



STATE OF CONNECTICUT  
STATE ELECTIONS ENFORCEMENT COMMISSION

---

**MINUTES OF THE  
STATE ELECTIONS ENFORCEMENT COMMISSION  
REGULAR MEETING  
5<sup>th</sup> Floor Conference Room  
January 26, 2011  
9:00 A.M.**

***I. Call to Order***

Chairman Cashman called the meeting to order at 9:04 A.M. Commissioner's Jenkins, Bozzuto, Stankevicius and Castagno were present. Agency staff was also present.

Chairman Cashman requested that a Resolution thanking Director Rotman for her service be added to the agenda. It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to add the Resolution to the agenda. So voted.

Director Kulmacz requested that two Grant Applications be added to the agenda, "Leone for Senate," Carlo Leone and "Suzio 2011," Leonard Suzio. It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to add the grant applications to the agenda as item 10A.

Director Kief requested the Complaint of Robert Kissel, File No. 2010-142 be added to the agenda. It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to add File No. 2010-142 to the agenda as item 10B.

*Resolution Expressing Commission's Gratitude to Director Beth Rotman*

Departing Citizens' Election Program Director, Beth Rotman was thanked for her service to the State Elections Enforcement Commission and her contributions to the Citizens' Election Program.

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

*Approval of the Minutes of the December 15, 2010 Regular Meeting*

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to approve the Minutes of the December 15, 2010 Regular Meeting. So voted.

***III. Administrative Reports***

Director Lenge updated the Commission on the eCRIS filing analysis, enforcement analysis and the special election overview calendars.

Director Lenge briefly discussed the Green Party v. Garfield litigation.

Director Rotman discussed the Citizens' Election Program report that is being finalized and her sentiments on the success of the program.

Item VI. Declaratory Rulings and Item VII. Draft Legislative Proposals were discussed prior to moving on to Item IV., Pending Complaints and Investigations.

#### ***IV. Pending Complaints and Investigations***

##### ***A. Public Session***

**1. In Re: Petition Fraud**

File No. 2006-271

Referral to Attorney General's Office for Enforcement (Status Update)

Respondent: John Imre

Attorney: William B. Smith

Attorney Smith summarized the above referenced complaint and the Attorney General's Office request for permission to withdraw the enforcement action.

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to permit the Attorney General's Office to withdraw the enforcement action in File Number 2006-271. So voted.

**2. In the Matter of a Complaint by Tim O'Brien, New Britain**

File No. 2010-010

Proposed Consent Agreement and Order

Respondent: Tonilynn Collins

Attorney: William B. Smith

Lead Legal Investigator: Charlie Urso

Attorney Smith summarized the Proposed Consent Agreement and Order and indicated this matter requested this matter be continued.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to continue this matter. So voted.

**3. In the Matter of a Complaint by William Paecht, Seymour**

File No. 2010-051

Proposed Findings and Conclusions

Attorney: William B. Smith

Lead Legal Investigator: Gilberto Oyola

Attorney Smith 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 Bozzuto and seconded by Commissioner Stankevicius to adopt the proposed Findings and Conclusions in File No. 2010-051. So voted. The Findings and Conclusions are available on our website under Commission Decisions.

4. In the Matter of a Complaint by Robert Kalechman, Simsbury  
File No. 2010-119  
Proposed Findings and Conclusions  
Attorney: William B. Smith  
Lead Legal Investigator: Gilberto Oyola

Attorney Smith 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 Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2010-119. So voted. The Findings and Conclusions are available on our website under Commission Decisions.

5. In the Matter of a Complaint by Olga Iris Vazquez, Hartford  
File No. 2008-094  
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. 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. 2008-094. So voted. The Findings and Conclusions are available on our website under Commission Decisions.

6. In the Matter of a Complaint by Christopher C. Healy, Wethersfield  
File No. 2008-123  
Proposed Consent Agreement and Order  
Respondent: Thomas Kehoe  
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.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Findings and Conclusions in File No.

2008-123. So voted. The Findings and Conclusions are available on our website under Commission Decisions.

7. In re: Russo for Senate Campaign (2008), Referral by Audit and Disclosure Unit  
File 2009-066

Proposed Consent Agreement and Order

Respondents: Gordon T. Andrew & Ward L. Thrasher

Attorney: Shannon R. T. Bergquist

Lead Legal Investigator: Charles Urso

Attorney Bergquist 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 within ten days.

