

STATE OF NEW YORK
TAX APPEALS TRIBUNAL

In the Matter of the Petition	:	
of	:	
COLIN W. AND DELMA K. GETZ	:	DECISION
	:	DTA No. 809134
for Redetermination of a Deficiency or for Refund of	:	
Personal Income Tax under Article 22 of the Tax Law for	:	
the Years 1986, 1987 and 1988.	:	

Petitioners Colin W. and Delma K. Getz, 8459 S.E. Woodhaven Lane, Colonial I, Tequesta, Florida 33469, filed an exception and supporting brief to the determination of the Administrative Law Judge issued on March 12, 1992. After the exception was filed in this matter, a motion was made by petitioners to set aside the March 12, 1992 determination of the Administrative Law Judge and to reopen the record. The motion was premised on several substantive issues and also a typographical error contained in the original determination. The motion to reopen the record was denied by an order of the Administrative Law Judge dated July 16, 1992. An amended determination was also issued on this date correcting the typographical error. Petitioners filed an exception to the July 16, 1992 order and amended determination of the Administrative Law Judge. Petitioners' second exception and supporting papers address substantive issues and do not raise any objections to the Administrative Law Judge's denial of petitioners' motion to reopen the record. On August 4, 1992, the Secretary to the Tax Appeals Tribunal advised both petitioners and the Law Bureau that the second exception would be combined with petitioners' exception filed May 13, 1992 and that the Tribunal would proceed with this as a combined case. Oral argument, requested by petitioners, was denied and the case was forwarded to the Tribunal for decision. Petitioners appeared by James E. Conway, Esq. The Division of Taxation appeared by William F. Collins, Esq. (Gary Palmer, Esq., of counsel).

Petitioners filed a supplemental brief on January 11, 1993. The Division of Taxation filed a letter advising that it would not be filing a response to petitioners' supplemental brief. This letter was received on January 21, 1993 and began the six-month period for the issuance of this decision.

Commissioner Koenig delivered the decision of the Tax Appeals Tribunal. Commissioners Dugan and Jones concur.

ISSUES

I. Whether petitioners proved a change of domicile from New York to Florida for the years 1986 through 1988.

II. Whether petitioners spent more than 183 days in New York State during each of the years 1986 and 1988.

FINDINGS OF FACT

We find the facts as determined by the Administrative Law Judge. These facts are set forth below.

Petitioner Colin Getz¹ was born in 1922 in Montreal, Canada. That same year he and his parents moved to Buffalo, New York where he was raised. He attended the University of Buffalo for one year and then transferred to Michigan State from which he graduated. In December of 1941, he enlisted in the Navy for three and one-half years. In 1946 he was employed by the New York Telephone Company (NYT) located in Buffalo, New York and worked for NYT until his retirement in early 1983 as senior vice-president of customer services.

During Mr. Getz's employment with NYT he was transferred numerous times. After working for two years in Buffalo he was transferred to Monticello for two years, then to Buffalo for two years, followed by transfers for several years, respectively, to Syracuse, Albany, Syracuse, Long Island, Albany, New York City and White Plains. Finally, petitioner was

¹It appears that a Notice of Deficiency for the amount in controversy was addressed to Delma Getz as well as Colin Getz by virtue of the fact that a joint income tax was filed. At hearing only Colin Getz testified, therefore, unless otherwise indicated petitioner will refer to Colin Getz.

transferred to Albany in 1972 and remained there until his retirement in 1983.

In 1972 petitioners purchased a five-bedroom house in Delmar, New York (a suburb of Albany) for approximately \$85,000.00. He and his wife lived there during that time. They have three grown children one of whom is 45 years old. The ages of the other two children were not put into evidence and it is unclear whether all the children were raised in the Delmar home during this period of time.

Part of petitioner's reason for retirement in 1983 was due to his health. He suffered from an asthma condition which improved after spending some time renting a condominium in Florida in the winter of 1983. Mr. Getz testified at hearing that he and his wife discussed in great detail whether to become Florida residents upon retirement and decided, after the 1983 visit, to purchase a residence in Florida.

