

**STATE OF CONNECTICUT**  
**STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by Sam Lomaglio,  
Berlin

File No. 2018-098

**FINDINGS AND CONCLUSIONS**

Complainant Sam Lomaglio of Berlin filed this complaint on November 2, 2018, pursuant to General Statutes § 9-7b, alleging that the Republican candidates for the 30<sup>th</sup> general assembly seat in the 2018 election cycle had failed to report transactions with a sufficient level of “specificity.” After an investigation of the complaint, the Commission makes the following findings and conclusions:

1. Complainant filed this complaint alleging that several problems arose upon the withdrawal of Steve Baleshiski as the Republican candidate for the 30<sup>th</sup> district seat. Specifically, complainant alleged that:
  - A mailer sent by the Baleshiski candidate committee arrived after Baleshiski had formally withdrawn from the race;
  - Credits for robocalls that were initially purchased by the Baleshiski candidate committee were not transferred properly to the replacement candidate committee, established by Mike Gagliardi, and;
  - Gagliardi’s candidate committee did not report expenditures with sufficient specificity to satisfy the reporting requirements.
  
2. Candidate Steve Baleshiski withdrew from the Connecticut General Assembly race via letter dated October 11, 2018. The notice was received by the Secretary of the State’s office on October 12, 2018. On October 16, 2018, Gagliardi was named as the replacement candidate representing the Republican Party in the race for the 30<sup>th</sup> district General Assembly seat.

3. Gagliardi registered a candidate committee on October 16, 2018, naming Salvatore Bordonaro as treasurer of the committee.<sup>1</sup> Bordonaro served as treasurer for the Baleshiski candidate committee<sup>2</sup> and also was treasurer for the Berlin Republican Town Committee.<sup>3</sup>
4. On October 17, 2018, Gagliardi filed an SEEC Form 14, notifying the Commission of the committee's intention to participate in the Citizens' Election Program as a replacement candidate.<sup>4</sup>
5. Baleshiski's candidate committee received a grant totaling \$28,150 from the Citizens' Election Fund on August 21, 2018.<sup>5</sup> On October 19, 2018, the Commission authorized a release from the Citizens' Election Fund to the Gagliardi candidate committee as a replacement candidate committee.<sup>6</sup> The Gagliardi candidate committee received \$11,260 on October 26, 2018 from the Citizens' Election Fund.<sup>7</sup>
6. Complainant alleged that the Baleshiski candidate committee had authorized the mailing of promotional materials prior to Baleshiski's withdrawal and that the dissemination of those mailers should have been halted once the candidate who had paid for them withdrew from the election contest.
7. The Commission's investigation showed that the candidate committee paid for the mailer in question on or about October 8, 2018 and that the mailer was sent through the United States Postal Service facilities in Manchester, NH, on or about October 9, 2018. The mailer was already on its way by the time that the candidate featured in the mailer had announced his

---

<sup>1</sup> See SEEC Form 1 – Registration of Candidate Committee (*Mike Gagliardi for 30<sup>th</sup> House Rep*, Oct. 16, 2018) (reflecting establishment of candidate committee by Michael Gagliardi and appointment of Salvatore Bordonaro as treasurer). *N.B.* Gagliardi had originally registered as a candidate for the 30<sup>th</sup> House of Representative district race in April of 2018, claiming that he was exempt from forming a candidate committee on the basis that he intended neither to raise nor to spend more than \$1,000 on his candidacy. See SEEC Form 1b – Registration by Candidate (Michael Gagliardi, April 13, 2018) (claiming exemption from forming candidate committee for 30<sup>th</sup> district General Assembly race).

<sup>2</sup> See SEEC Form 1 – Registration of Candidate Committee (*Steve Baleshiski for House Representative*, May 25, 2018) (reflecting establishment of candidate committee by Steven Baleshiski and appointment of Salvatore Bordonaro as treasurer).

<sup>3</sup> See SEEC Form 2 – Party Committee Registration (*Berlin Republican Town Committee*, April 6, 2018) (reflecting appointment of Sal Bordonaro as treasurer of town committee).

<sup>4</sup> See SEEC Form CEP 14 – Citizens' Election Program Certification by Replacement Participating Candidate (Michael Gagliardi, October 16, 2018) (reflecting Gagliardi's intent to

<sup>5</sup> See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: October 10 Filing (*Steve Baleshiski for House Representative*, Oct. 10, 2018) (reporting grant received from Citizens' Election Fund on Aug. 21, 2018).

