



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

DRAFT MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
September 15, 2015
9:00 A.M.

I. Call to Order

Commissioner Castagno was present and called the meeting to order at 9:11 A.M. Commissioners Salvatore Bramante and Michael Ajello were present. Commissioner Stephen Penny joined the meeting at 10:19 A.M.

II. Approval of the Minutes

Approval of the Minutes of the Meeting of August 18, 2015

It was moved by Commissioner Ajello and seconded by Commissioner Bramante to approve the Minutes of the August 18, 2015, Regular Meeting, as amended by a 3-0-0 vote.

Approval of the Minutes of the Meeting of August 21, 2015

It was moved by Commissioner Penny and seconded by Commissioner Ajello to approve the Minutes of the August 21, 2015, Special Meeting by a 3-0-1 vote. Commissioner Bramante abstained from voting.

III. Administrative Reports

Executive Director Brandi noted that as of today, the Commission is on track with regard to budget and operating issues. We are very carefully monitoring all of our expenditures.

SEEC has a significant move going on right now as we are moving more of our servers and equipment to the Groton Data Center. We will hopefully have a complete move of all of our existing equipment by the end of this month. We are trying to have as much of this done and tested prior to the October filings.

SEEC is fully staffed with the exception of our one Information Technology Manager position which we are just waiting on some issues to resolve.

Staff is still pulling together our Legislative Agenda. SEEC hopes to reintroduce the Coordinated Expenditure language as part of the Commission's recommendations.

That was the language in the Legislation SEEC proposed last year which did make it out of committee and are hoping to reintroduce again this year.

SEEC staff have a number of conferences and meetings coming up for fall. A lot of trainings coming up, both CEP trainings for next year and finishing up municipal trainings for the current cycle. Presentations are coming up in October with the League of Women Voters on voter fraud and in December, the national COGEL conference in Boston of which many Commission will be presenting.

Tomorrow is primary day, and SEEC will have the hotline open early tomorrow morning and going all day for the public to contact us with any issues. Staff will be carefully monitoring that in consultation with the Secretary of the State and other agencies.

The Enforcement Unit has already received a number of complaints. There have been a sizeable number coming in from several municipalities and we will present those later in the meeting during executive session.

Commission staff is doing major preparation work for the Municipal Pilot Program and will be attending the Town Clerk's conference later this month and discussing the program with the clerks. We are looking to bring the application process to the Commission to finalize in the next month.

Commissioner Bramante inquired as to the status of the Citizens' Election Fund for the 2016 election.

As of today the balance of the fund is around 10 million. SEEC did receive in late August approximately a 2 million deposit into the fund. We are scheduled for this fiscal year to receive approximately 11.4 million into the fund. So with the total deposits to be made in addition to the current balance SEEC should have close to 19 to 20 million dollars available for the 2016 General Assembly race. SEEC will have sufficient monies to get through the next election cycle.

In Fiscal Year 2017 an additional \$7.75 million is anticipated to be moved from the Citizen's Election Fund to the General Fund. At that point SEEC will look to either reverse the sweep or to replace those funds in order to have funds available for the 2018 statewide and General Assembly races.

IV. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by Russell Gomes, Old Lyme
File No. 2014-082

Proposed Findings & Conclusions

Respondents:

Attorney:

Vicki Lanier and Judith Read

James Talbert-Slagle

Legal Investigator: Scott Branfuhr

Attorney Talbert-Slagle summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-082. He recommended adoption of the Proposed Findings & Conclusions as to no further action.

It was moved by Commissioner Bramante and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File No. 2014-082 and no further action be taken. So voted by a vote 3-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

2. In re: Audit of Aldorando 2010, Hartford
File No. 2012-025

Proposed Consent Order & Agreement

Respondent: Joanna Aldorando
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. 2012-025. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Ajello and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2012-025. So voted by a vote 3-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions upon receipt.

3. In re: Audit of Robles 2010, Hartford
File No. 2012-037

Proposed Consent Order & Agreement

Respondent: Ana Robles
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. 2012-037. 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. 2012-037. So voted by a vote 3-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

4. In the Matter of a Complaint by Marc E. Lubetkin, Simsbury
File No. 2012-147

Proposed Consent Order & Agreement

Respondent: Charity Folk
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. 2012-147. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Ajello and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2012-147. So voted by a vote 3-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

5. In the Matter of a Complaint by Jonathan C. Gilman, Bozrah
File No. 2012-095

Proposed Consent Order & Agreement

Respondent: Tom Reynolds
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. 2012-095. 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. 2012-095. So voted by a vote 3-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

6. 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

The matter was marked off. No action taken

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

Proposed Consent Order & Agreement

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

The matter was marked off. No action taken.