On September 30, 1983 petitioners purchased a two-bedroom condominium in Tequesta, Florida. Petitioners signed a declaration of domicile stating that they became bona fide residents of Florida on January 1, 1985. At that time petitioner also changed his voter's registration, driver's license and car registration from New York to Florida.²

In 1986, 1987 and 1988 petitioners generally resided in Florida during the winter months travelling to Delmar at the end of April or beginning of May and returning to Florida in late October. Petitioners also traveled to Albany at various times in the winter months at which time Mr. Getz would attend board meetings with respect to Norstar Bank. Petitioners would visit their daughter, who lived in Atlanta, Georgia, while enroute to New York in the spring. Mr. Getz testified that their date for departure for New York would depend on their daughter's schedule with respect to their visits with her.

²Prior to this declaration, Mr. Getz consulted with his financial planners, The AYCO Corporation, seeking advice as to how to change his domicile from New York State to Florida. He also attempted to get advice from the Division of Taxation but was not successful. Mr. Getz testified that he also read case law on this issue and decided that the case law was "obtuse" as to the requirements for changing one's domicile.

The travel log for the respective years indicated the following:

1986

In Florida 1/1/86
Travel to Albany 3/17
Travel to Florida 3/19
In Florida 3/20 to 5/2
In Tefton, Georgia 5/2
In Atlanta, Georgia 5/3-5/4
In Williamsport, Pa. 5/5
In Albany 5/6-9/2
In Woodstock, Vermont 9/3-9/4
In Albany 9/5-10/27
In Williamsburg, Virginia 10/28-10/30
In Florida 10/31
Travel to Albany 12/15
Travel to Florida 12/30, In Florida 12/31

1987

In Florida 1/1/87 to 4/17
In Valdosta, Georgia 4/17
In Atlanta, Georgia 4/18-4/19
In Williamsport, Pa. 4/20
In Albany 4/21
Skytop, Pa. 9/9/-9/10
Leave Albany for New Jersey 10/29
In Florida 11/4
Travel to Albany 12/14
Travel to Florida 12/29
In Florida 12/30-12/31

1988

In Florida 1/1
Travel to Albany 3/10
Return to Florida 3/16
In Florida 3/17
In Valdosta, Georgia 4/28
In Atlanta, Georgia 4/29-5/1
In Williamsport, Pa. 5/2
Norstar Meeting 5/3
Trip to England 5/25-6/12
Trip to Florida 8/26-31
Trip to Florida 10/30
In Florida 10/31
Travel to Albany 12/19
Travel to Florida 12/29
In Florida 12/30-31

Petitioners retained ownership of the Delmar house. Mr. Getz testified that the reason he and his wife did not sell the Delmar residence was because of the tax consequences of selling a

house which was purchased in 1972 for \$85,000 and was currently appraised at \$335,000. He stated that because the Delmar home was no longer their primary residence they were not entitled to the \$125,000 capital gains tax exclusion and that, in any event, he and his wife did not need the money from the sale of the Delmar home and have left their entire estate to their three children in their will which upon their deaths permits the house to have a stepped-up basis for the benefit of their children.

Mr. Getz further testified that retaining the Delmar residence provided he and his wife with a place to stay on their visits as well as a residence for his unmarried son, Doug, who was 45 years old. Petitioners allow their son to stay in the Delmar residence rent-free in return for upkeep and maintenance with respect to such items as lawn care and plumbing when petitioners are not in Delmar. Petitioners' son also pays for such services as cable TV but petitioners pay for the major utilities such as gas and electricity on the house year round.³ Mr. Getz testified that he had made offers to his other two children to help them with their living situations (see, below). With respect to his son Doug who lives in petitioner's Delmar residence, Mr. Getz testified at hearing as follows:

"[i]t is an unusual situation. He works. He drives a truck at night and we could tell him to get out and live somewhere else, but he would be lonely and he doesn't have very many friends. It is a situation, kind of a family situation. We have done this to make his life happier. He has us to live with him for six months, has a couple of cats. As I said, we could tell him to sell the house, and he would not live in Hawaii or something like that because he is not socially adapted. This house . . . it's my greatest problem, what to do with it If he didn't live there, he would have to live somewhere else." (Tr. at 100-101.)

In 1980 petitioners bought a second house in Delmar for the purpose of renting it to their son Keith who was married with three children. In 1987 they sold it to their son and held the mortgage on his behalf. Mr. Getz testified that he made a similar offer to his daughter who lived in Atlanta, Georgia -- to purchase a house in Georgia and rent it to her. In his testimony, Mr. Getz stated:

³Mr. Getz testified that he does not receive a telephone bill because of his past employment with NYT. Petitioner Colin Getz was listed in the 1989 telephone book at the Delmar address.

