

# Minutes

## April 26, 2007

The Citizen's Ethics Advisory Board of the Office of State Ethics held its regular meeting on Thursday, April 26, 2007 at 1:00 p.m. in Conference Room 2-A, 2<sup>nd</sup> floor, 18-20 Trinity Street, Hartford, CT 06106.

The meeting was called to order by the Chairperson at 1:00 p.m.

The following members of the Citizen's Ethics Advisory Board were in attendance:

- Patricia T. Hendel, Chairperson
- Robert Worgaftik, Vice Chairperson
- Scott A. Storms, Board Member
- Michael Rion, Board Member
- Enid Oresman, Board Member
- Dennis Riley, Board Member
- Jaclyn Bernstein, Board Member
- Sister Sally J. Tolles, Board Member
- Rebecca Doty, Board Member, via conference call

The following staff members of the Office of State Ethics were in attendance for portions of the meeting:

- Benjamin Bycel, Executive Director
- Meredith Trimble, Education Director
- Christine V. Vieira, Office Assistant/Clerk
- TJ Jones, Ethics Enforcement Officer
- Patrick Lamb, Assistant Ethics Enforcement Officer
- George Edelman, CPA, Associate Accounts Examiner
- Mark Wasielewski, Assistant Ethics Enforcement Officer
- Barbara Housen, General Counsel
- Brian O'Dowd, Assistant General Counsel
- Peter Lewandowski, Assistant General Counsel

\*\*\*The Citizen's Ethics Advisory Board requests that all motions and votes taken be bolded and underlined.

\*\*\*Minutes are briefly summarized. Tapes are available to the public for the entirety of Board meetings.

The following topics were discussed during the meeting (numbers do not correspond with agenda):

1. Minutes for the March 29, 2007 meeting were presented to the Board. **Patricia Hendel, Chairperson, entertained a motion for approval of the minutes. The motion was moved by Board member Enid Oresman and seconded simultaneously by Board members Dennis Riley and Michael Rion. The vote was unanimously in favor with all eight (8) Board members approving the minutes. (Rebecca Doty was not yet available due to malfunctioning phone lines).**
2. TJ Jones, Ethics Enforcement Officer, presented 3 audits for the Board's approval. George Edelman, CPA, Associate Accounts Examiner was introduced. The Board had previously reviewed the audits and voted on all in one vote. **Chairperson Hendel entertained a motion for approval of the audits: Wheeler Clinic, Inc., Connecticut Hospital Association, Inc., and Weber Johnson Public Affairs, LLC. The motion was moved by Board member Riley and seconded by Vice-Chairperson Robert Worgaftik. The vote was unanimously in favor with all eight (8) Board members approving the minutes with amendments. (Rebecca Doty was not yet available due to malfunctioning phone lines).**
3. Benjamin Bycel, Executive Director, presented his Director's report for the Board. The following matters contained in the report were presented:
  - a. Janice Louise-Lutkus has begun working at the OSE. She has brought with her over 22 years of experience and skill in Human Resources.
  - b. The OSE online filing systems-SFI and Lobbyist-are working well. The remaining key item for the IT initiatives are the reports on various filings. The goal for availability of reports is June 1<sup>st</sup>.
  - c. Legislative efforts have continued with Peter, Crissy, and Bycel attending various meetings of the GAE committee. The OSE is following various bills, the major bills being:
    - Bill No. 7002 - This bill combines a number of the OSE's original proposals. It entails the technical and substantive changes to the Connecticut General Statutes that OSE had suggested. Currently, this bill's last action was a public hearing on February 5<sup>th</sup>, 2007.
    - Bill No. 1315 - This bill pertains to UConn's desire, in certain areas, to be exempt from some requirements of the current ethics codes. Currently, this bill is with the Committee on Banks.
    - Bill No. 7372 – This bill allows the three watchdog agencies more autonomy over the selection of employees, titles, and rate of pay based on the needs of the agencies. Currently, this bill is with the Committee on Appropriations.
    - Bill No. 7306 – This bill refers to the OSE and the compliance of ethics training. Currently, this bill is with the Committee on Planning and Development.
    - Bill No. 7000 – This bill pertains to the OSE's oversight of municipal ethics and lobbyist regulation. A fiscal impact report (included in the board materials) was presented to Donald Chaffee and this bill is currently with the Committee on Planning and Development.
  - d. Educational training continues with a full schedule reaching over 2000 state employees. The Governor requested that every Commissioner display the "Are You Lobbying?" tents on their desks. Meredith has also completed a full set of the easy read guides. The interactive, online ethics training module has been completed and has received a positive response from the ethics liaison community.

