MINUTES OF THE PUBLIC SESSION
OF THE APRIL 23, 2025
MEETING OF THE COMMISSION ON ETHICS
AND LOBBYING IN GOVERNMENT

540 BROADWAY
ALBANY, NEW YORK 12207

25 BEAVER STREET, 5TH FLOOR
NEW YORK, NEW YORK 10004

Chair: Leonard B. Austin (ALB)

Vice Chair: Ava Ayers (ALB)

Members: Dolly Caraballo (ALB)
James W. Caras (ALB)
Claudia L. Edwards (ALB)
Nancy G. Groenwegen (ALB)
Seymour W. James, Jr. (ALB)

Staff: Sanford N. Berland, Executive Director (ALB)
Keith C. St. John, General Counsel (ALB)
Kavita K. Bhatt, Deputy General Counsel (NYC)
Michael Sande, Director of Ethics (NYC)
Carol Quinn, Director of Lobbying (ALB)
Emily DeSantis, Director of Communications, Public Information Officer and Director of Public Affairs (ALB)
Brian Weinberg, Director of Investigations and Enforcement (NYC)
Michael Antolini, Deputy Director of Investigations and Enforcement (NYC)
Erin Lynch, Deputy Director of Ethics (ALB)
Megan Mutolo, Deputy Director of Lobbying (ALB)
Melinda Funk, Deputy Director of FDS (WebEx)
Gareth Perrin, Deputy Director of Compliance Audit and Review (WebEx)
Jennifer Bliss, Senior Investigative Counsel (ALB)
Alaina Infantino, Senior Investigator (NYC)
Tami Cannon, Training Associate (ALB)
Becky Carrozza, Training Associate (ALB)
Brionna Neal, Training Associate (ALB)
Megan Smythe, Training Associate (ALB)
Martha Rivera, Executive Assistant (NYC)
Gaetana Baldwin, Administrative Assistant (ALB)

CALL TO ORDER

Chair Austin called the April 23, 2025 meeting to order. Executive Director Sanford Berland announced the meeting was being held pursuant to and in accordance with the provisions of § 94 of the Executive Law and Article 7 of the Public Officers Law, that the conference room being used in the Commission's Albany office at 540 Broadway and the meeting room being used in the Commission's offices at 25 Beaver Street in New York City are open to the public during public session, and the public session is livestreamed, with the link available on the Commission's website. Executive Director Berland confirmed there was a quorum of members present at the Albany meeting site.

APPROVAL OF MINUTES – PUBLIC SESSION

March 19, 2025

Chair Austin asked if there were corrections to the minutes. Executive Director Berland noted a correction on page 11, changing the spelling of "*de minimus*" to reflect the Latin spelling "*de minimis,*" and not the incorrect spelling used in the statute.

Commissioner Edwards initiated a discussion regarding the Commission Meeting Rules on page 16, resulting in clarification that the record was correct in stating that the resolution on Commission Meeting Rules of Order was tabled at the previous meeting to allow Commissioners time to review and make suggestions or comments.

Commissioner Caras noted a minor correction to the third paragraph of page 4, stating that the word "because" was not needed in the line "…the small number of bi-monthly reports filed in February reflects the fact that because February is not a bimonthly month."

Commissioner Caras moved, seconded by Commissioner Groenwegen, to approve the minutes as corrected. The motion to approve the minutes as corrected carried unanimously.

REPORT FROM STAFF

Executive Director Berland called the Commission's attention to the meeting book's Operations Update under Tab B.

Turning the Commission's attention to the report's first page, Executive Director Berland noted that the Investigations and Enforcement Division received 25 tips, complaints and referrals in March. One COELIG matter was closed, and one new investigation was opened. He reported there are currently 204 pending matters and 55 open investigations.

