



STATE OF CONNECTICUT  
STATE ELECTIONS ENFORCEMENT COMMISSION

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**MINUTES OF THE  
STATE ELECTIONS ENFORCEMENT COMMISSION  
REGULAR MEETING  
5<sup>th</sup> Floor Conference Room  
May 18, 2011  
9:00 A.M.**

***I. Call to Order***

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

Ms. Kief requested File No. 2011-035 be added to the agenda.

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to add to the agenda File No. 2011-035 as item 5a. to Public Session. So voted.

***II. Approval of the Minutes***

*Approval of the Minutes of the April 13, 2011 Regular Meeting*

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to approve the Minutes of the April 13, 2011 Regular Meeting. So voted.

***III. Administrative Reports***

Mr. Lenge announced the Clerk of the Commission is retiring and congratulated her for her many years of service. Commissioner Stankevicius presented a resolution to Ms. Blackburn.

Mr. Lenge updated the Commission on the Special Election that took place on May 2, 2011. Mr. Lenge informed the Commission that a Special Election will be taking place on August 16, 2011 for Judge of Probate.

Ms. Nicolescu thanked staff for the wonderful job they are doing with interns.

Mr. Lenge gave the Commission statistics for various units within the agency.

Mr. Lenge updated the Commission on pending litigation for Green Party, *et al.* v. Albert P. Lenge, *et al.* and Gonzalez v. State Elections Enforcement Commission.

***IV. Legislative Update***

Mr. Lenge briefed the Commission on the reorganization that will be taking place.

**V. Pending Complaints and Investigations**

*A. Public Session*

1. In the Matter of a Complaint by Larry McCluskey, Stafford  
File No.: 2009-109  
Proposed Consent Agreements and Orders  
Respondents: Timothy Curnan and Jane Slater  
Attorney: Kevin Ahern  
Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and the proposed Consent Agreements and Orders. He recommended adoption of the proposed Consent Agreements and Orders.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Consent Agreements and Orders in File No. 2009-109. So voted. The Consent Agreements and Orders are available on our website under Commission Decisions.

2. In the Matter of a Complaint by Mark Dziubek, Southington  
File No.: 2009-039  
Proposed Consent Agreement and Order  
Respondent: Michael J. Fasulo  
Attorney: William Smith  
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and the proposed Consent Agreement and Order. He recommended adoption of the proposed Consent Agreement and Order contingent upon receipt within 10 days.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order in File No. 2009-039 contingent upon receipt within 10 days. So voted. The Consent Agreement and Order will be available on our website under Commission Decisions upon receipt.

3. In the Matter of a Complaint by Theodore W. Hintz, Jr., Middle Haddam  
File No.: 2010-124  
Proposed Findings and Conclusions  
Attorney: William Smith  
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and the proposed Findings and Conclusions in File No. 2010-124. He 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. 2010-124. So voted. The

proposed Findings and Conclusions are available on our website under Commission Decisions.

4. In the Matter of a Complaint by Helen Nitkin, Greenwich

File No.: 2011-001

Proposed Consent Agreement and Order

Respondent: Helen Nitkin

Attorney: William Smith

Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and the proposed Consent Agreement and Order. He recommended adoption of the proposed Consent Agreement and Order contingent upon receipt within 10 days.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order in File No. 2011-001 contingent upon receipt within 10 days. So voted. The Consent Agreement and Order will be available on our website under Commission Decisions upon receipt.

5. In the Matter of a Complaint by Thomas Appleby, Rowayton

File No.: 2010-150

Proposed Findings and Conclusions

Attorney: Patrick Lamb

Lead Legal Investigator: Gilberto Oyola

Attorney Lamb summarized the above referenced complaint and the proposed Findings and Conclusions. He 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. 2010-150. So voted. The proposed Findings and Conclusions are available on our website under Commission Decisions.

5a. In the Matter of a Complaint by the Secretary of the State, Hartford

File No. 2011-035

Proposed Consent Agreement and Order

Attorney: Kevin Ahern

Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and the proposed Consent Agreement and Order. He recommended adoption of the proposed Consent Agreement and Order contingent upon receipt within 10 days.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to approve the proposed Consent Agreement and Order contingent upon receipt within 10 days. So voted. The Consent Agreement and Order will be available on our website under Commission Decisions upon receipt.

