

**MINUTES OF THE PUBLIC SESSION OF THE  
FEBRUARY 24, 2015  
COMMISSION MEETING  
OF THE JOINT COMMISSION ON PUBLIC ETHICS  
HELD AT THE COMMISSION'S OFFICE LOCATED AT  
540 BROADWAY  
ALBANY, NEW YORK**

**Chair:** Daniel J. Horwitz  
**Members:** David Arroyo  
Paul Casteleiro  
Marvin Jacob  
Seymour Knox, IV  
Gary J. Lavine  
Hon. Mary Lou Rath  
David A. Renzi  
Michael A. Romeo, Sr.  
Hon. Renee R. Roth  
George Weissman

**Members**  
**Absent:** Hon. Joseph Covello

**Staff:** Letizia Tagliafierro, Executive Director  
Monica J. Stamm, Chief of Staff and Deputy Counsel  
John T. Milgrim, Director for External Affairs  
Martin L. Levine, Director of Lobbying and Financial Disclosure Compliance and Senior Counsel  
Pei Pei Cheng-deCastro, Director of Investigations and Enforcement  
Robert Cohen, Special Counsel and Director of Ethics and Lobbying Compliance  
Emily A. Logue, Investigative Counsel  
Shari Calnero, Senior Counsel and Manager of Training  
Michael Sande, Associate Counsel  
Patrick E. Coultry, Chief Investigator  
Terence Mulderrig, Senior Investigator  
Peter Smith, Confidential Investigator  
Lori Donadio, Confidential Legal Assistant  
Deborah Novak, Executive Assistant

**I. CALL TO ORDER**

Chair Horwitz called the February 24, 2015 Commission Meeting to order.

**II. APPROVAL OF MINUTES – PUBLIC SESSION**

**November 25, 2014**

A motion was made by Commissioner Weissman, which was seconded by Commissioner Knox, to approve the minutes from the Public Session of the November 25, 2014 Commission Meeting. The motion was approved by unanimous vote.

**December 9, 2014**

A motion was made by Commissioner Roth, which was seconded by Commissioner Weissman, to approve the minutes from the Public Session of the December 9, 2014 Commission Meeting. The motion was approved by unanimous vote.

**III. REPORT FROM EXECUTIVE DIRECTOR**

**FDS Compliance Effort**

Executive Director Letizia Tagliafierro announced that for the past several months JCOPE has been actively pursuing compliance with the FDS requirements. 40 Notices of Delinquency were issued last fall and posted on JCOPE's website. The Commission has approved settlements to resolve seventeen of these enforcement matters and several will be presented to the Commission today. This enforcement effort has raised awareness about the FDS filing requirements and should improve compliance going forward.

**Third Quarter Financial Report**

Chief of Staff and Deputy Counsel Monica Stamm presented the financial report in the absence of Stephen Boland, JCOPE's Director for Administration. During the third quarter, which ended December 31, 2014, the Commission spent approximately \$744,000 in personal services and approximately \$130,000 in non-personal services. As of the end of the third quarter, JCOPE had spent approximately sixty percent of its appropriation for the 2014-2015 fiscal year, which is on par with other years. Typically, many expenses are processed in the fourth quarter.

### **Discussion of Report pursuant to Executive Law §94(1)**

Chair Horwitz thanked the Commissioners for their efforts in putting together the report and achieving a consensus on recommendations, including substantive changes to the law for the consideration of the Legislative and Executive branches, that all agreed would improve the operation of JCOPE as well as enhance JCOPE's ability to carry out its mission.

Executive Director Tagliaferro discussed JCOPE's February 2, 2015 Report that was delivered to the Governor and the Legislature in accordance with the Executive Law. The Report included legislative recommendations that would increase disclosure and strengthen JCOPE's ability to enforce the law. JCOPE has met with good government groups and will continue to have meetings to further its legislative agenda this session.

Executive Director Tagliaferro also discussed two initiatives from the Report that JCOPE will focus on this year: providing new guidance on the Lobby Act and improving and investing in JCOPE's technology. Based on the new provisions in PIRA and based on issues that have been raised from its ongoing dialogue with the regulated community, there is a need to address the multiple forms of current government advocacy. Over the next year, JCOPE intends to address some of the outstanding legal questions including, grassroots lobbying effort, consulting versus lobbying, and the language that was added in PIRA, "intent to introduce legislation". At the next Commission meeting, the Commission will consider proposed guidance on when consultants must register as lobbyists.

JCOPE is also investing in its technology. JCOPE plans to work with ITS and experts to redesign its lobby filing system and its website. The goal of the new filing system is to make it easier for those who file to input the data and for the public to retrieve the data from the system, and to have more meaningful and consistent data. Among other things, drop down menus will be added so that the information entered is consistent. JCOPE's goal for the website is to make it more user friendly, including search functionality and catalogued advisory opinions. JCOPE has been engaged in discussions with different

civic groups with respect to both its lobby filing system and website and have received recommendations concerning the features they would like to see. JCOPE will also be hosting a round table on March 13<sup>th</sup> for more input. An e-blast will be sent out after this meeting containing the details.

Commissioner Rath asked if there is any sense of whether JCOPE's legislative proposals will be considered this year with the ongoing discussions of ethics reform. Executive Director Tagliaferro responded that at this time she does not have a sense, but JCOPE will be having discussions and is monitoring the different proposals. Commissioner Rath expressed concern that there will be efforts from the Senate and/or the Assembly to push towards the kind of things that have been looked at, and examining the complexities and sensitivities of these issues without understanding, or acknowledging that JCOPE has already done this work. Executive Director Tagliaferro responded that she hopes that the members of the Legislature and the committees have had an opportunity to review the February Report, which highlights the accomplishments of this Commission and what it perceives as needed legislative reform and that JCOPE will be part of the discussions about ethics reform.

**IV. NEW AND OTHER BUSINESS**

There was no new or other business discussed.

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

A motion was made by Commissioner Renzi, which was seconded by Commissioner Roth, to enter into Executive Session pursuant to Executive Law §94(19)(b). The motion was approved by unanimous vote.

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

Chair Horwitz announced that, during the Executive Session, the Commission considered and approved two exemptions from the post-employment restrictions under Public Officer Law, §73(8-b), approved a number of settlements in FDS Enforcement Actions,

closed a number of other FDS Enforcement Actions, discussed certain investigative matters that are actively under consideration and closed others, and authorized requests for referrals and communications with third parties in connection with a number of investigative matters.

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

A motion was made by Commissioner Arroyo, which was seconded by Commissioner Casteleiro to adjourn the Public Meeting. The motion was approved by unanimous vote of the Commissioners.