

**MINUTES OF THE PUBLIC SESSION OF THE
MAY 28, 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: Daniel J. Horwitz

Members:

Patrick Bulgaro
Hon. Joseph Covello
Hon. Vincent DeIorio
Marvin E. Jacob (*via Teleconferencing*)
Seymour Knox, IV
Gary J. Lavine (*via Skype*)
Hon. Mary Lou Rath (*via Teleconferencing*)
David A. Renzi (*via Skype*)
George H. Weissman
Ellen Yaroshefsky (*via Teleconferencing*)

Members

Absent: David Arroyo
LaShann DeArcy
Mitra Hormozi

Staff:

Ellen N. Biben, Executive Director
Monica J. Stamm, Chief of Staff and Deputy Counsel
Jeannine Clemente, Director of Administration
Martin L. Levine, Director of Audit and Review and Senior Counsel
John T. Milgrim, Director for External Affairs
Letizia Tagliaferro, Director of Investigations and Enforcement
Shari Calnero, Senior Counsel and Manager of Training
Louis Manuta, Associate Counsel
Deborah Novak, Executive Assistant
Patrick E. Coultry, Chief Investigator
Terence Mulderrig, Senior Investigator
Jack Patterson, Confidential Investigator

I. OPENING STATEMENT

Chair Horwitz opened the Public Session.

II. MINUTES - PUBLIC SESSION – APRIL 30, 2013

Upon motion made by Commissioner Covello, which was seconded by Commissioner Weissman, the Minutes from the Public Session of the April 30, 2013 Commission Meeting were approved by unanimous vote.

III. REPORT FROM STAFF

Update on Training

Executive Director Ellen Biben provided an update on the Commission's "Train the Trainer" program, an efficient and effective way to satisfy the August deadline for mandatory ethics training of FDS filers. Through this program, JCOPE trains the Ethics Officers from various State agencies to enable them to conduct comprehensive ethics training for their agencies' staff. JCOPE 's team, led by Shari Calnero, Senior Counsel and Manager of Training, trained over 200 Ethics Officers in May. Staff will continue to conduct training courses to assist others in meeting the mandatory August deadline.

Update on Regulations and Guidelines

Executive Director Biben announced that the proposed Source of Funding regulations, as amended, will be published in the State Register on June 5, 2013 for public comments, pursuant to SAPA, and will be re-presented to the Commission to be finalized thereafter. The proposed gift regulations, also subject to SAPA, will be published some time after the Source of Funding regulations are published.

Update on Roundtable Discussions with Regulated Community

Executive Director Biben informed the Commission that staff plans to continue the roundtable discussions with the regulated community and hopes to hold the next roundtable in both New York City and Albany between June 10th and June 21st. At

the suggestion of some Commissioners, staff will schedule the roundtable discussions around the Legislative session.

Update on FDS filings and compliance

Executive Director Biben provided an update on the annual FDS filings. Martin Levine, Director of Audit and Review and Senior Counsel, and his staff worked hard to ensure that the May 15th deadline came and went smoothly. Staff received and processed approximately 18,000 filings. For the first time, as required by PIRA, the FDS filings of the four Statewide elected officials, with the new disclosure requirements and the new categories of value, are now available on-line. JCOPE should receive FDS filings from the Legislature by June 30th, and then the FDSs of other elected officials will be promptly posted on the Commission's website.

IV. NEW AND OTHER BUSINESS

There was no new or other 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) to discuss investigative and personnel matters was made by Commissioner DeIorio, seconded by Commissioner Knox, and was approved by unanimous vote.

VI. PUBLIC ANNOUNCEMENT OF ACTIONS FROM EXECUTIVE SESSION

Chair Horwitz reported that during the Executive Session, the Commission voted on several investigative matters, including some matters that were closed and the approval of some settlements. The Commission also authorized an exemption under Public Officers Law §73 (8-b).

Chair Horwitz also reported that today will be the last JCOPE meeting for Executive Director Ellen Biben. He would like to extend, on behalf of the Commission, JCOPE's gratitude for Ellen's immense contribution to helping this agency get off the

ground and wished her well. He also reported that the Commission is in the process of searching for a new Executive Director.

A motion was made by Commissioner Lavine, which was seconded by Commissioner Weissman, to give formal expression to the Commission's appreciation and recognition of the stellar contribution made by Executive Director Ellen Biben. The motion was approved by unanimous vote.

VII. MOTION TO ADJOURN THE PUBLIC MEETING

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