



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
February 10, 2016
9:30 A.M.

I. Call to Order

Commissioner Castagno was present and called the meeting to order at 9:32 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 added items numbered 32.13 and 33 to the Executive Session.

II. Approval of the Minutes

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

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to approve the Minutes of the January 13, 2016 regular meeting by a 5-0-0 vote.

III. Administrative Reports

Executive Director Brandi updated the commission on the start of the 2016 Legislative Session. The staff submitted proposals which address the coordinated spender language, require electronic filing, and creates a study to include candidates for Judge of Probate in the Citizens' Election Program.

Mr. Brandi congratulated Commissioner Bramante on his confirmation hearing with the legislature's Executive and Legislative Nominations Committee. Commissioner Ajello will have his confirmation hearing on February 24.

The agency is coping with cuts to the discretionary budget monies which, while manageable this current fiscal year due to staff vacancies and maternity leaves, will be unmanageable in the next fiscal year. Mr. Brandi is working with legislators to explain how small a percentage of the entire budget is considered discretionary, and the vast majority is comprised of personnel expenses. The agency needs to have sufficient funds to meet its personnel obligations, run the Citizens' Election Program, and keep up software licenses and equipment purchases to support operations.

The Commission suggested that the legislators are shown the difference between the personnel costs and the discretionary budget in the presentations they are provided by Mr. Brandi and agency staff.

IV. Pending Complaints and Investigations

A. Consideration of Hearing Officer's Report

1. In In the Matter of a Referral by the Campaign Disclosure and Audit Unit of the State Elections Enforcement Commission
File Nos. 2015-108DNF and 2015-109DNF

Respondent: William L. Jenkins
Hearing Officer: Michael J. Ajello
Prosecutor: Ryan M. Burns

Hearing Officer Ajello summarized the above referenced report in File Nos. 2015-108DNF and 2015-109DNF. He recommended adoption of the Final Decision.

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to adopt the Final Decision in File Nos. 2015-108DNF and 2015-109DNF. So voted by a vote of 4-0-1, with Commissioner Ajello abstaining. The Final Decision will be available on our website under Commission Decisions.

2. In the Matter of a Referral by the Campaign Disclosure and Audit Unit of the State Elections Enforcement Commission
File No. 2015-018NF

Respondent: Allison M. Hall
Hearing Officer: Michael J. Ajello
Prosecutor: Ryan M. Burns

Hearing Officer Ajello summarized the above referenced report in File No. 2015-018NF. He recommended adoption of the Final Decision.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the Final Decision in File No. 2015-018NF. So voted by a vote of 4-0-1, with Commissioner Ajello abstaining. The Final Decision will be available on our website under Commission Decisions

3. In the Matter of a Referral by the Campaign Disclosure and Audit Unit of the State Elections Enforcement Commission
File No. 2014-198NF

Respondent: Lorraine A. Franco
Hearing Officer: Michael J. Ajello
Prosecutor: Ryan M. Burns

Hearing Officer Ajello summarized the above referenced report in File No. 2014-198NF. He recommended adoption of the Final Decision.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to adopt the Final Decision in File No. 2014-198NF. So voted by a vote of 4-0-1, with Commissioner Ajello abstaining. The Final Decision will be available on our website under Commission Decisions

B. Public Session

1. In the Matter of a Complaint by Harold Harris, Mark Branase and Jai Persico, Glastonbury
File No. 2012-169
Proposed Consent Order & Agreement
Respondents: Winona W. Zimmerlin, Thomas
"Chip" Flanagan
Attorney: James M. Talbert-Slagle
Lead Legal Investigator: Charlie Urso

The matter is continued.

2. In the Matter of a Complaint by Cheryl Jansen, Shelton
File No. 2014-131
Proposed Findings & Conclusions
Respondents: Ben McGorty, Anne Gaydos
Attorney: James M. Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Attorney Talbert-Slagle summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-131. 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. 2014-131 and dismiss the matter. 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 Lisa Labella, Trumbull
File No. 2014-046
Proposed Consent Order & Agreement
Respondents: Jeffrey J. Raucci; Jeanette Raucci,
Carl J. Scarpelli; Jack Testani
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney Smith summarized the above referenced complaint and Proposed Consent Order & Agreements in File Nos. 2014-046A and 2014-046B. He recommended adoption of the Proposed Consent Order & Agreements.

It was moved by Commissioner Stankevicius and seconded by Commissioner Ajello to adopt the Proposed Consent Order & Agreement in File No. 2014-046A. So voted by a vote 5-0-0.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2014-046B. So voted by a vote 5-0-0. The Consent Order & Agreements will be available on our website under Commission Decisions.

