



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
April 13, 2016
9:30 A.M.

I. Call to Order

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

Commissioner Castagno added the approval of the minutes from the April 7, 2016 Special Meeting, and the approval of a Public Grant in Executive Session.

II. Approval of the Minutes

Approval of the Minutes of the Meeting of March 9, 2016

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to approve the Minutes of the March 9, 2016 regular meeting by a 5-0-0 vote. So voted.

Approval of the Minutes of the Special Meeting of April 7, 2016

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to approve the Minutes of the April 7, 2016 special meeting by a 5-0-0 vote. So voted.

III. Administrative Reports

Executive Director Brandi updated the commission on the April 10 quarterly financial disclosure filing deadline. Currently there are 833 committees registered with the agency, 200 of which are candidate committees for the 2016 election. 114 of those candidate committees have already indicated that they intend to participate in the Citizens' Election Program (CEP). 40 of those committees have provided their information so the audit unit can conduct a Pre Application Review, which is a service appreciated by the candidates and allows for a more expeditious grant application process later this year.

Agency staff has been working hard to train candidates and treasurers on the eCRIS online filing system and the CEP. New, published materials are available to committees and the public on the agency website. Also, the Information Technology department has successfully installed a disaster recovery unit in Springfield,

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Massachusetts making the SEEC the first state agency to take this necessary step in preserving our data and services.

There are many events coming up for SEEC. This week, Mr. Brandi and staff will attend conferences for both the state's Town Clerks and Registrars of Voters. April 26, 2016 is the Presidential Preference Primary, and the agency will staff the Election Day Hotline for the busy day at the polls. Mr. Brandi and a team of staff will be touring the municipal offices and meeting with officials in the towns selected to participate in the Muni Pilot Program starting next week.

On the budget, the 2016 deficit mitigation plan has the agency losing another \$50,000 which we have found a way to absorb through our limited discretionary spending funds, personnel vacancy and leave savings and an agency-wide spending freeze implemented in January 2016. Looking ahead to 2017, the legislature is proposing separating SEEC from the Office of Governmental Accountability and funding our current 35 person staff. The Governor's latest proposal is consistent with the legislature, however also carries forward the \$50,000 reduction in funding. Agency leadership and staff are waiting to see how the state layoffs may impact our agency with bumping rights and other possible affects.

Commissioner Bramante asked Director Brandi about the budget impacts on the Citizens' Election Fund (CEF or "the fund") and staff for the 2018 election. Mr. Brandi confirmed that there is enough money in the fund to run the program with \$19.3 million. All we can do is continue to watch the legislative process, ensure no additional funds are swept from the CEF. If the monies are lower than what we need, then the grant amounts will have to be adjusted to fit what is in the fund.

IV. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by Mark Dumas, Milford

File No. 2015-088

Proposed Consent Order & Agreement

Respondent:

John Harkins

Attorney:

William B. Smith

Legal Investigator:

Scott Branfuhr

The matter has been continued.

2. In the Matter of a Complaint of Harold Harris, et al., Glastonbury

File No. 2012-169

Proposed Consent Order & Agreement

Respondent:

Winona W. Zimmerlin, Thomas Flanagan

Attorney:

James M. Talbert-Slagle

Lead Legal Investigator:

Charlie Urso

Attorney James Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2012-169. 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. 2012-169. 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 of Roberta Clapper, Norwich
File No. 2015-153

Proposed Findings & Conclusions

Respondent:

Hugh Schnip, Peter Nystrom,
Tucker Braddock

Attorney:

James M. Talbert-Slagle

Legal Investigator:

Scott Branfuhr

Attorney James Talbert-Slagle summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-153. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Bramante and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File No. 2015-153. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

4. In the Matter of a Complaint of Michael Bergeron, New London
File No. 2015-163

Proposed Findings & Conclusions

Attorney:

James M. Talbert-Slagle

Legal Investigator:

Scott Branfuhr

Attorney James Talbert-Slagle summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-163. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2015-163. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

Consideration of Application for Public Grants from the Citizens' Election Fund

4a. "Work 2016," Raymond Work

It was moved by Commissioner Bramante and seconded by Commissioner Ajello to approve the grant application for "Work 2016," Raymond Work. So voted by a vote of 5-0-0.

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 10:21 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, Joshua Foley, Douglas Frost, Evelyn Gratacos, Shannon Kief, Sheri-Lyn Lagueux, Lindsey Leung, Gilberto Oyola, James Talbert-Slagle, Marianne Sadowski, William Smith and Linda Waterman.

The Commission returned to public session at 1:02 P.M.

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

5. In the Matter of a Complaint by Maria Valle, Bridgeport
File No. 2013-137A
Recommendation of Counsel
Attorney: Ryan M. Burns
Lead Legal Investigator: Gilberto Oyola

Attorney Ryan Burns summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-137A. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2013-137A. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

6. In the Matter of a Complaint by Curtis W. Dowling, Andover
File No. 2015-028A
Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

Attorney Ryan Burns summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-028A. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2015-028A. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

7. In the Matter of a Complaint by Curtis W. Dowling, Andover
File No. 2015-028B
Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

Attorney Ryan Burns summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-028B. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Bramante and seconded by Commissioner Ajello to adopt the Proposed Consent Order & Agreement in File No. 2015-028B. So voted by a vote 5-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

8. In re: Referral by Juan Verdu, New Britain Registrar of Voters
File No. 2016-004
Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

Attorney Ryan Burns summarized the above referenced complaint and requested a motion to expand the investigation in File No. 2016-004.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to expand the investigation in File No. 2016-004. So voted by a vote 4-0-1, with Commissioner Ajello abstaining.

