



# STATE OF CONNECTICUT STATE ELECTIONS ENFORCEMENT COMMISSION

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## **DRAFT MINUTES STATE ELECTIONS ENFORCEMENT COMMISSION REGULAR MEETING 5<sup>th</sup> Floor Conference Room March 21, 2012 9:00 A.M.**

### ***I. Call to Order***

Commissioner Cashman called the meeting to order at 9:05 A.M. Commissioners Jenkins, Castagno, Bozzuto and Stankevicius were present. Agency staff was also present.

### ***II. Approval of the Minutes***

Approval of the Minutes of the Meeting of February 15, 2012

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to Approve the Minutes of the February 15, 2012 Regular Meeting. So voted.

### ***III. Administrative Reports***

Mr. Brandi updated Commission staff that there has been a busy 5 weeks. The most important thing on the agenda has been to fill positions. SEEC has been successful in getting OPM to refill our vacant positions. SEEC has also traded the Staff Attorney II position for the Accounts Examiner position. We are awaiting additional approvals from the legislature for the three additional Accounts Examiners positions.

Mr. Brandi advises that he has been meeting with leadership at the legislature. Additionally staff has met with Town Clerk Officers and Common Cause.

Mr. Brandi reports that commission staff has been reviewing bills. Testimony has been presented on multiple occasions regarding budget, staffing and now CEP bills

SEEC now has 155 registered candidate committees for the 2012 election cycle. Election officers have been diligent in contacting treasurers and campaigns to advise them to advise them to file early as the agency has less staff.

Mr. Brandi reports that within the Disclosure unit there are 911 registered committees and we expect 891 plus filings for the upcoming April 10<sup>th</sup> filing date.

Mr. Brandi advises that the Audit unit reports 85% of examinations of committees are now complete.

Mr. Brandi advised that the IT unit is making great progress in updates to eCRIS and uploading forms to the website.

#### ***IV. Legislative Update***

Regarding HB 5528, this is a mish mosh bill with multiple interest regarding the CEP, independent expenditures, trigger provisions. The one point we have raised, allowing campaigns to take surplus funds at the end of the campaign and taking up to \$1,000 to pay campaign workers. We are prepared to challenge those elements.

Today's bill being heard today is SB 437 regarding the Commissioners Terms. Testimony has been prepared and submitted for this bill.

Also, mandatory eCRIS filing, has been attached to another bill which makes it questionable.

#### ***V. Pending Complaints and Investigations***

##### ***A. Public Session***

1. In the Matter of a Complaint by Carol Georgette, Oxford  
File No. 2009-078  
Proposed Findings & Conclusions  
Respondent: Joseph Rasberry  
Attorney: William B. Smith  
Lead Legal Investigator: Gilberto Oyola

Attorney William B. Smith summarized the above referenced complaint and proposed Findings & Conclusions in File No. 2009-078. He recommended adoption of the proposed Findings & Conclusions.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius adopt the proposed Findings & Conclusions in File No. 2009-078. So voted. The proposed Findings & Conclusions are available on our website under [Commission Decisions](#).

2. In the Matter of a Complaint by Deborah Deschamps-Baker, Sprague  
File No. 2011-121  
Proposed Consent Order & Agreement  
Respondent: Catherine A. Osten

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

Attorney William B. Smith summarized the above referenced complaint and proposed Consent Order & Agreement in File No. 2011-121. He recommended adoption of the proposed Consent Order & Agreement.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Order & Agreement in File No. 2011-121. So voted. The proposed Consent Order & Agreement are available on our website under [Commission Decisions](#).

3. In the Matter of a Complaint by John Moise, Southington  
File No. 2010-098

Proposed Findings & Conclusions

Respondents: Matt Jalowiec and Matthew H. Schmidt  
Attorney: William B. Smith  
Lead Legal Investigator: Gilberto Oyola

Attorney William B. Smith summarized the above referenced complaint and proposed Findings & Conclusions in File No. 2010-098. He recommended adoption of the proposed Findings & Conclusions.

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to adopt the proposed Findings & Conclusions in File No. 2010-098. So voted. The proposed Findings & Conclusions are available on our website under [Commission Decisions](#).