It was moved by Commissioner Jenkins and seconded by Commissioner Castagno to adopt the proposed Consent Agreement and Order in File No. 2009-066 contingent upon receipt within ten days. So voted. The Consent Agreement and Order will be available on our website under Commission Decisions upon receipt.

8. In the Matter of a Complaint by Jonathan Pelto, Storrs  
File No. 2009-104

Proposed Findings and Conclusions

Proposed Consent Agreement and Order

Respondent: Kenneth Dautrich, Ph.D

Attorneys: Shannon R. R. Bergquist & James Talbert-Slagle

Lead Legal Investigator: Charlie Urso

Attorney Talbert-Slagle 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 Stankevicius to adopt the proposed Findings and Conclusions in File No. 2009-104. Commissioner Castagno abstained from this vote. So voted. The Findings and Conclusions are available on our website under Commission Decisions.

Attorney Talbert-Slagle summarized the above referenced complaint and the proposed Consent Agreement and Order. He recommended adoption of the proposed Consent Agreement and Order.

It was moved by Commissioner Jenkins and seconded by Commissioner Castagno to adopt the proposed Consent Agreement and Oder in File No. 2009-104. Commissioner Castagno abstained from this vote. So voted.

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

9. In the Matter of a Complaint by Robert Burke, Manchester  
File No. 2009-136  
Proposed Consent Agreement and Order  
Respondent: Timothy H. Becker & Francis A. Maffe, Jr  
Attorney: Shannon R. T. Bergquist  
Lead Legal Investigator: Gilberto Oyola

Attorney Bergquist summarized the above referenced complaint and the proposed Consent Agreement and Order. She 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. 2009-136. So voted. The Proposed Consent Agreement and Order are available on our website under Commission Decisions.

10. In the Matter of a Complaint by Marietta S. Lee, Madison  
File No. 2010-011  
Proposed Findings and Conclusions  
Attorney: Shannon R. T. Bergquist  
Lead Legal Investigator: Gilberto Oyola

Attorney Bergquist summarized the above referenced complaint and the proposed Findings and Conclusions. 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. 2010-011. So voted. The Findings and Conclusions are available on our website under Commission Decisions.

10A. ***Consideration of Applications for Public Grants from the Citizens' Election Fund***

Campaign Disclosure and Audit Director, Dianna Kulmacz, presented the analysis of her unit's review of the grant applications referred to below, and offered her recommendation. After discussion, the Commission took the following action.

1. "Suzio 2011," Leonard F. Suzio

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to approve the grant application for "Suzio 2011," Leonard F. Suzio. So voted.

2. "Leone for Senate," Carlo Leone

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to approve the grant application for "Leone for Senate," Carlo Leone. So voted.

- 10B. In the Matter of a Complaint by Robert S. Kissel, Hamden  
File No. 2010-142  
Proposed Consent Agreement and Order  
Attorney: Shannon R.T. Bergquist  
Lead Legal Investigator: Gilberto Oyola

Attorney Bergquist summarized the above referenced complaint and the proposed Consent Agreement and Order. She recommended adoption of the proposed Consent Agreement and Order.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Findings and Conclusions in File No. 2010-142. So voted. The Findings and Conclusions are available on our website under [Commission Decisions](#).

*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 10:12 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 11 through 24 on Section IV. of the agenda. So voted. Chairman Cashman and Commissioners Jenkins, Bozzuto, Castagno and Stankevicius were present. Staff members present were Mr. Lenge, Ms. Kief, Mr. Smith, Mr. Lamb, Ms. Bergquist, Mr. Oyola, Mr. Ahern, Ms. Blackburn, Ms. Stratton, Ms. Kulmacz, Ms. Rotman, Ms. Nicolescu, Ms. Leibenhaut, Ms. Adams, Ms. Sadowski, Mr. Barry, Mr. Cascudo, Ms. Staniewicz, Mr. Urso, Ms. Zaccagnino and Ms. Montgomery.

It was moved by Commissioner Castagno and seconded by Commissioner Bozzuto at 11:13 A.M. to return to public session. So voted.

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

11. In the Matter of a Complaint by Jonathan Best, Stratford  
File No. 2009-081  
Attorney: Shannon R. T. Bergquist  
Lead Legal Investigator: Gilberto Oyola

This matter is continued.

