

NEW YORK STATE JOINT COMMISSION ON PUBLIC ETHICS
540 Broadway
Albany, New York 12207
(518) 408-3976

In the Matter of Tarrytown Music Hall

DECISION AND
ORDER

Respondent

Failure to Timely File a 2009 July/December
Client Semi-Annual Report

Tarrytown Music Hall. ("Respondent"), a Client in 2009, was required to file the 2009 July/December Client Semi-Annual Report by January 15, 2010 pursuant to Legislative Law §1-j, because Respondent retained, employed or designated a lobbyist and Respondent reasonably anticipated that they would expend or incur an amount in excess of \$5,000 during the calendar year.

On June 14, 2010 a formal Notice of Failure to File was issued which afforded Respondent 15 days to file.

On February 16, 2011 the Commission on Public Integrity ("CPI") issued a Notice of Reasonable Cause with a Proposed Settlement Agreement that was mailed on February 16, 2011. On February 23, 2011 CPI received a letter from Mr. Olsson, the Executive Director of Tarry Music Hall. The letter stated that the lobbyist, Strategic Services was retained for appropriation lobbying only, which would not require Tarrytown to file the Client Semi-Annual Report. Because a 2009-2010 Registration was filed by the lobbyist, with the applicable Bimonthly Reports, and because the 2009 January/June Client Semi-Annual Report was filed a further investigation was conducted. CPI contacted the Lobbyist, Strategic Services to ascertain whether or not lobbying had taken place. The Commission was later contacted by the Lobbyist's attorney, Jerry Goldfedder, Esq. On March 14, 2011 a letter was mailed to Mr. Goldfedder. Upon communications with the parties it was determined that because Strategic Services was only lobbying regarding appropriations/public monies, the 2009-2010 Registration and Bimonthly reports filed by the lobbyist, and the 2009 January/June Client Semi-Annual Report filed by the Client, were filed in error. It was determined that because the lobbyist had already filed the appropriate public monies reports, the Lobbyist and the Client should request withdrawals of the reports which necessitated the filing of the 2009 July/December Report. Having received no further communication, on April 29, 2011 a Notice of Hearing was issued.

On or about May 18, 2011 both the Lobbyist and the Client requested a withdrawal of the reports, which was done. The Client requested an adjournment of the Hearing pending CPI's determination. Because there are no further outstanding filings, the Notice of Reasonable Cause is hereby withdrawn.

Hon. Janet DiFiore
CHAIR

Ravi Batra
Patrick J. Bulgaro
Hon. Joseph Covello
Hon. Vincent A. Delorio
Daniel J. Horwitz
Marvin E. Jacob
George H. Weissman
Ellen Yaroshefsky
MEMBERS

DATED: December 20, 2011