"[t]hey were both young and hard pressed for cash. I bought the house and rented it during that period, and since then, things got better for Keith, and my daughter is richer than I am, so she can take care of her own house."

Petitioners furnished the Florida residence with new furniture because they felt that the Delmar and Florida residences required an entirely different style of furnishings. During cross examination at hearing Mr. Getz was questioned whether there were any possessions such as family heirlooms which he considered "near and dear" to him. He responded that he did not have any valuables whatsoever in the Florida or Delmar residences because during his employment with NYT he was transferred to 12 different locations, bought five houses and cleaned out the basement of accumulated "junk" with each move.

Before Mr. Getz's retirement, his community activities in Albany were extensive. He served as a president and was a member of the Fort Orange Club, director of the Red Cross, chairperson of the United Fund Drive, director of Siena College and Hartwick College, and president of the 50 Club which was an organization of Capital District executives. He also served as the first chairperson of Siena College's College Capital Funds Drive and on the board of directors for the Norstar Bank in the Capital District. Prior to his retirement, Mr. Getz ended his affiliations with the United Fund and Hartwick College. In 1983 Mr. Getz resigned his memberships with the Fort Orange Club, 50 Club and Red Cross. With respect to the Red Cross, he served briefly as a temporary executive director in 1983 and thereafter served on the board but resigned because he could not attend the meetings. Mr. Getz testified as follows:

"I told them I just couldn't serve on the board, because as you are probably aware, the Red Cross is having a terrible amount of trouble with the blood supply, and I didn't want to be on a board of an organization that I was not there to see what was going on, so I told them I resigned" (Tr. at 86).

With regard to Siena College, Mr. Getz testified that he did not renew his membership after his retirement but completed his term in office which ended sometime between 1983 and

1986. Mr. Getz continues to maintain his resident membership with the Albany Country Club⁴ for the purpose of having the privilege of using its golf course when he returns to Delmar.

Mr. Getz also remained on the board of directors of Norstar Bank until approximately 1989. He testified with respect to his reason for maintaining his position with Norstar Bank as follows:

"[i]t was a relationship I had with this group. I thought the State Bank was a fine organization and I was very proud to be a part of it, and I thought as long as I could maintain a relationship with it, it kept me active, and it was an asset to Albany [Y]ou like to have a transition period because you find one day you are running a multimillion dollar business budget and the next day nobody speaks to you You do like to have other things that kind of smooth you away into retirement."
(Tr. at 53-54.)

Mr. Getz received a fee for serving on the board in the amounts of \$6,150, \$5,200 and \$6,700 in the respective years of 1986, 1987 and 1988. Mr. Getz attended the capital district regional board meetings on the following dates for the respective years in question:

<u>1986</u>	<u>1987</u>	<u>1988</u>
March 18	May 19	March 15
May 20	June 16	May 17
June 17	July 21	June 14
July 15	August 18	July 19
August 19	September 15	August 16
September 16	October 20	October 18
October 14	December 15	December 20
December 16		

Mr. Getz also attended the executive committee meetings as follows:

<u>1986</u>	<u>1987</u>	<u>1988</u>
May 6	May 12	May 3
May 13	May 19	May 10
May 20	May 26	May 17
May 27	June 2	May 24
June 3	June 9	June 14
June 10	June 16	June 21
June 17	June 23	June 28
June 24	June 30	July 5
July 1	July 7	July 12
July 8	July 21	July 19
July 15	July 28	July 26
July 22	August 18	August 9
July 29		August 16
August 5		August 23
August 26		August 30
October 14		September 6
December 16		September 13
		September 27
		October 4
		October 11
		October 18
		October 25

The regional board meetings were scheduled monthly, whereas the executive meetings varied but were generally scheduled quarterly and then weekly for approximately one quarter of the year. With regard to the December meetings, petitioners' travel log indicated that for the years in question they left Florida the day before the meetings and returned to Florida, leaving Delmar on the 29th or 30th of December.

