



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

DRAFT MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
October 20, 2015
9:00 A.M.

I. Call to Order

Commissioner Castagno was present and called the meeting to order at 9:03 A.M. Commissioners Salvatore Bramante, Stephen Penny and Michael Ajello were present. Commissioner Patricia Stankevicius was present via teleconference. Agency staff was also present.

II. Approval of the Minutes

Approval of the Minutes of the Meeting of September 15, 2015

It was moved by Commissioner Bramante and seconded by Commissioner Penny to approve the Minutes of the September 15, 2015 regular meeting by a 5-0-0 vote.

III. Administrative Reports

Director Brandi introduced Doug Frost, the new Information Technology Manager for SEEC.

In terms of personnel, SEEC is fully staffed at a 35 complement. There are things to deal with related to an attorney who is on a leave of absence and adjust workflow amongst remaining attorneys. In the last two months SEEC has seen an increase in complaints and are trying to process them as quickly as possible.

Budget wise, SEEC is on target. We are keeping a close watch on our expenditures and operating budget. We are looking at 2017 to see if any changes are forthcoming. As of right now, we are watching all of our items, we are looking for the availability of bond funds for IT improvements. At this point in time we have been told that there are no bond funds available, so we will be looking at operating budget very closely to make sure that we can purchase the necessary items to keep our hardware infrastructure functioning and able to deliver for the public.

Staff is starting to gear up for the CEP season, we are starting to look at trainings, and all functions internally that will make this another successful year of the Citizens' Election Program. The American Prospect wrote an article about the success of the program over the past four elections, so we are very proud to see an article like that.

SEEC's IT group has been working very diligently to get everything moved to the new Groton Data Center. The move there has been an incredibly difficult process, but they have done an incredible job getting it done and making sure that we have not been down and that the systems have been available for the public and our internal processes. Amjad has been leading this effort over the past several months and Doug is now leading that effort and taking over those responsibilities.

Upcoming legislation, Commission Staff will have proposals for next month with recommendations for the Commission to adopt. A lot of them will be centered around the coordinated spender language which we tried to push through the committees last year and we will try to raise those issues again as well as any other proposals we see necessary to correct any issues relating to the program or campaign finance in general.

IV. Pending Complaints and Investigations

A. Consideration of Hearing Officer's Report

1. In the Matter of a Referral by a SEEC Elections Officer
File Nos. 2014-180NF and 2014-194NF
Proposed Final Decision

Respondent:	Allen Friedrich
Hearing Officer:	Michael J. Brandi
Prosecutor:	Ryan M. Burns

Hearing Officer Brandi summarized the above referenced report in File Nos. 2014-180NF and 2014-194NF. He recommended adoption of the Final Decision.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the Final Decision in File Nos. 2014-180NF and 2014-194NF. So voted by a vote of 5-0-0. The Final Decision will be available on our website under Commission Decisions.

B. Public Session

2. In re: Audit of *Guglielmo for State Senate*, Hartford
File No. 2012-035
Proposed Consent Order & Agreement

Respondent:	Anthony Guglielmo
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. 2012-035. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to adopt the Proposed Consent Order & Agreement in File No. 2012-035. So voted

by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

3. In re: Audit of *Miron 2010*, Hartford
File No. 2012-051
Proposed Consent Order & Agreement
Respondents: David P. Fuller
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. 2012-051. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Bramante and seconded by Commissioner Ajello to adopt the Proposed Consent Order & Agreement in File No. 2012-051. So voted by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

4. In re: Audit of *Keeley 2011*, Hartford
File No. 2012-069
Proposed Consent Order & Agreement
Respondent: Robert Keeley and Mary Jo Keeley
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. 2012-069. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the Proposed Consent Order & Agreement in File No. 2012-069. So voted by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

5. In the Matter of a Complaint by Ethan Book, Bridgeport
File No. 2014-002
Proposed Consent Order & Agreement
Respondents: James A. Banta, Denese Taylor-Moye and Jack O. Banta
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney Smith summarized the above referenced complaint and Proposed Consent Orders & Agreements in File No. 2014-002. He recommended adoption of the Proposed Consent Orders & Agreements.

It was moved by Commissioner Stankevicius and seconded by Commissioner Ajello to adopt the Proposed Consent Order & Agreement in File No. 2014-002. So voted by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

6. In the Matter of a Complaint by Zachary Sanders, Hartford
File No. 2014-091

Proposed Findings & Conclusions

Respondents:	Dianna J. Kulmacz and Denise L. Nappier
Attorney:	William B. Smith
Legal Investigator:	Scott Branfuhr

The matter was marked off. No action taken.

