



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

DRAFT MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
February 19, 2014
9:00 A.M.

I. *Call to Order*

Commissioner Castagno was present and called the meeting to order at 9:08 A.M. Commissioners Salvatore Bramante, Stephen Penny were present. Commissioner Patricia Stankevicius was present via teleconference. Agency staff was also present. Commissioner Ajello joined the meeting at 9:22 A.M.

II. *Approval of the Minutes*

Approval of the Minutes of the Meeting of January 15, 2014

Approval of the Minutes of the Special Meeting of February 11, 2014

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to approve the Minutes of the January 15, 2014 regular meeting. Commissioner Bramante abstained from voting. The minutes were approved by a vote 3-0-1. So voted.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to approve the Minutes of the February 11, 2014 special meeting. The minutes were approved by a vote 4-0. So voted.

III. *Administrative Reports*

Mr. Brandi updated the Commission that SEEC budget is on track and will continue to look for additional savings.

Mr. Brandi reported that all vacancies in personnel have now been filled. SEEC has recently hired Krysta Holmes as an accounting careers trainee to fill the accounts examiner vacancy.

Mr. Brandi advised that the audit unit continues to be busy completing all 2010 and 2012 audits. SEEC is down to the last handful of audits.

SEEC's IT unit has been working diligently trying to get all the forms and processes that were changed, with recent law changes, completed and updated for the upcoming election cycle.

Legal is always busy as you can see from the number of declaratory rulings, advisory opinions and other documents before you.

Mr. Brandi updated that SEEC is seeing a significant number of campaign committees already formed. There are well over 100 committees to date formed for the upcoming 2014 election cycle.

Mr. Brandi reported that legislatively, session is in full swing. SEEC has all of our proposals at this point submitted to the GAE committee which have been screened and have moved on to the public hearing process. In addition the confirmation process for three of SEEC's commissioners will be soon.

IV. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by Howard Jubrey, Windsor

File No. 2013-001

Proposed Consent Order & Agreement

Respondents:

1 Emerson Drive South Operations
LLC, Suzanne Moriarty and

Barbara Alex

Attorney:

Kevin M. Ahern

Lead Legal Investigator:

Charlie Urso

Attorney Ahern summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2013-001. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2013-001. So voted by a vote 4-0. The Proposed Consent Order & Agreement are available on our website under Commission Decisions

2. In the Matter of a Complaint by Joshua P. Erlanger, New Haven

File No. 2013-116

Proposed Findings & Conclusions

Respondents:

Ella D. Wood and Avani Mehta

Attorney:

Kevin M. Ahern

Lead Legal Investigator:

Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-116. 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. 2013-116. So voted by a vote 4-0. The Proposed Findings & Conclusions are available on our website under Commission Decisions.

3. In the Matter of a Complaint by Paul Baer, Thompson
File No. 2013-178

Proposed Findings & Conclusions

Respondent:

Thompson Board of Education and
Thompson Board of Selectmen

Attorney:

Kevin M. Ahern

Legal Investigator:

Scott Branfuhr

Attorney Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-178. 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. 2013-178. So voted by a vote 4-0. The Proposed Findings & Conclusions are available on our website under Commission Decisions.

4. In the Matter of a Complaint by Matthew Grimes, Brookfield
File No. 2013-076B

Proposed Consent Order & Agreement

Respondent:

Brookfield Water Pollution
Control Authority

Attorney:

Patrick J. Lamb

Legal Investigator:

Scott Branfuhr

Attorney Lamb summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2013-076B. 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. 2013-076B. So voted by a vote 4-0. The Proposed Consent Order & Agreement are available on our website under Commission Decisions.

5. In the Matter of a Complaint by Matthew Grimes, Brookfield
File No. 2013-076A

Proposed Consent Order & Agreement

Respondents:

Town of Brookfield and
William Davidson

Attorney:

Patrick J. Lamb

Legal Investigator:

Scott Branfuhr

Attorney Lamb summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2013-076A. 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. 2013-076A. So voted by a vote 4-0. The Proposed Consent Order & Agreement are available on our website under Commission Decisions.

6. In the Matter of a Complaint by Diane M. Daniels, et al, Norwich
File No. 2013-128

Proposed Findings & Conclusions

Respondent:

Geoff Luxenberg

Attorney:

Patrick J. Lamb

Legal Investigator:

Scott Branfuhr

Attorney Lamb summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-128. 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. 2013-128. Commissioner Penny recused himself from this matter and abstained from voting. So voted by a vote 4-0-1. The Proposed Findings & Conclusions are available on our website under Commission Decisions.

