



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 17, 2020 REGULAR MEETING

The Citizen's Ethics Advisory Board ("Board") of the Office of State Ethics ("OSE") held a Regular Meeting on Thursday, September 17, 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
Jennifer Montgomery, Assistant Ethics Enforcement Officer
Ann Morgan, Information Technology Analyst III
Melissa Hamilton, Paralegal & Clerk of the Board

The following topics were addressed during the meeting:

1. Chair Castricone thanked Vice-Chair Farrell for leading the August 20, 2020 regular meeting on her behalf.
2. The minutes of the August 20, 2020 regular meeting were presented to the Board for approval.

On the motion of Vice-Chair Farrell, seconded by Ms. Cook, the Board voted six (6) to zero (0), with Mr. Chiusano, Mr. Johnston and Ms. Lipson abstaining, to approve the minutes of the August 20, 2020 Regular Meeting.

3. The minutes of the September 9, 2020 special meeting of the Nominating Committee were presented to the Board for approval.

On the motion of Mr. Chiusano, seconded by Ms. Bigelow, the Nominating Committee voted two (2) to zero (0) to approve the minutes of the September 9, 2020 Special Meeting.

4. During Chair Castricone's Chairperson report, Ms. Lipson volunteered to serve as the Hearing Officer for the October 15, 2020 Uniform Administrative Procedure Act ("UAPA") hearing(s). Chair Castricone volunteered as an alternate Hearing Officer.

Chair Castricone proposed to create a subcommittee to review the process of evaluating the OSE's Executive Director. Chair Castricone, Vice-Chair Farrell, Mr. Chiusano and Ms. Cook are interested in serving as subcommittee members. Chair Castricone requested copies of any existing official policy or procedure materials within OSE or the Department of Administrative Services ("DAS") regarding the evaluation process for the subcommittee's review.

Mr. Chiusano announced that the Nominating Committee unanimously voted to retain the current Chair (Dena Castricone) and Vice-Chair (Jason Farrell) of the Citizen's Ethics Advisory Board for another one-year term. Chair Castricone opened the floor for nominations for the election of the Chair and Vice-Chair positions.

On the motion of Mr. Chiusano, seconded by Ms. Christiana, the Board voted seven (7) to zero (0), with Chair Castricone and Vice-Chair Farrell abstaining, to approve the Nominating Committee's election of Dena Castricone as Chair and Jason Farrell as Vice-Chair of the Citizen's Ethics Advisory Board.

Chair Castricone thanked the Board for having confidence in her and Vice-Chair Farrell for the upcoming year. Chair Castricone noted that she enjoys serving alongside all the Board members and is honored to serve as the Board's Chair. Vice-Chair Farrell shared the same sentiments.

5. General Counsel Brian O'Dowd presented the Legal Division report and appendices, focusing on a staff opinion the Division issued to the Speaker of the House. He informed the Board that after review of the Speaker's request and discussion with Deputy General Counsel Marianne Sadowski and Assistant General Counsel Diane Buxo, he believed a staff opinion would be sufficient; particularly because there was an existing opinion from the prior Commission that concerned similar facts. Chair Castricone thanked Mr. O'Dowd for highlighting the staff opinion to the Speaker of the House.
6. Director of Education & Communications Nancy Nicolescu presented the Training and Media reports. Ms. Nicolescu reported that trainings were down 50% in the last two quarters, but there is currently an uptick in Zoom, WebEx and Teams training requests. Accordingly, training sessions by means of Zoom, WebEx and Teams are being developed. Ms. Nicolescu answered an inquiry from Ms. Cook

that, although OSE is unable to track a result for each of the various types of virtual trainings being requested, feedback indicates that the online training is currently being utilized far more than before. Chair Castricone provided some words of encouragement to Ms. Nicolescu on the refocus to virtual trainings. Similarly, Vice-Chair Farrell offered his expertise with in-person and on-line teaching.

7. Ethics Enforcement Officer Mark Wasielewski presented the Enforcement Division report, highlighting a few items: eight open lobbyist matters scheduled for the September 24, 2020 Hearing date; a few open Statement of Financial Interests (“SFI”) matters; and a settlement counteroffer the Division received in connection with one of the above-mentioned open enforcement actions. Mr. Wasielewski stated that the Enforcement Division noticed for hearing more than 80 matters, only 10 of which remain open, and that the Division collected over \$7,000 in fines. He informed the Board that the achievement is largely due to the hard work and coordination of the attorneys and paralegal. Chair Castricone thanked the Division for its work in resolving the matters.
8. Deputy Ethics Enforcement Officer Marc Crayton presented the lobbyist audit report for Apple, Inc., requesting approval of the audit and its findings. He noted that the audit consisted of one finding: Apple, Inc. overstated payments to its communicator lobbyist. To date, Apple, Inc. has not provided any written response to the audit finding.

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

9. Executive Director Lewandowski presented his report to the Board. He addressed the technical difficulties some Board members experienced with the meeting packet delivery, reviewed the meeting packet delivery process and schedule of delivery, and prompted Board members to alert the office if meeting packets are not received by the Monday following the delivery deadline. Also, hard copies of the meeting packet through the mail will resume in October. The Board members were asked to inform Mr. Lewandowski or paralegal Melissa Hamilton, if they wish to receive hard copies of the meeting materials in addition to the electronic copy.

Mr. Lewandowski shared that the two gubernatorial appointments to this Board are still under review by the Office of the Governor.

Concerning matters of OSE’s relocation, Mr. Lewandowski was informed by DAS that OSE’s relocation to 165 Capitol Avenue has been postponed until early 2021. Mr. Lewandowski reminded DAS that OSE cannot relocate in the first two months of 2021, as it is the agency’s busiest time of the year. In addition to the lobbyist financial report filing, 2021 marks the commencement of the new biennium for lobbyist registrations, the long legislative session, and ethics trainings for new legislators. Therefore, the earliest a relocation can take place will be March, but preferably post SFI filings in May.

OSE’s budget was submitted to the Office of Policy and Management (“OPM”) as a pass-through budget. Any additions or expansions must be completed by or before October 1, 2020.

Finally, Mr. Lewandowski informed the Board that the Legislative Proposals packet will be circulated next month, but if there are suggestions in the interim, to direct the suggestions to him or General

Counsel O'Dowd, and that he will present them to the Government Administration and Elections Committee in December.

On the motion of Mr. Chiusano, seconded by Ms. Bigelow, the Board voted eight (8) to zero (0), with Vice-Chair Farrell abstaining, to enter into an Executive Session to discuss strategy and negotiations pursuant to General Statutes §§ 1-200 (6) (B) and 1-210 (b) (4), with respect to settlement counteroffers in pending UAPA matters.

On the motion of Mr. Chiusano, seconded by Ms. Cook, the Board voted seven (7) to zero (0), with Mr. Johnston and Ms. Lipson absent from the vote, to adjourn the meeting.

The meeting was adjourned at 2:14 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)