



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES OF THE
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
February 17, 2010
9:00 A.M.

I. Call to Order

Chairman Cashman called the meeting to order at 9:13 A.M. Commissioners Gerratana and Bozzuto were present. Agency staff was also present. Commissioner Jenkins joined the meeting at 9:19 A.M.

Attorney Andrews requested the following item be added to the agenda, File No. 2008-225. It was moved by Commissioner Bozzuto and seconded by Commissioner Gerratana to add this item as number 4A. on the agenda. So voted.

II. Approval of the Minutes

- A. Approval of the Minutes of the January 20, 2010 Regular Meeting
- B. Approval of the Minutes of the January 22, 2010 Special Meeting
- C. Approval of the Minutes of the February 1, 2010 Special Meeting

It was moved by Commissioner Bozzuto and seconded by Commissioner Gerratana to approve the Minutes of the January 20, 2010 Regular Meeting, January 22, 2010 Special Meeting and February 1, 2010 Special Meeting. So voted.

III. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by Jeffrey A. Shorts, Coventry
File No. 2009-004
Proposed Findings and Conclusions
Investigators: Attorney Marc W. Crayton
Charles Urso, 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 Bozzuto to adopt the proposed Findings and Conclusions in File No. 2009-004. So voted. The complaint is dismissed for the reasons stated. The Findings and Conclusions are available on our website under [Commission Decisions](#).

2. In the Matter of a Complaint by Patricia Ulatowski, Monroe
File No. 2009-062
Proposed Reason to Believe Finding
Respondent: Marsha Motter Beno
Investigator: Attorney Kevin Ahern
Managing Attorney: Joan M. Andrews

It was moved by Commissioner Bozzuto and seconded by Commissioner Gerratana that the Commission finds reason to believe that Respondent Marsha Motter Beno violated Connecticut General Statutes §9-369c and that a Hearing Officer be designated for this matter. So voted. Chairman Cashman designated himself as Hearing Officer for File No. 2009-062.

Commissioner Jenkins joined the meeting at 9:19 A.M.

3. In the Matter of a Complaint by Alan Vaglivelo, Monroe
File No. 2009-063
Proposed Consent Agreement and Order
Respondent: Dorothy Stedman
Investigator: Attorney Kevin Ahern
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.

It was moved by Commissioner Bozzuto and seconded by Commissioner Gerratana to adopt the proposed Consent Agreement and Order in File No. 2009-063. So voted. The Consent Agreement and Order is available on our website under [Commission Decisions](#).

4. In the Matter of a Complaint by Elizabeth Ann Edgerton, Monroe
File No. 2009-127
Proposed Consent Agreement and Order
Respondent: Michele Mount
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.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Consent Agreement and Order in File No. 2009-127. So voted.

The Consent Agreement and Order is available on our website under Commission Decisions.

- 4A. In the Matter of a Complaint by Marianne M. Allard, Taftville
File No. 2008-225
Proposed Consent Agreement and Order
Respondent: Ulrick "Rick" F. Tetrault
Investigator: Attorney William Smith
Manager: 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.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Consent Agreement and Order in File No. 2008-225. So voted.

It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana at 9:27 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 5 through 6 on the agenda. So voted. Chairman Cashman and Commissioners Jenkins, Gerratana and Bozzuto 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. Kulmacz, Ms. Nicolescu, Ms. Kief, Ms. Adams, Ms. Rotman, Ms. Liebenhaut, Mr. Urso, Ms. Zaccagnino, Mr. Barry and Ms. Staniewicz.

It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana at 9:55 A.M. to return to public session. So voted.

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

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

5. In the Matter of a Complaint by Steve Elworthy, Fairfield
File No. 2007-354
Investigator: Attorney Shannon Bergquist
Managing Attorney: Joan M. Andrews

This matter is continued.

