



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
July 13, 2016
9:30 A.M.

I. Call to Order

Commissioner Castagno was present and called the meeting to order at 9:34 A.M. Commissioners Bramante, Penny and Ajello were present. Commissioner Stankevicius was absent. Agency staff was also present.

Commissioner Castagno noted that item number 17 in Public Session would be handled first and that items 5 and 6 in Public Session were to be marked off. He also noted that in Executive Session, the following grant applications are going to be added:

13. "McLachlan 2016," Michael A. McLachlan
14. "Inspiring Community Change," Charles Coviello, Jr.
15. "Adams 2016, Terry B. Adams
16. "Friends of Michael Dimassa," Michael DiMassa
17. "Steinberg for State Rep.," Jonathan Steinberg

II. Approval of the Minutes

Approval of the Minutes of the Meeting of June 15, 2016

It was moved by Commissioner Penny and seconded by Commissioner Ajello to approve the June 15, 2016 minutes with one typographical change by a 4-0-0 vote. So voted.

Approval of the Minutes of the Meeting of June 22, 2016

It was moved by Commissioner Bramante and seconded by Commissioner Penny to approve the July 22, 2016 minutes by a 4-0-0 vote. So voted.

Approval of the Minutes of the Meeting of June 29, 2016

It was moved by Commissioner Penny and seconded by Commissioner Ajello to approve the June 29, 2016 minutes by a 4-0-0 vote. So voted.

Approval of the Minutes of the Meeting of July 7, 2016

It was moved by Commissioner Bramante and seconded by Commissioner Penny to approve the July 7, 2016 minutes by a 4-0-0 vote. So voted.

III. *Administrative Reports*

Executive Director Brandi reported to the commission that as of July 1 SEEC has regained its status as a standalone agency. The task has not been easy, especially in regards to IT, Human Resources, asset management, or payroll. Mr. Brandi would like to thank the Fiscal staff, namely Shauna Khang and Henry Herschkorn. The SEEC is assisting the Freedom of Information Commission and the Office of State Ethics in their transitions as well.

For the agency budget, the lapses that Governor Malloy took wipes out another 3% of the budget, which is the majority of the monies we need to operate. The SEEC is fighting this by sending a memo to the Office of Policy and Management.

The agency has been challenged with operating with a smaller staff between 2 personnel leaves and 2 open positions.

The SEEC is looking forward to Governor Malloy signing the mandatory electronic filing bill into law.

The recent July 10 filing deadline has showcased the success of our efforts to encourage electronic filing for committee financial disclosure reports. Already 95% of candidate committees, 86% of party committees and 75% of political committees utilize the eCRIS system and we now have legislation passed requiring it.

Currently we have 1004 committees filed with the commission. Approximately 360 of those committees are for candidates and the remaining ones are for town/party committees or political committees. The Commission has approved 82 grants so far this election cycle, and 18 more are on the agenda today.

Looking ahead to the application deadlines for the August Primary Election, 21 of 25 committees have already completed the process. The final two meetings to approve Primary grants are next Wednesday, July 20 and next Friday, July 22.

IV. *Pending Complaints and Investigations*

A. *Public Session*

1. In the Matter of a Complaint by William J. Tyszka, Simsbury
File No. 2014-132
Proposed Consent Order & Agreement
Respondents: Cheryl Cook and Paul Henault
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney William Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-132. 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. 2014-132. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

Commissioner asked that the language in the Advisory Opinion 2014-04 be clarified to how it applies to opponents.

2. In the Matter of a Complaint by Richard M. Smith, Milford
File No. 2014-133
Proposed Consent Order & Agreement
Respondent: Pamela S. Staneski
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney William Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-133. 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. 2014-133. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

Director Brandi addressed how these cases do not infringe on freedom of speech, it has to do with how the monies used for a communication should be allocated/attributed.

3. In the Matter of a Complaint by Lawrence S. Brick, West Hartford
File No. 2014-134
Proposed Consent Order & Agreement
Respondents: Mark A. Zydanowicz and
Paul F. Travers
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney William Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-134. 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.

