



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

DRAFT MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
May 11, 2016
9:30 A.M.

I. Call to Order

Commissioner Castagno was present and called the meeting to order at 9:30 A.M. Commissioners Bramante, Penny and Ajello were present. Commissioner Stankevicius was present via teleconference. Agency staff was also present.

Commissioner Castagno noted that items numbered 7, 9, 25, and 28 should be marked off the agenda.

II. Approval of the Minutes

Approval of the Minutes of the Meeting of April 13, 2016

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to approve the Minutes of the April 13, 2016 regular meeting with one typographical change by a 5-0-0 vote. So voted.

III. Administrative Reports

Executive Director Brandi updated the commission on the state budget. The version to be handled by both chambers of the General Assembly in Special Session includes the provision which reestablished the SEEC as an independent agency. The agency is set to be funded at \$3.2 million, which funds all 35 staff positions and sustains the Citizens' Election Fund without any further sweeps or reductions. Beyond personnel costs, that leaves the agency with \$100 thousand for operational costs. This limiting number is causing the agency to examine each budget line for savings on software purchases/renewals, equipment contracts and other ways to cut back, downsize or negotiate. As the legislature heads into Special Session, the agency will keep an eye out for any "standard holdbacks" which may impact the agency.

The SEEC is on track to end the 2016 fiscal year with a small surplus. Also, the Citizens' Election Fund has enough money to fund the 2016 Citizen's Election Program.

The 2016 legislative session has ended and Mr. Brandi was happy to report that the electronic filing bill was passed. It will now be mandatory for treasurers who are reporting over \$1000 in transactions to report via the eCRIS system as of July 1,

2017. Treasurers may ask the commission for a waiver if they have incredible difficulty accessing or using a computer.

In regards to personnel, the SEEC is awaiting movement on the posting of the open Legal Investigator and Office Assistant positions. Also, the agency is watching the state worker layoffs to see if any changes will impact the SEEC though bumping rights.

Currently there are 256 candidate committees registered with the agency for the 2016 election. Approximately 100 of those candidate committees have already indicated that they intend to participate in the Citizens' Election Program (CEP). There are 21 reported legislative retirements and 18 possible primaries, including ones for the seats held by the majority leader and the speaker of the house.

Mr. Brandi also noted that staff have been visiting the towns participating in the Municipal Pilot Program to meet, to learn what their capabilities are and how we can best support them. The Presidential Preference Primary Hotline was a success and staff answered over 200 inquiries.

Mr. Brandi credited the staff for their hard work through the state budget turmoil.

Commissioner Bramante asked for the staff to confirm that the Citizens' Election Fund will be able to support all the primary and general election races in 2016. Staff responded in the affirmative.

IV. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by Harold Hatch, Stafford Springs
File No. 2015-152
Proposed Consent Order & Agreement
Respondent:
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney William Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-152. 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. 2015-152. So voted by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

2. In the Matter of a Complaint of Scott McCall, Lebanon
File No. 2015-166

Proposed Findings & Conclusions

Attorney: James M. Talbert-Slagle
Lead Legal Investigator: Gilberto Oyola

Attorney James Talbert-Slagle summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-166. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2015-166. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

3. In the Matter of a Complaint by Danelle Feeley, East Haven
File No. 2015-116

Proposed Findings & Conclusions

Attorney: James M. Talbert-Slagle
Legal Investigator: Scott Branfuhr

Attorney James Talbert-Slagle summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-116. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2015-116. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

4. In the Matter of a Complaint by Timothy Curtis, et al, Windsor
File No. 2015-090

Proposed Findings & Conclusions

Attorney: James M. Talbert-Slagle
Lead Legal Investigator: Gilberto Oyola

Attorney James Talbert-Slagle summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-090. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Ajello and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2015-090. So voted by a vote 5-0-0. The Findings & Conclusions 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 Penny and seconded by Commissioner Bramante at 10:25 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, Bramante, Ajello and Penny were present. Commissioner Stankevicius was present via teleconference. Staff members present were Michael Brandi, Kevin Ahern, Scott Branfuhr, Ryan Burns, Sarah Clark, Douglas Frost, Evelyn Gratacos, Shannon Kief, Sheri-Lyn Lagueux, Lindsey Leung, James Talbert-Slagle, Marianne Sadowski, William Smith and Linda Waterman.

The Commission returned to public session at 1:00 P.M.

The Commission took the following actions in public session:

5. In re: Referral by New Haven City Clerk, Linda Whitley
File No. 2013-149A
Recommendation of Counsel
Attorney: Ryan M. Burns
Lead Legal Investigator: Gilberto Oyola

Attorney Ryan Burns summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2013-149A. 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. 2013-149A. 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 Peter von Braun, Greenwich
File No. 2015-192A
Recommendation of Counsel
Attorney: Ryan M. Burns
Lead Legal Investigator: Gilberto Oyola

Attorney Ryan Burns summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-192A. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2015-192A. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

7. In the Matter of a Complaint by Peter von Braun, Greenwich
File No. 2015-192B
Recommendation of Counsel
Attorney: Ryan M. Burns
Lead Legal Investigator: Gilberto Oyola

The matter was marked off. No action taken.

8. In the Matter of a Complaint by Elaine Pivirotto, Bridgeport
File No. 2016-006
Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

Attorney Ryan Burns summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2016-006. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2016-006. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

9. In the Matter of a Complaint by Gary M. Schaffrick, Bristol
File No. 2012-188
File No. 2012-194
File No. 2014-041
File No. 2014-087
Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

The matter was marked off. No action taken.

