

STATE OF NEW YORK  
COMMISSION ON JUDICIAL CONDUCT

---

In the Matter of the Proceeding  
Pursuant to Section 44, subdivision 4,  
of the Judiciary Law in Relation to

SUSAN L. KESICK,

**DETERMINATION**

a Justice of the Ulster Town Court,  
Ulster County.

---

THE COMMISSION:

Joseph W. Belluck, Esq., Chair  
Taa Grays, Esq., Vice Chair  
Honorable Fernando M. Camacho  
Stefano Cambareri, Esq.  
Brian C. Doyle, Esq.  
Honorable John A. Falk  
Robin Chappelle Golston  
Nina M. Moore, Ph.D.  
Honorable Peter H. Moulton  
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (Cathleen S. Cenci, Shruti Joshi and S. Peter Pedrotty, Of Counsel) for the Commission

Wilson Elser, LLP (Peter A. Lauricella) for respondent

Respondent, Susan L. Kesick, a Justice of the Ulster Town Court, Ulster

County, was served with a Formal Written Complaint (“Complaint”) dated March 27, 2025 containing two charges. Charge I alleged that during the period from May 2023 to October 2023, respondent contributed to a hostile work environment, was discourteous toward a court clerk and, during a personnel dispute with the clerk regarding the clerk’s work schedule, respondent unnecessarily involved the police by asking that they remove the clerk from the building. Charge II alleged that from at least February 2024 to December 2024, respondent used an email address that identified her as a judge for personal matters. Respondent filed an Answer dated September 16, 2025.

On January 23, 2026, the Administrator, respondent’s counsel and respondent entered into an Agreed Statement of Facts (“Agreed Statement”) pursuant to Section 44, subdivision 5, of the Judiciary Law, stipulating that the Commission make its determination based upon the agreed facts, recommending that respondent be censured and waiving further submissions and oral argument.

On January 29, 2026, the Commission accepted the Agreed Statement and made the following determination:

1. Respondent is not an attorney. She has been a Justice of the Ulster Town Court, Ulster County, since 2006. Respondent was reelected in November 2025 to a new term, which will expire on December 31, 2029.

As to Charge I of the Formal Written Complaint

2. Beginning in 2021, and at all times relevant herein, Jane Doe was a part-time court clerk in the Ulster Town Court. Both respondent and her co-judge at the time, Hon. Marsha Weiss, consented to her hiring. At all times relevant herein, Ms. Doe reported to both respondent and respondent's current co-judge, Hon. Kelly Flood-Myers.

3. At all times relevant herein, respondent held court on Mondays and Wednesdays, while Judge Flood-Myers held court on Tuesdays and Thursdays.

4. On July 27, 2023, a Thursday, Ms. Doe arrived at work earlier than her standing working hours to finish some pending assignments. Judge Flood-Myers canceled court proceedings that day due to a personal matter.

5. Since Ms. Doe was expecting to work a full day and construed her early arrival to constitute overtime, she took an hour off for lunch.<sup>1</sup> While Ms. Doe was away at lunch, respondent arrived at the town hall building after being called in to court to conduct an arraignment and noticed that Ms. Doe was not in the court clerk's office. Upon Ms. Doe's return from lunch, respondent questioned why she had been on a lunch break. Thereafter, respondent and Ms. Doe engaged

---

<sup>1</sup> According to the court's policy, full-time employees are allowed to take a one-hour lunch break. Part-time employees are not typically entitled to a lunch break unless they are working full-time hours, *i.e.* overtime, on a given day.

in a tense disagreement in the hallway outside of the court clerk's office over whether Ms. Doe had the right to work overtime that day.

6. Respondent asked to see Ms. Doe's timecard. Ms. Doe reluctantly handed it to respondent. Respondent said she would return it after she had checked it in her chambers.

7. Ms. Doe went to the Town Supervisor's office to speak with the Town Supervisor's secretary, Peggy King, about the matter. They closed the door for privacy.

8. Meanwhile, after checking Ms. Doe's timecard, respondent went looking for her to return it. Not finding Ms. Doe in the court clerk's office and being advised that she had gone down the hall toward the Town Supervisor's office, respondent went to find her there. While Ms. King and Ms. Doe were speaking, respondent opened the door and entered the room, whereupon respondent and Ms. Doe resumed their tense disagreement. Respondent told Ms. Doe to leave the town hall building. Ms. Doe refused. Thereafter, respondent left the town hall building.

