

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,

**AGREED
STATEMENT OF FACTS**

a Justice of the Ulster Town Court,
Ulster County.

Subject to the approval of the Commission on Judicial Conduct:

IT IS HEREBY STIPULATED AND AGREED by and between

Robert H. Tembeckjian, Administrator and Counsel to the Commission, and the Honorable Susan L. Kesick (“Respondent”), who is represented in this proceeding by Peter A. Lauricella of Wilson Elser Moskowitz Edelman & Dicker, LLP, that further proceedings are waived and that the Commission shall make its determination upon the following facts and exhibits, which shall constitute the entire record in lieu of a hearing.

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.

2. Respondent was served with a Formal Written Complaint dated March 27, 2025. She filed an Answer dated September 16, 2025.

As to Charge I

3. At times during July 2023 to October 2023, Respondent and a part-time clerk were involved in a personnel dispute, which involved a discrepancy pertaining to the clerk's work schedule. As described in more detail below, at one point during the dispute, Respondent unnecessarily involved the police by asking that they remove the clerk from the building.

As to the Specifications to Charge I

4. Beginning in 2021, and at all times relevant herein, Jane [REDACTED] Doe [REDACTED] 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 [REDACTED] reported to both Respondent and Respondent's current co-judge, Hon. Kelly Flood-Myers.

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

6. On July 27, 2023, a Thursday, Ms. Doe [REDACTED] 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.

7. Since Ms. Doe [REDACTED] was expecting to work a full day and construed her early arrival to constitute overtime, she took an hour off for lunch.¹ While

¹ 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

Ms. Doe [REDACTED] 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 [REDACTED] was not in the court clerk's office. Upon Ms. Doe [REDACTED]'s return from lunch, Respondent questioned why she had been on a lunch break. Thereafter, Respondent and Ms. Doe [REDACTED] engaged in a tense disagreement in the hallway outside of the court clerk's office over whether Ms. Doe [REDACTED] had the right to work overtime that day.

8. Respondent asked to see Ms. Doe [REDACTED]'s timecard. Ms. Doe [REDACTED] reluctantly handed it to Respondent. Respondent said she would return it after she had checked it in her chambers.

9. Ms. Doe [REDACTED] 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.

10. Meanwhile, after checking Ms. Doe [REDACTED]'s timecard, Respondent went looking for her to return it. Not finding Ms. Doe [REDACTED] 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 [REDACTED] were speaking, Respondent opened the door and entered the room, whereupon Respondent and Ms. Doe [REDACTED] resumed their tense disagreement.

hours, *i.e.* overtime, on a given day.

Respondent told Ms. Doe to leave the town hall building. Ms. Doe refused. Thereafter, Respondent left the town hall building.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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,² 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. Dellehunt³ – 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. A copy of Respondent's email is appended as Exhibit A.

16. Later that day, a personnel committee meeting was held with Deputy Town Supervisor Van Kleeck, Town Councilman Secreto, Judge Flood-Myers, and Respondent. A copy of the minutes of the meeting is appended as Exhibit B.

17. During the meeting, Respondent again asked for the support of the town personnel committee and her co-judge in terminating Ms. Doe's

² Ms. Hayner subsequently became the Deputy Town Supervisor.

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

employment,⁴ 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 that Ms. Doe had previously been charged with a felony, notwithstanding that the charge to which Respondent referred had been dismissed and sealed.

18. 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.

19. On October 18, 2023, Respondent sent an email to Judge Flood-Myers and others,⁵ 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.” A copy of Respondent’s email is appended as Exhibit C.

⁴ 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).

⁵ 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.

20. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article VI, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that Respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules of the Chief Administrator of the Courts Governing Judicial Conduct (“Rules”); failed to avoid impropriety and the appearance of impropriety, in that she failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; and failed to perform the duties of judicial office impartially and diligently, in that she failed to be patient, dignified and courteous to court staff with whom she dealt in an official capacity, in violation of Section 100.3(B)(3) of the Rules, and failed to diligently discharge her administrative responsibilities without bias or prejudice and failed to cooperate with other judges and court officials in the administration of court business, in violation of Section 100.3(C)(1) of the Rules.

As to Charge II

21. From at least February 2024, to at least December 2024, Respondent used an email address that identified her as a judge in her personal business and other dealings.

