



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING

5th Floor Conference Room
November 16, 2011
9:00 A.M.

I. Call to Order

Commissioner Cashman called the meeting to order at 9:00 A.M. Commissioners Jenkins, Castagno and Stankevicius were present. Commissioner Bozzuto was present via telephone conference call. Agency staff was also present.

II. Approval of the Minutes

Approval of the Minutes of the Meeting of October 19, 2011 Meeting.
Approval of the Minutes of the Meeting of October 28, 2011 Meeting as amended to reflect Commissioner Stankevicius was present during the call to order.
Approval of the Minutes of the Meeting of November 1, 2011 Meeting

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to Approve the Minutes of the October 19, 2011, October 28, 2011 and November 1, 2011 Meetings. So voted.

Commissioner Cashman requested a motion to add to today's agenda, an Executive Session for a discussion regarding personnel matters.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to add to today's agenda an Executive Session regarding personnel matters. So voted.

The above item was added to the agenda as an Executive Session as item *IIIA*.

III. Miscellaneous Resolutions

- 1) The Commission was presented by staff with a resolution proposing the 2012 SEEC Regular Meeting Schedule. It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed 2012 SEEC Regular Meeting Schedule. So voted.
- 2) The Commission was presented by counsel with a resolution that, in light of the extraordinary circumstances, it will not be deemed to be a failure to file, under General Statutes Sec. 9-623 (b) (1), on November 1, 2011, if such filings are filed within the 21 day period set forth in General Statutes Sec. 9-623 (b) (2). The Commission will not seek to collect the statutory \$100 late fee from filers who file within the 21 day period set forth in General Statutes Sec. 9-623 (b) (2). It was moved by Commissioner Jenkins Seconded by Commissioner Stankevicius to adopt said resolution. So voted.
- 3) The Commission was presented by counsel with a resolution to not prosecute town clerks who exercise reasonable discretion as to the imposition of late filing fees for failure to file the November 1, 2011 filings due to disruptions caused by Storm Alfred. It was moved by Commissioner Bozzuto Seconded by Commissioner Jenkins to adopt said resolution. So voted.

III.A. Executive Session per Executive Session per C.G.S. §§ 1-200(6)(A),(B) and (E), and 1-210(b)(2)

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius at 9:09 A.M. to proceed into **Executive Session per C.G.S. §§ 1-200(6)(A),(B) and (E), and 1-210(b)(2)** to discuss personnel matters. So voted. Commissioners Cashman, Commissioners Castagno, Jenkins and Bozzuto were present.

The Commission returned to public session at 10:11 A.M.

IV. Administrative Reports

Shannon Kief presented the following items:

Ms. Kief advised that the Election Day hotline yielded approximately 60 calls from 6 am to 8 pm.

Ms. Kief updated that from October 15 through November 16, 2011, the Commission received 14 letters for docketing consideration: 10 were docketed for consideration, one was not docketed and three remain under review. Staff closed 12 enforcement cases in September.

Ms. Kief provided and reviewed the SEEC budget narrative and SEEC organization chart which was provided to Office of Governmental Accountability earlier in the week.

Ms. Kief provided an article from the Hartford Courant regarding statistics from the Governor's Office that 2,300 state positions will not be refilled. She is unsure as to how this will impact the SEEC.

Mr. Hasen provided Information Technology Services statistics regarding the October 10th filing which yielded 214 calls to the IT eCRIS Help Line. The 7 day preceding filing date yielded 73 calls.

Ms. Nicolescu reported that RBA updates from 2010 are being prepared pursuant to new report card requirements and are due December 15, 2011 to the Appropriations Committee.

Ms. Nicolescu advised that the SEEC has a statutory report due December 1, 2011 and also will be making a recommendation that future SEEC reports be consolidated. A draft of the CEP Grants and Committees Expenditure analysis has been prepared.

Ms. Nicolescu presented that there will be a special election for House District 24 following the results of the November 8, 2011 municipal election. The writ has not yet been issued, but a January special election date is expected.

V. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by Bryan Stephens, Darien
File No. 2009-008
Proposed Consent Order & Agreement
Respondents: Gwynne Grimes
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and proposed Consent Order & Agreement in File No. 2009-008. He recommended the matter be continued.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to continue File No. 2009-008 to a later date. So voted.

2. In the Matter of a Complaint by John McNamara, New Britain
File No. 2009-111
Proposed Consent Order & Agreement
Respondents: Harry Plaut
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and proposed Consent Order & Agreement in File No. 2009-111. He recommended the matter be continued.

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to continue File No. 2011-111 to a later date. So voted.

3. In the Matter of a Complaint by Rosemary Wong, Stratford
File No. 2009-101
Proposed Consent Order & Agreement
Respondents: Lydia Martinez
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and proposed Consent Order & Agreement in File No. 2009-101. He recommended adoption of the proposed Consent Order & Agreement.

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to adopt the proposed Consent Order & Agreement contingent upon receipt within ten days. So voted. The proposed Consent Order & Agreement will available on our website under [Commission Decisions](#) upon receipt.

4. In the Matter of a Complaint by Mary V. Gadbois, East Lyme
File No. 2010-123
Proposed Consent Order & Agreement
Respondents: Paul Formica
Attorney: Marianne Sadowski
Lead Legal Investigator:

Attorney Sadowski summarized the above referenced complaint and proposed Consent Order & Agreement in File No. 2010-123. She recommended adoption of the proposed Consent Order & Agreement.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Consent Order & Agreement in File No.

2010-123. So voted. The proposed Consent Order & Agreement are available on our website under [Commission Decisions](#).

5. In re: SEEC Initiated "Friends for Farah," Hartford
File No. 2010-122
Proposed Consent Order & Agreement
Respondents: Ted Farah
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Attorney James Talbert-Slagle summarized the above referenced complaint and proposed Consent Order & Agreement in File No. 2010-122. He recommended adoption of the proposed Consent Order & Agreement.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Consent Order & Agreement in File No. 2010-122. So voted. The proposed Consent Order & Agreement are available on our website under [Commission Decisions](#).

6. In re: SEEC Initiated "Perkins 2008," Hartford
File No. 2010-158
Proposed Consent Order & Agreement
Respondents: Duane Perkins and Benjamin Chianese
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Attorney Talbert-Slagle summarized the above referenced complaint and proposed Findings & Conclusions in File No. 2010-158. He recommended adoption of the proposed Findings & Conclusions.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Findings & Conclusions contingent upon receipt within 10 days in File No. 2010-158. So voted. The proposed Findings & Conclusions will be available on our website under [Commission Decisions](#) upon receipt.

7. In re: SEEC Initiated "Elect Mae Flexer," Hartford
File No. 2011-002
Proposed Consent Order & Agreement
Respondents: Mae M.E. Flexer, Joyce Ricci and
Hoween R. Flexer
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Attorney Talbert-Slagle summarized the above referenced complaint and proposed Consent Order & Agreement in File No. 2011-002. He recommended adoption of the proposed Consent Order & Agreement.

It was moved by Commissioner Bozzuto and seconded by Commissioner Castagno to adopt the proposed Consent Order & Agreement contingent upon completion of the payment plan in File No. 2011-002. So voted. The proposed Consent Order & Agreement are available on our website under [Commission Decisions](#).

8. In the Matter of a Complaint by Jay Lewin, Town New Milford
File No. 2011-111

Proposed Consent Order & Agreement

Respondents: Robert Kostas, Chairperson, New Milford
First
Attorney: Kevin Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and proposed Consent Order & Agreement in File No. 2011-111. He recommended adoption of the proposed Consent Order & Agreement.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Consent Order & Agreement in File No. 2011-111. So voted. The proposed Consent Order & Agreement are available on our website under [Commission Decisions](#).

