

# 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 APRIL 20, 2023 REGULAR MEETING**

The Citizen's Ethics Advisory Board ("Board") of the Office of State Ethics ("OSE") held a Regular Meeting on Thursday, April 20, 2023.

Chair of the Board, Dena Castricone, called the meeting to order at 1:08 p.m.

#### **The following Board members were present:**

Dena Castricone, Chair  
Mary Bigelow  
Charles Chiusano  
Karen Christiana (virtual)

Jason Farrell (virtual)  
Cheryl Lipson  
Laura Schuyler (virtual)

#### **The following staff members of the OSE were present:**

Peter Lewandowski, Executive Director  
Brian O'Dowd, General Counsel  
Mark Wasielewski, Ethics Enforcement Officer  
Marianne Sadowski, Deputy General Counsel  
(virtual)  
Marc Crayton, Deputy Ethics Enforcement  
Officer

Diane Buxo, Assistant General Counsel (virtual)  
Jennifer Montgomery, Assistant Ethics  
Enforcement Officer (virtual)  
Carol Langevin, Associate Accounts Examiner  
Melissa Hamilton, Paralegal and Clerk of the  
Board

#### **The following topics were addressed during the meeting:**

1. The minutes of the March 16, 2023 Regular Meeting were presented to the Board for approval.

**On the motion of Mr. Chiusano, seconded by Mr. Farrell, with Ms. Lipson abstaining, the Board voted six (6) to zero (0) to approve the Minutes of the March 16, 2023 Regular Meeting.**

2. The Chairperson's report was presented by Chair Castricone. She informed the May 11, 2023 Uniform Administrative Procedure Act ("UAPA") Hearing Officer, Ms. Schuyler, that no

matters are scheduled for a hearing, and sought a Hearing Officer for the June 8, 2023 UAPA hearings. Mr. Chiusano volunteered. Chair Castricone also reminded the Board that their Statements of Financial Interests (“SFIs”) are due by May 1, 2023.

3. Deputy General Counsel Marianne Sadowski discussed Draft Advisory Opinion No. 2023-2, issued in response to the Petition submitted by Emily Burnett, a Connecticut Career Trainee Planning Analyst at the Office of Policy and Management (“OPM”). The petitioner asked whether student loans refinanced with the Connecticut Higher Education Supplemental Loan Authority (“CHESLA”), a quasi-public agency, must be reported on the Leases & Contracts tab of the SFI form. Deputy General Counsel Sadowski explained that, based on the facts presented, under § 1-83 (b) (1) (G), which requires SFI filers to disclose “any . . . contracts with . . . a quasi-public agency held or entered into by the individual,” an SFI filer must report student loans refinanced via promissory notes with CHESLA under the “Leases and Contracts” section of the form.

Chair Castricone suggested the insertion of “**also**” in the paragraph preceding the conclusion, so that it reads, “Finally, we note that, if the amount of a student loan—with CHESLA or with any other entity—exceeds \$10,000, an SFI filer is *also* required to report the student loan under the SFI form’s “Creditor” section. . . .” Chair Castricone reasoned that the insertion makes clear to SFI filers that any such loan must be disclosed in two sections on the SFI form if he or she meets the debt disclosure condition.

**On the motion of Ms. Christiana, seconded by Ms. Lipson, the Board voted seven (7) to zero (0) to approve Draft Advisory Opinion No. 2023-2, as amended by Chair Castricone.**

4. General Counsel O’Dowd presented the Legal Division report.
5. Ethics Enforcement Officer Mark Wasielewski presented the Enforcement Division report.
6. Deputy Ethics Enforcement Officer Marc Crayton presented the lobbyist audit report for Conair Corporation, requesting approval of the audit and its findings. Mr. Crayton reported that the audit contained two findings: understated payments totaling \$3,190.50, in 2021; and the late filing of Conair Corporation’s 2021 Client Lobbyist Registration, ETH-1B. Subsequently, Conair Corporation amended its 2021 ETH-2D Financial Reports to properly report the understated payments.

**On the motion of Mr. Chiusano, seconded by Ms. Bigelow, the Board voted seven (7) to zero (0) to approve the audit report for Conair Corporation.**

7. Associate Accounts Examiner Carol Langevin presented the lobbyist audit report for Boys & Girls Village, Inc., requesting approval of the audit and its findings. Ms. Langevin reported that the audit contained two findings: understated payments totaling \$3,500.00, in 2020; and the late filing of the Boys & Girls Village, Inc.’s 2020 second quarter Lobbyist Financial Report, ETH-2D. Subsequently, Boys & Girls Village, Inc., amended its 2020 ETH-2D Financial Reports to properly report the understated payments, and remitted correspondence

acknowledging its error and the changes it plans to implement to better ensure late or incorrect filings do not occur again in the future.

