

STATE OF NEW YORK  
CITY OF SARATOGA SPRINGS CITY COURT

THE PEOPLE OF THE STATE  
OF NEW YORK,

Plaintiff,

-against-

JASON GOLUB,

Defendant.

**NOTICE OF MOTION**

Appearance Ticket No.:  
ADFPD38JMVD18

Arrest/Complaint No.:  
SS-02072-24

**ON SUBMISSION ONLY  
NO APPEARANCE**

**PLEASE TAKE NOTICE**, that upon the annexed Affirmation of Karl J. Sleight, the Defendant, Jason Golub will move this Court to be held at the Saratoga Springs City Court, City Hall, 474 Broadway, Saratoga Springs, NY 12866 on the 8th day of April 2025, at 9:30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an Order for the following relief: I. Dismissing the Misdemeanor Complaint pursuant to CPL §§ 170.30(1)(a),(f) as defective and legally and factually infirm; II. Granting a *Clayton* motion and dismissing the Complaint in the interest of justice pursuant to CPL §§170.30(1)(g) and 170.40; III. Dismissing the Complaint for failure to comply with Article 245 of the Criminal Procedure Law; IV. Appointment of a hearing officer to this matter; V. Granting a *Sandavol* hearing in this matter; VI. Granting a *Molineux/Ventimiglia* hearing in this matter; VII. Granting Defendant permission to file additional motions; and for such other further relief as the Court deems just and proper.

Dated: March 11, 2025  
Saratoga Springs, New York

Respectfully submitted,

LIPPES MATHIAS LLP



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STATE OF NEW YORK  
CITY OF SARATOGA SPRINGS      CITY COURT

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**ATTORNEY AFFIRMATION**

Appearance Ticket No.:  
ADFPD38JMVD18

Arrest/Complaint No.:  
SS-02072-24

KARL J. SLEIGHT, ESQ., an attorney duly admitted to practice law before the Courts of the State of New York, and Attorney for the Defendant, affirms the following pursuant to CPLR § 2106:

**Background Facts**

1. The City of Saratoga Springs has a rare form of government often referred to as the “Commission” form of government.
2. In this Commission form of government, the elected officials of the City Council perform both legislative and executive branch functions.
3. The Council consists of five elected officials, the Mayor, the Commissioner of Public Works, the Commissioner of Public Safety, the Commissioner of Accounts and the Commissioner of Finance. In addition, each of these five elected officials serve as department heads and have responsibilities in an executive branch capacity.
4. Elected officials serve in a part-time capacity, while their designated deputies serve in a full-time capacity. The part-time elected officials earn a nominal annual salary of \$14,500

(see, City Charter §2.1).

5. The Commission form of government has repeatedly been criticized by the public and the media, and there have been several efforts to change the form of government to be more responsive to the citizens of the City to no avail.

6. The Defendant Jason Golub (“Defendant”) was elected by the citizens of his community to serve on the City Council of the City of Saratoga Springs and as the Commissioner of Department of Public Works (“DPW”). The Defendant served as a Council member and Commissioner from May 2022 through August, 2024.

7. The Defendant is a well-educated man, a graduate of Columbia Law School and is an attorney licensed to practice in the State of New York.

8. At the time of the alleged crime of Official Misconduct, as the Commissioner of the DPW, Defendant was one of five sitting members of the Saratoga Springs City Council.

9. Another of the five members of the City Council at this time was, and remains, Tim Coll (“Coll”), who serves as a member of the City Council and the Commissioner of the Department of Public Safety, which oversees the Saratoga Springs Police Department (“SSPD”)

### **The Allegations**

10. The crime of Official Misconduct is set forth at Penal Law §190.00 (1) section states as follows:

A public servant is guilty of official misconduct when with intent to obtain a benefit or deprive another person of a benefit [subdivision (1)] he commits an act relating to his office but constituting an unauthorized exercise of his official functions, knowing that such act is unauthorized.

11. The allegations lodged against the Defendant assert he committed the crime of Official Misconduct as follows (reproduced from the Misdemeanor Complaint and in its entirety

as **Exhibit “A”**):

The facts upon which this complaint is based are as follows:

On the above date and time, while located at 128 Kaydeross Park Road, in the City of Saratoga Springs, said defendant, while acting as the Commissioner of Public Works, a Public Servant as defined in Article 10 of the New York State Penal Law, did accept repairs made to his home by an employee of the City of Saratoga Springs Department of Public Works. The repairs made were unauthorized as they utilized property belonging to the City of Saratoga Springs for personal benefit. This benefit was obtained when an employee of the City of Saratoga Springs completed the repairs during his regular working hours for the City of Saratoga Springs, which is unauthorized per the City of Saratoga Springs Policy Manual.

12. The allegation in the Complaint, even if true, is fatally flawed as a matter of law and fact and does not constitute the crime of Official Misconduct.

13. The investigation materials provided to the prosecution indicates that on or about December 27, 2023, the Defendant owned a property at 128 Kaydeross Park Road (the “Kaydeross Park Residence”) in the City of Saratoga Springs.

14. The kitchen sink at the Kaydeross Park Residence developed a stubborn clog that needed attention.

15. It was, and is, the long-time custom and practice of City DPW employees to engage in outside activities and work on private jobs to supplement their income, when they were not otherwise working in their City position. Presumably, this practice allows the City to employ licensed professionals at below market government salaries, given the high cost of living in the greater Saratoga Springs area.

16. Sometime prior to alleged offense, the Defendant allegedly contacted Joseph O’Neil, the Deputy DPW Commissioner, who made an inquiry to seek assistance with the clogged sink.

17. According to the statement of O’Neil, O’Neil contacted City DPW employee Ken Dooley, a City plumber, and asked him to assist the Defendant (see, **Exhibit “B”**).

18. The statement of Dooley corroborated the fact that he was contacted by O'Neil and agreed to assist the Defendant (see, **Exhibit "C"**).

19. Consistent with the O'Neil statement, Dooley told police that he punched out on the City time keeping clock, joined O'Neil and they went to the Kaydeross Park Residence to assist the Defendant with the clogged sink (Exhibit "C").

20. On December 26, 2023, sometime in the late afternoon, Dooley and O'Neil went to the Kaydeross Park Residence where they met the Defendant, used a plumber's snake and tried to unclog the drain with mixed results.

21. The appearance on December 26 by Dooley at the Kaydeross Park Residence is not charged as a crime and no wrongdoing is alleged by law enforcement authorities, because Dooley had punched off the clock and was not working on City time.

22. According to Dooley, the next day, on December 27, 2023, after speaking to O'Neil, he returned to the Kaydeross Park Residence at approximately 10:00am with Kevin Older also a City DPW employee and union representative.

23. The events of that day are described in the Dooley statement as follows:

The next day, around 10am I went back over to Jason's house with Kevin Older. Kevin is an HEO for the city. Kevin would routinely work with me. I think I called Joe to let him know that you wanted to put the drain cleaner down the drain, and then we agreed that I would go over there. Kevin and I then went over to Jason's house and Jason met us there to let me in. I put the Green Gobbler down the drain and left. Jason was still at the house when I left. At about 12pm I went back over to Jason's house to flush the drain. Kevin was with me at that time also. Jason met us over there and we flushed the drain. The drain worked after about a half hour. I then left with Kevin and continued working for the rest of the day.

24. Dooley reiterated this narrative in an interview with the Albany Times Union, in which Dooley stated that he returned to the Kaydeross Park Residence for "a few minutes to collect his drain snake and pour a substance down the sink's drain". Dooley also stated that someone

encouraged him to report this incident to the police, but he declined to identify that person (see, **Exhibit “D”**).<sup>1</sup>

25. Dooley has not been investigated or prosecuted for purportedly doing private work while on City time.

26. These allegations and the crime charged dissolve, like Green Gobbler on a clogged drain, from a series of inconvenient truths taken directly from the SSPD investigation.

27. As reflected in the complaint, in the view of the SSPD and the prosecution, this case turns entirely on the status of Dooley being off the clock (government’s view: not a crime) or on the clock (government’s view: a crime).

28. There is no allegation or any evidence whatsoever that the Defendant directed Dooley to do any work on the City clock, and just as significantly Defendant never knew, and had no reason to believe, that any work that Dooley may have done at the Kaydeross Park Residence was done by Dooley while he was “on the clock” for the City DPW.

29. In fact, all the evidence in the case confirms that the Defendant asked O’Neil if someone who was “off the clock” was able to assist him.

30. The Defendant appeared for an interview at the SSPD station with his then counsel on October 14, 2024 (Columbus Day).

31. In that interview the Defendant repeatedly explained that O’Neil was asked if someone might be able to assist the Defendant “off-work hours” and that Dooley’s appearance at the Kaydeross Park Residence was as far as Defendant knew was off-hours (see, **Exhibit “E”**, Transcript excerpts of interview of Jason Golub, p. 18-24; 27-31).

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<sup>1</sup> *Saratoga Springs charges former DPW commissioner, deputy over plumbing work*, Albany Times Union (November 7, 2024).

32. Not only is the Defendant's statement entirely consistent with that of Dooley and O'Neil, but the lead investigator in this matter also acknowledged that Defendant's statement was accurate, stating: "there's no issues on my end because you're telling the truth" (Exhibit "E", Transcript p. 30-31).

33. Nothing in this or the other statements from witnesses remotely suggests that the Defendant intended to obtain an improper benefit through an unauthorized exercise of his official functions. Defendant did not direct Dooley to come to the Kaydeross Park Residence or otherwise know that Dooley was "on the clock" for the City at the time of Dooley's appearance at the Kaydeross Park Residence for the Green Gobbler drop off on December 27, 2023. The absence of that fact is a fatal flaw to this case.

34. The Defendant is not clairvoyant and had no reason to believe that when Dooley arrived to retrieve his plumber's snake and at the Kaydeross Park Residence for eight (8) minutes that Dooley failed to punch out and was on City time.

35. The "on the clock" versus "off the clock" point was underscored by the fact that the SSPD, after consultation with the prosecution, did not charge the Defendant with Dooley's first appearance at the Kaydeross Park residence, but only with the eight-minute event the next day based on Dooley's personal punch-in clock status.

36. It is clear that in the view of the SSPD lead investigator in the matter that Dooley's personal clock punch-in/punch-out status is dispositive. The investigator retrieved Dooley's punch card sign-in records and GPS records of a City vehicle. Under these circumstances, they are irrelevant and shed no light into what the Defendant knew or did not know regarding Dooley's City work status on December 27, 2023.

37. After the SSPD spent several months and significant resources on this investigation,

Defendant was issued an appearance ticket for the misdemeanor of Official Misconduct and charged with the crime in the Complaint dated November 10, 2024.

**I. Dismissal of the Misdemeanor Complaint with Prejudice (CPL §170.30(1)(a),(f))**

38. The Criminal Procedure Law allows for a dismissal of a misdemeanor complaint upon the ground that the accusatory instrument is, subdivision (a) “defective, within the meaning of section 175.35” ... or, subdivision (f), “there exists some other jurisdictional or legal impediment to conviction of the defendant for the offense charged” (see, CPL §170.30 (1)(a),(f)).

39. Simply put, even assuming everything alleged in the Complaint is true (it is not), the conduct does not establish the crime of Official Misconduct.

40. The Complaint is wholly defective and does not take into consideration the most basic aspects and elements required for an Official Misconduct charge (see, Memorandum of Law accompanying this Affirmation).

41. The Complaint relies on the statement that the Defendant “did accept repairs made to his home by an employee of the [DPW]”. One reason that is not a criminal act is because “accepting repairs” from a DPW employee is not, in and of itself, improper because doing side jobs is allowed.

42. The SSPD relies on the notion that the services were “unauthorized” under the statute because the used drain snake was allegedly the property of the City. In fact, the statute requires an “unauthorized exercise of his official functions”. The notion that the snake ownership question represents the Defendant’s official functions is disjointed and a non sequitur. It does not satisfy any element of the crime.