Mr. Getz was a member of the board of directors of the condominium association where he lived in Florida from 1985 until approximately 1990. He was president of the condominium board for one year. Mr. Getz described his involvement on the board as a full-time and detailed job attending to 311 families including complaints about tax and condominium bills, maintenance of the premises, and the purchase of a golf course. After serving for a year as president, Mr. Getz resigned his board membership and testified that he told the association he was "tired of being harassed" and to "please get somebody else." In approximately 1990, petitioners became members of the Audubon Society in Florida and Mrs. Getz joined the

Humane Society in Florida.

Petitioners maintained their major banking account in the Community Savings Bank in Tequesta, Florida. Mr. Getz's pension and social security checks are directly deposited into the Florida checking account. For the audit period in question, Mr. Getz also maintained a savings account at the Norstar Bank while he served as a director of the bank. When he no longer served as a bank director, Mr. Getz cancelled the Norstar account and then maintained a savings account with Home and City Savings Account which contained a couple of thousand dollars for the purpose of any emergencies that might arise when he was in Delmar. Petitioners also had two safe deposit boxes, one in Florida and one in Albany.

The utility bills and taxes for the Delmar residence are sent to petitioners' Florida address. In addition to his pension, Mr. Getz received two types of incentive awards from NYT that were paid on a deferred basis after retirement. The long-term award was paid annually for ten years and the short-term award was paid annually for five years. Mr. Getz testified that the reason the W-2 forms with regard to long- and short-term awards contained his Delmar address while the W-2 forms with regard to his basic pension contained his Florida address was due to the fact that these checks were issued by different departments within NYT and apparently he neglected to change his address with respect to the annual awards.

When petitioners travelled to Delmar in the spring they had their mail forwarded from Florida to the Delmar address and likewise, had mail forwarded from the Delmar address to the Florida address when they left Delmar for Florida in the autumn.

Petitioners had a Florida will drafted and executed by an Albany attorney when they bought the Florida condominium. They had the will redrafted by a Florida attorney in 1989. Mr. Getz testified that the first Florida will was drafted by an Albany attorney because he had not yet found a Florida attorney with whom he was satisfied. Petitioners do not have burial plots in either New York or Florida. Instead, they have agreed to donate organs and to be cremated with the understanding that the surviving spouse will decide what to do with the

remains after cremation.

The Division commenced an audit of petitioners' income tax for the years 1986-1988 by letter, dated December 7, 1989,⁵ scheduling an appointment for January 26, 1990 and requesting certain information with regard to their change of residence and how much time they spent in New York State during 1986-1988, including a diary of daily activities and expense documentation proving time travelled.

In response to this request, the Division's auditor received a hand-written travel log for the years 1986-1988 and a letter dated January 5, 1990 to Mr. Getz from Norstar Bank documenting the days he attended regional board and executive committee meetings in the years 1986-1988. According to Mr. Getz's testimony, the travel log was prepared by him based on Mrs. Getz's memory of days travelled to New York State, the Norstar meetings and credit card statements.⁶ No credit card statements were submitted to the auditor or at hearing to support the hand-written travel log. The auditor was told that no contemporaneous diaries were kept during the audit period.

By letter dated March 8, 1990, the Division's auditor issued a statement of personal income tax audit changes indicating that petitioners' filing status should be as residents rather than as nonresidents. The auditor stated that a change of domicile must be clear and convincing and that this standard has been interpreted to mean "severing all ties with New York State." The auditor listed the following reasons for concluding that petitioners had not changed their domicile: W-2 and 1099 statements reflecting the Delmar address, maintaining a permanent place of abode in Delmar, continuing to own rental property in Delmar, maintaining community

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On January 4, 1990, petitioners signed a document consenting to extend the period of limitation for assessment of their 1986 income tax until December 31, 1990.

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Mrs. Getz did not attend the hearing and, therefore, did not testify with respect to her memory in reconstructing their travels to New York.

interests in the Albany area as well as a business relationship with Norstar Bank, maintaining a safe deposit box and bank accounts in New York, and admitting to returning to the Delmar residence for a total of 173 days in 1986, 191 days in 1987 and 100 days in 1988.⁷

The Division issued to petitioners a Notice of Deficiency, dated July 16, 1990, asserting an income tax deficiency plus interest for the years 1986, 1987 and 1988 in the respective amounts of \$8,418.73, \$8,722.04 and \$12,599.31 for a total amount of \$29,740.08. No penalty was assessed on the tax deficiencies.

Petitioners requested a conciliation conference. The conciliation conferee sustained the statutory notice by conciliation order dated January 4, 1991.

