



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
June 22, 2011
9:00 A.M.

I. Call to Order

Chairman Cashman called the meeting to order at 9:03 A.M. Commissioners Jenkins and Castagno were present. Agency staff were also present.

Ms. Kief requested File No. 2011-008 be added to the agenda.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to add to the agenda File No. 2011-008 as item 16 b. to Public Session. So voted.

II. Approval of the Minutes

Approval of the Minutes of the May 18, 2011 Regular Meeting

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to approve the Minutes of the May 18, 2011 Regular Meeting. So voted.

III. Consideration of Hearing Officer's Reports

Procedural Advisor, Attorney Joshua Foley presented the Hearing Officer's Reports on behalf of Hearing Officer Albert P. Lenge.

- A. In the Matter of a Referral by a SEEC Elections Officer
File No. 2010-092 CNF
Hearing Officer: Attorney Albert P. Lenge
Respondent: Turk Edwards
Prosecutor: Attorney Patrick Lamb
- B. In the Matter of a Referral by a SEEC Elections Officer
File No. 2010-169NF
Hearing Officer: Attorney Albert P. Lenge
Respondent: Melissa Proulx
Prosecutor: Attorney Patrick Lamb

- C. In the Matter of a Referral by a SEEC Elections Officer
File Nos. 2010-176NF & 2011-020NF
Hearing Officer: Attorney Albert P. Lenge
Respondent: Raul Montañez-Pitre
Prosecutor: Attorney Patrick Lamb

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to approve the Final Decision in File Nos. 2010-176NF and 2011-020NF, item C. So voted.

- D. In the Matter of a Referral by a SEEC Elections Officer
File Nos. 2010-188NF & 2011-034NF
Hearing Officer: Attorney Albert P. Lenge
Respondent: Lisa Hopkins
Prosecutor: Attorney Patrick Lamb

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to approve the Final Decision in File No. 2010-092CNF item A., 2010-169NF, item B., 2010-188NF and 2011-034NF, item D. So voted.

IV. Legislative Summary

This item was passed to follow Pending Complaints and Investigations.

A. Summary of Recent Legislation

Mr. Lenge gave a brief overview of the Legislative Session concerning the impact on the agency.

B. Discussion of Section 300 of Public Act 11-48

Attorney Foley summarized Public Act 11-48, Section 300 for the Commission. No vote was taken.

C. Discussion of Section 301 of Public Act 11-48

Mr. Neumon summarized Public Act 11-48, Section 301 for the Commission. No vote was taken.

V. Administrative Reports

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.

VI. Pending Complaints and Investigations

A. Public Session

1. In Re: SEEC Initiated September 11, 2007 Democratic Primary, Hartford (Bridgeport)
File No. 2008-004
Proposed Findings and Conclusions
Attorney: William Smith and Shannon Bergquist
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and the proposed Findings and Conclusions in File No. 2008-004. 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. 2008-004. So voted. The proposed Findings and Conclusions are available on our website under Commission Decisions.

2. In the Matter of a Complaint by Michael Gongler and Victoria Harpley, Cromwell
File No. 2009-125
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. 2009-125. 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. 2009-125. So voted. The proposed Findings and Conclusions are available on our website under Commission Decisions.

3. In the Matter of a Complaint by John Keith Mitzelfelt, Guilford
File No. 2010-101
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. 2010-101. 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. 2010-101. 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 in File No. 2011-001. He recommended adoption of the proposed Consent Agreement and Order.

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to adopt the proposed Consent Agreement and Order in File No. 2011-001. So voted. The proposed Consent Agreement and Order is available on our website under Commission Decisions.

5. In Re: SEEC Initiated "Knox 2008," Hartford
File No. 2011-007
Proposed Consent Agreements and Orders
Respondents: Dr. Robert I. Knox and Jay S. Sarzan
Attorney: William Smith
Lead Legal Investigator: Charlie Urso

Attorney Smith summarized the above referenced complaint and the proposed Consent Agreements and Orders in File No. 2011-007. He recommended adoption of the proposed Consent Agreements and Orders contingent upon receipt within 10 days.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Agreements and Orders in File No. 2011-007 contingent upon receipt within 10 days. So voted. The Consent Agreements and Orders will be available on our website under Commission Decisions upon receipt.

6. In the Matter of a Complaint by George Wiles, Fairfield
File No. 2011-012
Proposed Consent Agreement and Order
Respondent: George Wiles
Attorney: William Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and the proposed Consent Agreement in File No. 2011-012. He recommended adoption of the proposed Consent Agreement and Order.

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to adopt the proposed Consent Agreement and Order in File No. 2011-012. So voted. The proposed Consent Agreement and Order is available on our website under Commission Decisions.

7. In the Matter of a Complaint by Mark Brouillard, Woodstock
File No. 2011-057
Proposed Consent Agreement Order

Respondents: Steven and Marjolaine Townsend
Attorney: William Smith
Lead Legal Investigator: Gilberto Oyola

This matter was passed and resumed at the end of the Public Session.