43. The Complaint seeks to further allege that an “unauthorized” action occurs “per the City of Saratoga Springs Policy Manual”.

44. Simply put, an allegation of a policy infraction, even if true, does not equate to a crime.

45. A review of the City of Saratoga Springs Policy Manual does not readily lead to anything that would serve to support the crime alleged against the Defendant under these circumstances.

46. Moreover, the allegation fails to recognize that such conduct is not what the statute contemplates (see, Memorandum of Law submitted herewith).

47. There is no proof of the most basic elements that the Defendant knew that the snake used was City property. Even Dooley told the Albany Times Union that it was “his snake” that he stopped by to pick up (Exhibit “D”). Snake ownership is clearly not a relevant fact because it was allegedly used by Dooley the first time he came to the Kaydeross Park Residence and no crime was charged.

48. The complaint badly misses the mark concerning the element of “the intent to obtain a benefit”.

49. The Complaint is devoid of any intent on the part of the Defendant to obtain an unwarranted benefit.

50. As set forth above, the Defendant had no reason to believe that when Dooley appeared at his residence on December 27, 2023 that he was working on City time. Dooley’s work status standing alone is irrelevant to the critical elements of the Defendant’s knowledge and intent of the circumstances.

51. As a result, this accusatory instrument and allegations against the Defendant are fatally flawed and the case against the Defendant must be dismissed with prejudice.

## II. Dismissal in the Interests of Justice/Clayton Motion (CPL §§170.30(1)(g)/170.40)

52. CPL §§170.30(1)(g) and 170.40 provides for a Court to dismiss charges against a defendant when a proscribed list of circumstances exists regardless of any evidence of guilt (or innocence). Commonly referred to as a *Clayton* motion, this motion in furtherance of justice is subject to the 10 factors set forth in the statute (see, §170.40(1)(a)(j)).

53. For the reasons set forth in Point “I” above, the charge is fatally flawed and should be dismissed with prejudice, however, this case also falls into the category necessitating dismissal in the interests of justice.

54. The following criteria are applied when “dismissal is required as a matter of judicial discretion by the existence of some compelling factor, consideration or circumstance clearly demonstrating that conviction or prosecution of the defendant upon such accusatory instrument or count would constitute or result in injustice.”

55. This case must be dismissed in the interest of justice as there are compelling factors whereby a conviction or prosecution would be disproportionate to the allegation and result in injustice.

56. Simply put, there may never have been a more appropriate situation to grant a motion to dismiss a charge in the interest of justice than this case.

### **(a) The seriousness and circumstances of the offense**

57. At its core, this case is about eight minutes, a clogged sink and a jug of drain cleaner.

58. It is one of the most unserious cases any law enforcement agency could ever pursue.

59. According to the SSPD lead investigator and records received in discovery, a local political blogger reported this situation to the Office of the State Comptroller (“OSC”) (see,

**Exhibit “F”**). The OSC conducts investigations and audits into local government activities. The OSC did not adopt the case and according to the SSPD the OSC referred the case to the New York State Police (“NYSP”).

60. The NYSP did not pursue the case, despite having statewide jurisdiction including within the City of Saratoga Springs and allegedly referred the case to the SSPD. The SSPD which is overseen by Coll, then spent significant time and resources investigating this matter, including numerous interviews and even travelling to Allerdice Ace Hardware store to investigate the retail cost of the Green Gobbler drain cleaner (see, **Exhibit “G”**).

61. That is not to say, that true and legitimate official misconduct is not serious. It is. However, this is not that.

62. Defendant was not an abuser of the public trust or engaged in activity that resulted in any harm to an individual or identifiable victim.

**(b) The extent of harm caused by the offense**

63. There was no extensive harm caused by this event. A sink was clogged. A sink was unclogged. No public property or personnel were intentionally abused or knowingly misused.

**(c) The evidence of guilt, whether admissible or inadmissible at trial**

64. As set forth in greater detail in Point “I” above, the evidence of criminal liability of the Defendant is wholly lacking.

65. The SSPD, and now the prosecution, holds a mistaken understanding of the elements and requirements of the crime of Official Misconduct. Here, Defendant’s action were neither “official” nor “misconduct”.

66. Defendant did not direct a City DPW worker to assist him while knowing that the

DPW worker was “on the clock”. In fact, the Defendant specifically stated that he wanted assistance from someone who was not on the clock. When Dooley appeared at the Kaydeross Park Residence on December 27, 2023 for eight minutes, the Defendant had no reason to believe Dooley was “on the clock”.

67. This fact is corroborated by the Defendant, O’Neil and Dooley. It is a fatal flaw in this case.

**(d) The history, character and condition of the defendant**

68. Upon information and belief, the Defendant was raised in New Haven, CT and attended and graduated from the Hopkins School on a scholarship. Thereafter, he attended Connecticut College, also on a scholarship, and earned another scholarship to attend Columbia Law School where he earned a Columbia human rights fellowship and worked in Turkey on human rights issues. Upon graduation from Columbia Law School, he was admitted to practice law in the State of New York. Thereafter, upon information and belief, the Defendant worked at some of the most prestigious law firms in the country including Cadwalader, K&L Gates, and Wilmer Hale. His portfolio of work in the private sector included securities enforcement matters and he also worked on a number of *pro bono* matters.

69. In addition to his work at these law firms, the Defendant served in executive counsel and compliance roles at the General Electric company.

70. In 2021, his fellow citizens urged him to run for public office. He was first appointed in May 2022 and thereafter successfully ran for election. Defendant was elected as the Saratoga Springs DPW Commissioner on November 2, 2022. Upon information and belief, the Defendant was the first black person ever elected to the City Council in Saratoga Springs. The Defendant took his oath of office as an elected official on January 1, 2023.

71. The position of Commissioner of DPW is a part-time position and comes with an annual salary of \$14,500.

72. The Defendant vacated his seat on the Council in August 2024, when he was appointed by the Governor of the State of New York to serve as the Deputy Commissioner and General Counsel to the Department of Corrections and Community Supervision (“DOCCS”).

73. Since his appointment by the Governor, the Defendant has been dealing with some of the most serious matters at DOCCS since the 1971 Attica uprising, including a corrections officers’ wildcat strike and multiple corrections officers charged with murder and manslaughter of an inmate at the Marcy Correctional Facility (see, **Exhibit “H”**).<sup>2</sup>

74. The defendant has no prior criminal history and is a pillar in his community.

**(e) Any exceptionally serious misconduct of law enforcement personnel in the investigation, arrest and prosecution of the defendant**

75. In recent years, City officials have endured withering criticism from its own City Council and from outside law enforcement agencies.

76. On May 2, 2023, by a 4-1 vote, the City Council passed a resolution finding grave issues related to policing in the City, specifically as it related to the SSPD interaction with members of the black community (see, **Exhibit “I”**).<sup>3</sup> The Council resolution included the following “Now Resolved” conclusion:

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<sup>2</sup> *Governor’s office reviewing new agreement to end prison strike*, Albany Times Union, (March 7, 2025).

<sup>3</sup> Saratoga Springs apologizes for racist past, WNYT News Channel 13, Albany, NY (May 3, 2023) on the web as of Feb. 25, 2023 at: [Saratoga Springs apologizes for racist past - WNYT.com NewsChannel 13](https://www.wnyt.com/news/saratoga-springs-apologizes-for-racist-past).

**NOW THEREFORE, BE IT RESOLVED** as follows:

This City Council, acknowledges that Saratoga Springs has supported and allowed racism and hate in areas of housing, employment, law enforcement and other areas of formal and informal life during its history;

77. On February 20, 2024, after an extensive investigation the New York State Attorney General issued a formal report (“AG Report”) concerning the intersection of City law enforcement and the black community. The AG Report found that reforms of City law enforcement were badly needed (see AG Report recommendations and conclusions at **Exhibit “J”**). These recommendations included:

Saratoga Springs’s elected officials should be prohibited from ordering the investigation or arrest of specific individuals, and SSPD should institute protocols to protect the independence of its investigations.

78. Coll oversees the Saratoga Springs Police Department (“SSPD”) and Fire Department, and in fact has overseen the SSPD during the entirety of time of the underlying investigation and prosecution of Defendant’s case.

79. For several years, Coll has exhibited unjustified and extreme hostility toward the Defendant and taken dramatic steps to ruin the Defendant both personally and professionally.

80. By illustration, during a City Council public debate concerning the homeless and panhandling, the Defendant raised concerns that in enforcing the proposed ordinance that it could be unfairly implemented based on racial prejudices and stereotypes. Not only are these concerns thoughtful and important to the deliberative process, but the comments are also protected speech under the First Amendment of the United States Constitution.

81. Based on the Defendant’s comments, Coll initiated a smear campaign to punish and damage the Defendant personally and negatively impact his livelihood.

82. In August 2022, Coll sent an email to Defendant's employer seeking to file a complaint. The email was particularly egregious as Coll traded on his position as a former agent with the FBI (unsuccessfully) to lend credibility to his message to Defendant's employer (see, **Exhibit "K"**). Coll's practice of trading on his law enforcement background as an attempt to boost his credibility is a reoccurring characteristic.

83. Coll also sent letters to the editors of newspapers, including one to Saratoga Today published on September 2, 2022, where Coll ham-handedly tried to paint the Defendant as a racist for raising concerns about the impact of race-based credibility judgments in the proposed new panhandling ordinance.<sup>4</sup> Again, Coll traded on his prior government service as an agent with the FBI to bolster his position, stating, "[t]o provide content: I am a retired FBI Agent that is not affiliated with any political party."<sup>5</sup> (see, **Exhibit "L"**).

84. Coll sought to use Defendant's matter of free speech and public debate as a sword to negatively impact the Defendant's professional license. Coll filed a complaint with a state agency stating that the Defendant "demonstrates bigotry in many areas and such actions tarnish his ability to practice law" (see, **Exhibit "M"**). Once more, Coll traded on his prior government service, beginning the complaint with his tiresome refrain, "[f]or context purposes: I am a retired FBI agent and not affiliated with any political party." (*Id.*).

85. Prior to the Defendant's arrest, a series of media leaks concerning the SSPD investigation of this matter occurred. The concern over these media leaks about the Defendant was discussed in the videotape recorded interview of the Defendant.

86. Captured in the videotaped interview of the Defendant none other than the SSPD

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<sup>4</sup> The Saratoga Today edition from September 2, 2022 is still available on line as of March 11, 2024.

<sup>5</sup> Soon thereafter, Coll himself would run for election to City Council.

lead investigator acknowledged that stories disparaging to the Defendant were being leaked to the media (see **Exhibit “N”**, Transcript pp. 64-65).

87. In the video-taped interview of the Defendant conducted on October 14, 2024 at the SSPD police station located on the ground level of City Hall, the lead SSPD investigator in this case suggested that the media leaks came from City officials located on the second floor of City Hall (Exhibit “N”, pp. 64-65).

88. Coll’s office is located on the second floor of City Hall.

89. The juxtaposition of Coll’s statements to the media that he is not involved in police investigations with the NYS Incident Report in this matter is telling. The police report demonstrates that Coll was involved in this investigation since as early as July 31, 2024 (see, **Exhibits “O” and “P”**).

90. On November 1, 2024, Coll issued a press release on Department of Public Safety letterhead that the Defendant had been charged with Official Misconduct (see, **Exhibit “Q”**). The press release is notable in two respects. First, it was not issued by the SSPD, but Coll himself as the Commissioner of Public Safety. Second, the press release did not mention any of the facts of the purported “official misconduct”, leaving the public to assume serious misdeeds rather than the actual allegations which concern a clogged sink and jug of drain cleaner.

91. The press release, SSPD file documents, and admissions by the SSPD lead investigator confirm that despite public statements by Coll that he does not control the SSPD, Coll, a man with extreme disdain for the Defendant was fully engaged and in control of this “police” investigation.

**(f) The purpose and effect of imposing upon the defendant a sentence authorized for the offense**

92. The sentencing options and punishment available to this Court for this purported crime ranges from an unconditional discharge, a conditional discharge, a fine, a period of probation up to three years' probation, and up to one year incarceration in the Saratoga County Jail.

