

Minutes

Regular Meeting

March 24, 2011

The Citizen's Ethics Advisory Board ("Board") of the Office of State Ethics ("OSE") held a Regular Meeting on Thursday, March 24, 2011 on the 5th Floor, State Elections Enforcement Commission Conference Room, 18-20 Trinity Street, Hartford, CT 06106.

Chairman Dooley called the meeting to order at 1:08 p.m.

The following members of the Board were present:

- Thomas H. Dooley, Chairman
- Kathleen F. Bornhorst, Vice-Chairperson
- Mary Bigelow, Member
- Charles F. Chiusano, Member
- David Gay, Member
- Herbert A. Grant, Member
- Martin Margulies, Member
- Dennis J. Riley, Member (participated via teleconference)

The following staff members of the OSE were present:

- Carol Carson, Executive Director
- Thomas K. Jones, Enforcement Officer
- Marc W. Crayton, Assistant Enforcement Officer
- Cynthia Isales, Assistant General Counsel
- Peter Lewandowski, Assistant General Counsel
- Brian O'Dowd, Assistant General Counsel
- Yolanda Perez, Clerk of the Board
- Mark Wasielewski, Assistant Enforcement Officer

The following topics were addressed during the meeting:

1. The minutes of the February 24, 2011 Regular Meeting were presented to the Board for their approval.

On the motion of Mr. Grant, seconded by Ms. Bigelow, the Board voted eight (8) to zero (0) to accept and approve the minutes with corrections.

2. Chairman Dooley presented the Board with the Chairman's Report. He reminded the Board Members that the Statement of Financial Interests (SFI) is due on or before May 1, 2011.

Chairman Dooley indicated that a copy of Policy No. 1, regarding nomination and selection of the Chair of the Board, was provided to all Board Members. The policy was discussed during the February 24, 2011, and some changes were subsequently made. Based on the changes made to Policy #1, Chairman Dooley indicated that at the next regular Board meeting in April, he will recommend a Nominating Committee to make a recommendation to the Board of a new Chairperson and a Vice-Chairperson.

Chairman Dooley indicated that Mr. Gay will act as the hearing officer for any public enforcement matters that arise for April, and that Mr. Riley volunteered to preside over any May hearings.

He reported that he spoke about ethics at the Y's Men of Westport/Weston and that the presentation went well. In regards to the Governor's proposal to merge the Office of State Ethics with other agencies, Chairman Dooley noted that he had contacted some legislators and that he urges the other Board Members to do the same.

3. Chairman Dooley provided an opportunity for discussion of any new business or procedures. There was no new business.
4. Assistant General Counsel O'Dowd presented the Legal Division Report.

Discussion ensued regarding the informal staff opinion issued to Senior Assistant State's Attorney Robert M. Brennan.

Discussion ensued about the informal staff opinion to Auditor John Geragosian. Mr. Riley asked if the Board would consider issuing a formal advisory opinion and Chairman Dooley stated in response that he would meet with the General Counsel to discuss the matter for possible inclusion in the April meeting agenda.

5. Executive Director Carson presented the Executive Director's Report. She reported that Meredith Trimble, Education Director, is not present at the Board meeting, but that, since her return in January, the OSE is moving forward with ethics trainings. She indicated that the OSE staff will be at the Legislative Office Building Concourse two days in April to assist Statement of Financial Interests (SFI) filers and also lobbyists. She indicated that Ms. Trimble has scheduled monthly in-house trainings and that a number of requests for training are pending. Executive Director Carson reported that she gave a 20 minute overview of the law at the Governor's office monthly commissioners' meeting and encouraged agencies to schedule training sessions. She reported that the OSE is exploring the use of a video conferencing system to be technologically efficient and reach a larger number of people.

Executive Director Carson reported that she has been in contact with Speaker Donovan who is seeking a candidate to replace former Board Member Ernest Abate. In terms of the budget, she indicated that in relation to the Governor's consolidation proposal, the OSE has made a case to the Appropriations Subcommittee to maintain the independence of the agency while

reducing the budget by approximately 11% in order to meet the Governor's bottom line and that the OSE is waiting for the Appropriations Committee to release the proposed budget to see if the case is successful.

She reported that House Bill 6273, the OSE's proposed legislation addressing the governance issues involving the Board, is now on the House calendar and should be before the House within the next few weeks and then will move to the Senate for consideration. She also indicated that the proposals from the Board, aside from the critical ones, were merged into a single bill in the Government Administration & Elections Committee (GAE) and that the bill was voted out of GAE with some substitute language and changes. She reported that the changes were that the annual \$100 cap on gifts between subordinates and superiors was removed; the proposals involving candidates for public officials having the ability to use certain gift exemptions were deleted, and finally, the controversial proposal that would prohibit public officials and state employees from participating in matters that affect their outside employers was amended to require elected officials to abstain or disclose the interest and reasons for participating in such matters.

Executive Director Carson then discussed Senate Bill No. 1009, legislation submitted by the Governor that would consolidate the OSE with other agencies. She reported that the GAE voted the Governor's Bill out without making any changes. The committee, at its meeting on March 23, 2011, made it very clear that they were doing it in deference of the Governor, but that they had concerns about the independence of the watchdog agencies, and many committee members expressed some interest in coming up with the elimination of any duplicative business functions. She reported that she is spending a significant amount of time meeting with legislators and will continue to reach out to them.

Discussion ensued regarding the Governor's proposed consolidation.

6. Enforcement Officer Jones presented the Enforcement Division Report. He indicated that there are no UAPA hearings for the month of April.

Enforcement Officer Jones presented the following audit reports:

- 1) Electronic Data
- 2) Halloran & Sage Government Affairs, LLC
- 3) Hewlett-Packard Company
- 4) Leahy Management Group, LLC
- 5) Murtha Cullina LLP (Government Affairs)

On the motion of Mr. Chiusano, seconded by Mr. Gay the Board voted eight (8) to zero (0) to approve the above listed audits as presented.

Discussion ensued regarding the matter of Michael Sanders, who was fined by the Board, but who refuses to pay. Assistant Enforcement Officer Wasielewski reported that the Office of the Attorney General had filed, and is pursuing, a collection action.

7. Chairman Dooley provided an opportunity for public comments. There were no public comments.
8. **On the motion of Mr. Margulies, seconded by Mr. Chiusano, the Board voted eight (8) to zero (0) to move into Executive Session to discuss matters pertaining to strategy and negotiations with respect to pending claims pursuant to General Statutes § 1-210 (b) (4).**

The Board moved into Executive Session at 1:50 p.m.

The following individuals attended the Executive Session:

- Thomas H. Dooley, Chairman
- Kathleen F. Bornhorst, Vice-Chairperson
- Mary Bigelow, Member
- Charles F. Chiusano, Member
- David Gay, Member
- Herbert A. Grant, Member
- Martin Margulies, Member
- Dennis J. Riley, Member (participated via teleconference)
- Carol Carson, Executive Director
- Thomas K. Jones, Enforcement Officer
- Marc Crayton, Assistant Enforcement Officer
- Brian O'Dowd, Assistant General Counsel
- Peter Lewandowski, Assistant General Counsel
- Mark Wasielewski, Assistant Enforcement Officer

On the motion of Vice-Chairperson Bornhorst, seconded by Mr. Chiusano, the Board moved back to public session at 2:14 p.m.

On the motion of Mr. Margulies, seconded by Mr. Chiusano, the Board adjourned the meeting.

Respectfully submitted by,

Yolanda Perez, Clerk
Citizen's Ethics Advisory Board

Date approved
(By the Citizen's Ethics Advisory Board of the Office of State Ethics)