



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION
20 Trinity Street Hartford, Connecticut 06106—1628

MINUTES OF THE
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
January 16, 2008

I. Call to Order

Chairman Cashman called the meeting to order at 9:08 A.M. Commissioners Jenkins and Bozzuto were present. The agency staff was also present.

Attorney Andrews requested motions to add to today's agenda in Executive Session three matters for discussion and consideration.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to add to today's Executive Session the activities of the Government Action Fund PAC. So voted.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to add to today's Executive Session the ad book purchases related to corporations controlled by James Galante. So voted.

It was moved by Commission Bozzuto and seconded by Commission Jenkins to add to today's Executive Session the consideration and discussion of possible election law violations during September 11, 2007 primary in Bridgeport. So voted.

Each of the above items were added to Executive Session as Items 11, 12 and 13.

II. Approval of the Minutes

A. Approval of the Minutes of the December 19, 2007 Regular Meeting

B. Approval of the Minutes of the January 3, 2008 Special Meeting

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to approve the minutes of the December 19, 2007 regular meeting and the January 3, 2008 special meeting. So voted.

III. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by William S. Holden, Trumbull
File No. 2007-369

Proposed Consent Agreements and Orders

Respondents: Harlow, Adams & Friedman, P.C.,
The Wright Companies, Inc. and Mary Markham

Investigator: Attorney Shannon Bergquist
Managing Attorney: Joan M. Andrews

Ms. Andrews summarized the above referenced complaint. There were three separate proposed Consent Agreements and Orders with three Respondents. With regard to Respondent Harlow, Adams & Friedman, P.C., the agreement has been signed and the civil penalty of \$250 has been received. With regard to Respondent Mary Markham, the agreement has been signed and the civil penalty of \$500 has been paid along with the forfeiture of \$500 to the State of Connecticut. With regard to Respondent, The Wright Companies, Inc., they have indicated that they will sign the agreement and pay the \$250 civil penalty. Ms. Andrews recommended adoption of the agreements that have been received and recommend adoption of the third agreement contingent upon receipt of signed original agreement and payment of the civil penalty within one week.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order with respect to Respondent Harlow, Adams & Friedman, P.C. So voted.

It was moved by Commission Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Consent Agreement and Order with respect to Respondent Mary Markham. So voted.

It was moved by Commission Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order with respect to The Wright Companies, Inc., contingent upon receipt of the signed original agreement and the civil penalty within seven days from today. So voted.

Copies of the Consent Agreements and Orders are attached and incorporated herein as part of these minutes.

2. In the Matter of a Complaint by Michael Bokon, Wolcott
File No. 2007-379
Proposed Consent Agreement and Order
Respondent: Albert E. Podzunas, Jr.
Investigator: Attorney William B. Smith
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and the proposed Consent Agreement and Order. She stated that the Respondent has indicated he has signed the agreement and mailed it and the civil penalty of \$250. She recommended its adoption contingent upon receipt of the signed original agreement.

It was moved by Commissioner Bozzuto and seconded by Commission Jenkins to adopt the proposed Consent Agreement and Order in File No. 2007-379 contingent upon receipt of the signed original agreement and civil penalty within seven days from today. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

3. In the Matter of a Complaint by Roger J. Roche, Jr., Old Lyme
File No. 2007-390
Proposed Findings and Conclusions
Investigator: Attorney Kevin Ahern
Managing Attorney: Joan M. Andrews

Ms. Andrews summarized the above referenced complaint and the proposed Findings and Conclusions recommending the matter be dismissed.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2007-390 dismissing the matter for the reasons stated. So voted. A copy of the Findings and Conclusions is attached and incorporated herein as part of these minutes.

4. In the Matter of a Complaint by Irene M. Curtis, East Hampton
File No. 2007-407
Release of Impoundment Orders of East Hampton Voting Machines
Investigator: Attorney Shannon Bergquist
Managing Attorney: Joan M. Andrews

Attorney Andrews stated that she and Attorney Bergquist met in East Hampton to examine the optical scan voting machines utilized by the Town of East Hampton during the November 6, 2007 election. Ms. Bergquist analyzed and compared their recount against the hand recount made by the East Hampton elections officials and found only a few minor discrepancies. It was determined that those discrepancies did not change the outcome of the election. Ms. Andrews requested that the Commission release the impoundment order to allow the Town of East Hampton to utilize those tabulators and memory cards during the presidential preference primary, which will take place on February 5, 2007. The ballots will continue to be impounded and the investigation will continue.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to authorize the release of the East Hampton voting machines. So voted.

5. In the Matter of a Complaint by Eugene V. Boomer, Jr.
File No. 2007-412
Proposed Consent Agreements and Orders
Respondents: William Chapple and Diane Cox
Investigator: Attorney Kevin Ahern
Managing Attorney: Joan M. Andrews

Ms. Andrews summarized the above referenced complaint and the Proposed Consent Agreements. She stated that Respondent Chapple has signed the agreement and paid the civil penalty of \$75. Respondent Cox has signed her agreement and Ms. Andrews recommend the adoption of both of the agreements.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Consent Agreements in File No. 2007-412. So voted.

Copies of the Consent Agreements and Orders are attached and incorporated herein as part of these minutes.

