



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
June 16, 2015
9:00 A.M.

I. Call to Order

Commissioner Castagno was present and called the meeting to order at 9:00 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 removed item number 3 from public session and moved items number 4 and 5 to executive session.

II. Approval of the Minutes

Approval of the Minutes of the Meeting of May 19, 2015

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve, as amended, the Minutes of the May 19, 2015 regular meeting by a 4-0-1 vote. Commissioner Stankevicius abstained.

III. Administrative Reports

Executive Director Brandi provided a legislative update to the Commission. Session concluded on June 3, 2015 and the budget continues to be the biggest concern for the Commission. Special Sessions are projected to occur on June 29 or 30 and we will be watching for any contents in the budget implementers which may impact the agency. During the regular session \$2.2 million was swept out of the Citizen's Election fund to assist with the state deficit. Even with the removal of those funds, the Commission will have an appropriate amount of money in the fund in time for the 2016 Citizen's Election Program. Mr. Brandi also noted that after a three year effort, the municipal pilot program (HB 6745) passed both the House and Senate with almost unanimous support and now awaits the Governor's signature. We have 20 interested towns who have volunteered to participate, however we will send a letter to all 169 townships seeking interest so we can provide this initial program to a diverse list of Connecticut cities and towns. The campaign finance bill did not pass this session. The Commission plans to submit a similar proposal next session to tighten up the law. There also was a task force passed by both chambers which will have a six month term to explore some of the finance and audit issues and hopefully give legislators and their treasurers a better understanding as to how the agency interacts with campaigns and the law.

The State Elections Enforcement Commission is nearly at the full complement of staff, minus the Information Technology Manager, and the operating budget will complete the year allowing the agency to return \$200,000 to the state due to staff vacancies.

Mr. Brandi provided the Commission with a personnel update. He congratulated the Amjad Mahmood and the Information Technology department for a successful move of our servers and equipment from East Hartford to Groton. He timing of this move was key as we approach the July 10th filing deadline.

Commissioner Penny had Executive Director clarify what the benefit and staffing would be at the Groton facility, and how that would impact our department's productivity.

For outreach, Mr. Brandi thanked Sarah Clark for her work on a draft newsletter that he hopes will be distributed quarterly, posted not only on our own website, but on ROVAC and the Town Clerk's association sites as well. Mr. Brandi has also been working with other states to put together a piece explaining the ineffectiveness of the Federal Elections Commission and the additional pressure that is putting on state level enforcement agencies. Also, Audit is doing a great job handling a large number of campaigns, especially considering the new challenge they have to deal with on the issue of secondary payees. By law, committees must terminate by the ends of the month.

Commissioner Penny noted that the issue of secondary payees will need to be discussed further with the audit reports in executive session.

Commissioner Bramante asked about the status of the computer seized by the Office of Governmental Accountability and Executive Director Brandi stated that that will be discussed in executive session.

IV. 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
File No. 2014-105NF
Hearing Officer: Michael J. Ajello
Respondent: Jason W. Bartlett
Prosecutor: Ryan M. Burns

Hearing Officer Ajello summarized the above referenced report in File No. 2014-105NF. He recommended adoption of the Final Decision.

It was moved by Commissioner Stankevicius and seconded by Commissioner Penny to adopt the Final Decision in File No. 2014-105NF. So voted by a vote of 4-0-1, with Commissioner Ajello abstaining. The Final Decision is 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. 2014-106NF
Hearing Officer: Michael J. Ajello
Respondent: Regina V. Roundtree
Prosecutor: Ryan M. Burns

Hearing Officer Ajello summarized the above referenced report in File No. 2014-106NF. He recommended adoption of the Final Decision.

It was moved by Commissioner Stankevicius and seconded by Commissioner Penny to adopt the Final Decision in File No. 2014-106NF. So voted by a vote of 4-0-1, with Commissioner Ajello abstaining. The Final Decision is available on our website under Commission Decisions.

Executive Director Brandi explained the transition of prosecutors from Attorney Patrick Lamb, who accepted a new position as the Chief Steward at the Administrative and Residual Union, to Attorney Ryan Burns.