8. In the Matter of a Complaint by Jeffrey A. Shorts, Coventry
File No. 2014-124
Proposed Findings & Conclusions
Respondent: Judith S. Ortiz
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-124. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Bramante and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File No. 2014-124 and dismiss the matter. So voted by a vote 3-0-0. The Findings & Conclusions 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 Ajello at 9:38 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 and Ajello were present. Commissioner Penny joined the meeting during executive session at 10:19 A.M. Staff members present were Michael Brandi, Kevin Ahern, Scott Branfuhr, Ryan Burns, Joshua Foley, Evelyn Gratacos, Shannon Kief, Sheri-Lyn Lagueux, Lindsey Leung, Salman Munir, Gilberto Oyola, James Talbert-Slagle and William Smith.

The Commission returned to public session at 12:12 P.M.

Following a short recess 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 or § 9-604 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 resulting from the April 10, 2015 Filing.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to accept the findings and refer four (4) matters to a hearing in File Nos. 2015-037NF, 2015-038NF, 2015-043NF and 2015-045NF. So approved by the Commission, 4-0-0.

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

File No. 2014-105NF

Respondent:

Jason W. Bartlett, Treasurer
Connecticut Black Caucus

Attorney:

Ryan Burns

Non-Compliance with Final Decision

File No. 2014-106NF

Respondent:

Regina V. Roundtree, Treasurer
CT Black Republicans and
Conservatives

Attorney:

Ryan Burns

Non-Compliance with Final Decision

Attorney Burns summarized the above referenced request to Authorize a Referral to the Attorney General in two (2) non-filer matters resulting from non-payment of outstanding civil penalties.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to authorize and refer two (2) matters to the Office of the Attorney General in File Nos. 2015-105NF and 2015-106NF. So approved by the Commission, 4-0-0.

3. In the Matter of a Complaint by Kirk Carr, Clinton

File No. 2014-117

Recommendation of Counsel

Attorney:

Kevin M. Ahern

Legal Investigator:

Scott Branfuhr

Attorney Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-117. He recommended adoption of a Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt a Proposed Findings & Conclusions in File No. 2014-117 and dismiss the matter. So voted by a vote 4-0-0. The Findings & Conclusions are available on our website under Commission Decisions.

4. In the Matter of a Complaint by Eric Fanwick, Wilton
File No. 2014-146
Proposed Consent Order & Agreement

Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

Attorney Ahern summarized the above referenced complaint and Proposed Consent Orders & Agreement in File No. 2014-146. He recommended adoption of the Proposed Consent Orders & Agreement.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to adopt the Proposed Consent Orders & Agreement in File No. 2014-146 conditional upon a revision to #30 of the Consent Order and must be approved by the Respondent within ten (10) days. So voted by a vote 4-0-0. The Consent Orders & Agreements will be available on our website under Commission Decisions upon approval by the respondent and receipt within ten (10) days.

5. In the Matter of a Complaint by Linda Szyrkowicz, Middletown
File No. 2014-159
Recommendation of Counsel

Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

Attorney Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-159. He recommended adoption of a Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt a Proposed Findings & Conclusions in File No. 2014-159 and dismiss the matter. So voted by a vote 4-0-0. The Findings & Conclusions are available on our website under Commission Decisions.

6. In the Matter of a Complaint by John Mallozzi, Stamford
File No. 2012-151

Proposed Consent Orders & Agreement

Respondents: Philip Balestriere and
Cort Wrotnowski
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Attorney Talbert-Slagle summarized the above referenced complaint and Proposed Consent Orders & Agreement in File No. 2012-151. He recommended adoption of the Proposed Consent Orders & Agreement.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to adopt the Proposed Consent Orders & Agreement in File No. 2012-151. So voted by a vote 4-0-0. The Consent Orders & Agreements will be available on our website under Commission Decisions.

7. In the matter of a Complaint by Kim Fawcett, Fairfield
File No. 2012-235
Recommendation of Counsel
Respondent: David Becker
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlies Urso

The matter is continued.

8. *In re* Audit of Wadsworth for State Senate, Hartford
File No. 2015-099
Request to Authorize an Investigatory Subpoena
Respondent: William Baker
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Attorney Talbert-Slagle summarized the above referenced complaint and requested the Commission to Authorize an Investigatory Subpoena in File No. 2015-099.

It was moved by Commissioner Ajello and seconded by Commissioner Penny to Authorize an Investigatory Subpoena to the keeper of records of Bank of America for records maintained for the *Wadsworth for State Senate* Candidate Committee in File No. 2015-099. So voted by a vote 4-0-0.

