



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
November 14, 2018
9:30 A.M.

I. *Call to Order*

Commissioner Castagno was present via teleconference and called the meeting to order at 9:30 A.M. Commissioners Ajello Bramante, Cascudo and Penny were also present.

Commissioner Castagno added matter 201-001A to the agenda as item 6 in public session.

II. *Approval of the Minutes*

Approval of the Minutes of the Meeting of October 17, 2018

It was moved by Commissioner Penny and seconded by Commissioner Cascudo to approve the minutes of October 17, 2018. So voted 4-0-1. Commissioner Castagno abstained.

Approval of the Minutes of the Meeting of October 19, 2018

It was moved by Commissioner Bramante and seconded by Commissioner Ajello to approve the minutes of October 19, 2018. So voted 5-0-0.

III. *Administrative Reports*

A. Correspondence

Executive Director and General Counsel Michael J. Brandi noted there was correspondence received by the commission.

Brandi updated the commission on the status of the Secretary position that the agency is hoping to fill in the coming months. This secretary will fill the void left by the retirement of Evelyn Gratacos, Paralegal Specialist.

Director Brandi reported that the agency has been incredibly conservative with the operating budget, and even with recent additional costs beyond the normal agency

business with investigations requiring court reporters, etc., the SEEC is still tracking to finish the year under budget.

Director Brandi advised that the 2019 legislative proposals being drafted which include ending the one year provision on the enforcement unit and resubmitting possible tweaks to the Citizens' Election Program. The agency proposals will take into account the changes in leadership following the 2018 election, i.e. the new Governor, Chairs for the Government Administrations and Elections committee, etc.

Director Brandi updated that the agency has experienced a very successful year for the Citizens' Election Program. 334 grants were approved, totaling to about \$26.5 million of the fund spent. Committee terminations can happen anytime from now until June 2019, and we are expecting between 10-12% of the monies to come back in surplus payments.

Director Brandi reported that yesterday, November 13, the lottery was conducted to determine which general assembly candidate committees would be subject to a post election review. With the June 2017 Special Session, a new Public Act was passed mandating that these post election lotteries be performed in a weighted manner, making this the first time the agency needed to conduct a weighted lottery. With the hard work from staff, executing a weighted lottery went smoothly and efficiently. Executive Director Brandi thanked the staff who worked on the process and thanked the independent observers: Ted Bromley from the Secretary of the State, Colleen Murphy from the Freedom of Information Commission, and Marc Crayton from the Office of State Ethics. We were able to handle the new process seamlessly.

Director Brandi advised that next month the Commission will approve a calendar which schedules two regular meetings per month, now on the first and third Wednesdays. These added meetings will be canceled if they are not needed to authorize subpoenas, or take other actions to enable the staff to comply with the one year provision.

IV. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by Bruce Wandelmaier (Self Report), Brookfield File No. 2018-063
Proposed Consent Order & Agreement
Respondent: Bruce Wandelmaier
Attorney: William B. Smith
Legal Investigator: Alfonso Vazquez

Attorney William B. Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2018-063. 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. 2018-063. So voted by a vote 5-0-0.

2. In the Matter of a Complaint by William Shortell, New Britain
File No. 2017-055

Proposed Consent Order & Agreement

Respondent:

Erin E. Stewart and
Cheryl S. Blogoslawski

Attorney:

William B. Smith

Legal Investigator:

Gilberto Oyola

Attorney William B. Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2017-055. He recommended adoption of the Proposed Consent Order & Agreement upon receipt in ten days.

It was moved by Commissioner Ajello and seconded by Commissioner Cascudo to adopt the Proposed Consent Order & Agreement in File No. 2017-055 upon receipt in ten days. So voted by a vote 5-0-0.

3. In the Matter of Complaint by Indra K. Nooyi, Self- Report, Greenwich
File No. 2018-057

Proposed Consent Order & Agreement

Respondent:

Indra K. Nooyi

Attorney:

William B. Smith

Legal Investigator:

Scott Branfuhr

Attorney William B. Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2018-057. 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. 2018-057. So voted by a vote 5-0-0.

4. In re: SEEC Initiated Audit for Noele Kidney for State Representative
File No. 2015-146

Proposed Consent Order & Agreement

Respondent:

Meagan L. Luginbuhl

Attorney:

James Talbert-Slagle

Legal Investigator:

Scott Branfuhr

Attorney James Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-146. 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. 2015-146. So voted by a vote 4-0-1. Commissioner Cascudo abstained.

