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HON. HOWARD A. LEVINE
LORETTA E. LYNCH
JOHN T. MITCHELL
MEMBERS

NEW YORK STATE
COMMISSION ON PUBLIC INTEGRITY

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**MINUTES OF COMMISSION MEETING
PUBLIC SESSION**

**October 22, 2009
10:30 A.M.
540 Broadway
Albany, New York**

Present:

Chairman: Michael G. Cherkasky

Members:

Daniel R. Alonso
Virginia M. Apuzzo
John M. Brickman
Andrew G. Celli, Jr.
Richard D. Emery
Daniel J. French
James P. King
Howard A. Levine
Loretta E. Lynch
John T. Mitchell

Staff:

Barry Ginsberg, General Counsel
Theresa Schillaci, Special Counsel
Ralph P. Miccio, Special Counsel
Deborah Novak, Confidential Assistant

I. OPENING STATEMENT

The meeting was opened by Chairman Michael Cherkasky. The Chairman announced that Commissioner Daniel French, whose term expired on September

21, 2009, had resigned from the Commission effective October 23, 2009. The Chairman remarked that Commissioner French has been a tremendous asset to the Commission, displaying the highest integrity and intelligence and would be deeply missed.

II. MINUTES – PUBLIC SESSION – AUGUST 6, 2009

Upon motion made by Commissioner Alonso, seconded by Commissioner King, the Minutes from the Public Session of the August 6, 2009 Commission Meeting were approved by unanimous vote.

III. EXECUTIVE DIRECTOR'S REPORT

Acting Executive Director Barry Ginsberg provided an overview of the Executive Director's Report, recognizing the efforts and accomplishments of each unit. He indicated that the Commission has been required to reduce expenditures by another 10%. The Chairman discussed the Governor's request to reduce costs and its impact on the work of the Commission.

IV. LEGISLATIVE PROPOSALS UPDATE

Special Counsel Ralph P. Miccio discussed the September 8, 2009 Public Hearing on staff's Legislative Proposals, indicating there were changes in the staff's recommendations to three of the proposals. A working group, consisting of Commissioners Celli and Brickman, will continue to work with staff.

V. RESOLUTION 09-04: PART 930 LIMITATIONS ON THE RECEIPT OF HONORARIA AND HONORARIA REPORTING REQUIREMENTS AND PART 931 LIMITATIONS ON THE RECEIPT OF PAYMENT FOR OFFICIAL SERVICES AND RELATED TRAVEL EXPENSES, RESOLUTION 09-05: PART 932 OUTSIDE ACTIVITIES FOR STATE OFFICERS AND EMPLOYEES AND RESOLUTION 09-06: PART 937 PUBLIC ACCESS TO AGENCY RECORDS

Associate Counsel Shari Calnero presented and discussed Resolution 09-04, Resolution 09-05 and Resolution 09-06. After discussion and upon motion made by Commissioner French, seconded by Commissioner Mitchell, the Resolutions were unanimously approved, thus directing the amended Parts to be submitted to the Department of State in a Notice of Proposed Rulemaking.

VI. MOTION TO ENTER INTO EXECUTIVE SESSION

A motion to enter into Executive Session was made by Commissioner Mitchell, seconded by Commissioner Brickman, pursuant to Public Officers Law §105(1)(d) and (f) of the Open Meetings Law, by unanimous vote.

VII. PUBLIC ANNOUNCEMENT OF ACTIONS FROM EXECUTIVE SESSION

Chairman Cherkasky discussed the following actions taken during Executive Session: The Commission approved settlement agreements with the Association of the PBA's, New York Trial Lawyers Association, Uniformed Firefighters Association of Greater New York, Bolton St. John's Inc., New York Laborers' PAC and Powers Crane & Co. The Commission also approved the hearing officer's recommendations for Aeralert US, LLC, Amardeep Singh and Ichud Masdos, LLC.

Chairman Cherkasky announced the appointment of Barry Ginsberg as Executive Director of the Commission.

Commissioner French thanked the Chairman, the Commissioners and the staff who have done very good work under difficult circumstances at the Commission.

VIII. QUESTIONS FROM THE PUBLIC

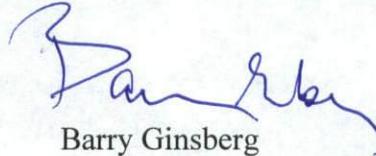
The Chairman welcomed questions from the public. David Grandeau asked how a lobbyist or client would know whether an event was officially related to a public official's duties for purposes of the widely attended event exception to the gift

ban. After a discussion among the Commissioners, the Chairman noted that there is currently a process for submitting informal opinion requests to the Commission.

**IX. MOTION TO ADJOURN THE PUBLIC MEETING AND ENTER CLOSED SESSION
PURSUANT TO EXECUTIVE LAW §94(17)(b)**

Upon motion made by Commissioner King, seconded by Commissioner Emery, by unanimous vote, the public meeting was adjourned to enter into Closed Session, pursuant to Executive Law §94(17)(b).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Barry Ginsberg", written in a cursive style.

Barry Ginsberg
Executive Director