

92-5



STATE OF CONNECTICUT  
STATE ETHICS COMMISSION

August 3, 1992

P R E S S   R E L E A S E

On April 6, 1992, Ethics Commission Staff Attorney Brenda M. Bergeron filed a complaint (Docket No. 92-5) against Chris A. Gentile, the former Director of the state Office of Emergency Medical Services ("OEMS"), alleging that Mr. Gentile violated the Code of Ethics for Public Officials by: (1) accepting outside employment which impaired his independence of judgment with respect to his official state duties, and; (2) within a year after leaving state service, representing others for compensation before OEMS. See Conn. Gen. Stat. §1-84(b) and Conn. Gen. Stat. §1-84b(b).

In particular, the complaint alleged that while Mr. Gentile was employed at OEMS, he improperly accepted employment with C.A.G. Associates, Inc., a private corporation organized by Mr. Gentile and the principals of Medstar, Inc. Medstar is the owner of several businesses regulated by OEMS. Mr. Gentile's employment agreement with C.A.G. Associates (a two-year agreement providing for compensation at the rate of \$72,800 per year, plus benefits) was negotiated and executed at the same time that Medstar was involved in a dispute before OEMS regarding the assignment of ambulance service areas in the city of Waterbury.

The complaint also alleged that within a year after leaving state service, Mr. Gentile improperly appeared before his former agency by submitting Application Forms for Rate Schedule Increases for two ambulance companies.

On August 3, 1992, the State Ethics Commission and the Respondent Chris A. Gentile settled this matter by entering into a Stipulation and Order. Under the terms of the settlement, the Respondent agreed to pay a civil penalty in the amount of \$2000. Copies of the Complaint and the Stipulation and Order are attached.

FOR FURTHER INFORMATION CALL:

Alan S. Plofsky  
Executive Director and General Counsel  
or  
Brenda M. Bergeron  
Staff Attorney  
566-4472

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STATE OF CONNECTICUT  
STATE ETHICS COMMISSION

DOCKET NUMBER 92-5 ) STATE ETHICS COMMISSION  
IN THE MATTER OF A ) 97 ELM STREET (REAR)  
COMPLAINT AGAINST ) HARTFORD, CT 06106  
CHRIS A. GENTILE ) JULY 6, 1992

STIPULATION AND ORDER

1. The Commission finds that the Respondent violated the Code of Ethics for Public Officials as alleged in the attached Complaint, dated April 6, 1992.

2. This finding is made solely on the basis of the Commission's staff investigation into this matter, and is not admissible in, nor shall it be deemed to prejudice, any subsequent civil or criminal proceeding against the Respondent or any other person.

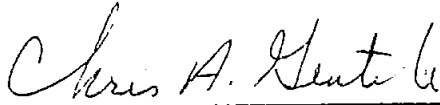
3. The Respondent has filed with the Commission a written response to the Complaint, dated June 1, 1992.

4. While the Respondent does not admit all of the allegations contained in the Complaint, the Respondent admits that the Commission's staff investigation has produced evidence which, if believed, may lead a trier of facts to conclude that the violations alleged in the attached Complaint had, in fact, occurred.

5. The Respondent waives any rights he may have under Conn. Gen. Stat. §§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 Commission to an informal disposition of this matter as authorized by Conn. Gen. Stat. §4-177(c).

NOW THEREFORE, pursuant to Connecticut General Statutes §4-177(c), the State Ethics Commission and the Respondent Chris A. Gentile, agree to settle this matter in the manner described below:

1. The Ethics Commission orders, and the Respondent agrees to pay to the Commission, a civil penalty of Two Thousand Dollars (\$2000.00). Payment will be made in increments of Two Hundred Dollars (\$200.00) due on the first of every month starting August 1, 1992, and continuing until the amount is paid in full.



Respondent

06/22/92

Date



Chairperson, State Ethics Commission

8-3-92

Date

C O N F I D E N T I A L

DOCKET NO. 92-5 ) STATE ETHICS COMMISSION  
IN THE MATTER OF A ) 97 ELM STREET (REAR)  
COMPLAINT AGAINST ) HARTFORD, CT 06106  
CHRIS A. GENTILE ) APRIL 2, 1992

COMPLAINT

COUNT ONE

1. From October 1, 1979 to October 5, 1989, Chris A. Gentile (hereinafter "Respondent") was the Director of the Office of Emergency Medical Services ("OEMS"), within the state Department of Health Services, and was a state employee within the meaning of Conn. Gen. Stat. §1-79(q).