2014-134. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

4. In the Matter of a Complaint by Edward Sabatino, East Haven
File No. 2014-138
Proposed Consent Order & Agreement
Respondents: Stacy A. Gravino and
Salvatore R. Maltese
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney William Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-138. 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. 2014-138. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

5. In the Matter of a Complaint by Matthew A. Paulsen, Bethel
File No. 2015-150
Proposed Consent Order & Agreement
Respondents: Matthew S. Knickerbocker
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

6. In the Matter of a Complaint by Michael T. Bland, Hartford
File No. 2015-119
Proposed Consent Order & Agreement
Respondents: Luke Bronin, Resezina Wich, Thomas
Clarke II, Julio A. Concepcion, John
Gale, Glendowlyn Hall-Thames, James
Sanchez and Michael Chambers
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

7. In the Matter of a Complaint by Michael E. Bushior, Somers
File No. 2016-007
Proposed Findings & Conclusions
Respondent: David Reed
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney William Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2016-007. 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. 2016-007. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

8. In the Matter of a Complaint by Anna K. Davis, Amston
File No. 2016-036
Proposed Findings & Conclusions
Respondent: Clara O'Brien
Attorney: William B. Smith

This matter was discussed in Executive Session.

Attorney William Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2016-036. 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. 2016-036. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

9. In the Matter of a Complaint by Bernie DiPietro, Cheshire
File No. 2014-150
Proposed Consent Order & Agreement
Respondents: Al Adinolfi and Gilbert E. Linder
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney William Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-150. 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. 2014-150. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

10. In the Matter of a Complaint by Gregory R. Cann, Stratford
File No. 2014-171
Proposed Consent Order & Agreement

Respondents: Richard F. Fradette and Loius A. DeCilio
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney William Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-171. 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. 2014-171. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

11. In re: Referral of the East Haven Town Clerk
File No. 2013-111A
Proposed Consent Order & Agreement

Respondent: Edmond Kamienski
Attorney: Ryan M. Burns

Attorney Ryan Burns summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2013-111A. 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. 2013-111A. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

12. In re: Referral of the East Haven Town Clerk
File No. 2013-111B
Proposed Consent Order & Agreement

Respondent: Joseph Santino
Attorney: Ryan M. Burns

Attorney Ryan Burns summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2013-111B. 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. 2013-111B. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

13. In re: Referral of the East Haven Town Clerk
File No. 2013-111C
Proposed Consent Order & Agreement

Respondent: John Kikosicki
Attorney: Ryan M. Burns

Attorney Ryan Burns summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2013-111C. 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. 2013-111C. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

14. In re: Referral of the East Haven Town Clerk
File No. 2013-111D
Proposed Consent Order & Agreement

Respondent: Tara Esposito
Attorney: Ryan M. Burns

This matter is continued.

15. In re: Referral of the East Haven Town Clerk
File No. 2013-111E
Proposed Consent Order & Agreement

Respondent: Gary DePalma
Attorney: Ryan M. Burns

Attorney Ryan Burns summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2013-111E. 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. 2013-111E. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

16. In the Matter of a Complaint by Maria Valle, Bridgeport
File No. 2013-137B
Proposed Consent Order & Agreement

Respondent: Jocelyn Centeno
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. 2013-137B. 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. 2013-137B. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

17. In the Matter of a Referral by the Campaign Disclosure and Audit Unit of the State Elections Enforcement Commission

File No. 2015-079SF

Proposed Final Decision

Memorandum of Law

Respondent:

Ellen Wink

Prosecutors:

Ryan M. Burns and Andrew Cascudo

Hearing Officer:

Michael Ajello

Commissioner Ajello read the above referenced Memorandum of Law in File No. 2015-079SF into the record. Attorney Ryan Burns recommended adoption of the Proposed Final Decision.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Final Decision in File No. 2015-079SF. So voted by a vote 3-0-1, with Commissioner Ajello abstaining.

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 10:39 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. 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, James Talbert-Slagle, William Smith and Linda Waterman.

The Commission returned to public session at 12:04 P.M.