As to the Specifications to Charge II

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

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

24. By reason of the foregoing Respondent should be disciplined for cause, pursuant to Article VI, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that Respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; and failed to avoid impropriety and the appearance of impropriety, in that she failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules, and lent the prestige of judicial office to advance her private interests, in violation of Section 100.2(C) of the Rules.

Additional Factors

25. Respondent regrets having engaged in a petty and avoidable squabble with Ms. Doe [REDACTED] and acknowledges that asking the police to remove Ms. Doe [REDACTED] 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.

26. 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.

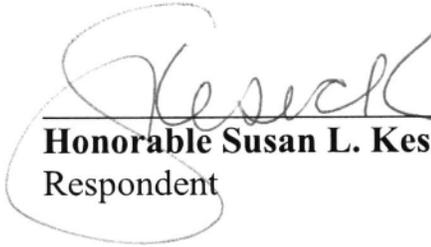
IT IS FURTHER STIPULATED AND AGREED that Respondent withdraws from her Answer any denials or defenses inconsistent with this Agreed Statement of Facts.

IT IS FURTHER STIPULATED AND AGREED that the parties to this Agreed Statement of Facts respectfully recommend to the Commission that the appropriate sanction is public Censure based upon the judicial misconduct set forth above.

IT IS FURTHER STIPULATED AND AGREED that if the Commission accepts this Agreed Statement of Facts, the parties waive oral argument and waive further submissions to the Commission as to the issues of misconduct and sanction, and that the Commission shall thereupon impose a

public Censure without further submission of the parties, based solely upon this Agreed Statement. If the Commission rejects this Agreed Statement of Facts, the matter shall proceed to a hearing and the statements made herein shall not be used by the Commission, Respondent or the Administrator and Counsel to the Commission.

Dated: 1/21/26



Honorable Susan L. Kesick
Respondent

Dated: 1/22/2026



Peter A. Lauricella
Wilson Elser, LLP
Attorney for Respondent

Dated: January 23, 2026



Robert H. Tembeckjian
Administrator & Counsel to the Commission
(**Cathleen S. Cenci, Shruti Joshi & S. Peter Pedrotty**, Of Counsel)

Town of Ulster Supervisor TOU

From: Susan Kesick <[REDACTED]> on behalf of Susan Kesick
Sent: Friday, July 28, 2023 9:16 AM
To: James E. Quigley 3rd; Rocco Secreto; Councilwoman Elect Hayner; 'Eric Kitchen'; Councilman Van Kleek
Cc: David Dellehunt; Hon. Kelly Flood-Myers; ksberardi@[REDACTED]
Subject: Jane [REDACTED] Doe [REDACTED]

Hon. Susan Kesick
Town Justice
Town of Ulster Justice Court
Town Hall Drive
Lake Katrine, N.Y. 12449

July 27, 2023

Town of Ulster Supervisor:

Hon. James Quigley

Town of Ulster Town Board Members:

Hon. Eric Kitchen

Hon. Rocco Secreto

Hon. Anna Hayner

Hon. Clayton Van Kleeck

Please be advised I no longer consent to the employment of part time court clerk Jane [REDACTED] Doe [REDACTED]. I am hereby requesting that you terminate her employment with the Town of Ulster Justice Court immediately.

As you know, the relationship between a Judge and a court clerk is 100% based on trust and confidence. I no longer trust Ms. Doe [REDACTED], nor do I have any confidence in her to maintain any of the court's records. Moreover, I am personally responsible to safeguard court records, court receipts, and the integrity of our system.

Accordingly, I am asking that Ms. Doe NOT be allowed back into the court offices at any time. I will, therefore, be changing the code on the court clerk's office doors immediately.

I understand there is a scheduled personnel committee meeting tomorrow, July 28, 2023 at 2:00 p.m. which I plan to attend.