Turning to the second page of the report, Executive Director Berland noted that the Advice and Guidance Unit received 127 requests for guidance in March, a little lower than the 149 requests received in February. The year-to-date total of 407 requests is roughly 45% higher than the comparable period in 2024. He reported that post-employment and outside activity requests make up the bulk of the requests received, and that the staff's goal is to turn around draft responses to guidance requests in a matter of days.

Executive Director Berland called the Commission's attention to the Lobbying Division data on page three of the Operations Report. He explained that as March is a month in which bi-monthly reports are due from lobbyists, the number of bi-monthly reports received by the Commission increased to 5,615. He stated that 1,765 registrations or registration amendments were submitted in March, bringing the 2025 year-to-date total to 11,491, and that 2,988 lobbying inquiries were sent and received in March 2025, bringing the year-to-date total to 10,311 inquiries.

Executive Director Berland noted that the Commission publicly released the 2024 preliminary lobbying numbers a few weeks earlier and, more recently, released its first bi-monthly Lobbying Update, which provided the public with breakdowns of the bi-monthly reports filed in March covering January and February lobbying activity. The agency plans to continue issuing these updates, reflecting data contained in the Lobbying Application, which is also available to the public through the application's Public Search Query and reporting functions. He noted that lobbying spending appears to be on track to equal or exceed the amount spent in 2024, a record year for

lobbying spending. Chair Austin thanked Director of Communications, Public Information Officer and Director of Public Affairs Emily DeSantis for her Division's work in quickly releasing the bi-monthly lobbying press release.

Executive Director Berland turned to the Financial Disclosure Unit's statistics on page four of the Operations Report. He noted that May 15th is the deadline for non-academic designated policy makers and threshold filers to submit their 2024 financial disclosure statements, and that filers have already begun to respond to the filing notices that were issued to them on April 15th by the Financial Disclosure Unit. He also noted a typographical error in the figure on the chart for filings submitted in March, which should read 114 Financial Disclosure Statements rather than 1,116. In addition, he explained that as the agency does not accept filings for the new filing period prior to April 15, the March filings represent individuals entering the workforce in the latter part of 2024 and other individuals who were late in their 2023 filings. He reported that 32 delinquency notices were outstanding in March 2025, a reduction of 7 from the prior month, and that no failure to file or delinquency notices were issued in March.

Deputy Director of Financial Disclosure Melinda Funk announced that the unit has wrapped up the 2023 filing season, confirming that no further failure to file notices or notices of delinquency were left to issue. She noted that the unit had issued 241 notices of delinquency for the 2023 filing season, and, as of April 23, 2025, 64 delinquent filings remain outstanding. Staff will continue to attempt outreach to gain compliance with the 64 delinquent filers before moving forward with the next enforcement step. Additionally, as of April 23, 2025, the agency had already received almost 8,000 filings for the 2024 filing period, and staff had received many communications from individuals seeking to complete the filing as soon as possible.

Commissioner Caras noted that his research into the provision of the New York City Administrative Code for late fees for the financial disclosure, conducted in response to Commissioner Edwards' question at the March meeting concerning whether a late fee would lessen the burden on staff in getting compliance from filers, revealed that section 12-110 of the City's Administrative Code allows a one-week grace period for the filing deadline, after which late fees between $250 and $10,000 may be imposed based upon a set of factors, including how many times

an individual has filed late. He stated that failure to pay the late fee results in a finding of an intentional violation and the imposition of a larger fine. Executive Director Berland noted that the Financial Disclosure Unit's efforts are effective in bringing about virtually complete compliance but that adding a penalty provision such as the one in the New York City Administrative Code could be an added tool.

Chair Austin recalled that previous discussions involved disincentivizing noncompliance, and in the case of alleged POL violations, taking into consideration if the individual failed to file their FDS or failed to complete the training requirement, and wondered if a potential late fee provision should be considered by the Legislative Committee. Commissioner Groenwegen suggested that staff first review the NYC Administrative Code provision, think through the practical implications, and share the findings with the Legislative Committee. Chair Austin noted that another item from the prior meeting was examining how to avoid repetition in the training program from year to year. Commissioner Caraballo suggested that staff review the pending bills regarding penalties for late lobbying filing and late lobbying training for potential thoughts.