V. Pending Complaints and Investigations

A. Public Session

3. In the Matter of a Complaint by John Mallozzi, Stamford
File No. 2012-151
Proposed Consent Order & Agreement
Respondents: Philip Balestiere, Cort Wrotnowski
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

This matter was continued.

4. In the Matter of a Complaint by Heather Dean, et al., Fairfield
File No. 2014-100
Proposed Consent Order & Agreement
Respondent: Tony Hwang
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

This matter was moved to Executive Session.

5. In the Matter of a Complaint by Leo Canty, Windsor
File No. 2012-077
Proposed Consent Order & Agreement
Respondent: Don Trinks

Attorney:
Lead Legal Investigator:

James Talbert-Slagle
Charlie Urso

This matter was moved to Executive Session.

6. In the Matter of a Complaint by Nancy Alisberg, Bridgeport
File No. 2014-039
Proposed Consent Order & Agreement

Respondents:
Attorney:
Legal Investigator:

Patricia Mulhall, Tim DeCarlo
Kevin M. Ahern
Scott Branfuhr

Attorney Ahern summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-039. 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. 2014-039 pending the receipt of the signed copy within the next 10 days. So voted by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

7. In the Matter of a Complaint by Alex Ruskewich, Wilton
File No. 2014-118A
Proposed Findings & Conclusions

Respondents:

Attorney:
Legal Investigator:

Susan Price, Bruce Hampson, Karen
Birck, Cheryl Jensen-Gerner, Madhavi-
Sharma Vallabhajosula
Kevin M. Ahern
Scott Branfuhr

Attorney Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-118A. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Ajello and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2014-118A and dismiss the matter contingent on the addition of a paragraph explaining the language difficulty had by one of the respondents on count 3. So voted by a vote 5-0-0. The Findings & Conclusions are available on our website under Commission Decisions.

8. In the Matter of a Complaint by Alex Ruskewich, Wilton
File No. 2014-118B
In the Matter of a Complaint by O. Curt Noel, Wilton
File No. 2015-001
Proposed Consent Order & Agreement

Respondents: Cheryl Jensen-Gerner
Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

Attorney Ahern summarized the above referenced complaint and Proposed Consent Order & Agreement in File Nos. 2014-118B and 2015-001. 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 Nos. 2014-118B and 2015-001 pending the receipt of the signed agreement within ten days and the removal of the characterization of the number of parents at the school. So voted by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

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 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, Evelyn Gratacos, Shannon Kief, Sheri-Lyn Lagueux, Lindsey Leung, Lisa Nightingale, Marianne Sadowski, James Talbert-Slagle, William Smith, Mary Vitola and Linda Waterman.

The Commission returned to public session at 12:23 P.M.

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

9. In the Matter of a Complaint by Tracy Morrissey, West Haven
File No. 2013-170A
Recommendation of Counsel

Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

Attorney Ahern summarized the above referenced complaint and referenced Recommendation of Counsel in the above matter. He recommended the Commission accept the Recommendation of Counsel and dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to accept the Proposed Findings & Conclusions in File No. 2013-170A and dismiss the matter. So approved by the Commission, 5-0-0. The Findings & Conclusions are available on our website under Commission Decisions.

10. In RE: a Referral by the Secretary of the State

File No. 2014-156

Recommendation of Counsel

Attorney:

Kevin M. Ahern

Lead Legal Investigator:

Gilberto Oyola

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

Attorney Ahern summarized the above referenced complaint and referenced Recommendation of Counsel in the above matter. He recommended the Commission adopt the Recommendation of Counsel and authorize the issuance of an Investigatory Subpoena.

It was moved by Commissioner Ajello and seconded by Commissioner Penny to adopt the Recommendation of Counsel and authorize the issuance of an Investigatory Subpoena in File No. 2014-156. So approved by the Commission, 4-0-1, with Commissioner Bramante abstaining.

11. In the Matter of a Complaint by Louis A. DeCilio, Stratford

File No. 2014-172

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 accept the Recommendation of Counsel and dismiss the matter.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to accept the Findings & Conclusions in File No. 2014-172 and dismiss the matter. So approved by the Commission, 5-0-0. The Findings & Conclusions are available on our website under Commission Decisions.

12. In the Matter of a (Self-Reported) Complaint by Raymond Baldwin, Trumbull

File No. 2015-009

Recommendation of Counsel

Attorney:

William B. Smith

This matter was continued.