It was moved by Commissioner Penny and seconded by Commissioner Bramante at 12:22 P.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 Public Grants. So voted.

The Commission returned to public session at 12:34 P.M.

The Commission took the following actions in public session:

18. In the Matter of a Complaint by Joseph Walkovich, Danbury
File No. 2016-002
Proposed Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

The matter is continued.

19. In the Matter of a Complaint by Thomas Arras, Woodbury
File No. 2016-003
Proposed 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. 2016-003. 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. 2016-003. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

20. In the Matter of a Complaint by Jeffrey Hall, Somers
File No. 2015-003
Proposed Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

The matter is continued.

21. In re State Elections Enforcement Initiated Complaint
File No. 2012-238
Proposed Recommendation of Counsel
Attorney: Ryan M. Burns
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

22. In re: East End Political Action Committee
File No. 2013-003
Recommendation of Counsel
Attorney: James Talbert-Slagle

Lead Legal Investigator: Charlie Urso

Attorney Talbert-Slagle summarized the above referenced request for a finding of reason to believe in File No. 2013-003.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to accept the findings and refer File No. 2013-003 to a hearing. So approved by the Commission, 3-0-1, with Commissioner Ajello abstaining.

Commissioner Ajello will serve as the Hearing Officer.

18. In the Matter of a Complaint by Ernest U. Stone, Monroe
File No. 2014-010

Recommendation of Counsel

Attorney: James Talbert-Slagle

Legal Investigator: Scott Branfuhr

Attorney Talbert-Slagle summarized the above referenced request for a finding of reason to believe in File No. 2014-010.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to accept the findings and refer File No. 2014-010 to a hearing. So approved by the Commission, 3-0-1, with Commissioner Penny abstaining.

Commissioner Penny will serve as the Hearing Officer.

19. In the Matter of a Complaint by Gary Schaffrick, Bristol
File No. 2015-135

Recommendation of Counsel

Attorney: James Talbert-Slagle

Legal Investigator: Scott Branfuhr

The matter is continued.

20. In the Matter of a Complaint by Robert Kissel, Hamden
File No. 2012-234

Recommendation of Counsel

Attorney: Kevin M. Ahern

Lead Legal Investigator: Gilberto Oyola

Attorney Kevin Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2012-234. 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. 2012-

234. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

21. In the Matter of a Complaint by Bruce M. Suchinski, Bristol
File No. 2014-143
Proposed Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

27. 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 eleven (11) matters be moved to investigate.

It was moved by Commissioner Ajello and seconded by Commissioner Penny to make a determination that it is necessary to investigate violations relating to eight (8) complaints File No.: 2016-042, 2016-043, 2016-044, 2016-045, 2016-046, 2016-047, 2016-048 and 2016-049. So approved by the Commission, 4-0-0. So voted.

It was moved by Commissioner Ajello and seconded by Commissioner Bramante to make a determination that it is necessary to investigate violations relating to one (1) complaint File No.: 2016-050. So approved by the Commission, 4-0-0. So voted.

File No. 2016-051 and File No. 2016-052 were continued.

28. Consideration of Draft Audit Reports

The matter is continued.

VI. *Consideration of Application for Public Grants from the Citizens' Election Fund*

1. "Myers 2016," Krystal M. Myers

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the grant application for "Myers 2016," Krystal M. Myers. So voted by a vote of 4-0-0.

2. "Siegrist 2016," Robert W. Siegrist

It was moved by Commissioner Penny and seconded by Commissioner Ajello to approve the grant application for "Siegrist 2016," Robert W. Siegrist. So voted by a vote of 4-0-0.

3. "Labriola 2016," David Labriola

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the grant application for "Labriola 2016," David Labriola. So voted by a vote of 4-0-0.

4. "Gerratana 2016," Terry Gerratana

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the grant application for "Gerratana 2016," Terry Gerratana. So voted by a vote of 4-0-0.

5. "Esposito 2016," Louis P. Esposito

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the grant application for "Esposito 2016," Louis P. Esposito. So voted by a vote of 4-0-0.