Petitioners filed a petition dated January 10, 1991 protesting the finding that they were New York residents.

In response to the petition, the Division filed an answer, dated April 3, 1991, affirmatively stating, inter alia, that petitioners were resident individuals as defined in Tax Law § 605(b)(1)(A) for the years in question; that having spent more than 183 days in New York State in 1987, petitioners were resident individuals for 1987 even if they were not domiciliaries; and that petitioners failed to keep and have available for examination by the Division adequate records to substantiate the claim that they did not spend more than 183 days of each taxable year under consideration within New York State in accordance with 20 NYCRR 102.2(c).

OPINION

In the determination below, the Administrative Law Judge held that while petitioners' reason for the change of domicile from New York to Florida is valid, the question remained whether petitioners actually intended to change their domicile to achieve this purpose. The

⁷At hearing the auditor testified that she miscalculated the number of days in 1986 and 1988 and that based on petitioners' own admissions in the travel log the number of days petitioners spent in New York in 1986 and 1988 were 177 days and 175 days, respectively, rather than the 173 and 100 days stated in her March 8 letter. The auditor testified that some of the additional days were the result of calculating those days where petitioners indicated travel to Florida as New York days because she assumed that part of the day was spent in New York and part in Florida or outside New York. Petitioners conceded that they spent over 183 days in New York State in 1987.

Administrative Law Judge also held that although petitioners made certain formal declarations that they changed their domicile (e.g., voter and car registrations), such declarations are less persuasive than informal acts which demonstrate an individual's "general habit of life." Further, the Administrative Law Judge held that contrary to the auditor's assertion, a taxpayer may change his or her domicile without "severing all ties with New York State" and the question is whether petitioners' overall conduct contradicted their formal declarations of a change of domicile to Florida.

The Administrative Law Judge held that the conduct most problematic but not conclusive was petitioners' maintenance of the New York house, regular returns to the New York house and Mr. Getz's on-going relationship with Norstar Bank and the Albany Country Club.

With reference to the New York house, the Administrative Law Judge held that petitioners' maintenance of the New York residence was multi-purpose, in that it not only provided petitioners with a place to stay during their visits but also provided petitioners' son with a place to live. As a result, the Administrative Law Judge concluded that petitioners have dispelled the notion that the New York home was maintained purely out of sentiment, feeling or any sense of permanent association and that petitioners' conduct with respect to maintaining their Delmar house by itself does not necessarily contradict their formal declarations of a change of domicile.

The Administrative Law Judge held that petitioners' formal declarations also are not necessarily contradicted by petitioners' travel to New York during the summer months or during the December holidays because such patterns of travel could be the same for retired New York and Florida residents. The Administrative Law Judge stated that the question is whether petitioners' overall conduct provides clear and convincing evidence that they changed their domicile to Florida and, in this regard, Mr. Getz's respective community ties in New York and Florida are relevant.

The Administrative Law Judge discussed in great length the respective community ties,

such as petitioner's membership in the Albany Country Club and the golfing facilities available to petitioner through his condominium association in Florida, as well as petitioner's attendance as a board member of Norstar Bank at both regional board meetings and executive meetings and petitioner's serving as president and as a member of the board of directors of the condominium association in Florida.

The Administrative Law Judge also discussed other informal conduct by petitioners such as maintaining a checking account in Florida and a savings account in New York. The Administrative Law Judge's ultimate conclusion was that any one of the factors discussed by itself was not sufficient to contradict the formal declarations of a change of domicile; however, given the aggregate of all these factors and the standard of proof that petitioners must sustain to show a change in domicile, it could not be concluded from the record that petitioners effected a permanent change in domicile from New York to Florida. Further, while petitioners may have very well intended Florida to be their permanent domicile, their "general habit of life" indicated, at best, an equal commitment to both locations. Thus, the Administrative Law Judge determined that petitioners have not established by "clear and convincing" evidence that they effected a change in domicile to Florida for the years in question.

The Administrative Law Judge also held that while petitioners claim they did not spend more than 183 days of each taxable year within New York State, they submitted no documentation to substantiate this claim, as credit card slips were not presented into evidence and Mrs. Getz, who prepared the travel log based on her memory, was not made available for testimony or cross-examination.

