

MINUTES OF THE COMMISSION MEETING

September 10, 1975

PRESENT

Frank P. Reiche, Chairman
Sidney Goldmann, Vice-Chairman
Josephine S. Margetts, Member
Archibald S. Alexander, Member
Edward J. Farrell, Counsel
Herbert Alexander, Consultant
David F. Norcross, Executive Director

ABSENT

None

The meeting was convened at 10:15 a.m.

1. Mr. Reiche announced that he had been reappointed to succeed himself as Chairman of the Commission.
2. Correction to June 2, 1975 Minutes: The last sentence, paragraph two, is to be deleted. Minutes approved as amended.
3. Referring to item #8 in the Minutes of June 2, 1975, Zuckerman vs. Pallotta and Lazzarro (C-04-73), a sentence should be added indicating continuance of this paragraph in section 11. The Minutes were approved as amended.
4. The July 2, 1975 Minutes were approved.
5. The July 23, 1975 Minutes should be amended to correct misspellings; also, item #3, line 12, after "Right to Know Law", insert citation as follows: (NJSA 47:1A-1 et seq). Minutes approved as amended.
6. Commission vs. Starner (C-06-75)
It was decided by the Commission that additional information would be needed. The matter was held for the September 24, 1975 Commission meeting.
7. Commission Meeting Dates.
September 24, 1975, October 15, 1975, November 19, 1975 and December 17, 1975.
8. The Commission authorized the Chairman and the Executive Director to meet and confer with legislative leaders on the subject of amending the New Jersey Campaign Contributions and Expenditures Reporting Act.
9. The Preliminary Budget for Fiscal Year 1976-77 was presented.
10. Commission vs. Sandman for Governor Finance Committee (C-28-74)
Edward Adourian was appointed Hearing Officer.
11. Drafting of Advisory Opinions, numbers O-15-75, O-16-75, O-17-75, and O-20-75 will be discussed at the September 24, 1975 meeting.
12. N. J. State Chamber of Commerce, et al. v. N. J. Election Law Enforcement Commission, et al. (Docket #C-2370-3; Docket #A-590-74)
The Commission ratified the decision to file a Notice of Appeal in the above entitled matter. Motion by Margetts, seconded by Goldmann. Vote 4-0.

13. The following General Election of 1974 and May Municipal Election of 1975 Non-Filers and Late Filers were presented to the Commission for their action:

- 1) Commission vs. Edward Cosgrove (C-26-75)
Hearing Officer's Findings: Respondent, a candidate for the 1974 General Election, Mount Arlington, N. J., spent no money, received no contributions, had no knowledge of the Act. Respondent failed to file on October 11, October 29, and November 20, 1974, respectively. An affidavit was filed with the Hearing Officer on July 9, 1975, the date of the hearing. Hearing Officer's Recommendation: Reprimand. Commission Action: Reprimand. Motion by Goldmann, seconded by Margetts. Vote 4-0.
- 2) Commission vs. Robert Schumacher (C-31-75)
Hearing Officer's Findings: Respondent, a candidate for the 1974 General Election, Union, New Jersey, did fail to file timely on October 11, October 29 and November 20, 1974, respectively. The candidate stated that he filed an affidavit by mailing same by ordinary mail to the Union County Clerk's Office and produced a signed and notarized copy thereof. Hearing Officer's Recommendation: Dismissal
Commission Action: Dismissal. Motion by Reiche, seconded by Goldmann. Vote 4-0.
- 3) Commission vs. Harry Barracliff (C-35-75)
Hearing Officer's Findings: Respondent, a candidate for the May Municipal Election of 1975, Mount Ephraim, N.J., did specifically fail to file timely on April 18, 1975; the affidavit was filed with the Commission 34 days late. The candidate was unaware of the reporting requirements of the Act, but did respond to a warning letter. Hearing Officer's Recommendation: Reprimand. Commission Action: Reprimand. Motion by Margetts, seconded by Goldmann. Vote 4-0.
- 4) Commission vs. Samuel Cinger (C-37-75)
Hearing Officer's Recommendation: Reprimand
Commission Action: Remand
- 5) Commission vs. Frank Guzman (C-39-75)
Hearing Officer's Recommendation: Reprimand
Commission Action - Remand.
- 6) Commission vs. Albert Kershaw (C-40-75)
Hearing Officer's Findings: Respondent, a candidate for the May Municipal Election of 1975, Mount Ephraim, N. J., did specifically fail to file timely on April 18, 1975; the affidavit was filed 34 days late. The candidate was unaware of the reporting requirements of the Act, but did respond to warning letter. Hearing Officer's Recommendation: Reprimand. Commission Action: Reprimand. Motion by Reiche, seconded by Mrs. Margetts. Vote 4-0.

