



FOR IMMEDIATE RELEASE  
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FINDINGS IN THE COMPLAINT OF  
STEVEN TOMMASONE AGAINST WILLIAM COOKE  
COMPLAINT 2007.5

Fair Campaign Practices for the Capital Region, Inc. (FCP) held a hearing on October 30, 2007 to consider a complaint made by Steven Tommasone against William Cooke. Both are candidates for the office of Supervisor in the Town of Rotterdam. Present were Hearing Panel members Joan Elliott (Chair), Katie Henrikson, Helen MacDonald, James Ruhl and Harriet Warnock-Graham, along with Coordinator Barbara Thomas. Mr. Tommasone represented himself at the hearing. Mr. Cooke did not appear or send a representative.

Mr Tommasone complained about a piece of campaign literature distributed by the Schenectady County Democratic Committee in support of the candidacies of John Silva, Richard Leet and Mr. Tommasone's opponent, William Cooke. Mr. Tommasone complained it was misleading and contained many falsehoods. The piece is titled "Why?" and asks a series of questions, all but one of which start out "Why did the Republican Party...?" Mr. Tommasone pointed out that the actions referred to were actions of the Town Board, which is composed of three Republicans and two Democrats, and that he holds no party or party committee positions. Regarding specific items in the piece he stated:

- that the Town Board initially considered placing a park on part of the acreage the town owns over the Big Flats Aquifer, but that when DEC ruled that that was not feasible given the deed restrictions it was actually the three Republicans who voted to change the zoning from Agricultural to Land Conservation in order to protect it from future development, and the two Democrats who voted against the zoning change.
- That the Town Board is still working to fix the stormwater and drainage problems of Masullo Estates, and is in the process of acquiring land needed to rectify the problem.
- That the Republicans on the Board did not raise legal expenses to the Town by 400 per cent, and produced a spreadsheet showing the yearly legal fees the Town has paid from 2001 to the present. The fees fluctuate depending on the number and complexity of tax certiorari cases, but the range is from \$100,000 to \$250,000.
- That the Republicans and the Democrats on the Board have allocated money for studies necessary to apply for grant monies, not unnecessary and duplicative studies.

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- That he has consistently voted against revaluation, whereas the Democratic campaign literature supported it in 2005, and Democrats Marco and Paolino have consistently voted for it. Mr. Tommasone supplied a timeline with the actual votes taken on revaluation.
- That the Police Commission was not formed to hire and promote friends and relatives. It was an attempt to focus more attention on this service and was only in operation in 2006. Now the entire Board functions as the Police Commission. All police hiring is from the civil service list, and in accordance with civil service rules. It does not discriminate against friends or relatives of elected officials.
- The Town Board or its Republican members did not take back a grant that had been promised to the Hamburg Street Merchant's Association. This was an IDA grant that was in question. The Town Board did not file an application for the Hamburg Street Area as the data necessary to complete the grant application was not available at that time. Since that time studies have been completed that provide the data to be used in a joint application by the City of Schenectady and the Town.

Mr. Cooke's written statement was that "All mailings for the Rotterdam Town Supervisor Position were done by the Schenectady County Democratic Committee."

FINDING: Unfair Campaign Practice. The piece of campaign literature distributed by the SCDC and titled "Why?" contains numerous falsehoods and misleading statements. In particular, FCP found that contrary to the statements in the piece, Mr. Tommasone has not supported revaluation, did not raise legal fees 400 %, did not take back a grant from the Hamburg Street Merchants. FCP found that there was no evidence presented to show improper hiring practices in the police department or that studies commissioned by the board were unnecessary. FCP found that while the Town Board initially wanted to place some park facilities on Town land which lies over the Big Flats Aquifer, it was misleading to imply that the Republicans on the Board did not care about the aquifer, since the record shows that following the DEC ruling, they supported the zoning change to Land Conservation and the Democrats did not.

The "Why?" piece would have violated FCP Principle Four if it had been issued by Mr. Cooke. Because it was issued by the SCDC, Mr. Cooke had a duty to publicly and promptly disavow it. It was not enough that he did not approve the piece prior to issuance. He should have pointed out that the piece was false and misleading and that he hoped voters' support for his own candidacy would not be based on the misinformation contained in the piece. His failure to repudiate the piece is a violation of FCP Principle Seven.

*Candidates are reminded that misrepresentation of FCP findings in order to obtain political advantage constitutes an unfair campaign practice.*

FCP's Principle 4 states that the candidate will not use, permit the use of, or condone the use of any campaign material or advertisement that misrepresents, distorts, or otherwise falsifies a fact or the facts regarding either the candidate or an opponent.

FCP's Principle 7 states that the candidate will promptly and publicly disavow support from and the materials/actions of any individual or group whose activities violate this Statement of Principles or whose activities would violate this Statement of Principles if engaged in by the candidate or the candidate's campaign.

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Fair Campaign Practices For The Capital Region, Inc.

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