Executive Director Berland turned to the Training Unit statistics on page five of the report, noting that COELIG staff conducted 12 training sessions in March, each open to up to 400 state employees, and provided live online training to a total of 2,410 state employees. Another 1,806 state employees used the on-demand SLMS or non-SLMS ethics training modules and at least 10,359 received live CETC agency-level training; Executive Director Berland noted that the number may actually be higher as COELIG-led training figures have been backed out of the agency figures, although some agencies report only the trainings they deliver and not the trainings their employees receive directly from COELIG. Thus, at least 14,575 individuals received live and on-demand training in March, which Executive Director Berland explained is a preliminary figure as there is a time lag in the entering of data from agency-led trainings.

Executive Director Berland reported that the addition of the March 2025 training statistics brings to 385,320 the number of individuals in the executive branch who have received live or on-demand workforce ethics training since COELIG's inception. He repeated that the Commission's goal is to have the roughly 330,000 executive branch employees complete a full two-training cycle by the

end of 2025. He noted that one of the things staff is implementing to help reach this goal is expanding the availability of the on-demand program to agencies that do not have access to the Office of Employee Relation's SLMS system or to similar learning management platforms. To that end, a procurement has been completed with SUNY Rockefeller College's Professional Development Program to convert the existing on-demand module to a form that can be used on websites and on other, more widely available, platforms.

Staff is also looking at better utilization of COELIG staff-led trainings, noting that both under-enrollment and no-shows are a problem, and that staff is looking at ways to enforce attendance. Additionally, adaptations need to be made to address language accessibility and physical challenges that may prevent individuals from completing training. He explained that while many items are part of the recently completed PDP procurement, additional procurements will need to be made this year and will be impacted by the final budget.

Executive Director Berland turned next to the Audit and Review section on page six of the Operations Report, noting that the unit is in the process of recruiting an additional auditor and that internal organizational changes in the unit have been very effective in enabling it to achieve and maintain a high level of productivity. He reported that the unit is essentially finished with the targeted FDS review process of the current cycle and has been focused now on random reviews of financial disclosure statements, along with random audits of lobbying filings. He noted that 74 random audits of lobbying filings and 148 random reviews of financial disclosure statements were completed in March, resulting in the issuance of 79 letters requesting additional information. Executive Director Berland added that the unit's goal has been to complete a total of 2,000 targeted and random FDS reviews and random lobbying audits annually. Increased staff and the installation and expansion of the new auditing software for use by FDS reviewers will further increase the unit's workflow and enable it to achieve even higher goals.

Executive Director Berland turned to page seven of the Operations Report, the Public Information Office. He noted that the unit received 14 new FOIL requests in March and provided records totaling 418 pages in response to 11 FOIL requests, with 18 record requests, all timely, pending. He noted that the agency's website now has over 100,000 users. Director of Communications,

Public Information Officer, and Director of Public Affairs DeSantis reported that the Division has been working with the Ethics and Lobbying Divisions to make their pages on the agency's website more user-friendly with more easily accessible information. The Division continues to maintain a high level of social media activity aimed at keeping the public and the agency's stakeholders and regulated communities well-informed about its work and aware of new developments, and that its goal is to release at least one or two posts daily to keep individuals both informed and engaged.

Director of Communications, Public Information Officer, and Director of Public Affairs DeSantis announced that COELIG's annual public hearing is scheduled for September 25th from 10 a.m. to 1 p.m. at the New York City Bar Association. The Albany office will be open to the public if individuals want to testify in Albany, and a virtual online option is also available to give testimony. Staff will send out save-the-dates to all constituencies to inform them of the event. Executive Director Berland stated that the Communications Division is responsible for releasing the accelerated lobbying information reports every two months and will also release semi-annual reports twice a year, noting that the new reporting is already generating much press and public interest and attention.