2. Conn. Gen. Stat. §1-84(b) provides that no state employee "shall accept other employment which will impair his independence of judgment as to his official duties or employment or require him, or induce him, to disclose confidential information acquired by him in the course of and by reason of his official duties."

3. In 1989, while employed as the Director of OEMS, the Respondent entered into private business negotiations with the principal officers of Medstar, Inc., ("Medstar") owner of several businesses regulated by OEMS.

4. In 1989, the Respondent acted as technical advisor to Hearing Officer Christine Spak, in connection with a hearing held from January to May regarding the assignment of ambulance service areas in the City of Waterbury, "Application of Medstar, Inc., For Expanded Emergency Medical Services - #88-008." Medstar was an interested party to this proceeding.

5. On August 30, 1989, the Respondent and the principal officers of Medstar, namely Raymond Manzelli, Garrett F. Casey, Jr., David Byrne and William Horrigan, held the organizational meeting of C.A.G. Associates, Inc., a corporation organized to do business in the State of Connecticut.

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6. At that time, the Respondent was named President and Treasurer of C.A.G. Associates; Raymond Manzelli was named Secretary. The Directors of C.A.G. Associates were Chris A. Gentile, Raymond Manzelli, Garrett F. Casey, Jr., David Byrne and William Horrigan.

7. On September 5, 1989, Hearing Officer Christine Spak issued her proposed Memorandum of Decision in Matter #88-008. The proposed decision was favorable to Medstar.

8. On September 6 or 7, 1989, the Respondent and C.A.G. Associates, Inc. executed an employment agreement, in which the Respondent was to begin work for C.A.G. Associates on October 6, 1989, for a period of two years, at the rate of \$72,800 per year. A rented automobile, mobile cellular telephone, and automobile, health and life insurances were also provided as further compensation.

9. On September 7, 1989, the Respondent submitted his resignation, effective October 5, 1989.

10. On July 20, 1989, Medstar submitted its annual Application Forms for Rate Schedule Increases to OEMS.

11. Medstar's annual Application Forms for Rate Schedule Increases were pending during the Respondent's private negotiations with Medstar's principal officers and were still pending on September 7, 1989, when the Respondent submitted his letter of resignation.

12. In incorporating C.A.G. Associates, Inc. with the principal officers of Medstar, and then accepting employment with C.A.G. Associates, Inc., the Respondent impaired his independence of judgment as to his official duties as head of OEMS, in violation of Conn. Gen. Stat. §1-84(b).

COUNT TWO

13. As a former state employee, the Respondent is and was subject to the post-state employment provisions of the Code of Ethics, Conn. Gen. Stat. §§1-84a and 1-84b.

14. Conn. Gen. Stat. §1-84b(b) provides that no former state employee "shall, for one year after leaving state service, represent anyone, other than the state, for compensation before the department . . . or office in which he served at the time of his termination from service, concerning any matter in which the state has a substantial interest."

15. In April and June of 1990, in connection with a contract he had executed with his former agency, OEMS, to perform certain personal services, the Respondent submitted invoices on stationery with the heading "C.A.G. Associates, Inc. / 78 Beaver Road / Wethersfield, CT 06109."

16. In July of 1990, Medstar, Inc. submitted its annual Application Forms for Rate Schedule Increases. The document indicates that it was prepared by "Karl P. Banach, C.A.G. Associates, Inc. / 78 Beaver Road / Wethersfield, CT 06109."

17. The Respondent Chris A. Gentile's signature appears on the last page of the application, notarizing the signature of an officer of Medstar.

18. In July of 1990, Superior Ambulance Service, Inc. submitted its annual Application Forms for Rate Schedule Increases. The document indicates that it was prepared by "Karl P. Banach, C.A.G. Associates, Inc. / 78 Beaver Road / Wethersfield, CT."

19. The Respondent Chris A. Gentile's signature appears on the last page of the application, notarizing the signature of the President of Superior Ambulance.

20. Each submission of an application in July of 1990, prepared by C.A.G. Associates, Inc., and containing the signature of the Respondent Chris A. Gentile as Notary Public, constitutes a prohibited representation by the Respondent, in violation of Conn. Gen. Stat. §1-84b(b).

  
Brenda M. Bergeron

4-6-92  
Date