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February 1, 2010

John J. Contino, Esq.
Executive Director
State Ethics Commission
309 Finance Building
Harrisburg, Pa. 17108

Re: Amendment of my complaint of July 20, 2009 / Your File 09-038

Dear Mr. Contino,

I write on this occasion to amend the subject complaint. The amendment is more of a clarification, and amplification of my allegation that Senator Mellow was abusing his position of public trust by:

“Furthermore, Senator Mellow has been using his taxpayer funded district office for the headquarters of “Friends of Bob Mellow”, presumptively his campaign organization. “

It recently occurred to me, that the bare allegation, without context, was so lacking in particularity, that it would make the claim difficult to investigate. Although I had sent along a copy of the *Philadelphia INQUIRER* story entitled “An ethical question for leading Pa. Democrat” from their July 13th edition, which I hoped would provide context, upon afterthought I came to realize that the merit of my argument could easily be lost in the length of the article.

In 2000, Senator Mellow's district office was owned by Gabriel and Celestine Giordano, Gabriel being a longtime Mellow aide. They rented not only space to the Senator for his district office, but also rented to Senator Mellow's various campaign organizations, most notably “Friends of Mellow”, through and including March of 2001. The Giordanos were doing business as G & G Realty. In the Department of State's Campaign Finance database I found 15 transactions throughout the period totaling \$7,562.75, or an average rent/utility payment to G & G Realty of \$504.18 per month. Search of the Department of State Corporation database failed to disclose G & G Realty incorporation data.

However when Brad, Inc. was formed December 1, 2000, the corporation's registered office address was 524 Main Street Peckville, Pa., (See entity no. 2975344 DOS Corporation database) which was Senator Mellow's District office,

as well as home to the "Friends of Mellow" campaign organization. Although, the former Mrs. Mellow is alleged in the abovementioned article to be a 50% owner of Brad, Inc., payments by "Friends of Mellow" continued at the same rate irrespective of the change in ownership. Here, once again the DOS Campaign Finance database catalogs 84 transactions between "Friends of Mellow" and Brad, Inc. for rent/utility payments totaling \$44,252.64, or an average payment of \$526.82 per month. A roughly \$20, or 4% increase in rent/utilities over a decade is readily understood in our contemporary economy.

To me the self-dealing involved in the transaction was obvious. Once ownership changed, funds raised for campaign purposes were being diverted to the use of Senator Mellow's household.

The subordinate questions, are also obvious to a skeptical observer. Such as, is the fair market value of the two rentals identical, or is one rental subsidizing the other? With so many entities calling the same property home, is their adequate segregation of activities at the property to ensure that taxpayer funded staff is not diverted on occasion to redirect mail, or take phone calls? I am sure you understand my point.

The event that caused me to revisit my filing, was the recent report that Senator Mellow has sought an 90 day extension to provide vouchers to justify approximately \$188,000 in expenditures, his campaign has categorized as being to "cash". With the thought that this specific allegation of my complaint has Campaign Finance ramifications, I am forwarding a copy of this correspondence to Secretary of State Cortes.

If this correspondence, raises any questions, or should you have any comment, please do not hesitate to contact me at your earliest convenience.

Sincerely,

Dennis Baylor

Cc: Pedro A. Cortes, Secretary of the Commonwealth