



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 MAY 20, 2021 REGULAR MEETING

The Citizen's Ethics Advisory Board ("Board") of the Office of State Ethics ("OSE") held a Regular Meeting on Thursday, May 20, 2021, by teleconference.

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

The following Board members were present:

Dena Castricone, Chair
Mary Bigelow
Charles Chiusano
Karen Christiana

Kevin Johnston
Cheryl Lipson
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
Melissa Hamilton, Paralegal Specialist &
Clerk of the Board

The following topics were addressed during the meeting:

1. The minutes of the April 22, 2021 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) to approve the minutes of the April 22, 2021 Regular Meeting.

2. Chair Castricone presented the Chairperson's report, commenting on the successful outcome of Statement of Financial Interest ("SFI") filings. She highlighted the improvement of timely

and electronic submissions. OSE staff and the Board members were congratulated for performing 100% of their SFI filings electronically and by the deadline.

Chair Castricone was very pleased with the staff's management of the OSE's workload while moving to a new office. She acknowledged the staff's "herculean" efforts.

The Board was reminded that Board member Chiusano previously volunteered to serve as the June 10, 2021 Uniform Administrative Procedure Act ("UAPA") Hearing Officer. For the July 15, 2021 UAPA Hearing, Board member Schuyler volunteered to serve as the Hearing Officer.

3. Deputy General Counsel Sadowski discussed Draft Advisory Opinion No. 2021-2, issued in response to the Petition submitted by Marcus G. Lawson, an employee of the Connecticut Community College System at Capital Community College. Petitioner asked the Board for its opinion as to whether the Code prohibits him from submitting a reference letter, in his personal capacity, on behalf of his second cousin, who is seeking an adjunct position at another state community college. Deputy General Counsel Sadowski explained to the Board that General Statutes § 1-84 (c) prohibits a state employee from using his state office or position for the financial gain of himself, certain specified family members, or a business with which he is associated; that § 1-84 (c) explicitly lists the family members covered by the provision and, second cousin is not included on the list; and that the petitioner represented that he doesn't share any business endeavors or have a business relationship with this second cousin. Therefore, based on the applicable law and the petitioner's unique facts, Mr. Lawson would not be in violation of the Code if he were to submit a reference letter on behalf of his second cousin.

On the motion of Mr. Johnston, seconded by Mr. Chiusano, the Board voted eight (8) to zero (0) to approve Draft Advisory Opinion No. 2021-2.

4. General Counsel Brian O'Dowd presented the Legal Division report. He informed the Board that the University of Connecticut's Associate Vice President & Chief Compliance Officer Kimberly Fearney plans to attend the June 17, 2021 Board meeting to explain the policy regulating student state employment and answer any questions the board may have.
5. Director of Education & Communications Nancy Nicolescu presented the Training and Media reports, noting that the last month has been busy with trainings, and that trainings appear to be increasing, as she has trainings booked now through October.

Ms. Nicolescu informed the board that COGEL plans to host a live conference this December 5th through the 8th in Denver and that registration is currently open. She announced that this will be her last year on the COGEL Steering Committee. Ms. Nicolescu also mentioned that COGEL's Members Enhancement Committee is developing additional events, conferences and get-togethers for the members, and the recent announcement of the mid-year Freedom of Information ("FOI") virtual get-together is one of the new enhanced services. This event will be held via Zoom from 3 PM to 5 PM EST, to discuss FOI disciplines, and is open to all members free of charge.

Concerning SFIs, the OSE had great results with this year's filings. Of note, filings were not only timely, but they were also performed electronically. The OSE received only 19 paper filings. An analysis of 78 agencies, offices, commissions, and quasi-publics that had more than one filer indicated that filers of 55 of them filed timely and electronically, and that filers of nine of them filed timely. Other agencies, offices, commissions, and quasi-publics missed the "timely" and "electronically" filing achievements by just one or two filers.

Chair Castricone applauded Director Nicolescu for the great work of getting the SFI filers to file in a timely manner, and for the high online filing percentage.

6. Ethics Enforcement Officer Mark Wasielewski presented the Enforcement Division Report, highlighting that the Division is currently: (1) handling lobbyists' initiatives and SFI initiatives; (2) negotiating three or four matters, with the anticipation to settle in the next few months; and (3) unpacking, organizing and storing inactive files in the basement storage area, and settling into the new office space.
7. Deputy Ethics Enforcement Officer Marc Crayton presented the lobbyist audit report for SI Group Client Services, requesting approval of the audit and its findings. Mr. Crayton reported that the audit consisted of no findings.