4. In re: SEEC Initiated: Investigation Based Upon Findings Regarding Possible Straw Contributions to "*Thompson-Daniel 2014*"
File No. 2014-166
Proposed Consent Order & Agreement
Respondent: John Davis
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-166. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Ajello and seconded by Commissioner Stankevicius to adopt the Proposed Consent Order & Agreement in File No. 2014-166. So voted by a vote 5-0-0. The Consent Order & Agreement 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 Bramante and seconded by Commissioner Penny at 10:47 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, Joshua Foley, Douglas Frost, Evelyn Gratacos, Shannon Kief, Sheri-Lyn Lagueux, Lindsey Leung, Gilberto Oyola, James Talbert-Slagle, Marianne Sadowski, William Smith and Linda Waterman.

The Commission returned to public session at 1:06 P.M.

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

5. Request for a Finding of Reason to Believe a Violation of General Statutes § 9-608, § 9-604 or § 9-712 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 five (5) non-filer matters.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to accept the findings and refer five (5) matters to a hearing in File Nos. 2015-169NF, 2015-170NF, 2015-183NF, 2015-187NF and 2015-188NF. So approved by the Commission, 5-0-0.

6. In re: Referral of the New Haven City Clerk
File No. 2013-149
Recommendation of Counsel

Attorney: Ryan M. Burns
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

7. In the Matter of a Complaint by Jonathan L Tunik, Stamford
File No. 2014-154
Recommendation of Counsel

Attorney: Ryan M. Burns
Lead Legal Investigator: Charlie Urso

Attorney Burns summarized the above referenced complaint and proposed a Findings & Conclusions in File No. 2014-154. 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. 2014-154 and dismiss the matter. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

8. General Authorization to Settle Failure of Treasurers to Timely File Statements
Recommendation of Counsel

Attorney: Ryan M. Burns

Attorney Burns summarized the Recommendation of Counsel in regards to the Non-Filer Matters.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to affirm and continue the general authorizations concerning non-filer matters as initially

approved at the November 16, 2011 and August 22, 2012 regular meetings of the Commission. So voted by a vote 5-0-0.

9. 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

Commissioner Penny recused himself for the discussion of this matter. The matter is continued.

10. In the Matter of a Complaint by Ben Cooperman, New Haven
File No. 2012-039
Recommendation of Counsel
Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

See No. 14.

11. In the Matter of a Complaint by Aiden Scanlon, New Haven
File No. 2012-040
Recommendation of Counsel
Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

See No. 14.

12. In the Matter of a Complaint by Doris Perry, New Haven
File No. 2012-041
Recommendation of Counsel
Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

See No. 14.

13. In the Matter of a Complaint by Dean Thomas, New Haven
File No. 2012-042
Recommendation of Counsel
Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

See No. 14.

14. In the Matter of a Complaint by Saige Yarde-Douglas, New Haven
File No. 2012-043
Recommendation of Counsel

Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaints and proposed a Findings & Conclusions in File Nos. 2012-039, 2012-040, 2012 042, 2012-043. He recommended adoption of the Proposed Findings & Conclusions. He also asked the Commission to accept the withdrawal of File No. 2012-041.

It was moved by Commissioner Ajello and seconded by Commissioner Bramante to accept the withdrawal of File No. 2012-041. So voted by a vote 5-0-0.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to adopt the Proposed Findings & Conclusions in File No. 2012-039, 2012-040, 2012 042, 2012-043 and dismiss the matters without prejudice. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

15. In the Matter of a Complaint by Beth A. Lazar, Bridgeport
File No. 2013-120
In the Matter of a Complaint by Kim McLaughlin, Bridgeport
File No. 2013-121
In the Matter of a Complaint by Joel Gonzalez, Bridgeport
File No. 2013-122
In the Matter of a Complaint by Beth A Lazar, Bridgeport
File No. 2013-123
Recommendation of Counsel

Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaints and requested authorization of an investigatory subpoena in File Nos. 2013-120, 2013-121, 2013-122, and 2013-123.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to authorize an Investigatory Subpoena in File No. 2013-120, 2013-121, 2013-122, and 2013-123. So voted by a vote 5-0-0.

16. In the Matter of a Complaint by Kathleen Schurman, et al., Bethany
File No. 2015-027
Recommendation of Counsel

Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and proposed a Findings & Conclusions in File No. 2015-027. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File No. 2015-027. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

17. In the Matter of a Complaint by Harry Lew, Southington

File No. 2015-155

Recommendation of Counsel

Attorney:

Kevin M. Ahern

Lead Legal Investigator:

Gilberto Oyola

See No. 18.

18. In the Matter of a Complaint by Edward Rosenblatt, Southington

File No. 2015-178

Recommendation of Counsel

Attorney:

Kevin M. Ahern

Lead Legal Investigator:

Gilberto Oyola

Attorney Ahern summarized the above referenced complaints and proposed a Findings & Conclusions in File Nos. 2015-155 and 2015-178. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File Nos. 2015-155 and 2015-178 and dismiss the matters. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

19. In re: SEEC Initiated: *Kearney 2011* - Audit Findings

File No. 2012-068

Recommendation of Counsel

Respondent:

Andrew V. Bivens

Attorney:

James M. Talbert-Slagle

Lead Legal Investigator:

Charlie Urso

The matter is continued.

