



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
March 17, 2015
9:00 A.M.

I. *Call to Order*

Commissioner Castagno was present and called the meeting to order at 9:08 A.M. Commissioners Salvatore Bramante, Stephen Penny and Michael Ajello were present. Commissioner Patricia Stankevicius (9:15 A.M.) was present via teleconference. Agency staff was also present.

Commissioner Castagno moved to have item number 6 in public session, moved to item number 20 in executive session.

Commissioner Castagno added an item number 8 to public session in order to appoint Michael Ajello as Hearing Officer for the March 24, 2015 hearings.

Commissioner Castagno added an item number 21 in executive session for discussion of personnel matters.

II. *Approval of the Minutes*

Approval of the Minutes of the Meeting of January 13, 2015

Commissioner Penny advised of a change to the first person reference in Section 3 and the corrected spelling of “signs” in Section 5.2.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve, as amended, the Minutes of the January 13, 2015 regular meeting by a vote 4-0-0 vote.

Approval of the Minutes of the Meeting of January 20, 2015

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the Minutes of the January 20, 2015 regular meeting by a vote 4-0-0 vote.

Approval of the Minutes of the Meeting of February 5, 2015

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the Minutes of the February 5, 2015 regular meeting by a vote 3-0-1 vote with Commissioner Ajello abstaining.

Approval of the Minutes of the Meeting of February 11, 2015

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the Minutes of the February 11, 2015 regular meeting by a vote 4-0-0 vote.

Commissioner Patricia Stankevicius joined the meeting via conference call at 9:15 A.M.

III. Administrative Reports

Executive Director Brandi wished everyone a happy St. Patrick's and St. Joseph's day this week.

Mr. Brandi reported that SEEC is on sound financial footing in the current operating budget. The agency has identified surplus finds due to personnel vacancies and the Citizens' Election Fund had sufficient monies to provide the proper grants for the special elections. The agency was easily able to acquiesce the voluntary reduction from Governor Malloy. The first budget meeting with the Appropriations Committee was held and no significant cuts were recommended. The SEEC is a very small component of an expansive state budget and Executive Director Brandi has expressed appreciation that the agency has been left intact and looks forward to additional working group meetings.

Mr. Brandi updated that the legislative session is in full swing and the bill authorizing the Municipal Pilot Program is awaiting action on the House floor. The Pilot is a 20-town test of how the SEEC would handle filings in a municipal election year. The hope to eventually expand the program statewide. The SEEC is putting forward additional policy efforts on campaign finance to keep with national efforts to provide full disclosure and clean uses of money.

Mr. Brandi advised that he and Legal Program Director Shannon Kief spent January 22nd in Washington, D.C. at a congressional briefing. Brandi served on a panel regarding the effect of Citizens United on the states, participated in discussions and received an abundance of information. The theme of the week was allowing proper prosecution of violators. Connecticut's campaign finance laws continue to serve as a model for the country.

Mr. Brandi announced that 4 new staff were hired. 2 Elections Officers started last week and 2 Auditors will start in the next couple of weeks. The SEEC still has a vacancy for the IT Manager.

Mr. Brandi updated that Audit staff have been doing their best to complete the 2014 election cycle audits, even with the additional delays provided by the latest legislation giving candidate committees additional time to close their accounts and make their final filings. The IT department is working to provide a complete and updated catalog of tools for our staff, treasurers, and committee leaders.

Mr. Brandi reported that on Friday, March 13, 2015, Ernie Newton was sentenced to 6 months in jail, convicted of 3 campaign finance related crimes, receiving a sentence of 6 months for each conviction. The judge is running those sentences concurrently. Mr. Newton is awaiting a hearing in federal court as to whether his convictions amount to a violation of his parole. Any federal imprisonment would also run concurrently with the established state prison sentence. This was a conclusion to a case that shows the state of Connecticut takes these kinds of violations seriously. Executive Director Brandi thanked the Chief State's Attorney's office and the SEEC staff who worked hard through this case.

IV. Pending Complaints and Investigations

A. Public Session

1. In re: Referral by Killingworth Assistant Town Clerk, Dawn R. Mooney, Killingworth
File No. 2013-131
Proposed Consent Order & Agreement
Respondent: John Raccio
Attorney: Patrick J. Lamb
Legal Investigator: Scott Branfuhr

Attorney Lamb summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2013-131. 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. File No. 2013-131. So approved by the Commission. The Consent Order & Agreement are available on our website under Commission Decisions.

