



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

**MINUTES OF THE
STATE ELECTIONS ENFORCEMENT COMMISSION
SPECIAL MEETING
5th Floor Conference Room
May 27, 2009
9:00 A.M.**

I. Call to Order

Chairman Cashman called the meeting to order at 9:09 A.M. Commissioners Jenkins, Gerratana and Bozzuto were present. Agency staff was also present.

II. Approval of the Minutes

A. Approval of the Minutes of the May 6, 2009 Regular Meeting

It was moved by Commissioner Bozzuto and seconded by Commissioner Gerratana to approve the Minutes of the May 6, 2009 Regular Meeting. So voted.

III. Pending Complaints and Investigations

1. In the Matter of a Complaint by Mary C. Pugh, Norwalk
File No. 2007-355
Proposed Consent Agreements and Orders
Respondents: Scott E. Clingenpeel and Scott P. Merrell
Investigator: Attorney Kevin Ahern
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and proposed Consent Agreement and Order with respect to Respondent Clingenpeel. She recommended adoption of the proposed agreement.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order with respect to Respondent Clingenpeel in File No. 2007-355. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

Attorney Andrews summarized the above referenced complaint and proposed Consent Agreement and Order with respect to Respondent Merrell. She recommended adoption of the proposed agreement.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order with respect to Respondent Merrell in File No. 2007-355. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

2. In Re: "Crisco 2008," Hartford
File No. 2008-082
Proposed Consent Agreements and Orders
Respondents: Joseph J. Crisco & Concetta Coppolla
Investigator: Attorney Kevin Ahern
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and proposed Consent Agreement and Order with respect to Respondent Crisco. She recommended adoption of the proposed agreement.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order with respect to Respondent Crisco in File No. 2008-082. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

Attorney Andrews summarized the above referenced complaint and proposed Consent Agreement and Order with respect to Respondent Coppolla. She recommended adoption of the proposed agreement.

It was moved by Commissioner Gerratana and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order with respect to Respondent Coppolla in File No. 2008-082. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes. This matter will be referred to the Office of the Secretary of the State.

3. In the Matter of a Complaint by Daria K. Hart and Lila L. Tuxbury ROV's, New Hartford
File No. 2009-031
Proposed Findings and Conclusions
Investigator: Gilberto Oyola, Lead Legal Investigator
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and the proposed Findings and Conclusions recommending dismissal of the complaint. She recommended adoption of the proposed Findings and Conclusions.

It was moved by Commissioner Gerratana and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2009-031. So voted. The complaint is dismissed without prejudice for the reasons stated. A copy of the Findings and Conclusions is attached and incorporated herein as part of these minutes.

B. *Executive Session per C.G.S. 1-200(6)(B) and (E), and 1-210(b)(3) and (4)*

It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana at 9:17 A.M. to proceed into Executive Session pursuant to C.G.S. §1-200(6)(B) and (E), and §1-210(b)(3) and (4) to discuss strategy and negotiations with respect to pending claims and exempt records relating thereto, listed as items 4 through 5 on the agenda. So voted. Commissioners Cashman, Jenkins, Gerratana and Bozzuto were present. Staff members present were Mr. Garfield, Ms. Andrews, Mr. Smith, Mr. Crayton, Mr. Ahern, Mr. Oyola, Ms. Stratton, Ms. Blackburn, Ms. Kulmacz, Ms. Rotman, Ms. Nicolescu, Ms. Kief, Ms. Sadowski, Mr. Talbert-Slagle, Ms. Montgomery, Mr. Urso, Ms. Adams, Ms. Zaccagnino, Ms. Khang, Ms. Killeen, Ms. Baral and Mr. Olinski. It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana at 9:39 A.M. to return to public session. So voted.

Following a short recess the Commission took the following action:

4. In Re: SEEC Initiated, Cusano campaign solicitors, Hartford
File No. 2008-148
Respondent: Samuel Cusano
Investigators: Attorney William Smith and Charlie Urso, Lead Legal Investigator
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and proposed Consent Agreement and Order with respect to Respondent Samuel Cusano. She recommended adoption of the proposed agreement.

Commissioner Bozzuto abstains from this vote.

It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana to adopt the proposed Consent Agreement and Order with respect to Respondent Cusano in File No. 2008-148. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes. So voted. Zero opposed, one abstention.

5. In the Matter of a Complaint by Robert S. Kissel, Hamden
File No. 2008-159
Investigator: Attorney William Smith
Managing Attorney: Joan M. Andrews

This matter was continued.