6. In the Matter of a Complaint by Christopher Healy, Wethersfield
File No. 2009-075
Proposed Findings and Conclusions
Investigators: Attorney Kevin Ahern
Charles Urso, Lead Legal Investigator
Managing Attorney: Joan M. Andrews

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

It was moved by Commissioner Gerratana and seconded by Commissioner Bozzuto to adopt the proposed Findings and Conclusions in File No. 2009-075. So voted. The portion of the complaint pertaining to the public declaration allegation is dismissed for the reasons stated. The Findings and Conclusions are available on our website under Commission Decisions.

IV. 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 9:57 A.M. to proceed into Executive Session Pursuant to C.G.S. §1-200(6)(B) and (E) and §1-210(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 IV. *Consideration of Draft Audit Reports*. So voted. Chairman Cashman and Commissioners Jenkins, Gerratana and Bozzuto 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. Kulmacz, Mr. Barry, Ms. Nicolescu, Ms. Kief, Ms. Adams, Ms. Rotman, Ms. Liebenhaut, Mr. Urso, Ms. Zaccagnino, Ms. Tusinski, Ms. Varrs, Mr. Paxi and Mr. Boutin.

It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana at 10:34 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 1-29 as Final Audit Reports. So voted.

It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana to initiate an investigation with respect to Item 30, "David Scribner 2008" and refer the matter to the enforcement unit.

Consideration of Draft Audit Reports

1. Hurlburt 2008," Bryan Hurlburt
Examiner: Linda Waterman
2. "Shapiro 2008," James Shapiro
Examiner: Monique Tusinski
3. "Hetherington 2008," John Hetherington
Examiner: Linda Waterman

4. "Dargan 2008," Stephen Dargan
Examiner: Linda Waterman
5. "Rob Kane for Senate 2008," Robert Kane
Examiner: Evelyn Cruz-Cabrera
6. "Candelora for State Rep," Vincent Candelora
Examiner: Salman Munir
7. "Godfrey 2008," Bob Godfrey
Examiner: Shantelle Varrs
8. "Villano Re-Election Committee," Peter Villano
Examiner: Shantelle Varrs
9. "Ferrari '08," Richard Ferrari
Examiner: Martin Paxi
10. "Fox 2008," Gerald Fox
Examiner: Salman Munir
11. "Candelaria 2008," Juan Candelaria
Examiner: Shantelle Varrs
12. "DebraLee Hovey 2008," DebraLee Hovey
Examiner: Evelyn Cruz-Cabrera
13. "Camillo for State Representative," Alfred Camillo
Examiner: Martin Paxi
14. "Annie Hornish 2008," Annie Hornish
Examiner: Martin Paxi
15. "Tom Gaffey for State Senate," Thomas Gaffey
Examiner: Monique Tusinski
16. "Friends of Peggy Reeves," Peggy Reeves
Examiner: Monique Tusinski
17. "Colapietro for Senate," Thomas Colapietro
Examiner: Paul Boutin
18. "Re-Elect O'Neill," Arthur O'Neill
Examiner: Monique Tusinski
19. "History 2008," Ernest Hewett
Examiner: Monique Tusinski

20. "Labriola 2008," David Labriola
Examiner: Monique Tusinski
21. "Maynard for State Senate," Andrew Maynard
Examiner: Monique Tusinski
22. "Merrill 2008," Denise Merrill
Examiner: Monique Tusinski
23. "Betsy Ritter 2008," Betsy Ritter
Examiner: Shantelle Varrs
24. "Marino 2008," Vincent Marino
Examiner: Paul Boutin
25. "Friends of Moira For the 8th District," Moira Wertheimer
Examiner: Evelyn Cruz-Cabrera
26. "Friends of Pat Dillon," Pat Dillon
Examiner: Paul Boutin
27. "LeBeau 2008," Gary LeBeau
Examiner: Monique Tusinski
28. "Harris for State Senate," Jonathan Harris
Examiner: Monique Tusinski
29. "Giegler 138, Janice Giegler
Examiner" Monique Tusinski
30. "David Scribner 2008," David Scribner
Examiner: Monique Tusinski

V. Referrals by Elections Officer/Audit and Disclosure Unit for Failure to File Candidate Committee Registration

Find Reason to Believe Recommendations & Designation of Hearing Officer

File No. 2008-102NF

Respondent: Sherri Williams, Treasurer
Bill Stewart for State Rep. 2008

Investigator: Attorney Kevin Ahern

Managing Attorney: Joan M. Andrews

Recommendation: Find Reason to Believe that Respondent Sherri Williams Violated Connecticut General Statutes §§9-608 and 9-623 by failing to timely file the campaign finance disclosure statement due for the above named committee on July 10, 2008 and failing to pay late penalties for the same.