2. In the Matter of a Complaint by Gary Fuller, Stratford
File No. 2013-163
Proposed Consent Order & Agreement
Respondent: Robert Bradley
Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2013-163. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to continue File No. 2013-163. So approved by the Commission. The Consent Order & Agreement are available on our website under Commission Decisions.

3. In the Matter of a Complaint by Jennifer Buchanan, et al, Bridgeport
File No. 2013-130A
Proposed Consent Order & Agreement
Respondent: Alma Maya
Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

This matter was continued.

4. In the Matter of a Complaint by Jennifer Buchanan, et al, Bridgeport
File No. 2013-130B
Proposed Findings & Conclusions
Respondent: Santa Ayala
Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-130B. 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. 2013-130B. So approved by the Commission. The Findings & Conclusions are available on our website under Commission Decisions.

5. In the Matter of a Complaint by Patricia Fardy, Bridgeport
File No. 2014-029
Proposed Findings & Conclusions
Respondent: Maria Pereira
Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-029. 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. 2014-029. So approved by the Commission. The Findings & Conclusions are available on our website under Commission Decisions.

6. In the Matter of a Complaint by Tom Frenaye, Suffield
File No. 2014-038
Proposed Consent Order & Agreement
Respondent: Tami Zawistowski
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-038. 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. 2014-038. So approved by the Commission. The Consent Order & Agreement are available on our website under Commission Decisions.

7. Chairman Castagno appointed Commissioner Ajello as the Hearing Officer for the non-filer Hearings on File Nos. 2014-104NF, 2014-105NF, and 2014-106NF taking place on March 24, 2015.

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 10:02 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, Richard Gebo, Shannon Kief, Sheri-Lyn Lagueux, Patrick Lamb, Lindsey Leung, Gilberto Oyola, Marianne Sadowski, James Talbert-Slagle, William Smith, Charlie Urso, and Linda Waterman.

It was moved by Commissioner Penny and seconded by Commissioner Bramante at 11:37 A.M. to return to public session. So voted.

Following a short recess the Commission took the following action:

1. In re: SEEC Initiated Complaint against Regina V. Roundtree, Unionville
File No. 2015-004
Recommendation of Counsel
Attorney: Patrick J. Lamb

Attorney Lamb summarized the above referenced Recommendation of Counsel in the above matter. He recommended the Commission authorize a request for a cease and desist order.

It is noted for the record that Commissioner Ajello recused himself for discussion and action in this matter. It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to authorize the issuance of a cease and desist order. So voted by a 4-0-1 vote with Commissioner Ajello abstaining.

2. Pursuant to Section 9-7b-35 of The Regulations of Connecticut State Agencies, a Request for Findings of Reason to Believe Violations of General Statutes § 9-608 Have Been Committed
Attorney: Patrick J. Lamb

Pursuant to Section 9-7b-35 of the Regulations of Connecticut State Agencies, the Commission finds that it has reason to believe that the named respondents violated the election laws as described.

For the October 10, 2014 filing: Fil No. 2014-152MNF, Respondent Gray Scribner, Treasurer of the Democrats for New Milford Committee.

October 28, 2014 filing: File No. 2014-184NF, Respondent Joanne Covey, Treasurer of 1st District Democratic Committee of East Hartford; File No. 2014-185NF, Respondent Faith Fisher, Treasurer of Clinton Republican Town Committee; File No. 2014-186NF, Respondent Jason W. Bartlett, Connecticut Black Caucus; File No. 2014-188NF, Respondent Regina Roundtree, Treasurer of CT Black Republicans and Conservatives; File No. 2014-189NF, Respondent Vincent Mauro, Treasurer of Democrats for Property Tax Reform; File No. 2014-190NF, Respondent Daniel Pickett, Treasurer of Drew PAC; File No. 2014-191NF, Respondent Dorian Lockett, Treasurer of Eastern Connecticut Democrats; File No. 2014-192NF, Respondent Michael Ring, Treasurer of Easton Republican Town Committee; File No. 2014-194NF, Respondent Allen Friedrich, Treasurer of Glastonbury Democratic Town Committee File No. 2014-195NF, Respondent James R. Sargent, Treasurer of Greater Hartford Young Democrats; File No. 2014-196NF, Respondent Ellen W. Long, Treasurer of Irish-American Political Partnership; File No. 2014-198NF, Respondent Lorraine Franco, Treasurer of Nursing Home Industry PAC and File No. 2014-199NF, Respondent Susan M. Smith, Treasurer of Scotland Democratic Town Committee.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to find that the Commission has reason to believe that the above named respondents violated the election laws as described. So approved by the Commission.

