



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
August 10, 2016
9:30 A.M.

I. *Call to Order*

Commissioner Castagno was present and called the meeting to order at 9:32 A.M. Commissioners Bramante and Penny were present. Commissioner Stankevicius was present via teleconference. Agency staff was also present.

Commissioner Castagno made the following changes to the agenda:

- Added to section V #26 Reason to believe for File No. 2013-111D
- Added to section VII #15 "Larson for State Senate 16," Timothy D. Larson, #16 "Elaine Hammers 2016," Elaine A. Hammers, # 17 "Petit 4 CT," William A. Petit and #18 "Suzio 2016," Len Suzio
- Marked off section IV #2 Michael T. Bland 2015-119
- Marked off section V #7 File No. 2013-104, #9 File No. 2014-012, #10. File No. 2014-014A

II. *Approval of the Minutes*

Approval of the Minutes of the Meeting of July 13, 2016

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the July 13, 2016 minutes by a 3-0-1 vote. So voted. Commissioner Stankevicius abstained.

Approval of the Minutes of the Meeting of July 20, 2016

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the July 20, 2016 minutes by a 4-0-0 vote. So voted.

Approval of the Minutes of the Meeting of July 22, 2016

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the July 22, 2016 minutes by a 4-0-0 vote. So voted.

Approval of the Minutes of the Meeting of July 27, 2016

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the July 27, 2016 minutes by a 3-0-1 vote. So voted. Commissioner Stankevicius abstained.

Approval of the Minutes of the Meeting of August 3, 2016

It was moved by Commissioner Bramante and seconded by Commissioner Penny to approve the August 3, 2016 minutes by a 3-0-1 vote. So voted. Commissioner Castagno abstained.

III. *Administrative Reports*

Executive Director Michael Brandi updated the Commission on the budget. He is currently working with the heads of the Freedom of Information Commission, State Ethics and OPM for the release of the holdbacks beyond the already implemented budget cuts.

There are still two open positions (Legal Investigator and the Clerk Typist) at SEEC, which are currently funded. While the positions have not yet been filled, they are vital to agency operations. Additionally, one of our full time attorney positions is serving as the chief steward for the A&R Union.

Mr. Brandi credited his multi-tasking, small staff. We are fully functioning on our own, but we need adequate funding to keep up with our operations. So far 63 complaints have been filed in 2016 and we are short an investigator and attorney.

The Commissioners extended their gratitude to the staff and leadership through a tumultuous budget season and some difficult legal cases.

IV. *Pending Complaints and Investigations*

A. *Public Session*

1. In re: Audit Report for *Goff for the 34th*
File No. 2014-011B
Proposed Consent Order & Agreement
Respondent:
Attorney:
Lead Legal Investigator:

Thomas O'Brien
James M. Talbert-Slagle
Charlie Urso

Attorney James M. Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-011B. 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. 2014-011B. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

2. In the Matter of a Complaint by Michael T. Bland, Hartford
File No. 2015-119

Proposed Consent Order & Agreement

Respondents:

Luke Bronin, Roszina Winch,
Thomas Clarke II, Julio A.
Concepcion, John Gale, Glendowlyn
Hall-Thames, James Sanchez and
Michael Chambers

Attorney:

William B. Smith

Legal Investigator:

Scott Branfuhr

The matter has been marked off.

- 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 Stankevicius at 10:01 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 and Penny were present. Commissioner Stankevicius was present via teleconference. Staff members present were Michael Brandi, Kevin Ahern, Scott Branfuhr, Ryan Burns, Sarah Clark, Douglas Frost, Evelyn Gratacos, Shannon Kief, Sheri-Lyn Lagueux, Lindsey Leung, James Talbert-Slagle, William Smith and Linda Waterman.

The Commission returned to public session at 11:56 A.M.

