

**MINUTES OF THE PUBLIC SESSION OF THE  
FEBRUARY 26, 2013  
COMMISSION MEETING  
OF THE JOINT COMMISSION ON PUBLIC ETHICS  
HELD AT THE COMMISSION'S OFFICE LOCATED AT  
540 BROADWAY  
ALBANY, NEW YORK**

**Present:**

**Chair:** Hon. Janet DiFiore

**Members:** Patrick J. Bulgaro  
Hon. Joseph Covello  
Hon. Vincent A. DeIorio (*via Skype*)  
Daniel J. Horwitz (*via Skype*)  
Marvin E. Jacob (*via Skype*)  
Seymour Knox, IV (*via Skype*)  
Gary J. Lavine (*via Skype*)  
David A. Renzi (*via Skype*)  
George H. Weissman

**Members**

**Absent:** LaShann M. DeArcy  
Mitra Hormozi  
Mary Lou Rath  
Ellen Yaroshefsky

**Staff:**

Ellen N. Biben, Executive Director  
Monica J. Stamm, Chief of Staff and Deputy Counsel  
Jeannine Clemente, Director of Administration  
Robert Cohen, Special Counsel and Director of Ethics and Lobbying  
Compliance  
Martin L. Levine, Director of Audit and Review  
John T. Milgrim, Director for External Affairs  
Letizia Tagliafierro, Director of Investigations and Enforcement  
Patrick Coultry, Chief Investigator  
Shari Calnero, Associate Counsel  
Louis Manuta, Associate Counsel  
Deborah Novak, Executive Assistant  
Jack Patterson, Confidential Investigator  
Terence Mulderrig, Senior Investigator  
Peter J. Smith, Investigator  
Michele Petruzzelli, Associate Counsel

**I. OPENING STATEMENT**

Chair DiFiore opened the Public Session.

**II. MINUTES - PUBLIC SESSION – JANUARY 29, 2012**

Chief of Staff Monica Stamm stated that Commissioner Weissman contacted her and requested proposed modifications to the Public Session Minutes of January 29, 2013 as follows: page 5, second paragraph, the modification to the 5th line which begins "Executive Director Biben responded that this is an issue. . ." he would like added that "Executive Director Biben acknowledged that the language does not come from the definition in the statute and that this is an issue that has been raised from the outset during the drafting process . . ." and continue from there. On the next page Commissioner Weissman would like to add a sentence that indicates that he agreed with the need for transparency. Finally, in the next sentence beginning at the top of the page "The issue that Commissioner Weissman is raising. . ." where it says "that there should be some exception for organizations with large boards," Commissioner Weissman would like to replace "e.g. 100 directors " with "or multi-national boards."

Upon motion made by Commissioner Covello, which was seconded by Commissioner Bulgaro, the Minutes from the Public Session of the January 29, 2013 Commission Meeting were approved as modified by unanimous vote.

**MINUTES - PUBLIC SESSION – FEBRUARY 12, 2012**

Upon motion made by Commissioner Covello, which was seconded by Commissioner Weissman, the Minutes from the Public Session of the February 12, 2013 Commission Meeting were approved by unanimous vote.

### **III. EXECUTIVE DIRECTOR'S REPORT**

#### **Staff Update**

Executive Director Biben welcomed Martin Levine, who has joined the staff as Director of Review and Audit, and noted that the transition has been seamless.

#### **Regulations Update**

Executive Director Biben provided an update regarding various regulations that the Commission is in the process of developing. As previously discussed, draft gift and related regulations were posted on the Commission's website for informal comment. In response to requests for additional time to submit comments, staff has extended the time to participate in the informal process and anticipates reporting back to the Commission at the March meeting. The source of funding regulations were adopted as emergency regulations, which remain in effect, and the proposed final regulations are under review pursuant to SAPA. The public comment period ended on February 8, 2013, but staff is engaged in ongoing discussions with the regulated community. Staff anticipates reporting on these comments at the March meeting so that the regulations can be finalized.

### **IV. NEW AND OTHER BUSINESS**

There was no new business.

### **V. MOTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO EXECUTIVE LAW §94(19)(b)**

A motion to enter into Executive Session pursuant to Executive Law §94(19)(b) was made by Commissioner Bulgaro, seconded by Commissioner Covello, to discuss investigative and personnel matters and was approved by unanimous vote.

**VI. PUBLIC ANNOUNCEMENT OF ACTIONS FROM EXECUTIVE SESSION**

Chair DiFiore announced that there was no reportable action taken in the Executive Session.

**VII. MOTION TO ADJOURN THE PUBLIC MEETING**

Upon motion made by Commissioner Weissman, seconded by Commissioner Bulgaro, which was approved by unanimous vote, the meeting was adjourned.