4. In the Matter of a Complaint by Kevin G. Trejo, Groton  
File No. 2011-084

Proposed Findings & Conclusions

Respondents: Ellen Brown, Kevin L. Fiftal,  
Michael D. Kane and John F. Scott, IV  
Attorney: William B. Smith  
Lead Legal Investigator: Gilberto Oyola

Attorney William B. Smith summarized the above referenced complaint and proposed Findings & Conclusions in File No. 2011-084. He recommended adoption of the proposed Findings & Conclusions.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Findings & Conclusions in File No. 2011-084. So voted. The proposed Findings & Conclusions are available on our website under [Commission Decisions](#).

5. In the Matter of a Complaint by John McNamara, New Britain

File No. 2009-111

Proposed Consent Order & Agreement

Respondent: Henry S. Plaut

Attorney: William B. Smith

Lead Legal Investigator: Gilberto Oyola

Attorney William B. Smith summarized the above referenced complaint and proposed Consent Order & Agreement in File No.2009-111. He recommended adoption of the proposed Consent Order & Agreement.

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to adopt the proposed Consent Order & Agreement in File No. 2009-111. So voted. The proposed Consent Order & Agreement are available on our website under [Commission Decisions](#).

6. In the Matter of a Complaint by Jon D. Norris, Southbury

File No. 2011-077

Proposed Findings & Conclusions

Respondent: William Davis

Attorney: James Talbert-Slagle

Lead Legal Investigator: Gilberto Oyola

Attorney James Talbert-Slagle summarized the above referenced complaint and proposed Findings & Conclusions in File No. 2011-077. He recommended adoption of the proposed Findings & Conclusions.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Findings & Conclusions in File No. 2009-008. So voted. The proposed Findings & Conclusions are available on our website under [Commission Decisions](#).

7. In the Matter of a Complaint by Sgt. Garritt Kelly, East Hampton

File No. 2011-113

Proposed Findings & Conclusions

Respondents: Melissa Engel and Douglas Logan

Attorney: Kevin Ahern

Lead Legal Investigator: Gilberto Oyola

Attorney Kevin Ahern summarized the above referenced complaint and proposed Findings & Conclusions in File No. 2011-113. He recommended adoption of the proposed Findings & Conclusions.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Findings & Conclusions in File No. 2011-113. So voted. The proposed Findings & Conclusions are available on our website under [Commission Decisions](#).

8. In the Matter of a Complaint by Sheila McCreven, Woodbridge

File No. 2012-007

Proposed Findings & Conclusions

Attorney: Patrick J. Lamb  
Lead Legal Investigator: Gilberto Oyola

Attorney Patrick J. Lamb summarized the above referenced complaint and proposed Findings & Conclusions in File No. 2012-007. He recommended adoption of the proposed Findings & Conclusions.

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius to adopt the proposed Findings & Conclusions in File No. 2012-007. So voted. The proposed Findings & Conclusions are available on our website under [Commission Decisions](#).

9. In the Matter of a Complaint by Nancy Sharp, Woodbury  
File No. 2011-010

Proposed Findings & Conclusions

Respondent: Rita Connelly  
Attorney: Patrick J. Lamb  
Lead Legal Investigator: Gilberto Oyola

Attorney Patrick J. Lamb summarized the above referenced complaint and proposed Findings & Conclusions in File No. 2011-010. He recommended adoption of the proposed Findings & Conclusions.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Findings & Conclusions in File No. 2011-010. So voted. The proposed Findings & Conclusions are available on our website under [Commission Decisions](#).

10. In the Matter of a Complaint by Ronna Stuller, New London  
File Nos. 2011-146 and 2011-147

Proposed Findings & Conclusions

Respondents: George Spreccace, Jay Levin and  
Edward Demuzzio  
Attorney: Patrick J. Lamb  
Lead Legal Investigator: Gilberto Oyola

Attorney Patrick J. Lamb summarized the above referenced complaint and proposed Findings & Conclusions in File Nos. 2011-146 and 2011-147. He recommended adoption of the proposed Findings & Conclusions.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to adopt the proposed Findings & Conclusions in File Nos. 2011-146 and 2011-147. So voted. The proposed Findings & Conclusions are available on our website under [Commission Decisions](#).