7. In the Matter of a Complaint by Natalie B. Billing, Mystic
File No. 2014-140

Proposed Findings & Conclusions

Respondents:	John F. Scott and Susan K. Jones, Treasurer
Attorney:	William B. Smith
Lead Legal Investigator:	Charlie Urso

Attorney Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-140. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2014-140. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

8. In the Matter of a Complaint by Ashley M. Gillece, Pawcatuck
File No. 2014-206

Proposed Consent Order & Agreement

Respondents:	Michael J. Spellman, George A. Crouse and Robert R. Simmons
Attorney:	William B. Smith
Lead Legal Investigator:	Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Consent Orders & Agreements in File No. 2014-206. He recommended adoption of the Proposed Consent Orders & Agreements.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the Proposed Consent Orders & Agreements in File No. 2014-206. So voted by a vote 5-0-0. The Consent Orders & Agreements will be available on our website under Commission Decisions.

9. In the Matter of a Complaint by Alfred P. Mayo, New Britain
File No. 2015-005
Proposed Consent Order & Agreement
Respondent: Peter J. Gostin
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-005. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to adopt the Proposed Consent Order & Agreement in File No. 2015-005. So voted by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

10. In the Matter of a Complaint by Colchester Registrars of Voters, Dorothy A. Mrowka and Diana Giles, Colchester
File No. 2014-070
Proposed Consent Order & Agreement
Respondent: Bette J. Nicotera
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-070. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to adopt the Proposed Consent Order & Agreement in File No. 2014-070. So voted by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

11. In re: SEEC Initiated Investigation based upon Findings Regarding Possible Straw Contributions by Employees of “Matt Smith”
File No. 2014-165
Proposed Consent Order & Agreement
Respondent:
Attorney: William B. Smith
Lead Legal Investigator: Charlie Urso

This matter was marked off. No action taken.

12. In the matter of a Complaint by Shane P. Reichle, Stafford Springs
File No. 2015-008
Proposed Consent Order & Agreement
Respondent: Edward Muska
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-008. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to adopt the Proposed Consent Order & Agreement in File No. 2015-008. So voted by a vote 4-0-0. Commissioner Penny recused himself from this matter. The Consent Order & Agreement will be available on our website under Commission Decisions.

V. *Executive Session per General Statutes §§ 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 Ajello and seconded by Commissioner Bramante at 9:47 A.M. to proceed into Executive Session pursuant to General Statutes §§ 1-200(6)(B) and (E), and 1-210(b)(1),(3),(4),(10) to discuss strategy and negotiations with respect to pending claims and exempt records. So voted.

Commissioners Castagno, Bramante, Ajello and Penny were present. Commissioner Stankevicius was present via teleconference. Staff members present were Michael Brandi, Kevin Ahern, Scott Branfuhr, Marianne Sadowski, Lindsey Leung, Gilberto Oyola, William Smith, James Talbert-Slagle, Ryan Burns, Joshua Foley, Sheri-Lyn Lagueux, Doug Frost and Linda Waterman.

The Commission returned to public session at 11:29 A.M.

The Commission took the following actions in public session:

1. Request for a Finding of Reason to Believe a Violation of General Statutes § 9-608, § 9-604 or § 9-712 Has Been Committed Pursuant to Section 9-7b-35 of the Regulations of Connecticut State Agencies

Attorney Burns summarized the above referenced request for a finding of reason to believe in four (4) non-filer matters.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to accept the findings and refer four (4) matters to a hearing in File Nos. 2015-108NF, 2015-109NF, 2015-112NF and 2015-075SF. So approved by the Commission, 5-0-0.

2. Request that Matters be Authorized for Referral to the Attorney General for Nonpayment of Outstanding Civil Penalties

File No. 2014-104NF

Respondent:

Jason Walsh

Attorney:

Ryan Burns

Non-Compliance with Final Decision

Attorney Burns summarized the above referenced matter. Attorney Burns recommended the Commission authorize a referral to the Office of the Attorney General for collection of outstanding civil penalties in File No. 2014-104NF.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to refer File No. 2014-104 to the Office of the Attorney General. So voted by a vote 5-0-0.

Attorney Burns summarized File Nos. 2014-175NF and 2014-021NF. Attorney Burns recommended the Commission Move to Dismiss, without prejudice File Nos. 2014-175NF and 2014-021NF.

It was moved by Commissioner Ajello and seconded by Commissioner Stankevicius to dismiss without prejudice File Nos. 2014-175NF and 2014-021NF. So voted by a vote 5-0-0.

Attorney Burns summarized Consideration of Draft Audit Report item 13.15, "Citizens for Lee Whitnum," Lee Whitnum. Attorney Burns recommended the Commission authorize an investigation based upon the audit findings presented, but based on the unique facts in this matter and the limited agency resources available, also direct that such case be dismissed without prejudice.

It was moved by Commissioner Ajello and seconded by Commissioner Penny to adopt the recommendation of counsel authorizing an investigation and dismiss without prejudice Draft Audit Report item 13.15. So voted by a vote 5-0-0.

