



STATE OF CONNECTICUT

OFFICE OF STATE ETHICS

**CITIZEN'S ETHICS ADVISORY BOARD
OFFICE OF STATE ETHICS
165 Capitol Avenue, Suite 1200, Hartford, CT 06106**

MINUTES OF THE JUNE 17, 2021 REGULAR MEETING

The Citizen's Ethics Advisory Board ("Board") of the Office of State Ethics ("OSE") held a Regular Meeting on Thursday, June 17, 2021, by teleconference.

Chair of the Board, Dena Castricone, called the meeting to order at 1:07 p.m.

The following Board members were present:

Dena Castricone, Chair
Mary Bigelow
Charles Chiusano
Karen Christiana

Jason Farrell, Vice-Chair
Kevin Johnston
Nichelle Mullins
Laura Schuyler

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
Hogan Tomkunas, Legal Intern

The following topics were addressed during the meeting:

1. The minutes of the May 20, 2021 Regular Meeting were presented to the Board for approval.

On the motion of Mr. Chiusano, seconded by Mr. Johnston, the Board voted six (6) to zero (0), with Vice-Chair Farrell abstaining, to approve the minutes of the May 20, 2021 Regular Meeting. (Ms. Bigelow did not participate in the vote due to technical difficulties).

2. Chair Castricone presented the Chairperson's report, reminding the Board that Ms. Schuyler will serve as the July 15, 2021 Uniform Administrative Procedure Act ("UAPA") Hearing Officer, and that there will be no UAPA Hearing in August. Ms. Castricone informed the Board of the intention to commence using the hybrid model to conduct future Board meetings, starting September of this year. Under the hybrid model, meetings will be held onsite and board members who cannot attend in person will be able to join by video conference.
3. General Counsel Brian O'Dowd introduced the University of Connecticut ("UCONN") submission of policies to regulate student state employment pursuant to General Statutes § 1-90a. Mr. O'Dowd also gave an overview of General Statutes § 1-90a and outlined the Board's role with regards to submissions by public institution of higher education. Due to some technical challenges, which resulted in the Board not gaining access to UCONN's full policies to regulate student state employment, a vote relating to the policies submitted by UCONN was reserved until the Board's July meeting.

Board member Bigelow joined the meeting at 1:18 PM.

UCONN's Associate Vice President & Chief Compliance Officer Kimberly Fearney provided a brief overview of UCONN's policies to regulate student state employment pursuant to § 1-90a. Ms. Fearney highlighted some of UCONN's policies that directly relate to conflicts of interest. Ms. Fearney also highlighted that employed students are closely supervised and do not possess the authority to represent UCONN or make any financial decisions on UCONN's behalf. Lastly, the Board was informed that there have been no significant revisions since UCONN's last submission of policies to regulate student state employment.

4. General Counsel O'Dowd presented the Legal Division report, noting that while the Division had a routine month with respect to requests and inquiries, a large amount of the Division's time was spent responding to telephonic inquiries from individuals involved in the legislative process: answering questions relating to whether legislators can engage in certain conduct or vote on a particular bill. Other telephone calls were related to future legislation and the OSE's position regarding same. Aside from responding to requests and inquiries, the Legal Division focused on streamlining their internal processes.

Chair Castricone applauded the Division's effort to create systems for the work it performs, particularly the idea of creating checklists for certain tasks.

5. Director of Education & Communications Nancy Nicolescu presented the Training and Media reports. Ms. Nicolescu shared that a second quarter comparison of the 2019 and 2021 training statistics yielded similar results, an indication that the Division is conducting the number of trainings it once conducted prior to the pandemic.

Chair Castricone asked whether Ms. Nicolescu will continue with remote trainings now that public offices have reopened and was informed that remote trainings will continue as they provide options and flexibility not only to agencies but also in OSE's outreach to trainees/employees.

6. Ethics Enforcement Officer Mark Wasielewski presented the Enforcement Division Report and added that: (1) the Division settled the matter of Christian McDavid (Docket No. 2021-07) in the amount of \$1,000 (involving the son of an employee of Central Connecticut State University (“CCSU”) who contracted with CCSU without going through the “open and public” process, a violation of Section 1-84 (i) of the Code of Ethics (“the Code”)); and (2) a Probable Cause hearing is scheduled for September 15, 2021.
7. Deputy Ethics Enforcement Officer Marc Crayton presented the lobbyist audit report for CT Camping Association, requesting approval of the audit and its findings. Mr. Crayton reported that the audit consisted of three findings: (i) the late filing of CT Camping Association’s ETH-1B; (ii) five late filings of its financial disclosure form/report (ETH-2D), one of which was recently filed upon its discovery during the audit; and (iii) understatement of CT Camping Association’s payments to its communicator lobbyist in 2018 and 2019. No corrective action is recommended as the client lobbyist has since amended its filings to remedy the findings. In addition, the client lobbyist has submitted a written response to the Board in connection to the audit.