Respectfully,

Susan Kesick
Ulster Town Justice

CC: Hon. Kelly Flood-Myers

Personnel Meeting: 2:00 pm

Held in the Town of Ulster Town Hall, 1 Town Hall Drive, Town of Ulster, New York
Supervisor's Office, Closed Door Private Room

Re: Personnel Matter in Court Office regarding part time employee, Jane Doe

PRESENT:

1. Councilman Rocco Secreto, Chairman of Personnel Committee **(RS)**
2. Councilman Clayton Van Kleeck, Personnel Committee Member **(CV)**
3. Susan Kesick, Town Justice **(SK)**
4. Kelly Flood-Myers, Town Justice **(KFM)**
5. Suzanne Reavy, Town Clerk/Recording Secretary

MEETING BEGINS 2:03 pm

SK reads prepared statement. *

- Apologizes to CV for walking away yesterday and for him having to come in. She needed time.
- Does not feel transparency. Asking for support of personnel, co-judge, and ultimately town board.
- She understood that there was a closed meeting between KFM, CV, and part time court clerk, Jane Doe (to be referred to as Doe). States that Doe stated to KFM that she worked in a hostile work environment.
- Previously, SK discussed with KFM the condition of the office and wants to fix the problems. Not good working conditions. Decided to have a staff meeting and hit a reset.
- SK discusses the interaction between her and Doe on 7/27/23; Doe worked at 8:30am instead of her usual 10am-3pm hours. SK had no clue as to why Doe was so upset; Doe was very disrespectful. SK told Doe to clock out and go home. Doe said "no". SK came back later that day and Doe still there after 3pm. Again, Doe refused to punch out and leave. Doe called SK, "Kesick".

SK met with Chief Berardi and Lt. Seyfarth (Ulster PD) and asked them to remove her from building. CV and RS were called. CV advised SK that he would tell Peggy (King, supervisor's asst.) to tell Doe to leave and have the next day off with pay. Doe still remained in the office, eventually walking out past SK, laughing and smiling. Doe stayed inside the building about 20 minutes. Lt. Seyfarth told Peggy to ask Doe to leave the building. Seyfarth watched Doe until she left the parking lot.

TOWN OF ULSTER PERSONNEL MEETING
FRIDAY, JULY 28, 2023

- **Doe** was insubordinate and rude. She is a 20-hour/week employee.
- SK spoke with Dave Delahunt (**to be referred to as DD**). SK has the right to terminate an employee. She is personally responsible to protect the integrity of the office.
- Office clerks have statements of what they saw. She will provide them to personnel.
- SK requests that **Doe** be terminated and she is asking for support of committee.
- SK states she has never harassed her and is always kind and respectful of her staff.

KFM:

- Takes some responsibility on some of this.
- KFM had **Doe** in her courtroom working on 7/25/23.
- She came in to meet with **Doe** and CV because she feels that one of judges from the office should be present.
- **Doe** was upset because she felt she was in trouble with SK because she was working in the courtroom on 7/25/23. She was becoming agitated and nervous.
- To SK: **Doe** is not disrespectful to me. If you called me yesterday, I could have come in to help diffuse. I can work with **Doe** but never got the opportunity to tell you that.

SK is past that point. Does not trust her. She had felonies pending against her. We need to come up with a better hiring system.

RS: We should have known about prior incidents and we could have nipped it in the bud.

SK: We handled it internally. Incident happened where the office staff became divided. It is what happens when several women work together.

RS: We do not see them as “women”. We see them as “employees”.

SK: Matters to me what **Doe** did yesterday. I feel she cannot come back into the office. Sabotage is possible.

SK asks KFM if she has a group text with **Doe** and Rosanne Kaznowski (KFM’s appointed clerk). Asks if that group was texting yesterday.

KFM says “yes” to group text but does not recall texting yesterday.

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CV:

- To SK: 10/2021 we reviewed her job application where you wrote on the top, “Great” (SK acknowledges agreeing to “great”)
- Reads from the justice court manual, page 22, article 5:
Regarding trust and confidence of the judge, the appointments and firings of court clerks, a single justice cannot fire without the approval from the other justice and without town board approval.
- Regarding harassment, bullying, and hostile work environment by more than one person, against SK last week. The procedure is to come to this office – personnel. There is an accusation by one person, corroborated by others that SK creates this work environment. Employee was witnessed to be in an upset state and stated she was bullied, harassed, and was in a hostile work environment. CV contacted another board member, RS.
- Yesterday at 1:05pm, he received a text from at least two people that he needed to get here immediately, because of SK. CV then contacted KFM asking if she authorized **Doe** to work today, and KFM replied, “yes”.
- SK witnessed CV arrive in the parking lot and refused to speak with him. SK did not advise KFM of what had transpired.