9. In the Matter of a Complaint by Brian D. Testa, North Haven
File No. 2011-076

Proposed Findings & Conclusions

Respondents: Joanna Maria Pappa Kenney
Attorney: Patrick J. Lamb
Lead Legal Investigator: Gilberto Oyola

Attorney Lamb summarized the above referenced complaint and proposed Findings & Conclusions in File No. 2011-076. He recommended adoption of the proposed Findings & Conclusions.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Findings & Conclusions in File No. 2011-076. So voted. The proposed Findings & Conclusions are available on our website under [Commission Decisions](#).

10. In the Matter of a Complaint by Edwin Vargas, Hartford
File No. 2011-109
Proposed Findings & Conclusions
Respondents: Pedro E. Segarra
Attorney: Patrick J. Lamb
Lead Legal Investigator: Gilberto Oyola

Attorney William B. Smith summarized the above referenced complaint and proposed Findings & Conclusions in File No. 2011-109. He recommended adoption of the proposed Findings & Conclusions.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Findings & Conclusions in File No. 2011-109. So voted. The proposed Findings & Conclusions are available on our website under [Commission Decisions](#).

11. In the Matter of a Complaint by Joel Gonzalez, Bridgeport
File No. 2009-131
Proposed Findings & Conclusions
Respondents: Mitchell Robles
Attorney: Patrick J. Lamb
Lead Legal Investigator: Gilberto Oyola

Attorney Lamb summarized the above referenced complaint and proposed Findings & Conclusions in File No. 2009-131. He recommended adoption of the proposed Findings & Conclusions.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Findings & Conclusions in File No. 2009-131. So voted. The proposed Findings & Conclusions are available on our website under [Commission Decisions](#).

VI. Executive Session per C.G.S. §§ 1-200(6)(B) and (E), and 1-210(b)(1),(3),(4),(10) and General Statutes §9-7a, as amended by Public Act 11-48 §300
(Preliminary draft and agency consideration of enforcement action and exempt records relative thereto)

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius at 10:30 A.M. to proceed into Executive Session pursuant to C.G.S. §§ 1-200(6)(B) and (E), and 1-210(b)(1),(3),(4) and (10) to discuss strategy and negotiations with respect to pending claims and exempt records relating thereto, listed as items 1 through 9 and Draft Audit Reports 1 through 16 on the agenda. So voted. Commissioners Cashman, Jenkins, Castagno, Stankevicius were present.

Commissioner Bozzuto was present via teleconference. Staff members present were Shannon Kief, Kevin Ahern, John Neumon, Nancy Staniewicz, Charlie Urso, William B. Smith, Marianne Sadowski, Patrick Lamb, Gilberto Oyola, James Talbert-Slagle, Lindsey Leung, Mann Hasen, Nancy Nicolescu, Jennifer Montgomery, Evelyn Gratacos and Sheri-Lyn Lagueux.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius at 11:17 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 1-3, 5-9 and 11 as Final Audit Reports. So voted.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to approve the issuance of the aforementioned committee draft Audit Reports 4 & 10 following internal amendments and reflecting no violations as Final Audit Reports. So voted.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to initiate an investigation regarding draft audit report 12 & 13. So voted.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to approve the issuance of the aforementioned committee draft Audit Reports 14, 15 & 16 as Final Audit Reports accompanying completed investigations. So voted.

1. In re: SEEC Initiated: "Winfield 2008," Hartford
File No. 2011-094
Proposed Recommendation of Counsel
Respondents: Gary A. Winfield and Sandra R. McKinnie
Attorney: Kevin Ahern
Lead Legal Investigator: Charlie Urso

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to refer the matter to the Chief State's Attorney office in File No. 2011-094. So voted.

2. In the Matter of a Complaint by Daniel R. Gaita, Bethel
File No. 2009-083
Proposed Recommendation of Counsel
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

3. In the Matter of a Complaint by James Castelot, Derby
File No. 2009-107
Proposed Recommendation of Counsel
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

4. In the Matter of a Complaint by Tom Nicholas, Guilford
File No. 2011-091
Proposed Recommendation of Counsel
Attorney: James Talbert-Slagle
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

5. In the Matter of a Complaint by Jon D. Norris, Southbury
File No. 2011-092
Proposed Findings & Conclusions
Respondents: H. William Davis, Jr.
Attorney: James Talbert-Slagle
Lead Legal Investigator: Gilberto Oyola

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Findings & Conclusions in File No. 2011-092. So voted. The proposed Findings & Conclusions are available on our website under [Commission Decisions](#).