5. In re: SEEC Initiated Audit for Committee to Elect Joe Doering
File No. 2016-001
Proposed Consent Order & Agreement

Respondents:

J. Christopher Kervick and
Joseph Doering

Attorney:

James Talbert-Slagle

Legal Investigator:

Scott Branfuhr

Attorney James Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2016-001. He recommended adoption of the Proposed Consent Order & Agreement. Upon receipt in ten days.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to adopt the Proposed Consent Order & Agreement in File No. 2016-001 upon receipt in 10 days. So voted by a vote 4-0-1. Commissioner Cascudo abstained.

6. In the Matter of a Complaint by Thomas A. Brummett, Canterbury
File No. 2018-001A
Proposed Consent Order & Agreement

Respondent:

Loreen F. Hegan

Attorney:

William B. Smith

Lead Legal Investigator:

Gilberto Oyola

Attorney William B. Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2018-001A. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Cascudo and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2018-001A. So voted by a vote 4-0-1. Commissioner Ajello abstained.

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 Penny and seconded by Commissioner Ajello at 10:06 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.

Commissioner Bramante, Penny, Cascudo and Ajello were present. Commissioner Castagno was present via teleconference. Staff members present were Joshua Foley, Ryan M. Burns, William B. Smith, James Talbert-Slagle, Scott Branfuhr, Gilberto Oyola, Alfonso Vazquez, Kevin Ahern, Doug Frost, Sheri-Lyn Lagueux, Sarah Clark, Linda Waterman, Shannon Kief and Michael J. Brandi.

Commissioner Cascudo left the meeting at 11:30 A.M.

Returning to public session at 11:59 A.M., the Commission took the following action:

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

Attorney Smith summarized the Recommendation of Counsel dated October 10, 2018 and requested that twenty (20) matters be moved to investigate.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to make a determination that it is necessary to investigate violations relating to twenty (20) complaints File Nos.: 2018-087, 2018-088, 2018-089, 2018-090, 2018-091, 2018-092, 2018-093, 2018-094, 2018-095, 2018-096, 2018-097, 2018-098, 2018-099, 2018-100, 2018-101, 2018-102, 2018-103, 2018-104, 2018-105 and 2018-106. So approved by the Commission 4-0-0. So voted.

2. In the Matter of a Complaint by Gary Bolles and Mike Camillo, Newington File No. 2018-052
Recommendation of Counsel
Attorney: William B. Smith

Attorney William B. Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2018-052. 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. 2018-052. So voted by a vote 4-0-0.

3. In the Matter of a Complaint by Joseph W. Jaskiewicz, Uncasville
File No. 2018-010
Recommendation of Counsel
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

4. In re: Audit of Kie Westby for Attorney General
File No. 2015-145
Recommendation of Counsel
Attorney: James Talbert-Slagle
Legal Investigator: Scott Branfuhr

Attorney James Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-145. He recommended adoption of the Proposed Consent Order & Agreement upon receipt in ten days.

It was moved by Commissioner Ajello and seconded by Commissioner Penny to adopt the Proposed Consent Order & Agreement in File No. 2015-145 upon receipt in ten days. So voted by a vote 4-0-0.

5. In the Matter of a Complaint by Joseph R. Romano, Jr., Southington
File No. 2018-008
Recommendation of Counsel
Attorney: James Talbert-Slagle
Legal Investigator: Scott Branfuhr

The matter is marked off.

6. In the Matter of a Referral by the Secretary of the State
File No. 2016-038
Recommendation of Counsel
Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

Attorney Kevin M. Ahern summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2016-038. He recommended adoption of the Proposed Consent Order & Agreement upon receipt in ten days.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2016-038 upon receipt in ten days. So voted by a vote 4-0-0.

7. In the Matter of a Complaint by Alyssa Peterson, Hartford
File No. 2018-026
Recommendation of Counsel

Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

Attorney Ryan M. Burns summarized the above referenced complaint and request for withdrawal in File No. 2018-026. He recommended adoption of the Proposed Withdrawal of complaint.

It was moved by Commissioner Bramante and seconded by Commissioner Ajello to adopt the Withdrawal in File No. 2018-026. So voted by a vote 4-0-0.

