

State of Connecticut
Department of Administrative Services
State Marshal Commission

Peter J. Martin, Esq.
Chairperson

Stephen Dygus
Administrative Manager

Minutes
STATE MARSHAL COMMISSION MEETING
March 23, 2011

Members present: Peter J. Martin, Esq., Chairperson; Vice-Chairperson, William W. Cote Esq.; Joseph P. Quinn, Jr., Esq.; Hon. William T. Cremins; Vincent Mauro, Jr. and Michael Cronin, Esq. Also present were Ex-Officios Marshal Lisa Stevenson and Marshal Thomas Burke (non-voting members) and Administrative Manager Stephen Dygus and Staff Attorney Elizabeth Collins (not voting). Not present were Commission members Joseph Ubaldi and Erron Smith.

Agenda Items

The December 1, 2010 minutes were adopted, after a motion by William Cote, Esq., seconded by Hon. William Cremins, by a unanimous vote of 6-0.

New Business:

8. Oversight Committee

The Respondent in the following matters asked to have his matters heard on the public record. After oral argument on each of the matters the Commission deliberated on the public record, with the following results:

10-26 Passaro/Valentino. After a motion by Michael Cronin, Esq., seconded by Hon. William Cremins, the Commission, by a vote of 6-0, adopted the Oversight Committee's proposed findings of fact and law as its final decision, and entered a Dismissal in the matter.

10-38 McAllister/Valentino. After a motion by Michael Cronin, Esq., seconded by Hon. William Cremins, the Commission, by a vote of 6-0, adopted the Oversight Committee's proposed findings of fact and law as its final decision, and entered a Reprimand in the matter.

9. New Complaints

The Respondent in the following matter asked to have his matter heard on the public record. The Respondent did not have oral argument, since the matter was heard on the papers. The Commission deliberated on the public record, with the following result:

10-65 Ancrum/Valentino. After a motion by William Cote, Esq., seconded by Vincent Mauro, the Commission, by a vote of 6-0 voted to dismiss the complaint.

The Commission voted unanimously 6-0, after a motion by Vincent Mauro, seconded by William Cote, Esq., to go into Executive session to discuss personnel issues listed below. The individuals present included those listed above. Additionally, for file 10-27 and 10-47, Attorney James Wade, Attorney Amanda Bosson and Marshal Jon Gallup came into executive session for oral argument. The Commission voted unanimously 6-0 to return to the public record after a motion by Vincent Mauro, seconded by Hon. William Cremins.

Old Business

2. Stayed Complaints

165 Capitol Avenue, Room 483
Hartford, Connecticut 06106
Tel. (860) 713-5372 Fax. 713-5377

10-13 Garlasco/Corbett. After a motion by Joseph Quinn, Esq., seconded by Vincent Mauro, the Commission, voted 4-0, with Hon. William Cremins and William Cote, Esq. abstaining, to maintain the stay on the portion of the file covering the appropriateness and validity of the services at issue, which is currently in litigation, but to lift the stay and seek and answer from the Respondent on the claim of avoidance of service regarding a return.

10-42 In Re William Illingworth. After a motion by Vincent Mauro, seconded by Hon. William Cremins, the Commission voted 6-0 to lift the stay in this matter and set the matter down for a hearing by the Oversight Committee.

New Business

7. Firearm/Training requests

Marshal Michael Copertino: The Commission reviewed material relevant to Marshal Copertino's request to carry a firearm while doing capias warrants and determined that the material was satisfactory. Since all elements are in order, the Commission voted unanimously 6-0, after a motion by Joseph Quinn, Esq., seconded by William Cote, Esq., to grant Marshal Copertino's request to carry a firearm.

8. Oversight Committee/Proposed Final Decisions

In the following file the Commission unanimously voted 6-0, after a motion by Hon. William Cremins, seconded by Vincent Mauro, to adopt the Oversight's proposed findings of fact and law as its final decision and entered a Dismissal in the matter

10-41 Jones/Barnes

Concerning the below noted files, the Commission unanimously voted 6-0, after a modified motion by Honorable William Cremins, seconded by William Cote, Esq., to accepted the tendered Resignation of Marshal Jon Gallup, to be finally voted on April 27, 2011 to be effective April 27, 2011, conditioned on the satisfactory compliance with conditions set by the Commission on the resignation, which include those in the affidavit and the orderly resolution of any outstanding matters; the appropriate handling of the transfer of work, including client fund matters; the closing of the client fund account in accordance with Commission's directives; and the absence of any additional substantial new issues arising. The vote included not to grant a retirement badge or identification card.