93. None of these punishments are appropriate under these circumstances. There would be no purpose served by punishing Defendant with any of the available sentencing options.

94. The effect of sentencing the Defendant to any of the available punishments would be to encourage the seemingly growing appetite for what has been described as "lawfare" in our local political system. Punishing the Defendant would only further encourage this type of misuse of the legal system by the political class. Granting this motion would send a loud and clear message that manufacturing cases like these will not be tolerated by our justice system.

**(g) The impact of dismissal upon the confidence of the public in the criminal justice system**

95. A dismissal of this case would have a positive and profound impact on the public's confidence in the local justice system. For many of the same reasons set forth above, dismissal of this clogged drain case would begin a reset of the traditional mores and norms of the criminal justice system, where actual criminals are charged with crimes, and political differences are settled at the Council meetings or in the public square, but not in criminal courts.

**(h) The impact of the dismissal on the safety or welfare of the community**

96. A dismissal of this case would be a first step toward reversing the unhealthy and toxic atmosphere that has engulfed the City political environment for many years. This atmosphere had made it difficult for the welfare of the community. Both major political parties struggle to attract the best people available within the City to run for public office.

97. Dismissal of this case would have no negative impact on public safety in the

community. In fact, dismissal of this case would help return common sense to the local political scene and boost the public confidence that lawfare is not an acceptable substitution for public debate and an exchange of ideas in the community.

**(i) Where the court deems it appropriate, the attitude of the complainant or victim with respect to the motion**

98. The Complaint in this case was issued by the SSPD, and according to the lead investigator, with the pre-approval of the Office of the District Attorney. Commissioner Coll was directly involved in this case. The attitude and unseriousness of the matter were best expressed by the lead investigator in this case. In a video-taped interview of the Defendant and the former Deputy Commissioner of DPW, the lead investigator said, “none of this is kosher to go anywhere with it”, before noting that Coll had a role in deciding whether Defendant would be charged with a crime (Transcript, p. 40) The lead investigator later said, “[t]his is a big pile of what the fuck” (Transcript, p. 46) (see, **Exhibit “R”**, Transcript pp. 18, 40, 46).

**(j) Any other relevant fact indicating that a judgment of conviction would serve no useful purpose**

99. Defendant is an attorney admitted to practice law in the State of New York and serves in a critical position in state government, particularly at this moment in time. Dismissing this case in the interest of justice will remove the distraction of this baseless case, allowing the Defendant to return to the critical matters before DOCCS and devote his full and undivided attention to those matters.

**III. Dismissal for Failure to Provide Discovery (CPL Article 245)**

100. The assistant district attorney assigned to this case has to date been collegial and professional in tracking down information relevant and material to this case, and providing the

same to the defense, which is required for the defense in this matter.

101. However, to date the defense has not received all of this information, and in the event that this material is not received immediately, the prosecution's certificate of compliance should be deemed null and void and the case dismissed pursuant to CPL Article 245.

102. The defense is still awaiting records from the Office of the State Comptroller ("OSC"), the New York State Police, and telephone, text and email records from Commissioner Coll, all of which are known to exist.

103. A document in the SSPD file references a complaint by a local political blogger who started this folly with a complaint to the OSC, which for obvious reasons was not acted upon (Exhibit "F"). The clear-eyed view of this situation by a dispassionate investigative agency, and quick dismissal of the complaint is relevant to this case.

104. The email, text and telephone records of Coll ("Coll Documents") were first requested at the arraignment on November 26, 2024, and are (1) known to exist; and (2) being withheld, as acknowledged by the City in a response to a Freedom of Information Law ("FOIL") request dated February 19, 2025 and February 24, 2025 (see, **Exhibit "S"**). Shockingly, Coll himself was put in charge of identifying relevant and material records. To date, the defense has not received any of the Coll Documents from the prosecution.

105. The SSPD lead investigator stated on the video tape that the case was reviewed by the New York State Police and the matter was referred to SSPD by the NYSP, and the Defendant is still awaiting records from the NYSP (see also, Exhibit "P").

#### **IV. Appointment of a Hearing Officer**

106. The City Court in Saratoga Springs has a very active docket and serves as one of the busiest courts in the greater Saratoga region.

107. The legal complexion and nature of this matter includes a number of issues atypical to most cases in the City Court, including but not limited to, outstanding FOIL requests impacting the defense, a series of judicial subpoenas and requests for the same, state agencies in possession of records impacting the case, and a continuing dialogue with the Office of the District Attorney concerning production of relevant and material information. As a result, this case will have an outsized impact on the time and resources of the City Court.

108. Criminal Procedure Law § 255.20 subdivision (4) states in pertinent part that “[a]ny pre-trial motion ... may be referred by the court to a judicial hearing officer, who shall entertain it in the same manner as a court. In the discharge of this responsibility, the judicial hearing officer shall have the same powers as a judge of the court making the assignment ... except that the judicial hearing officer shall file a report with the court setting forth findings of fact and conclusions of law ... [t]he court shall determine the motion on the motion papers, affidavits and other documents submitted by the parties thereto, the record of the hearing before the judicial hearing officer, and the judicial hearing officer’s report.”

109. Under these circumstances, the Court should consider the appointment of a hearing officer to deal with pre-trial issues in this case, including this motion.

#### V. Sandavol Hearing

110. The Defendant seeks a hearing pursuant to *People v. Sandavol*, 34 N.Y. 371 (1974) and its progeny in the event the prosecution seeks to introduce any Sandavol material in the event the Defendant testifies in this case.

#### VI. Molineux/Ventimiglia Hearing

111. The Defendant seeks a hearing pursuant to *People v. Molineux*, 168 N.Y. 264 (1901) and *People v. Ventimiglia*, 52 N.Y.2d 350 (1981) and their progeny in the event that the

prosecution seeks to introduce any evidence of prior bad acts or uncharged misconduct or crimes.

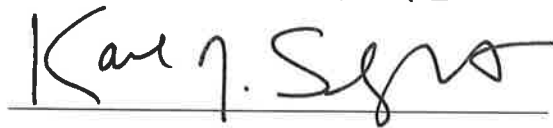
**VII. Additional Motions**

112. The Defendant seeks to file additional motions in this matter, in the event the same is necessitated by circumstances in this case.

113. These circumstances include, but are not limited to, being provided with discovery and information relative to these proceedings after the submission of this omnibus motions, open FOIL requests, and other information that may come to the attention of the defense after submission of these motions.

Dated: March 11, 2025

**LIPPES MATHIAS LLP**

A handwritten signature in black ink, reading "Karl J. Sleight", is written over a horizontal line.

Karl J. Sleight, Esq.  
60 Railroad Place, Suite 402  
Saratoga Springs, NY 12866  
Telephone: (518) 462-0110, ext. 1460  
Facsimile: (518) 462-5260  
Email: [ksleight@lippes.com](mailto:ksleight@lippes.com)

*Attorneys for Defendant, Jason Golub*

# EXHIBIT A

STATE OF NEW YORK  
CITY COURT

COUNTY OF SARATOGA  
CITY OF SARATOGA SPRINGS

The People of the State of New York

vs.

Jason N. Golub  
(05/23/1976)  
DEFENDANT

Accusatory Instrument  
Misdemeanor Complaint

Be it known that, by this Misdemeanor Complaint, Lt. Paul Veitch, as the Complainant herein, a Police Officer of the Saratoga Springs Police Department, make written accusation as follows:

That the aforesaid defendant Jason N. Golub, on December 27<sup>th</sup>, 2023 while at 128 Kaydeross Park Road, in the City of Saratoga Springs, County of Saratoga, State of New York, did commit the offense of *Official Misconduct*, a Class A Misdemeanor, in violation of Section 195.00 subsection 1 of the Penal Law of the State of New York in that he did, at the aforesaid time and place, to wit:

A public servant is guilty of Official Misconduct when, with intent to obtain a benefit or deprive another person of a benefit:

1. He commits an act relating to his office but constituting an unauthorized exercise of his official functions, knowing that such act is unauthorized.

The facts upon which this complaint is based are as follows:

On the above date and time, while located at 128 Kaydeross Park Road, in the City of Saratoga Springs, said defendant, while acting as the Commissioner of Public Works, a Public Servant as defined in Article 10 of the New York State Penal Law, did accept repairs made to his home by an employee of the City of Saratoga Springs Department of Public Works. The repairs made were unauthorized as they utilized property belonging to the City of Saratoga Springs for personal benefit. This benefit was obtained when an employee of the City of Saratoga Springs completed the repairs during his regular working hours for the City of Saratoga Springs, which is unauthorized per the City of Saratoga Springs Policy Manual.

The above allegations of fact are made by the Complainant herein on: Information and Belief.

All contrary to the provisions of the statute in such case made and provided.

FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO PENAL LAW SECTION 210.45.

Affirmed under penalty of perjury this 10th of November 2024

LT. Paul Veitch  
Complainant

2024 NOV 19 A 9:39  
SARATOGA COUNTY COURT

# EXHIBIT B

**NOTICE: KNOWINGLY MAKING A FALSE STATEMENT HEREIN IS PUNISHABLE AS A CLASS A MISDEMEANOR, PURSUANT TO SECTION 210.45 OF THE NEW YORK STATE PENAL LAW.**

**VOLUNTARY STATEMENT**

**STATE OF NEW YORK**  
**COUNTY OF SARATOGA**  
**CITY OF SARATOGA SPRINGS**

**Date:** 10/14/24  
**Time:** 10:27  
**Case:** SS-2072-24

I, Joseph O'Neil III, do swear upon my oath and say that I am 52 years of age, my date of birth being 10/5/1972, and that I reside at 474 Broadway Saratoga Springs, NY 12866 . I make this following statement voluntarily and of my own free will to Lt. Paul Veitch. I have not been promised anything in return for making this statement. I have been advised by Lt. Paul Veitch that this statement may be used in a Court of Law at some future date.

**STATEMENT:**

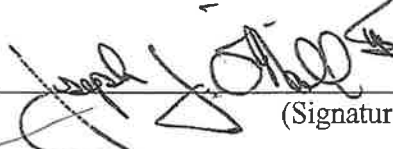
In late spring of 2023 I had a plumbing emergency at a relatives house at 2 Whispering Pines Road. I asked the city HVAC/Plumber Kenneth Dooley if he could come fix it. It as was a shut off valve that was leaking. I asked him on a Thursday if he could fix it, and we made arrangements to fix it the next day, a Friday. I asked him Thursday what I needed to get to get it fixed (at Capital Supply) and he said basically to not worry about it and he had everything he would need to fix it. I picked him up at Weibel Ave Ice Skating Rink as that is where he was punching in and out for work. I picked him up around 8am and we took my city vehicle to the house on Whispering Pines. We were there for about an hour and he replaced the shut off and 2 coupling connections. After the work was done I brought him back to the ice rink. I believe the total value of parts was \$40.00.

In late December Jason Golub asked me if I knew anyone that could fix a clogged drain. I told him Ken Dooley and then I spoke to Ken about it. We went over after hours to Jason's house near Saratoga Lake and I was there as Ken snaked the drain. After about a half hour we left. Ken Dooley took his own car there for the work. I don't the owner of the snake that Ken brought. I did not go over at any other time to deal with the clog drain issue.

I do solemnly swear upon my oath that the statement I am about to sign is the Truth, the whole Truth and nothing but the Truth, so help me God.