9. In the Matter of a Complaint by Dorothy Mrowka and Diana Giles, Colchester
Registrars of Voters, Colchester
File No. 2014-070
Recommendation of Counsel

Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

10. In the Matter of a Complaint by Alfred P. Mayo, New Britain
File No. 2015-005
Recommendation of Counsel

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

The matter is continued.

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

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

The matter is continued.

12. In the Matter of a Complaint by Shane P. Reichle, Stafford Springs
File No. 2015-008
Recommendation of Counsel

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

The matter is continued.

13. In the Matter of a Complaint by Sean Murphy, Woodbury
File No. 2015-033
Recommendation of Counsel

Respondent: Anna Cutaia-Leonard
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

14. 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 Recommendations of Counsel dated September 3, 2015 and September 10, 2015 respectively and requested that File Nos. 2015-089 and 2015-104 not be moved to investigate.

It was moved by Commissioner Ajello and seconded by Commissioner Bramante to make a determination that it is necessary to investigate violations relating to fourteen (14) complaints File Nos.: 2015-097, 2015-098, 2015-101, 2015-102, 2015-103, 2015-105, 2015-106, 2015-107, 2015-114, 2015-115, 2015-116, 2015-117, 2015-118 and 2015-119. So approved by the Commission, 4-0-0.

15. Consideration of Draft Audit Reports

1. "Backer 2014," Terrence E. Backer
Examiner: Amit Shah
2. "Committee to Elect Eric Berthel," Eric C. Berthel
Examiner: Krysta Holmes
3. "Dan Carter 2014," Daniel E. Carter
Examiner: Karen Walauskas
4. "Kevin Coyner 2014," Kevin Coyner
Examiner: Krysta Holmes
5. "Matt Gaynor 2014," Matthew D. Gaynor
Examiner: Krysta Holmes
6. "Committee to Re-Elect Minnie Gonzalez", Minnie Gonzalez
Attorney: James Talbert-Slagle
7. "Sean Kelly for State Senate," Sean Kelly
Examiner: Matthew Lombardi
8. "Committee to Reelect Senator John A. Kissel," John A. Kissel
Examiner: Matthew Lombardi
9. "Joe Labella 2014," Joseph A. LaBella
Examiner: Ergys Guni
10. "Elect Vicki Lanier State Rep," Vicki Lanier
Examiner: Karen Walauskas
See also Sec. IV, Item 1
11. "Tim Larson for State Senate," Timothy D. Larson
Examiner: Dinorah Collado

12. "Leone For Senate 2014," Carlo Leone
Examiner: Krysta Holmes
13. "Megna 2014," Robert W. Megna
Examiner: Matthew Lombardi
14. "McClellan 2014," Carol Ann McClellan
Examiner: Matthew Lombardi
15. "Billie Miller 2014," Patricia Billie Miller
Examiner: Amit Shah
16. "Friends of Joe Polletta," Joseph Polletta
Examiner: Amit Shah
17. "Sanchez 2014," Robert C. Sanchez
Examiner: Karen Walauskas
18. "Satti for Senate 2014," William L. Satti
Examiner: Salman Munir
19. "Gayle for Senate," Gayle Slossberg
Examiner: Dinorah Collado
20. "Soliani 2014" Marie Soliani
Attorney: James Talbert-Slagle
21. "MZ 2014," Melissa Ziobron
Examiner: Ergys Guni

Executive Director Michael Brandi provided an overview of the audits and recommended that the Commission make audits 1-5, 7-19 and 21 final, as there were few or no findings.

It was moved by Commissioner Ajello and seconded by Commissioner Bramante to accept the audits numbered 1-5, 7-19 and 21 as final. So approved by the Commission, 4-0-0.

Attorney James Talbert-Slagle requested that the audit numbered 6 be referred to the Law Enforcement Unit for investigation, so moved by Commissioner Penny and seconded by Commissioner Bramante. So approved by the Commission, 4-0-0.

Attorney James Talbert-Slagle requested that the audit numbered 20 be referred to the Law Enforcement Unit for investigation, so moved by

Commissioner Penny and seconded by Commissioner Bramante. So approved by the Commission, 4-0-0.

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

No action was taken.

VI. Consideration of Matters Discussed in Executive Session

VII. Adjournment

It was moved by Commissioner Penny and seconded by Commissioner Bramante at 12:36 P.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

The next regular scheduled meeting is October 20, 2015 at 9:00 A.M. in the 5th Floor Conference room.