6. "Committee to Re-Elect David Baram," David Baram

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the grant application for "Committee to Re-Elect David Baram," David Baram . So voted by a vote of 4-0-0.

7. "Josh for State Representative," Joshua A. Elliott

It was moved by Commissioner Penny and seconded by Commissioner Ajello to to continue without prejudice the grant application for "Josh for State Representaytive," Joshua A. Elliott. So voted by a vote of 4-0-0.

8. "Friends of Lonnie Reed," Lonnie Reed

It was moved by Commissioner Bramante and seconded by Commissioner Ajello to approve the grant application for "Friends of Lonnie Reed," Lonnie Reed. So voted by a vote of 4-0-0.

9. "Myrna 2016," Myrna E. Watanabe

It was moved by Commissioner Penny and seconded by Commissioner Ajello to approve the grant application for "Myrna 2016," Myrna E. Watanabe. So voted by a vote of 4-0-0.

10. "Eric Berthel 2016," Eric C. Berthel

It was moved by Commissioner Penny and seconded by Commissioner Ajello to continue without prejudice the grant application “Eric Berthel 2016,” Eric C. Berthel. So voted by a vote of 4-0-0.

11. “Bowles 2016,” Timothy R. Bowles

It was moved by Commissioner Penny and seconded by Commissioner Ajello to continue without prejudice the grant application for “Bowles 2016,” Timothy R. Bowles. So voted by a vote of 4-0-0.

12. “Dauplaise for Connecticut 2016,” Daniel D. Dauplaise

It was moved by Commissioner Penny and seconded by Commissioner Ajello to continue without prejudice the grant application of “Dauplaise for Connecticut 2016,” Daniel D. Dauplaise. So voted by a vote of 4-0-0.

13. “McLachlan 2016,” Michael A. McLachlan

It was moved by Commissioner Penny and seconded by Commissioner Ajello to continue without prejudice the grant application of “McLachlan 2016,” Michael A. McLachlan. So voted by a vote of 4-0-0.

14. “Inspiring Community Change,” Charles Coviello, Jr.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to continue without prejudice the grant application for “Inspiring Community Change,” Charles Coviello, Jr. So voted by a vote of 4-0-0.

15. “Adams 2016, Terry B. Adams

It was moved by Commissioner Penny and seconded by Commissioner Ajello to approve the grant application for “Adams 2016, Terry B. Adams. So voted by a vote of 4-0-0.

16. “Friends of Michael Dimassa,” Michael DiMassa

It was moved by Commissioner Penny and seconded by Commissioner Ajello to approve the grant application for “Friends of Michael Dimassa,” Michael DiMassa. So voted by a vote of 4-0-0.

17. “Steinberg for State Rep.,” Jonathan Steinberg

It was moved by Commissioner Penny and seconded by Commissioner Ajello to approve the grant application for “Steinberg for State Rep.,” Jonathan Steinberg. So voted by a vote of 4-0-0.

18. “Blankley for State Senate,” John Blankley

It was moved by Commissioner Penny and seconded by Commissioner Ajello to approve the grant application for "Blankley for State Senate," John Blankley. So voted by a vote of 4-0-0.

29. Continuation of all prior applications awaiting additional information to qualify for a grant

It was moved by Commissioner Penny and seconded by Commissioner Ajello to continue without prejudice all prior applications awaiting additional information to qualify for a grant. So voted by a vote of 4-0-0.

VII. Consideration of Matters Discussed in Executive Session

All action as noted in Section V. above.

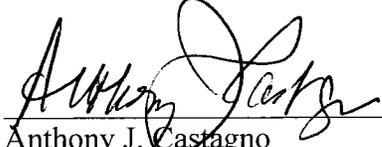
VIII. Adjournment

It was moved by Commissioner Ajello and seconded by Commissioner Penny at ____ 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 10th day of August, 2016 at Hartford, Connecticut.


Anthony J. Castagno
By Order of the Commission

The next regular scheduled meeting is a telephonic meeting, July 20, 2016 at 4:00 P.M. in the 5th Floor Conference room.