Subscribed and sworn to before me

This 14 day of October, 2024

  
\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Witness)

LT. Paul Veitch  
(Notary Public) (Commissioner of Deeds)

# EXHIBIT C

**NOTICE: KNOWINGLY MAKING A FALSE STATEMENT HEREIN IS PUNISHABLE AS A CLASS A MISDEMEANOR, PURSUANT TO SECTION 210.45 OF THE NEW YORK STATE PENAL LAW.**

**VOLUNTARY STATEMENT**

**STATE OF NEW YORK  
COUNTY OF SARATOGA  
CITY OF SARATOGA SPRINGS**

**Date: 10/10/2024  
Time: 08:00  
Case: SS-2072-24**

I, Kenneth Dooley, do swear upon my oath and say that I am 62 years of age, my date of birth being 07/01/1962, and that I reside at 161 Loudon Rd. Saratoga Springs, NY 12866 . I make this following statement voluntarily and of my own free will to Lt. Paul Veitch. I have not been promised anything in return for making this statement. I have been advised by Lt. Paul Veitch that this statement may be used in a Court of Law at some future date. My preferred email contact is 518-369-7552

**STATEMENT:**

I was employed as HVAC/Plumber from March 7, 2023 to February 20, 2024. While employed I would consider my direct boss as Deputy Commissioner Joe O'Neil. During the end of March 2023 Joe called me to fix a leak in a copper line at the house of his son's mother. He called me about the leak the day before we went. The house is located on Whispering Pines in Wilton. He called me from his cell phone, the number I have is 518-410-6798. I don't know if that is a city phone or a personal phone. This was during the day during work hours and he told me to meet him the next day as soon as I got into work. I arrived on the day we went at about 6:20. I punched in at the ice rink and he met me there. Joe told me to load up my tools and the fittings into Joe's city truck. Joe then drove me to Whispering Pines Road to fix the copper pipe. I was there for about 1 hour and I fixed the leak. We then left the house after the repair was completed and he drove me back to the rink and I continued my day.

The repairs for Joe I completed I did without compensation and they were done on city time as I had punched into work before going over to the house.

During December of 2023 I was contacted by Joe again to fix a clogged drain at the Commissioner's house out

I do solemnly swear upon my oath that the statement I am about to sign is the Truth, the whole Truth and nothing but the Truth, so help me God.

Subscribed and sworn to before me

This 10 day of October 2024

  
\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Witness)

  
\_\_\_\_\_  
(Notary Public) (Commissioner of Deeds)

VOLUNTARY STATEMENT

Statement of: Jacob A. McCooley Date: 01/23/2024 Case: SS-00137-24

near Kayderossas Park Road. Joe called me while I was still working, I would guess around 2:30 or 3:00 pm. I think I was called on the 26<sup>th</sup> of December. I punched out around 3:30pm and met Joe at the Rec. Center as that was where I left my personal car for the day. I grabbed a hand snake out of the HVAC van and brought it with me. I then followed Joe over to the Commissioners house in my personal vehicle. When we got there the Commissioner let us into the house. I then try to clear the drain using the snake and that did not clear the drain. I told Jason and Joe that I needed a longer snake and that I needed to get it from the city van. We agreed that I would follow up the next day to dry to fix the drain by putting "Green Gobbler" down it and see if that worked. I then left the house.

The next day, around 10am I went back over to Jason's house with Kevin Older. Kevin is an HEO for the city. Kevin would routinely work with me. I think I called Joe to let him know that you wanted to put the drain cleaner down the drain, and then we agreed that I would go over there. Kevin and I then went over to Jason's house and Jason met us there to let me in. I put the Green Gobbler down the drain and left. Jason was still at the house when I left. At about 12pm I went back over to Jason's house to flush the drain. Kevin was with me at that time also. Jason met us over there and we flushed the drain. The drain worked after about a half hour. I then left with Kevin and continued working for the rest of the day.

At no time was I compensated for the work I did while off hours at Jason's house. I also was not compensated, and did not take any leave time on March 27<sup>th</sup> when I went to Jason's house the second time with Kevin. *K.D.*

I do solemnly swear upon my oath that the statement I am about to sign is the Truth, the whole Truth and nothing but the Truth, so help me God.

Subscribed and sworn to before me

This ~~23<sup>rd</sup>~~ day of ~~January~~, 2024  
10 October 2024

LT. Paul Vint  
(Notary Public) (Commissioner of Deeds)

*[Signature]*  
(Signature)

\_\_\_\_\_  
(Witness)

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(Witness)

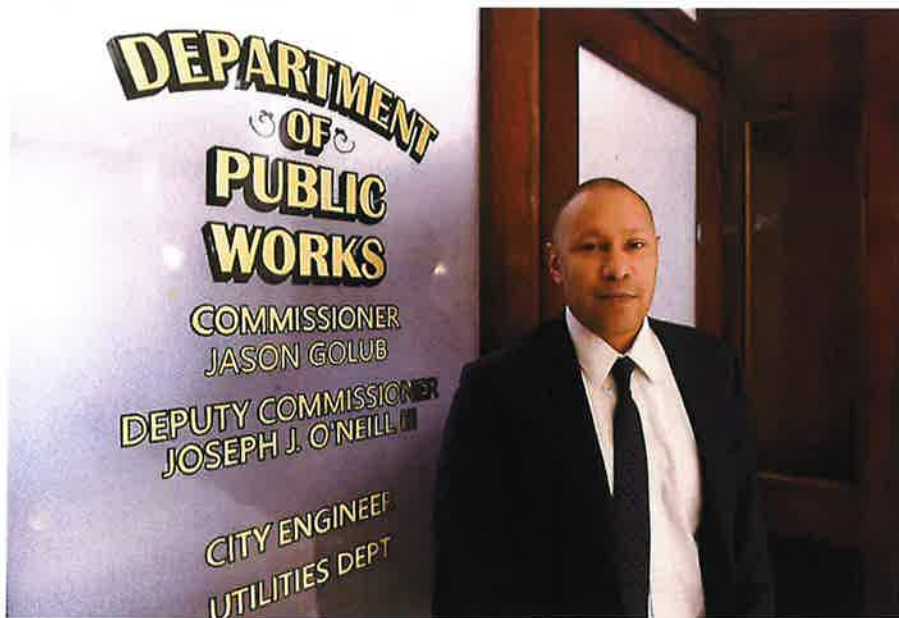
# EXHIBIT D

## NEWS

# Saratoga Springs charges former DPW commissioner, deputy over plumbing work

## Protesting misdemeanor charge, council member says "city has reached a new low"

By [Wendy Liberatore](#), Staff Writer Nov 7, 2024



Jason Golub, former commissioner of the Department of Public Works, is pictured outside the DPW offices at Saratoga City Hall on Jan. 6, 2023, in Saratoga Springs. The city has charged Golub with official misconduct for allegedly having a city employee work on a clogged drain in his house. Will Waldron/Times Union

SARATOGA SPRINGS — The city's Commissioner of Public Safety Tim Coll announced police filed official misconduct charges against former Commissioner of Public Works Jason Golub and the city's current DPW deputy Joseph O'Neill — apparently over a city worker allegedly pouring clog remover down Golub's home sink.

Coll said the two men are charged with the class A misdemeanor and will have to appear in Saratoga Springs City Court on Nov. 21.

Those familiar with the charge said it stems from work a former city plumber did to unclog Golub's sink. Ken Dooley, the plumber, told the Times Union the work was done after hours. However, he said he went back to Golub's home on city time the next day for few minutes to collect his drain snake and pour a substance down the sink's drain.

Dooley, who was fired by the city in February for reasons that are unclear, said he was instructed to unclog the drain by O'Neill, not by Golub. Dooley also said he also did some work at the home of O'Neill's son. O'Neill confirmed those facts to the Times Union.

"In the spring of 2023, I had a plumbing emergency at a relative's home," O'Neill said. "Not knowing the severity of the leak, I asked Ken if he would give me a hand, which he agreed to. The total time away from work was one hour."

It's not known if O'Neill's charge is related to the work at Golub's house, O'Neill's relative's house, or both. It's unclear if O'Neill was ever disciplined at work.

Dooley said he was never told why he was fired. He went to Human Resources to complain but was told he was a provisional employee. He said he talked to the union and was told the same.

After not getting satisfaction from the union or city Human Resources, Dooley said he was encouraged by someone — though he didn't identify by whom — to go to city police.

"I really wasn't trying to get anybody in trouble," Dooley said. "But you know that when they asked me questions, I'm not going lie to them. I've been happy they just paid me out and said goodbye."

Golub, who stepped down from office in August to join the state Department of Corrections and Community Supervision as counsel and deputy commissioner, said he didn't want to comment on the charge.

Coll, who is backed by Republicans, and Golub, a Democrat, have been engaged in a feud since August 2022, prior to Coll's election to City Council.

Coll was angered that Golub, during a discussion at the City Council table, told then-Commissioner of Public Safety Jim Montagnino that he would not support an ordinance against aggressive panhandling. Golub, an attorney, argued it was too vague and that police would likely believe a false claim from a “rich white lady” over a homeless person.

In a letter in Saratoga Today and comments on the Saratoga Springs Politics blog, Coll — a retired FBI agent — expressed his frustration with the comment.

“Mr. Golub essentially argued that police would side with the complainant only because she is a ‘rich white lady,’” Coll wrote. “Clearly, Mr. Golub was suggesting a ‘rich white lady’ would provide false testimony to a Saratoga Springs police officer and the police officer would agree with her based on her status as a ‘rich white lady.’ Obviously, Mr. Golub has no understanding of the criminal justice system and how witness testimony is corroborated by law enforcement, including the Saratoga Springs Police Department, every day in America.”

Coll then filed a complaint with Golub’s employer and with the state Bar Association.

Commissioner of Accounts Dillon Moran, a Democrat, said that the charge against Golub is just a way for Coll to target the former commissioner.

“It should be deeply troubling to everyone that the Public Safety Commissioner Coll and the Saratoga Springs Police Department intend to charge former city Commissioner Jason Golub with a crime based on a jug of Drano and a clogged sink,” Moran said. “This is more about the city’s law enforcement priorities and suspect motivations. We have reached a new low in the city.”

Though Coll would not comment on the charge, he did say that implying he was pushing the charge “was false” and that he “is not a sworn law enforcement officer and cannot direct the SSPD to charge anyone. Having said that, I support their decision.”

Golub is the first and only Black person to serve on the City Council and one of the authors of the 50-point plan for city police reform, which the city has yet to fully implement. The city is already under the scrutiny of the state attorney general’s office, which has said city officials and police engaged in a pattern of unconstitutional moves against Black Lives Matter protesters that included violating First Amendment rights, arresting them on charges that were not supported by facts, and implementing unlawful surveillance and intimidation.

Despite this, city police under Coll's oversight have ticketed the leader of BLM for not getting permits for two marches in the city. All of the other march leaders, all of whom are white, were not ticketed.

The Times Union reached out to the attorney general on this matter, but the office had no immediate comment.

Nov 7, 2024

Wendy Liberatore

STAFF WRITER

**Wendy Liberatore covers communities in Saratoga County. Prior to joining the Times Union, she wrote features on the arts and dance for the Daily Gazette, Saratoga Living and the Saratogian. She also worked for magazines in Westchester County and was an education reporter with the Bronxville Review-Press and Reporter. She can be reached at [wliberatore@timesunion.com](mailto:wliberatore@timesunion.com), or [518-491-0454](tel:518-491-0454) or [518-454-5445](tel:518-454-5445).**

# EXHIBIT E



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1 December 26th, does that sound about when the date would  
2 be when the work possibly was done?

