

**STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by
Myrna Watanabe, Harwinton

File No. 2007-386

**AGREEMENT CONTAINING CONSENT ORDER AND
PAYMENT OF A CIVIL PENALTY FOR VIOLATION OF
CONNECTICUT GENERAL STATUTES § 9-608**

This Agreement, by and between Terrance Ferraroti ("Respondent"), of the Town of Harwinton, County of Litchfield, State of Connecticut and the authorized representative of the State Elections Enforcement Commission is entered into in accordance with Section 9-7b-54 of the Regulations of Connecticut State Agencies and Section 4-177(c) of the General Statutes of Connecticut. In accordance herewith, the parties agree that:

- 1) The Respondent was, at all times relevant to this Agreement, Treasurer of "Pacholski Kasznay '07" a municipal slate committee formed to fund the candidacies of Candace Jones-Pacholski and Andrew Kasnay for First Selectman and Selectman respectively during the November 2007 municipal campaign in the Town of Harwinton.
- 2) Complainant challenged the accuracy and completeness of several portions of the October 10, 2007 and October 31, 2007 quarterly Itemized Campaign Finance Disclosure Statements by the "Pacholski Kasznay '07" committee. Additionally, Complainant alleged that the committee accepted from candidate Jones-Pacholski that were over the \$750 limit for individual contributions.
- 3) Connecticut General Statutes § 9-608, provides in pertinent part:

(a) (1) Each campaign treasurer of a committee . . . shall file a statement, sworn under penalty of false statement with the proper authority in accordance with the provisions of section 9-603

. . .
(c) (1) Each statement filed under subsection (a) . . . of this section shall include, but not be limited to: (A) an itemized accounting of each contribution, if any, including the full name and complete address of each contributor and the amount of the contribution (G) for each individual who contributes in excess of one hundred dollars but not more than one thousand dollars, in the aggregate, to the extent known, the principal occupation of such individual and the name of the individual's employer, if any Each campaign treasurer shall include in such statement (i) an itemized accounting of the receipts and expenditures relative to any testimonial affair held under the provisions of section 9-609 or any other fund-raising affair, which is referred to in subsection (b) of section 9-601a, and (ii) the date, location and a description of the affair.

...
[Emphasis added.]

4) Connecticut General Statutes § 9-612, provides in pertinent part

(a) *No individual shall make a contribution or contributions in any one calendar year in excess of* five thousand dollars to the state central committee of any party, or for the benefit of such committee pursuant to its authorization or request; or one thousand dollars to a town committee of any political party, or for the benefit of such committee pursuant to its authorization or request; or one thousand dollars to a legislative caucus committee or legislative leadership committee, or *seven hundred fifty dollars to any other political committee* other than (1) a political committee formed solely to aid or promote the success or defeat of a referendum question, (2) an exploratory committee, (3) a political committee established by an organization, or for the benefit of such committee pursuant to its authorization or request, or (4) a political committee formed by a slate of candidates in a primary for the office of justice of the peace of the same town. [Emphasis added.]

5) Between the two reports, there are:

- a) Twenty-Three (23) omissions of Occupation and/or Employer, including said information regarding the candidates themselves, when necessary;
- b) three (3) instances where expenditures were erroneously reported as “coordinated with reimbursement sought” when the expenditure was in fact not coordinated with any other committee, but paid for in full by the “Pacholski Kasznay ‘07” slate committee;
- c) three (3) instances where purchases over \$50 were not reported as contributions;
- d) one (1) instance of failing to identify a fundraiser.

6) By committing each of the above errors and/or omissions, Respondent violated General Statutes § 9-608.

7) All of the above errors and/or omissions were corrected in an amendment filed on or about December 5, 2007, which the Commission has considered in fashioning a remedy in this matter. However, the Commission has also considered that none of the above corrections were made before the instant Complaint was filed with the Commission.

8) Candidate Jones-Pacholski did make \$550 of contributions to the “Pacholski Kasznay ‘07” slate committee, however she did not make any expenditures that would constitute contributions above that amount and/or above the \$750 limit from individuals to political committees. The relevant Campaign Finance Disclosure Reports show, and further evidence supports, that although the candidate made \$878.54 in expenditures on behalf of the campaign, Respondent promptly and correctly reimbursed her out of slate committee funds for those expenditures within 45 days. As such, there is no violation of General Statutes § 9-612.

- 9) The Respondent admits all jurisdictional facts and agrees that this Agreement and Order shall have the same force and effect as a final decision and Order entered after a full hearing and shall become final when adopted by the Commission. The Respondent shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.
- 10) It is understood and agreed that this Agreement will be submitted to the Commission at its next meeting and, if it is not accepted by the Commission, it is withdrawn by the Respondent and may not be used as an admission in any subsequent hearing, if the same becomes necessary.
- 11) The Respondent waives:
 - (a) Any further procedural steps;
 - (b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
 - (c) All rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this Agreement.
- 12) Upon the Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against him pertaining to this matter.

ORDER

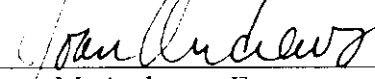
IT IS HEREBY ORDERED that the Respondent shall pay a civil penalty of two hundred dollars (\$200.00) to the Commission on or before October 2, 2008 and that the Respondent shall henceforth strictly comply with the requirements of Connecticut General Statutes § 9-608.

The Respondent:



Terrance P. Ferrarotti
55 Elizabeth Dr.
Harwinton, CT 06791

For the State of Connecticut:

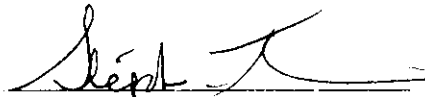
BY: 

Joan M. Andrews, Esq.
Director of Legal Affairs & Enforcement
& Authorized Representative of the
State Elections Enforcement Commission
20 Trinity St., Suite 101
Hartford, CT

Dated: 10-17-2008

Dated: 10/21/08

Adopted this 24th day of October of 2008 at Hartford, Connecticut



Stephen F. Cashman, Chairman
By Order of the Commission