- 7) Commission vs. James O'Brien (C-41-75)
Hearing Officer's Findings: Respondent, a candidate for the May Municipal Election of 1975, Mount Ephraim, N. J., did specifically fail to file timely on April 18, 1975; the affidavit was filed 34 days late. The candidate was unaware of the reporting requirements of the Act, but did respond to warning letter. Hearing Officer's Recommendation: Reprimand. Commission Action: Reprimand. Motion, Goldman; seconded by Mrs. Margetts. Vote 4-0.
- 8) Commission vs. Susan Schaeffer (C-42-75)
Hearing Officer's Recommendation: Reprimand
Commission Action: Remand
- 9) Commission vs. Guy T. Bock, Jr. (C-44-75)
Hearing Officer's Recommendation: Reprimand
Commission Action: Remand
- 10) Commission vs. William Bradney (C-45-75)
Hearing Officer's Findings: Respondent, a candidate for the 1975 May Municipal Election, Cherry Hill Township Council, did fail to file timely on April 18, 1975. At the request of the Commission this error was timely corrected. Hearing Officer's Recommendation: Dismissal. Commission Action: Dismissal. Motion by Goldman, seconded by Mrs. Margetts. Vote 4-0.
- 11) Commission vs. Frances Burnstein (C-46-75)
Hearing Officer's Findings: Respondent, a candidate for the 1975 May Municipal Election, Cherry Hill Township Council, did fail to file timely on April 18, 1975. At the request of the Commission this error was timely corrected. Hearing Officer's Recommendation: Dismissal. Commission Action: Dismissal. Motion by Goldman, seconded by Mrs. Margetts. Vote 4-0.
- 12) Commission vs. Michael Caronia (C-47-75)
Hearing Officer's Findings: Respondent a candidate for the May Municipal Election of 1975, Mount Ephraim, N. J., did specifically fail to file timely on April 18, 1975. An affidavit was filed 31 days late (but prior to the 15 day report), apparently in response to a warning letter. His attorney admits a misunderstanding of the law. Hearing Officer's Recommendation: Reprimand. Commission Action: Admonition. Motion by Mr. Reiche, seconded by Mrs. Margetts. Vote 4-0.
- 13) Commission vs. Paul Caverly (C-49-75)
Hearing Officer's Findings: Respondent, a candidate for the May Municipal Election of 1975, Belmar, New Jersey, did specifically fail to file timely on April 18, 1975. Candidate filed his 25 day report 17 days late, his 7 day report 13 days late, never filed a 15 day report, however, is working on a 60 day report. Appears to have made an honest effort to comply. Hearing Officer's Recommendation: Reprimand. Commission Action: Reprimand. Motion by Mrs. Margetts, seconded by Goldman. Vote 4-0.