DISCUSSION regarding **Doe** schedule for 7/27/23.

KFM did not tell SK that **Doe**’s hours would be 8:30am. KFM stated that SK stated that she did not want to work with **Doe**.

It is personnel’s understanding that the court needs extra hours.

DISCUSSION regarding Police Involvement

CV states that SK demanded police to remove **Doe** from the building and SK refused to allow Chief Berardi to speak with CV.

All discuss the police phone call and Lt. Seyfarth accompanying SK upstairs back to the court office. CV states this appeared to be an intimidating circumstance.

CV: From personnel’s standpoint, there is more work to be done on this. SK is accused of harassment and being hostile.

SK wants copy of the language.

CV states for the record, SK will get the copy when it is ready.

TOWN OF ULSTER PERSONNEL MEETING
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SK asking for support and tells KFM that she should take a stand now.

CV states nothing in **Doe**'s personnel file to support this dismissal. New York State would not support this. **Doe** needs a chance to correct any mistake(s). Under civil service law, she is allowed to make a mistake.

SK: Has complete authority over her records and things. She is a part time employee.

KFM: Has this gone too far to make this work?

SK: Yes. No problem with her working in another office, just not in the court.

KFM: I can be responsible for her. She does not need to be in the office.

CV: **Doe** has stated hostile work environment which has been corroborated by others. Reacting, not responding, increases our liability. The manual states that if you have a problem with an employee, report to the supervisor, not to consult with the police department.

BREAK – Both Justices Break to Talk Privately

RETURN: 3:03 pm

CV: If significant attempts are made to remedy, it would thwart any action by the town board. Having **Doe** return on Monday would be a parameter for us to nip this here. This is now documented in her file. We were advised so far that if you figure out how to work this out, if she comes in on Monday, does something wrong, then we have reason to act. At the moment, we have nothing to put in her file. No remedy by the town to attempt to correct this behavior.

RS: To KFM – Do you want her in the office either?

KFM: I can take responsibility for **Doe** to bring her back in the office. If SK does not want to remedy this, I will support that.

SK: I do not trust her and have no confidence in her. I have rights too. Would like to speak with DD.

CV: Yesterday between 1:00 pm – 1:30 pm I was here. SK had an opportunity. I was solicited immediately and gave a personnel meeting immediately. We have to pursue policy.

CV and RS: SK has one more chance to try to make this work.

TOWN OF ULSTER PERSONNEL MEETING
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SK: If KFM agrees with me, **Doe** is a part time, at will employee. No reason needs to be given for termination.

CV: Based on her hours worked and per our attorney, she falls under civil service laws. If she is not back to work on Monday, it will be turned over to the legal department.

SK states that she needs to speak with DD again.

BREAK – Both Judges Break

RETURN: 3:32 pm

SK could not get hold of DD on the phone. Welcomes an investigation. Did nothing wrong. Asks to give **Doe** another day of paid leave.

CV gives SK copies of justice court law. Asks SK for court clerks' statements.

SK does not give copies of court clerks' statements. She will speak to her attorney and DD. She does not know why CV is taking this tone with her.

CV notifies SK that this is now being turned over to town's attorney: Roemer, Wallens, et. al. She cannot speak to the town board about this and they cannot speak to her.

SK asks for clarification. Was a formal complaint made against me? Filed?

CV:

There is an inability to correct a problem and SK did not split responsibility with co-judge to correct. Town as an employer has a problem. **Doe** will not report to the court office, only to the town. Unsure of where she will go.

Verbal concerns started Wednesday (7/26/23) and then Thursday (7/27/23) another, with unsolicited corroboration from others. I believe she has 300 days to file a written complaint.

To KFM – Good idea and recommends that she does not solicit employees to speak about this.

To SK – Cannot speak with supervisor about this. It is his understanding that she had asked the supervisor for a meeting on Sunday (7/30), after he returns from vacation. The meeting will not occur.

TOWN OF ULSTER PERSONNEL MEETING
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SK states she has not contacted the supervisor asking for a meeting. She welcomes an investigation.

CV discusses a recent case on another town employee in which prior allegations were documented in the personnel folder. Under labor law, anything regarding the incident placed in the personnel file after the complaint, will be ignored. We must follow procedures as management of the town. SK did not follow town's procedures.

