



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

DRAFT MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
April 14, 2015
9:00 A.M.

I. Call to Order

Commissioner Castagno was present and called the meeting to order at 9:00 A.M. Commissioners Salvatore Bramante, Stephen Penny and Michael Ajello were present. Commissioner Patricia Stankevicius was present via teleconference. Agency staff was also present.

Commissioner Castagno removed item number 2 from public session.

II. Approval of the Minutes

Approval of the Minutes of the Meeting of March 17, 2015

It was moved by Commissioner Stankevicius and seconded by Commissioner Penny to approve, as amended, the Minutes of the March 17, 2015 regular meeting by a vote 5-0-0 vote.

III. Administrative Reports

Executive Director Brandi introduced and welcomed the two newly hired Auditors.

Mr. Brandi provided a legislative update to the Commission. Session is in full swing and the Commission is awaiting the progress on the State Budget from the Appropriations Committee. The Commission is not expecting any increases for funding or staff, but hopes leadership will continue to hold the line on the current figures. Mr. Brandi also noted the campaign finance bill (HB 1126) has been approved with joint favorable substitute language by the Government Administration and Elections Committee and sent to the House floor. The Commission has been closely monitoring this legislation and will continue to do so through the end of legislative session. The changes made in the substitute language make HB 1126 an excellent enhancement to enforcement and regulation. If the current version is passed into law, Connecticut would be first in the nation to enact these regulations. The Federal Election Commission is looking at Connecticut as an example of clean election policy.

Mr. Brandi updated that Audit staff are hard at work completing the 2014 election cycle audits, working with committees to close their accounts and make their final filings.

The State Elections Enforcement Commission is nearly at the full complement of staff and the operating budget is still running under the allocated amount due to the staff vacancies. The Commission will be looking to the Office of Policy and Management to allow access to the funds to refresh Information Technology equipment.

Commissioner Bramante asked about the status of the computer seized by the Office of Governmental Accountability and Executive Director Brandi confirmed that the computer unit is still with the Chief State's Attorney, and the commission is working to resolve this matter as soon as possible.

IV. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by Karen Murphy and Michael Telesca, Waterbury File No. 2013-127
Proposed Consent Order & Agreement
Respondents: John Dietter; Donna L. LaFrance;
Roger A. Palanzo
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2013-127. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to approved the Consent Order & Agreement, 5-0-0. The Consent Order & Agreement are available on our website under Commission Decisions.

2. In the Matter of a Complaint by Jennifer Buchanan, et. al, Bridgeport File No. 2013-130A
Proposed Consent Order & Agreement
Respondent: Alma Maya
Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

This matter was continued.

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)

Consideration of matters as noted in Section V. of the agenda (also listed in Section VI., below.)

It was moved by Commissioner Penny and seconded by Commissioner Bramante at 9:12 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, Scott Branfuhr, Ryan Burns, Sarah Clark, Joshua Foley, Shannon Kief, Sheri-Lyn Lagueux, Patrick Lamb, Gilberto Oyola, Marianne Sadowski, James Talbert-Slagle, and William Smith.

The Commission returned to public session at 11:02 A.M.

VI. *Consideration of Matters Discussed in Executive Session*

Following a short recess the Commission took the following actions in public session:

1. In the Matter of a Complaint by Peter Steele, New Britain
File No. 2013-142
Recommendation of Counsel
Attorney: Patrick J. Lamb
Lead Legal Investigator: Gilberto Oyola

This matter was continued.

2. In the Matter of a Complaint By George Mills, Winsted
File No. 2014-115
Recommendation of Counsel
Attorney: Patrick J. Lamb
Legal Investigator: Scott Branfuhr

Attorney Lamb summarized the above referenced complaint and referenced Recommendation of Counsel in the above matter. He recommended the Commission adopt the Recommendation.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to adopt the Findings and Conclusions in File No. 2014-115. So approved by the Commission, 5-0-0.

3. In re: Referral by Watertown Town Clerk, Lisa Dalton
File No. 2014-161
Recommendation of Counsel
Attorney: Patrick J. Lamb

Lead Legal Investigator: Gilberto Oyola

Attorney Lamb summarized the above referenced complaint and referenced Recommendation of Counsel in the above matter. He recommended the Commission authorize a request for Investigatory Subpoena.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to authorize the issuance of an Investigatory Subpoena in File No. 2014-161. So approved by the Commission, 5-0-0.