<sup>6</sup> See Minutes, State Elections Enforcement Comm'n., October 19, 2018.

<sup>7</sup> See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: Final Weekly Supplemental Filing General Election (*Mike Gagliardi for 30<sup>th</sup> House Rep*, Oct. 31, 2018) (reporting grant received from Citizens' Election Fund on Oct. 26, 2018).

withdrawal from the election contest. There was no way for the Baleshiski candidate committee to halt the delivery of the mailer after Baleshiski announced his withdrawal.

8. Complainant also raised questions about the Baleshiski candidate committee “subsidizing” the Gagliardi candidate committee with payments for robocalls that were initially ordered by the Baleshiski candidate committee. According to the complaint, Baleshiski’s candidate committee paid \$999.99 for robocalls, but only “delivered” one robocall before the candidate withdrew from the race.
9. After replacing Baleshiski, but before this complaint was filed, the Gagliardi candidate committee spoke with Commission compliance staff about how to transfer non-refundable credits for robocalls from the Baleshiski committee to the replacement Gagliardi committee.
10. The vendor refused to reimburse the Baleshiski campaign for the credits. The Gagliardi campaign asked SEEC compliance staff if they could purchase those credits from the Baleshiski campaign.
11. Although one candidate committee may not normally act as a vendor to another candidate committee, with the unique circumstances here – the “replacement” candidate committee seeking to buy something from a predecessor committee, the non-refundable nature of these credits, and the potential waste of public grant funds if the replacement candidate committee were required to purchase new credits from the vendor while allowing the other robocall credits to expire – compliance staff advised the Gagliardi committee to purchase the credits from the Baleshiski committee. The Gagliardi candidate committee appears to have followed the Commission’s advice about how to resolve this issue.
12. The Gagliardi committee reported an expenditure of \$503.12 on November 26, 2018 to the “Steve Baleshiski Committee” for “Robocall Credit Usage from Steve Baleshiski for House Rep Committee Purchase.”<sup>8</sup> The Baleshiski candidate committee also reported receiving the \$503.12 from Gagliardi committee for use of the robocall credits.<sup>9</sup> The Baleshiski candidate committee returned a surplus of \$18,114.07 to the Citizens’ Election Fund upon termination.<sup>10</sup>
13. Finally, complainant alleged that the Gagliardi candidate committee had failed to properly document expenses. The complainant offered no additional specific facts to support this

---

<sup>8</sup> See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: January 10 Filing (*Mike Gagliardi for 30<sup>th</sup> House Rep*, Jan. 8, 2019) (showing payment to Baleshiski candidate committee for robocalls).

<sup>9</sup> See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: January 10 Filing (*Steve Baleshiski for House Representative*, Jan. 8, 2019) (showing payment from Gagliardi candidate committee for robocall credits).

<sup>10</sup> See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: Termination Report (*Steve Baleshiski for House Representative*, Feb. 20, 2019) (showing payment to Citizens’ Election Fund of \$18,114.07 as surplus).

allegation. The Commission notes, however, that the 30<sup>th</sup> General Assembly district was selected for a post-election review in the 2018 election cycle, so all of the candidate committees – including the Baleshiski and Gagliardi committees – will be subject to an audit of the expenditures made during the course of the campaign.

14. Based on the facts stated above, the Commission shall dismiss this complaint.<sup>11</sup>

### ORDER

The following Order is recommended on the basis of the aforementioned findings:

That this complaint be dismissed.

Adopted this 6th day of November, 2019 at Hartford, Connecticut.

  
Commissioner *Anthony J. Costantino, chair*  
By Order of the Commission

---

<sup>11</sup> This complaint was received November 2, 2018. Pursuant to Public Act 17-02, section 274 (currently codified as General Statutes 9-7a (g)(1)) the Commission is required to dismiss a complaint after one year absent certain statutory extensions of time. The Commission acknowledges that this complaint reached the deadline since it last convened. As opposed to calling a special meeting, and having the agency incur the associated cost, in order to dismiss the complaint on the merits, the complaint is dismissed at this time for the above listed considerations and as required by the statutory time limit.