MEETING ENDS 3:41 pm

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk

***PREPARED STATEMENT:**

Susan Kesick gave Suzanne Reavy the written statement on Monday, July 31, 2023 and it is included in this document (below).

JUL 31 2023

S. Reany

July 28, 2023

Meeting with personnel committee at 2:00 regarding part time Employee Jane Doe.

First, I would like to apologize to Councilman VanKleeck. I know you came in at 1:00 yesterday and I left before speaking with you. No disrespect, but I was livid and needed to calm down. My blood pressure was sky-high, not a wonderful thing.

Second, I am an extremely honest and upfront person. If there is an issue, I want to know about it right away so it can be fixed. If I have an issue, I will tell you straight away. I expect the same consideration, total transparency. I do not feel that in this situation.

Third, I am here today to ask for my co-judge's support, along with the personnel committee and eventually the entire town boards support.

On Wednesday July 26, I became aware of a closed-door meeting between Councilman Van Kleeck, Judge Flood-Myers, and P/T employee Jane Doe that occurred on Tuesday July 25th. Later in the afternoon I met with Councilman VanKleeck and Judge Flood-Myers about an unrelated matter. When I left the meeting, I was surprised that neither of them mentioned the meeting with Ms. Doe.

Judge Flood-Myers and I sat down separately after that meeting to discuss the awful situation in our clerk's office. (Explain the set up) We had a wonderful staff who all got along. Now they are pitted against each other, taking sides, as I see it.

(There was a "misunderstanding" somewhere along the way, does not matter what about but things became strained after that. I have asked Judge Flood-Myers (twice now) to help fix the problem. I do not work like this, and the staff should not have to work under these conditions either. We all need to be professional.)

I asked Judge Flood-Myers about the closed-door meeting; she advised that Ms. Doe felt she was working in a 'hostile work environment.' I was incredibly surprised; I did not know it had gotten that bad in the clerk's office. I felt bad about the situation and Judge Flood-Myers, and I then had a conversation about

how to resolve the issue and hit the reset button with the clerks to clear the air and start over. We decided to have an office meeting at some point in the future.

It eventually became apparent to me that Ms. Doe was talking about me, with the work environment, why else would no one say anything to me as a department head?

On Thursday (July 27th) I was called in for an arraignment. When I went into the clerk's office to grab the file, I noticed Ms. Doe was not at her desk. Knowing that she works 10 to 3 on Thursday I asked the other clerks where she was. They responded she was at lunch, and that she had come in at 8:30 that morning. Shortly thereafter Ms. Doe came in, we were both in the hallway. I asked her where she had been, she said lunch. I asked her why she would take a lunch; she only works 10 to 3? She said she came in at 8:30 that morning. I asked why she thought she could do that? She said I had told her previously that she could work extra hours when she could. True, I said, but she still had to ask and let me know. Not her understanding, I never told her that. OK, I then asked her where her timecard was. She said she had it with her because there were nosy people in town hall. OK, could I see it please? She gave me her card and I started into my office to look at it, she said, can I have it back? Are you going to look at everyone's timecard? I responded with "I will give it back when I am done." After checking her card, I went into the clerk's office to give it back to her and she was not there. I asked aloud in the office if anyone knew where Jane was. Someone said she went down the hall. I went to the supervisor's office; Ms. Doe was in Mr. Quigley's office with Peggy King, crying. I asked her what was wrong? Ms. Doe started yelling at me "you, I'm not afraid to stand up to you like everyone else." I was taken aback and said, what are you talking about? You, Kesick, I'm not afraid. Very disrespectful and rude. I then asked her to go clock out and go home. She said no, I'm not leaving, I work till 3 and I'm not going anywhere.

Rather than make a big scene, and being terribly upset, I left to calm down. Mr. Van Kleeck then reached out and said he was at town hall and could I come back. I said no, I needed to calm down. I also wanted to reach out to my boss to ask what the best course of action was and what my rights are as a Judge and department head.

I was called back to court at approx. 3:30 that afternoon for another arraignment. Imagine my surprise to see Ms. Doe still at her workstation, well after 3:00. I walked over to her, very quietly and asked why she was still here. She very loudly, rudely, and disrespectfully yelled "why are you talking to me?" I said because I am your boss, you work for me, and you were supposed to leave at 3:00. She yelled, "I don't work for you, I work for the Town of Ulster, Clayton Van Kleeck told me so," again, she was yelling at me, making a big scene. I calmly said, Jane, go punch out and go home. She advised she was not leaving and asked me to stop 'harassing her.'