It was moved by Commissioner Gerratana and seconded by Commissioner Jenkins that the Commission finds reason to believe that Respondent Sherri Williams 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 No. 2008-102NF.

File No. 2009-001NF

Respondent: Lois Gainer, Treasurer
Marilyn Moore for State Senate
Investigator: Attorney Kevin Ahern
Managing Attorney: Joan M. Andrews

Recommendation: Find Reason to Believe that Respondent Lois Gainer Violated Connecticut General Statutes §§9-608 and 9-623 by failing to timely file the campaign finance disclosure statement due for the above named committee on September 11, 2008 and failing to pay late penalties for the same.

It was moved by Commissioner Gerratana and seconded by Commissioner Jenkins that the Commission finds reason to believe that Respondent Lois Gainer 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 No. 2009-001NF.

File Nos. 2009-071NF and 2009-149NF

Respondent: China Byrd, Treasurer
AFSCME Local 478 PAC
Investigator: Attorney William B. Smith
Managing Attorney: Joan M. Andrews

Recommendation: Find Reason to Believe that Respondent China Byrd Violated Connecticut General Statutes §§9-608 and 9-623 by failing to timely file the campaign finance disclosure statements due for the above named committee on July 10, 2009 and October 13, 2009 and failing to pay late penalties for the same.

It was moved by Commissioner Gerratana and seconded by Commissioner Jenkins that the Commission finds reason to believe that Respondent China Byrd violated Connecticut General Statutes §§9-608 and 9-623 and that a Hearing Officer be designated for this matter. So voted. Chairman Cashman designated himself as Hearing Officer for File No. 2009-071NF and File No. 2009-149NF.

VI. Legislation

Mr. Lenge updated the Commission on two bills that will be discussed at an upcoming public hearing and on which he will be presenting testimony.

VII. Administrative Reports

Mr. Lenge introduced David Barry, the Commission's new Fiscal Administrative Manager 1. The Commission welcomed him. Mr. Lenge announced that Chairman Cashman has been re-nominated by Representative Cafero to serve another term with the State Elections Enforcement Commission. Chairman Cashman thanked Representative Cafero for his confidence.

Mr. Lenge also reported that the Audit reviews are continuing and that 91% of the initial draft reviews are complete and 65% of the final reports have been completed.

Mr. Lenge notified the Commission that candidate services are constructing videos for eCRIS and Citizens' Election Program training.

Mr. Lenge noted that the Compliance Unit has been fielding many calls.

Ms. Kief gave the Commission a brief summary on the litigation affecting the Arizona public financing program.

Ms. Andrews notified the Commission that we have been served with a summons regarding an election contest in the town committee primary for Hartford, and a hearing is scheduled for Friday.

Ms. Rotman announced that a special election that is taking place March 2, 2010 and that both candidates are using the Citizens' Election Program.

VIII. Adjournment

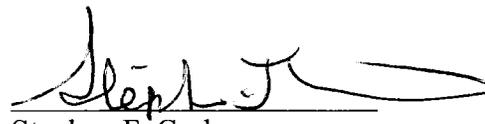
It was moved by Commissioner Gerratana and seconded by Commissioner Jenkins at 11:08 A.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

The next regular meeting will be held on Wednesday March 24, 2010 at 9:00 A.M., in the 5th Floor Conference Room.

Respectfully submitted,

MaryAnn Stratton
Acting Clerk of the Commission

Adopted this 24th day of March, 2010 at Hartford, Connecticut.


Stephen F. Cashman
By Order of the Commission