



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

**MINUTES OF THE
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
April 21, 2010
9:00 A.M.**

I. Call to Order

Chairman Cashman called the meeting to order at 9:02 A.M. Commissioners Jenkins, Bozzuto and Stankevicius were present. Agency staff was also present.

Attorney Andrews requested the following items be added to the agenda, File Nos. 2009-040 and 2008-102NF. It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to add File No. 2009-040 as number 4A. on the agenda and to add File No. 2008-102NF to Administrative Compliance, Section IV. So voted.

II. Approval of the Minutes

A. Approval of the Minutes of the March 24, 2010 Regular Meeting

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to approve the Minutes of the March 24, 2010 Regular Meeting.

III. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by Michael E. Pohl, Manchester
File No. 2008-160
Proposed Consent Agreement and Order
Respondent: Paul McNamara
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 contingent upon receipt of the signed original agreement and the civil penalty within ten days.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order in File No. 2008-160 contingent upon receipt of the signed original agreement within ten days. So voted. Upon receipt, the Consent Agreement and Order will be available on our website under Commission Decisions.

2. In the Matter of a Complaint by Marianne M. Allard, Taftville
File No. 2008-225
Proposed Consent Agreement and Order
Respondents: Nancy DePietro and Gerald Korfelt
Investigator: 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 contingent upon receipt of the signed original agreement and the civil penalty within ten days.

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to adopt the proposed Consent Agreement and Order in File No. 2008-225 contingent upon receipt of the signed original agreement and the civil penalty within ten days. So voted. Upon receipt, the Consent Agreement and Order will be available on our website under Commission Decisions.

3. In the Matter of a Complaint by Lawrence DePillo, Waterbury
File No. 2009-033
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 Stankevicius to adopt the proposed Findings and Conclusions in File No. 2009-033. 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 Bruce Rubenstein, Hartford
File No. 2010-003
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 Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Findings and Conclusions in File No. 2010-003. So voted. The complaint is dismissed for the reasons stated. The Findings and Conclusions are available on our website under Commission Decisions.

- 4A. In the Matter of a Complaint by Christopher Healy, Wethersfield
File No. 2009-040
Request for Reconsideration
Investigator: Attorney Kevin Ahern
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the Request for Reconsideration from Respondent Torres to rephrase paragraph 7 in the previously signed Consent Agreement to reflect “she submitted a hard copy but not an electronic copy of a letter of explanation with her filing.” Attorney Andrews indicated that the change requested was acceptable to her and did not object to the proposed change.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to delete the last sentence of paragraph 7 and substitute the following: “She submitted a hard copy but not an electronic copy of a letter of explanation with her filing” to paragraph 7 on the previously signed Consent Agreement. So voted

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto at 9:17 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 7 on the agenda. So voted. Chairman Cashman and Commissioners Jenkins, Bozzuto and Stankevicius were present. Staff members present were Mr. Lenge, Ms. Andrews, Mr. Smith, Mr. Crayton, Ms. Bergquist, Mr. Oyola, Ms. Blackburn, Ms. Stratton, Ms. Kulmacz, Ms. Pulaski, Ms. Nicolescu, Ms. Kief, Ms. Sadowski, Ms. Montgomery, Ms. Rotman, Ms. Liebenhaut, Ms. Adams, Mr. Urso and Ms. Zaccagnino.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto at 9:39 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 Linda Schofield, Simsbury
File No. 2008-079
Proposed Findings and Conclusions
Investigator: Attorney Shannon Bergquist &
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 Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Findings and Conclusions in File No. 2008-079. So voted. The complaint is dismissed for the reasons stated. The Findings and Conclusions are available on our website under Commission Decisions.

6. In the Matter of a Complaint by Christopher Healy, Wethersfield
File No. 2008-137B
Proposed Findings and Conclusions
Investigator: Attorney Marc W. Crayton
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 Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Findings and Conclusions in File No. 2008-137B. 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 John Pernal, Jr., Hamden
File No. 2009-137
Investigator: Attorney Shannon Bergquist
Managing Attorney: Joan M. Andrews

This matter has been continued.