3. In the Matter of a Complaint by Alison Heimer, New Haven
File No. 2013-111
Recommendation of Counsel

Attorney: Patrick J. Lamb
Legal Investigators: Scott Branfuhr
Gilberto Oyola

It was moved by Commissioner Ajello and seconded by Commissioner Penny to continue the matter. So approved by the Commission.

4. In the Matter of a Complaint by Jeffrey Shorts, Coventry
File No. 2014-124
Recommendation of Counsel

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

It was moved by Commissioner Ajello and seconded by Commissioner Penny to continue the matter. So approved by the Commission.

5. In the Matter of a Complaint by Danielle L. Palladino, Torrington
File No. 2014-145
Recommendation of Counsel

Attorney: Patrick J. Lamb
Legal Investigator: Scott Branfuhr

Attorney Lamb summarized the above referenced complaint and referenced Recommendation of Counsel in the above matter. He recommended the Commission adopt the Recommendation.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to adopt the Proposed Findings & Conclusions in File No. 2014-145. So approved by the Commission.

6. In the Matter of a Complaint by Jerry Labriola, Jr., Wallingford
File No. 2014-126

Commissioner Penny recused himself for discussion and action on this matter.

- a. Recommendation of Counsel

Attorney: Kevin M. Ahern
Legal Investigator: Charlie Urso

Attorney Ahern summarized the above referenced Recommendation of Counsel in the above matter. He recommended the Commission authorize a request for Investigatory Subpoena.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to authorize the issuance of an Investigatory Subpoena. So approved by the Commission by a 4-0-1 vote, with Commissioner Penny abstaining.

b. Recommendation of Counsel Regarding Petition for Declaratory Ruling

Attorney Kief summarized the above referenced Recommendation of Counsel in the above matter. They recommended the Commission authorize the staff to provide public notice of the Declaratory Ruling petition.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to authorize the staff to publicly post notice of the Declaratory Ruling. So approved by the Commission by a 4-0-1 vote, with Commissioner Penny abstaining.

7. In the Matter of a Complaint by Angel DePara, et al., Bridgeport
File No. 2013-138

Recommendation of Counsel

Attorney:

Kevin M. Ahern

Lead Legal Investigator:

Gilberto Oyola

Attorney Ahern summarized the above referenced Recommendation of Counsel in the above matter. He recommended the Commission authorize a request for Investigatory Subpoena.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to authorize the issuance of an Investigatory Subpoena. So approved by the Commission.

8. In the Matter of a Complaint by Nancy DiNardo, Trumbull
File No. 2012-144

Proposed Findings & Conclusions

Attorney:

James Talbert-Slagle

Lead Legal Investigator:

Charlie Urso

Attorney Talbert-Slagle summarized the above referenced complaint and Recommendation of Counsel in the above matter. He recommended the Commission adopt the Proposed Findings & Conclusions.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to adopt the Proposed Findings & Conclusions in File No. 2012-144. So approved by the Commission.

9. In the Matter of a Complaint by Dwight Blint, New Britain
File No. 2013-118

Proposed Findings & Conclusions

Attorney:

James Talbert-Slagle

Lead Legal Investigator:

Gilberto Oyola

Attorney Talbert-Slagle summarized the above referenced complaint and referenced Recommendation of Counsel in the above matter. He recommended the Commission adopt the Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2013-118. So approved by the Commission.

10. In the Matter of a Complaint by Kim Fawcett, Fairfield

File No. 2012-235

Recommendation of Counsel

Attorney:

James M. Talbert-Slagle

Lead Legal Investigator:

Charlie Urso

It was moved by Commissioner Bramante and seconded by Commissioner Penny to continue the matter. So approved by the Commission.

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

File No. 2014-053

Recommendation of Counsel

Attorney:

William B. Smith

Lead Legal Investigator:

Gilberto Oyola

It was moved by Commissioner Bramante and seconded by Commissioner Penny to continue the matter. So approved by the Commission.

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

File No. 2014-054

Recommendation of Counsel

Attorney:

William B. Smith

Lead Legal Investigator:

Gilberto Oyola

It was moved by Commissioner Bramante and seconded by Commissioner Penny to continue the matter. So approved by the Commission.