9. In the Matter of a Complaint by Elaine Pivrotto, Bridgeport
File No. 2015-005
Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

Attorney Ryan Burns summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-005. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File No. 2015-005. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

10. In re: Referral from the Audit and Disclosure Unit
File No. 2014-104NF
Recommendation of Counsel
Attorney: Ryan M. Burns

Attorney Ryan Burns summarized the above referenced matter in File No. 2014-104NF. He recommended adoption of the settlement.

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2014-104NF. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

11. In re: Referral by Somers Town Clerk Ann Marie Logan
File No. 2014-116
File No. 2015-023MNF
Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

The matter is continued.

12. In re: Contributions to "John Scott 2016"
Recommendation of Counsel
Attorney: James M. Talbert-Slagle
Legal Investigator: Scott Branfuhr

Attorney James Talbert-Slagle summarized the above referenced complaint and requested a motion to authorize the investigation in the "John Scott 2016" pre-application review.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to authorize the investigation in File No. 2016-004. So voted by a vote 4-0-1, with Commissioner Ajello abstaining.

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

Commissioner Penny recused himself for the discussion of this matter.

The matter is continued.

14. In the Matter of a Referral by Olga Iris Vazquez, Hartford
File No. 2012-009
Recommendation of Counsel
Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Kevin Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2012-009. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File No. 2012-009. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

15. In the Matter of a Complaint by Patricia Fardy, Bridgeport
File No. 2014-029
Recommendation of Counsel
Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Kevin Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-029. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File No. 2014-029. So voted by a vote 5-0-0.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to re-open File No. 2012-009. So voted by a vote 5-0-0.

Attorney Kevin Ahern noted the specific changes made to the Proposed Findings & Conclusions. It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the amended Proposed Findings & Conclusions in File No. 2014-029. So voted by a vote 5-0-0. 2014-029. The Findings & Conclusions will be available on our website under Commission Decisions.

16. In the Matter of a Complaint by William Rudis, Hebron
File No. 2014-173
Recommendation of Counsel

Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

Attorney Kevin Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-173. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File No. 2014-173. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

17. In the Matter of a Complaint by Daniel Landry, Fairfield
File No. 2015-165
Recommendation of Counsel

Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Kevin Ahern summarized the above referenced complaint and requested a motion to re-open the determination to investigate File No. 2015-165.

It was moved by Commissioner Ajello and seconded by Commissioner Stankevicius to re-open the determination to investigate File No. 2015-165 and determine not to investigate the file further. So voted by a vote 5-0-0.

18. In the Matter of a Complaint by David Fuller, Stratford
File No. 2014-172B
Recommendation of Counsel

Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

19. In the Matter of a Complaint by Marie Desousa, Broad Brook
File No. 2015-139
Recommendation of Counsel

Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney William Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-139. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File No. 2015-139. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

20. In the Matter of a Complaint by Joseph Milardo, Middletown
File No. 2015-151

Recommendation of Counsel

Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney William Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-151. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Ajello and seconded by Commissioner Penny to adopt the Proposed Findings & Conclusions in File No. 2015-151. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

21. In the Matter of a Complaint by Harold Hatch, Stafford Springs
File No. 2015-152

Recommendation of Counsel

Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

22. In the Matter of a Complaint by James O'Donnell, Fairfield
File No. 2015-158

Recommendation of Counsel

Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney William Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-158. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2015-

158. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

23. In the Matter of a Complaint by James O'Donnell, Fairfield
File No. 2015-159
Recommendation of Counsel
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney William Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-159. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Ajello and seconded by Commissioner Penny to adopt the Proposed Findings & Conclusions in File No. 2015-159. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

24. In the Matter of a Complaint by James O'Donnell, Fairfield
File No. 2015-160
Recommendation of Counsel
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney William Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-160. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2015-160. So voted by a vote 5-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

25. 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 March 31, 2016 and requested that two (2) matters be moved to investigate.

It was moved by Commissioner Ajello and seconded by Commissioner Stankevicius to make a determination that it is necessary to investigate violations relating to two (2) complaints File No.: 2016-019 and 2016-020. So approved by the Commission, 5-0-0. So voted.

26. Consideration of Draft Audit Reports

1. "Butler 2014," Larry Butler

Examiner: Dinorah Collado

2. "Angel Reyes For Peace and Progress," Angel Reyes
Examiner: Matt Lombardi
3. "Gary for Senate," Gary Winfield
Examiner: Matt Lombardi

Linda Waterman provided an overview of the audits and recommended that the Commission make audits number 1-3 final, so moved by Commissioner Penny and seconded by Commissioner Ajello. So approved by the Commission, 5-0-0.

VI. Consideration of Matters Discussed in Executive Session

All action as noted in Section V. above.

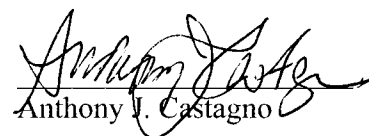
VII. Adjournment

It was moved by Commissioner Bramante and seconded by Commissioner Ajello at 1:35 P.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

Respectfully submitted,


Sheri-Lyn Lagueur
Clerk of the Commission

Adopted this ~~13~~¹¹th day of May, 2016 at Hartford, Connecticut.


Anthony J. Castagno

The next regular scheduled meeting is May 11, 2016 at 9:30 A.M. in the 5th Floor Conference room.