Attorney Smith summarized the above referenced complaint and the proposed Consent Agreement in File No. 2011-057. He recommended adoption of the proposed Consent Agreement and Order.

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to adopt the proposed Consent Agreement and Order in File No. 2011-057. So voted. The proposed Consent Agreement and Order is available on our website under Commission Decisions.

8. 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 in File No. 2011-035. He recommended adoption of the proposed Consent Agreement and Order.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order in File No. 2011-035. So voted. The proposed Consent Agreement and Order is available on our website under Commission Decisions.

9. In the Matter of a Complaint by Henry Karl, Jr., Bethel
File No. 2009-138
Proposed Findings and Conclusions

Attorney: James Talbert-Slagle
Lead Legal Investigator: Gilberto Oyola

Attorney Talbert-Slagle summarized the above referenced complaint and the proposed Findings and Conclusions in File No. 2009-138. 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. 2009-138. So voted. The

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

10. In Re: SEEC Initiated Abe Giles “09,” Hartford
File No. 2009-147
Proposed Consent Agreement and Order
Respondent: Radames Vasquez
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Attorney Talbert-Slagle summarized the above referenced complaint and the proposed Consent Agreement and Order in File No. 2009-147. He recommended adoption of the proposed Consent Agreement and Order.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Consent Agreement and Order in File No. 2009-147. So voted. The proposed Consent Agreement and Order is available on our website under Commission Decisions.

11. In Re: SEEC Initiated “Martin A. Goldberg for State Senate,” Hartford
File No. 2010-157
Proposed Consent Agreement and Order
Respondent: Cynthia Kruth
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Attorney Talbert-Slagle summarized the above referenced complaint and the proposed Consent Agreement and Order in File No. 2010-157. 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. 2010-157 contingent upon receipt within 10 days. So voted. The Consent Agreement and Order will be available on our website under Commission Decisions upon receipt.

12. In Re: SEEC Initiated “Jose “Chico” Rivera for State Rep. 130th District,” Hartford
File No. 2010-159
Proposed Consent Agreement and Order
Respondent: David N. Feliu
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Attorney Talbert-Slagle summarized the above referenced complaint and the proposed Consent Agreement and Order in File No. 2010-159. 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. 2010-159 contingent upon receipt within 10 days. So voted. The Consent Agreement and Order will be available on our website under Commission Decisions upon receipt.

13. In the Matter of a Complaint by Deborah Ward-O'Brien, North Haven
File No. 2009-077
Request to Withdraw
Attorney: Patrick Lamb
Lead Legal Investigator: Gilberto Oyola

Attorney Lamb summarized the above referenced complaint and the complainant's request to withdraw the complaint. He had no objection to the withdrawal.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to permit the complainant's withdrawal of her complaint in File No. 2009-077. So voted. The complaint is withdrawn.

14. In the Matter of a Complaint by Roger J. Szendy, New Milford
File No. 2010-054
Proposed Consent Agreement and Order
Respondent: William DeFeo
Attorney: Patrick Lamb
Lead Legal Investigator: Gilberto Oyola

Attorney Lamb summarized the above referenced complaint and the proposed Consent Agreement and Order in File No. 2010-054. He 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. 2010-054. So voted. The proposed Consent Agreement and Order is available on our website under Commission Decisions.

15. In the Matter of a Complaint by William Jenkins, Chaplin
File No. 2010-107
Proposed Consent Agreement and Order
Respondent: Ronald Petronella
Attorney: Patrick Lamb
Lead Legal Investigator: Gilberto Oyola

Attorney Lamb summarized the above referenced complaint and the proposed Consent Agreement and Order in File No. 2010-107. He 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. 2010-107. So voted.

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

16. In Re: SEEC Initiated Republican Governor's Association, Hartford
File No. 2011-009
Proposed Consent Agreement and Order
Respondent: Republican Governor's Association
Attorney: Patrick Lamb
Lead Legal Investigator: Gilberto Oyola

Attorney Lamb summarized the above referenced complaint and the proposed Consent Agreement and Order in File No. 2011-009. He 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. 2011-009. So voted. The proposed Consent Agreement and Order is available on our website under Commission Decisions.

- 16B. In Re: SEEC Initiated Democratic Governor's Association, Hartford
File No. 2011-008
Proposed Consent Agreement and Order
Respondent: Democratic Governor's Association
Attorney: Patrick Lamb
Lead Legal Investigator: Gilberto Oyola

Attorney Lamb summarized the above referenced complaint and the proposed Consent Agreement and Order in File No. 2011-008. 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 adopt the proposed Consent Agreement and Order in File No. 2011-008 contingent upon receipt within 10 days. So voted. The Consent Agreement and Order will be available on our website under Commission Decisions upon receipt.

