



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

DRAFT MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
November 20, 2013
9:00 A.M.

I. *Call to Order*

Chairman Castagno was present and called the meeting to order at 9:03 A.M. Commissioners Salvatore Bramante, Stephen Penny and Patricia Stankevicius were present, agency staff was also present.

II. *Approval of the Minutes*

Approval of the Minutes of the Meeting of October 16, 2013

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the Minutes of the October 16, 2013 regular meeting. So voted. Commissioner Stankevicius abstained from voting.

III. *Oath of Office to Michael Ajello*

Commissioner Castagno introduced and swore in Michael Ajello as a Commissioner of SEEC. Commissioner Ajello thanked the Commission for the opportunity.

IV. *Resolution Commending Stephen Cashman on his Service with the SEEC*

Departing Commissioner Stephen Cashman was thanked for his 13 years of service to the State Elections Enforcement Commission. A resolution was read by Commissioner Stankevicius.

IV.a. *Election of a Vice Chair to the SEEC*

It was moved by Commissioner Castagno and seconded by Commissioner Stankevicius to elect Salvatore Bramante as the vice chair of the State Elections Enforcement Commission. So voted.

V. *Administrative Reports*

Mr. Brandi updated that the new Clerk Typist has been hired and will begin November 29th.

Mr. Brandi reported that regarding budget, SEEC looking to the agency budget and the capital budget for necessary IT upgrades. SEEC is also looking to find as much in savings as it can while making the necessary expenditures needed this fiscal year.

Mr. Brandi advised that the Disclosure and Audit Unit is on target. The unit is doing a phenomenal job and is on target to complete the 2012 audits by the January 2014 meeting. Also, the 2010 statewide audits are expected to be completed by January as well.

Mr. Brandi updated that another project SEEC will be initiating again, is to once again get out to the municipalities and setting up a new protocol to inspect the records being kept at the Town Clerk's offices. This will allow SEEC to get better data for the purposes of the Municipal Pilot Program legislative proposal.

Within the IT Unit, the Surfaces continue to be upgraded with regard to the delivery of the agenda's and packets to the Commissioners. They are also working on the internal integrated audit system, so that SEEC can continue to improve the grant side in addition to the post audit processes.

Mr. Brandi updated that the legal unit has been working hard on the Declaratory Rulings as well as fielding the inquiries surrounding PA 13-180.

Regarding the upcoming election year, multiple exploratory committees have been formed and have two candidate committees relative to the 2014 Statewide campaigns.

Mr. Brandi reported that the Enforcement Unit has been working hard clearing on the enforcement docket.

Included in the Commission packet, is a proposed 2014 meeting schedule outlining the primary, general assembly and statewide grants for the Commission to review.

VI. *Pending Complaints and Investigations*

A. 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. 2013-034NF

Hearing Officer:

Respondent:

Michael J. Brandi

Andrew T. Rule

Prosecutor: Patrick J. Lamb

Hearing Officer Brandi summarized the above referenced report in File No. 2013-034NF. 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. 2013-034NF. So voted. The Final Decision is available on our website under Commission Decisions.

B. Public Session

1. In the Matter of a Complaint by Philip J. White, Monroe
File No. 2013-134
Proposed Findings & Conclusions

Respondent: Steve Vavrek
Attorney: Patrick J. Lamb
Legal Investigator: Scott Branfuhr

Attorney Lamb summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-134. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2013-134. So voted. The Proposed Findings & Conclusions are available on our website under Commission Decisions.

2. In the Matter of a Complaint by Michael J. Flint, Lakeville
File No. 2013-135
Proposed Findings & Conclusions

Respondent: Katherine Kiefer
Attorney: Patrick J. Lamb
Lead Legal Investigator: Scott Branfuhr

Attorney Lamb summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-135. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2013-135. So voted. The Proposed Findings & Conclusions are available on our website under Commission Decisions.

3. In the Matter of a Complaint by Matthew Smith, New Haven
File No. 2010-031

Proposed Consent Order & Agreement

Respondent: Christopher Randall
Attorney: James Talbert-Slagle
Lead Legal Investigator: Gilberto Oyola

The matter is moved to Executive Session as matter 4a.

4. In the Matter of a Complaint by James D. Smith, et al, Bridgeport
File No. 2013-021

Proposed Consent Order & Agreement

Respondents: Santa I. Ayala and Linda A. Grace
Attorney: William B. Smith
Legal Investigators: Gilberto Oyola and Scott Branfuhr

The matter is continued.

5. In re: SEEC Initiated "Friends of Victor Cuevas," Hartford
File No. 2012-137

Proposed Findings & Conclusions

Respondent: Victor Cuevas
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2012-137. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2012-137. So voted. The Proposed Findings & Conclusions are available on our website under Commission Decisions.

6. In the Matter of a Complaint by Cora M. Santaguida, et al, Stamford
File No. 2013-020

Proposed Consent Order & Agreement

Respondents: Lucy F. Corelli, Alice Fortunato and Jack Scherban
Attorney: William B. Smith
Legal Investigators: Gilberto Oyola & Scott Branfuhr

Attorney Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2013-020. 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. 2013-020. So voted. The Proposed Consent Order & Agreement are available on our website under Commission Decisions.

