



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING

5th Floor Conference Room
September 21, 2011
9:00 A.M.

I. Call to Order

Commissioner Cashman called the meeting to order at 9:10 A.M. Commissioners Castagno, Jenkins and Bozzuto were present. Agency staff was also present.

Director Kief requested File No. 2011-003, In re: SEEC Initiated “Kirkley-Bey 2008” be added to the agenda as item #2a, Section IV, and that ongoing litigation be added to the agenda as item #6 in Executive Session.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to add File No. 2011-003 to the agenda as item #2a, Section IV, and add ongoing litigation to the agenda as item #6 in Executive Session. So Voted.

Commissioner Cashman requested that a discussion of personnel be added to the end of the agenda in Executive Session.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to add discussion of personnel to the end of the agenda in Executive Session. So Voted.

Mr. Lenge introduced David Guay, Executive Administrator, to the Commission. The Commission welcomed him. Mr. Guay said he was looking forward to providing the services to the Commission. He continued to thank everyone for the warm welcome he received.

Commissioner Cashman requested to add a special presentation regarding the retirement of Executive Director and General Counsel, Albert Lenge. Commissioner Cashman called upon Commissioner Castagno to read and present a public service award from the Secretary of the State in recognition to Mr. Lenge’s significant contribution to the State of Connecticut for nearly 3 decades of exemplary public service, commending Mr. Lenge’s long and distinguished career. The Commissioners presented Mr. Lenge with a plaque.

II. Approval of the Minutes

Approval of the Minutes of the Meeting of the August 24, 2011 Regular Meeting

Commissioner Castagno requested a revision to the minutes.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to change the Minutes as amended of the August 24, 2011 Regular Meeting . So voted.

III. Administrative Reports

Mr. Lenge informed the Commission that the Office of the Secretary of the State has requested that the Commission co-sponsor an online internet voting symposium to be held on October 27. Mr. Lenge recommended for the Commission to co-sponsor this event and asked for a vote. It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to co-sponsor this event. So Voted.

Mr. Lenge updated the Commission regarding the 2011 Special Elections audits and the 2010 audits.

Mr. Lenge updated the Commission regarding the projection status report for the CEP grants account for the 2012 elections.

Mr. Lenge discussed and summarized Commission statistics for various units within the agency. Mr. Lenge updated the Commission regarding statistics on calls received for the September 13 primary, enforcement statistics, and inquiries to the legal compliance unit.

Mr. Lenge informed the Commission regarding the new audit intern, Andrew Calder, who will be involved in some aspect of the audit.

Mr. Lenge informed the Commission about upcoming municipal training for candidates and treasurers.

Mr. Lenge announced that Attorney Shannon Bergquist submitted her resignation.

IV. Pending Complaints and Investigations

A. Public Session

1. In re: SEEC initiated "Mount for State Representative," Hartford
File No. 2010-155
Proposed Consent Order & Agreement
Respondents: Gabriella DiBlasi, Treasurer
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. 2010-155. He recommended adoption of the proposed Consent Order & Agreement contingent upon receipt within ten days.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Order & Agreement in File No. 2010-155 contingent upon receipt within ten days. So voted. The Consent Order & Agreement will be available on our website under Commission Decisions upon receipt.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt as Final Audit Report "Mount for State Representative". So voted.

2. In re: SEEC Initiated "The Committee to Re-Elect State Senator Eric D. Coleman," Hartford
File No. 2010-071
Proposed Consent Order & Agreement
Respondents: Martin B. John, Treasurer
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. 2010-071. He recommended adoption of the proposed Consent Order & Agreement.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Consent Order & Agreement in File No. 2010-071. So voted. The proposed Consent Order & Agreement is available on our website under Commission Decisions.

2a. In re: "Kirkley-Bey 2008," Hartford

File No. 2011-003

Proposed Consent Order & Agreement

Respondents: Myron Congdon
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. 2011-003. He recommended adoption of the proposed Consent Order & Agreement contingent upon receipt within ten days.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Consent Order & Agreement in File No. 2011-003 contingent upon receipt within ten days. So voted. The proposed Consent Order & Agreement will be available on our website under Commission Decisions.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the Final Audit Report "Kirkley-Bey 2008". So voted.