17. Pursuant to Section 9-7b-35 of the Regulations of Connecticut State Agencies, Proposed Findings of a Reason to Believe a Violation has been Committed Concerning Delinquent Filings, Violations Under Section 9-623(b) (2). Based Upon Referrals by the SEEC Campaign Disclosure and Audit Unit

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to find reason to believe violations have been committed in File Nos.: 2010-191NF, 2010-175NF, 2011-021NF, 2011-019NF, 2011-068NF, 2010-088CNF and 2010-161CNF. So voted.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to find reason to believe violations have been committed in File Nos.: 2010-191NF,

2010-175NF, 2011-021NF, 2011-019NF, 2011-068NF, 2010-088CNF and 2010-161CNF. So voted.

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 9:37 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 18 through 22 on Section VI. of the agenda. So voted. Chairman Cashman and Commissioners Jenkins, Bozzuto, Stankevicius and Castagno were present. Staff members present were Ms. Kief, Mr. Smith, Mr. Lamb, Mr. Ahern, Mr. Oyola, Ms. Stratton, Mr. Talbert-Slagle, Ms. Montgomery, Mr. Barry, Ms. Adams, Ms. Sadowski, Ms. Staniewicz, Ms. Zaccagnino, Ms. Varrs, Ms. Cruz-Cabrera, Mr. Hasen, Ms. Pulaski, Ms. Nicolescu, Mr. Urso and Mr. Neumon.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius at 10:57 A.M. to return to public session. So voted.

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

18. In the Matter of a Complaint by Frank Burgio, Sr., Waterbury
File No. 2008-158 and 2008-223
Attorney: Kevin Ahern
Lead Legal Investigator: Gilberto Oyola

This matter is continued.

19. In the Matter of a Complaint by Edward Cook, Essex
File No. 2010-073
Proposed Findings and Conclusions
Attorney: Kevin Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and the proposed Findings and Conclusions in File No. 2010-073. He 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. 2010-073. So voted. The proposed Findings and Conclusions are available on our website under Commission Decisions.

20. In the Matter of a Complaint by Matthew Waggner and Roger Autuori, Fairfield
File No. 2011-061
Proposed Findings and Conclusions
Attorney: Kevin Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and the proposed Findings and Conclusions in File No. 2011-061. He 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. 2011-061. The Commission agreed to redact personal information about the Respondents from the agreement. So voted. The proposed Findings and Conclusions are available on our website under Commission Decisions.

21. In the Matter of a Complaint by Scott D. Veley, Berlin
File No. 2011-011
Attorney: Kevin Ahern
Lead Legal Investigator: Gilberto Oyola

This matter is continued.

22. In the Matter of a Complaint of Windham Rt. 6 Partners, LLC, Willimantic
File No. 2011-059
Attorney: William Smith
Lead Legal Investigator: Gilberto Oyola

This matter is continued.

VII. 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 11:52 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 5 on Section VII. 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. Stratton, Mr. Talbert-Slagle, Ms. Montgomery, Mr. Barry, Ms. Adams, Ms. Sadowski, Ms. Staniewicz, Ms. Zaccagnino, Ms. Varrs, Ms. Cruz-Cabrera, Mr. Hasen, Ms. Pulaski, Ms. Nicolescu, Mr. Urso and Mr. Neumon.

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius at 11:54 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. "Hammers 2010 for State Senate," Elaine A. Hammers
Examiner: Martin Paxi

2. "Joan Lewis for State Representative," Joan Lewis
Examiner: Evelyn Cruz-Cabrera

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt as Final Audit Reports item 1. "Hammers 2010 for State Senate," Elaine A. Hammers and item 2. "Joan Lewis for State Representative," Joan Lewis. So voted.

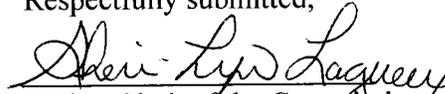
3. "Abe Giles '08'," Abraham Giles
Examiner: Susan Pulaski
4. "Martin A. Goldberg For State Senate," Martin A. Goldberg
Examiner: Salman Munir
5. "Jose 'Chico' Rivera for State Rep. 130th District, "Jose "Chico" Rivera"
Examiner: Martin Paxi

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt as Final Audit Reports for 2008, items: 3. "Abe Giles '08'," Abraham Giles, ítem 4. "Martin A. Goldberg For State Senate," Martin A. Goldberg and ítem 5. "Jose 'Chico' Rivera for State Rep. 130th District, "Jose "Chico" Rivera" as Final Audit Reports. So voted.

VIII. Adjournment

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins at 11:56 A.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

Respectfully submitted,


Acting Clerk of the Commission

Adopted this 27th day of July, 2011 at Hartford, Connecticut.


Stephen F. Cashman
By Order of the Commission

The next regular scheduled meeting is July 27, 2011 at 9:00 A.M. in the 5th Floor Conference room.