FY 2024-2025 Budget Update

Turning to the separately supplied budget report for the 2024-2025 fiscal year, Executive Director Berland reported that the agency is ending the current fiscal year with a greater surplus than anticipated, largely as a result of the long-pending *Cuomo* litigation and the resulting hiring challenges experienced over the past year. He noted that the favorable outcome for COELIG in that litigation not only has allowed the agency to move forward with enforcement proceedings, but it has also had a positive effect on recruitment, with the agency now receiving a much more robust response to the postings for the remaining open positions. With respect to the 2024-2025 budget, he noted that funds were transferred from the personal services appropriation to non-personal services to cover such items as lease escalations, contracts, and software improvements.

Executive Director Berland referred to the separately provided cash plan for the coming fiscal year, prepared by Director of Administration Mariana Cadiz, which has been shared with the Division of Budget as budgetary discussions continue. He noted that should the agency not receive the

$844,300 increase it requested, the spending plan will need to be revisited, and this will affect the agency's ability to reach a full staff count of 68 employees, expand the agency's space in Albany to house the additional staff, create a dedicated space for the training unit, upgrade data systems such as the financial disclosure and case management systems, and automate functions to facilitate the Advice and Guidance Unit's ability to receive and track information. He noted that in addition to the added funding it has requested, before securing additional space, the agency will be continuing to work with OGS to implement a plan to fully utilize its current space in accordance with OGS standards and demonstrate that more space is needed to accommodate its staffing level.

Commissioner Per Diem Payments

Executive Director Berland stated that the Commissioner per diem payments were made to commissioners on April 9th, and the amounts are now posted on the Commission's website. Those payments cover the January 15, 2025 Education Committee meeting, the January 22, 2025 Commission meeting, and preparation hours for October, November, and December 2024. The per diem payments for the 2024-2025 fiscal year, through the end of March, total $227,111.75, within the budgeted amount of $254,000 for the fiscal year. Commissioner Edwards questioned why the meeting books did not include the per diem payments. Executive Director Berland explained that confirmation of the payments was not available to staff before the meeting books were compiled and therefore the schedule of payments was separately circulated to Commissioners prior to the meeting.

Recruiting Update

Executive Director Berland stated that the following positions are posted: Investigative Counsel and Confidential Investigator in the Investigations and Enforcement Division; Assistant Filing Specialist in the Financial Disclosure Unit; Filing Specialists in the Lobbying Division; Training Assistant in the Training Unit; and Compliance Auditor position in the Compliance Audit and Review Unit.

Executive Director Berland announced that Megan Smythe has joined the agency as a Training Assistant, and Bridgette Hubbard has joined the agency as an Assistant Filing Specialist for the Lobbying Division, noting that their presence has already made a difference to the workflow of

their units. Director of Lobbying Quinn noted that with the hiring of Assistant Filing Specialist Hubbard, Senior Filings Specialist Staci Teson will be able to focus on reviewing registrations and Source of Funding reports.

Commissioner Edwards asked if the posted positions resulted from any employee losses. Executive Director Berland stated that the open positions are pre-existing unfilled positions that the agency needs to fill and are not the result of employee departures.

Legislation Update

Executive Director Berland turned to the materials under tab C in the agenda book, the Commission's 2025 Legislative Agenda and related materials, and noted that it includes copies of bills – reflecting agency proposals – that have been introduced in the state Senate and/or Assembly. He added that staff has now met with key members of the legislature, including Senator Mayer, who chairs the Senate Ethics and Internal Governance Committee; Senator Skoufis, who chairs the Senate Investigations and Government Operations Committee; Senator Krueger, who chairs the Senate Finance Committee; and Assemblymember McMahon, who chairs the Committee on Ethics and Guidance in the Assembly, and has addressed both the Commission's legislative agenda and its budget request. Staff is also scheduled to meet next week with Assemblymember James McDonald, the Chair of his chamber's Committee on Government Operations. Executive Director Berland also reported he has had further meetings with the Division of the Budget (DOB) and the Executive Chamber to discuss COELIG's budget.

