



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 OCTOBER 22, 2020 REGULAR MEETING

The Citizen's Ethics Advisory Board ("Board") of the Office of State Ethics ("OSE") held a Regular Meeting on Thursday, October 22, 2020, by teleconference.

Chair of the Board, Dena Castricone, called the meeting to order at 1:05 p.m.

The following Board members were present:

Dena Castricone, Chair
Mary Bigelow
Charles Chiusano
Karen Christiana
N. Beth Cook

Jason Farrell, Vice-Chair
Kevin Johnston
Cheryl Lipson
Nichelle Mullins

The following staff members of the OSE were present:

Peter Lewandowski, Executive Director
Brian O'Dowd, General Counsel
Mark Wasielewski, Ethics Enforcement Officer
Nancy Nicolescu, Director of Education & Communications
Marianne Sadowski, Deputy General Counsel

Marc Crayton, Deputy Ethics Enforcement Officer
Diane Buxo, Assistant General Counsel
Melissa Hamilton, Paralegal & Clerk of the Board

The following topics were addressed during the meeting:

1. The minutes of the September 17, 2020 regular meeting were presented to the Board for approval.

On the motion of Ms. Lipson, seconded by Mr. Johnston, the Board voted nine (9) to zero (0) to approve the minutes of the September 17, 2020 Regular Meeting.

2. Chair Castricone presented the Chairperson report, informing the Board that the selection of a Hearing Officer is not required until the January 2021 Hearing, as the Hearing Officer for the

November 5, 2020 Uniform Administrative Procedure Act (“UAPA”) hearing(s) was previously selected and no UAPA hearings are conducted in the month of December.

Chair Castricone thanked the Board and the OSE staff for all their efforts during this difficult period.

3. General Counsel Brian O’Dowd presented the Legal Division report, noting the uptick in requests as well as the complexity of the requests. Mr. O’Dowd also informed the Board that although the Division provided requestors with the option to petition the Board for formal advisory opinions, especially the recipients of unfavorable opinions, there still has not been any applicants requesting such opinions.
4. Director of Education & Communications Nancy Nicolescu presented the Training and Media reports, highlighting that she and Executive Director Lewandowski conducted the University of Hartford (“UHART”) President College courses, and that many inquiries have been received regarding on-line training via Zoom, GoToMeeting and other virtual platforms.

Board member Cook informed the Board of the fantastic job Ms. Nicolescu and Mr. Lewandowski did in presenting the courses at UHART and that the attendees provided great feedback.

5. Ethics Enforcement Officer Mark Wasielewski presented the Enforcement Division report, focusing on several items: 1) the Division is very busy with a full caseload and investigations; 2) three matters are currently scheduled for hearing on November 5, 2020, including two lobbyist matters and one Statement of Financial Interests (“SFI”) matter; 3) a counteroffer that the Division has received; 4) implementation of proposals relating to the Audit Subcommittee; and 5) the rollout schedule of the draft email included in this month’s report, which informs the lobbyist community of the details of the audit drawing that is scheduled for November, including the details of the lobbyist obligations and responsibilities under the Code, repercussions, and general background information regarding the audit process.

Chair Castricone apprised the Board that, thanks to the due diligence of General Counsel O’Dowd, she was informed that settlement offers should be discussed in the public meeting.

6. Deputy Ethics Enforcement Officer Marc Crayton presented the counteroffer received by the respondent in the matter of Paul Stevenson, Docket No. 2020-04UP. Mr. Crayton provided the Board with some background information relating to the matter.

The Board discussed the counteroffer, noting that the respondent was well aware of his obligation to file a SFI, as he submitted such filing multiple years prior to his retirement and that the Department of Administrative Services (“DAS”) has stated that the respondent was informed of his obligation to file a SFI upon his return to State service as a temporary worker retiree. On a voice vote, the Board voted to reject the respondent’s counteroffer.

Chair Castricone, serving in the capacity of the November 5, 2020 Hearing Officer, recused herself from the discussion and deliberation. Vice-Chair Farrell presided over the discussion and deliberation involving the counteroffer.

7. Deputy Ethics Enforcement Officer Crayton presented the lobbyist audit report for CSC Holdings, LLC, requesting approval of the audit and its findings. He noted that the audit consisted of two findings: an understated payment in the amount of \$1.80 and another understated payment in the amount of \$47.50 to its communicator lobbyist. CSC Holdings, LLC, has since amended its filing to correct the understatements.