7. In the Matter of a Complaint by Keith G. Golnik, Terryville
File No. 2013-154

Proposed Findings & Conclusions

Respondent:

Briana J. Brumaghim

Attorney:

Patrick J. Lamb

Legal Investigator:

Scott Branfuhr

Attorney Lamb summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-154. 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. 2013-154. So voted by a vote 5-0. The Proposed Findings & Conclusions are available on our website under Commission Decisions.

8. In the Matter of Complaints by Phil Sherwood, New Britain
File Nos. 2013-010, 011, 012
Proposed Findings & Conclusions
Respondent: Tim O'Brien
Attorney: Patrick J. Lamb
Lead Legal Investigator: Gilberto Oyola

Attorney Lamb summarized the above referenced complaint and Proposed Findings & Conclusions in File Nos. 2013-010, 011, 012. 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 Nos. 2013-010, 011, 012. So voted by a vote 5-0. The Proposed Findings & Conclusions are available on our website under Commission Decisions.

9. In the Matter of Complaints by Colleen M. Flynn, Shelton
File Nos. 2013-147, 150
Proposed Consent Order & Agreement
Respondent: John A. Belden, Jr.
Attorney: Patrick J. Lamb
Legal Investigator: Scott Branfuhr

Attorney Lamb summarized the above referenced complaint and Proposed Consent Order & Agreement in File Nos. 2013-147, 150. 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. 2013-147, 150. So voted by a vote 5-0. The Proposed Consent Order & Agreement are 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 Bramante and seconded by Commissioner Stankevicius at 9:25 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, Penny, Stankevicius and Ajello were present. Staff members present were William Smith, Lisa Nightingale, Marianne Sadowski, Gilberto Oyola, Linda Waterman, Patrick Lamb, Kevin Ahern, James Talbert-Slagle, Joshua Foley, Shannon Kief and Michael Brandi.

Commissioner Patricia Stankevicius left the meeting during executive session.

It was moved by Commissioner Penny and seconded by Commissioner Bramante at 11:50 to return to public session. So voted.

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

1. In re: SEEC Initiated Investigation of the Working Families Campaign Committee, et al
File No. 2013-094
Recommendation of Counsel
Attorney: Patrick J. Lamb
Lead Legal Investigator: Charlie Urso

Attorney Lamb summarized the above referenced complaint and Proposed Consent Order & Agreement in File Nos. 2013-094. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2013-094. So voted by a vote 4-0. The Proposed Consent Order & Agreement are available on our website under Commission Decisions.

2. In the Matter of a Complaint by Jose L. Morales, Waterbury
File No. 2012-119
Proposed Consent Order & Agreement
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

3. In the Matter of a Complaint by Richard V. Nelson, et al, Hartford

File No. 2013-016

Proposed Consent Order & Agreement

Attorney:

William B. Smith

Legal Investigators:

Gilberto Oyola and Scott Branfuhr

Attorney Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2013-016. 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. 2013-016. Commissioner Bramante recused himself from the matter and abstained from voting. So voted by a vote 3-0-1. The Proposed Consent Order & Agreement are available on our website under Commission Decisions.

4. In the Matter of a Complaint by Michael H. Griffin, Stratford

File No. 2013-106

Recommendation of Counsel

Attorney:

William B. Smith

Lead Legal Investigator:

Gilberto Oyola

The matter is continued.

5. In the Matter of a Complaint by Larry K. Johnson, Norwalk

File No. 2013-133

Proposed Findings & Conclusions

Attorney:

William B. Smith

Lead Legal Investigator:

Gilberto Oyola

The matter is continued.

6. In the Matter of a Complaint by Jeff Guttman, Monroe

File No. 2013-143

Recommendation of Counsel

Attorney:

William B. Smith

Lead Legal Investigator:

Gilberto Oyola

The matter is continued.

7. In the Matter of a Complaint by Andreas Duus, III, Riverside
File No. 2013-176

Request for Investigatory Subpoena Authorization

Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

8. Recommendation of Counsel: Necessary to Investigate Determination pursuant to General Statutes § 9-7b (a) (1)

It was moved by Commissioner Penny and Seconded by Commissioner Bramante to make a determination that it is necessary to investigate violations relating to six (6) complaints in File Nos.: 2014-002, 2014-003, 2014-004, 2014-005, 2014-006 and 2014-009. So voted by a vote 4-0.

9. Referral by the Greenwich Registrars of Voters, Greenwich
File No. 2013-007

Recommendation of Counsel

Attorney: Kevin M. Ahern
Legal Investigators: Gilberto Oyola & Scott Branfuhr

The matter is continued.