9. At approximately 3:30 PM that same day, respondent returned to the town hall building to conduct another arraignment. Upon seeing Ms. Doe still at the court, now past her normal working hours, respondent asked Ms. Doe what she was still doing in the clerk's office after her scheduled work hours. Ms. Doe yelled

and replied that she did not work for respondent, referred to her as “Kesick,” and asked respondent to “stop harassing” her.

10. As Ms. Doe refused to voluntarily leave previously, respondent then went to the Ulster Police Department and asked that Police Chief Kyle Berardi send officers to the court clerk’s office to escort Ms. Doe out of the town hall building, saying that Ms. Doe was being disrespectful and disruptive.

11. Chief Berardi declined respondent’s request to remove Ms. Doe but, after consulting with Deputy Town Supervisor Clayton Van Kleeck and Town Councilman Rocco Secreto about the situation, sent Lieutenant Andy Seyfarth to the court clerk’s office to monitor the situation.

12. Respondent went back into the court clerk’s office and saw Ms. Doe still working at her computer. Lieutenant Seyfarth stood outside the clerk’s office but took no action. After approximately ten minutes, respondent told her to turn off her computer and leave, and Ms. Doe again asked respondent to stop harassing her. Ms. Doe then packed up her belongings in the clerk’s office and left the building.

13. On July 28, 2023, after consulting with David A. Dellehunt of the Office of Court Administration (“OCA”), respondent sent an email to Town Supervisor James E. Quigley, III, Town Councilman Secreto, Town

Councilwoman-Elect Anna Hayner,<sup>2</sup> Deputy Town Supervisor Van Kleeck, and County Legislator Eric J. Kitchen, with copies to Judge Flood-Myers, Chief Berardi, and Kinderhook Town and Village Justice David A. Dellehunt<sup>3</sup> – which requested Ms. Doe’s immediate termination from her employment at the town court. Respondent also requested that Ms. Doe not be allowed to enter the court offices and said she would be changing the passcode to the doors of the court clerk’s office.

14. Later that day, a personnel committee meeting was held with Deputy Town Supervisor Van Kleeck, Town Councilman Secreto, Judge Flood-Myers, and respondent.

15. During the meeting, respondent again asked for the support of the town personnel committee and her co-judge in terminating Ms. Doe’s employment,<sup>4</sup> saying she no longer trusted her after the previous day’s incident and adding that Ms. Doe had called her “Kesick.” In the course of the discussion, which included the hiring practices of the Town Court, respondent also disclosed

---

<sup>2</sup> Ms. Hayner subsequently became the Deputy Town Supervisor.

<sup>3</sup> Judge Dellehunt served as the Special Counsel to the Town and Village Courts in the Third Judicial District.

<sup>4</sup> Pursuant to Town Law §20, all clerks of the court are town employees. As a court clerk who reported to both town justices, Ms. Doe’s employment could be terminated by the Town Board only with the advice and consent of both town justices. *See Reno v Van Voris*, 649 NYS2d 1010, 1013 (Rensselaer Cty Sup Ct 1996).

that Ms. Doe had previously been charged with a felony, notwithstanding that the charge to which respondent referred had been dismissed and sealed.

16. The town personnel committee informed respondent that, because Ms. Doe had filed a verbal complaint against respondent the prior day, the Town would not take any action to terminate Ms. Doe as it could be construed as a retaliatory discharge, and the matter instead would be turned over to the Town's attorney.

17. On October 18, 2023, respondent sent an email to Judge Flood-Myers and others,<sup>5</sup> in which she *inter alia* reiterated her request that Ms. Doe be fired and insisted that Ms. Doe “not touch one thing that belongs to [respondent] and [respondent's] court.”

#### As to Charge II of the Formal Written Complaint

18. At all times relevant to this charge, respondent used the email address “slkjudge@[REDACTED]” as her personal email address.

19. Respondent used the above email address for various types of personal business, including but not limited to online shopping and paying bills.

#### Additional Factors

20. Respondent regrets having engaged in a petty and avoidable squabble

---

<sup>5</sup> The other recipients included Deputy Town Supervisor Van Kleeck, Town Councilman Secreto, Town Supervisor Quigley, and court clerks Judy A. Horvers, Ms. Doe, Rosanne Kaznowski and Karen L. Gorski. Respondent also copied Judge Dellehunt, court clerk Taylor Crespino, and respondent's private attorney Peter A. Lauricella.

with Ms. Doe and acknowledges that asking the police to remove Ms. Doe from the building was an overreaction that was inconsistent with her obligations to observe high standards of behavior required of all judges. She regrets how she handled the situation, which she acknowledges was better left to human resources. In retrospect, respondent recognizes that she should have removed herself from the situation so as not to have inflamed it further. Respondent re-commits herself to working collegially with court staff and her co-judge in the administration of court business in the future.