12. In the Matter of a Complaint by Diane S. Krevolin, West Haven  
File No. 2010-144  
Proposed Findings and Conclusions  
Attorney: Shannon R. T. Bergquist  
Lead Legal Investigator: Gilberto Oyola

Attorney Bergquist summarized the above referenced complaint and the proposed Findings and Conclusions. She recommended adoption of the proposed Findings and Conclusions.

It was moved by Commissioner Bozzuto and seconded by Commissioner Castagno to adopt the proposed Findings and Conclusions in File No. 2010-144. So voted. The Findings and Conclusions are available on our website under Commission Decisions.

13. In the Matter of a Complaint by Jean de Smet, Willimantic  
File No. 2010-149  
Attorney: Shannon R. T. Bergquist  
Lead Legal Investigator: Gilberto Oyola

This matter is continued.

14. In the Matter of a Complaint by Joseph Borges, Bridgeport  
File No. 2008-131  
In the Matter of a Complaint by Lucy F. Corelli, Stamford  
File No. 2008-135  
Proposed Findings and Conclusions  
Attorney: William B. Smith and Kevin Ahern  
Lead Legal Investigator: Gilberto Oyola

Attorney Smith 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 Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2008-131. So voted. The Findings and Conclusions are available on our website under Commission Decisions.

Attorney Ahern 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 Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2008-135. So voted. The Findings and Conclusions are available on our website under Commission Decisions.

15. In the Matter of a Complaint by Donna J. McCalla, Amston  
File No. 2010-055  
Attorney: William B. Smith  
Lead Legal Investigator: Gilberto Oyola

This matter is continued.

16. In the Matter of a Complaint by Marie Eghert, Hebron  
File No. 2010-056  
Attorney: William B. Smith  
Lead Legal Investigator: Gilberto Oyola

This matter is continued.

17. In the Matter of a Complaint by Thomas R. Dunn, ROV, Darien  
File No. 2010-036  
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. 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. 2010-036. So voted. The Findings and Conclusions are available on our website under [Commission Decisions](#).

18. In Re: SEEC Initiated "Royston 2008"  
File No. 2010-121  
Attorney: Kevin Ahern  
Lead Legal Investigator: Charles Urso

This matter is continued.

19. In the Matter of a Complaint by Christopher C. Healy, Wethersfield  
File No. 2009-069  
Proposed Findings and Conclusions  
Attorney: Patrick J. 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. 2009-069. So voted. The Findings and Conclusions are available on our website under [Commission Decisions](#).

20. In the Matter of a Complaint by Arthur J. Scialabba, Norwalk  
File No. 2009-102  
Proposed Findings and Conclusions  
Attorney: Patrick J. 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. 2009-102. So voted. The Findings and Conclusions are available on our website under [Commission Decisions](#).

21. In the Matter of a Complaint by Karen Murphy, Stamford  
File No. 2009-141  
Proposed Findings and Conclusions  
Attorney: Patrick J. 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. 2009-141. So voted. The Findings and Conclusions are available on our website under [Commission Decisions](#).

22. In the Matter of a Complaint by Calvin A. Mellor, Lisbon  
File No. 2010-129  
Proposed Findings and Conclusions  
Attorney: Patrick J. 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 Stankevicius to adopt the proposed Findings and Conclusions in File No.

2010-129. So voted. The Findings and Conclusions are available on our website under Commission Decisions.

23. In the Matter of a Complaint by Robert H. Kalechman, Simsbury  
File No. 2010-138  
Proposed Findings and Conclusions  
Attorney: Patrick J. 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 Stankevicius to adopt the proposed Findings and Conclusions in File No. 2010-138. So voted. The Findings and Conclusions are available on our website under Commission Decisions.

24. In Re: Request for Initiation of an Investigation and Recommendation of Counsel regarding the Lamont, Foley, and Hauser campaigns' failure to file excess expenditure reports timely.  
Executive Director Albert P. Lenge

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to deny the request to initiate and investigation regarding the Lamont, Foley, and Hauser campaign's failure to file excess expenditure reports timely. Commissioner Castagno dissents, 4-1. So voted.