8. Recommendation of Counsel Regarding Petition for Declaratory Ruling on the Use of CEP Funds for Childcare as requested by Caitlin Clarkson Pereira

Attorney Kief reviewed the Recommendation of Counsel Regarding Petition for Declaratory Ruling on the Use of CEP Funds for Childcare as requested by Caitlin Clarkson Pereira and proposed the following:

Pursuant to General Statutes § 4-176 (e) and Connecticut Agency Regulations § 9-7b-65 (c), it is hereby resolved and ordered that the following proceedings are set regarding the Petition on behalf of Caitlin Clarkson Pereira, regarding the Use of Public Funds to Offset Candidate's Child Care Costs, received by the Commission on October 19, 2018, from Caitlin Clarkson Pereira:

(1) The Commission directs staff to issue notice of receipt of a petition for declaratory ruling on the SEEC website, and via e-mail to all persons who have requested notice of declaratory rulings;

(2) The Commission directs staff to draft a Proposed Declaratory Ruling 2018-03 for consideration by the Commission at its regular meeting scheduled for December 19, 2018;

(3) If the Commission votes to publish for comment the proposed Declaratory Ruling at this December 19, 2018 meeting, the Commission shall direct staff to post notice of the proposed Declaratory Ruling on the SEEC website and to send notice to all persons who were sent notice of the receipt of the petition, with a comment period to close at 11:59 p.m. one week prior to the regular Commission meeting in February, 2019. If the Commission does not vote to publish for comment the proposed draft at the December 19, 2018 meeting,

the Commission shall set an alternative schedule and any further proceedings as necessary.

It was moved by Commissioner Ajello and seconded by Commissioner Penny to adopt the above motion. So voted by a 4-0-0 vote.

9. Recommendation of Counsel Regarding Petition for Declaratory Ruling on the State Contractor Status of Medical Marijuana Industry Licensees as requested by Andrew C. Glassman.

Attorney Kief reviewed the following Recommendation of Counsel Regarding Petition for Declaratory Ruling on the State Contractor Status of Medical Marijuana Industry Licensees as requested by Andrew C. Glassman and proposed the following:

Pursuant to General Statutes § 4-176 (e) and Connecticut Agency Regulations § 9-7b-65 (c), it is hereby resolved and ordered that the following proceedings are set regarding the Petition on behalf of Andrew Glassman, regarding the State Contractor Status of Medical Marijuana Industry Licensees, received by the Commission on October 25, 2018, from Andrew Glassman:

- (1) The Commission directs staff to issue notice of receipt of a petition for declaratory ruling on the SEEC website, and via e-mail to all persons who have requested notice of declaratory rulings;
- (2) The Commission directs staff to draft a Proposed Declaratory Ruling 2018-02 for consideration by the Commission at its regular meeting scheduled for December 19, 2018;
- (3) If the Commission votes to publish for comment the proposed Declaratory Ruling at this December 19, 2018 meeting, the Commission shall direct staff to post notice of the proposed Declaratory Ruling on the SEEC website and to send notice to all persons who were sent notice of the receipt of the petition, with a comment period to close at 11:59 p.m. one week prior to the regular Commission meeting in February, 2019. If the Commission does not vote to publish for comment the proposed draft at the December 19, 2018 meeting, the Commission shall set an alternative schedule and any further proceedings as necessary.

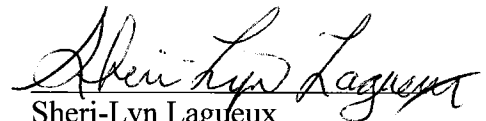
It was moved by Commissioner Ajello and seconded by Commissioner Penny to adopt the above motion. So voted by a 4-0-0 vote.

VI. Consideration of Matters Discussed in Executive Session

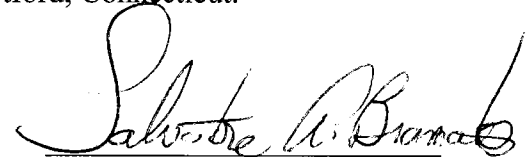
VII. Adjournment

It was moved by Commissioner Penny and seconded by Commissioner Ajello at 12:15 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 19th day of December, 2018 at Hartford, Connecticut.



By Order of the Commission


Salvatore A. Bramante
Co-Chair

The next regular scheduled meeting is January 2, 2019 at 9:30 A.M. in the 5th Floor Conference room.