21. Regarding her personal email address, respondent has now studied the Commission's discussion of the subject in its 2025 Annual Report and applicable precedent. Respondent states that, for her personal use, she has created a new email address that does not make reference to her judicial status.

Upon the foregoing findings of fact, the Commission concludes as a matter of law that respondent violated Sections 100.1, 100.2(A), 100.2(C), 100.3(B)(3), and 100.3(C)(1) of the Rules Governing Judicial Conduct ("Rules") and should be disciplined for cause, pursuant to Article VI, Section 22, subdivision a, of the New York State Constitution and Section 44, subdivision 1, of the Judiciary Law. Charges I and II of the Formal Written Complaint are sustained insofar as they are consistent with the above findings and conclusions and respondent's misconduct is established.

The Rules require judges to maintain high standards of conduct and to “act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.” (Rules, §§100.1, 100.2(A)) The Rules also require that judges “cooperate with other judges and court officials in the administration of court business” and “be patient, dignified and courteous” to those “with whom the judge deals in an official capacity. . . .” (Rules, §§100.3(B)(3), 100.3(C)(1)) In addition, judges are prohibited from lending the prestige of judicial office to advance their personal interests. (Rules §100.2(C)) Respondent acknowledged that she violated the Rules when she engaged in a dispute with a part-time court clerk and asked the police to remove the clerk from the building. Respondent also violated the Rules when she improperly used her judicial title in her personal email address used for personal business.

Judges must be courteous and dignified when interacting with court staff and others. *See, Matter of Kehn*, 2025 Ann Rep of NY Commn on Jud Conduct at 202, 214 (“ . . . respondent raised her voice and was rude during a confrontation with the chief clerk and court staff. By this conduct, respondent failed to be dignified and courteous to court staff as the Rules required.”); *Matter of Pineda-Kirwan*, 2021 Ann Rep of NY Commn on Jud Conduct at 282, 296 (“Respondent’s pattern of intemperate and abusive behavior was improper and severely undermined confidence in the judiciary.”); *Matter of Simon*, 2017 Ann Rep of NY Commn on

Jud Conduct at 221, 252, *aff'd*, 28 NY3d 35 (2016) (“ . . . respondent abused his judicial position in order to bully, harass, threaten and intimidate his court staff, his co-judge and other village officials and employees with whom he dealt in an official capacity.”). Respondent breached her ethical obligations when she failed to be dignified and courteous to a court clerk and inappropriately asked the police to remove the clerk from the building.

As the Court of Appeals held in *Matter of Lonschein*, 50 NY2d 569, 572 (1980), “[m]embers of the judiciary should be acutely aware that any action they take, whether on or off the bench, must be measured against exacting standards of scrutiny to the end that public perception of the integrity of the judiciary will be preserved.” Judges have been disciplined for using their judicial title in their personal email address used for personal business. *Matter of Robichaud*, 2023 Ann Rep of NY Commn on Jud Conduct at 276, 283; *Matter of McGuire*, 2021 Ann Rep of NY Commn on Jud Conduct at 131, 193. Here, respondent violated the Rules by inappropriately using her judicial title in her personal email address that she used for online shopping and other personal business.

In accepting the jointly recommended sanction of censure, we have taken into consideration that respondent has acknowledged that her conduct was improper and warrants public discipline and that she has committed to working collegially with court staff. We trust that respondent has learned from this

experience and in the future will act in strict accordance with her obligation to abide by all the Rules Governing Judicial Conduct.

By reason of the foregoing, the Commission determines that the appropriate disposition is censure.

Mr. Belluck, Ms. Grays, Judge Camacho, Mr. Cambareri, Mr. Doyle, Judge Falk, Ms. Golston, Ms. Moore, Judge Moulton and Mr. Raskin concur.

#### CERTIFICATION

It is certified that the foregoing is the determination of the State Commission on Judicial Conduct.

Dated: February 20, 2026

  
\_\_\_\_\_  
Celia A. Zahner, Esq.  
Clerk of the Commission  
New York State  
Commission on Judicial Conduct