



STATE OF CONNECTICUT

OFFICE OF STATE ETHICS

CITIZEN'S ETHICS ADVISORY BOARD OFFICE OF STATE ETHICS 18-20 Trinity Street, Hartford, CT 06106

MINUTES OF THE SEPTEMBER 19, 2019 REGULAR MEETING

The Citizen's Ethics Advisory Board ("Board") of the Office of State Ethics ("OSE") held a Regular Meeting on Thursday, September 19, 2019, in the 5th Floor Conference Room, 18-20 Trinity Street, Hartford, CT 06106.

Chair Dena Castricone called the meeting to order at 1:02 p.m.

The following Board members were present:

Dena Castricone, Chair
Mary Bigelow
Charles F. Chiusano
Beth Cook
Jason Farrell

Kevin Johnston, Vice-Chair
Richard Lang
Cheryl Lipson
Nichelle Mullins

The following staff members of the OSE were present:

Peter Lewandowski, Executive Director
Nancy Nicolescu, Director of Education &
Communications
Mark Wasielewski, Ethics Enforcement Officer
Marc Crayton, Deputy Ethics Enforcement Officer
Jennifer Montgomery, Assistant Ethics Enforcement
Officer

Brian O'Dowd, General Counsel
Diane Buxo, Assistant General Counsel
Malissa Hurry, Paralegal
Melissa Hamilton, Paralegal
Alaaeldin Ali, Temporary Clerk of the Board

The following topics were addressed during the meeting:

1. The minutes of the August 15, 2019 Regular Meeting were presented to the Board for approval.

On the motion of Ms. Lipson, seconded by Mr. Chiusano, the Board voted eight (8) to zero (0), with Mr. Lang abstaining, to approve the minutes of the August 15, 2019 Regular Meeting.

2. The minutes of the August 15, 2019 Special Meeting of the Nominating Subcommittee were presented for approval.

On the motion of Ms. Lipson, seconded by Mr. Johnston, the Board members who participated in the Special Meeting voted two (2) to zero (0) to approve the minutes of the August 15, 2019 Special Meeting of the Nominating Subcommittee.

3. Chair Castricone requested that Mr. Farrell serve as the hearing officer for UAPA hearings scheduled for Thursday, October 24, 2019. Ms. Lipson volunteered to serve at the November hearing date, with the date to be confirmed by staff.
4. Chair Castricone recognized Mr. Lang and thanked him, on behalf of the entire Board and staff, for his three-year service on the Board. Mr. Lang thanked the Board and staff.
5. General Counsel O'Dowd presented the Petition for Advisory Opinion from Ernestine Y. Weaver, Esq., on behalf of Connecticut State Colleges and Universities. Mr. Farrell raised a procedural question regarding the Board's ability to weigh in on the Petition, particularly on the issues that may not be legal in nature. General Counsel O'Dowd offered the option of holding a hearing prior to the issuance of the Advisory Board to obtain facts and arguments related to the Petition. The Board can appoint hearing officers to hold a hearing regarding the Petition.

On the motion of Ms. Cook, seconded by Mr. Chiusano, the Board voted nine (9) to zero (0) to consider the Petition for Advisory Opinion from Ernestine Y. Weaver, Esq., and to hold a hearing prior to the issuance of the Advisory Opinion to ascertain applicable facts and consider arguments.

On the motion of Mr. Lang, seconded by Ms. Lipson, the Board voted nine (9) to zero (0) to appoint Mr. Farrell, Ms. Cook and Mr. Chiusano as hearing officers for the Hearing related to Petition for Advisory Opinion from Ernestine Y. Weaver, Esq.

6. General Counsel O'Dowd presented the Legal Division report and focused on staffing matters within the division. He recognized Melissa Hamilton as the new paralegal in the Legal Division and as the incoming Clerk of the Board. General Counsel O'Dowd also informed the Board of the ongoing overhaul of agency regulations, particularly the assignment of state agency positions that are subject to certain revolving-door restrictions.
7. Director of Education & Communications Nicolescu presented the Media and Training Report.
8. Ethics Enforcement Officer Wasielewski presented the Enforcement Division report, noting that the matter previously scheduled for the probable cause hearing has settled and that there are four matters scheduled for the October 24, 2019 UAPA hearing, with one counteroffer to be presented to the Board for consideration.