The Commission took the following actions in public session:

3. In In the Matter of a Complaint by Anne T. Stapleton-Reilly, Kensington
File No. 2015-191

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. 2015-191. 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. 2015-191. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

4. In the Matter of a Complaint by Catherine Magaldi-Lewis, Andover
File Nos. 2014-072, 2014-097
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 Nos. 2014-072 and 2014-097. 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 Nos. 2014-072 and 2014-097. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

5. In the Matter of a Complaint by Peter von Braun, Greenwich
File No. 2015-192B
Recommendation of Counsel

Respondent:

Debra Hess

Attorney:

Ryan M. Burns

Lead Legal Investigator:

Gilberto Oyola

Attorney Ryan Burns summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-192B. 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. 2015-192B. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

6. In re: State Elections Enforcement Initiated Complaint
File No. 2012-238

Recommendation of Counsel

Attorney: Ryan M. Burns
Lead Legal Investigator: Gilberto Oyola

Attorney Ryan Burns summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2012-238. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the Proposed Consent Order & Agreement in File No. 2012-238. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

7. In re: Audit Report for *Ayala for State Rep.*
File No. 2013-104

Recommendation of Counsel

Attorney: James M. Talbert-Slagle
Lead Legal Investigator: Charlie Urso

The matter is marked off.

8. In the Matter of a Complaint by Yvette M. Larrieu, Branford
File No. 2013-153

Recommendation of Counsel

Attorney: James M. Talbert-Slagle
Lead Legal Investigator: Charlie Urso

The matter is continued.

9. In re: Audit Report for *Nicastro for State Representative 2012*
File No. 2014-012

Recommendation of Counsel

Attorney: James M. Talbert-Slagle
Lead Legal Investigator: Charlie Urso

The matter is marked off.

10. In re: Audit Report for *Dauplaise for Connecticut*
File No. 2014-014A
Recommendation of Counsel
Attorney: James M. Talbert-Slagle
Lead Legal Investigator: Charlie Urso

The matter is marked off.

11. In the Matter of a Complaint by Joel Gonzalez, Bridgeport
File No. 2014-042
Recommendation of Counsel
Attorney: James M. Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Attorney James M. Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-042. 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. 2014-042. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

12. In the Matter of a Complaint by Joel Gonzalez, Bridgeport
File No. 2014-044
Recommendation of Counsel
Attorney: James M. Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Attorney James M. Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-044. 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. 2014-044. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

13. In the Matter of a Complaint by Gary Schaffrick, Bristol
File No. 2015-135
Recommendation of Counsel
Attorney: James Talbert-Slagle
Legal Investigator: Scott Branfuhr

Attorney James M. Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-135. 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. 2015-135. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

14. In the In the Matter of a Complaint of Kim McLaughlin, Bridgeport
File No. 2013-121
Recommendation of Counsel

Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

Attorney Kevin M. Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-121. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter without prejudice.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to adopt the Proposed Findings & Conclusions in File No. 2013-121. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

15. In the Matter of a Complaint of Joel Gonzalez, Bridgeport
File No. 2013-122
Recommendation of Counsel

Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

Attorney Kevin M. Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-122. 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. 2013-122. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

16. In the Matter of a Complaint of Beth Lazar, Bridgeport
File No. 2013-123
Recommendation of Counsel

Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

Attorney Kevin M. Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2013-123. He recommended adoption of the Proposed Findings & Conclusions to dismiss the matter.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the Proposed Findings & Conclusions in File No. 2013-123. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

17. In re: Referral by Lori Tollmann, Coventry Town Clerk
File No. 2014-127
Recommendation of Counsel

Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

The matter is continued.

18. Referral by Diana Ingraham, Voluntown Democratic Registrar of Voters
File No. 2013-177
Recommendation of Counsel

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

Attorney Kevin M. Ahern summarized the above referenced complaint in File No. 2013-177. He recommended adoption of a withdrawal per the respondent's request.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to withdraw the matter in File No. 2013-177. So voted by a vote 4-0-0.

19. In the Matter of a Complaint by Arlene Kline, Farmington
File Nos. 2014-136, 2014-144, 2014-149
Proposed Recommendation of Counsel

Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is marked off.

20. In the Matter of a Complaint by John Mazurek, Wolcott
File No. 2014-170A
Proposed Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is marked off.

21. In the Matter of a Complaint by John Mazurek, Wolcott
File No. 2014-170B
Proposed Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is marked off.

22. In the Matter of a Complaint by Eileen Cranney, Prospect
File No. 2014-139
Proposed Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is marked off.

23. In the Matter of a Complaint by Mark Dumas, Stratford
File No. 2015-088
Proposed Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney William B. Smith summarized the above referenced complaint in File No. 2015-088. He recommended that the Commission find that there is a reason to believe that Respondent Harkins violated General Statutes § 9-369b and (2) that the Chair of the Commission appoint a hearing officer for a hearing on the matter in File No. 2015-088.