7. In the Matter of a Complaint by Margaret H. Busch, Andover
File No. 2012-192

Proposed Findings & Conclusions

Respondent: Margaret H. Busch

Attorney: William B. Smith

Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2012-192. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2012-192. So voted. The Proposed Findings & Conclusions are available on our website under Commission Decisions.

8. In the Matter of a Complaint by Melissa A. Rickard, Windsor
File No. 2012-196

Proposed Consent Order & Agreement

Respondents: Anita Mipps and Karen Andrews

Attorney: Kevin M. Ahern

Lead Legal Investigator: Gilberto Oyola

Attorney Ahern summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2012-196. He recommended adoption of the Proposed Consent Order & Agreement upon receipt within ten days.

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement upon receipt within ten days in File No. 2012-196. So voted. The Proposed Consent Order & Agreement will be available on our website under Commission Decisions.

9. Referral by Manchester Registrars of Voters, Manchester
File No. 2013-077

Proposed Findings & Conclusions

Respondent: Benjamin Goss

Attorney: Kevin M. Ahern

Legal Investigator: Scott Branfuhr

Attorney Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-077. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2013-077. So voted. The Proposed Findings & Conclusions are available on our website under Commission Decisions.

10. Referral by Manchester Registrars of Voters, Manchester

File No. 2013-091

Proposed Findings & Conclusions

Respondent:

Erin Mack

Attorney:

Kevin M. Ahern

Legal Investigator:

Scott Branfuhr

Attorney Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-091. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to adopt the Proposed Findings & Conclusions in File No. 2013-091. So voted. The Proposed Findings & Conclusions are available on our website under Commission Decisions.

11. Consideration of Proposed Declaratory Ruling 2013-01

Attorney Kief summarized the above referenced proposed Declaratory Ruling 2013-01.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt Declaratory Ruling 2013-01: Administration of Independent Expenditure Disclosure Requirements Under Public Act 13-180 with the modifications here and the modifications added by Commissioner Penny made in light of comments received during the open comment period. So voted.

VII. *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 Stankevicius and seconded by Commissioner Bramante at 9:59 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, Penny, Stankevicius and Ajello were present. Staff members present were Michael Brandi, Shannon Kief, Linda Waterman, Charlie Urso, Lisa Nightingale, Lindsey Leung, Gilberto Oyola, James Talbert-Slagle, Patrick J. Lamb, William B. Smith, Kevin M. Ahern, Scott Branfuhr, Joshua Foley, Marianne Sadowski, Evelyn Gratacos and Sheri-Lyn Lagueux.

It was moved by Commissioner Bramante and seconded by Commissioner at 11:34 A.M. to return to public session. So voted.

Returning to public session, the Commission took the following action:

1. In the Matter of a Complaint by Howard Jubrey, Windsor

File No. 2013-001

Recommendation of Counsel

Attorney:

Kevin M. Ahern

Legal Investigator:

Charlie Urso

The matter is continued.

2. In the Matter of a Complaint by Georgiana Holloway, Hartford

File No. 2010-048

Request for Finding of Reason to Believe that a Violation has Occurred

Respondent:

Garey Coleman

Attorney:

James Talbert-Slagle

Lead Legal Investigator:

Gilberto Oyola

Attorney Talbert-Slagle summarized the above referenced complaint and Request for Finding of Reason to Believe that a Violation has Occurred in File No. 2010-048. He recommended adoption of the Request for Finding of Reason to Believe.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Request for Finding of Reason to Believe that a Violation has Occurred in File No. 2010-048. So voted. Commissioner Stephen Penny has been appointed Hearing Officer.

3. In the Matter of a Complaint by Matthew C. Sorokin, Hartford

File No. 2010-114

Request for Finding of Reason to Believe that a Violation has Occurred

Attorney:

James Talbert-Slagle

Lead Legal Investigator:

Charlie Urso

Attorney Talbert-Slagle summarized the above referenced complaint and Request for Finding of Reason to Believe that a Violation has Occurred in File No. 2010-114. He recommended adoption of the Request for Finding of Reason to Believe.

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to adopt the Request for Finding of Reason to Believe that a Violation has Occurred in File No. 2010-114. So voted. Commissioner Michael Ajello has been appointed Hearing Officer.

4. In the Matter of a Complaint by Caleb Kleppner, New Haven
File No. 2010-002
Recommendation of Counsel
Attorney: James Talbert Slagle
Lead Legal Investigator: Charlie Urso

The matter is continued.

- 4a. In the Matter of a Complaint by Matthew Smith, New Haven
File No. 2010-031
Proposed Consent Order & Agreement
Respondent: Christopher Randall
Attorney: James Talbert-Slagle
Lead Legal Investigator: Gilberto Oyola

Attorney Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2010-031. He recommended adoption of the Proposed Consent Order & Agreement via faxed signature and refer to the Office of the Attorney General for collection.