6. In the Matter of a Complaint by Carol Renza, Southbury
File No. 2011-093
Proposed Findings & Conclusions
Respondents: H. William Davis, Jr.
Attorney: James Talbert-Slagle
Lead Legal Investigator: Gilberto Oyola

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Findings & Conclusions in File No. 2011-093. So voted. The proposed Findings & Conclusions are available on our website under [Commission Decisions](#).

7. In the Matter of a Complaint by Lori Kaback, Town Clerk, Danbury

File No. 2009-145

Proposed Consent Order & Agreement

Respondents: Brenda Schlemmer

Attorney: Patrick J. Lamb

Lead Legal Investigator: Gilberto Oyola

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Consent Order & Agreement upon receipt within ten days in File No. 2009-145. So voted. The proposed Consent Order & Agreement will be available on our website under [Commission Decisions](#) upon receipt.

8. Recommendation of Counsel: General Authorization to Settle Non-Treasurer Matters pursuant to General Statutes §9-602 (c).

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the general authorization to settle non-treasurer matters pursuant to General Statutes §9-602 (c). So voted.

9. Recommendation of Counsel: Necessary to Investigate Determination pursuant to General Statutes §9-7a, as amended by Public Act 11-48 §300

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to move to make a determination that it is necessary to investigate violations relating to 11 complaints. It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to move to make a determination that it is necessary to investigate violations relating to 13 complaints in File Nos.: 2011-123NF, 2011-124NF, 2011-125, 2011-126, 2011-127, 2011-128, 2011-129, 2011-130, 2011-131, 2011-132, 2011-133, 2011-134 and 2011-135. So voted.

Consideration of Draft Audit Report

1. "Taborsak 2010," Treasurer: William J. Totten, Jr.
Examiner: Linda Waterman
2. "Roy2010," Treasurer: James J. Patterson
Examiner: Linda Waterman
3. "Friends of Betty Boukus," Treasurer: Gary M. Boukus

Examiner: Martin Paxi

4. "Sandy Nafis 2010," Treasurer: John P. Igielski
Examiner: Martin Paxi
5. "Friends of Chris Wright," Treasurer: Natalie Cummings
Examiner: Martin Paxi
6. "Re-Elect Grogins 2010," Treasurer: Ira Nachem
Examiner: Martin Paxi
7. "Orange 2010," Treasurer: Linda Stoddard
Examiner: Linda Waterman
8. "Wadsworth2010," Treasurer: William E. Riemer
Examiner: Martin Paxi
9. "Friends of Antonio Guerrero 2010," Treasurer: William McDonald
Examiner: Martin Paxi
10. "Eastwood 2010," Treasurer Anthony J. Paticchio
Examiner: Martin Paxi
11. "Rosa for Naugatuck," Treasurer: Ever Linares
Examiner: Salman Munir
12. "Knapp 109," Treasurer: Robert C. Melillo
Investigator: John Neumon
13. "Daviddenvir2010," Treasurer: Nancy Gorski
Investigator: John Neumon
14. "Friends for Farah," Treasurer: Jack Knapp
Examiner: Linda Waterman See also Sec. V., Item 5
15. "Perkins 2008," Treasurer: Benjamin Chianese
Examiner: Shantelle Varrs See also Sec. V., Item 6
16. "Elect Mae Flexer," Treasurer Joyce Ricci
Examiner: Monique Coates See also Sec. V., Item 7

VII. Adjournment

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius at 11:22 A.M. to adjourn the meeting. So voted. (Unless otherwise indicated, all votes of the Commission were unanimous.)

The next regular scheduled meeting is December 14, 2011 at 9:00 A.M. in the 5th Floor Conference room