

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by John Mallozzi
Stamford

File No. 2012-151b

CONSENT ORDER

The parties, Cort Wrotnowski, of the Town of Greenwich, State of Connecticut, hereinafter referred to as the Respondent, and the undersigned authorized representative of the State Elections Enforcement Commission enter into this agreement as authorized by Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. In accordance with those provisions, the parties agree that:

1. Complainant John Mallozzi filed this complaint with the Commission alleging that the Balestriere candidate committee, for which Respondent served as treasurer, had improperly paid the catering business that the candidate owned for services related to a fund-raising event.¹
2. Philip Balestriere registered a candidate committee with the Commission on June 1, 2012, establishing a committee to run for the 148th General Assembly seat in the 2012 election. *See* SEEC Form 1 – Registration by Candidate (*Balestriere Phil for State Rep.*, Rec'd June 5, 2012) (establishing Balestriere candidate committee and naming Cort Wrotnowski as committee treasurer).
3. The Balestriere candidate committee became a participating candidate committee in August 2012. *See* SEEC Form CEP 10 – Affidavit of Intent to Abide by Expenditure Limits and Other Citizens' Election Program Requirements (*Balestriere Phil for State Rep.*, August 30, 2012).
4. On October 1, 2012, the Citizens' Elections Fund issued a grant to the Balestriere candidate committee for \$26,900. *See* SEEC Form 30 – First Weekly Supplement Filing General Election Amended (*Balestriere Phil for State Rep.*, December 12, 2012) (reflecting payment of grant monies to candidate committee in October 2012).

¹ The complaint also raised two other allegations, namely, that the committee had made improper purchases of electronic equipment and that the committee had exceeded the meal-expenditure limits imposed on participating candidates. Those two allegations were not found to have merit. Only the issue surrounding the payments to the candidate's business from his candidate committee will be addressed in depth in the order.

5. A review of the campaign disclosure reports from *Balestriere Phil for State Rep.* showed that the committee made payments to Clambake Connections after the candidate committee had received its grant from the Citizens' Election Fund. On November 12, 2012, the committee paid \$152.40 to Clambake Connection for "taxes to state" which the committee coded as related to a fundraising event (FNDR). See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement (*Balestriere Phil for State Rep.*, January 10, 2013) (reflecting payment to Clambake Connection for \$152.40 for "taxes to state"). On November 23, 2012, the committee paid \$190.37 to Clambake Connection for "Meals and linens for volunteers, door knocking day." The committee coded the purpose for that expenditure as miscellaneous (MISC). See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement (*Balestriere Phil for State Rep.*, January 10, 2013) (reflecting payment to Clambake Connection for \$190.37 for "meals and linens").
6. Qualified candidate committees may not make payments to the candidates, their family members, or their business. Regulation § 9-706-2 (b) (4) prohibits payments from a qualified candidate committee's depository account to businesses in which the candidate has a 5 percent or greater ownership stake. See Regulations of Conn. State Agencies § 9-706-2 (b) (4) (prohibiting "[p]ayments to any entity in which the participating candidate or the participating candidate's family members, as listed in Section 9-706-2(b)(3) of the Regulations of Connecticut State Agencies, has a 5% or greater ownership interest").
7. Respondent, as treasurer of the candidate committee, should not have authorized those payments to the business owned by the candidate.
8. Respondent maintains that he was diligent in his efforts to comply with Connecticut's campaign finance statutes.
9. Respondent admits all jurisdictional facts and agree that this Agreement and Order shall have the same force and effect as a final decision and order entered into after a full hearing and shall become final when adopted by the Commission.
10. 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.

11. Upon the Respondent's agreement to comply with the Order hereinafter stated, the Commission shall not initiate any further proceedings against him concerning this matter, and this complaint shall be closed.
12. It is understood and agreed by the parties to this Agreement that the Commission will consider this Agreement at its next meeting and, if the Commission rejects it, the Agreement will be withdrawn and may not be used as an admission by the Respondent in any subsequent hearing, if one becomes necessary.

ORDER

IT IS HEREBY ORDERED THAT Respondent pay a civil penalty of \$200 for authorizing payments to the candidate's catering business from qualified candidate committee funds that were prohibited under Citizens' Election Program regulations.

The Respondent

For the State of Connecticut

By: 

By: 

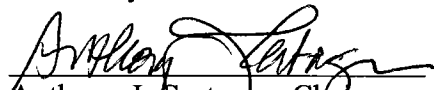
Cort Wrotnowski
20 Zygmunt Lane
Greenwich, CT 06831

Michael J. Brandi, Esq.
Executive Director and General Counsel
and Authorized Representative of the
State Elections Enforcement Commission
20 Trinity St., Suite 101
Hartford, CT 06106

Dated: 9/10/15

Dated: 9/14/15

Adopted this 15 day of SEP, 2015 at Hartford, Connecticut by vote of the Commission.


Anthony J. Castagno, Chairman
By Order of the Commission