



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES OF THE
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
December 17, 2008
9:00 A.M.

I. Call to Order

Chairman Cashman called the meeting to order at 9:13 A.M. Commissioners Jenkins, and Bozzuto were present. Commissioner Gerratana entered the meeting at 9:19 A.M. Agency staff was also present.

II. Approval of the Minutes

A. Approval of the Minutes of the November 19, 2008 Regular Meeting

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to approve the minutes of the November 19, 2008 Regular Meeting. So voted.

Attorney Andrews requested an item be added to the agenda: File No. 2008-191NF added to Item 13. It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to add this to item number 13 on the agenda. So voted.

III. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by Matthew J. Kelly, Barkhamsted
File No. 2007-274
Proposed Consent Agreement and Order
Respondent: John A. Colflesh
Investigator: Attorney Marc Crayton
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and proposed Consent Agreement and Order. Respondent Colflesh has signed the agreement and paid the civil penalty. She recommended adoption of the proposed agreement.

It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to adopt the proposed Consent Agreement and Order in File No. 2007-274. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

2. In the Matter of a Complaint by Dorianne Smith, Mansfield (HAVA)
File No. 2007-385
Proposed Findings and Conclusions
Investigator: Attorney Shannon Bergquist
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and the proposed Findings and Conclusions recommending dismissal of the complaint. She recommended adoption of the proposed Findings and Conclusions.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2007-385. So voted. A copy of the Findings and Conclusions is attached and incorporated herein as part of these minutes.

3. In the Matter of a Complaint by Charles Marino, West Haven
File No. 2008-078
Proposed Consent Agreement and Order
Respondent: Dorinda Borer
Investigator: Attorney William Smith
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and proposed Consent Agreement and Order. Respondent Borer has signed the agreement and paid the civil penalty. It was approved contingent upon receipt within seven days at the last meeting but was sent to the wrong address. She recommended adoption of the proposed agreement.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order in File No. 2008-078. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

4. In the Matter of a Complaint by John Maynard Larkin, Killingly
File No. 2008-080
Proposed Findings and Conclusions
Investigator: Attorney Marc Crayton
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and the proposed Findings and Conclusions recommending dismissal of the complaint. She recommended adoption of the proposed Findings and Conclusions.

It was moved by Commissioner Gerratana and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2008-080. So voted. A copy of the Findings and Conclusions is attached and incorporated herein as part of these minutes.

5. In the Matter of a Complaint by Stephanie Marazzi, West Haven
File No. 2008-095
Proposed Consent Agreement and Order
Respondent: Deborah M. Collins
Investigator: Attorney William Smith
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and proposed Consent Agreement and Order. Respondent Collins has signed the agreement. She recommended adoption of the proposed agreement.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order in File No. 2008-095. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

6. In the Matter of a Complaint by Timothy W. Lenox, Meriden
File No. 2008-127
Proposed Findings and Conclusions
Investigator: Attorney Shannon Bergquist and Charles Urso, Lead Legal Investigator
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and the proposed Findings and Conclusions recommending dismissal of the complaint. She recommended adoption of the proposed Findings and Conclusions.

It was moved by Commissioner Gerratana and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2008-127. So voted. A copy of the Findings and Conclusions is attached and incorporated herein as part of these minutes.

7. In the Matter of a Complaint by Joyce Mascena, Town Clerk, Glastonbury
File No. 2008-128
Proposed Consent Agreement and Order
Respondent: Toman A. Fayed
Investigator: Gilberto Oyola, Lead Legal Investigator
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and proposed Consent Agreement and Order. Respondent Fayed has signed the agreement and paid the civil penalty. She recommended adoption of the proposed agreement.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order in File No. 2008-128. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

8. In the Matter of a Complaint by Carl J. Strand, Cheshire
File No. 2008-150
Proposed Findings and Conclusions
Investigator: Attorney Marianne Sadowski
Managing Attorney: Joan M. Andrews

Attorney Andrews summarized the above referenced complaint and the proposed Findings and Conclusions recommending dismissal of the complaint. She recommended adoption of the proposed Findings and Conclusions.

It was moved by Commissioner Bozzuto and seconded by Commissioner Gerratana to adopt the proposed Findings and Conclusions in File No. 2008-150. So voted. A copy of the Findings and Conclusions is 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 Jenkins and seconded by Commissioner Gerratana at 9:30 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 9 through 12 on the agenda. So voted. Commissioners Cashman, Jenkins, Gerratana and Bozzuto were present. Staff members present were Mr. Garfield, Ms. Andrews, Mr. Smith, Mr. Crayton, Ms. Bergquist, Mr. Oyola, Ms. Blackburn, Ms. Stratton, Ms. Rotman, Ms. Kief, Mr. Talbert-Slagle, Mr. Urso, Ms. Adams, Ms. Nicolescu, Ms. Kulmacz, Mr. Paxi, Ms. Varrs, Ms. Cruz-Cabrera, Ms. Khang and Ms. Killeen.

It was moved by Commissioner Bozzuto and seconded by Commissioner Jenkins at 9:47 A.M. to return to public session. So voted.

Returning to Public Session the Commission took the following action:

9. In the Matter of a Complaint by Lisa R. Carver, New Britain
File No. 2008-032
Investigator: Attorney Marc Crayton
Managing Attorney: Joan M. Andrews

Ms. Andrews requested that the Commission expand the investigation in this matter to include possible violations by solicitors of Connecticut General Statutes §9-606 and §9-607. It was moved by Commissioner Jenkins and seconded by Commissioner Bozzuto to do so, and proceed with the investigation.

This matter was continued.