3. In the Matter of a Complaint by Dayna McDermott-Arriola, Hampton

File No. 2009-100

Proposed Findings & Conclusions

Respondents: Joan Fox
Attorney: Kevin Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and the proposed Findings & Conclusions in File No. 2009-100. 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. 2009-100. So voted. The proposed Findings & Conclusions are available on our website under Commission Decisions.

4. In the Matter of a Complaint by Kenneth Gronbach, Haddam

File No. 2009-148

Proposed Consent Order & Agreement

Respondents: Marjorie DeBold, Patricia Hess and
Ann Huffstetler
Attorney: Kevin Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and proposed Consent Order & Agreement in File No. 2009-148. He recommended adoption of the proposed Consent Order & Agreement.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Consent Order & Agreement in File No. 2009-148. So voted. The record reflects Commissioner Castagno abstained from voting. The proposed Consent Order & Agreement is available on our website under Commission Decisions.

5. In the Matter of a Complaint by Rosemary Wong, Stratford
File No. 2009-101
Proposed Consent Order & Agreement
Respondents: James M. Brown
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 contingent upon receipt within ten days.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Order & Agreement in File No. 2009-101 contingent upon receipt within ten days. So voted. The proposed Consent Order & Agreement will be available on our website under Commission Decisions upon receipt.

6. In the Matter of a Complaint by Arthur J. Scialabba, Norwalk
File No. 2010-077
Proposed Consent Order & Agreement
Respondents: Luigi Jonathan Lombardi
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and proposed Consent Order & Agreement in File No. 2010-077. He recommended adoption of the proposed Consent Order & Agreement contingent upon receipt within ten days.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Consent Order & Agreement in File No. 2010-077 contingent upon receipt within ten days. So voted. The proposed Consent Order & Agreement will be available on our website under Commission Decisions upon receipt.

7. In the Matter of a Complaint by Donald A. Brown, Thompson
File No. 2011-080
Proposed Consent Order & Agreement
Respondent: James Morton
Attorney: William B. Smith
(with Amy Baral intern)

Attorney Smith summarized the above referenced complaint and proposed Consent Order & Agreement in File No. 2011-080. He recommended adoption of the proposed Consent Order & Agreement.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Consent Order & Agreement in File No. 2011-080. So voted. The proposed Consent Order & Agreement is available on our website under Commission Decisions.

8. In the Matter of a Complaint by Thomas Kelly, Oxford
File No. 2010-069
Proposed Findings & Conclusions
Respondents: Oxford First Selectwoman Mary Ann
Drayton-Rogers, Town Counsel Francis
Teodosio and Town Clerk Margaret Potts
West
Attorney: Patrick J. Lamb
Lead Legal Investigator: Gilberto Oyola

Attorney Lamb summarized the above referenced complaint and the proposed Findings & Conclusions in File No. 2010-069. 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. 2010-069. So voted. The proposed Findings & Conclusions are available on our website under Commission Decisions.

9. In the Matter of a Complaint by Michael Gongler and Victor Harpley,
Cromwell
File No. 2009-126
Proposed Findings & Conclusions
Respondents: William Yeske, Jr., Stephen Bayley
and Mark C. Corvo
Attorney: Patrick J. Lamb
Lead Legal Investigator: Gilberto Oyola

Attorney Lamb summarized the above referenced complaint and the proposed Findings & Conclusions in File No. 2009-126. He recommended adoption of the proposed Findings & Conclusions.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Findings & Conclusions in File No. 2009-126. So voted. The proposed Findings & Conclusions are available on our website under Commission Decisions.