3 MR. GOLUB: Yeah. Thereabouts.

4 MR. VEITCH: Okay. And it was for -- was it  
5 for a clogged drain?

6 MR. GOLUB: Yeah.

7 MR. VEITCH: Okay.

8 MR. GOLUB: Just so we're clear. This is what  
9 we're talking about. A fucking clogged drain.

10 MR. VEITCH: You don't have to tell me.

11 MR. SCHRIEBER: (Inaudible) called Drano.

12 MR. VEITCH: You don't have to tell me.

13 MR. GOLUB: Okay. All right. I just want to  
14 be clear. That's what we're talking about.

15 MR. SCHRIEBER: You got better shit to do I'm  
16 sure. You can't say --

17 MR. VEITCH: You know how it works. It gets on  
18 a plate. It's got to be cleared from a plate.

19 MR. GOLUB: Yeah.

20 MR. VEITCH: So you asked him to come over  
21 basically fix (inaudible). It was off hours.

22 MR. GOLUB: I asked Joe.

23 MR. VEITCH: Joe.

24 MR. GOLUB: And Joe -- I mean, I don't -- I  
25 (inaudible) employees. I don't know anybody's hours.

1 MR. VEITCH: So --

2 MR. GOLUB: So I said, yeah. Can (inaudible)  
3 come help me when his shift is done.

4 MR. VEITCH: So the off-duty off-work hours on  
5 the 26th let's say --

6 MR. GOLUB: Yeah.

7 MR. VEITCH: -- came after off hours.

8 Did you let them in the house?

9 MR. GOLUB: Yeah. I would have had to meet  
10 them there --

11 MR. VEITCH: Okay.

12 MR. GOLUB: -- because again I had a tenant.

13 MR. VEITCH: And you know -- you know his name  
14 now is Ken.

15 MR. GOLUB: I do. I remember his name.

16 MR. VEITCH: Okay.

17 MR. GOLUB: And for some reason Kevin Older  
18 showed up as well and I have no fucking idea why.

19 MR. VEITCH: Okay.

20 MR. GOLUB: I was like, why are you here?

21 MR. VEITCH: We're going to get -- get to that  
22 too.

23 So that night, which is off hours, what was  
24 done? Do you remember?

25 MR. GOLUB: I mean, he might have tried to

1 snake the -- the sink.

2 MR. VEITCH: All right.

3 MR. GOLUB: I don't -- yeah.

4 MR. VEITCH: So here's the question I got to  
5 ask because it is what it is.

6 Do you know who owned the equipment that was  
7 used?

8 MR. GOLUB: I have no idea.

9 MR. VEITCH: Okay. And you said you did pay  
10 for them -- you did pay him \$200?

11 MR. GOLUB: No. So I didn't pay him to do that  
12 because he was probably there for 20 minutes. I mean, I  
13 paid him when he helped me with the hot water heater  
14 because it was like an hour or two and --

15 MR. VEITCH: So you didn't pay him for anything  
16 that night?

17 MR. GOLUB: No. No.

18 MR. VEITCH: Okay.

19 MR. GOLUB: It was -- I mean, again, we're  
20 talking about a clogged sink. It was not --

21 MR. VEITCH: But when he fixed your hot water  
22 heater --

23 MR. GOLUB: Yeah.

24 MR. VEITCH: -- you did pay him?

25 MR. GOLUB: Yeah.

1 MR. VEITCH: Okay. And that's \$200?

2 MR. GOLUB: Yeah.

3 MR. VEITCH: And the drain -- was the drain  
4 fixed that night after he snaked it?

5 MR. GOLUB: I mean, that's what I don't  
6 remember. I mean, I've heard that he's saying he came  
7 back. I don't remember him coming back. If he came  
8 back -- I remember he dropped -- at some point he  
9 dropped off Drano or Green Goblin. Like -- and it was  
10 all of like 30 seconds. Like he put it down the sink  
11 and -- but I just don't remember what time it was.

12 MR. VEITCH: So if I tell you December 27th  
13 would be a follow-up visit --

14 MR. GOLUB: I mean --

15 MR. VEITCH: -- allegedly -- alleged follow-up  
16 visit to your house --

17 MR. GOLUB: Yeah.

18 MR. VEITCH: -- during work hours, do you  
19 remember that?

20 MR. GOLUB: No.

21 MR. VEITCH: Okay. So you don't remember if  
22 anyone showed up?

23 MR. GOLUB: Well, again, showed -- that's why I  
24 went through the steps of --

25 MR. VEITCH: You weren't there or were you

1           there?

2                   MR. GOLUB: I don't live in that house so he  
3           couldn't just show up.

4                   MR. SCHRIEBER: There's no way.

5                   MR. GOLUB: That's what I'm saying. That whole  
6           idea -- like somebody else lived there.

7                   MR. SCHRIEBER: So if anybody -- he can't --

8                   MR. GOLUB: So he -- so imagine if you  
9           (inaudible) and Ken Dooley just showed up.

10                  MR. VEITCH: So on the 27th did you go and let  
11           them into the house --

12                  MR. GOLUB: It's possible.

13                  MR. VEITCH: -- to finish?

14                  MR. SCHRIEBER: We're talking the second time?

15                  MR. GOLUB: Yeah.

16                  MR. VEITCH: The second time during the day.

17                  MR. GOLUB: Yeah. I mean, it's -- again, I  
18           don't remember. I remember the second time he came over  
19           for like 30 seconds, threw some Drano down the sink and  
20           it went --

21                  MR. VEITCH: And that was the 27th and he  
22           was -- he was there and you were there because --

23                  MR. GOLUB: Yeah.

24                  MR. VEITCH: -- you let him in?

25                  MR. GOLUB: Yeah.

1 MR. VEITCH: Okay.

2 MR. GOLUB: But the fact that he's saying it  
3 was during work hours does not --

4 MR. VEITCH: And is that Ken Dooley?

5 MR. GOLUB: Yeah.

6 MR. VEITCH: He's the guy who showed up?

7 MR. GOLUB: Yeah.

8 MR. VEITCH: Okay. Was he with anyone else?

9 MR. GOLUB: I don't think so.

10 MR. VEITCH: About what time do you think --

11 MR. GOLUB: It wasn't the 26th. That's when  
12 Kevin was there.

13 MR. VEITCH: The off hours?

14 MR. GOLUB: Well, to me -- they are both -- to  
15 be clear. They were both off hours, but I was not in  
16 charge of anyone's schedule. I was relying on Joe to  
17 say come after hours.

18 MR. VEITCH: Okay.

19 MR. GOLUB: You know what I mean?

20 MR. VEITCH: So the 26th after hours --

21 Well, the 26th they come, they snake the drain,  
22 it doesn't work. And that's with Ken and --

23 MR. GOLUB: Kevin was there.

24 MR. VEITCH: -- the other guy?

25 MR. GOLUB: Yeah.

1 MR. VEITCH: Kevin. Okay.

2 And then --

3 MR. GOLUB: Kevin who is the union president.

4 And so presumably if something bad was going on Kevin  
5 would have opened his fucking mouth at the time.

6 MR. SCHRIEBER: He knows better.

7 MR. GOLUB: Yeah. I'm aware of the players.

8 THE WITNESS: Yeah. So --

9 MR. VEITCH: So --

10 MR. GOLUB: -- once again, let's put this in  
11 context.

12 MR. VEITCH: The second job, the second time  
13 they come, the 27th, there's two -- the 26th --

14 MR. GOLUB: I don't there was a "they" the  
15 second time.

16 MR. VEITCH: So it was only --

17 MR. GOLUB: I think it was just him, but again,  
18 I don't remember.

19 MR. VEITCH: So Ken shows up. You don't  
20 remember.

21 So you don't remember what time he would have  
22 shown up?

23 MR. GOLUB: No.

24 MR. SCHRIEBER: I just got to ask you. I'm  
25 looking at that sign.

1 MR. VEITCH: -- Gobbler --

2 MR. GOLUB: Exactly.

3 MR. VEITCH: That's -- is that the only  
4 equipment you saw being used?

5 MR. GOLUB: Yeah.

6 MR. VEITCH: Okay. Basically Drano?

7 MR. GOLUB: Exactly.

8 MR. VEITCH: And did it work?

9 MR. GOLUB: (No verbal response.)

10 MR. VEITCH: Okay.

11 MR. GOLUB: Yeah.

12 MR. VEITCH: Did you pay anyone for any  
13 services or anything like that used on that second  
14 visit?

15 MR. GOLUB: No.

16 MR. VEITCH: As far as you're aware they were  
17 on off hours?

18 MR. GOLUB: The entire time --

19 MR. VEITCH: Okay.

20 MR. GOLUB: -- for all things.

21 And again, you know how DPW works. People have  
22 all different hours. I'm not keeping track of it.

23 I said, Joe --

24 MR. VEITCH: It's not your job.

25 All right. Now, these are probably three

1 things I'm going to ask that -- did you -- are you aware  
2 of any alterations to time cards on December 26th or  
3 27th?

4 MR. GOLUB: No.

5 MR. VEITCH: You did not ask anyone or do  
6 anything in terms of time cards to change hours worked?

7 MR. GOLUB: I'm not even aware if people use  
8 time cards.

9 MR. VEITCH: Okay. As far as (inaudible) some  
10 people do it (inaudible).

11 MR. GOLUB: That's -- I'll say that's below my  
12 pay grade --

13 MR. VEITCH: Yeah.

14 MR. GOLUB: -- even though I was only paid  
15 13,000.

16 MR. VEITCH: So when you took office initially  
17 or any time thereafter were you ever given the policy --  
18 the HR policy manual?

19 MR. GOLUB: I'm sure I was, but I don't  
20 remember.

21 MR. VEITCH: Okay.

22 All right. Do you wish to add anything else to  
23 anything we talked about?

24 MR. GOLUB: There is something I wanted to add,  
25 but then you asked a bunch of questions and then Oscar

1 started talking about recording. I fucking forgot.  
2 Motherfucker. It's -- I told you --

3 MR. VEITCH: So I'm going -- like I said, I'm  
4 going to be honest. I'm not bullshit you.

5 MR. GOLUB: Please.

6 MR. VEITCH: Everything you're telling me is  
7 exactly what I've already heard.

8 MR. GOLUB: Okay.

9 MR. VEITCH: So the only discrepancy that's  
10 going on now is time. When it was done.

11 MR. GOLUB: The second day?

12 MR. VEITCH: Day two.

13 MR. GOLUB: Okay.

14 MR. VEITCH: I'm not going to lie to you. I'm  
15 not going to -- there's a reason why I asked you what  
16 car showed up because there -- it is GPS.

17 MR. GOLUB: Okay.

18 MR. VEITCH: You know that?

19 MR. GOLUB: Yeah.

20 MR. VEITCH: All the City vehicles (inaudible)  
21 GPS?

22 MR. GOLUB: Yes.

23 MR. VEITCH: So if I were to tell you that it  
24 occurred what I would consider during work hours which  
25 is --

1 MR. GOLUB: This is the eight minutes we're  
2 talking about?

3 MR. VEITCH: 15. It's all GPS.

4 MR. GOLUB: Okay.

5 MR. VEITCH: You're close.

6 MR. GOLUB: Yeah.

7 MR. VEITCH: At your residence --

8 MR. GOLUB: Yeah.

9 MR. VEITCH: -- for a half hour at most.

10 MR. GOLUB: But again, if he's -- if that was  
11 true and all he did was put Drano down the sink, we're  
12 saying he could have sat in his car for 15 minutes.

13 MR. VEITCH: I'm not -- not disagreeing at all.  
14 I wasn't there so I can't say he walked in, he fixed the  
15 chandelier, and stuccoed the wall. I wasn't there. I  
16 couldn't tell you. So I'm -- I'm not going to even go  
17 down that road.

18 What I'm basically saying is this is the time  
19 frame --

20 MR. GOLUB: Yeah.

21 MR. VEITCH: -- and what you're telling me is  
22 nothing new --

23 MR. GOLUB: Yeah.

24 MR. VEITCH: -- about what happened.

25 So with that being said, like I said, there's

1 no issues on my end because you're telling the truth.

2 MR. GOLUB: Yeah.

3 MR. VEITCH: The complaint was made to HR. It  
4 was made to the comptroller which eventually makes its  
5 way to us which is why we're dealing with this. So I  
6 really don't need to know any more information unless  
7 you want to give me some information.

8 Now, I'm going to ask. Would you like to put  
9 that down in a statement and then complete an actual  
10 statement and then you're going to sign, swear to it,  
11 I'm going to sign it also. I'm asking if you want to  
12 give a statement. It's completely up to you. You don't  
13 have to. Like I said, I'm not forcing you to. You're  
14 going to walk out the door and that's going to be the  
15 end of my day with you.

