



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

**MINUTES OF THE
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
November 18, 2009
9:00 A.M.**

I. Call to Order

Chairman Cashman called the meeting to order at 9:07A.M. Commissioners Jenkins, Gerratana, Bozzuto and Stankevicius were present. Agency staff was also present.

II. Approval of the Minutes

Approval of the Minutes of the October 21, 2009 Regular Meeting

It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana to approve the Minutes of the October 21, 2009 Regular Meeting. So voted.

III. Referral to Attorney General's Office for Enforcement

1. In the Matter of a Complaint by Jo Ann Callegari, West Haven
File No. 2008-077
Respondent: Cheryl Tompkins
Investigator: Attorney Kevin Ahern
Managing Attorney: Joan M. Andrews

Attorney Andrews stated that the civil penalty due and owed had been paid and the referral was no longer necessary. Accordingly, no action was taken on this item.

IV. Public Session

2. In the Matter of a Complaint by John Lappie, North Branford
File No. 2007-371
Proposed Consent Agreement and Order
Respondent: Mary K. Hart
Investigator: Gilberto Oyola, Lead Legal Investigator
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and the proposed Consent Agreement and Order. She recommended adoption of the proposed Consent Agreement and Order.

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It was moved by Commissioner Bozzuto and seconded by Commissioner Gerratana to adopt the proposed Consent Agreement and Order in File No. 2007-371. So voted. The Consent Agreement and Order is available on our website under Commission Decisions.

3. In the Matter of a Complaint by Samarpana Tamm, Greenwich
File No. 2008-133
Proposed Findings and Conclusions
Investigators: Attorney Marc W. Crayton
Lead Legal Investigator, Charles Urso

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 Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2008-133. So voted. The complaint is dismissed for the reasons stated. The Findings and Conclusions are available on our website under Commission Decisions.

4. In the Matter of a Complaint by Kevin Cunningham, Moosup/Plainfield
File No. 2008-220
Proposed Consent Agreement and Order
Respondent: Paul Sweet
Investigator: Attorney Marc Crayton
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and the proposed Consent Agreement and Order. She recommended adoption of the proposed Consent Agreement and Order, which the Commission had approved at the last meeting, contingent upon receipt within seven days, but it was not received within that time.

It was moved by Commissioner Gerratana and seconded by Commissioner Bozzuto to adopt the proposed Consent Agreement and Order in File No. 2008-220. So voted. The Consent Agreement and Order is available on our website under Commission Decisions.

5. In the Matter of a Complaint by John E. Kisluk, Plainville
File No. 2009-037
Proposed Consent Agreement and Order
Respondent: Greg Pecoraro
Investigators: Attorney William Smith
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and the proposed Consent Agreement and Order. She recommended adoption of the proposed Consent Agreement and Order, which the Commission had approved at the last

meeting, contingent upon receipt within seven days, but it was not received within that time.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order in File No. 2009-037. So voted. The Consent Agreement and Order is available on our website under Commission Decisions.

6. In the Matter of a Complaint by Amy Primorac, Monroe
File No. 2009-064
Proposed Findings and Conclusions
Investigator: Attorney Kevin Ahern
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 Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2009-064. So voted. The complaint is dismissed for the reasons stated. The Findings and Conclusions are available on our website under Commission Decisions.

7. In the Matter of a Complaint by David Baxter, *et al*, Wallingford
File No. 2009-080
Proposed Findings and Conclusions
Proposed Consent Agreement and Order
Respondent: David Baxter and Marci Baxter
Investigators: Attorney William B. Smith
Attorney Jennifer Montgomery
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 Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2009-080. So voted. The portion of the complaint relating to Friends of Susan 2010 is dismissed for the reasons stated. The Findings and Conclusions are available on our website under Commission Decisions.

Attorney Andrews summarized the above referenced complaint and proposed Consent Agreement and Order with respect to Respondents David and Marci Baxter. She recommended adoption of the proposed agreement contingent upon receipt of the above mentioned agreement and penalty within seven days.

It was moved by Commissioner Gerratana and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order in File No. 2009-080, contingent upon receipt of the original agreement and penalty within seven days. So voted. The agreement was received later the same day.

V. *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 9:18 A.M. to proceed into Executive Session pursuant to C.G.S. §1-200(6)(B) and (E) and §9-210(b)(3) and (4) to discuss strategy and negotiations with respect to pending claims and exempt records relating thereto, listed as items 8 through 9 on the agenda. So voted. Chairman Cashman, Commissioners Jenkins, Gerratana, Bozzuto and Stankevicius were present. Staff members present were Mr. Lenge, Ms. Andrews, Mr. Smith, Mr. Crayton, Mr. Ahern, Ms. Bergquist, Mr. Oyola, Ms. Blackburn, Ms. Stratton, Ms. Nicolescu, Ms. Kief, Ms. Adams, Ms. Rotman, Mr. Talbert-Slagle, Ms. Montgomery, Ms. Liebenhaut, Ms. Sadowski, Ms. Zaccagnino, Ms. Kulmacz, Ms. Pulaski, Ms. Varrs and Ms. Staniewicz.

Item VII. was moved to immediately follow item V.

It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana at 9:29 A.M. to return to public session. So voted.

Returning to public session, the Commission took the following action:

8. In the Matter of a Complaint by Joaquina R. Abner, Bridgeport
File No. 2008-029
Investigator: Attorney Kevin Ahern
Managing Attorney: Joan M. Andrews

This matter was continued.