10. 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

The matter was continued. No action taken. The record reflects that Commissioner Penny left the discussion.

11. In re: Referral of Patricia Strauss, Westport

File No. 2012-236

Recommendation of Counsel

Attorney:

Kevin M. Ahern

Lead Legal Investigator:

Gilberto Oyola

Attorney Kevin Ahern summarized the above referenced complaint and Proposed Withdrawal in File No. 2012-236. He recommended adoption of the Proposed Withdrawal of this matter.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to adopt the Proposed Withdrawal in File No. 2012-236. So voted by a vote 5-0-0.

12. In the Matter of a Complaint by Thomas J. Banisch, Madison

File No. 2014-147

Recommendation of Counsel

Attorney:

Kevin M. Ahern

Legal Investigator:

Scott Branfuhr

Attorney Kevin Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-147. He recommended adoption of the Proposed Findings & Conclusions and no further action be taken in this matter.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2014-147. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

13. In the Matter of a Complaint by Amy E. Jacques-Purdy, Haddam

File No. 2015-029

Recommendation of Counsel

Attorney:

Kevin M. Ahern

Legal Investigator:

Scott Branfuhr

Attorney Kevin Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-029. He recommended adoption of the Proposed Findings & Conclusions and dismiss the matter.

It was moved by Commissioner Bramante and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File No. 2015-029. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

14. In the Matter of a Complaint by William Tyszyka, Simsbury
File No. 2014-132
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

15. In the Matter of a Complaint by Richard Smith, Milford
File No. 2014-133
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

16. In the Matter of a Complaint by Lawrence Brick, West Hartford
File No. 2014-134
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

17. In the Matter of a Complaint by Catherine Thomas, Grosvenordale
File No. 2014-137
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

18. In the Matter of a Complaint by Edward Sabatino, East Haven
File No. 2014-138
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

19. In the Matter of a Complaint by Eileen Cranney, Prospect
File No. 2014-139
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

20. In the Matter of a Complaint by Danielle Palladino, Torrington
File No. 2014-141
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

21. In the Matter of a Complaint by Sheila Hayes, Norwich
File No. 2014-142
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

22. In the Matter of a Complaint by Arleen Kline, Farmington
File No. 2014-136, File No. 2014-144, and File No. 2014- 149
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

23. In the Matter of a Complaint by Ernie DiPietro, Cheshire
File No. 2014-150
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

24. In the Matter of a Complaint by John Mazurek, Wolcott
File No. 2014-170
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

25. In the Matter of a Complaint by Mark Dumas, Milford
File No. 2015-088
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter was marked off. No action taken.

26. In the Matter of a Complaint by Gregory Cann, Stratford

File No. 2014-171

Recommendation of Counsel

Attorney: William B. Smith

Legal Investigator: Scott Branfuhr

The matter is continued.

27. In the Matter of a Complaint by David Fuller, Stratford

File No. 2014-172B

Recommendation of Counsel

Attorney: William B. Smith

Lead Legal Investigator: Gilberto Oyola

The matter is continued.

28. In the Matter of a Complaint by Joseph Milardo, Middletown

File No. 2015-151

Recommendation of Counsel

Attorney: William B. Smith

Lead Legal Investigator: Gilberto Oyola

The matter was marked off. No action taken.

29. In re: Commission Initiated Investigation Regarding Contributions by
Employees of "Matt Smith"

File No. 2014-165

Recommendation of Counsel

Attorney: William B. Smith

Lead Legal Investigator: Charlie Urso

Attorney William Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-165. He recommended adoption of the Proposed Consent Order & Agreement upon receipt in ten (10) days.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2014-165. So voted by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions upon receipt.

30. In the Matter of a Complaint by Matthew A. Paulsen, Bethel

File No. 2015-150

Recommendation of Counsel

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

The matter is continued.

31. In the Matter of a Complaint by Alyssa Peterson, Hartford
File No. 2015-050
Recommendation of Counsel

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

Attorney William Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-050. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File No. 2015-050. So voted by a vote 4-0-1. The record reflects that Commissioner Bramante abstained from voting. The Findings & Conclusions will be available on our website under Commission Decisions.

32. 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 March 31, 2016 and requested that two (2) matters be moved to investigate and one (1) matter is not necessary to investigate.

It was moved by Commissioner Ajello and seconded by Commissioner Stankevicius to make a determination that it is necessary to investigate violations relating to two (2) complaints File No.: 2016-024 and 2016-025 and that it is not necessary to investigate violations relating to one (1) complaint File No. 2016-022. So approved by the Commission, 4-0-1. So voted. The record reflects that Commissioner Bramante abstained from voting.

33. Consideration of Draft Audit Reports

1. "Switch to Rich," Richard Fredette
Examiner: Karen Walauskas

The matter is continued.

2. "French for Senate 2014," John French
Examiner: Dinorah Collado

The matter is continued.

3. “Stoddard for State Representative,” Patty Stoddard
Examiner: Krysta Holmes

The matter is continued.

4. “Mark Z for CT,” Mark Zydanowicz
Examiner: Krysta Holmes

The matter is continued.

VI. *Consideration of Matters Discussed in Executive Session*

All action as noted in Section V. above.

VII. *Adjournment*

It was moved by Commissioner Ajello and seconded by Commissioner Stankevicius at 1:15 P.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

The next regular scheduled meeting is a telephonic meeting, May 25, 2016 at 4:00 P.M. in the 5th Floor Conference room.