10. In the Matter of a Complaint by Judy Aron, West Hartford
File No. 2008-073
Investigator: Attorney Marc Crayton
Managing Attorney: Joan M. Andrews

This matter was continued.

11. In the Matter of a Complaint by Marie G. Hamilton, Hartford
File No. 2008-093
Investigator: Charles Urso and Gilberto Oyola, Lead Legal Investigators
Managing Attorney: Joan M. Andrews

This matter was continued.

12. In the Matter of a Complaint by Robert J. Symmes, West Haven
File No. 2008-096
Investigator: Attorney Shannon Bergquist
Managing Attorney: Joan M. Andrews

This matter was continued.

IV. Referrals by Elections Officer/Audit and Disclosure Unit for Failure to File Campaign Finance Disclosure Statement

13. File No. 2008-050NF, 2008-100NF and 2008-191NF
AFSCME Local 478
Respondent: Chyna Bird, Treasurer
Investigator: Attorney Shannon Bergquist
Managing Attorney: Joan M. Andrews

Recommendation: Find Reason to Believe that Respondent Chyna Bird
Violated Connecticut General Statutes §§9-608, 9-623.

It was moved by Commissioner Bozzuto and seconded by Commissioner Gerratana that the Commission finds reason to believe that Respondent Chyna Bird violated Connecticut General Statutes §9-608 and §9-623 by failing to timely file the 4/10/08, 7/10/08 and 10/28/08 campaign finance reports and that a Hearing Officer be designated for this matter. So voted. Chairman Cashman designated Attorney Garfield as Hearing Officer for File No. 2008-050NF, 2008-100NF and 2008-191NF.

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

It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana at 12:17 P.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 Item five (V.) Litigation on the agenda. So voted. Commissioners Cashman, Jenkins, Gerratana and Bozzuto were present. Staff members present were Mr. Garfield, Ms. Andrews, Mr. Smith, Ms. Blackburn, Ms. Rotman, Ms. Kief, Mr. Talbert-Slagle, Ms. Nicolescu, Ms. Kulmacz.

It was moved by Commissioner Gerratana and seconded by Commissioner Bozzuto at 12:30 P.M. to return to public session. So voted.

Returning to Public Session the Commission took the following action:

V. Pending Litigation

This matter was continued. No votes were taken.

VI. Non-Filer Compliance

File No. 2008-086CNF

Respondent: Kevin Scarpetti

Investigator: Atty. Shannon Bergquist

Managing Attorney: Joan M. Andrews

Compliance with Connecticut General Statutes §9-604

Recommendation: Commission takes administrative notice of compliance with the statute indicated, and accepts as full settlement the payment of \$200.00 to the State of Connecticut and will take no further action with respect to this matter.

It was moved by Commissioner Jenkins and seconded by Commissioner Gerratana that the Commission takes administrative notice that the Respondent has complied with the statute indicated, and accepts, as full settlement the payment of \$200.00 to the State of Connecticut and will take no further action with respect to this matter. So voted.

VII. Discussion of Possible Recommendations to the 2009 General Assembly

Ms. Rotman discussed several proposed legislative changes with the Commission. Items discussed were modifications to § 9-712 concerning supplemental reporting deadlines, additional time for grant application review of statewide candidates, statewide candidate back-up document submissions, General Election applications during the pre-primary period, clarifications for transaction information accompanying the application, required disclosure of copies of independent expenditure advertisement or communication for the Commission, penalties for CEP 10 or CEP 11 non-filers, exemptions for Form 1B filers spending less than one thousand dollars (\$1,000.00), nomination deadline and vacancy in nomination, and organization expenditure limits for statewide offices.

Mr. Garfield discussed an Act Concerning the Citizens' Election Program. Mr. Garfield requested the Commission authorize a proposal be drafted.

It was moved by Commissioner Bozzuto and seconded by Commissioner Gerratana to authorize the draft proposal. So voted.

Mr. Garfield discussed an Act Concerning the Financing of Municipal Campaigns and Town Committees. He commended Attorney Talbert-Slagle for his work on

the draft proposal of the bill and to Attorney Foley for the Municipal Filings Bill. The Commission was updated on changes to the draft bill.

Mr. Garfield requested a motion by the Commission so that the bill may be submitted to the General Assembly when it convenes in January 2009.

It was moved by Commissioner Gerratana and seconded by Commissioner Jenkins to approve the submission of Act Concerning the Financing of Municipal Campaigns and Town Committees. So voted. Chairman Cashman voted in the negative, motion passes 3 to 1.

VIII. *Administrative Reports*

Mr. Garfield recommended changing the March 11, 2009 meeting to March 25, 2009, due to conflict with the Federal Court hearing on the Green Party case.

Mr. Garfield announced eCRIS focus group meetings will be beginning with the goal of improving the eCRIS system.

There will be a meeting with the Town Clerks to discuss the draft bill that the Commission authorized concerning the transfer of the repository function for municipal campaign filings to the State Elections Enforcement Commission effective January 1, 2011.

IX. *Adjournment*

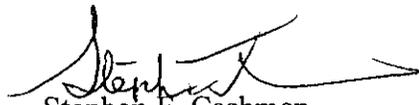
It was moved by Commissioner Bozzuto and seconded by Commissioner Gerratana at 12:35 P.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

The next regular meeting will be held on Wednesday, January 14, 2009 at 9:00 A.M., in the 5th Floor Conference Room.

Respectfully submitted,

MaryAnn Stratton
Acting Clerk of the Commission

Adopted this 14th day of January, 2009 at Hartford, Connecticut.


Stephen F. Cashman
By Order of the Commission