16 MR. GOLUB: Yeah.

17 MR. VEITCH: So --

18 MR. GOLUB: So here's my concern. So for  
19 everything that has come into the police station has  
20 left the police station into the press. So my concern  
21 with your question about giving a statement -- I'm going  
22 to now put something in writing and it's going to turn  
23 up in the newspaper tomorrow.


24 MR. VEITCH: So the way -- no, it ain't.

25 MR. GOLUB: Everything else has. I'm just

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CERTIFICATION

I, LYNETTE L. CHASE, certify that in the foregoing proceedings in the matter of INTERVIEW OF MR. GOLUB AND MR. O'NEIL DATED 10/14/2024, was prepared using the required transcription equipment and is a true and accurate transcript of the recording.

SIGNATURE:   
AGENCY NAME: Bee Reporting Agency, Inc.  
ADDRESS OF AGENCY: 55 Maple Avenue, Suite 204  
Rockville Centre, NY 11570  
DATE: February 27, 2025

# EXHIBIT F

## **Glorimarys Ciuro**

---

**From:** Investigations <oscd8@osc.ny.gov>  
**Sent:** Saturday, June 15, 2024 10:01 AM  
**To:** Investigations  
**Subject:** Investigations Complaint Form

## **Division of Investigations**

### **Complaint Form**

**Please describe the alleged fraud, corruption, mismanagement or waste in as much detail as possible:**

I run a local news and politics blog. I received an email from a man identifying himself as Ken Dooley 518-369-7552

Mr Dooley wrote " This is fact one of the DPW workers was fired by Joe O'Neil one week ago, The city plumber ,got his Job back by blackmailing O'Neil and Golub because he worked on there houses on city time using city funds and city materials, I believe that is theft of services. The plumber was going to go to city council meeting and blow this up but they gave him his job back at an unofficial meeting with Golub at uncommon grounds."

As some background. Jason Golub is the commissioner of public works. Joe O'Neil is the deputy commissioner of public works.

I have not submitted this to any other agencies at this time.

Thank you.

### **Contact Information**

Name:  
Address:  
City:  
State: NYZIP Code:  
Phone number:  
Email address:

# EXHIBIT G

**Saratoga Springs PD**

5 Lake Ave Saratoga Springs, NY 12866  
(518) 584-1800



Case #:SS-02072-24

Incident #: SS-02072-24.008

**Narrative (1)**

**Veitch, Paul**

Veitch, Paul Lt.

10/10/2024 16:14:00

10/10/2024

On todays date I went to Allerdice on Walworth Street seeking the cost of the Green Gobbler used. The staff there advised that the Green Gobbler in stock that would be sold to the city comes in a 31oz bottle and costs \$14.99. I asked if that would be the size sold to the city DPW and they stated that it would be. I took a screen shot of the bottle and added it to the case file.

**Officer (2)**

**Reporting Officer:**

Veitch, Paul (Lt.)

10/10/2024 16:14:00

**Approving Officer:**

Veitch, Paul (Lt.)

10/11/2024 07:23:24

# EXHIBIT H



[NEW YORK//NEW YORK GOVERNMENT](#)

## **Governor's office reviewing new agreement to end prison strike**

**Friday had been set by the state as final deadline to return to work or face termination, as well as a potential contempt charge**

By [Brendan J. Lyons](#), Managing Editor

Updated March 7, 2025 12:20 p.m.

**UPDATE:** [Deal to end NY prison strike falls apart as union pursues lawsuits](#)

ALBANY — The chaos engulfing an ongoing prison strike continued Friday as many correction officers declined to return to work at more than 20 correctional facilities after their union [rejected an agreement](#) that Gov. Kathy Hochul's administration had negotiated directly with the disgruntled workers.

A new agreement — one worked out among the administration, the union and the remaining strikers — was being reviewed by Hochul's office on Friday evening.

The governor's office had thought the strike, which entered its 19th day on Friday, would finally end after striking officers across the state informally voted early Thursday to support the offer. But late Thursday, the leaders of the New York State Correctional Officers & Police Benevolent Association asserted they had been unlawfully left out of the negotiations and refused to sign the agreement despite intense pressure from the governor and the state corrections commissioner.

"You may be hearing right now that NYSCOPBA is 'failing you' or 'turning its back' on the members," the union leaders wrote in a memo distributed to its roughly 14,000 members Thursday night. "Do not mistake our intentions or

motivation, we want to reach an agreement that gets our members back to work as soon as possible, but we cannot allow our desire for a quick result to jeopardize our ability to obtain a fair agreement that adequately safeguards our members' health and physical well-being and ensures their ability to reclaim a work-life balance in the immediate future."

The memo also asserted that corrections Commissioner Daniel F. Martuscello III and Hochul had "tried to bully us into signing this agreement by threatening to pin the agreement's downfall on the union."

"We will not stand for this misinformation," the labor leaders wrote. "To be clear, we asked for a reasonable amount of time to review and digest the agreement. We wanted the opportunity to meet with DOCCS and the governor's office to discuss their changes to the agreement, to ensure it still meets the standard that you expect of us, and to make sure it is as legally enforceable as possible. ... We will not be intimidated. We will not back down."

The situation boiled over late Thursday when Hochul and corrections union president Chris Summers had a heated telephone conversation in which the governor used expletives, according to two people briefed on the call.

After that exchange, Martuscello drove to the union's headquarters, confronted Summers and tried to convince him to sign the agreement. Martuscello left without success.

The union told its members it would take legal action to prevent the cancellation of workers' health insurance and to block Martuscello from negotiating directly with its members. It planned to challenge orders that required corrections to return to work despite being on preapproved leave and to finalize a template terminated officers can use to file grievances.

Thousands of striking New York correction officers voted Thursday on the new, informal contract offer, which included the creation of a committee to determine whether certain provisions of a law that regulates solitary confinement could be adjusted.

Two people close to the negotiations told the Times Union early Thursday afternoon that the deal was imminent and thousands of officers were expected to return to work as early as Friday morning. But that hope diminished by Thursday evening when the union leaders declined to sign the agreement.

"NYSCOPBA was not appropriately engaged in the development of the currently circulating agreement. This agreement was not negotiated with NYSCOPBA — the legally recognized entity through which all negotiations must be conducted,"

the union said in a Thursday statement. "There are substantial legal issues that must be addressed ... (and) at this time, NYSCOPBA will not be signing this agreement."

A correction officer at a western New York prison told the Times Union early Friday that officers there had on Thursday evening taken down the tents used during the strike, but then overnight started putting them back up as news spread that their union had declined the agreement and officers were informally told to "hold the line."

In a video briefing Thursday evening, Martuscello said the union's leadership was "failing (its) members," and pledged to provide the agreement directly to the workforce.

He was joined by Commissioner Jackie Bray of the state Division of Homeland Security and Emergency Services, who emphasized that the latest offer was the final one before the state moved forward with a wave of formal termination notices for officers who remained on strike.

Bray said those who remain off the job would face criminal contempt charges. The state on Thursday turned over the names of about 1,000 officers to the state attorney general's office for potential contempt charges, adding to just over 300 names previously identified.

The strike has crippled operations at many state prisons and required more than 6,500 New York National Guard troops to be deployed to assist with security. Many of the striking officers have lost faith in their union, whose leaders had last month — prior to the start of the wildcat labor action — prevented a strike vote at an executive board meeting.

But less than two weeks later, on Feb. 17, officers at two prisons in western and southern New York went on strike anyway, and within a day the actions had spread to more than 30 prisons.

Striking correction officers at Clinton Correctional Facility, a maximum-security prison in Dannemora, voted Thursday morning on the latest offer by breaking into two groups outside the prison — those for and those against it. According to a person who was present, the striking workers agreed to return to duty on Friday if the offer was accepted and signed by Martuscello.

The agreement includes pay increases, limits on mandatory overtime and an assurance that officers who have been on strike will be able to return to their jobs without facing discipline. Many of those provisions were included in the

formal deal negotiated last week by a mediator but rejected by thousands of officers.

One of the top concerns of the prison officers has been their perceived inability to adequately discipline inmates who engage in violence, including assaults on staff or other prisoners. They are seeking a return of a “keep-lock” provision that would not segregate inmates in special housing units but would enable them to be kept in their cells or “cubes” (dormitory living areas) as a form of discipline.

**More:** [The long road to turmoil in New York’s prison system](#)

That process would still grant the inmates limited freedom, according to correction officers, while providing a form of discipline that might prevent bad behavior and encourage someone to comply in order to have all privileges restored. The inmates would still be allowed to have tablet devices, attend meals — if they are not in a maximum-security facility — and be outside in a segregated area for at least an hour per day.

“We find ourselves very frustrated as a group of security staff,” said a correction officer who works at a central New York prison, and spoke on condition of anonymity. “What do you do when you have someone that really does not want to conform? And that can be up to and including serious assault.”

**Previously:** [Lack of body-cam video a factor in probe of latest NY inmate death](#)

The proposed committee that would review the solitary confinement law and other safety measures would include representatives of NYSCOPBA, Council 82, the Public Employees Federation, the Civil Service Employees Association and the Department of Corrections and Community Supervision. There would also be representatives from the Legislature — one Democrat and one Republican each from the Assembly and Senate.

Martuscello was at the Capitol on Thursday and visited the office of Senate Majority Leader Andrea Stewart-Cousins. Sources said he also contacted other legislative leaders.

“Being locked up and throwing away the key will make anyone go nuts,” the officer from central New York said. “What our side is ... when you and I offend our fellow citizens and commit a felony, we have to be removed from the general population of citizens. But in prison, they’re all felons. ... So they need to be removed from that population. There is no other choice. It kind of leaves us in a bad position because if you don’t want to segregate these nonconforming inmates, what are you supposed to do as a deterrent?”

There is also a provision to revisit what constitutes an assault on staff members.

A spokesman for HALT Solidarity Campaign, an advocacy group that pushes for changes in the correctional system on behalf of prisoners, said that in the wake of two recent incidents in which inmates died after being beaten by correction officers, "It's unconscionable that DOCCS would even consider renegotiating its contract with NYSCOPBA to give them greater power to torture people in their custody, as well as pay increases and amnesty for a work stoppage that has killed people."

"If the contract is to be reopened, it should be solely about increasing accountability for abusive guards," said Anisah Sabur, a spokesman for the group.

Many state prisons are operating with roughly 20 to 25% of their normal level of staff, with officers working at least 12-hour shifts every day of the week. The agreement would keep those 12-hour shifts in place until normal operations resume and then return to eight-hour shifts with regular days off when facilities are operating with adequate staffing levels.

The officers also are seeking three-grade pay increases — corrections officials have acknowledged higher pay would help with hiring and retention of workers. But their pay rates are set by state civil service rules and the corrections department countered that would be under the purview of that agency; the review process for pay increases, however, could be expedited.

Any employees who were told their absences were considered a resignation — or have been terminated — would be allowed to return to full duty without discipline.

Seven inmates have died during the strike, including a 22-year-old man serving a five-year sentence for weapons possession who died after he was subjected to physical force by members of a Correctional Emergency Response team at Mid-State Correctional Facility in Oneida County on Saturday. His death is being treated as a homicide and is under investigation by State Police.

The death of Messiah Nantwi prompted the second homicide investigation in less than four months in which correction officers are under scrutiny for their use of physical force involving the death of an inmate. On Dec. 9, 43-year-old Robert L. Brooks was beaten to death by correction officers at Marcy Correctional Facility, which is next door to Mid-State in Oneida County.

Thirteen correction officers are facing criminal charges in Brooks' death, including six who have been charged with murder, three charged with manslaughter and one charged with tampering with evidence. Another three officers have agreed to plead guilty to reduced charges and cooperate in that

investigation, according to Onondaga County District Attorney William J. Fitzpatrick, whose office is handling the homicide case as a special prosecutor.

The state attorney general's office is empowered under state law to investigate — and if warranted prosecute — criminal cases in which civilians die during encounters with law enforcement officers, including correction officers. On Thursday afternoon, the attorney general's office posted on its website its decision to ask a judge to appoint Fitzpatrick as a special prosecutor in the investigation of the death of Nantwi. A judge granted the request earlier in the day.

