

OFFICE OF STATE ETHICS

DOCKET NUMBER 2020-15 : **OFFICE OF STATE ETHICS**
: **165 CAPITOL AVENUE, SUITE 1200**
IN THE MATTER OF A : **HARTFORD, CT 06106**
: **JUNE 27, 2022**
COMPLAINT AGAINST :
: **SEABURY PFRA, LLC AKA**
SEABURY MARITIME :

STIPULATION AND CONSENT ORDER

Pursuant to the Code of Ethics, General Statutes §§ 1-79, *et seq.*, Mark Wasielewski, Ethics Enforcement Officer, filed a Complaint against Seabury PFRA, LLC, also known as Seabury Maritime (“Seabury” or “Respondent”), alleging violations of the Code of Ethics for Public Officials. Based on the investigation by the Enforcement Division of the Office of State Ethics (“OSE”), the OSE finds that there is probable cause to believe that the Respondent violated the Code of Ethics, General Statutes § 1-84 (m), as further set forth herein.

The Parties have entered into this Consent Order following the issuance of the Complaint, but without any adjudication of any issue of fact or law herein.

I. STIPULATION

The Ethics Enforcement Officer and the Respondent stipulate to the following facts:

1. In or about December 2016, the Respondent was formed in the state of Delaware as a limited liability company.

2. At all times relevant hereto, the Respondent held a principal place of business in New York, New York, and was also known as “Seabury Maritime.”

3. At all times relevant hereto, the Connecticut Port Authority (“CPA”) was a state quasi-public agency, as that term is defined in Connecticut General Statutes § 1-79 (12).

4. CPA employees are “state employee[s]” as that term is defined in Connecticut General Statutes § 1-79 (13).

5. Members of the CPA board are “public official[s] as that term is defined in Connecticut General Statutes § 1-79 (11).

6. At all times relevant hereto, the Respondent was doing business and/or seeking to do business with the CPA.

7. On or around May 2, 2017, the Respondent provided access to, and otherwise paid for, an upper management level CPA employee (“CPA Employee One”) and CPA Employee One’s spouse to attend a fundraising event held in New York to benefit a college located in New York (“2017 Fundraising Event”).

8. In connection with their attendance at the 2017 Fundraising Event, CPA Employee One and CPA Employee One’s spouse received food, drinks, a leather personal accessory, and other items, which were altogether valued at or more than \$300.00.

9. On or around August 16, 2017, the Respondent paid for CPA Employee One and CPA Employee One’s spouse to stay overnight at a private country club in Greenwich, Connecticut (“Greenwich Club”).

10. The overnight stay at the Greenwich Club as provided by the Respondent, was valued at or around \$200.00.

11. On or around August 16, 2017, the Respondent also paid for food and drinks at the Greenwich Club for Employee One, Employee One's spouse, and one member of the CPA board ("CPA Board Member One"), valued at or around \$300.

12. On or about April 30, 2019, the Respondent provided access to, and otherwise paid for, CPA Employee One and CPA Employee One's spouse to attend a fundraising event held in New York to benefit a college located in New York ("2019 Fundraising Event").

13. In connection with their attendance at the 2019 Fundraising Event, CPA Employee One and CPA Employee One's spouse received food, drinks, a leather handbag, and other items, which were cumulatively valued at or around \$300.00.

14. On or around May 9, 2019, the Respondent provided tickets to CPA Employee One and a second CPA employee ("CPA Employee Two") to a National Hockey League playoff game held on May 9, 2019 in Boston, Massachusetts ("NHL Game").

15. The NHL Game tickets provided to the two CPA employees by the Respondent were valued at or around \$675.00 each.

16. On or around May 9, 2019, the Respondent also paid for food and/or drinks at a restaurant for the two CPA employees who attended the NHL Game.

17. In 2017, the value of the food and drinks provided by the Respondent to each of the individuals as described above was at least \$50.00 or more.

18. In 2019, the value of the food and drinks provided by the Respondent to each of the individuals as described above was at least \$50.00 or more.

19. The food and drinks provided by the Respondent in 2017 and 2019 valued at \$50 or more each year constitute "gifts" as that term is defined in Connecticut General Statutes § 1-79 (5).