Director of Communications, Public Information Officer, and Director of Public Affairs DeSantis added that on the legislative side, COELIG is receiving increased inquiries from legislative offices and interest in our proposed legislation. She stated that staff had a long call with Senator Mayer's office a couple of weeks ago about all of COELIG's proposals, so there is definitely increased interest in what the agency is doing.

Commissioner James asked if the interest is across the board or with respect to a couple of the proposals. Director of Communications, Public Information Officer and Director Public Affairs DeSantis replied that currently, seven out of nine COELIG proposals have been introduced, which

is an increase from last year, so it is largely across the board. She noted that different members had questions about different proposals.

Commissioner Caraballo asked about the two proposals that did not get any traction. Director of Communications, Public Information Officer and Director of Public Affairs DeSantis replied that they are numbers four and eight in the agenda, and she stated there have been questions, especially on number eight, but they have not been introduced.

CHAIR REPORT AND COMMITTEE REPORTS

Chair Austin reported that no committee meetings were conducted in the March. He announced that Commissioner Cardozo has resigned, effective Friday, April 18. He noted that a statement from the Chair and Executive Director announcing Commissioner Cardozo's resignation will be released later today. He also noted that Commissioner Cardozo is a mentor and a friend and will be missed.

AMENDED DELEGATION OF AUTHORITY TO THE EXECUTIVE DIRECTOR PURSUANT TO EXECUTIVE LAW § 94(6)(B)*

Chair Austin noted that when the Commission first met in 2022, it adopted a resolution on the delegation of authority that now needs to be expanded. Chair Austin asked Executive Director Berland to explain the difference between the 2022 resolution and this one today.

Executive Director Berland explained that the proposed resolution contains two new delegations of authority to the Executive Director. One gives the Executive Director authority in the first instance to address requests under Executive Law § 94 (8)(a) and (b), from agencies or individuals, for waivers or extensions of time to comply with the ethics workforce training requirements. This authority was not in the original delegation of authority, and it makes sense from a regulatory and administrative perspective for the Executive Director and staff to be able to address those requests.

Executive Director Berland noted the original delegation of authority also had no provision for adding additional qualified hearing officers/independent arbitrators who would preside over enforcement matters under Part 941 of our regulations. He noted that this Commission has carried

over an existing panel of very qualified individuals from the prior Commission. Still, with the backlog of matters ready for hearing and others that will soon be ready for hearing, staff wants to ensure there are a sufficient number of qualified individuals on the panel from which random selections are made. He further explained that the agency has received a number of applications for hearing officers, and it makes sense for the Executive Director to have the authority to bring individuals onto the panel, subject to criteria or guidelines set by the Commission.

A conversation was held that included the necessity of specific "Whereas" clauses, the 2022 resolution referring to an "interim Executive Director," amending the 2022 resolution, having two resolutions in place or replacing the 2022 resolution with a superseding resolution.

Chair Austin clarified that the term "Executive Director" should be inserted, the document should be set up as a resolution, and paragraph 23 should be deleted. Vice-Chair Ayers asked why staff did not want paragraph 23 deleted, and Executive Director Berland replied that it would allow the Commission to conduct its day-to-day activities with the authority of the Commission between meetings. The catchall provision is there for the sole purpose of allowing staff to address matters arising between Commission meetings that do not require a vote of the Commission, and which need to be acted upon by the Executive Director, with the assent of Commissioners, but are not otherwise specified in the resolution. He gave the example of a decision needing to be communicated to counsel in a litigation, to which Commission members have agreed but not voted upon and approved in a formally convened meeting.