20. In re: SEEC Initiated: *Ayala For State Rep.*

File No. 2013-104

Recommendation of Counsel

Attorney:

James M. Talbert-Slagle

Lead Legal Investigator:

Charlie Urso

The matter is continued.

21. In re: SEEC Initiated: *Goff For The 34th* - Audit Findings

File No. 2014-011

Recommendation of Counsel

Attorney:

James M. Talbert-Slagle

Lead Legal Investigator:

Charlie Urso

The matter is continued.

22. In re: SEEC Initiated: *Nicastro For State Representative 2012* - Audit Findings

File No. 2014-012

Recommendation of Counsel

Attorney:

James M. Talbert-Slagle

Lead Legal Investigator:

Charlie Urso

The matter is continued.

23. In re: SEEC Initiated: *Renzullo For 63rd* - Audit Findings

File No. 2014-013

Recommendation of Counsel

Attorney:

James M. Talbert-Slagle

Lead Legal Investigator:

Charlie Urso

The matter is continued.

24. In re: SEEC Initiated: *Dauplaise For Connecticut* - Audit Findings

File No. 2014-014

Recommendation of Counsel

Attorney:

James M. Talbert-Slagle

Lead Legal Investigator:

Charlie Urso

The matter is continued.

25. In re: SEEC Initiated: *McGee For State Representative* - Audit Findings

File No. 2014-040

Recommendation of Counsel

Attorney:

James Talbert-Slagle

Lead Legal Investigator:

Charlie Urso

The matter is continued.

26. In re: SEEC Initiated: *Teresa Davidson for the 128th* - Audit Findings

Recommendation of Counsel

Attorney:

James Talbert-Slagle

Attorney Talbert-Slagle proposed the matter be referred to the Law Enforcement Unit for investigation. So moved by Commissioner Bramante and seconded by Commissioner Ajello. So approved by the Commission, 5-0-0.

27. In the Matter of a Complaint by Clare D. D'Appollonio, Windham
File No. 2015-148
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

28. 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 is continued.

29. In the Matter of a Complaint by Harold B. Hatch, Stafford Springs
File No. 2015-152
Recommendation of Counsel
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

30. In the Matter of a Complaint by Joseph DaSilva, Danbury (Self Report)
File No. 2015-179
Recommendation of Counsel
Attorney: William B. Smith

Attorney Smith summarized the above referenced complaint and Recommendation of Counsel in File No. 2015-179. 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. 2015-179. So voted by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

31. 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 January 28, 2016 and the supplemental Recommendation of Counsel dated February 9, 2016. He requested that three (5) matters be moved to investigate.

It was moved by Commissioner Bramante and seconded by Commissioner Ajello to make a determination that it is necessary to investigate violations relating to four (4)

complaints File Nos.: 2016-002, 2016-003, 2016-005, 2016-006. So approved by the Commission, 5-0-0.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to make a determination that it is necessary to investigate violations relating to one (1) complaint File No.: 2016-004. So approved by the Commission, 4-0-1, with Commissioner Ajello abstaining.

32. Consideration of Draft Audit Reports

1. "Toni Walker 2014," Toni Walker
Examiner: Ergys Guni
2. "Ethan Book for State Representative – 128th," Ethan Book
Examiner: Amit Shah
3. "Bradley for Bridgeport," Dennis Bradley
Examiner: Karen Walauskas
4. "Case for State Rep," Jay Case
Examiner: Ergys Guni
5. "Friends of Victor Cuevas," Victor Cuevas
Examiner: Dinorah Collado
6. "Foxx for Senate," John Foxx
Examiner: Matthew Lombardi
7. "Gail Lavielle for State Representative," Gail Lavielle
Examiner: Matthew Lombardi
8. "Lockwood for 39th Rep," Andrew Lockwood
Examiner: Dinorah Collado
9. "McGorty 2014," Ben McGorty
Examiner: Krysta Holmes
10. "Rojas2014," Jason Rojas
Examiner: Amit Shah
11. "John Scott 2014," John Scott
Examiner: Dinorah Collado
12. "Teresa Davidson for the 128th," Teresa Davidson
Attorney: James Talbert-Slagle
See also: Section V.26

13. "Martin Looney for State Senate," Martin Looney
Examiner: Krysta Holmes

Linda Waterman provided an overview of the audits and recommended that the Commission make audits numbered 1-11 and 13 final, so moved by Commissioner Bramante and seconded by Commissioner Ajello. So approved by the Commission, 5-0-0.

33. In re: SEEC Initiated: Non-Filer-Citizens for Lee Whitnum, Jason Walsh, Treas.
File No. 2014-104NF
Recommendation of Counsel
Attorney: Ryan M. Burns

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 Penny at 1:31 P.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 9th day of March, 2016 at Hartford, Connecticut.

Anthony J. Castagno
By Order of the Commission