

State of Connecticut
Department of Administrative Service
State Marshal Commission
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W. Martyn Philpot, Jr., Esq.
Chairperson

Douglas Rinaldi
Administrative Manager

Minutes
STATE MARSHAL COMMISSION MEETING
August 28, 2014

Members present; W. Martyn Philpot, Jr., Esq.; Michael Cronin, Esq., by teleconference call; Sarah Fryxell, Esq., Joel I. Rudikoff, Esq., by teleconference call; Mildred Torres-Ferguson, by teleconference call; Also present were Ex-Officios Marshal Lisa Stevenson and Thomas Burke (non-voting members), Administrative Manager Douglas Rinaldi, Staff Attorney Jennifer Y. Montgomery and Marshal Keith Niziankiewicz (not voting). Hon. Elizabeth Bozzuto, Vincent Mauro, Jr., and Robert P. LaTorraca were not present.

Chairperson W. Martyn Philpot, Jr., Esq. called the meeting to order at 4:40 p.m.

First Business:

1. Minutes

The July 24, 2014 meeting minutes were adopted, by a vote of 5-0, after a motion by Sarah Fryxell, Esq., seconded by Mildred Torres-Ferguson.

New Business:

2. Audit Policy

Administrative Director Douglas Rinaldi updated the Commission about the Audit Policy. We heard back from the Office of the State Treasurer regarding the state marshal's legal status as a proper officer and will use this information to update the draft for presentation at the September Commission meeting. Mr. Rinaldi informed the Commission that the Audit Policy will provide for an annual or biannual submission by the state marshals of a detailed reconciliation of their Client Fund Account.

3. Agency Procurement Officers – Contracting Standards Board

Administrative Director Douglas Rinaldi informed the Commission about the requirement that each agency, board and commission is required to appoint procurement officers to work with the Contracting Standards Board. The Department of Administrative Services (DAS) has appointed procurement officers and the Commission discussed utilizing these procurement officers in lieu of appointing its own. The office will inform DAS of this decision.

4. New Restraining Order Profile Form

Douglas Rinaldi

Administrative Director Douglas Rinaldi updated the Commission about the distribution of the New Restraining Order Profile Form. This form has been distributed to the clerks by the Judicial Branch for use starting September, 1, 2014 and will be sent to the Marshals in an administrative bulletin.

5. State Marshal Exam

Douglas Rinaldi

Administrative Director Douglas Rinaldi updated the Commission about the status of the State Marshal Exam to be given on September 6, 2014. Just over 300 applicants will be sitting for the exam. Commission staff including Mr. Rinaldi, Diane Chase, and Pamela Perrin reviewed and catalogued over 325 exam applications. Mr. Rinaldi described the general reasons that some applications were ultimately disqualified.

6. Marshal Keith Niziankiewicz website

Administrative Director Douglas Rinaldi generally described issues that have arisen regarding marshal advertising and the need for an advertising policy. He sought leave of the Commission to work with Marshal Keith Niziankiewicz regarding his website to make sure it is in compliance with the state marshal regulations. The Commission, after a motion by Joel I. Rudikoff, Esq., seconded by Sarah Fryxell, Esq., voted unanimously, 5-0 to authorize a review of the above mentioned website for compliance.

The Commission, after a motion by Sarah Fryxell, Esq., seconded by Joel I. Rudikoff, Esq., voted unanimously, 5-0, to go into Executive session to discuss personnel issues in the below noted files. The individuals present included those listed above with the exception of Marshal Keith Niziankiewicz. The Commission voted unanimously 5-0, after a motion by Sarah Fryxell, Esq., seconded by Vice Chairperson Michael Cronin, Esq., to return to the public record. No votes were taken in executive session.

7. Complaints

The Commission, after a motion by Sarah Fryxell, Esq., seconded by Vice Chairperson Michael Cronin, Esq., voted 5-0, to dismiss the following files:

File No.	Name
13-33	Syncere-Venuto/Allen
13-34	Albrizio/Purcell
13-37	Ingraham/Page
13-38	Medina/Allen
13-40	Pieragostini/DeLucia
13-47	Raucci/Mehlhorn
13-50	Bertolini/Milardo

The Commission, after a motion by Joel I. Rudikoff, Esq., seconded by Mildred Torres-Ferguson, voted 5-0, to find probable cause in the below noted files and assign them to an Oversight Committee for hearings:

File No.	Name
13-46	Benak/Barnes
13-49	Loglisci/DeLucia
14-19	In Re Gerald Cappiello, Jr.

The Commission, after a motion by Sarah Fryxell, Esq., seconded by Vice Chairperson Michael Cronin, Esq., voted 5-0, voted to table the below file and to authorize the State Marshal Commission staff to conduct an investigatory review of Marshal Gerald Mulligan's Client Fund Account:

File No.	Name
14-24	Reeves/Mulligan

8. Inactive Status

Jennifer Montgomery, Esq.

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The Commission, after a motion by Joel I. Rudikoff, Esq., seconded by Mildred Torres-Ferguson, voted unanimously 5-0, to accept the requests of Marshal Louis Aresco to go on voluntary inactive status for a period of one year effective retroactively on August 1, 2014 and Marshal Gerald Mulligan to go on voluntary inactive status for a period of one year effective retroactively on August 4, 2014.

Name	County	Effective Date
Louis Aresco	Middlesex	August 1, 2014
Gerald Mulligan	Fairfield	August 4, 2014

Ex-Officio Thomas Burke raised for further discussion various issues including the audit policy, state marshal professionalism, and the actions of CT Corp. These issues were discussed briefly.

The Commission, after a motion by Sarah Fryxell, Esq., seconded by Vice Chairperson Michael Cronin, Esq., voted 5-0 to adjourn the meeting at 6:00 p.m.