**The Board voted seven (7) to zero (0) to approve the audit report for Boys & Girls Village, Inc.**

8. Executive Director Lewandowski presented the Education and Communications report, noting that the Office held a training for General Assembly members yesterday, and that, on April 27, when the General Assembly is in session, the Office plans to hold one final training for the remaining 13 members who have not attended mandatory ethics training.

Mr. Lewandowski thanked Assistant General Counsel Diane Buxo for preparing this month's very active media report.

9. Concerning the Legislative Update, Executive Director Lewandowski shared that OSE's three bills—namely, **SB-1151**, *An Act Concerning Revisions to the State Codes of Ethics*; **SB-1152**, *An Act Concerning Contracting with Quasi-Public Agencies under the State Code of Ethics*; and **HB-6828**, *An Act Concerning Conflicts of Interest due to an Employer other than the State under the State Code of Ethics*--were unanimously voted out of the Government Administration and Elections Committee, and placed on the House and Senate's calendars to be acted on.

At this point in the legislative session, no adverse bills that would impact OSE or the Codes of Ethics have been observed, but the Office will continue to monitor for any amendments. Deputy General Counsel Sadowski and Paralegal Specialist Malissa Hurry have agreed to assist Mr. Lewandowski in this regard. The Board will be informed of any updates.

Ms. Hurry was thanked by Mr. Lewandowski for her assistance with the preparation of this month's legislative report and monitoring of bills.

10. Executive Director Lewandowski presented his Executive Director's report, highlighting the following items:
  - (a) Concerning OSE's proposed Budget for Fiscal Years 2024 and 2025, on April 18, 2023, the Appropriations Committee released its Budget and recommended that OSE be provided with the funds it requested, including funding to obtain an additional staff attorney. This update, in conjunction with the Governor's Budget release, has prompted OSE to prepare for the hiring of the new staff attorney. Mr. Lewandowski has already commenced the engagement of OPM and the Department of Administrative Services to increase the office's footprint, specifically, to add a workstation for the staff attorney, and to reclassify OSE's 16<sup>th</sup> position from Office Assistant to Staff Attorney.
  - (b) Mr. Lewandowski recognized and thanked Mr. O'Dowd and Ms. Sadowski for their work on the first installment of the Regulations. The approval process is in its final stage, and he will join them at the Regulation Review Committee meeting on April 25, 2023. Soon

thereafter, the second installment of the Regulations, the substantive revisions, will commence.

- (c) A draft audit of OSE for fiscal years 2020 and 2021 by the Auditors of Public Account was presented to OSE. The final report will be released next week, which will be forwarded to the Board. There were two findings: (1) missed inventory performance; and (2) late posting of deposits. Both events occurred during the pandemic and while OSE was relocating from Trinity Street to the State Office Building on Capitol Avenue. Concerning the missed inventories in May/June of 2021, OSE informed the State Auditors that the Office was physically moving/relocating during that time and did not have permission to move with its equipment and certain office furnishings. As it pertains to late postings, in-person operations were suspended because of the pandemic, and therefore, the Office did not have the ability to manage and post lobbyists' registration fee deposits and Enforcement filings received. In addition, the Office must maintain segregation of financial duties, and the shared fiscal department (shared between Connecticut Freedom of Information Commission, the Office of State Ethics, and Connecticut State Elections Enforcement Commission) was short-staffed during this time. The Office has obtained a waiver from the Office of Treasurer for Enforcement filings and will continue to do so annually.

Chair Castricone inquired whether the Auditors of Public Account will mention in the report the extenuating circumstances provided above, and Mr. Lewandowski responded that he had an opportunity to comment and he noted the context. Mr. Lewandowski provided further that he reviewed the Governor's Executive Orders issued during this time to determine if there was an exemption for late deposits, but no such exemption existed.

- (d) Lastly, a reminder that SFIs are due by May 1, 2023. As of today, 1,822 of the 2,693 required filers have filed their SFIs.

**On the motion of Ms. Lipson, seconded by Mr. Chiusano, the Board voted seven (7) to zero (0) to enter an Executive Session to discuss the evaluation of the Executive Director pursuant to General Statutes § 1-200 (6) (A).**

At 1:35 p.m., the Board proceeded into executive session.

The following Board members were present for the Executive Session:

Dena Castricone, Chair  
Mary Bigelow  
Charles Chiusano  
Karen Christiana (virtual)

Jason Farrell (virtual)  
Cheryl Lipson  
Laura Schuyler (virtual)

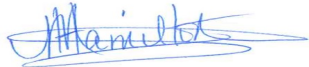
No staff members of the OSE were present for the Executive Session.

The Board exited the Executive Session at 1:41 p.m.

**On the motion of Ms. Lipson, seconded by Ms. Bigelow, the Board voted seven (7) to zero (0) to adjourn the meeting.**

The meeting was adjourned at 1:42 p.m.

Respectfully submitted by,



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

May 18, 2023

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