IV. *Administrative Compliance*

6. File Nos. 2008-165NF, 2008-186NF and 2009-026NF
Respondent: Joseph Niezelski, Treasurer, Seymour Democratic Town Committee
Investigator: Gilberto Oyola, Lead Legal Investigator

re: Failure to file campaign finance and disclosure reports pursuant to Connecticut General Statute §§ 9-608 and 9-623

Recommendation: Commission takes administrative notice that Respondent complied with the Commission demand, and accepts the payment of \$500.00 as a settlement to the State of Connecticut.

It was moved by Commissioner Gerratana and seconded by Commissioner Jenkins that the Commission takes administrative notice that the Respondent has complied with the statute indicated, and accepts, as full settlement the payment of \$500.00 to the State of Connecticut and will take no further action with respect to this matter. So voted.

V. Find Reason to Believe Recommendations & Designation of Hearing Officer

7. File No. 2008-215NF, 2009-021NF and 2009-035NF
Respondent: James Nobles, Treasurer, Go Greene 2008
Investigator: Attorney Kevin Ahern
Managing Attorney: Joan M. Andrews

Recommendation: Find Reason to Believe that Respondent James Nobles Violated Connecticut General Statutes §9-608 and 9-623

It was moved by Commissioner Gerratana and seconded by Commissioner Jenkins that the Commission finds reason to believe that Respondent James Nobles violated Connecticut General Statutes §§ 9-608 and 9-623 and that a Hearing Officer be designated for this matter. So voted. Chairman Cashman designated Commissioner Gerratana as Hearing Officer for File Nos. 2008-215NF, 2009-021NF and 2009-035NF.

8. File No. 2008-204NF and 2009-028NF
Respondent: William Ospina, Treasurer, Milford Police Union PAC
Investigator: Attorney Kevin Ahern
Managing Attorney: Joan M. Andrews

Recommendation: Find Reason to Believe that Respondent William Ospina Violated Connecticut General Statutes §9-608 and 9-623

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins that the Commission finds reason to believe that Respondent William Ospina violated Connecticut General Statutes §§ 9-608 and 9-623 and that a Hearing Officer be designated for this matter. So voted. Chairman Cashman designated Attorney Lenge as Hearing Officer for File Nos. 2008-204NF and 2009-028NF.

VI. *SEEC Referral, Consideration to Initiate an Investigation*

9. In re: Westbrook Republican Town Committee

Ms. Andrews requested the Commission approve the initiation of an investigation pursuant to Connecticut General Statutes § 9-7b. It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana that the SEEC initiate an investigation into the Westbrook Republican Town Committee for failure to file an itemized campaign finance disclosure report. So voted.

VII. *Administrative Reports*

Mr. Garfield commended Ms. Love and the fiscal unit for their efforts on the Citizens' Election Fund annual financial report. Mr. Garfield also thanked Dianna Kulmacz and her audit unit for their hard work on the present audits that are taking place. Mr. Garfield thanked the Compliance and Candidate Services unit for their work on upcoming trainings for municipal campaigns.

There are revisions to the Citizens' Election Program guidebooks for participating and non-participating candidates and upcoming trainings for exploratory committees.

Ms. Andrews informed the Commission on the recent training she and Attorney Smith conducted for the Registrars of Voters Association of Connecticut (ROVAC), explaining cases the Commission has dealt with, which will help the Registrars carry out their duties. Ms. Andrews thanked Attorney Smith for a job well done.

Ms. Rotman notified the Commission that completed candidate surveys concerning the Citizens' Election Program will be presented at the next Commission meeting.

Mr. Garfield updated the Commission that Commissioner Dolan's replacement has been confirmed by the House and awaiting confirmation in the Senate. New Commissioner Patricia Stankevicius will be present at the July 1, 2009 meeting.

VIII. *Legislation*

Ms. Nicolescu introduced Jared Olinski and Hiram Shah, both law clerks attending Western New England College, School of Law. They are new interns at the State Elections Enforcement Commission.

Ms. Nicolescu updated the Commission on the present status of legislative recommendations that were presented by the State Elections Enforcement Commission to the General Assembly, and other election bills of concern to the Commission.

Mr. Garfield informed the Commission that the Citizens' Election Fund has relinquished an additional \$700,000.00 from its administrative account to help reduce the current state deficit, and staved off an amendment to take an additional \$13 million dollars from the CEF grant fund.

IX. Adjournment

It was moved by Commissioner Gerratana and seconded by Commissioner Jenkins at 10:18 A.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

The next regular meeting will be held on Wednesday June 17, 2009 at 9:00 A.M., in the 5th Floor Conference Room.

Respectfully submitted

MaryAnn Stratton
Acting Clerk of the Commission

Adopted this 17th day of June 2009 at Hartford, Connecticut


Stephen F. Cashman, Chairman
By Order of the Commission