13. In the Matter of a Complaint by Jimmie L. Griffin, Waterbury
File No. 2015-026

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 accept the Complainant's withdrawal of complaint.

It was moved by Commissioner Bramante and seconded by Commissioner Ajello to accept the withdrawal of complaint for File No. 2015-026. So approved by the Commission, 5-0-0.

14. 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 Penny and seconded by Commissioner Stankevicius to make a determination that it is necessary to investigate violations relating to four (4) complaints in File Nos.: 2015-030, 2015-031, 2015-032, and 2015-033. So approved by the Commission, 5-0-0.

15. Consideration of Draft Audit Reports

1. "Friends of A-Z," Joe Aresimowicz
Examiner: Linda Waterman
2. "Beth Bye 2014," Beth Bye
Examiner: Dinorah Collado
3. "Field 2014," Richard Field
Examiner: Salman Munir
4. "The Committee to Elect Mary Fritz," Mary Fritz
Examiner: Krysta Holmes
5. "Claire Janowski for State Representative," Claire Janowski
Examiner: Karen Walauskas
6. "Moukawsher 2014," Edward Moukawsher
Examiner: Dinorah Collado
7. "Mimi for the 34th," Mimi Perrotti
Examiner: Karen Walauskas
8. "Steinberg for State Rep," Jonathan Steinberg

Examiner: Amit Shah

9. "Friends of Chris Wright," Christopher Wright
Examiner: Ergys Guni

10. "Marc for Rep," Mark Abrams
Examiner: Karen Walauskas

Linda Waterman provided an overview of the audits and recommended that the Commission make these audits final, as there were no findings.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to accept the above referenced audits numbers 1-6 and 8-10 as final. So approved by the Commission, 5-0-0.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to accept the above referenced audits as final. So approved by the Commission, 4-0-1, with Commissioner Ajello abstaining.

16. Consideration of Pending Litigation and Attorney Client Privileged Matters
a. Connecticut Democratic State Central Committee v. SEEC

Commissioner Penny recused himself for discussion of this matter.

No action was taken on this matter.

17. In the Matter of a Complaint by Heather Dean, et al., Fairfield
File No. 2014-100
Proposed Consent Order & Agreement
Respondent: Tony Hwang
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Attorney Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-100. 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. 2014-100 pending correction of the name of the involved golf course. So voted by a vote 5-0-0. The Consent Order & Agreement are available on our website under Commission Decisions.

18. In the Matter of a Complaint by Leo Canty, Windsor
File No. 2012-077
Proposed Consent Order & Agreement
Respondent: Don Trinks

Attorney:
Lead Legal Investigator:

James Talbert-Slagle
Charlie Urso

Attorney Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2012-077. 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. 2012-077 pending the receipt of the signed copy within 10 days and payment. So voted by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

VII. Public Session

A. Agency Presentations

19. Demonstration on the CT Registrar Training & Certification Committee's Formal Presentation of Its Report & Recommendations to the Secretary of the State on April 20, 2015 by Kevin M. Ahern, Staff Attorney
20. Demonstration on the Presentation at the April 22, 2015 CT ROVAC Conference by Kevin M. Ahern, Staff Attorney
21. Presentation on the 2014 CEP Survey Results by Lisa Nightingale, Elections Officer

These presentations were tabled until the July Regular Meeting.

VIII. Executive Session per General Statutes §§ 1-200(6)(A) and 1-210(b)(1)
(discussion of personnel matters)

Commissioners Castagno, Bramante, Ajello and Penny were present. Commissioner Stankevicius was present via teleconference. Staff members present were Michael Brandi, Shannon Kief, and Sheri-Lyn Lagueux.

No action was taken on this matter.

IX. Consideration of Matters Discussed in Executive Session

All action as noted in Section V. above.

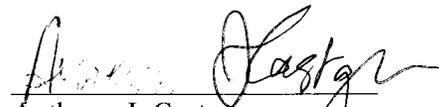
X. Adjournment

It was moved by Commissioner Ajello and seconded by Commissioner Penny at 12:35 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 July, 2015 at Hartford, Connecticut.


Anthony J. Castagno
By Order of the Commission

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