3. In the Matter of a Complaint by Eric Fanwick, Wilton
File No. 2014-146
Proposed Findings & Conclusions
Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

Attorney Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-146. Attorney Ahern presented as an information only item in which no votes were taken.

4. In the Matter of a Complaint by Kirk Carr, Clinton
File No. 2015-032
Recommendation of Counsel of Findings & Conclusions
Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

Attorney Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-032. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2015-032. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

5. In the Matter of a Complaint by Linda Szykowitz, Middletown
File No. 2015-048
Recommendation of Counsel of Findings & Conclusions
Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

Attorney Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-048. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2015-048. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

6. In re: SEEC Initiated: Christina Ayala and Santa Ayala, Hartford
File No. 2012-237
Recommendation of Counsel
Attorney: Kevin M. Ahern

This matter is continued. No action taken.

7. In the Matter of a Complaint by Jerry Labriola, Wallingford
File No. 2014-126
Recommendation of Counsel
Attorney: Kevin M. Ahern
Lead Legal Investigator: Charlie Urso

This matter is continued. No action taken.

8. Request that Matter be Authorized for Referral to the Attorney General for
Non-Payment of Outstanding Reimbursements to Citizens' Election Fund and
Civil Penalties

File No. 2010-114
Respondents: Angel Morales and Jason Lopez
Attorney: James Talbert Slagle
Non-Compliance with Final Decision

Attorney Talbert-Slagle summarized the above referenced matter. Attorney Talbert-Slagle recommended the Commission authorize a referral to the Office of the Attorney General for collection of outstanding civil penalties in File No. 2010-114.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the recommendation of counsel and refer File No. 2010-114 to the Office of the Attorney General. So voted by a vote 5-0-0.

9. In the Matter of a Complaint by Frank Capone, East Haven
File No. 2015-106
Recommendation of Counsel of Findings & Conclusions
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-106. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2015-

106. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

10. In the Matter of a Complaint by Sean Murphy, Woodbury
File No. 2015-033
Recommendation of Counsel of Findings & Conclusions
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-033. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2015-033. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

11. In re: SEEC Initiated Non-Filer Citizens for Lee Whitnum, Hartford
File Nos. 2014-175NF and 2015-021NF
Recommendation of Counsel
Respondent: Jason Walsh
Attorneys: William B. Smith/Ryan Burns

See Sec. V.2. as these matters were combined.

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

Attorney Smith summarized the Recommendation of Counsel dated October 15, 2015 and requested that 15 matters be moved to investigate.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to make a determination that it is necessary to investigate violations relating to fifteen (15) complaints File Nos.: 2015-120, 2015-121, 2015-122, 2015-123, 2015-124, 2015-125, 2015-126, 2015-127, 2015-128, 2015-129, 2015-132, 2015-133, 2015-134, 2015-135 and 2015-136. So approved by the Commission, 5-0-0.

13. Consideration of Draft Audit Reports

1. "Jepsen 2014," George Jepsen
Examiner: Krysta Holmes
2. "Vote Musto 2014," Anthony Musto
Examiner: Dinorah Collado

3. "Benjamin - 2014," Benjamin Aponte
Examiner: Krysta Holmes
4. "Ray Vitali 2014," Raymond Vitali
Examiner: Matthew Lombardi
5. "Reelect Ryan," Kevin Ryan
Examiner: Ergys Guni
6. "Norman for State Rep.," Stuart Norman
Examiner: Dinorah Collado
7. "Jesse 2014," Jesse MacLachlan
Examiner: Matthew Lombardi
8. "Osgood for CT," Whit Osgood
Examiner: Dinorah Collado
9. "People for Ortiz," Anthony Ortiz
Attorney: James Talbert-Slagle
10. "Hall 138," Henry Hall
Attorney: James Talbert-Slagle
11. "Edward Colon for State Representative," Edward Colon
Attorney: James Talbert-Slagle
12. "Christine Rosati for State Representative," Christine Rosati
Attorney: James Talbert-Slagle
13. "Kie Westby for Attorney General," Kie Westby
Attorney: James Talbert-Slagle
14. "Noele Kidney for State Representative," Noele Kidney
Attorney: James Talbert-Slagle
15. "Citizens for Lee Whitnum," Lee Whitnum
Examiner: Linda A. Waterman
See also Sec. V, Item 2, 11

Linda Waterman provided an overview of the audits and recommended that the Commission make audits 1-8 final, as there were few or no findings.

Attorney James Talbert-Slagle requested that audits 9-14, be referred to the Law Enforcement Unit for investigation

It was moved by Commissioner Stankevicius and seconded by Commissioner Penny to accept the audits numbered 1-8 as final and audits 9-14 be referred to the Law Enforcement Unit for investigation. So approved by the Commission, 5-0-0.

VI. Consideration of Matters Discussed in Executive Session

VII. Adjournment

The next regular scheduled meeting is November 17, 2015 at 9:00 A.M. in the 5th Floor Conference room.