



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

AGENDA
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
December 18, 2013
9:00 A.M.

I. *Call to Order*

Chairman Castagno was present and called the meeting to order at 9:18 A.M. Commissioners Salvatore Bramante, Stephen Penny, Michael Ajello were present, agency staff was also present. Commissioner Patricia Stankevicius joined the meeting at 9:46 A.M.

II. *Approval of the Minutes*

Approval of the Minutes of the Meeting of November 20, 2013

It was moved by Commissioner Bramante and seconded by Commissioner Penny to approve the Minutes of the November 20, 2013 regular meeting. So voted.

Approval of the Minutes of the Meeting of December 3, 2013

It was moved by Commissioner Bramante and seconded by Commissioner Penny to approve the Minutes of the December 3, 2013 special meeting, as amended. So voted.

III. *Miscellaneous Resolutions*

1. Recommendation of Counsel: A resolution to approve the proposed 2014 SEEC Regular Meeting Schedule

It was moved by Commissioner Bramante and seconded by Commissioner Penny to approve the 2014 SEEC Regular Meeting Schedule. So voted.

2. Recommendation of Counsel: A resolution to approve the proposed 2014 SEEC Grant Application Regular Meeting Schedule

It was moved by Commissioner Bramante and seconded by Commissioner Penny to approve the 2014 SEEC Regular Meeting Schedule. So voted.

IV. Administrative Reports

Mr. Brandi advised that regarding the budget, SEEC is on target.

Mr. Brandi advised that one accounts examiner has received a promotional opportunity with another state agency. SEEC will be looking to refill this position, otherwise, personnel in SEEC is fully staffed.

Mr. Brandi reported on his trip to COGEL. Proud to report to the Commission that CT is at the forefront of public financing and the method and manner of which SEEC provides advice and enforces violations.

Mr. Brandi reported that in the matter of Gonzalez v. State Elections Enforcement Commission, the Petition for Certification with the State Supreme Court has been denied. The only other remedy is to file the Petition for Certification with the Federal Supreme Court, but it would be highly unlikely that the case would proceed.

Mr. Brandi advised that the legislative session begins in February, 2014, it's a short session, SEEC is getting proposals ready. Beth Bye of West Hartford is the new Appropriations chair, replacing Toni Harp and SEEC has spoken with the executive directors of Ethics and FOI who intend on setting a joint meeting as soon as possible.

SEEC's Legislative proposals will include the municipal pilot program, the fix for the Citizens' Election Fund and minor fixes related to campaign surpluses.

Ms. Kief advised as to the status of the comment period of the Declaratory Rulings. SEEC has heard from a couple people that they may be making comments to the proposed Declaratory Ruling. The requestors had contacted SEEC looking for clarification on the ruling, but will most likely be submitting as a comment as well.

V. Pending Complaints and Investigations

A. Consideration of Hearing Officer's Reports

1. In the Matter of a Referral by the Campaign Disclosure and Audit Unit of the State Elections Enforcement Commission and Consideration of Proposed Consent Order & Agreement in:

File No. 2010-122

Hearing Officer:

Respondent:

Prosecutor:

Stephen Penny

Jack H. Knapp

James Talbert-Slagle

Attorney Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2010-122. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to adopt the Proposed Consent Order & Agreement in File No. 2010-122. So voted. The Proposed Consent Order & Agreement is available on our website under Commission Decisions.

B. Public Session

1. In the Matter of a Complaint by Georgiana Holloway, Hartford
File No. 2010-048

Proposed Consent Order & Agreement

Respondent:

Garey Coleman

Attorney:

James Talbert-Slagle

Lead Legal Investigator:

Gilberto Oyola

The matter was moved to number seven in executive session.

Attorney Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2010-048. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Stankevicius and seconded by Commissioner Ajello to adopt the Proposed Consent Order & Agreement in File No. 2010-048. Commissioner Bramante abstained from voting. So adopted by a vote of 4-0-1. The Proposed Consent Order & Agreement is available on our website under Commission Decisions.

2. In the Matter of a Complaint by Howard Jubrey, Windsor
File No. 2013-001

Proposed Consent Order & Agreement

Respondents:

Genesis Healthcare, 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 upon receipt within ten days.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement upon receipt within ten days

in File No. 2013-001. Commissioner Stankevicius abstained from voting. So adopted by a vote of 4-0-1. The Proposed Consent Order & Agreement will be available on our website under Commission Decisions.

3. Referral by the Westport Registrars of Voters, Westport
File No. 2013-102
Proposed Findings & Conclusions
Respondent: Joan F. Webb
Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-102. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2013-102. So voted. The Proposed Findings & Conclusions are available on our website under Commission Decisions.

4. In the Matter of a Complaint by Doris E. Marina, West Haven
File No. 2013-129
Proposed Findings & Conclusions
Respondent: Jo Ann Callegari
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-129. 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. 2013-129. So voted. The Proposed Findings & Conclusions are available on our website under Commission Decisions.

5. In the Matter of a Complaint by Jose L. Morales, Waterbury
File No. 2012-073
Proposed Findings & Conclusions
Respondents: Justino Plaza; Victor Cuevas;
Michelle Castillo and Carmen M. Rodriguez
Attorney: William B. Smith

Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2012-073. 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. 2012-073. So voted. The Proposed Findings & Conclusions are available on our website under Commission Decisions.

