

# 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 JULY 20, 2023 REGULAR MEETING

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

Chair of the Board, Dena Castricone, called the meeting to order at 1:10 p.m.

#### The following Board members were present:

Dena Castricone, Chair  
Nichelle Mullins, Vice-Chair  
Mary Bigelow  
Charles Chiusano  
Karen Christiana (virtual)

N. Beth Cook  
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  
Marc Crayton, Deputy Ethics Enforcement Officer  
Jennifer Montgomery, Assistant Ethics Enforcement Officer (virtual)

Diane Buxo, Assistant General Counsel  
Carol Langevin, Associate Accounts Examiner  
Sarah Clark, Director of Education & Communications (virtual)  
Melissa Hamilton, Paralegal and Clerk of the Board

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

1. The minutes of the June 15, 2023 Regular Meeting were presented to the Board for approval.

**On the motion of Ms. Lipson, seconded by Mr. Chiusano, with Ms. Schuyler abstaining, the Board voted eight (8) to zero (0) to approve the Minutes of the June 15, 2023 Regular Meeting.**

2. The minutes of the June 15, 2023 Special Meeting of the Subcommittee on Municipal Ethics were presented to the Board for approval.

**On the motion of Ms. Cook, seconded by Ms. Lipson, the Subcommittee on Municipal Ethics voted four (4) to zero (0) to approve the Minutes of the June 15, 2023 Special Meeting.**

The Chairperson's report was presented by Chair Dena Castricone.

Chair Castricone reminded the Board that no Uniform Administrative Procedure Act ("UAPA") hearings will be conducted in the month of August and requested a volunteer to serve as the September 14, 2023 Hearing Officer. Ms. Cook volunteered. Ms. Cook acknowledged Deputy General Counsel Marianne Sadowski and Paralegal Melissa Hamilton for their work in preparing for the hearing in Docket No. 2023-09UP – In the Matter of Kevin Walton.

Finally, Chair Castricone informed the Board of its requirement to form a Nominating Committee to manage the nominations for the Board's Chair and Vice-Chair positions for the upcoming year. The Chair noted that the Committee must comprise at least two board members who are not interested in serving in either position. The Committee will meet between today and the August regular board meeting to discuss the proposed candidates and recommend the slate of candidates to the Board at the August regular Board meeting. Mr. Chiusano noted that the Nominating Committee is not authorized to vote on the positions; rather the entire board must vote on the matter. Mr. Chiusano, Ms. Lipson, and Ms. Schuyler volunteered to serve as members of the Nominating Committee.

**On the motion of Ms. Bigelow, seconded by Vice-Chair Mullins, the Board voted nine (9) to zero (0) to establish the Nominating Committee.**

3. General Counsel Brian O'Dowd presented the Petition for Declaratory Ruling submitted by Noah Waverly Sinclair pertaining to a court matter and the Department of Motor Vehicles. Mr. O'Dowd recommended that the Board deny Mr. Sinclair's Petition because it inquires as to court matters that are well beyond the Code's purview and this office's jurisdiction.

**On the motion of Mr. Chiusano, seconded by Ms. Cook, the Board voted nine (9) to zero (0) to deny, due to lack of jurisdiction, the Petition for Declaratory Ruling submitted by Noah Waverly Sinclair.**

4. OSE Legal Division's report was presented by General Counsel O'Dowd. Concerning a request for a formal advisory opinion involving an outside employment opportunity of a legislator/private attorney, Mr. O'Dowd reached out to the caucus attorney to inform him that he found prior opinions addressing similar issues and feels comfortable providing an informal staff opinion. The caucus attorney accepted the option of an informal staff opinion, with the option of obtaining a formal opinion, if needed. As it stands now, the Legal Division will prepare an informal staff opinion considering the request and will keep the Board informed if the legislator decides to pursue a formal opinion.

Additionally, Mr. O'Dowd echoed the sentiments of Ms. Cook pertaining to the Legal Division staff and their preparation for July UAPA hearing.

5. Ethics Enforcement Officer Mark Wasielewski presented the Enforcement Division report, highlighting that the Division is actively processing second quarter client lobbyists' ETH-2D financial reports, which have already resulted in the immediate issuance of nine (9) Notices of Hearing. Mr. Wasielewski stated that the number of Notices is likely to increase following the grace period provided to first-time late filers. In addition, the Division has three (3) open Statements of Financial Interest matters remaining.
6. Deputy Ethics Enforcement Officer Marc Crayton and Associate Accounts Examiner Carol Langevin presented client lobbyists' audit reports for Alliance of Health Care Sharing Ministries and Clifford W. Beers Guidance Clinic, Inc.

Deputy Ethics Enforcement Officer Crayton requested the approval of Alliance of Health Care Sharing Ministries' audit and findings, which he reported filed its 2020 Combined Third and Fourth Quarter ETH-2D financial report thirty-seven days late.