B. Executive Session per C.G.S. 1-200(6)(B) and (E), and 1-210(b)(3) and (4)

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins at 9:10 A.M. to proceed into Executive Session pursuant to C.G.S. 1-200(6) (B) and (E), and 1-210(b)(3) and (4) to discuss strategy and negotiations with respect to pending claims and exempt records relating thereto, listed as Items 6 through 13 on the agenda. So voted. Commissioners Cashman, Jenkins and Bozzuto were present. Staff members present were: Mr. Garfield, Mr. Lenge, Ms. Andrews, Mr. Smith, Mr. Crayton, Ms. Bergquist, Mr. Ahern, Mr. Oyola, Ms. Blackburn, Ms. Rotman, Ms. Sadowski, Mr. Foley, Mr. Urso, Ms. Adams, Ms. Zaccagnino, Mr. Cascudo, Ms. Kulmacz, Mr. Neumon, Ms. Varrs, Ms. Cruz-Cabrera, Mr. Clonan, Mr. Hasen, Mr. Mahmood, Ms. Rydzewski, Ms. Natarajan, Mr. Edwards and Mr. Khurana.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto at 10:22 a.m. to return to public session. So voted.

Returning to Public Session the Commission took the following action:

6. In the Matter of a Complaint by Janice D. Zackeo, Town Clerk, New Fairfield
File No. 2007-387

Investigator: Attorney Marc W. Crayton

Managing Attorney: Joan M. Andrews

This matter was continued.

7. In the Matter of a Complaint by Rhoades *et al*, Stafford Springs
File No. 2007-405

Investigator: Attorney Kevin Ahern

Managing Attorney: Joan M. Andrews

This matter was continued.

8. In the Matter of a Complaint by Brett Hasbrouck, Middletown
File No. 2007-410

Investigator: John Neumon, Lead Legal Investigator

Managing Attorney: Joan M. Andrews

This matter was continued.

9. In the Matter of a Complaint by Norman S. Douglas, Milford
File No. 2007-411

Investigator: Attorney William B. Smith

Managing Attorney: Joan M. Andrews

This matter was continued.

10. In the Matter of a Complaint by Thomas Appleby, Rowayton
File No. 2007-414
Investigator: Attorney Marc W. Crayton
Managing Attorney: Joan M. Andrews

This matter was continued.

11. In Re: The Activities of the Government Action Fund (GAF) Political Action Committee

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins that the Commission initiate an investigation into the expenditures, receipts and campaign finance disclosure reporting of the Government Action Fund (GAF) PAC, from January 1, 2004 to present, including but not limited to, possible violations of Conn. Gen. Stat. §9-607 (§9-333i prior to January 1, 2007 recodification), §9-608 (§9-333j prior to January 1, 2007 recodification) §9-622(10) by receipt of business entity contributions in violations of §9-613 (§9-333x(10) and §9-333o prior to January 1, 2007 recodification) and the relationship to and transfers between candidate committees for Senator Gaffey. So voted.

12. In Re: Possible violations of election laws by component members of a controlled group of corporations controlled by James Galante.

Continued for further action seeking voluntary compliance.

13. In Re: Possible violations of election law statutes in Bridgeport during the September 11, 2007 primary.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins that the Commission initiate an investigation into possible violations of various election laws governing the administration of the September 11, 2007 Democratic primary in the City of Bridgeport, based upon the findings made by the trial court (Blawie, J.) in *Christopher Caruso v. City of Bridgeport, et al*, CV 07 4022314S and *Simmons-Cook v. Bridgeport*, Docket No. CV 07 4022308 (Judicial District of Bridgeport). So voted.

IV. Administrative Reports

Ms. Rotman stated that the final report to the General Assembly on the sufficiency of the Citizens' Election Fund has been completed and submitted to the members of the General Assembly. She stated that there has been positive feedback and confidence that the funds will be there should candidates decide to participate in the Citizens' Election Program in 2008. Ms. Rotman stated that there has also been positive feedback by the public on how the January 15, Special Election ran with both candidate participating in the Citizens' Election Program. She said that she is looking forward to a very busy 2008.

Ms. Rotman updated the Commissioners on the ruling on SEEC's motion to dismiss and motion for summary judgment in the Green Party Action. Staff has been working

with the Attorney General's Office and hope that a positive decision will be reached soon.

Ms. Rotman stated that staff continues to give presentations and training sessions on the Citizen's Election Program. She stated that reception has been extremely good and participation level expectation is high.

Mr. Garfield stated that the eCRIS was launched at the LOB January 3rd. The presentation went well and was very well received. The system has gotten positive feedback. The Commission congratulated the IT staff for their hard work.

Mr. Clonan introduced Brian Edwards, the newest member of the IT team. Ms. Kulmacz introduced Shantelle Varrs and Evelyn Cruz-Cabrera, Accounts Examiners with the Campaign Disclosure and Audit Unit. The Commissioners welcomed them.

Mr. Garfield stated that forty-five of the forty-nine authorized positions have been filled. He is pleased with how the whole agency is working together as a team and looking forward to the challenges ahead.

V. Adjournment

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto at 10:55 a.m. to adjourn the meeting. So voted.

Unless otherwise indicated, all votes of the Commission were unanimous.

The next regular meeting will be held on Wednesday, February 13, 2008 at 9:00 A.M., First Floor Conference Room.

Respectfully submitted,

Lois E. Blackburn
Clerk of the Commission

Adopted this 13th day of February, at Hartford, Connecticut.

Stephen F. Cashman, Chairman
By Order of the Commission