

**MINUTES OF THE PUBLIC SESSION OF THE
DECEMBER 18, 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 (NYC)
Julie A. Garcia (ALB)
Marvin Jacob (WebEx)
Gary J. Lavine (WebEx)
J. Gerard McAuliffe, Jr. (ALB)
David J. McNamara (BUF)
Barry C. Sample (ALB)
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
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 December 18, 2018 meeting to order. Chair Rozen announced that it would be Commissioner McAuliffe's final meeting, and wished him well.

II. APPROVAL OF MINUTES – PUBLIC SESSION

November 27, 2018

A motion was made by Commissioner Weissman, seconded by Commissioner McNamara, to approve the minutes from the Public Session of the November 27, 2018 Commission Meeting. The motion was approved by a vote of 11-0-1. Commissioner Garcia abstained from voting.

III. REPORT FROM STAFF

Outreach Update

Executive Director Seth Agata stated that he recently gave a presentation at the New York State Bar Association on the new lobbying regulations. He stated that he will be presenting to a small committee of the New York City Bar Association on December 19, along with General Counsel Monica Stamm and Director of Investigations and Enforcement Pei Pei Cheng-de-Castro. The Lobbying Division will be holding a special training for not-for-profits regarding the new lobbying regulations and the new lobbying application. Executive Director Agata stated that Deputy General Counsel Martin Levine and Deputy Director of Lobbying Guidance Carol Quinn recently sat on a panel on technology and the regulation of lobbying at the annual conference of the Council on Governmental Ethics Laws. Other states are looking to New York for direction on new lobbying issues, like social media. Executive Director Agata stated that staff plans to issue the Fall/Winter newsletter before the end of the year, and a forum for ethics officers is being planned for early next year to discuss FDS issues.

Update on Lobbying Application

Deputy Director Quinn stated that as of December 17, the Statement of Registration and Reportable Business Relationship modules of the new lobbying application were open and available for lobbyists to start filing with the new system. Additional guidance has been

posted to the website, along with screen-by-screen detailed instructions on how to file. Executive Director Agata stated that the system is new, and as a service agency, staff are working with filers to help them with the new system and lobbying requirements. He encouraged filers to call the Commission with any questions, or if filers find issues with the system, please reach out to staff. He praised Deputy Director Quinn's team for their work on the new system.

IV. NEW AND OTHER BUSINESS

N/A

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

A motion was made by Commissioner DiPirro, seconded by Commissioner McAuliffe, 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 Rozen stated that in Executive Session, the Commission commenced three substantial basis investigations, approved one settlement agreement, authorized steps in several investigative matters, and discussed several other investigative matters.

VII. MOTION TO ADJOURN THE PUBLIC MEETING

Upon motion made by Commissioner McAuliffe, seconded by Commissioner Garcia, the Public Session was adjourned by a vote of 11-0-1. Commissioner Yates was not present for the vote.