



STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION  
ALBANY, N.Y. 12232  
www.dot.ny.gov

JOAN McDONALD  
COMMISSIONER

ANDREW M. CUOMO  
GOVERNOR

CERTIFIED MAIL

September 14, 2012

✓ Mr. Michael Fayette  
45793 Otter Street  
Alexandria Bay, NY 13607

Re: NOTICE OF DISCIPLINE  
Section 75 of Civil Service Law

Dear Mr. Fayette:

In accordance with the provision of Section 75 of the Civil Service Law, you are hereby given NOTICE that the Department of Transportation has instituted a disciplinary action against you and that you are being charged with actions constituting misconduct and/or incompetence.

On or about August 28, 2012 you disobeyed a written directive issued to you by Carol Breen, NYSDOT Public Information Officer, not to speak directly with the Adirondack Daily Enterprise Newspaper concerning the one year anniversary of Hurricane Irene. You subsequently spoke with a reporter from that newspaper and a newspaper article about your interview was published. Your actions disrupted the Commissioner's intent to conduct the interview herself.

Under authority of Section 75, if you are found guilty of the charge brought against you, the penalty exacted against you will consist of termination.

In determining the penalty your past disciplinary history was taken into account. Specifically, you received a Notice of Discipline date March 2, 2012 for internet misuse, email misuse, department vehicle misuse, blackberry misuse, conflict of interest, theft of service and falsification of timesheets.

Attached for your information is a copy of Section 75 of the Civil Service Law, which I recommend that you read carefully. You have the right to dispute and object to this penalty, and the Section 75 procedure provides for a hearing conducted by a hearing officer designated