6. In the Matter of a Complaint by Tina Gardner & Carole Young-Kleinfeld, Wilton File No. 2012-175
Proposed Consent Order & Agreement
Reason to Believe Finding
Respondent: Giovanni C. Alberino
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2012-175. He recommended adoption of the Proposed Consent Order & Agreement upon receipt of payment within ten days.

It was moved by Commissioner Ajello and seconded by Commissioner Stankevicius to adopt the Proposed Consent Order & Agreement in File No. 2012-175. So voted. The Proposed Consent Order & Agreement will be available on our website under Commission Decisions.

Attorney Smith summarized the above referenced complaint and Request for Finding of Reason to Believe that a Violation has Occurred in File No. 2012-175. He recommended adoption of the Request for Finding of Reason to Believe.

It was moved by Commissioner Ajello and seconded by Commissioner Stankevicius to adopt the Request for Finding of Reason to Believe that a Violation has Occurred in File No. 2012-175. So voted.

VI. *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 Stankevicius and seconded by Commissioner Bramante at 10:21 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, Penny, Stankevicius and Ajello were present. Staff members present were Michael Brandi, Shannon Kief, Linda Waterman, Charlie Urso, Lisa Nightingale, Gilberto Oyola, James Talbert-Slagle, Patrick J. Lamb, William B. Smith, Kevin M. Ahern, Scott Branfuhr, Joshua Foley, Marianne Sadowski, Jennifer Montgomery, Evelyn Gratacos and Sheri-Lyn Lagueux.

It was moved by Commissioner Penny and seconded by Commissioner Bramante at 12:22 P.M. to return to public session. So voted.

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

1. In the Matter of a Complaint by Brendan T. Keatley, Trumbull
File No. 2013-107
Recommendation of Counsel
Attorney: Patrick J. Lamb
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

2. In the Matter of a Complaint by Matthew J. Grimes, Brookfield
File No. 2013-076
Recommendation of Counsel
Attorney: Patrick J. Lamb
Legal Investigator: Scott Branfuhr

The matter is continued.

3. In the Matter of a Complaint by Jose L. Morales, Waterbury
File No. 2012-119
Recommendation of Counsel
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

4. In the Matter of a Complaint by Mark J. Ciarciello, Judicial Branch, Hartford
File No. 2013-136
Recommendation of Counsel
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

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

It was moved by Commissioner Stankevicius and Seconded by Commissioner Bramante to make a determination that it is necessary to investigate violations relating to nine (9) complaints in File Nos.: 2013-158, 2013-159, 2013-160, 2013-161, 2013-162, 2013-163, 2013-164, and 2013-170. Also, File No. 2013-165 (as to paragraphs 1 through 8). So voted.

6. Consideration of Draft Audit Reports

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to approve the issuance of the aforementioned committee draft Audit Report items 2-6 and 8-20 as Final Audit Reports. So voted.

It was moved by Commissioner Stankevicius and seconded by Commissioner Penny to initiate an investigation with respect to draft Audit Report items 1, "Alseph 2012"; 7, "Vivian 2012," and 21, "Renzullo for the 63rd" and refer the matters to the enforcement unit. So voted.

1. "Alseph2012, " John Alseph
Examiner: Dinorah Collado
2. "Friends of Paul Davis," Paul Davis
Examiner: Dinorah Collado
3. "Tim Bowles 2012," Tim Bowles
Examiner: Dinorah Collado
4. "Alford 2012," Mary Alford
Examiner: Kristina Corbett
5. "Martin Looney for State Senate," Martin Looney
Examiner: Kristina Corbett
6. "Matt Lesser 2012," Matt Lesser
Examiner: Kristina Corbett
7. "Vivian 2012," Vivian Nasiatka
Examiner: Kristina Corbett
8. "Bosco for the 59th," Joe Bosco
Examiner: Karen Moreira
9. "Forsyth for the 116th 2012," David C. Forsyth

Examiner: Karen Moreira

10. "Hampton 2012," John K. Hampton
Examiner: Karen Moreira
11. "Powers for 2012," Eileen A. Powers
Examiner: Karen Moreira
12. "Cubellotti for State Rep. 2012," Craig T. Cubellotti
Examiner: Matthew Lombardi
13. "Dargan 2012," Stephen D. Dargan
Examiner: Matthew Lombardi
14. "Stango for State Rep. 2012," Michael Stango
Examiner: Matthew Lombardi
15. "Cassano 4 Senate," Stephen T. Cassano
Examiner: Martin Paxi
16. "Dante for State Senate," Dante J. Bartolomeo
Examiner: Martin Paxi
17. "Laura Hoydick for State Representative," Laura R. Hoydick
Examiner: Martin Paxi
18. "Len in 2012," Leonard A. Fasano
Examiner: Martin Paxi
19. "Roche For Senate 2012," David Roche
Examiner: Martin Paxi
20. "Welch for State Senate 2012," Jason C. Welch
Examiner: Martin Paxi
21. "Renzullo for 63rd," Michael J. Renzullo
Attorney: James Talbert-Slagle

VII. Adjournment

It was moved by Commissioner Stankevicius and seconded by Commissioner Ajello at 12:25 P.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

The next regular scheduled meeting is January 15, 2014 in the 5th Floor Conference room.