March 7, 2025|Updated March 7, 2025 12:20 p.m.

Brendan J. Lyons

MANAGING EDITOR

**Brendan J. Lyons is a managing editor for the Times Union overseeing the Capitol Bureau and investigations. Lyons joined the Times Union in 1998 as a crime reporter before being assigned to the investigations team. He became editor of the investigations team in 2013 and began overseeing the Capitol Bureau in 2017. You can reach him at [blyons@timesunion.com](mailto:blyons@timesunion.com) or 518-454-5547.**

# EXHIBIT I

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS,  
ON RESTORATIVE JUSTICE**

**BE IT RESOLVED**, by the City Council of the City of Saratoga Springs, New York as follows:

**WHEREAS**, on August 4, 2020, the City established the Saratoga Springs Police Reform Task Force (the "Task Force") and appointed eleven (11) members of the community; and

**WHEREAS**, on March 5, 2021, following a thorough and extensive review, with involvement and input from community members, the Task Force, presented to the City Council, fifty (50) specific recommendations in a report entitled: "Reinvention Plan: Toward a Community Centered Justice Initiative" (the "Reinvention Plan"), and

**WHEREAS**, the overall vision of the Reinvention Plan was to establish and define restorative justice in Saratoga Springs and the very first recommendation was to acknowledge, apologize, reconcile and review past conflicts and injustices; and

**WHEREAS**, several communities around the nation have confronted its history of bigotry, racism and hate by defining in their respective communities what restorative justice is for their community;

**NOW THEREFORE, BE IT RESOLVED** as follows:

This City Council, acknowledges that Saratoga Springs has supported and allowed racism and hate in areas of housing, employment, law enforcement and other areas of formal and informal life during its history;

**BE IT FURTHER RESOLVED:**

That the City Council believes that the first step to true reconciliation and restorative justice is to acknowledge, apologize and review this past and we do that as a City Council today;

**BE IT FURTHER RESOLVED:**

That the next necessary step is to begin a community wide dialogue with residents and institutions on defining what restorative justice means to Saratoga Springs in the 21<sup>st</sup> Century;

**BE IT FURTHER RESOLVED:**

To begin this dialogue, on or before May 31, 2023, each member of the City Council and the City's Supervisors shall appoint, one member each, and the Mayor shall appoint co-chairs to a "Restorative Justice Panel" that shall seek to define via community input and dialogue a "Saratoga Springs" Restorative Justice Program."

**BE IT FURTHER RESOLVED:**

The Restorative Justice Panel shall report its recommendations on a "Saratoga Springs Restorative Justice Program" to the City Council on or before December 19, 2023.

DATED:

Ayes

Nays

CITY COUNCIL OF THE CITY OF  
SARATOGA SPRINGS, NEW YORK

---

By: Dillon Moran, City Clerk

# EXHIBIT J

**Letitia James, Attorney General**  
**New York State Office of the Attorney General**  
**Civil Rights Bureau and Law Enforcement Misconduct Investigative Office**

**A Report on the Saratoga Springs Police Department's Response to Protests in 2021**

**February 20, 2024**

## RECOMMENDATIONS

To prevent the recurrence of the violations of law described above, the City of Saratoga Springs must implement reforms including but not limited to the following:

1. The SSPD should be required to enhance and make mandatory its framework for responding to protests that prioritizes the First Amendment.
2. The SSPD should be required to implement rigorous restrictions on investigating and arresting individuals engaged in activity protected by the First Amendment, including during City Council meetings.
3. The SSPD should be prohibited from conducting surveillance of protesters.
4. Saratoga Springs's elected officials should be prohibited from ordering the investigation or arrest of specific individuals, and SSPD should institute protocols to protect the independence of its investigations.
5. The SSPD should be required to maintain documentation of all communications between SSPD and Saratoga Springs elected officials during protests.
6. The SSPD should mandate after-action reports following any police response to protest activity.
7. The SSPD's internal affairs investigations and officer discipline process should be improved.
8. The City of Saratoga Springs should implement document control protocols consistent with the SSPD's criminal discovery and FOIL obligations.

## ACKNOWLEDGEMENTS

This report was prepared by the OAG's Civil Rights Bureau and Law Enforcement Misconduct Office. A special thanks to: Sandra S. Park, Chief, Civil Rights Bureau; Tyler Nims, Chief, LEMIO; Rick Sawyer, Section Chief, Civil Rights Bureau; Kyle Rapiñan, Assistant Attorney General, Civil Rights Bureau; Joseph Antonio Flores, Research Analyst, Civil Rights Bureau; Casandra Walker, Associate Director of Legislative Affairs.

# EXHIBIT K

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

From: **Jason Golub** <[jason@kahilla.com](mailto:jason@kahilla.com)>

Date: Thu, Aug 25, 2022 at 12:06 PM

Subject: Fwd: Form Submission - New Form - JASON GOLUB

To: Jason Golub <[REDACTED]>

Best,

**Jason Golub**

Head of Strategic Partnerships &  
Chief Diversity Officer

[jason@kahilla.com](mailto:jason@kahilla.com) | cell: 518.545.0273 | [KAHILLA](#) | [Podcast](#) | [LinkedIn](#)

# KAHILLA

Fast Company Top 100 Most Innovative Workplaces

*Our innovative leadership development platform uniquely combines content, community, and coaching.*



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

From: **Shalini Misri** <[REDACTED]>

Date: Thu, Aug 25, 2022 at 11:55 AM

Subject: Fwd: Form Submission - New Form - JASON GOLUB

To: Jason Golub <[jason@kahilla.com](mailto:jason@kahilla.com)>

WTH!

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

From: **Squarespace** <[form-submission@squarespace.info](mailto:form-submission@squarespace.info)>

Date: Thu, Aug 25, 2022 at 4:56 AM

Subject: Form Submission - New Form - JASON GOLUB

To: <[solutions@kahilla.com](mailto:solutions@kahilla.com)>

Sent via form submission from *Kahilla*

**Name:** TIM COLL

**Email:** [tcoll42@gmail.com](mailto:tcoll42@gmail.com)

**Subject:** JASON GOLUB

**Message:** I am a retired FBI agent and would like to send your company an official complaint regarding Jason Golub. Can you please provide an email address to do so or I will send it certified mail. Thank you.

Does this submission look like spam? [Report it here.](#)

--

Best regards,

Shalini Misri  
Sales Coordinator

 | 510.676.3435 | [KAHILLA](#) | [Podcast](#) | [LinkedIn](#)

Fast Company Top 100 Most Innovative Workplaces  
*Our innovative leadership development platform uniquely combines content, community, and coaching.*

# EXHIBIT L

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# LETTER TO THE EDITOR

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## **It is the Duty of City Leaders to NOT Judge a Person Based on their Status, Skin Color or Sexual Orientation**

To provide context: I am a retired FBI Agent that is not affiliated with any political party.

On 8/2/2022, at a public meeting which was recorded, Public Works Commissioner Jason Golub, made unacceptable and divisive comments.

Mr. Golub was discussing the merits of passing an aggressive solicitation ordinance directed at the panhandlers which he ultimately voted no. An important portion of the proposed ordinance was to prohibit panhandlers from harassing and engaging in physical contact with residents and/or tourists. Besides voting no on this common-sense ordinance, he made a shocking comment about a “rich white lady.”

Mr. Golub used a hypothetical situation where a “rich white lady” files a complaint against the panhandler. Mr. Golub essentially argued that police would side with the complainant only because she is a “rich white lady.” Clearly, Mr. Golub was suggesting a “rich white lady” would provide false testimony to a Saratoga Springs police officer and the police officer would agree with her based on her status as a “rich white lady.”

Obviously, Mr. Golub has no understanding of the criminal justice system and how witness testimony is corroborated by law enforcement, including the Saratoga Springs Police Department, every day in America.

It is the duty of city leaders and law enforcement to not judge a person based on their status, skin color, or sexual orientation but rather the facts of the situation.

Again, these comments were unacceptable and divisive. He owes an apology to all city residents.

- Respectfully, Tim Coll | Saratoga Springs

# EXHIBIT M

**For context purposes: I am a retired FBI agent and not affiliated with any political party.**

**I am providing you with information related to Part-Time Saratoga Springs Public Safety Commissioner, Jason Golub, who is also employed by KAHILLA and is a registered Attorney in New York State. As an Attorney he is an officer of the court, and it is clear from the following example that he demonstrates bigotry in many areas and such actions tarnish his ability to practice law.**

**On 8/2/2022, at a public meeting which was recorded, Public Works Commissioner Jason Golub, made unacceptable and divisive comments.**

**Mr. Golub was discussing the merits of passing an aggressive solicitation ordinance directed at the panhandlers which he ultimately voted no. An important portion of the proposed ordinance was to prohibit panhandlers from harassing and engaging in physical contact with residents and/or tourists. On a side note, the cities of New York and Los Angeles have both passed aggressive panhandling ordinances. Besides voting no on this commonsense ordinance, he made a shocking comment about a "rich white lady."**

**Mr. Golub used a hypothetical situation where a "rich white lady" files a complaint against the panhandler. Mr. Golub essentially argued that police would side with the complainant only because she is a "rich white lady." Clearly, Mr. Golub was suggesting a "rich white lady" would provide false testimony to a Saratoga Springs police officer and the police officer would agree with her based on her status as a "rich white lady."**

**Obviously, Mr. Golub has no understanding of the criminal justice system and how witness testimony is corroborated by law enforcement, including the Saratoga Springs Police Department, every day in America.**

**It is the duty of city leaders, law enforcement and practicing lawyers to not judge a person based on their status, skin color, or sexual orientation but rather the facts of the situation.**

**Copy of the video is available on the Saratoga Springs website.**

**Respectfully,  
Tim Coll**



# EXHIBIT N



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| JOE O'NEIL              |  |      |
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1 MR. SCHRIEBER: What a jerk. Where did he get  
2 that shit from?

3 MR. GOLUB: They're all jerk offs.

4 MR. SCHRIEBER: He's a nut.

5 MR. GOLUB: The point is (inaudible).

6 MR. SCHRIEBER: He lives down the street from  
7 me. He's crazy.

8 MR. VEITCH: There's -- you were up in that  
9 second floor.

10 MR. GOLUB: Yeah.

11 MR. VEITCH: You tell me. Is there any common  
12 sense, or --

13 MR. GOLUB: No.

14 MR. VEITCH: -- or any sort of --

15 MR. GOLUB: And that's what scares me the most.  
16 I'll be honest with you. That -- sitting here it's not  
17 you that I'm worried about.

18 MR. VEITCH: It's --

19 MR. SCHRIEBER: It's sitting in a police  
20 station.

21 MR. VEITCH: It's Floor 2. It's not really  
22 Floor 1 that has any issues.

23 MR. GOLUB: I know.

24 But I'm still sitting in a police station on  
25 Columbus Day answering questions about Drano. So yeah.

1 It's -- you can see why I would be a little nervous  
2 about that.

3 MR. SCHRIEBER: It's voluntary, but not really.

4 MR. VEITCH: I would be.

5 MR. GOLUB: Yeah. It's --

6 MR. VEITCH: It's always (inaudible) because  
7 like I said, this is not what you want to be doing.

8 MR. GOLUB: No.

9 MR. VEITCH: So do you have any other questions  
10 for me?

11 MR. GOLUB: I don't. I appreciate what you've  
12 done and I appreciate your --

13 MR. VEITCH: I'm going to be honest and I'm not  
14 going to --

15 MR. GOLUB: -- with this.

16 It's infuriating. I used all my willpower to  
17 not come in here and yell. Not at you. Just in  
18 general.

19 MR. VEITCH: You can. I don't care.

20 (Inaudible.)

21 MR. SCHRIEBER: (Inaudible.)

22 MR. GOLUB: (Inaudible) for something you  
23 didn't do on hours.


24 MR. VEITCH: I've been yelled at by the best.

25 All right. So I'll keep you in the loop.

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CERTIFICATION

I, LYNETTE L. CHASE, certify that in the foregoing proceedings in the matter of INTERVIEW OF MR. GOLUB AND MR. O'NEIL DATED 10/14/2024, was prepared using the required transcription equipment and is a true and accurate transcript of the recording.