On the motion of Mr. Johnston, seconded by Ms. Bigelow, the Board voted eight (8) to zero (0) to approve the audit report for SI Group Services.

8. Executive Director Lewandowski presented the following legislative updates to the Board:
 - (a) **Senate Bill ("SB") 1016**, *An Act Concerning Municipal Ethics*, passed the Senate last week. The vote was 27 to 9. The legislators in opposition support the concept of strong ethics but made the argument that the 30 towns that still do not have an ethics code should adopt one on their own volition and not by mandate. Mr. Lewandowski believes there is currently a movement in these remaining 30 towns to adopt an ethics code, as he appeared as a guest speaker before the town of Deep River's newly formed Ethics Board, which is in the process of adopting a code of ethics for the first time. **SB 1016** is currently on the House's calendar. Mr. Lewandowski has spoken with the House's Chair of the Government Administration and Elections Committee, Representative Daniel Fox, whose intention is to bring the Bill to the floor.
 - (b) **House Bill 6574**, *An Act Concerning Revisions to the State's Codes of Ethics*, is in the House pending advancement.
 - (c) Other Bills that are being monitored by OSE:
 - i. **Senate Bill 1071**, *An Act Implementing the Recommendations of the Auditors of Public Accounts*, has passed the Senate, and is currently on the House's calendar.

- ii. **House Bill 6211**, *An Act Concerning Gender and Racial Diversity on Certain State Appointive Boards, Commissions, Committees and Councils and An Online Systems for Consideration of Appointments within the Legislative Department*, was sent to the Appropriations Committee, and was voted favorably. Currently, the Bill is back on the House's calendar.
9. Mr. Lewandowski presented the Executive Director's report, highlighting the following:
 - (a) OSE's relocation to the 165 Capitol Avenue State Building is complete! Due to a Memorandum of Understanding, Alaaeldin Ali and Ann Morgan continue to provide information technology ("IT") support to the FOI Commission, which is still situated at the 18-20 Trinity Street location awaiting its scheduled move to 165 Capitol Avenue next week Friday. The furniture and the amenities of the new facility are positive; however, the white noise that flows within our suite does not reduce conversations or feedback travelling through the space. Therefore, headsets are on order for staff's use to maintain privacy. The reconfiguration work of the four workstations that were not constructed as originally planned is scheduled for May 26, 2021.
 - (b) Older files were disposed of through established retention schedules. Approximately 7,000 pounds of paper (which were mostly old confidential Enforcement files and fiscal files) were shredded. In the next few weeks, old SFIs files will be transferred to the State Archivist for historical safekeeping. (The State Archivist has determined SFIs have historical value). Assistant General Counsel Diane Buxo and Fiscal Administrative Officer Henry Herschkorn were thanked for facilitating the disposition and transfer of the old files.
 - (c) The Governor's message on reopening offices to the public. A week ago, the Governor informed employees of the plan to reopen state operations to the public beginning June 1, 2021. Based on such directive, OSE will post its opening to the public on its website, encourage guests to make an appointment before visiting the office, and its staff will continue to wear masks indoor, especially when social distancing cannot be maintained. The 50% office capacity limit was lifted this week. Pursuant to the Governor's directive, beginning July 1, 2021, employees may telework 50% of their regular time in accordance with pre-pandemic guidelines. Telework has worked positively for the OSE, thus the agency will continue with telework but under more formalized schedules, with the exceptions of Board meetings and hearings, UAPA hearings, and other events where in-person attendance is required. Concerning Board meetings, remote meetings will continue through, at least, the summer, and will be revisited at the end of summer, but even then, the conference rooms at the new building are equipped with technology to support in-person conference, remote conferences, telephone and video, or combined "hybrid model" conferences.
 - (d) The SFI filing season went very well. Mr. Lewandowski thanked the staff, the Legal Division, IT and administration for assisting filers. A special thank you was presented to Ann Morgan for working patiently with a filer. The filer valued Ms. Morgan's help and thanked her in a letter to the office.

Chair Castricone expressed interest in an in-person tour of the OSE's new office space and building for all board members, with the possibility of having a luncheon after the tour.

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

The meeting was adjourned at 1:32 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)