I went to the Police department, meet with Chief Berardi and Lt. Seyfarth, advised them what was going on, that Ms. Doe was refusing to leave my office. I asked them to please remove her. As court officers they have always removed unruly persons from the court.

Phone calls were then made to Councilman Secreto and Van Kleeck (speaker phone) a brief conference ensued. Mr. Van Kleeck advised he would ask Peggy King to ask Ms. Doe to leave and to take the next day off, paid! We had a scheduled personnel meeting for the next afternoon at 2:00 regarding this matter so I agreed.

Lt. Seyfarth escorted me upstairs. I saw Peggy briefly speaking to Ms. Doe in the clerk's office and then leave the area. I went into the office, stood in the back, and waited for Ms. Doe to turn off her computer and leave. She continued to work, looking at her emails, etc. After about 5 minutes I said, Jane, turn off your computer and leave please. She yelled, stop harassing me. I did not respond. After another few minutes she turned off her computer, sat and wrote some notes then gathered her belongings and then proceeded to walk towards me and the door. She was laughing and smiling at me. She stopped by Roseanne's desk and said, very loudly, won't see you tomorrow, I have a paid day off (while she was doing a big shimmy). She proceeded down the hall towards the supervisor's office, stopped at the end of the hallway and yelled back (to me and Lt. Seyfarth) stop harassing me. She stayed inside the building for another 20 minutes or so before going out to her vehicle.

Her behavior was unprofessional, rude, and disrespectful. All done in the presence of the other court personnel. It cannot be tolerated. She called me "Kesick" more than once, yelled at me, told me she does not work for me and refused to obey a direct order to leave. Insubordinate.

In total transparency, I spoke with my boss, Dave Dellehunt at the Office of Court Administration. I was advised that I, as a Judge of Town of Ulster Court, have the right to terminate any working relationship with any employee if I no longer trust them or have any confidence that they will not do something detrimental to the Court, that I am personally responsible to safeguard court records, court receipts and the integrity of our system. He advised I put my request to terminate Ms. Doe in writing and submit it to the Supervisor and the Town Board, which I did. I sent the request via email to all involved. Mr. Dellehunt also advised he would be more than willing to speak with anyone to answer any questions.

I have statements from the other court clerks, excluding Roseanne, who has refused to put anything in writing. Please go speak with them. Ms. Doe is trying to make herself out to be a "victim" here and she is actually the problem.

Again, I am requesting Ms. Doe be terminated.

Town of Ulster Supervisor TOU

From: Susan Kesick <[REDACTED]> on behalf of Susan Kesick
Sent: Wednesday, October 18, 2023 11:07 AM
To: Hon. Kelly Flood-Myers; Judy A. Horvers; Valerie Craig; Jane [REDACTED] . Doe [REDACTED]; rb.kaznowski@[REDACTED]; Karen L Gorski; Clayton Van Kleeck; Rocco Secreto; ulstersupervisor@[REDACTED]
Cc: David Dellehunt; Taylor M. Crespino; Peter.Lauricella@[REDACTED]
Subject: RE: Going forward

Good Morning

I am responding to Justice Flood-Myers email from last evening.

Justice Flood-Myers Please include ALL CLERKS when sending office email.

This is to everyone that Flood-Myers included in her latest attack, I've also included Dave Dellehunt and Peter Lauricella, my attorney.

Unprofessional? What's unprofessional is your inability to have a good relationship with others. It is a disgrace how you have destroyed a well-functioning court and court staff by your division, absolute disrespect to both me and 4 of the court clerks. Your total disregard for anything or anyone that doesn't suit you or agree with you. Creating total chaos and then calling yourself the victim. This constant harassment and complaining needs to stop immediately. It does not surprise me that you are once again, making this about you and what you want, not the good of the court. This has been the theme through this entire debacle. It needs to STOP.