SIGNATURE:   
AGENCY NAME: Bee Reporting Agency, Inc.  
ADDRESS OF AGENCY: 55 Maple Avenue, Suite 204  
Rockville Centre, NY 11570  
DATE: February 27, 2025

# EXHIBIT O

FEATURED

## Former Saratoga Springs DPW Commissioner Golub pleads not guilty to official misconduct charge

- [Shenandoah Briere](#)
- Nov 26, 2024 Updated 1 hr ago



Former Saratoga Springs DPW commissioner Jason Golub, right, listens as his attorney, Karl Sleight, speaks in Saratoga Springs City Court Tuesday, Nov. 26, 2024. It was the first scheduled appearance for Golub, charged with official misconduct, a misdemeanor. [Stan Hudy](#)

**SARATOGA SPRINGS** — The attorney for former Saratoga Springs Department of Public Works Commissioner Jason Golub is requesting information from Public Safety

Commissioner Tim Coll's personal and work cell phones, indicating he believes there to be material showing Coll was "intimately involved" with the case brought against Golub.

Golub, who now works as the general counsel and deputy commissioner of the state Department of Corrections, is charged with official misconduct, a misdemeanor, for allegedly accepting repairs to his home on Kaydeross Park Road on Dec. 27, 2023.

He pleaded not guilty in front of Saratoga Springs City Court Judge Jeffrey Wait Tuesday morning.

"Preliminary disclosure by the District Attorney's Office suggests that Commissioner Coll was intimately involved in this matter," Golub's attorney, Karl Sleight, said following the appearance. "The more we look at this the real question here is what was the motivation for charges. As I've said from the beginning, this case involved eight minutes, a jug of Drano and a clogged sink. My question is, what motivated someone to try and charge an attorney of the stature of my client months after the event with this charge? We'll get to the bottom of it, and it starts today."

Coll has previously said he cannot direct the police department to charge anyone, but fully supported the department's decision.

"SSPD will comply with all discovery obligations as per New York State law and, without reservation, I will testify in the courtroom, under oath, as I have done throughout my entire 30-year law enforcement career," Coll said in an emailed statement Tuesday.

Sleight is also subpoenaing the city for human resources records related to the matter following statements made by interim Department of Public Works Commissioner Hank Kuczynski in a press release Thursday.

"Human resources issues are not crimes," Sleight said.

In that release, Kuczynski announced that Deputy DPW Commissioner Joe O'Neill would be suspended five days without pay following violations of the city's ethics code. O'Neill pleaded not guilty Thursday in city court to the same charge as Golub.

O'Neill is accused of violating the city ethics code on Jan. 16 and in the spring of 2023 by using city employees to do work on private property on city time with city resources.

According to court documents, O'Neill allegedly arranged for city employees to be taken to a residence in Whispering Pines in Wilton on March 31, 2023 to fix a leaking plumbing fixture.

Mayor John Safford previously indicated to the Gazette that there was a human resources investigation into the allegations against Golub and that it stemmed from a fired employee.

Sleight said he believes the motivation for the case will become apparent.

"When that happens, there will be a reckoning," he said.



**Buy Now**

Former Saratoga Springs DPW commissioner Jason Golub, right, stands and listens as his attorney, Karl Sleight, speaks in Saratoga Springs City Court Tuesday, Nov. 26, 2024. It was the first scheduled appearance for Golub, charged with official misconduct, a misdemeanor. [Stan Hudy](#)



**Buy Now**

Former Saratoga Springs DPW commissioner Jason Golub, right, stands next to his attorney, Karl Sleight, speaks in Saratoga Springs City Court Tuesday, Nov. 26, 2024. It was the first scheduled appearance for Golub, charged with official misconduct, a misdemeanor. Stan Hudy

Reporter Shenandoah Briere can be reached at [sbriere@dailygazette.net](mailto:sbriere@dailygazette.net).

# EXHIBIT P



Date

07/31/2024

**New York State Incident Report  
Narrative (Continuation page)**

Saratoga Springs PD

5. Incident Number

SS-02072-24

Page 2 of 3

85. Veitch, Paul

On 7/31/24 I was forwarded a memo from Commissioner Tim Coll about this incident as he spoke with Kevin Older about this on 3/14/24. This memo confirms the report forwarded from the NYSP and also states that this can be verified through the GPS tracking of city DPW vehicles.

I am going to contact Civil Service to verify the employment of both Dooley and Older during the time the theft is alleged to have occurred.

NYS LE referral and Comm. Coll memo added to the case file.

# EXHIBIT Q



**City of Saratoga Springs**  
**OFFICE OF PUBLIC SAFETY**

Daniel Charleson  
Deputy Commissioner

**Commissioner Timothy Coll**

**CITY HALL**  
474 Broadway  
Saratoga Springs, NY 12866  
Telephone 518-587-3550

**FOR IMMEDIATE RELEASE:**

On November 1, 2024, Uniform Appearance Tickets were issued by the Saratoga Springs Police Department (SSPD) to former Public Works Commissioner Jason Golub and Deputy Public Works Commissioner Joseph O'Neill directing them to appear in City Court on November 21, 2024.

The Uniform Appearance Tickets indicate that both Jason Golub and Joseph O'Neill have been charged with the following offense:

NYS Penal Law 195 (1) Official Misconduct, Class A Misdemeanor

There will be no further comment at this time as the charges are pending.

# EXHIBIT R

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4 IN THE MATTER OF: :

5 INTERVIEW OF MR. GOLUB AND :

6 MR. O'NEIL DATED 10/14/2024. :

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8 DATE: OCTOBER 14, 2024

9 HELD: INTERVIEW ROOM 2

10 APPEARANCES: JASON GOLUB, ESQ.

11 JOSEPH O'NEIL, III

12 LIEUTENANT PAUL VEITCH

13 OSCAR SCHRIEBER, ESQ.

14

AUDIO FILE:

15 Axon\_Interview\_-\_Interview\_Room\_2\_(PRI)\_-MainCam

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DIGITALLY RECORDED PROCEEDING, TRANSCRIBED BY:

25

Lynette L. Chase

Bee Reporting Agency, Inc

BEE REPORTING AGENCY, INC. (516) 485-2222

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1 December 26th, does that sound about when the date would  
2 be when the work possibly was done?

3 MR. GOLUB: Yeah. Thereabouts.

4 MR. VEITCH: Okay. And it was for -- was it  
5 for a clogged drain?

6 MR. GOLUB: Yeah.

7 MR. VEITCH: Okay.

8 MR. GOLUB: Just so we're clear. This is what  
9 we're talking about. A fucking clogged drain.

10 MR. VEITCH: You don't have to tell me.

11 MR. SCHRIEBER: (Inaudible) called Drano.

12 MR. VEITCH: You don't have to tell me.

13 MR. GOLUB: Okay. All right. I just want to  
14 be clear. That's what we're talking about.

15 MR. SCHRIEBER: You got better shit to do I'm  
16 sure. You can't say --

17 MR. VEITCH: You know how it works. It gets on  
18 a plate. It's got to be cleared from a plate.

19 MR. GOLUB: Yeah.

20 MR. VEITCH: So you asked him to come over  
21 basically fix (inaudible). It was off hours.

22 MR. GOLUB: I asked Joe.

23 MR. VEITCH: Joe.

24 MR. GOLUB: And Joe -- I mean, I don't -- I  
25 (inaudible) employees. I don't know anybody's hours.

1 printer (inaudible) you walk out with a printer.

2 MR. GOLUB: But again, that isn't what he is  
3 alleging. The crime has to be based on what's being  
4 alleged, not just, oh, I'm going to pick a crime out of  
5 the hat.

6 MR. VEITCH: Another crime could be a public  
7 officer's law crime.

8 MR. GOLUB: Okay.

9 MR. VEITCH: Really.

10 MR. SCHRIEBER: Official misconduct (inaudible)  
11 like that?

12 MR. VEITCH: Official misconduct -- there's  
13 another public officer's law. Borderline, I don't know.  
14 But once again, that's -- I want to talk to Joe. I'm  
15 going to talk to everything else involved. If it all  
16 says yeah -- no. None of this is kosher to go anywhere  
17 with it then in my opinion what I would do, I'm not the  
18 chief of police or the commissioner of public safety,  
19 once the investigation is complete and people are  
20 exonerated or not, I don't know --

21 MR. GOLUB: Yeah.

22 MR. VEITCH: -- then I would make a public  
23 statement on an exoneration that, yeah, this was a  
24 complaint made. This is what we found. There's no  
25 crimes involved so this was a complete waste of time.

1 MR. SCHRIEBER: Okay.

2 MR. GOLUB: So yes. You can --

3 MR. VEITCH: What's your date of birth?

4 MR. GOLUB: 5/23/76.

5 I cannot believe we are fucking talking about  
6 this. I mean, I am so tired of this fucking town. It's  
7 like Jesus Christ.

8 MR. VEITCH: What was the date of birth? I'm  
9 sorry.

10 MR. GOLUB: 5/23/76. But I feel about 30 years  
11 older than that right now.

12 MR. VEITCH: I know the feeling.

13 What's your current residence?

14 MR. GOLUB: 30 Furlong Street, F-U-R-L-O-N-G.  
15 Saratoga Springs, New York.

16 MR. VEITCH: I totally agree. This is a big  
17 pile of what the fuck.

18 MR. GOLUB: Yeah.

19 MR. VEITCH: (Inaudible.)

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ADDRESS OF AGENCY:

55 Maple Avenue, Suite 204

Rockville Centre, NY 11570

DATE:

February 27, 2025

# EXHIBIT S



## City of Saratoga Springs

CITY ATTORNEY'S OFFICE

CITY HALL

474 Broadway – Suite 21

Saratoga Springs, New York 12866

Telephone 518-587-3550

JENNY R. MARCOTTE  
FOIL ACCESS OFFICER

via ELECTRONIC MAIL ONLY

2/19/25

ksleight@lippes.com

RE: FOIL request

Dear Mr. Sleight;

This letter is in accordance with the provisions of New York State Public Officers Law §87 and your FOIL request for “Records...from the personal and City-issued work email and personal and City-issued cellular telephones of City Commissioner Tim Coll”, more specifically “all text messages, emails(including any attachments to same), call records, photographs, voice messages, directly, indirectly and broadly related to allegations that former City Commissioner Jason Golub, and Deputy Commissioner Joseph O’Neil, engaged in conduct involving one or more City of Saratoga Springs municipal employees addressing a residential plumbing matter at or in the immediate vicinity of 128 Kaydeross Park Road in Saratoga Springs between December 15, 2023 and January 31, 2024...”.

In response to your request, Mr. Coll conducted a search and found the emails attached. Several other emails were found but are not included in this response because their content consists of inter-agency or intra-agency communications between officers and employees of the city, and those communications consist of opinion, advice, recommendation and the like. Please understand that some portions of the emails that are provided herewith have been redacted for that same reason.

Also, Mr. Coll provided screenshots of texts that are responsive to your request. Again, some of the texts provided are not included in this response because their content consists of inter-agency or intra-agency communications between officers and employees of the city, and those communications consist of opinion, advice, recommendation and the like. Some portions of the texts that are provided herewith have been redacted for that same reason.

This completes our fulfillment of your request in accordance with the statutory requirements of the Public Officers Law. Should you feel that you have been unlawfully denied access to records, you may appeal such denial in writing within thirty (30) calendar days. You may direct your appeal to this office.



**City of Saratoga Springs**  
**CITY ATTORNEY'S OFFICE**  
**CITY HALL**

474 Broadway – Suite 21  
Saratoga Springs, New York 12866

---

Telephone 518-587-3550

JENNY R. MARCOTTE  
FOIL ACCESS OFFICER

via ELECTRONIC MAIL ONLY

2/24/25

ksleight@lippes.com

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