13. In re: Referral by Sharon Town Clerk Linda R. Amerighi

File No. 2014-122

Recommendation of Counsel

Attorney:

William B. Smith

Lead Legal Investigator:

Gilberto Oyola

Attorney Smith summarized the above referenced complaint and referenced Recommendation of Counsel in the above matter. He recommended the Commission adopt the Proposed Findings & Conclusions.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to adopt the Proposed Findings & Conclusions in File No. 2014-122. So approved by the Commission.

14. In the Matter of a Complaint by Sheila Hayes, Norwich
File No. 2014-142
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney Smith summarized the above referenced complaint and referenced Recommendation of Counsel in the above matter. He recommended the Commission authorize a request for Investigatory Subpoena.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to authorize the issuance of an Investigatory Subpoena in File No. 2014-142. So approved by the Commission.

15. In the Matter of a Complaint by David G. Lapointe, Winsted
File No. 2014-128
Proposed Findings & Conclusions
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and referenced Recommendation of Counsel in the above matter. He recommended the Commission adopt the Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2014-128. So approved by the Commission.

16. In the Matter of a Complaint by Zak Sanders, Hartford
File No. 2014-135
Proposed Findings & Conclusions
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and referenced Recommendation of Counsel in the above matter. He recommended the Commission adopt the Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Penny to adopt the Proposed Findings & Conclusions in File No. 2014-135. So approved by the Commission.

17. 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 Bramante and Seconded by Commissioner Penny to make a determination that it is necessary to investigate violations relating to seven (7) complaints in File Nos.: 2014-167, 2015-001, 2015-002, 2015-004, 2015-005, 2015-006, and 2015-007. So approved by the Commission.

18. Consideration of Draft Audit Reports

The following audits were reported to the Commission for approval by Linda Waterman:

1. "Belsito For State Rep," Sam Belsito
Examiner: Matthew Lombardi
2. "Broekstra 2014," Josh Broekstra
Examiner: Linda A. Waterman
3. "Meadows For State Rep.," Michael Meadows
Examiner: Linda A. Waterman
4. "Re-Elect Grogins 2014," Auden Grogins
Examiner: Matthew Lombardi
5. "Nicastro For State Representative 2014," Frank Nicastro
Examiner: Linda A. Waterman
6. "Ackert For The 8th," Timothy Ackert
Examiner: Dinorah Collado
7. "Josh Levesque for State Representative," Josh Levesque
Examiner: Karen Moreira

It was moved by Commissioner Ajello and seconded by Commissioner Stankevicius to accept the above referenced audits as final. So approved by the Commission.

19. Non-Filer Investigations and Prosecutions

General Settlement Authorization for Supplemental Filers for the 2014 Election Cycle and a Determination that Such Filers are Necessary to Investigate

It was moved by Commissioner Bramante and seconded by Commissioner Penny to continue the matter. So approved by the Commission.

20. In re: SEEC Initiated: Investigations Based Upon Findings Regarding Contributions by Employees of "Star Distributors"
File No. 2014-163
Proposed Consent Order & Agreement
Respondents: Peter Gallo
Attorney: William B. Smith
Lead Legal Investigator: Charlie Urso

Attorney Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-163. 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. 2014-163. So approved by the Commission. The Consent Order & Agreement are available on our website under Commission Decisions.

21. *Executive Session per General Statutes §§ 1-200(6)(A),(B) and (E), and 1-210(b)(2) (Discussion of Personnel Matters)*

At 12:20 P.M. the Commissioners proceeded into Executive Session pursuant to General Statutes §§ 1-200(6)(A),(B) and (E), and 1-210(b)(2) to discuss strategy and negotiations with respect to personnel matters. So voted.

Commissioners Castagno, Bramante, Ajello and Penny were present. Commissioner Stankevicius was present via teleconference. Staff members present were Michael Brandi.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius at 12:26 P.M. to return to public session. So voted.

No votes or action was taken.

VI. Consideration of Matters Discussed in Executive Session

All action as noted in Section V. above.

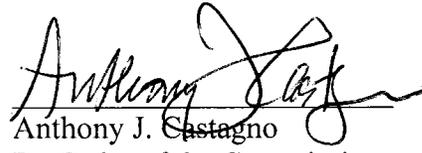
VII. Adjournment

It was moved by Commissioner Bramante and seconded by Commissioner Ajello at 12:26 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 14th day of April, 2015 at Hartford, Connecticut.


Anthony J. Castagno
By Order of the Commission

The next regular scheduled meeting is April 14, 2015 at 9:00 A.M. in the 5th Floor Conference room.