Further discussion was deferred to Executive Session,

PROPOSED ADVISORY OPINION ON THE INTERPLAY BETWEEN PUBLIC OFFICERS LAW § 73(8-B) AND § 73(4)(A)*

Executive Director Berland reminded the Commission that at the last meeting, questions were presented to the Commission, and Commissioners asked that staff prepare a proposed advisory opinion resolving the question of how to harmonize the requirements of the POL § 73(4)(a) that applies to current state employees and officers with the separate provision in § 73 (8-b), pursuant to which agencies can request approval to contract with former employees to provide defined

services within certain parameters. That is the advisory opinion that appears under tab E and Chair Austin noted this also appears under tab R with names not redacted.

Director of Ethics Sande stated this opinion comes down on the side that POL § 73 (8-b) satisfies and defeats POL § 73(4)(a) when an agency obtains permission to contract with one of its former employees, and it turns out that that employee is currently employed with another agency. This proposed advisory opinion concludes that this employee could continue to proceed with her contract with her former agency.

Vice-Chair Ayers made a motion, seconded by Commissioner James, to approve the advisory opinion. Chair Austin raised a couple of minor points. He suggested changing "trumps" on page two and in the conclusion to "supersede." He also suggested, for the sake of clarity, adding in the last part of the conclusion "with the acquiescence of the current state employer," so that it is clear that there is approval from the second state employer.

Commissioner Groenwegen raised a concern about the Commission's habit of orally amending documents presented for a final vote and recommended that the Commission have the opportunity to see the final proposed text in writing before voting. Director of Ethics Sande stated that he would make the revisions and provide an updated resolution to the Commission prior to voting.

Chair Austin thanked Director of Ethics Sande for quickly getting the advisory opinion back to the Commission and noted that it is redlined so all can see the changes. He asked if anyone had any questions or difficulties with the amendments to the advisory opinion. There were no questions.

Commissioner Groenwegen, seconded by Commissioner Edwards, moved to approve the resolution. The motion passed unanimously.

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING TO ADOPT NEW 19 NYCRR PART 939*

Executive Director Berland stated that staff had initially proposed a resolution for the Commission to establish criteria for staff to apply in addressing requests, from individuals or agencies, for

modifications or waivers of the training requirements, and the Commission proposed that this be accomplished by a rulemaking rather than by resolution. Staff has proposed a regulation governing how to handle those requests. Staff is suggesting that, if the regulation is acceptable to the Commission, it be implemented on an emergency basis, so that staff can address the pending requests, and the requesting agencies will then know what will be needed to bring their agency into compliance with the training requirement.

Commissioner Groenwegen suggested some changes in the rulemaking, and Commissioner Caraballo indicated that she also had some changes.

Further discussion was deferred to Executive Session.

PROPOSED COMMISSION MEETING POLICIES AND PROCEDURES*

Commissioner James stated that the Administration Committee was originally looking at the meeting policy. Commissioner Groenwegen had sent suggestions at the last Commission meeting, which he believes should go to the Administration Committee for further review.

Commissioner James made a motion, seconded by Commissioner Caraballo, to table the resolution on meeting policies and procedures to the next Commission meeting with a referral to the Administration Committee. The motion passed unanimously.

PROPOSED COMMISSION MEETING SCHEDULE

Chair Austin turned to tab H and asked if there were any questions or comments. Commissioner Edwards moved to not have a meeting in December, seconded by Commissioner Caraballo, as scheduling in December becomes difficult with the holidays. Chair Austin suggested leaving the December meeting on, and the meeting can be cancelled at a later date. Commissioner Edwards withdrew her motion.

Vice-Chair Ayers asked if there would be a special meeting after the public hearing. Director of Communications, Public Information Officer and Director of Public Affairs DeSantis stated that there was a meeting of the Legislation Committee last year in which the items raised at the public

hearing were discussed and suggested having a Legislation Committee meeting before the October 22nd Commission meeting. The Legislation Committee meeting was tentatively scheduled for October 6, 2025, a 10:00am, at both the NYC and Albany locations. The meeting locations for November and December are to be flipped, with the November meeting in NYC and the December meeting in Albany.