- 14) Commission vs. Donald Dalgleish (C-50-75)
Hearing Officer's Findings: Respondent, a candidate for the 1975 May Municipal Election, Cherry Hill Township Council, did fail to file timely on April 18, 1975. At the request of the Commission this error was timely corrected. Hearing Officer's Recommendation: Dismissal. Commission Action: Dismissal. Motion by Margetts, seconded by Goldmann. Vote 4-0.
- 15) Commission vs. H. Norman Holt (C-51-75)
Hearing Officer's Findings: Respondent, a candidate for the 1975 May Municipal Election, Cherry Hill Township Council, did fail to file timely on April 18, 1975. At the request of the Commission this error was timely corrected. Hearing Officer's Recommendation: Dismissal. Commission Action: Dismissal. Motion by Reiche, seconded by Goldmann. Vote 4-0.
- 16) Commission vs. Joseph Lipari (C-52-75)
Hearing Officer's Recommendation: Reprimand
Commission Action: Remand
- 17) Commission vs. William Leurs (C-53-75)
Hearing Officer's Findings: Respondent, a candidate for the May Municipal Election in Mount Ephraim, N. J., did specifically fail to file timely on April 18, 1975. An affidavit was filed 31 days late (but prior to the 15 day report), apparently in response to a warning letter. His attorney admits a misunderstanding of the law. Hearing Officer's Recommendation: Reprimand. Commission Action: Admonition. Motion by Margetts, seconded by Reiche. Vote 4-0.
- 18) Commission vs. Joseph McQuade (C-54-75)
Hearing Officer's Findings: Respondent, a candidate for the May Municipal Election, 1975 in Mount Ephraim, N. J., did specifically fail to file on April 18, 1975. An affidavit was filed 31 days late (but prior to the 15 day report), apparently in response to a warning letter. His attorney admits a misunderstanding of the law. Hearing Officer's Recommendation: Reprimand. Commission Action: Admonition. Motion by Alexander, seconded by Reiche. Vote 4-0.
- 19) Commission vs. Sidney Natkin (C-55-75)
Hearing Officer's Findings: Respondent, a candidate for the 1975 May Municipal Election, Cherry Hill Township Council, did fail to file timely on April 18, 1975. At the request of the Commission this error was timely corrected. Hearing Officer's Recommendation: Dismissal. Commission Action: Dismissal. Motion by Alexander, seconded by Goldmann. Vote - 4-0.
- 20) Commission vs. Albert Neuhaus (C-56-75)
Hearing Officer's Recommendation - Reprimand
Commission Action - Remand

- 21) Commission vs. John Rocco (C-57-75)
Hearing Officer's Findings: Respondent, a candidate for the 1975 May Municipal Election, Cherry Hill Township Council, did fail to file timely on April 18, 1975. At the request of the Commission this error was timely corrected. Hearing Officer's Recommendation: Dismissal. Commission Action: Dismissal. Motion by Reiche, seconded by Alexander. Vote 4-0.
- 22) Commission vs. Frederick C. Rufe (C-58-75)
Hearing Officer's Recommendation: Reprimand
Commission Action: Remand
- 23) Commission vs. Jacob Smith (C-59-75)
Hearing Officer's Recommendation - Reprimand
Commission Action - Remand
- 24) Commission vs. James Wilson (C-60-75)
Hearing Officer's Findings: Respondent, a candidate for the 1975 May Municipal Election, Cherry Hill Township Council, did fail to file timely on April 18, 1975. At the request of the Commission this error was timely corrected. Hearing Officer's Recommendation: Dismissal. Commission Action: Dismissal. Motion by Goldmann, seconded by Margetts. Vote 4-0.
- 25) Commission vs. Denise Driscoll (C-61-75)
Hearing Officer's Recommendation: Reprimand
Commission Action - Remand
- 26) Commission vs. Robert Smith (C-62-75)
Hearing Officer's Recommendation - Reprimand
Commission Action - Remand
- 27) Commission vs. Joseph Wilkins (C-63-75)
Hearing Officer's Recommendation - Reprimand
Commission Action - Remand
- 28) Commission vs. Henry Lynch (C-69-75)
Hearing Officer's Recommendation - Reprimand
Commission Action - Remand
- 29) Commission vs. Edward Swarc (C-70-75)
Hearing Officer's Recommendation - Reprimand
Commission Action - Remand.

The meeting was adjourned at 4:20 p.m.

Respectfully submitted,


David F. Norcross
Executive Director