On the motion of Ms. Cook, seconded by Mr. Johnston, the Board voted nine (9) to zero (0) to approve the audit report for CSC Holdings, LLC.

8. Deputy Ethics Enforcement Officer Crayton presented the lobbyist audit report and the revised audit report for Walmart, Inc., requesting approval of the audit and its findings. Mr. Crayton reported that the audit consisted of one finding: Walmart, Inc. understated payment in the amount of \$5,184.06 to its communicator lobbyist. At the time of the initial audit report Walmart had not amended its report to correct the understated payment. The revised audit report reflects Walmart's amendment to its filing wherein the understated payment was corrected.

On the motion of Mr. Johnston, seconded by Ms. Lipson, the Board voted nine (9) to zero (0) to approve the revised audit report for Walmart, Inc.

9. Executive Director Lewandowski presented the 2021 Legislative Proposals to the Board, noting that Proposals 1 through 15 were previously approved by the Board for the 2020 Legislative session and Proposals 16 and 17 are new. Mr. Lewandowski advised the Board that the previous year's Proposals are being reintroduced due to the COVID-19 pandemic and the resulting suspension of the Legislative business. Proposal 16 seeks the authority to require electronic filing of SFIs. Pursuant to recent filings, paper filings of SFIs are very low and with most operations moving on-line, it makes sense to also move SFI filings exclusively to electronic filing. Further, it was confirmed that OSE's website and systems are American with Disabilities Act compliant. Proposal 17 seeks to add the Paid Family and Medical Leave Insurance Authority ("PFMLIA") to the definition of quasi-public agency under the Ethics Code. By adding PFMLIA to the definition of quasi-public agency under the Ethics Code, PFMLIA, its board members and staff will be formally subject to the Code's provisions.

Board member Cook inquired about Proposal 2 and the definition of "public official," which excludes members of advisory boards. She noted that members of the Citizen's Ethics Advisory Board ("CEAB") are considered public officials despite the fact that the term "advisory" is in its title. Mr. Lewandowski explained the different types of advisory boards and their functions and noted that boards are truly "advisory" only if they do not exercise the regulatory authority of the state or expend state funds. The CEAB is not considered "advisory" as the term is defined in the Ethics Code, and its members are "public officials" because the Board exercises regulatory authority of the state.

On the motion of Mr. Chiusano, seconded by Ms. Cook, the Board voted nine (9) to zero (0) to approve the 2021 Legislative Proposals 1 through 17, as presented by Executive Director.

10. Executive Director Lewandowski presented his report to the Board. He provided an update regarding the dissemination of Board packets electronically and by regular mail, and the two

gubernatorial appointments to this Board that are under review by the Office of the Governor. The Office of the Governor shared with Mr. Lewandowski that the appointments under review should be finalized within the next two to three weeks. Mr. Lewandowski notified the Board of a meeting he has scheduled next week with the Boston Consulting Group (pursuant to the Lamont Administration's retention of the Group's services to identify efficiencies across governmental services to weather the wave of state employee retirements to occur in 2022) and the Office of Policy and Management ("OPM") to discuss "whether any areas of OSE is at risk as a result of upcoming retirement wave," "whether there are opportunities within the agency to improve efficiencies and services," and "how such improvements could be achieved."

Finally, Mr. Lewandowski thanked the staff and the Board for their input regarding his evaluation, comments and reflection on his first year as Executive Director.

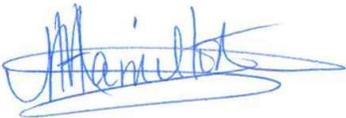
Chair Castricone suggested that quantitative numbers derived from the agency's monthly work output be shared during the meeting with Boston Consulting Group and OPM, especially numbers provided by the Legal Division as they relate to requests for opinions, so as to illustrate the importance and need of all OSE's staff and the efficiencies that the agency has already achieved.

On the motion of Vice-Chair Farrell, seconded by Mr. Johnston, the Board voted eight (9) to zero (0) to enter into an Executive Session to discuss the evaluation of Executive Director, pursuant to General Statutes § 1-200 (6) (A).

On the motion of Mr. Chiusano, seconded by Ms. Lipson, the Board voted eight (8) to zero (0), with Mr. Johnston absent from the vote, to adjourn the meeting.

The meeting was adjourned at 2:06 p.m.

Respectfully submitted by,



Melissa Hamilton
Clerk of the Citizen's Ethics Advisory Board
Office of State Ethics

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