IV. Non-Filer Compliance

In the Matter of a Referral by the SEEC Campaign Disclosure and Audit Unit

File No. 2008-001 NF
Respondent: Lois Gainer, Treasurer
Committee: Marilyn Moore for State Senate
Investigator: Attorney Kevin Ahern

Re: Late filed campaign finance disclosure report pursuant to
Connecticut General Statutes §9-608 and §9-623

Recommendation: Commission takes administrative notice that Respondent complied with the State's demand, and accepts the payment of \$200.00 as full settlement to the State of Connecticut.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius that the Commission takes administrative notice that the Respondent has complied with the State's demand, and accepts, as full settlement the payment of \$200.00 to the State of Connecticut and will take no further action with respect to this matter. So voted.

File No. 2008-102NF

Respondent: Sherri Williams, Treasurer
Committee: Bill Steart for State Rep. 2008
Investigator: Attorney Kevin Ahern

Re: Late filed campaign finance disclosure report pursuant to Connecticut General Statutes §9-608 and §9-623

Recommendation: Commission takes administrative notice that Respondent complied with the State's demand, and accepts the payment of \$200.00 as full settlement to the State of Connecticut.

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius that the Commission takes administrative notice that the Respondent has complied with the State's demand, and accepts, as full settlement the payment of \$200.00 to the State of Connecticut and will take no further action with respect to this matter. So voted.

V. *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 Bozzuto and seconded by Commissioner Jenkins at 9:39 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 V. *Consideration of Draft Audit Reports*. So voted. Chairman Cashman and Commissioners Jenkins, Bozzuto and Stankevicius were present. Staff members present were Mr. Lenge, Ms. Andrews, Mr. Smith, Mr. Crayton, Ms. Bergquist, Mr. Oyola, Ms. Blackburn, Ms. Stratton, Ms. Kulmacz, Ms. Pulaski, Ms. Nicolescu, Ms. Kief, Ms. Sadowski, Ms. Montgomery, Ms. Rotman, Ms. Liebenhaut, Ms. Adams, Mr. Urso and Ms. Zaccagnino.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto at 9:52 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 Stankevicius to approve the issuance of the aforementioned committee draft Audit Reports 1-26 as Final Audit Reports. So voted.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to initiate an investigation with respect to Item 27, "Garofalo 08" and refer the matter to the enforcement unit.

Consideration of Draft Audit Reports

1. "Committee to Elect Dan Lein," Daniel Lein
Examiner: Monique Tusinski
2. "Friends to Elect Thomas White," Thomas White
Examiner: Monique Tusinski
3. "Terrie Wood 2008," Terrie Wood
Examiner: Salman Munir
4. "Arcuri '08," Joseph Arcuri
Examiner: Evelyn Cruz-Cabrera
5. "Committee to Elect Anne Hatfield for State Senate," Anne Hatfield
Examiner: Paul Boutin
6. "Papantones for Senate," Melissa Papantones
Examiner: Evelyn Cruz-Cabrera
7. "Aaron Jubrey 2008," Aaron Jubrey
Examiner: Monique Tusinski
8. "Nanci '08," Nanci Seltzer
Examiner: Salman Munir
9. "The People 08," Craig Stallings
Examiner: Martin Paxi
10. "Pelletier '08", Cheri Ann Pelletier
Examiner: Martin Paxi
11. "Committee to Elect William J. Ballard," William Ballard
Examiner: Linda Waterman
12. "Adinolfi Again," Alfred Adinolfi
Examiner: Martin Paxi
13. "Velez for State Representative," Lisa Velez
Examiner: Monique Tusinski
14. "DelGobbo State Rep. Committee," Kevin DelGobbo
Examiner: Salman Munir
15. "Sierra 2008," Carmen Sierra
Examiner: Martin Paxi
16. "Elect Angeline Kwasny for 44th," Angeline Kwasny
Examiner: Monique Tusinski