11. Non-Filer Investigations and Prosecutions

- a. Pursuant to Section 9-7b-35 of the Regulations of Connecticut State Agencies, Proposed Findings for a Reason to Believe a Violation has been Committed Concerning Delinquent Filings, Violations Under Section 9-623(b) (2). Based upon referrals by the SEEC Campaign Disclosure and Audit Unit.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to find reason to believe violations have been committed in File Nos.: 2012-018NF, 2012-021NF and 2012-022NF. So voted.

- b. Pursuant to Section 9-7b-35 of the Regulations of Connecticut State Agencies, Proposed Findings for a Reason to Believe a Violation has been Committed Concerning Delinquent Filings, Violations Under Section 9-623(b) (3). Based upon referrals by the town clerks.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to find reason to believe violations have been committed in File Nos.: 2011-157NF and 2012-012NF. So voted.

- c. Appointment of Executive Director Michael J. Brandi as Permanent Hearing Officer for Hearings Concerning Alleged Violations of §§ 9-602(c), 9-603, 9-604 or 9-608.

It was ordered by Commissioner Cashman to appoint Executive Director Michael J. Brandi as Permanent Hearing Officer for Hearings Concerning Alleged Violations of §§ 9-602(c), 9-603, 9-604 or 9-608.

**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 Jenkins and seconded by Commissioner Stankevicius at 9:37 A.M. to proceed into Executive Session pursuant to C.G.S. §§ 1-200(6)(B) and (E), and 1-210(b)(1),(3),(4) and (10) to discuss strategy and negotiations with respect to pending claims and exempt records relating thereto, listed as items 1 through 3 and audit items 1 through 41 on the agenda. So voted. Commissioners Cashman, Jenkins, Castagno, Bozzuto and Stankevicius were present. Staff members present were James Talbert Slagle, John Neumon, Gilberto Oyola, William B. Smith, Paige Adams, Kevin Ahern, Shannon Kief, Michael J. Brandi, Marianne Sadowski, Nancy Staniewicz, Linda Waterman, Jennifer Montgomery, Evelyn Gratacos and Sheri-Lyn Lagueux.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius at 10:34 A.M. to return to public session. So voted.

Returning to Public Session the Commission took the following action:

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to approve the issuance of the aforementioned committee draft Audit Reports 1-35 as Final Audit Reports. So voted.

It was moved by Commissioner Jenkins and seconded by Commissioner Stankevicius to approve as amended the issuance of the aforementioned committee draft Audit Report 41 as a Final Audit Report. So voted.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to initiate an investigation regarding draft Audit Reports 36-40. So voted.

1. In the Matter of a Complaint by Jeffrey Shorts, Coventry  
File No. 2010-125  
Proposed Recommendation of Counsel  
Attorney: James Talbert-Slagle  
Lead Legal Investigator: Gilberto Oyola

The matter is continued

2. In the Matter of a Referral by Jason Bartlett, Bridgeport  
File No. 2011-107  
Proposed Recommendation of Counsel  
Attorney: Kevin Ahern  
Lead Legal Investigator: Gilberto Oyola

The matter is continued

3. Recommendation of Counsel: Necessary to Investigate Determination pursuant to General Statutes §9-7a, as amended by Public Act 11-48 §300

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to move to make a determination that it is necessary to investigate violations relating to 5 complaints in File Nos.: 2012-015, 2012-024, 2012-029, 2012-030 and 2012-031. So voted.