20. In addition, the other items of value provided by the Respondent that were not food and drinks, as described above, constitute “gifts” as that term is defined in Connecticut General Statutes § 1-79 (5).

21. None of the items of value as described above were returned to the Respondent or reimbursed within 30 days of receipt.

22. Pursuant to General Statutes § 1-84 (m):

No public official or state employee shall knowingly accept, directly or indirectly, any gift, as defined in subdivision (5) of section 1-79, from any person the public official or state employee knows or has reason to know: (1) Is doing business with or seeking to do business with the department or agency in which the public official or state employee is employed[.] [] *No person shall knowingly give, directly or indirectly, any gift or gifts in violation of this provision. (Emphasis added.)*

23. By providing the items of value described above to the CPA employees and the CPA board member at a time when the Respondent was doing business and/or seeking to do business with the CPA, the Respondent violated General Statutes § 1-84 (m).

24. Each instance where the Respondent gave a gift constitutes a separate and distinct violation of General Statutes § 1-84 (m).

25. The Respondent admits to the facts set forth herein and admits such facts constitute violations of the Code of Ethics as set forth herein.

II. RESPONDENT’S POSITION

1. The Respondent states that it eventually received reimbursement for the hockey tickets and the food and drink provided on or around May 9, 2019.

III. JURISDICTION

1. The Ethics Enforcement Officer is authorized to investigate the Respondent’s acts as set forth herein, and to enter into this Stipulation and Consent Order.

2. The provisions of this Stipulation and Consent Order apply to and are binding upon

the Respondent.

3. The Respondent hereby waives all objections and defenses to the jurisdiction of the Ethics Enforcement Officer over matters addressed in this Stipulation and Consent Order.

4. The Respondent waives any rights the Respondent may have under General Statutes §§ 1-80, 1-82, 1-82a, 1-87 and 1-88, including the right to a hearing or appeal in this case, and agrees with the Ethics Enforcement Officer to an informal disposition of this matter as authorized by General Statutes § 4-177 (c).

5. The Respondent consents to jurisdiction and venue in the Connecticut Superior Court, Judicial District of Hartford, in the event that the State of Connecticut seeks to enforce this Stipulation and Consent Order. The Respondent recognizes that the Connecticut Superior Court has the authority to specifically enforce the provisions of this Stipulation and Consent Order, including the authority to award equitable relief.

6. The terms set forth herein are in addition to, and not in lieu of, any other existing or future statutory, regulatory, or other legal obligation that may be applicable to the Respondent.

7. The Respondent understands that the Respondent has a right to counsel and has been represented by counsel during the OSE's investigation and in connection with this Stipulation and Consent Order.

IV. ORDER

NOW THEREFORE, pursuant to General Statutes § 4-177 (c), the Office of State Ethics hereby **ORDERS**, and the Respondent Seabury PFRA, LLC AKA Seabury Maritime agrees, that:

1. Pursuant to General Statutes § 1-88 (a) (1), the Respondent will cease and desist from any future violation of General Statutes § 1-84 (m).

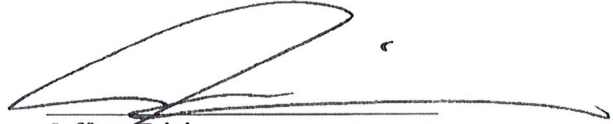
2. Pursuant to General Statutes § 1-88 (a) (3), the Respondent will pay civil penalties to the State in the amount of two thousand five hundred dollars (\$2,500.00) for the 2017 violations

of General Statutes § 1-84 (m), as set forth in the Complaint and herein.

3. Pursuant to General Statutes § 1-88 (a) (3), the Respondent will pay civil penalties to the State in the amount of seven thousand five hundred dollars (\$7,500.00) for the 2019 violations of General Statutes § 1-84 (m), as set forth in the Complaint and herein.

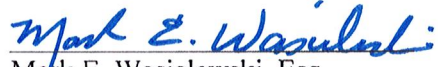
WHEREFORE, the Ethics Enforcement Officer and Seabury PFRA, LLC hereby execute this Stipulation and Consent Order dated June 27, 2022.

Dated: JUNE 28, 2022



Jeffrey Erickson
Acting Chief Financial Officer
On behalf of Seabury PFRA, LLC

Dated: 7/5/22



Mark E. Wasielewski, Esq.
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