***V. Executive Session per C.G.S. §§ 1-200(6)(B) and (E), and 1-210(b)(1),(3)(4)and(10) (Preliminary draft and agency consideration of enforcement action and exempt records relative thereto)***

The Commission continued 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 6 on Section V. of the agenda. So voted. Chairman Cashman and Commissioners Jenkins, Bozzuto, Castagno and Stankevicius were present. Staff members present were Mr. Lenge, Ms. Kief, Mr. Smith, Mr. Lamb, Ms. Bergquist, Mr. Oyola, Mr. Ahern, Ms. Blackburn, Ms. Stratton, Ms. Kulmacz, Ms. Rotman, Ms. Nicolescu, Ms. Leibenhaut, Ms. Adams, Ms. Sadowski, Mr. Barry, Mr. Cascudo, Ms. Staniewicz, Mr. Urso, Ms. Zaccagnino and Ms. Montgomery.

It was moved by Commissioner Castagno and seconded by Commissioner Bozzuto at 11:17 P.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 numbered 1. "Elect Mae Flexer," Mae Flexer (*exploratory committee*), 2. "Friends of Matt Lesser," Matthew Lesser, 3. "Friends of Matt Lesser," Matthew Lesser, 5. "Williams for State Senate," Donald Williams and 6. "Russo for Senate," Robert Russo. So voted.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to initiate an investigation into items 1. "Elect Mae Flexer," Mae Flexer (*candidate committee*) and 4. "Kirkley-Bey 2008," Marie Lopez Kirkley-Bey. So voted.

#### *Consideration of Draft Audit Reports*

1. "Elect Mae Flexer," Mae Flexer (exploratory and candidate committee)  
Examiner: Monique Tusinski
2. "Friends of Matt Lesser," Matthew Lesser  
Examiner: Monique Tusinski
3. "Matt Lesser for State Representative," Matthew Lesser  
Examiner: Monique Tusinski
4. "Kirkley-Bey 2008," Marie Lopez Kirkley-Bey  
Examiner: Monique Tusinski
5. "Williams for State Senate," Donald Williams  
Examiner: Paul Boutin
6. "Russo for Senate," Robert Russo  
Examiner: Shantelle Varrs

#### **VI. Declaratory Rulings and Advisory Opinions**

1. *Consideration of Declaratory Ruling 2011-01:*  
Communications on Behalf of Candidates by Party Committees, Legislative Leadership Committees, and Legislative caucus Committees

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt Declaratory Ruling 2011-01. So voted.

2. *Consideration of Draft Declaratory Ruling 2011-02:*
  - a. Petition of Martin Mador, Treasurer, Citizens for Mushinsky for a Declaratory Ruling

It was moved by Commissioner Castagno and seconded by Commissioner Stankevicius to accept a request to draft Declaratory Ruling 2011-02. So voted.

- b. Proposed Declaratory Ruling 2011-02: Propriety of Expenditure out of Surplus Funds Following Election for Treasurer Services in Absence of Written Agreement

It was moved by Commissioner Castagno and seconded by Commissioner Stankevicius to open Declaratory Ruling 2011-02 for public comment. So voted.

- 3. Recommendations of Counsel re: Commission Withdrawal of Declaratory Ruling/Advisory Opinion:
  - a. Recommendation of Counsel re: Withdrawal of Declaratory Ruling 2006-01, Lobbyist Contribution and Solicitation Ban due to changes in the law in Public Act 10-1 (Sp. Sess.)

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to permit the withdrawal of Declaratory Ruling 2006-01. So voted.

- b. Recommendation of Counsel re: Withdrawal of Advisory Opinion 2008-01, Proposed Political Activity of Nonprofit Association due to changes in the law in Public Act 10-187

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to permit the withdrawal of Advisory Opinion 2008-01. So voted.

- 4. Proposed Declaratory Ruling 2011-03:  
Candidate Committees and Joint Communications

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to open Declaratory Ruling 2011-03 for public comment.

## ***VII. Draft Legislative Proposals for Year 2011 Session***

Director Lenge informed the Commission on his meeting with the GAE committee and the upcoming public hearings.

**VIII. Adjournment**

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius at 11:46 P.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

***The next regular scheduled meeting is February 16, 2011 at 9:00 A.M. in the 5th Floor Conference room.***

Respectfully submitted,

---

MaryAnn Stratton  
Acting Clerk of the Commission

Adopted this 16<sup>th</sup> day of February, 2011 at Hartford, Connecticut.



Stephen F. Cashman  
By Order of the Commission