On the motion of Ms. Bigelow, seconded by Mr. Chiusano, the Board voted eight (8) to zero (0) to approve the audit report for CT Camping Association.

8. Executive Director Lewandowski presented the following legislative updates to the Board:

(a) OSE’s Bills:

- i. **House Bill 6574**, *An Act Concerning Revisions to the State’s Codes of Ethics*, passed unanimously in the Senate last week and is now awaiting the Governor’s signature. The Bill, among many things, adds the Paid Family and Medical Leave Insurance Authority to the list of quasi-public agencies, authorizes the Ethics Enforcement Officer to represent the OSE in certain matter in Superior Court, requires the electronic filing of Statements of Financial Interest, exempts gifts from grandparents from gift prohibitions, requires certain state regulatory agencies in consultation with OSE to annually submit a statement designating agency positions which are subject to certain revolving door provisions, extends prohibited activities that apply to state hired consultants and independent contractors to individuals whom they employ, extends the Board’s deadline for issuing final hearing decisions from 15 days to 45 days, and clarifies that both individuals employing lobbyists and those employed as lobbyists are subject to the prohibition on contingency fee lobbying.
- ii. **Senate Bill 1016**, *An Act Concerning Municipal Ethics*, passed the Senate, but did not advance in the House. Mr. Lewandowski plans to discuss with House leadership (the Majority Leader and Speaker) to gain insight as to the reason why the Bill did not advance in the House a second time, despite passing the Senate twice.

(b) Other Bills that are being monitored by OSE:

- i. **Senate Bill 1071**, *An Act Implementing the Recommendations of the Auditors of Public Accounts*, which includes revisions provisions involving state contracting and independent contractors—provisions housed in the Code—passed and is awaiting the Governor’s signature.
- (c) The State’s Biennial budget also passed. The budget contains appropriations as requested by OSE. The Senate has already forwarded the implementer Bill as amended by the House, and upon review, it has no adverse changes to the OSE’s budget or anything that affects OSE or the Code.

Mr. Lewandowski concluded that although the OSE’s Municipal Bill did not advance this legislative session, the session was quite successful for the office in other legislative areas, which he noted above. He informed the Board that the next legislative session will be short, beginning in February of 2022, and suggested discussions in the fall regarding the items the Board and office would like to submit in the next session, including the Municipal Bill. In addition, Mr. Lewandowski shared with the Board OSE plans to overhaul its Regulations.

Chair Castricone thanked and congratulated Mr. Lewandowski and the staff of OSE for all their diligence and hard work on the legislative items this session and the resulted success. She confirmed, by a check on the website, that the implementer Bill was passed and on its way to the Governor for signature.

Mr. Lewandowski shared similar sentiments to the OSE staff and directed a big thank you to Ms. Nicolescu for her continuous monitoring during the session to ensure that amendments are addressed in a timely manner, and to Deputy General Counsel Marianne Sadowski for her review of the 800 plus page implementer Bill for adverse language that could impact the OSE.

9. Mr. Lewandowski presented the Executive Director’s report. First, he introduced Legal Intern Hogan Tomkunas, who will work in the Enforcement Division. Second, concerning office relocation, Mr. Lewandowski updated the Board that adjustments to workstations that was previously mentioned were performed on May 26, 2021, and further adjustments to install privacy doors on certain workstations, as well as a divider and separate entries for each agency that share the basement storage space, will be performed at the end of June or beginning of July. Third, despite the reopening of the office to the public on June 1, 2021, pursuant to the Governor’s directive, the OSE continues to receive and respond to telephonic and electronic requests and inquiries, and will continue to encourage the public to schedule an appointment for in-person visits. Fourth, the Department of Administrative Services continues to mandate mask wearing in common areas of the building and where social distancing cannot be maintained. Fifth, the building cafeteria will remain closed for the foreseeable future due to low number of patrons. Sixth, as of July 1, 2021, pursuant to the Governor’s directive, state agencies will revert to pre-pandemic schedules, including telework (50% in-person and up to 50% telework), and the OSE is in the process of developing work schedules to ensure adequate office coverage. Lastly, the OSE plans to begin the new fiscal year by hiring a Legal Investigator, overhaul its Regulations, revamp its document retention schedule, and craft a new strategic plan for its agency with the Board’s guidance, as the old strategic plan ended in 2020.

On the motion of Mr. Chiusano, seconded by Mr. Johnston, the Board voted eight (8) to zero (0) to adjourn the meeting.

The meeting was adjourned at 1:46 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)