10. In the Matter of a Complaint by Larry Price, West Hartford
File No. 2011-130

Recommendation of Counsel

Attorney: James Talbert-Slagle
Legal Investigator: Charlie Urso

The matter is continued.

11. In the Matter of a Complaint by Janice Rossetti, Hartford
File No. 2012-005

Proposed Consent Order & Agreement

Attorney: James Talbert-Slagle
Legal Investigator: Gilberto Oyola

Attorney Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2012-005. 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. 2012-005 upon receipt in 10 days. So voted by a vote 4-0. The Proposed Consent Order & Agreement will be available on our website under Commission Decisions upon receipt.

12. Request to Initiate Investigation Stemming from Validation Process for Grant Application

Attorney Talbert-Slagle summarized the Request to Initiate Investigation related to the grant application of “Gary for Senate” as it relates to the February 25th Special Election. He recommended investigating Garret Moore Sr. and Garrett Moore, Jr. related to the making of contributions to the “Gary for Senate” campaign.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to Initiate Investigation. So voted by a vote 4-0.

13. Consideration of Draft Audit Reports

It was moved by Commissioner Ajello and seconded by Commissioner Bramante to approve the issuance of the aforementioned committee draft Audit Reports 1, 2, 4-15 as Final Audit Reports. So voted by a vote 4-0.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to initiate an investigation with respect to draft Audit Report item 3 and refer the matter to the enforcement unit. So voted by a vote 4-0.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to initiate an investigation with respect to draft Audit Report item 16 and refer the matter to the enforcement unit. So voted by a vote 4-0.

1. “Joe Crudo for State Representative,” Joe Crudo
Examiner: Karen Moreira
2. “Elect Deb Kleckowski,” Deb Kleckowski
Examiner: Kristina Corbett
3. “O’Dea for State Rep.,” Thomas P. O’Dea
Examiner: Matthew Lombardi
4. “Albis 2012,” James M. Albis
Examiner: Kristina Corbett

5. "Lavery Exploratory Committee," Andrew W. Lavery
Examiner: Dinorah Collado
6. "Lavery Campaign Committee," Andrew W. Lavery
Examiner: Dinorah Collado
7. "Re-Elect O'Neill," Arthur J. O'Neill
Examiner: Matthew Lombardi
8. "Vargas 2012," Edwin Vargas
Examiner: Matthew Lombardi
9. "Vargas for State Rep.," Edwin Vargas
Examiner: Matthew Lombardi
10. "Michelson 2012," Barry Michelson
Examiner: Kristina Corbett
11. "Gayle for Senate," Gayle Slossberg
Examiner: Karen Moreira
12. "DeGrego for State Senate 2012," Michael M. DeGrego
Examiner: Dinorah Collado
13. "Enslow for the 47th District," Noah Enslow
Examiner: Kristina Moreira
14. "Blint for Senate," Dwight F. Blint
Examiner: Matthew Lombardi
15. "Friends of Jason," Jason E. Bowsza
Examiner: Matthew Lombardi
16. "John Console for 28th Dist. Wethersfield," John Console
Attorney: James Talbert-Slagle

VI. *Proposed Declaratory Ruling 2013-02: Contributions to Political Committees, Independent Expenditures and State Contractor Contribution Limitations*

Ms. Kief summarized the proposed Declaratory Ruling 2013-02, Contributions to Political Committees, Independent Expenditures and State Contractor Contribution Limitations.

After discussion it was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt proposed declaratory ruling 2013-02. So voted by a 4-0 vote.

VII. Proposed Declaratory Ruling 2014-02: Candidate's Solicitation of Contributions and Covered Transfers Pursuant to Public Act 13-180

Ms. Kief summarized the proposed Declaratory Ruling 2014-02, Candidate's Solicitation of Contributions and Covered Transfers Pursuant to Public Act 13-180.

(1) After discussion it was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Resolution and Order setting forth specified proceedings pursuant to General Statutes § 4-176 (e) and Connecticut Agency Regulations § 9-7b-65 (c) for the matter of Perkins Coie petition, Question 3 regarding solicitation by candidates, as follows: Commission staff shall circulate the proposed Declaratory Ruling to persons who have requested such notice and post notice of the proposed Declaratory Ruling on the website as well. The comment period closes at 11:59 p.m. on March 14, 2014, with consideration of comments at the March 19, 2014 meeting. At that time the Commission will vote to issue a revised declaratory ruling or set further proceedings as necessary. So voted by a 4-0 vote.

VIII. Adjournment

It was moved by Commissioner Penny and seconded by Commissioner Ajello at 12:06 P.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

The next regular scheduled meeting is March 19, 2014 in the 5th Floor Conference room.