The vote included tabling the matters noted below, which included recommendations for revocation of appointment, until the April 27, 2011 meeting of the Commission, so the files can be reconsidered in conjunction with the Respondent's resignation conditions.

10-27 West/Gallup

10-47 Hersh & Crockett/Gallup

9. New Complaints

The Commission voted unanimously 6-0, after a motion by Vincent Mauro, seconded by William Cote, Esq., to find probable cause in the following file and send the matter to an Oversight Committee for a hearing.

10-59 Cole/Jones

The Commission voted unanimously 6-0, after a motion by Michael Cronin, Esq., seconded by William Cote, Esq., to stay the following matters:

10-71 Pereira/Barbieri

10-17 In Re Giles

The Commission voted unanimously 6-0, after a modified motion by Vincent Mauro, seconded by William Cote, Esq., to dismiss the following files:

10-60	Thach/Woods, Stephen J.
10-64	Mitchell/Glassman
10-67	Rossi/Capaldo
10-68	Grimm/Verille
10-69	Morello-Fisher
10-70	Williams/Sitnik
10-72	Howard/Barnes
10-73	Brown/Barnes
10-74	Lebby/Wolfe
10-75	Benoit/Levine
10-76	Reichler/Fiorillo
10-77	Ljungquist/Randall
10-78	Daughtry/Sheftel, Sanford
10-79	Grasso/Glassman
10-80	Zeidenbeg/Wall, Timothy

The Commission voted unanimously 6-0, after a motion by Hon. William Cremins, seconded by William Cote, Esq., to end the temporary summary suspension and to administratively close the following file as reasonable resolved

11-17	In Re Burgarella
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Audits

The Commission voted unanimously 6-0, after a motion by Michael Cronin, Esq., seconded by William Cote, Esq. to find the responses to the audit reports satisfactory.

03-08	Cosgrove, Edward
06-08	DeLucia, Frank
14-09	Hardiman, Robert
05-10	Karpovich, Peter
11-10	Sullivan, James, E.
13-10	Stolicny, Jon
15-10	Amato, George
17-10	Aresco, Louis

After addressing the elements of the meeting that required voting, the Commission discussed the following items on the agenda:

Old Business

1. DAS/State Marshal Commission web site update. The Commission was informed of the recent steps to build on the initial web site of the Commission. It is expected that more material will be added to the web site over time. Additionally, the Administrative Office of the State Marshal Commission is collecting contact information from state marshals so that electronic communications from the Commission to the state marshals can be established.

After the discussion on the web site, Commission member Hon. William Cremins needed to leave the meeting. The Commission continued to proceed with the agenda.

New Business

1. Conn. Gen. Stat. Sec. 12-162(g) financial institutions/designations. The Commission considered correspondence from Attorney Samuel D. Chester relating to tax warrant service information. After discussing the issue, the Commission determined it will monitor the situation, but that no action would currently be taken.

2. Executions/Deceased Lawyers. The area of possible problems with wage execution matters when an attorney for a creditor dies were reviewed, but were not deemed significant at this time. There was no action taken.

3. Post Judgment Interest/Faulkner. The Commission reviewed the material submitted by Attorney Faulkner on a post-judgment interest issue in service papers, as well as response material from relevant state marshals. The situation has been resolved and the Commission determined that no other action was necessary.

4. Courthouse Access. The Commission reviewed material and information involving the Judicial Marshals Office's interaction with the Administrative Office of the State Marshal Commission regarding shifts in protocol at the courthouses regarding state marshals and screening at the door. The Ex-Officios, State Marshal Thomas Burke and State Marshal Lisa Stevenson, related concerns about the growing problem of distress among the state marshals and presented some fact patterns on screening practices. The Commission Chair, staff and Ex-Officios will be having a meeting with Judicial in April to review the area. The topic was tabled until the April 27, 2011 meeting of the Commission.

5. Department of Motor Vehicles/Information Access. After an overview discussion, Ex-Officio Thomas Burke reported that new developments in the area of state marshal access to key information through DMV appear to be making progress. At this time no action was taken.

6. Permanent Commission on the Status of Woman invitation
For their information, the Commission members had been sent an invitation from the Permanent Commission on the Status of Woman regarding a function.

The Commission voted unanimously, 5-0, after a motion by William Cote, Esq., seconded by Vincent Mauro, 5-0, to adjourn.