*B. Executive Session per C.G.S. 1-200(6)(B) and (E), and 1-210(b)(3)(4)and(10)*

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius at 9:40 A.M. to proceed into Executive Session pursuant to C.G.S. §1-200(6)(B) and (E) and §1-210 (b)(3)(4) and (10) to discuss strategy and negotiations with respect to pending claims and exempt records relating thereto, listed as items 6 through 8 on Section V. of the agenda. So voted. Chairman Cashman and Commissioners Jenkins, Bozzuto, Stankevicius and Castagno were present. Staff members present were Mr. Lenge, Ms. Kief, Mr. Smith, Mr. Lamb, Mr. Ahern, Mr. Oyola, Ms. Blackburn, Ms. Stratton, Ms. Montgomery, Mr. Barry, Ms. Adams, Ms. Sadowski, Ms. Leung, Ms. Staniewicz, Ms. Zaccagnino, Ms. Varrs, Ms. Pulaski, Mr. Paxi, Ms. Howard, Ms. Nicolescu and Mr. Neumon.

It was moved by Commissioner Jenkins and seconded by Commissioner Castagno at 10:05 A.M. to return to public session. So voted.

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

6. In the Matter of a Complaint by Mark Brouillard, Woodstock  
File No.: 2011-057  
Attorney: William Smith  
Lead Legal Investigator: Gilberto Oyola

This matter is continued.

7. In the Matter of a Complaint by George Wiles, Fairfield  
File No.: 2011-012  
Attorney: William Smith  
Lead Legal Investigator: Gilberto Oyola

This matter is continued.

8. In the Matter of a Complaint by William Jenkins, Chaplin  
File No.: 2010-107  
Attorney: Patrick Lamb  
Lead Legal Investigator: Gilberto Oyola

This matter is continued.

***VI. Executive Session per C.G.S. §§ 1-200(6)(B) and (E), and 1-210(b)(1),(3)(4)and(10)***  
*(Discussion of preliminary draft audit and enforcement procedures with agency counsel in relation to current and prospective law enforcement actions arising out of audits)*

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius at 10:05 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 4 on Section VI. of the agenda. So voted. Chairman Cashman and Commissioners Jenkins, Bozzuto, Stankevicius and Castagno were present. Staff members present were Mr. Lenge, Ms. Kief, Mr. Smith, Mr. Lamb, Mr. Ahern, Mr. Oyola, Ms. Blackburn, Ms. Stratton, Ms. Montgomery, Mr. Barry, Ms. Adams, Ms. Sadowski, Ms. Leung, Ms. Staniewicz, Ms. Zaccagnino, Ms. Varrs, Ms. Pulaski, Mr. Paxi, Ms. Howard, Ms. Nicolescu and Mr. Neumon.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto at 10:07 A.M. to return to public session. So voted.

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

*Consideration of Draft Audit Reports*

1. "Sampson 2010," Robert Sampson  
Examiner: Paul Boutin
2. "Schofield for State Rep.," Linda Schofield  
Examiner: Linda Waterman
3. "Re-Elect Eileen Daily 2010," Eileen Daily  
Examiner: Paul Boutin
4. "Rovero for State Representative," Daniel Rovero  
Examiner: Shantelle Varrs

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to approve the aforementioned Draft Audit Reports 1-4 as final audit reports. So voted.

**VII. Declaratory Ruling**

*A. Consideration of Proposed Declaratory Ruling 2011-03*

- a. Recommendation of Counsel re: Proposed Declaratory Ruling 2011-03
- b. Proposed Declaratory Ruling 2011-03: Candidate Committees and Joint Communications

Attorney Sadowski summarized the Recommendation of Counsel re: Declaratory Ruling 2011-03.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt Declaratory Ruling 2011-03: Candidate Committees and Joint Communications. So voted.

*B. Request for Reconsideration of Declaratory Ruling 2011-02*

- a. Recommendation of Counsel re: Request for Reconsideration of Declaratory Ruling 2011-02

Attorney Montgomery summarized the Recommendation of Counsel re: Declaratory Ruling 2011-02.

b. Request for Reconsideration of Declaratory Ruling 2011-02, May 12, 2011

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to reconsider Declaratory Ruling 2011-02. So voted.

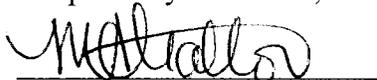
It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt Declaratory Ruling 2011-02. So voted.

***VIII. Adjournment***

***The next regular scheduled meeting is June 22, 2011 at 9:00 A.M. in the 5th Floor Conference room.***

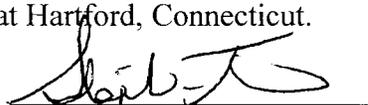
It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins at 10:17 A.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

Respectfully submitted,



MaryAnn Stratton  
Acting Clerk of the Commission

Adopted this 22nd day of June, 2011 at Hartford, Connecticut.



Stephen F. Cashman  
By Order of the Commission