

**MINUTES OF THE PUBLIC SESSION OF THE
NOVEMBER 27, 2018
COMMISSION MEETING
OF THE JOINT COMMISSION ON PUBLIC ETHICS
HELD AT
540 BROADWAY
ALBANY, NEW YORK**

Chair: Michael K. Rozen (NYC)

Members: Robert Cohen (NYC)
James E. Dering (ALB)
Colleen C. DiPirro (BUF)
Marvin Jacob (WebEx)
Gary J. Lavine (WebEx)
J. Gerard McAuliffe, Jr. (NYC)
David J. McNamara (BUF)
Barry C. Sample (ALB)
George H. Weissman (ALB)
James A. Yates (NYC)

Members

Absent: Julie A. Garcia

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
Pei Pei Cheng-de-Castro, Director of Investigations and Enforcement
Walter J. McClure, Director of Communications and Public Information Officer
Carol Quinn, Deputy Director of Lobbying Guidance
Emily A. Logue, Deputy Director of Investigations and Enforcement
Melinda Funk, Deputy Director of FDS
Michael Sande, Deputy Director of Ethics Guidance
Meghann Hennigan-Cohen, Deputy Director of Education
Erin Lynch, Special Counsel for Lobbying
Kavita Bhatt, Associate Counsel
Patrick E. Coultry, Chief Investigator
Peter J. Smith, Investigator
Richard Coraggio, Investigator
Lori Donadio, Principal Investigative Analyst
Katherine Santandrea, Secretary to the Commission

I. CALL TO ORDER

Chair Rozen called the November 27, 2018 meeting to order.

II. APPROVAL OF MINUTES – PUBLIC SESSION

October 30, 2018

A motion was made by Commissioner Weissman, seconded by Commissioner McAuliffe, to approve the minutes from the Public Session of the October 30, 2018 Commission Meeting. The motion was approved by a vote of 10-0-1. Commissioner DiPirro was not present for the vote.

III. REPORT FROM STAFF

Outreach Update

Executive Director Seth Agata stated that he would be speaking at an event at the New York State Bar Association on December 4 regarding lobbying and legislation. He will also be speaking at a private event held by one of the committees of the New York City Bar Association on December 19 to discuss the Commission and ethics.

In December, Deputy Director of Lobbying Guidance Carol Quinn stated that the Commission will be offering special lobbying training to not-for-profits organizations that will be dealing with some of the intricacies of the new lobbying regulations.

Deputy General Counsel Martin Levine and Deputy Director Quinn will be giving a presentation in December at the annual COGEL conference in Philadelphia about how technology is changing the regulation of lobbying.

The fall/winter newsletter will be published before the end of the year.

Update on Lobbying Application

Deputy Director Quinn stated that the profiles for users and organizations opened on November 17; users can now go in and set up new profiles or claim their organization profiles to prepare to submit the 2019 filings in the new application. There is a new section

on the website called “Lobbying Application Information” which includes instructions, guidance documents, and how-to videos. Users are encouraged to utilize these documents to prepare for creating or claiming a profile. The statement of registrations for the 2019-2020 biennial period currently are scheduled to open on December 10. Like the profile launch, staff will send out e-blasts and add additional instructions, guidance documents, and tutorials to the website.

FDS Update

General Counsel Stamm reported that the FDS deadline for academic filers was November 15, and the Commission has received approximately 4,000 filings. Staff will continue with its regular compliance efforts, and will begin compliance efforts for those who missed the November 15 deadline. The first round of Failure to File notices for academic filers will go out in December.

IV. NEW AND OTHER BUSINESS

Commissioner Yates stated that he saw in the news that former MTA Chairman Joseph Lhota has resigned. He asked if there was public statement, announcement, or explanation that went along with his resignation. Executive Director Agata stated that Lhota did make a statement, but as consistent with JCOPE’s policy, to the extent anything was mentioned in the press about advice or counseling that may have been given, by law the Commission cannot comment.

V. MOTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO EXECUTIVE LAW §94(19)(B)

A motion was made by Commissioner McAuliffe, seconded by Commissioner Yates, to enter into Executive Session Pursuant to Executive Law § 94(19)(b). The motion was approved by a vote of 10-0-1. Commissioner DiPirro was not present for the vote.

VI. PUBLIC ANNOUNCEMENT OF ACTIONS FROM EXECUTIVE SESSION

Chair Rozen stated that in Executive Session, the Commission commenced three substantial basis investigations, authorized steps in several investigative matters, and discussed several other investigative matters.

VII. MOTION TO ADJOURN THE PUBLIC MEETING

Upon motion made by Commissioner Weissman, seconded by Commissioner McAuliffe, the Public Session was adjourned by unanimous vote.