17. "Vitali for State Representative," Michael Vitali
Examiner: Susan Pulaski
18. "Adamsons for Connecticut," Scott Adamsons
Examiner: Evelyn Cruz-Cabrera
19. "Wright for the 24th," Alphonse Wright
Examiner: Martin Paxi
20. "Hartley '08," Joan Hartley
Examiner: Martin Paxi
21. "D'Amelio 2008," Anthony D'Amelio
Examiner: Evelyn Cruz Cabrera
22. "Committee to Re-Elect Senator John A. Kissel," John Kissel
Examiner: Salman Munir
23. "Stillman for Senate," Andrea Stillman
Examiner: Monique Tusinski
24. "Thompson 2008," Chad Thompson
Examiner: Susan Pulaski
25. "Guglielmo for State Senate," Anthony Guglielmo
Examiner: Shantelle Varrs
26. "Re-Elect Ayala 2008," Andres Ayala
Examiner: Paul Boutin
27. "Garofalo 08," Marc Garofalo
Examiner: Susan Pulaski

VI. *Consideration of Advisory Opinion 2010-01, 2010-02 and 2010-03*

2010-01 - Withdrawal from the Citizens' Election Program.

Attorney Kief summarized the proposed Advisory Opinion. After discussion, it was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to approve Advisory Opinion, 2010-01 - Withdrawal from the Citizens' Election Program. So voted.

2010-02 - Propriety of Placing Campaign Materials on Commercial Property without Charge.

Attorney Kief summarized the proposed Advisory Opinion. After discussion, it was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to approve Advisory Opinion, 2010-02 - Propriety of Placing Campaign Materials on Commercial Property without Charge. So voted.

2010-03 - The Treatment of Domain Names.

Attorney Kief summarized the proposed Advisory Opinion. After discussion, it was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to approve Advisory Opinion, 2010-03 - The Treatment of Domain Names. So voted.

VII. *Legislative Update*

Mr. Lenge updated the Commission on pending legislative matters.

VIII. *Administrative Reports*

Mr. Lenge reported that the Audit reviews are continuing and that 89% of the draft reviews are complete and 73% of the final reports have been completed.

Mr. Lenge presented an analysis on the eCRIS system usage and reported that a record 120 Committees used the system, which is a 30% increase. The Information Technology Department fielded 400 support calls.

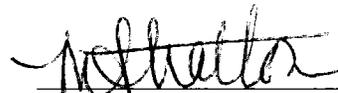
Mr. Lenge announced that Chairman Cashman was recently re-appointed for another five year term. The SEEC staff congratulated him. Mr. Lenge recently met with officials from the Federal Elections Commission and announced we will receive assistance from the Chief auditor in designing the next audit plan. Mr. Lenge recently spoke before the Hartford County Town Clerks and the statewide Registrar of Voters Association Conference.

Ms. Andrews informed the Commission that a hearing would be taking place against an alleged non-filer later in the afternoon. Ms. Andrews also announced that she and Ms. Bergquist presented at the annual ROVAC conference earlier in the month. A complaint has been filed concerning the Hartford 5th district primary, which was the subject of a recent election contest. There are approximately 160 complaints pending at this time.

IX. *Adjournment*

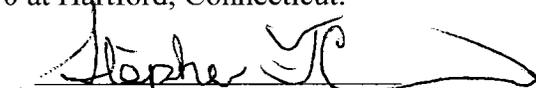
It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius at 10:53 A.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

The next regular meeting will be held on Wednesday May 26, 2010 at 9:00 A.M., in the 5th Floor Conference Room.



MaryAnn Stratton
Acting Clerk of the Commission

Adopted this 26th day of May, 2010 at Hartford, Connecticut.



Stephen F. Cashman
By Order of the Commission