V. 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 Castagno at 9:49 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 8 on the agenda. So voted. Commissioners Cashman, Commissioners Castagno, Jenkins and Bozzuto were present. Staff members present were Mr. Lenge, Ms. Kief, Mr. Smith, Mr. Lamb, Mr. Talbert-Slagle, Mr. Ahern, Mr. Oyola, Mrs. Adams, Mrs. Leung, Mrs. Nicolescu, Ms Lagueux, and Ms. Gratacos.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto at 10:38 A.M. to return to public session. So voted.

The Commission took the following action:

1. In the Matter of a Complaint by Cynthia McCorkindale, Bethel
File No. 2011-079
Attorney: Patrick J. Lamb
Lead Legal Investigator: Gilberto Oyola

This matter is continued.

2. In the Matter of a Complaint by Martin Steege, Hartford
File No. 2010-111
Proposed Findings & Conclusions
Respondents: John M. Bazzano
Attorney: Patrick J. Lamb
Lead Legal Investigator: Gilberto Oyola

Attorney Lamb summarized the above referenced complaint and the proposed Findings & Conclusions. 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. 2010-111. So voted. The proposed Findings & Conclusions are available on our website under Commission Decisions.

3. In the Matter of a Complaint by Monika Thiel, New Fairfield
File No. 2011-006
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

This matter is continued.

4. In the Matter of a Complaint by Carol D. Walter, Clinton
File No. 2011-106
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

This matter is continued.

5. In the Matter of a Complaint by Stacy G. Piccirillo, Town Clerk, East Haven
File No. 2010-017
Proposed Findings & Conclusions
Respondents: Ann-Louise DeSorbo
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and the proposed Findings & Conclusions. He recommended adoption of the proposed Findings & Conclusions.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Findings & Conclusions in File No. 2010-017. So voted. The proposed Findings & Conclusions are available on our website under Commission Decisions.

6. In the Matter of a Complaint by Henry Karl, Bethel
File No. 2009-134
Proposed Findings & Conclusions
Respondents: Daniel Gaita
Attorney: Kevin Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and the proposed Findings & Conclusions in File No. 2009-134. 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. 2009-134. So voted. The proposed Findings & Conclusions are available on our website under Commission Decisions.

7. In the Matter of a Complaint by Christopher Healy, Wethersfield
File No. 2011-004
Attorney: Kevin Ahern
Lead Legal Investigator: Gilberto Oyola

This matter is continued.

8. 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 Jenkins to move to make a determination that it is necessary to investigate violations relating to four complaints in File Nos.: 2011-109, 2011-110, 2011-111, 2011-112. So voted.

It was moved by Commissioner Bozzuto and seconded by Commissioner Castagno that the Commission will take no further action regarding the final matter listed in the recommendation of counsel. So voted.

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 Castagno at 10:43 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, as added to the agenda. So voted. Commissioners Cashman, Commissioners Castagno, Jenkins and Bozzuto were present. Staff members present were Mr. Lenge, Ms. Kief, Mrs. Nicolescu, Ms. Lagueux, and Ms. Gratacos.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto at 10:48 A.M. to return to public session. So voted.

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

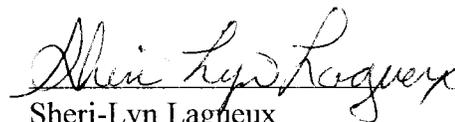
It was moved by Commissioner Jenkins and seconded by Commissioner Castagno at 10:49 A.M. to proceed into **Executive Session per C.G.S. §§ 1-200(6)(A),(B) and (E), and 1-210(b)(2)** to discuss personnel matters. So voted. Commissioners Cashman, Commissioners Castagno, Jenkins and Bozzuto were present. Staff members present were Mr. Lenge.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto at 11:29 A.M. to return to public session. So voted.

VIII. Adjournment

It was moved by Commissioner Jenkins and seconded by Commissioner Castagno at 11:33 A.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

Respectfully submitted,


Sheri-Lyn Lagneux
Clerk of the Commission

Adopted this 19th day of October, 2011 at Hartford, Connecticut.


Stephen F. Cashman
By Order of the Commission

The next regular scheduled meeting is October 19, 2011 at 9:00 A.M. in the 5th Floor Conference room