9. In the Matter of a Complaint by Margaret West, Oxford Town Clerk
File No. 2009-099
Investigator: Attorney Shannon Bergquist
Managing Attorney: Joan M. Andrews

This matter was continued.

VI. *Notice of Administrative Compliance*

10. File Nos. 2008-216 NF, 2009-022 NF & 2009-036 NF
Respondents: Kelly Guerin, Treasurer
Michael Renzullo State Senate Campaign
Investigator: Attorney Kevin Ahern
Managing Attorney: Joan M. Andrews

Recommendation: Commission takes administrative notice that Respondents complied with the Commission demand and accepts the payment of \$600.00 as a settlement to the State of Connecticut.

It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana that the Commission takes administrative notice that the Respondent has complied with the state's demand and will take no further action with respect to this matter. So voted.

VII. *Executive Session per C.G.S. §§ 1-200(6)(B) and (E), and 1-210(b)(1),(3) and (4)*
(Preliminary draft and agency consideration of enforcement action and exempt records relative thereto)

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto at 9:29A.M. to proceed into Executive Session Pursuant to C.G.S. §1-200(6)(B) and (E) and §9-210(b)(1) and (4) to discuss preliminary drafts of audit reports and agency consideration of enforcement action and exempt records relative thereto listed on the agenda as item VII. Consideration of Draft Audit reports. So voted. Commissioner Cashman, Jenkins, Gerratana, Bozzuto and Stankevicius were present. Staff members present were Mr. Lenge, Ms. Andrews, Mr. Smith, Mr. Crayton, Mr. Ahern, Ms. Bergquist, Mr. Oyola, Ms. Blackburn, Ms. Stratton, Ms. Nicolescu, Ms. Kief, Ms. Adams, Ms. Rotman, Mr. Talbert-Slagle, Ms. Montgomery, Ms. Liebenhaut, Ms. Sadowski, Ms. Zaccagnino, Ms. Kulmacz, Ms. Pulaski, Ms. Varrs and Ms. Staniewicz.

It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana at 9:33 A.M. to return to public session. So voted.

Returning to public session, the Commission took the following action:

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to approve the issuance of the aforementioned committee draft Audit Reports 1-15 as Final Audit Reports. So voted.

It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana to initiate an investigation regarding item 16. So voted.

Consideration of Draft Audit Reports

1. "The Committee to Elect Mary Fritz," Mary Fritz
Examiner: Paul Boutin
2. "Roberta Willis in 2008," Roberta Willis
Examiner: Linda Waterman
3. "Taborsak 2008," Joseph Taborsak
Examiner: Linda Waterman
4. "Re-Elect Kathy Tallarita," Kathy Tallarita
Examiner: Shantelle Varrs

5. "Friends of Andrew McDonald," Andrew McDonald
Examiner: Shantelle Varrs
6. "Morris is for Us 2008," Bruce Morris
Examiner: Shantelle Varrs
7. "Melillo 2008," William Melillo
Examiner: Monique Tusinski
8. "Committee to Re-Elect Eileen Daily," Eileen Daily
Examiner: Paul Boutin
9. "Liddy for Milford," Kevin Liddy
Examiner: Paul Boutin
10. "Boucher State Senate," Toni Boucher
Examiner: Linda Waterman
11. "John Hartwell 2008," John Hartwell
Examiner: Linda Waterman
12. "John Stripp 2008," John Stripp
13. "Committee to Re-Elect Mary Ann Handley," Mary Ann Handley
Examiner: Susan Pulaski
14. "McGrath 2008," Theresa McGrath
Examiner: Evelyn Cruz-Cabrera
15. "Perone for State Representative," Christopher Perone
Examiner: Susan Pulaski
16. "Abe Giles '08", Abraham Giles
Examiner: Susan Pulaski

VIII. Legislation

It was moved by Commissioner Gerratana and seconded by Commissioner Jenkins to authorize the drafting of four bill proposals for future submission to the General Assembly. So voted.

IX. Administrative Reports

Mr. Lenge updated the Commission on the recent meeting with the Commission on Human Rights and Opportunities. Mr. Lenge discussed the pending election complaints for the Law Enforcement Unit and noted 91 new complaints filed since the beginning of September 2009, 69 of which were docketed for an investigation and 22, which were not docketed for investigation. He also reported on the Campaign Disclosure and Audit Unit indicating 20% of the audits for 2008 are complete with 66% through the first review. The target date for completion for all audits is early 2010. Mr. Lenge noted an increase in eCRIS filings with 805 committees

using the system and a 96% timely filing rate. He also noted an overall increase of eCRIS filers of 16% as of the last filing.

Ms. Nicolescu mentioned the results based report cards for the Appropriations sub committee are ready.

Ms. Rotman updated the Commission on the CEP sufficiency of the fund report being prepared and that a draft will be ready for the next meeting.

Ms. Kief discussed the timelines for the pending litigation for the Citizens' Election Program.

X. *Litigation Update*

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

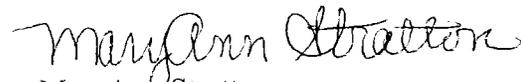
Green Party v. Garfield

The Commission did not go into Executive Session. No votes were taken.

XI. *Adjournment*

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius at 10:29 A.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

Respectfully submitted,



MaryAnn Stratton
Acting Clerk of the Commission

Adopted this 16^h day of December, 2009 at Hartford, Connecticut.



Stephen F. Cashman
By Order of the Commission

The next regular meeting will be held on Wednesday December 16, at 9:00 A.M., in the 5th Floor Conference Room.