

**MINUTES OF THE PUBLIC SESSION OF THE
OCTOBER 31, 2017
COMMISSION MEETING
OF THE JOINT COMMISSION ON PUBLIC ETHICS
HELD AT
540 BROADWAY
ALBANY, NEW YORK**

Acting Chair: Michael K. Rozen (ALB)

Members: Robert Cohen (NYC)
James E. Dering (ALB)
Marvin Jacob (NYC)
Seymour Knox, IV (BUF)
Gary J. Lavine (ALB)
J. Gerard McAuliffe, Jr. (ALB)
Barry C. Sample (ALB)
Dawn L. Smalls (NYC)
George H. Weissman (ALB)
James A. Yates (ALB)

Members

Absent: None

Staff: Seth H. Agata, Executive Director
Monica J. Stamm, General Counsel
Martin L. Levine, Deputy General Counsel
Stephen J. Boland, Director of Administration
Keith C. St. John, Director of Ethics
Andrew Bechard, Director of Lobbying
Pei Pei Cheng-deCastro, Director of Investigations and Enforcement
Emily A. Logue, Deputy Director of Investigations and Enforcement
Erin Lynch, Associate Counsel
Patrick E. Coultry, Chief Investigator
Peter J. Smith, Investigator
Carol Quinn, Deputy Director of Lobbying Guidance
Meghann Hennigan-Cohen, Deputy Director of Education
Lori Donadio, Principal Investigative Analyst
Katherine Santandrea, Secretary to the Commission

I. CALL TO ORDER

Acting Chair Michael Rozen called the October 31, 2017 Commission Meeting to order.

II. APPROVAL OF MINUTES – PUBLIC SESSION

September 19, 2017

A motion was made by Commissioner Weissman, seconded by Commissioner McAuliffe to approve the September 19, 2017 Commission meeting minutes. The motion was approved by unanimous vote.

III. REPORT FROM STAFF

Second Quarter Financial Report

Director of Administration, Stephen Boland stated that for the first six months of the fiscal year the Commission spent \$2.2 million or 49 percent of the Personal Services cash allowance, and \$319,000 or 35 percent of the Non-Personal Services, for a total of \$2,572,405 or 47% of the cash allowance.

Update on Outreach Activities

Executive Director Agata explained that the Commission, in conjunction with New York Law School, conducted a continuing legal education program, which was well-attended, substantive, and informative. Commissioner Dering participated on a panel and the book, “Ethics and Lobbying in New York State: A Comprehensive Guide”, was distributed. Commissioners have also been provided with a copy of the publication. The public hearing on the proposed lobbying regulations was held on October 30, and the Education Unit will be conducting CETC sessions and specialized trainings. The Commission has been working with the administrations at SUNY and CUNY to generate compliance with public employee training requirements. Finally, a very successful forum was held in September regarding responsibilities of ethics officers.

IV. REGULATIONS

Proposed Amended Regulations Governing Access to Publicly Available Records

Deputy Director of Lobbying Guidance Carol Quinn explained that the Commission did not receive any comments on the Proposed Amended Regulations Governing Access to Publicly Available Records and requested that the Commission adopt the Regulations on an Emergency and permanent basis. A motion was made by Commissioner McAuliffe, seconded by Commissioner Weissman, to adopt the regulation on an Emergency and permanent basis. The motion was approved by unanimous vote.

V. NEW AND OTHER BUSINESS

Executive Director Agata stated that the meeting schedule for the first six months of 2018 has been finalized and will be posted on the website.

VI. MOTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO EXECUTIVE LAW §94(19)(b)

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

VII. PUBLIC ANNOUNCEMENT OF ACTIONS FROM EXECUTIVE SESSION

Acting Chair Rozen announced that during the Executive Session, pursuant to Executive Law §94(19)(b), the Commission commenced a Substantial Basis Investigation and authorized actions on a number of investigation matters.

VIII. MOTION TO ADJOURN THE PUBLIC MEETING

A motion was made by Commissioner Weissman, seconded by Commissioner Yates to adjourn the Public Meeting. The motion was approved by unanimous vote.