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HON. HOWARD A. LEVINE
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MARK G. PETERS
JOSEPH A. SPINELLI
MEMBERS



NEW YORK STATE
COMMISSION ON PUBLIC INTEGRITY

540 BROADWAY
ALBANY, NEW YORK 12207
www.nyintegrity.org

BARRY GINSBERG
EXECUTIVE DIRECTOR

PHONE: (518) 408-3976
FAX: (518) 408-3975

**MINUTES OF COMMISSION MEETING
PUBLIC SESSION**

**August 12, 2010
10:30 A.M.
540 Broadway
Albany, New York**

Present:

Chairman: Michael G. Cherkasky

Members:

Virginia M. Apuzzo
John M. Brickman
Richard D. Emery
Howard A. Levine
John T. Mitchell
Mark G. Peters

Staff:

Barry Ginsberg, Executive Director
Theresa A. Schillaci, Special Counsel
Ralph P. Miccio, Special Counsel
Bridget E. Holohan, Associate Counsel
Shari Calnero, Associate Counsel
Barbara H. O'Neill, Associate Counsel
Deborah L. Novak, Confidential Assistant

I. OPENING STATEMENT

The meeting was opened by Chairman Cherkasky announcing the passing of Commissioner James P. King and Commissioner Steven C. Krane in June and remembering both Commissioners and their career accomplishments. The Commission is proud to have served with men of such distinction.

Chairman Cherkasky introduced and welcomed the newest member to the Commission, Mark Peters.

II. MINUTES – PUBLIC SESSION – JUNE 10, 2010

Upon motion made by Commissioner Emery, seconded by Commissioner Mitchell, the Minutes from the Public Session of the June 10, 2010 Commission Meeting were approved by unanimous vote.

III. EXECUTIVE DIRECTOR'S REPORT

Executive Director and General Counsel Barry Ginsberg provided an overview of the Executive Director's Report and announced the former opinion finder has been restored on the Commission's website. Staff will continue the process of categorizing all previously issued advisory opinions.

Executive Director and General Counsel Barry Ginsberg and other State officials will participate in a group discussion with touring officials from government of Azerbaijan sponsored by the State Department dealing with issues of ethics and open government.

Executive Director and General Counsel Barry Ginsberg expressed his best wishes to H.J. Campbell, Chief of the Investigation Unit who will be retiring after 20 years of State government service as well a 20 year career serving in the United States Navy. Robert Shea will be stepping up to take over responsibilities in investigations. Mr. Ginsberg also extended best wishes to Kathy DeGasperis, Program Manager of the Financial Disclosure Unit, who will be retiring after 30 years of service to New York State. Melinda Funk will take over the responsibilities of running the unit on a day-to-day basis. He added that both H.J. and Kathy will be leaving in September.

Chairman Cherkasky reminded the Commission members that its staff of 60 has been reduced to approximately 50 employees with the inability to backfill these positions. The budget has decreased by about 20% from over \$5 million to about \$4.3 million. Staff is doing a terrific job under tough circumstances.

IV. RULEMAKING UPDATE

Associate Counsel Shari Calnero updated the Gift Regulations that were approved by the Governor's Office of Employee Relations and yesterday published in the State Register, thus starting the 45 day statutory comment period. An e-blast has been sent to all of the lobbyists, clients and State ethics officers notifying them of this comment period.

Associate Counsel Shari Calnero presented and discussed Resolution 10-04, which authorizes the Commission to adopt amendments to Part 935. After discussion and upon motion made by Commissioner Levine, seconded by Commissioner Brickman, Resolution 10-04 was approved by unanimous vote.

Associate Counsel Shari Calnero presented and discussed Resolution 10-05, which authorizes the Commission to adopt amendments to Part 936. After discussion and upon motion made by Commissioner Apuzzo, seconded by Commissioner Levine, Resolution 10-05 was approved by unanimous vote.

V. MOTION TO ENTER CLOSED SESSION PURSUANT TO EXECUTIVE LAW §94(17)(b) AND TO ENTER INTO EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS LAW §105(1)(d)

A motion to enter into Closed Session pursuant to Executive Law §94(17)(b), and then into Executive Session pursuant to Public Officers Law §105(1)(d), was made by Commissioner Brickman, seconded by Commissioner Emery, and approved by unanimous vote.

VI. MOTION TO ADJOURN THE PUBLIC MEETING

Upon motion made by Commissioner Brickman, seconded by Commissioner Levine, the Public Meeting was adjourned by unanimous vote.

Respectfully submitted,

A handwritten signature in blue ink that reads "Barry Ginsberg". The signature is fluid and cursive, with the first name "Barry" and last name "Ginsberg" clearly legible.

Barry Ginsberg
Executive Director