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement via fax signature and refer to the Office of the Attorney General for collection in File No. 2010-031. So voted. The Proposed Consent Order & Agreement are available on our website under Commission Decisions.

5. In the Matter of a Complaint by George Zipparo, Redding
File No. 2013-093
Recommendation of Counsel
Attorney: Patrick J. Lamb
Legal Investigator: Gilberto Oyola

The matter is continued.

6. In the Matter of a Complaint by Tina Gardner and Carole Young Kleinfeld, Wilton
File No. 2012-175
Proposed Consent Order & Agreement
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

7. Recommendation of Counsel: Necessary to Investigate Determination pursuant to General Statutes § 9-7b (a) (1)

It was moved by Commissioner Penny and Seconded by Commissioner Stankevicius to make a determination that it is necessary to investigate violations relating to twenty (20) complaints in File Nos.: 2013-137 as to allegations 2 and four, 2013-138, 2013-139, 2013-140, 2013-141, 2013-142, 2013-143, 2013-145, 2013-146, 2013-147, 2013-148, 2013-149, 2013-150, 2013-151, 2013-152, 2013-153, 2013-154, 2013-155, 2013-156 and 2013-157 and that it is not necessary to investigate 2013-144. So voted.

8. Consideration of Draft Audit Reports

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to approve the issuance of the aforementioned committee draft Audit Reports 1-29 as Final Audit Reports. So voted.

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to initiate an investigation with respect to draft Audit Report item 30, "Nicastro for State Representative 2012" and refer the matter to the enforcement unit. So voted.

1. "Fox 2012, " Gerald M. Fox, III
Examiner: Karen Moreira
2. "Friends of Lisa Romano," Lisa W. Romano
Examiner: Dinorah Collado
3. "Santiago for State Representative," Hilda Santiago
Examiner: Kristina Corbett
4. "Sawyer 2012," Pamela Z. Sawyer
Examiner: Dinorah Collado
5. "Fleischmann For State Rep.," Andrew M. Fleischmann
Examiner: Dinorah Collado

6. "Ancona 2012," Benjamin Ancona, Jr.
Examiner: Kristina Corbett
7. "Bachand for State Representative," Gregory N. Bachand
Examiner: Matthew Lombardi
8. "Rich for State Rep.," Richard B. Eighme
Examiner: Matthew Lombardi
9. "Gerratana for State Senate," Terry B. Gerratana
Examiner: Kristina Corbett
10. "Lebeau 2012," Gary D. LeBeau
Examiner: Martin Paxi
11. "Committee to Elect Chuck Marsella," Charles H. Marsella, III
Examiner: Martin Paxi
12. "Re-Elect Dave Yaccarino," David W. Yaccarino
Examiner: Martin Paxi
13. "Butler 2012," Larry B. Butler
Examiner: Matthew Lombardi
14. "Candelora 2012," Vincent J. Candelora
Examiner: Dinorah Collado
15. "McLachlan 2012," Michael A. McLachlan
Examiner: Martin Paxi
16. "Pelletier 4 Senate," Cheri Pelletier
Examiner: Martin Paxi
17. "Friends of A-Z," Joe Aresimowicz
Examiner: Kristina Corbett
18. "Dan Carter 2012," Daniel E. Carter
Examiner: Matthew Lombardi
19. "Gadomski for the 25th," Richard Gadomski
Examiner: Martin Paxi
20. "Elect Susan Johnson 2012," Susan M. Johnson
Examiner: Kristina Corbett

21. "Suzio for Senate 2012," Leonard F. Suzio
Examiner: Dinorah Collado
 22. "Walker 2012," Toni E. Walker
Examiner: Matthew Lombardi
 23. "Dantos for House," Evan S. Dantos
Examiner: Matthew Lombardi
 24. "TK 12," Themis Klarides
Examiner: Kristina Corbett
 25. "Fontana for State Senate," Stephen A. Fontana
Examiner: Martin Paxi
 26. "Friends of Noreen," Noreen S. Kokoruda
Examiner: Matthew Lombardi
 27. "Dave Swedock 84th," David T. Swedock
Examiner: Kristina Corbett
 28. "Paul Panos for Windsor-Hartford Assembly District 5," Paul J. Panos
Examiner: Kristina Corbett
 29. "Rich Marzi for the 55th State Assembly," Richard R. Marzi
Examiner: Dinorah Collado
 30. "Nicastro for State Representative 2012," Frank N. Nicastro, Sr.
Attorney: James Talbert-Slagle
9. Consideration of Proposed Declaratory Ruling 2013-02

Attorney Kief advised that Pursuant to 9-7b-65(c) Commission is allowed specified proceeding is to consider a schedule at a special meeting to be held in the close future

It was moved by Commissioner Bramante and seconded by Commissioner Penny to be consider a schedule at a special meeting to be held in the close future. So voted.

VIII. Adjournment

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius at 11:40 A.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

The next regular scheduled meeting is December 18, 2013 in the 5th Floor Conference room.