Mr. Farrell, as the designated hearing officer for the October 24, 2019 UAPA Hearing recused himself and stepped out of the Board meeting before the Board's consideration of the counteroffer.

Deputy Ethics Enforcement Officer Crayton presented the counteroffer from Citizens' Campaign for the Environment for late lobbyist filing. Mr. Lang questioned the purpose of counteroffers when the Enforcement Division already proposed a reduced penalty because of the first time violation. Ethics Enforcement Officer Wasielewski explained the circumstances under which respondents make counteroffers. The Board members did not take up the counteroffer presented. Mr. Farrell returned to the Board meeting.

Ethics Enforcement Officer Wasielewski introduced Attorney Jennifer Montgomery as the new Assistant Ethics Enforcement Officer.

9. Deputy Ethics Enforcement Officer Crayton presented the lobbyist audit report for Spectra Energy Transmission II, LLC, in which there was one adverse finding.

On the motion of Mr. Farrell, seconded by Ms. Lipson, the Board voted eight (8) to zero (0), with Ms. Mullins abstaining, to approve the audit report for Spectra Energy Transmission II, LLC.

On the motion of Ms. Chiusano, seconded by Mr. Johnston, the Board voted nine (9) to zero (0) to add an item to the agenda concerning the audit report for Public Consulting Group c/o Multistate Associates.

10. Ethics Enforcement Officer Wasielewski noted that last month the Board voted to approve a corrective action with respect to Public Consulting Group c/o Multistate Associates and their ETH-2D filings. The corrective action gave Public Consulting Group c/o Multistate Associates sixty (60) days to address the concerns raised in the audit report. Following the issuance of the corrective action, Public Consulting Group c/o Multistate Associates expressed their concerns to the Legal Division of the Office of State Ethics regarding the interpretation of the law with respect to lobbyist reporting and asked for advice. Public Consulting Group c/o Multistate Associates is of the view that their lobbyist reports followed the requirements of the law.

Ethics Enforcement Officer Wasielewski requested that the Board consider a Motion to Stay the corrective action because Public Consulting Group c/o Multistate Associates may seek an advisory opinion on the interpretation of the law concerning lobbyist filings. Deputy Ethics Enforcement Officer Crayton provided factual background concerning Public Consulting Group c/o Multistate Associates lobbyist filings that were considered in the lobbyist audit, particularly whether lobbyist expenditures are reported when they are made or whether when they are incurred. General Counsel O'Dowd noted prior informal guidance on the subject and lack of formal advisory opinions.

On the motion of Ms. Cook, seconded by Mr. Chiusano, the Board voted nine (9) to zero (0) to approve a Motion to Stay the corrective action for Public Consulting Group c/o Multistate Associates for ninety (90) days from the date of the original expiration of the sixty day period to address the corrective action, which is October 14, 2019, to allow for consideration of the legal issues raised.

11. Executive Director Lewandowski thanked Mr. Lang on behalf of the staff for his service. He noted that on August 23, 2019, the House Minority Leader reappointed Board Member Lipson to a four-year term commencing October 1, 2019, and on September 4, 2019, the Speaker appointed Ms. Karen Christiana of Old Saybrook to the position Mr. Lang is vacating. Ms. Christiana was appointed to a four-year term, commencing October 1, 2019. Executive Director Lewandowski updated the Board on personnel changes. He also informed the Board of the agency's efforts to obtain funding for two additional positions. He discussed his outreach to legislative leadership and the Governor's office regarding the availability of the agency regarding the ongoing efforts to address matters related to quasi-public agencies. Executive Director Lewandowski provided an update on the case management system, engaging former Executive Director Carson for two to three days on matters related to the strategic plan, budget and case management system, and discussed a report recently released by the Coalition for Integrity.

On the motion of Mr. Lang, seconded by Mr. Chiusano, the Board voted nine (9) to zero (0) to adjourn the meeting.

The meeting was adjourned at 1:56 p.m.

Respectfully submitted by,

Peter Lewandowski
Executive Director
Office of State Ethics

Date approved
(By the Citizen's Ethics Advisory Board)