



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
August 18, 2015
9:00 A.M.

I. Call to Order

Commissioner Castagno was present and called the meeting to order at 9:03 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 added the approval of the minutes of the special meeting of June 25, 2015 and removed item number 2 from public session.

II. Approval of the Minutes

Approval of the Minutes of the Meeting of June 16, 2015

It was moved by Commissioner Stankevicius and seconded by Commissioner Penny to approve the Minutes of the June 16, 2015 regular meeting by a 5-0-0 vote.

Approval of the Minutes of the Meeting of July 14, 2015

It was moved by Commissioner Stankevicius and seconded by Commissioner Penny to approve the Minutes of the July 14, 2015 regular meeting by a 5-0-0 vote.

III. Administrative Reports

Executive Director Brandi noted that we have begun communicating with local Town Clerks to gauge their interest in the Municipal Pilot Program. Also, staff have been travelling the state to train candidates and treasurers for the upcoming municipal election. The Agency will also hold a training for local town committees later this month.

In Fiscal Year 2016, \$2.25 million will be moved from the Citizen's Election Fund to the General Fund and to the Secretary of the State. In Fiscal Year 2017 an additional \$7.75 million will be moved from the Citizen's Election Fund to the General Fund.

The removal of monies from the Citizen's Election Fund will not prevent the agency from fully funding the grant program for the 2016 election, which will serve only the

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state legislature, however it will affect the funding for the General Assembly and the statewide candidates in the 2018 election. While the surpluses help increase the fund, the General Assembly will need to take the appropriate actions prior to the 2018 election cycle to replace the funds and allow the agency to fully fund the Citizen's Election Program.

(a) Correspondence Regarding SEEC File No. 2014-104NF

Mr. Brandi briefed the Commission as to correspondence received.

Commissioner Castagno made the following statement on the record: "The Commission is in receipt of two letters from representatives of the Lee Whitnum campaign concerning File Number 2014-104NF. The first was dated July 30 and received via email July 31, 2015. The second is dated August 17 and was received on that date. To the extent that the letter dated July 30 was intended to be a motion for reconsideration, it was untimely under General Statutes section 4-181a (a) and accordingly the Commission need take no action. I have reviewed both letters to the Commission and though the Commission has the authority to reconsider the final decision on its own motion, because representatives of this campaign have had prior opportunities to address both the Hearing Officer and the Commission as a whole, and because neither letter provides any new relevant facts or law, I see no reason to ask the Commission to take any further action at this time."

IV. Pending Complaints and Investigations

A. Public Session

1. 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 moved to Executive Session V. 7.

2. In re Audit Report of RJo Winch for State Rep., Hartford

File No. 2012-071

Proposed Consent Order & Agreement

Respondent:

Wavis Washington

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. 2012-071. 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. 2012-071 contingent on receipt of the second half of the payment due by the end of the month. So voted by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

3. In the Matter of a Complaint by Eric Fanwick, Wilton
File No. 2014-146
Proposed Findings & Conclusions
Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

This matter was continued.

4. In re: Referral by Lisa Dalton, Watertown Town Clerk, Watertown
File No. 2014-161
Proposed Findings & Conclusions
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-161. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to adopt the Proposed Findings & Conclusions in File No. 2014-161 and dismiss the matter. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

5. In the Matter of a (Self-Reported) Complaint by Curtis Robinson, Plantsville
File No. 2014-169
Proposed Consent Order & Agreement
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-169. 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. 2014-169 as signed and agreed to by the parties. So voted by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

6. In the Matter of a Complaint by Matthew Paulsen, Bethel

File No. 2015-030
Proposed Findings & Conclusions
Respondent:
Attorney:
Lead Legal Investigator:

Dr. Christine Carver
William B. Smith
Gilberto Oyola

Attorney Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-030. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2015-030 and dismiss the matter as amended. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

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 Ajello 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, 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, Evelyn Gratacos, Shannon Kief, Sheri-Lyn Lagueux, Lindsey Leung, Lisa Nightingale, Gilberto Oyola, James Talbert-Slagle, William Smith and Linda Waterman.