As for the 'civil case', no one refused to take a case. Once again, you are listening to one side of a story. Karen has sent a private email to the personnel committee explaining exactly what happened yesterday with the civil matter. NO ONE REFUSED. In the future if you would get both sides of any story before you start pointing fingers, it will alleviate many of the problems. Your clerks, Roseanne and Jane [REDACTED] reporting every word that is spoken in the office to you is just creating more division. It needs to stop.

I will reiterate for those that do not understand. Jane [REDACTED] **cannot not touch one thing that belongs to me and my court.** That includes the mail, as payments, pleas and correspondence are involved, along with our computer system. My court receipts and files are not secure as the locksmith advised it will take 2 to 3 weeks to install new locks. I do not trust her nor have any faith in her ability not to sabotage my court. I again request her termination. It is unfathomable to me that she was placed back into the clerk's office before an investigation is complete, and against my wishes, flies in the face of all that is just.

I am putting everyone on notice that Jane [REDACTED] has already started making rude comments in the office. She feels emboldened by the fact that the Town and Flood-Myers have placed her back in the clerk's office. This will NOT be tolerated. The clerks have shared with me their fear of working in an office with Jane [REDACTED], as I do not trust her to not make up more lies or start complaining if someone looks at her wrong. No one should have to walk on eggshells, which is how we all feel.

As far as "refusing to arraign arrest warrants": I was called by the NYSP. I asked what case they had, who the defendant was and if the case was in the Town of Ulster, as I always do. I was advised "they couldn't understand the warrant" and it took several minutes before they could figure out Justice Flood-Myers had signed it. I declined for the pure and simple reason that I will not get involved with any cases that 'have a problem'. Not my problem and I will not be held accountable for any errors that Justice Flood-Myers makes.

As far as dividing the work, the clerks are professional, they know what needs to be done and decide amongst themselves. I've told my clerks if they have any issues to please let me know. At that point we can step in if need be.

I would also like to point out a very shameful incident that happened yesterday. Valerie was left in the court clerk's office by herself to handle the phones and walk-ins. My clerks stood by helplessly watching Valerie struggle with 3 phones on hold and someone at the window. When Valerie had a question, she went into chambers to ask, only to find Flood-Myers, Roseanne and Jane enjoying pizza (never even including Valerie). When Valerie said how busy it was met with 'when lunch is over, we will be back'. I want to point out that Valerie did not tell me any of this. Apparently, she's been advised not to speak to me and to be "loyal" to Flood-Myers. I found Valerie in tears today. She does not deserve this treatment, nor to be put in the middle of Flood-Myers attacks. This needs to STOP.

I also understand Warren, the building inspector was in the clerk's office measuring yesterday. If the room is to be divided, I ask to be included in any conversations.

This is a disgrace. As I've said many, many times, Dividing the office only makes matters worse, It hurts the Town of Ulster Court, the court clerks, the public and me.

SK

From: Hon. Kelly Flood-Myers <[REDACTED]>
Sent: Tuesday, October 17, 2023 7:05 PM
To: Susan Kesick <[REDACTED]>; Judy A. Horvers <[REDACTED]>; Valerie Craig <[REDACTED]>; Jane [REDACTED], Doe [REDACTED] <[REDACTED]>; rb.kaznowski@[REDACTED]; Karen L Gorski <[REDACTED]>; Clayton Van Kleeck <[REDACTED]>; Rocco Secreto <[REDACTED]>; ulstersupervisor@[REDACTED]
Subject: Going forward

Due to the complete abandonment of professionalism I am proposing the following to be codified .
Not only is judge kesick now refusing to arraign my arrest warrants ... but her clerks would not do an intake in a civil case today that they were"up" next for
As a result I propose the following :

That Tuesdays Thursdays, Jane [REDACTED] will run tickets Monday, Wednesday someone from Justice Kessick, team , and Friday Taylor and Val can switch
Rosanne can run wrap sheets on Fridays and
Karen can run Monday's
Rosanne well go down to upd on Tuesdays Thursday's Fridays
To get a new cases
Mail can be done by Judy on Monday Wednesday Jane [REDACTED] can do Tuesday Thursday mail can be split between law clerks on Friday

I will continue to answer all calls on my schedules times and have informed UPD and the state police to call me directly going forward on any warrants that I sign . I will contact sheriffs office tomorrow to inform them of same.

The town clerk will take the responsibility of alternating wedding assignments

Regretfully
Judge Flood-Myers

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