4. In the Matter of a Complaint by Janina Morales, Bridgeport
File No. 2012-088
Recommendation of Counsel

Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Commissioner Ajello recused himself for discussion and action on this matter.

This matter was continued.

5. In the Matter of a Complaint by Rosemary Klotz, New Britain
File No. 2013-013
Recommendation of Counsel

Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

This matter was continued.

6. In the Matter of a Complaint by Jerry Labriola, Jr., Wallingford
File No. 2014-126

Commissioner Penny recused himself for discussion and action on this matter.

- a. Recommendation of Counsel

Attorney: Kevin M. Ahern
Lead Legal Investigator: Charlie Urso

Commissioner Castagno acknowledged that the Commission has now been provided with the correspondence and related attachments received from the state party's attorney on the day before the March 17, 2015 meeting. The Commission will review these materials. The matter is continued until next month.

- b. Recommendation of Counsel Regarding Petition for Declaratory Ruling as Requested by Democratic State Central Committee

Commissioner Ajello motioned and Commissioner Bramante seconded that the Commission adopt the attached “Resolution and Order Denying Petition of Silver Golub & Teitell LLP for Declaratory Ruling.” The Commission voted 4-0-1, with Commissioner Penny abstaining, to adopt the resolution. Attorney Kief read “Resolution and Order Denying Petition of Silver Golub & Teitell LLP for Declaratory Ruling” into the record.

7. In the Matter of a Complaint by Kirk Carr, Clinton
File No. 2014-053
Recommendation of Counsel

Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith provided a detailed summary of the above referenced complaint and referenced Recommendation of Counsel in the above matter. He recommended the Commission adopt the Recommendation.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Findings and Conclusions and dismiss File No. 2014-053. So approved by the Commission, 5-0-0.

8. In the Matter of a Complaint by Kirk Carr, Clinton
File No. 2014-054
Recommendation of Counsel

Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

This matter was continued.

9. In the Matter of a Complaint by Davis G. Lapointe, Winsted
File No. 2014-129
Recommendation of Counsel

Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

This matter was continued.

10. In re: SEEC Initiated: Investigation Based Upon Findings Regarding Contributions by Employees of "Matt Smith"
File No. 2014-165
Recommendation of Counsel

Attorney: William B. Smith
Lead Legal Investigator: Charlie Urso

Attorney Smith summarized the above referenced complaint and referenced Recommendation of Counsel in the above matter. He recommended the Commission authorize a request for Investigatory Subpoena.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to authorize the issuance of an Investigatory Subpoena in File No. 2014-165. So approved by the Commission, 5-0-0.

11. In the Matter of a Complaint by Louis A. DeCilio, Stratford
File No. 2014-172
Recommendation of Counsel
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

This matter was continued.

12. 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 Ajello and Seconded by Commissioner Bramante to make a determination that it is necessary to investigate violations relating to three (3) complaints in File Nos.: 2015-003, 2015-008, and 2015-009. So approved by the Commission, 5-0-0.

13. Consideration of Draft Audit Reports

1. "Mulligan For State Rep," Gayle J Mulligan
Examiner: Dinorah Collado
2. "Rusty Meek 2014," Alfred (Rusty) R Meek
Examiner: Karen Moreira
3. "Shaban For State Rep," John T Shaban
Examiner: Dinorah Collado
4. "Cirello For State Representative," John A. Cirello
Examiner: Karen Moreira

Executive Director Brandi provided an overview of the audits and recommended that the Commission make these audits final, as there were no findings.

It was moved by Commissioner Ajello and seconded by Commissioner Stankevicius to accept the above referenced audits as final. So approved by the Commission, 5-0-0.

VII. Adjournment

It was moved by Commissioner Bramante and seconded by Commissioner Ajello at 11:24 A.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

Respectfully submitted,

Sheri-Lyn Lagueux
Clerk of the Commission

Adopted this 19th day of May, 2015 at Hartford, Connecticut.

Anthony J. Castagno
By Order of the Commission

The next regular scheduled meeting is May 19, 2015 at 9:00 A.M. in the 5th Floor Conference room.