Commissioner Edwards moved, seconded by Vice-Chair Ayers, to adopt the July through December meeting schedule as amended. The motion passed unanimously.

MOTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS LAW § 105 AND EXECUTIVE LAW § 94(11) TO ADDRESS MATTERS CONCERNING EMPLOYMENT OF PERSONNEL, PENDING LITIGATION, AND INVESTIGATIVE AND ENFORCEMENT MATTERS THAT ARE CONFIDENTIAL PURSUANT TO SECTION 94 OF THE EXECUTIVE LAW

Commissioner James made a motion, seconded by Vice Chair Ayers, to enter into Executive Session, in accordance with Public Officers Law § 105 and Executive Law § 94 (11), to address matters concerning employment of personnel, pending litigation, and investigative and enforcement matters that are confidential pursuant to § 94 of the Executive Law. The motion carried unanimously.

PUBLIC ANNOUNCEMENT OF ACTIONS FROM EXECUTIVE SESSION

Executive Director Berland reported that in Executive Session, the Commission discussed personnel matters, litigation, and legal advice. The Commission discussed personnel matters related to compensation. The Commission authorized steps in several investigative matters, and the Commission voted to close 11 matters, four of which were JCOPE matters and seven COELIG matters. The Commission approved one settlement, and the Commission approved proposed terms for another settlement and discussed several other investigative matters.

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING TO ADOPT NEW 19 NYCRR PART 939*

Vice-Chair Ayers, seconded by Commissioner James, moved to table the matter to the next meeting. The motion passed unanimously.

AMENDED DELEGATION OF AUTHORITY TO THE EXECUTIVE DIRECTOR PURSUANT TO EXECUTIVE LAW § 94(6)(B)*

Commissioner Caraballo, seconded by Vice-Chair Ayers, moved to table this resolution for the next meeting to review edits properly. The motion passed unanimously.

ELECTION OF COMMISSION CHAIR AND VICE CHAIR*

Commissioner James nominated Commissioner Austin to serve as Chair, seconded by Vice-Chair Ayers. Chair Austin thanked the Commission for the nomination and politely declined the nomination.

Commissioner Austin nominated Commissioner James to serve as chair for a two-year term beginning March 1st of this year, seconded by Commissioner Caraballo. Chair Austin asked for further nominations, there being none, Commissioner James was elected by acclamation.

Commissioner James thanked Commissioner Austin for serving as chair after Chair Davie resigned. Commissioner Austin expressed his pleasure and honor of working with this Commission.

Commissioner James nominated Commissioner Ayers to serve as Vice-Chair for a two-year term beginning March 1 of this year, seconded by Commissioner Edwards. Chair Austin asked for further nominations, there being none, Commissioner Ayers was elected by acclamation.

NEW AND OTHER BUSINESS

Chair Austin addressed the public and stated that the Commission is doing a tremendous amount of work with both hands tied behind its back, with only seven commissioners. He addressed the legislative leaders watching, stating that the Commission's work and the results for the people of the State of New York can be enhanced dramatically by a more efficient, complete complement of members. Regardless of political leanings or regional differences, there is an obligation to ensure that the people of this state have a government they can rely on for veracity and honesty. The Commission has worked very hard to accomplish that goal. Chair Austin thanked the commissioners, past and present, thanked the staff for its support, and looked forward to continuing on the Commission as a member.

Vice-Chair Ayers thanked Chair Austin for all his hard work as Chair and expressed her appreciation for working with him. She stated that Chair Austin has been a strong advocate for the staff.

Executive Director Berland echoed Vice-Chair Ayers' sentiments and added that Chair Austin has been a terrific mentor and looks forward to continuing their work together in the Commission.

MOTION TO ADJOURN THE PUBLIC MEETING

Vice-Chair Ayers made a motion, seconded by Commissioner Caras, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned.