

MINUTES OF THE MEETING

February 24, 1975

PRESENT

Frank P. Reiche, Chairman
Josephine S. Margetts, Member
Herbert Alexander, Consultant
Edward J. Farrell, Legal Counsel
David F. Norcross, Executive Director

ABSENT

Sidney Goldmann, Vice-Chairman

- 1) The Chairman noted the absence of a quorum and for that reason deferred action on the Minutes of the Meeting of December 12, 1974 until the Commission's next meeting. The Commission's next meeting was scheduled for Monday, March 17, 1975.
- 2) The Executive Director reported that complaints had been filed by the Commission with respect to alleged late filings by the Bergen County Republican Committee, the Camden County Democratic Committee, the Cumberland County Republican Committee, and the Essex County Democratic Committee. It was suggested that the Executive Director appoint William Wood, Esq. as Hearing Officer to hear all the cases.
- 3) Commission vs. Salkind (C-15-73). The Commissioners present discussed this matter although no final action was taken because of the aforementioned lack of a quorum. It was, during the course of discussion, noted that in addition to the value of in-kind contributions acknowledged by Mr. Salkind and cited in the Hearer's Report, there must be considered the matter of postage which was paid by the authority and the value to Mr. Salkind of being in a position to have the material enclosed in a flyer.
- 4) MacDonald vs. The Committee to Preserve Economic Suburban Govt. The Commission determined not to take any action on this matter at this time.
- 5) Cramer vs. Shiner (C-29-74). This case, as others before the Commission at this meeting, involves the inadvertent exceeding of an expenditure limit. Chairman Reiche indicated that while the lack of knowledge might not be a legal defense it might be a matter which should be considered in the overall disposition of the case. Therefore the matters of Cramer vs. Shiner, and Commission vs. Starkus, Mihalik, Gibson, Gatto, Salamandria, and Starner were assigned to Barry Osman, Esq. as the Hearing Officer.
- 6) The matter of Rosen vs. Cappiello (C-20-74). Assigned to Harold B. Wells, Esq.

7) The results of the audit of the Byrne Gubernatorial Campaign were discussed as was correspondence with Robert T. Wilentz, Esq. relating to excludable expenses in that campaign.

The reporting procedures of the Campaign Fund of Brendan T. Byrne and the Democratic State Committee were discussed. Presently, the State Committee files every sixty days while the Campaign Fund of Brendan T. Byrne no longer reports, having transferred its obligations earlier in 1974 to the Democratic State Committee. The general discussion of these filing practices which followed indicated an acceptance of this filing technique.

The Chairman directed that the Minutes reflect the need for future consideration of an amendment relating to the transfer of obligations, earmarking of obligations, and the necessity for sixty day reports under such circumstances.

- 8) The Commission vs. Sandman for Governor Finance Committee (C-28-74). Donald Heeb was assigned as Trial Counsel. The Chairman will attempt to retain the services of Willard Heckel as Hearing Officer and, failing in the achievement of that objective, the Honorable John B. Wick.
- 9) Raggio vs. Odgers. Was assigned to Barry Osman, Esq. for hearing.
- 10) Correspondence from Frank Haines, Executive Director of the N.J. Taxpayers Association. Mr. Haines requested that the Commission consider, as a possible future amendment, the elimination of reporting requirements as to county and municipal charter study commissions. The Executive Director pointed out that municipal government change often is involved in partisan politics and pointed out that although as yet the opportunity to observe the phenomenon had not occurred, this might occur on the county level as well. Further discussion of this matter was deferred for the presence of a quorum.
- 11) Linett vs. Franklin Township Taxpayers Association (C-11-74), Martin vs. Rahway Taxpayers Association. Action on the hearing officer's report in Linett vs. Franklin Township Taxpayers Association is not possible because of the lack of a quorum. The matter of Martin vs. Rahway Taxpayers Association could be determined by a finding in the Linett Case and it too is therefore to be held in abeyance.
- 12) The Commission, recognizing its previous determination and direction to the Executive Director to pay hearing officers at the rate of \$150 for the first day of hearing, \$100 for the second and each subsequent day, and \$50 for the preparation of a report, determined to make a change in that fee schedule and accepted the Executive Director's recommendation that the fee schedule be \$150 per day regardless of the number of days and that reimbursement for the preparation of reports be at the same rate. Portions of days are to be paid on a proportionate basis based on a seven hour day.

- 13) The Chairman directed that fiscal and budgetary data be presented at Commission meetings in February, May, August and November and that the Budget be submitted to the Commission in September.
- 14) The matter of Apfel vs. Walsh will be held in abeyance.
- 15) The Chairman directed that a discussion of procedures to be utilized in disposing of cases without hearing after the filing of a formal complaint be discussed.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "David F. Norcross", with a long horizontal flourish extending to the right.

David F. Norcross
Executive Director

skw