*Consideration of Draft Audit Reports*

1. "Gaffney for State Rep," Treasurer: Brett Eisenlohr  
Examiner: Monique Coates
2. "Suzio for Senate," Treasurer: Christopher DeAngeli  
Examiner: Monique Coates
3. "Joe Markley for State Senator," Treasurer: John F. Beidler  
Examiner: Monique Coates
4. "John Barry for State Senate," Treasurer: Christopher J. Palmieri  
Examiner: Monique Coates
5. "Candelaria 2010," Treasurer: Frank Alvarado  
Examiner: Monique Coates
6. "Gardow for Wethersfield," Treasurer: Paul Courchaine  
Examiner: Monique Coates
7. "Merritt for Senate," Treasurer: Marianne Zinzarella  
Examiner: Monique Coates
8. "Nogueira 2010," Treasurer: Patrick Nogueira  
Examiner: Monique Coates
9. "Daniel Docker 20<sup>th</sup> District Senate - 2010," Treasurer: Sabina L. Vogel  
Examiner: Monique Coates
10. "Elizabeth Bye 2010 Exploratory Committee," Treasurer: Linda Levin  
Examiner: Monique Coates
11. "Beth Bye for State Senate 2010," Treasurer: Katherine Wilson  
Examiner: Monique Coates
12. "Rossi for Senate," Treasurer: Jennifer Cutrali  
Examiner: Monique Coates
13. "Molgano 2010", Treasurer: Francis Browne  
Examiner: Monique Coates
14. "Mahoney for CT", Treasurer: Thomas McKiernan  
Examiner: Monique Coates
15. "Dan German 2010," Treasurer: Paula Smith  
Examiner: Linda Waterman
16. "Friends of Karen," (Exploratory) Treasurer: William R. Vayda  
Examiner: Salman Munir

17. "Friends of Karen," Treasurer: William R. Vayda  
Examiner: Salman Munir
18. "Committee To Re-Elect Minnie Gonzalez," Treasurer: Georgette Cicero  
Examiner: Salman Munir
19. "Terrie Wood 2010," Treasurer: Jennifer Streeter  
Examiner: Salman Munir
20. "Committee to Elect James Griffin," Treasurer: Guy A. Grundwell  
Examiner: Salman Munir
21. "Tercyak 2010," Treasurer: Bryan Sabin  
Examiner: Salman Munir
22. "Friends of Jack Hennessy," Treasurer: Matthew R. Waggner  
Examiner: Salman Munir
23. "Serra for State Representative," Treasurer: Santo Carta  
Examiner: Salman Munir
24. "Shaban for State Rep.," Treasurer: Thomas Murphy  
Examiner: Salman Munir
25. "Nash 2010," Treasurer: Harlan K. Hyde  
Examiner: Salman Munir
26. "Len Greene 105," Treasurer: Annmarie A. Drugonis  
Examiner: Salman Munir
27. "Kelly for Senate 2010," Treasurer: Chris Barnaby  
Examiner: Martin Paxi
28. "Fitzgerald 10," Treasurer: Gary Klemyk  
Examiner: Martin Paxi
29. "Citizens For Common Sense in Politics," (Henry Zembko) Treasurer: Paul A. Kelley  
Examiner: Martin Paxi
30. "Cartier 2010," Treasurer: Raymond Bower  
Examiner: Martin Paxi
31. "Re-Elect Tom Drew 2010," Treasurer: Kevin Hoffkins  
Examiner: Martin Paxi
32. "Kirkley-Bey 2010," Treasurer: Lasceirs John Beverley  
Examiner: Martin Paxi

33. "Brown for Assembly District 89," Treasurer: David L. Goodrich  
Examiner: Martin Paxi
34. "Re-Elect Jack Thompson," Treasurer: Michael Farina  
Examiner: Martin Paxi
35. "Pelletier '2010'," Treasurer: Andy Kidd  
Examiner: Martin Paxi
36. "Barton for State Senate," Treasurer: Peter E. Berg  
Examiner: Martin Paxi
37. "Committee To Elect John E. French," Treasurer: William K. Navratil  
Examiner: Martin Paxi
38. "Guglielmo For State Senate," Treasurer: Kristin M. Guglielmo  
Examiner: Martin Paxi
39. "Committee To Elect Romano," Treasurer: Brian J. Smith  
Examiner: Martin Paxi
40. "Robles 2010," Treasurer: Ana G. Robles  
Examiner: Martin Paxi
41. "Richmanthouse 2010", (Amended) Treasurer: Gilbert Richman  
Examiner: Monique Coates

## ***VII. Adjournment***

It was moved by Commissioner Bozzuto and seconded by Commissioner Stankevicius at 10:37 A.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

***The next regular scheduled meeting is April 25, 2012 at 9:00 A.M. in the 5th Floor Conference room.***