

matter” to mean “an administrative act, including the issuance of a license, permit or other permission by the city, which is carried out in a prescribed manner and which does not involve substantial personal discretion.”

- c. On or about November 17, 2014, as part of my private engineering practice, I submitted a report to DOB on behalf of a private client concerning my inspection of a building on Franklin Avenue owned by the client. DOB had issued an Emergency Declaration for the Franklin Avenue building on November 12, 2014, stating that the building must be demolished; I concluded in my report that the building could be rehabilitated. As a result of my report, DOB authorized a thirty-day hold on the scheduled demotion of the Franklin Avenue building.
 - d. I acknowledge that the above-described engineering report involved a non-ministerial matter and, thus, by submitting the engineering report to DOB on behalf of a private client, I violated the City’s conflicts of interest law (Chapter 68), specifically City Charter § 2604(b)(6), which states: “No public servant shall, for compensation, represent private interests before any city agency or appear directly or indirectly on behalf of private interests in matters involving the city.”
2. In recognition of the foregoing, Respondent agrees to the following:
- a. I agree to:
 - (1) Pay a fine of Two Thousand Dollars (\$2,000.00) to the Board by money order or by cashier, bank, or certified check, made payable to the “New York City Conflicts of Interest Board,” at the time of my signing of this Disposition; and
 - (2) Pay a fine of Two Thousand Dollars (\$2,000.00) to HPD to be deducted by HPD from my paycheck at regular intervals to be determined by HPD.
 - b. I agree that this Disposition is a public and final resolution of the Board’s charges and HPD’s action against me.
 - c. I knowingly waive on my behalf and on behalf of my successors and assigns any rights to commence any judicial or administrative proceeding or appeal before any court of competent jurisdiction, administrative tribunal, political subdivision, or office of the City or the State of New York or the United States, and to contest the lawfulness, authority, jurisdiction, or power of the Board or HPD in imposing the penalty which is embodied in this Disposition, and I waive any right to make any legal or equitable claims or to initiate legal proceedings of any kind against the Board or HPD, or any members or employees thereof relating to or arising out of this Disposition or the matters recited therein.
 - d. I confirm that I have entered into this Disposition freely, knowingly, and intentionally, without coercion or duress, and after having been represented by the attorney or union representative of my choice; that I accept all terms and

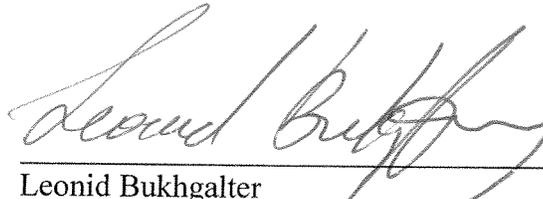
conditions contained herein without reliance on any other promises or offers previously made or tendered by any past or present representative of the Board or HPD; and that I fully understand all the terms of this Disposition.

- e. I agree that any material misstatement of the facts of this matter, including of the Disposition, by me or by my attorney or agent shall, at the discretion of the Board, be deemed a waiver of confidentiality of this matter.

3. The Board and HPD accept this Disposition and the terms contained herein as a final disposition of the above-captioned matter only, and affirmatively state that other than as recited herein, no further action will be taken by the Board or HPD against Respondent based upon the facts and circumstances set forth herein, except that the Board and HPD shall be entitled to take any and all actions necessary to enforce the terms of this Disposition.

4. This Disposition shall not be effective until all parties have affixed their signatures below.

Dated: April 27, 2015



Leonid Bukhgalter
Respondent

Dated: April 27, 2015



Jonathan D. Factor
Law Offices of Stuart Salles
Attorney for Respondent

Dated: May 6, 2015



Joshua Cucchiaro
Assistant Commissioner, Administration
NYC Department of Housing Preservation and
Development

Dated: June 25, 2015



Richard Briffault
Chair
NYC Conflicts of Interest Board