It was moved by Commissioner Bramnte and seconded by Commissioner Stankevicius to find that there is a reason to believe that Respondent Harkins violated General Statutes § 9-369b in File No. 2015-088. Commissioner Penny has been appointed as hearing officer on the matter. So voted by a vote 3-0-1. Commission Penny abstained.

24. In the Matter of a Complaint by Ronna Stuller, New London
File No. 2015-164
Proposed Recommendation of Counsel
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

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 August 1, 2016 and requested that three (3) 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 three (3) complaints File No.: 2016-053, 2016-054 and 2016-057. So approved by the Commission, 4-0-0. So voted.

26. In the Matter of a Complaint by Alison C. Heimer, New Haven
File No. 2013-111D
Proposed Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigators: Gilberto Oyola / Scott Branfuhr

Attorney Ryan M. Burns summarized the above referenced complaint in File No. 2013-111D. He recommended that the Commission find that there is a reason to believe that Respondent Santino violated General Statutes § 9-369b and (2) that the Chair of the Commission appoint a hearing officer for a hearing on the matter in File No. 2013-111D.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to find that there is a reason to believe that Respondent Santino violated General Statutes § 9-369b in File No. 2013-111D. Commissioner Ajello has been appointed as hearing officer on the matter. So voted by a vote 4-0-0.

VI. *Declaratory Ruling and Advisory Opinions*

1. Proposed Declaratory Ruling 2016-01: *Funding for Concurrent Regular and Special Elections for Office of General Assembly Occurring on Same Ballot on Same Election Day*

Ms. Kief summarized proposed Declaratory Ruling 2016-01: Funding for Concurrent Regular and Special Elections for Office of General Assembly Occurring on Same Ballot on Same Election Day.

The matter was continued.

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

1. "Lopes 2016," Rick Lopes

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to continue without prejudice the grant application for "Lopes 2016," Rick Lopes. So voted by a vote of 4-0-0.

2. "John Scott 2016," John F. Scott, IV

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to continue without prejudice the grant application for "John Scott 2016," John F. Scott, IV. So voted by a vote of 4-0-0.

3. "Lydia Tedone for Simsbury," Lydia A. Tedone

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to continue without prejudice the grant application for "Lydia Tedone for Simsbury," Lydia A. Tedone. So voted by a vote of 4-0-0.

4. "Elect Hall 2016," Carol A. Hall

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to approve the grant application for "Elect Hall 2016," Carol A. Hall. So voted by a vote of 4-0-0.

5. "Phil Dwyer 2016," Philip Dwyer

It was moved by Commissioner Penny and seconded by Commissioner Bramante to continue without prejudice the grant application for "Phil Dwyer 2016," Philip Dwyer. So voted by a vote of 4-0-0.

6. "Curtis 2016, Tim Curtis

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the grant application for "Curtis 2016," Tim Curtis. So voted by a vote of 4-0-0.

7. "Friends of A-Z," Joseph Aresimowicz

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to approve the grant application for "Friends of A-Z," Joseph Aresimowicz. So voted by a vote of 4-0-0.

8. "Orange 2016," Linda Orange

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the grant application for "Orange 2016," Linda Orange. So voted by a vote of 4-0-0.

9. "Beth Bye 2016," Beth Bye

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the grant application for "Beth Bye 2016," Beth Bye. So voted by a vote of 4-0-0.

10. "EHLERS2016," Gregory Ehlers

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to continue without prejudice the grant application for "EHLERS2016," Gregory Ehlers. So voted by a vote of 4-0-0.

11. "Friends of Ben Gettinger," Benjamin Gettinger

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the grant application for "Friends of Ben Gettinger," Benjamin Gettinger. So voted by a vote of 4-0-0.

12. "Prasad Srinivasan for State Representative," Prasad Srinivasan

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the grant application for "Prasad Srinivasan for State Representative," Prasad Srinivasan. So voted by a vote of 4-0-0.

13. "Tweedie for CT," Mark Tweedie

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the grant application for "Tweedie for CT," Mark Tweedie. So voted by a vote of 4-0-0.

14. "Sampson For CT," Rob C. Sampson

It was moved by Commissioner Penny and seconded by Commissioner Bramante to continue without prejudice the grant application for "Sampson For CT," Rob C. Sampson. So voted by a vote of 4-0-0.