Further, in the order denying petitioners' motion for a rehearing, the Administrative Law Judge held that: 1) the distinction which petitioners seek to be made on rehearing does not constitute newly-discovered evidence which could not have been discovered at the time of the initial hearing nor which would have produced a different result; 2) petitioners may not use a motion for rehearing to relitigate issues and present additional evidence that was available at the

time of the hearing; 3) an amended determination correcting the typographical error contained in Finding of Fact "20" would be issued; 4) contrary to petitioners' assertions, there was no indication during the course of the hearing that petitioners were not aware that they had the burden of proof with respect to their case or that all relevant evidence in support of their position was to be presented at the hearing date; and, 5) there is no basis to petitioners' allegation that they were deprived of their right to a full and fair opportunity to present their case.

On exception, petitioners allege in their appeal brief and memorandum filed May 13, 1992 that: 1) the clear and convincing evidence supports a finding that petitioners were domiciliaries of Florida for the years 1986, 1987, and 1988; 2) while petitioners conceded that they spent more than 183 days in New York in 1987 due to the health and an extended hospital stay of petitioner, this concession should not be a deciding factor in terms of petitioners' extensive efforts to change their domicile; 3) the decision of the Administrative Law Judge is not correct, nor is it fair and reasonable under all of the facts and circumstances; and 4) the decision should be reversed and petitioners' status as domiciliaries of Florida be acknowledged, and except for the year 1987, petitioners should be adjudicated as non-residents of New York State.

Petitioners argue in their brief filed January 11, 1993 that: 1) they did change their domicile and did all that could be reasonably necessary to confirm their intention while maintaining minimal contacts with their prior domicile; 2) the Administrative Law Judge examined petitioners' record and in most cases decided the facts in favor of petitioners; 3) because the Administrative Law Judge's conclusions are against petitioners without any major findings supporting the conclusions, such reasoning is wrong as a matter of law and cannot be supported by the record or the findings; 4) there is never a "magic date" where all ties to New York are suddenly severed at midnight on a given day; and, 5) so long as petitioners do all the proper objective acts and earnestly and honestly do all other acts consistent with the legal

concept of change of domicile, they should not be penalized and taxed by New York State because the Division is able to apply some yet-to-be defined standard which is merely a compilation of incidental factors, thereby placing a "burden of proof" upon petitioners which is unreasonable and unwarranted by the total factual situation.

The Division argues that petitioners were resident individuals of New York State for the audit period by reason of their being domiciled in this State since: 1) there can be no serious question that petitioners maintained a permanent place of abode at Windsor Court, Delmar, New York during the audit period; 2) petitioners' stated reasons for not selling the house are of no consequence; 3) the relative size of the respective residences in New York and Florida does not support petitioners' claim of a change of domicile; 4) during the audit period Mr. Getz made numerous trips from Florida to New York for the purpose of fulfilling his duties on the Norstar Board of Directors; however, there is no showing of such trips from New York to attend meetings of the Board of Governors of his Florida condominium; and, 5) the record makes clear that many strong emotional ties to New York conflicted with Mr. Getz's efforts to demonstrate his intention to change his state of domicile.

The Division further argues that it is the obligation of petitioners to keep and have available for examination adequate records establishing that they did not spend more than 183 days of each taxable year in New York State, and by reason of their failure to prove that they did not spend, in the aggregate, more than 183 days of 1986 and 1988 in New York State, petitioners were resident individuals of New York State.

Finally, the Division argues that since petitioners have failed to meet their burden to show a change in domicile and failed to demonstrate that they are not statutory residents, the Notice of Deficiency should be, in all respects, sustained.

After reviewing the allegations presented to us on exception and the record before us, we find no basis for modifying the determination of the Administrative Law Judge in any respect. Therefore, we affirm the determination of the Administrative Law Judge for the reasons stated

in said determination.

Accordingly, it is ORDERED, ADJUDGED and DECREED that:

1. The exception of Colin W. and Delma K. Getz is denied;
2. The determination of the Administrative Law Judge is affirmed;
3. The petition of Colin W. and Delma K. Getz is denied; and
4. The Notice of Deficiency dated July 16, 1990 is sustained.

DATED: Troy, New York
June 10, 1993

/s/John P. Dugan
John P. Dugan
President

/s/Francis R. Koenig
Francis R. Koenig
Commissioner

/s/Maria T. Jones
Maria T. Jones
Commissioner