The Commission returned to public session at 11:50 A.M.

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

1. Request for a Finding of Reason to Believe a Violation of General Statutes § 9-608 or § 9-604 Has Been Committed Pursuant to Section 9-7b-35 of the Regulations of Connecticut State Agencies

Attorney Burns summarized the above referenced request for a finding of reason to believe in five (5) non-filer matters resulting from the January 10, 2015 Filing.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to accept the findings and refer five (5) matters to a hearing in File Nos. 2015-010NF, 2015-015NF, 2015-017NF, 2015-018NF and 2015-020NF. So approved by the Commission, 5-0-0. The findings are available on our website under Commission Decisions.

2. In the Matter of a Complaint by Harold Harris, et al., Glastonbury
File No. 2012-169
Recommendation of Counsel
Respondents: Winona Zimmerlin, Thomas Flanagan
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

This matter was continued.

3. In the Matter of a Complaint by Dorothy Mrowka and Diana Giles, Colchester
Registrars of Voters, Colchester
File No. 2014-070
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

This matter was continued.

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

Attorneys Smith summarized the Recommendation of Counsel dated August 10, 2015 and requested that File No. 2015-089 not be moved to investigate.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to make a determination that it is necessary to investigate violations relating to eight (8) complaints File Nos.: 2015-087, 2015-088, 2015-090, 2015-091, 2015-092, 2015-093, 2015-094 and 2015-096. So approved by the Commission, 5-0-0.

5. Consideration of Draft Audit Reports
 1. "Carney 2014," Devin Carney
Examiner: Ergys Guni
 2. "Cesolini for Sate Rep," Jonathan Cesolini
Examiner: Amit Shah
 3. "Rick for the 22nd," Enrico Constantini
Examiner: Dinorah Collado

4. "Re-Elect Demicco," Michael Demicco
Examiner: Dinorah Collado
5. "Doyle for State Senate," Paul Doyle
Examiner: Dinorah Collado
6. "Dan Fox for State Rep 2014," Daniel Fox
Examiner: Matt Lombardi
7. "New London First 2014," Ernest Hewett
Examiner: Karen Walauskas
8. "Kiner 2014," David Kiner
Examiner: Ergys Guni
9. "Friends of Kim Rose," Kim Rose
Examiner: Ergys Guni
10. "Diana Urban 2014," Diana Urban
Examiner: Matt Lombardi
11. "Vargas for Representative 2014," Edwin Vargas
Examiner: Dinorah Collado
12. "I Like Mike," Michael Vickerelli
Examiner: Krysta Holmes
13. "Sear 2014," Brian Sear
Examiner: Krysta Holmes
14. "Elect Pablo Soto," Pablo Soto
Examiner: Krysta Holmes
15. "Elect Vicki Lanier State Rep," Vicki Lanier
Attorney: James Talbert-Slagle
16. "Brenda 2014," Brenda Kupchick
Examiner: Krysta Holmes
17. "Wadsworth for State Senate," William Wadsworth
Examiner: Krysta Holmes

Linda Waterman provided an overview of the audits and recommended that the Commission make audits 1-14 and 16 final, as there were few or no findings.

It was moved by Commissioner Ajello and seconded by Commissioner Penny to accept the audits numbered 1-14 and 16 as final. So approved by the Commission, 5-0-0.

Attorney James Talbert-Slagle requested that the audit numbered 17 be referred to the Law Enforcement Unit for investigation, so moved by Commissioner Stankevicius and seconded by Commissioner Penny. So approved by the Commission, 5-0-0.

6. In the matter of a Complaint by Jerry Labriola, Jr., Wallingford
File No. 2014-126
Recommendation of Counsel
Attorney: Kevin M. Ahern
Lead Legal Investigator: Charlie Urso

The matter was continued.

7. 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

The matter was continued.

VI. *Consideration of Matters Discussed in Executive Session*

All action as noted in Section VI. above.

VII. *Adjournment*

It was moved by Commissioner Bramante and seconded by Commissioner Ajello at 11:53 A.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 15th day of September, 2015 at Hartford, Connecticut.

Anthony J. Castagno
By Order of the Commission