**On the motion of Ms. Lipson, seconded by Ms. Bigelow, the Board voted nine (9) to zero (0) to approve the audit report for Alliance of Health Care Sharing Ministries.**

Ms. Langevin reported that the audit of Clifford W. Beers Guidance Clinic, Inc., contained no findings. She requested the Board's approval of the audit.

**On the motion of Mr. Chiusano, seconded by Vice-Chair Mullins, the Board voted nine (9) to zero (0) to approve the audit report for Clifford W. Beers Guidance Clinic, Inc.**

7. Director of Education & Communications Sarah Clark presented the Education and Communications report, highlighting the agency's mission over the past month: *Transparency and Access*. In pursuit of the mission, within a single month she was able to make compile and post Connecticut's 169 municipalities' local Codes of Ethics, their similar policies, or simply a link to the town website if no such policy existed. This effort was spurred by the conversation with the Board following the June 2023 subcommittee meeting. Dovetailing this effort was a pointed Op-Ed written by Susan Campbell for the CT News Junkie highlighting the importance of localities implementing a specific Code of Ethics. These codes and policies are now posted on the OSE's website under the "Resources" section labeled as "Municipal Ethics." Second, Ms. Clark redesigned the lobbyist training presentation, and the new format will be featured at a group training this month. Third, Ms. Clark added a specific link on the OSE website featuring the list of state agencies' ethics policies. Fourth, Ms. Clark presented the updated and redesigned reference guide for state employees and shared that she is working in collaboration with the Governor's office to share a message and this reference guide with all state employees in October, which is Global Ethics Awareness Month. Lastly, Ms. Clark announced the collaboration of the OSE and the State Contracting Standards Board ("SCSB") to create a training program to bolster SCSB's compliance with their ethics policy and procurement processes. This partnership will enable OSE to experience building training modules with a

new software program, which may be a product OSE can use to digitize its own training programs in the future.

Ms. Clark also highlighted the trainings that remain for this period, and her priorities for the next month.

Ms. Lipson inquired as to whether the OSE had an opportunity to speak with personnel in the town of Bethany concerning its Code of Ethics, which she was told was framed from the town of Orange. Both Ms. Clark and Mr. Lewandowski replied that neither had a discussion with town personnel; however, Mr. Lewandowski noted that he followed up with the town's first selectman (based upon a previous conversation he had with Ms. Lipson) and provided the town with a Model Code of Ethics for Municipalities.

8. Executive Director Lewandowski presented his Executive Director's report, highlighting the following items:
  - (a) The status of the hiring of a staff attorney in the Enforcement Division.
  - (b) Concerning OSE's office expansion, furnishings will arrive next week, and the renovation is set to take place the first week of August.
  - (c) An update regarding the credit card fees paid by the agency for processing lobbyist registration fees and the regulated community's payments of fines. The fiscal staff was informed by the Office of the Comptroller that the processing of credit card fees should follow the comptroller's Memo 2008-33, published in 2008, which states that the credit card fees should be treated as the reduction of revenue and not as an expenditure. Therefore, starting with the new fiscal year beginning July 1, 2023, the OSE will deduct credit card fees from its revenue collected during the relevant period. Mr. Lewandowski thanked Budget Analyst Shauna Kang for seeking clarification from the Office of the Comptroller.

Ms. Cook inquired as to whether the Office of Policy and Management considers offsets such as the credit card fees when reviewing OSE's annual budget, and Mr. Lewandowski replied that he is uncertain, but will seek an answer.

Vice-Chair Mullins was interested in comments from the Auditors of Public Accounts concerning the credit card issue and the comptroller's resolution, but Mr. Lewandowski informed her that no comments were provided from such auditors.

- (d) Finally, Mr. Lewandowski reaffirmed Ms. Clark's report on Municipal Ethics, and thanked her for her work. Mr. Lewandowski noted that a disclaimer of OSE's jurisdiction was also posted on OSE's webpage of the newly created resource, "Municipal Ethics." He thanked Information Technology Analyst II Alaaeldin Ali, and Information Technology Analyst III Ann Morgan for their contributions to this effort.

In response to Chair Castricone's inquiry on how OSE plans to publicize its newly created Municipal Ethics resource to the general public, Ms. Clark informed the Board that she has

commenced the outreach to towns where ethics policies or Code of Ethics provisions were not readily available on their website and will brainstorm with Mr. Lewandowski efforts to publicize the resource.

10. General Counsel O'Dowd conducted an informational presentation on Administrative Lobbying under the Code of Ethics for Lobbyists.


Around 2:10 p.m., during the presentation, Mr. Chiusano exited the meeting for a preexisting appointment.

11. Adjournment

**On the motion of Ms. Bigelow, seconded by Ms. Cook, with Mr. Chiusano excluded from the vote, the Board voted eight (8) to zero (0) to adjourn the meeting.**

The meeting was adjourned at 2:22 p.m.

Respectfully submitted by,



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

August 17, 2023

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