- e. The fiscal impact report which was sent to Donald Chaffee was presented to the Board for review pertaining to Bill No. 7000 - Municipal Ethics.
  - f. The Hartford Business Journal staff writer, Jonathan O'Connell wrote an article on April 16<sup>th</sup>, 2007 entitled "Ethics Audit Gives Glimpse Inside Top Lobbyist" pertaining to the audits conducted by the OSE highlighting the Gaffney, Bennett, & Associates audit conducted by George Edelman, CPA, Associate Accounts Examiner.
4. Board member Michael Rion recused himself from this advisory opinion due to a possible conflict of interest and left the Board room. Board member Rebecca Doty has been reached via conference call and will be present for the vote. Peter Lewandowski, Assistant General Counsel, spoke on the amended draft response to a request for Advisory Opinion No. 4722. This advisory opinion is issued to a request submitted by Edward Preneta, Executive Director, Connecticut Council on Developmental Disabilities (Council). This request was subsequently clarified by John M. Flanders, Chairperson of the Advocacy and Legislative Committee and member of the Executive Committee at the Council. In the initial request, Mr. Preneta presented several conflict-of-interest questions involving Council members and asked whether by serving on the Council, the members have conflicts of interest under the Code of Ethics for Public Officials, chapter 10, part I of the General Statutes (Code of Ethics), when receiving certain services and supports. **Chairperson Hendel entertained a motion to adopt Advisory Opinion No. 4722. The motion was moved by Board member Jaclyn Bernstein and seconded by Board member Riley. The eight (8) remaining Board members voted unanimously to adopt the opinion.**
  5. Chairperson Hendel, as the Speaker's appointee per Connecticut General Statute §1-80(j) recused herself from Advisory Opinion 4704 and left the room. Board member Rebecca Doty recused herself due to the fact that her husband was the former chair of the MS Society and the fact that she is still an active member of the MS Society and disconnected from the conference call. The Board meeting was turned over to Vice-Chairperson Robert Worgaftik. Barbara Housen, General Counsel, spoke on the amended draft response to a request for Advisory Opinion No. 4704 from State Representative and Speaker of the House James A. Amann. In his request, Representative (and Speaker of the House) Amann asked if he could rely on a staff opinion, issued by a staff member of the former State Ethics Commission on April 4, 2005 (prior staff opinion), to guide his behavior with respect to his dual roles as a state legislator and fundraiser for the Greater Connecticut Chapter of the Multiple Sclerosis (MS) Society. No other member of the Connecticut General Assembly requested an opinion on the specific question addressed in this opinion. **Vice-Chairperson Worgaftik entertained a motion to adopt Advisory Opinion No. 4704. The motion was moved by Board member Oresman and seconded by Board member Riley. The seven (7) Board members voted six (6) in favor of adoption and one (1) not in favor of adoption of Advisory Opinion No. 4704.**

A brief recess was taken at 2:50 p.m. The meeting was called to order from recess at 2:55 p.m.

6. **Board member Scott Storms entertained a motion to place an agenda item for discussion on the agenda: General Statute Discussion. The motion was moved by Board member Oresman and seconded by Vice-Chairperson Worgaftik. The Board voted unanimously to place the item on the agenda.** Discussion ensued on how to proceed with the remaining changes in the regulations that had been tabled in the February 2007 regular Board meeting.
7. **Chairperson Hendel entertained a motion to go into Executive Session to discuss the matter pertaining to the evaluation of the Executive Director. The motion was moved by Board member Riley and seconded by Vice-Chairperson Worgaftik.** Executive Director Bycel had no objections to the discussion and left the Board room.

**Vice-Chairperson Worgaftik entertained a motion to come out of Executive Session. The motion was moved by Board member Riley and seconded by Board member Rion. All Board members were in favor.**

**Vice-Chairperson Worgaftik entertained a motion to adjourn the Board meeting. Board member Rion moved the motion and Board member Sister Sally Tolles seconded the motion. All Board members were in favor.**

The Board meeting was adjourned at 3:17 p.m.

Respectfully submitted,

Christine V. Vieira, Office Assistant, OSE  
Clerk, Citizen's Ethics Advisory Board

Approved: \_\_\_\_\_