good morning,

Please have this email saved as a PDF and uploaded to the PB's webpage for the project under the Public Comment section.

Thank you,  
Elizabeth

Planning Board Chairperson  
Town of New Lebanon

----- Forwarded message -----

From: **John and Bonnie Lichak** [REDACTED]  
Date: Tue, Nov 18, 2025 at 3:58 PM  
Subject: NYS and Town Ethics - Town implementation & Tilden Project Ethics Board decision  
To: Elizabeth Brutsch <nlpb.brutsch@gmail.com>, nlpb.carroll@gmail.com <nlpb.carroll@gmail.com>, nlpb.hanna@gmail.com <nlpb.hanna@gmail.com>, nlpb.muse@gmail.com <nlpb.muse@gmail.com>, nlpb3@gmail.com <nlpb3@gmail.com>, nlpb2@gmail.com <nlpb2@gmail.com>, nlpb@gmail.com <nlpb@gmail.com>

Dear Planning Board Members:

The November Planning Board meeting agenda includes the Tilden Project with Josh Young presenting . In light of the August 2025 School Board Attorney letter and the two Privilege of the Floor presentations to the Town Board concerning the ethics raised in the School Board Attorney letter we had expected Mr. Young to no longer appear before the Planning Board since he is delineated as having a conflict of interest with his financial interest which is detailed as an Ethics Violation of both the State Law and the Town Law.

This email is to request that Mr. Young comply with the ethics laws and no longer be permitted to present before the board on the Tilden Project as long as he is a board member.

There seems to be a concerted effort by the Town to ignore the School Board Attorney letter and the State Ethics law. The Ethics Board has rendered what appears to be an incorrect decision on the appearance before the Planning and Zoning Board by Mr. Murad and Mr. Young who sit on those boards and have a financial interest in the Tilden Commons.

To recap the School Board Attorney, Keane Beane PC, issued a letter dated 8/29/25 stating board members with financial interests in the project need to recuse from the boards AND stated:

"a conflicted board member must refrain from appearing before the boards."

To date the Town Ethics Committee, Town Supervisor, and Town Planning/Zoning Attorney have all ignored the General Municipal Law and the Town Ethics Law. The confusion seems to be in what constitutes recusal and compliance with both the State and Town Ethics Laws. The School Board Attorney Letter is quite clear that recusal does not just mean not voting on the project and walking around the table and then participating in deliberations.

Here are two links which speak to the issue. Although one is from a NJ document it speaks to the definition of recusal:

1. <https://www.oceancity2050.org/blog/understanding-conflicts-of-interest-in-local-government>

"Recusal isn't just about leaving the room during a vote. In practice, it means:

Not lobbying or persuading other officials behind the scenes

Not attending meetings or closed-door sessions about the issue

Not using a title or relationships (e.g., with the mayor, city staff, or developers) to sway outcomes

Not coordinating with supporters or stakeholders about the matter in question—even informally

This can be hard in a small town, where "everyone knows everyone." Social ties, overlapping business relationships, and close-knit community dynamics make the issue of recusal more sensitive and complex. But just because it is hard does not make recusal any less important—or provide an excuse not to do so."

2. <https://nysba.org/wp-content/uploads/2020/03/recusalandabstention.pdf>

#### Recusal Based On Conflicts of Interest

"Where a member of the planning board has a conflict of interest affecting the consideration of an application, that member must recuse him or herself from participating in any discussion of the matter and from voting on that matter." 7

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The process has been tainted by the constant appearance by Mr. Murad and Mr. Young in violation of both the State GML Section 805-a(1)(c) and Sections 16-6A, E, H and J(1) of the Town Ethics Law.

Per the above all of the appearances and deliberations to date need to be remedied and corrected. The continued appearance by Mr. Murad and Mr. Young must be halted, and the Ethics Committee should reconvene and render a corrected decision. The Planning and Zoning Boards need to know the letter of the law and how to proceed now that the project review is tainted by these conflicts of interest.

The Planning and Zoning Board Members need to be advised, as one does in Court, that all Statements and Presentations to date by Mr. Murad and Mr. Young should be ignored in making any decisions on this project.

This project could have remained within the letter of the law by their recusal from voting if an attorney or other party for the project made the presentations on behalf of the owners or Mr. Murad and Mr. Young had resigned from the Boards. Members of the public were rightly aghast at how this process began and how it

proceeded. In addition, it has been noted that these very same board members were also instrumental in advancing and changing the setbacks which also impacted this project in their favor.

Ethics should be a foremost consideration by all that work in the public sphere. I look forward to a public discussion of the ethics laws, a new decision by the Ethics Committee, and the halting of all further appearances by Mr. Young and Mr. Murad when their project is under review, and a clear discussion with the Zoning and Planning Board Members on the ethics laws and how to proceed to remedy this most serious lapse in the implementation of ethics in the Town.

I would appreciate this letter being posted as part of the public comment on the Tilden Project.

Sincerely,  
Bonnie Lichak

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