



State of New Jersey

RONALD DEFILIPPIS
Chairman

STEPHEN M. HOLDEN
Commissioner

ERIC H. JASO
Commissioner

ELECTION LAW ENFORCEMENT COMMISSION

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JEFFREY M. BRINDLE
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DEMERY J. ROBERTS
Legal Director

STEPHANIE A. OLIVO
Compliance Director

EDWIN R. MATTHEWS
Legal Counsel

PUBLIC SESSION MINUTES

June 20, 2017

Chairman Ronald DeFilippis, Commissioner Stephen Holden, Commissioner Eric Jaso, Legal Counsel Edwin Matthews, Executive Director Jeffrey Brindle, Deputy Director Joseph Donohue, Legal Director Demery Roberts, Compliance Director Stephanie Olivo, Deputy Legal Director Amanda Haines, and Director of Review and Investigation Shreve Marshall were present.

A court reporter was available to record the proceedings.

The Public Session Minutes will be available online on the Commission's website at: <http://www.elec.state.nj.us>.

The meeting convened at 11:00 a.m. in Trenton.

1. Open Public Meetings Statement

Chairman DeFilippis called the meeting to order. Executive Director Brindle announced that pursuant to the "Open Public Meetings Act," N.J.S.A. 10:4-6 *et seq.*, adequate notice of the meeting of the Commission had been filed with the Secretary of State's Office and distributed to the entire State House Press Corps.

It was also posted on the Commission's website.

2. Approval of Public Session Minutes of May 16, 2017

On a motion by Commissioner Jaso seconded by Chairman DeFilippis, and passed by a vote of 2-0, the Commission approved the Public Session Minutes of May 16, 2017, as amended by Chairman DeFilippis.

3. Executive Director's Report

Executive Director Brindle presented the Executive Director's Report.

Future Meetings Schedule

- July 18, 2017 at 11:00 am in Trenton;
- August 15, 2017 at 11:00 am in Trenton (if needed); and
- September 19, 2017 at 11:00 am in Trenton.

Commissioner Stephen Holden arrived at this juncture.

Director of Information Technology (IT) Anthony Giancarli provided a demonstration of ELEC's new computer system and homepage.

4. Report on 2017 Gubernatorial Public Financing Program Disbursements

Compliance Director Olivo provided the Commissioners with a chart summarizing the gubernatorial public financing disbursements of four candidates: Democratic Candidate Jim Johnson, Republican Candidate Lt. Governor Kimberly Guadagno, Democratic Candidate Assemblyman John Wisniewski, and Republican Candidate Assemblyman Jack Ciattarelli.

5. Public Comments

Chairman DeFilippis asked if any members of the public wished to comment.

Chairman DeFilippis read into the record the following Resolution Authorizing an Executive Session.

6. Resolution Authorizing an Executive Session

Whereas, there exists a need to hold an Executive Session for the purpose of discussing the following matter/matters, which fall within the exceptions to the Open Public Meetings Act, N.J.S.A. 10:4-12 et seq. to wit.

Matter/Matters (OPMA Exception)

- Approval of Executive Session Minutes for May 16, 2017;
- Consider Consent Order and Final Decision recommendations;
- Memorandum from Legal Director Demery Roberts;
- Draft Resolution from Legal Counsel Edwin Matthews;
- Pending Litigation; and,
- Consider a Personnel Matter.

Whereas, it is unknown at this time when such discussion to take place in Executive Session may be disclosed to the public.

Now Therefore Be It Resolved by the Election Law Enforcement Commission as follows:

1. This Executive Session Meeting of the Election Law Enforcement Commission shall be closed to the public for discussion of the aforesaid referenced matters.

2. The matters discussed during this Executive Session Meeting shall be disclosed to the public at such time when reason for discussing and acting on same in Executive Session shall no longer exist.

On a motion by Commissioner Jaso, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission resolved to enter Executive Session to discuss anticipated litigation and current litigation, which will become public as follows:

- A. Final Decision Recommendations in complaint proceedings, which will not become public. However, the Final Decisions resulting from those recommendations will become public not later than seven business days after mailing to the named respondents.
- B. Matters under current litigation, the substance of discussions of which will not become public in order to protect the attorney-client privilege and the deliberative process. However, any litigation in which the Commission is currently a party is a public matter and will become public subject to the above limitations and privileges.

Return to Public Session

7. Final Decision Recommendations

On a motion by Commissioner Jaso, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission approved the Final Decision Recommendations, items 1 thru 36, as recommended by staff.

8. Consent Order and Final Decision Recommendations

On a motion by Commissioner Jaso, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission rejected the Consent Order and Final Decision Recommendation in item No. 1.

On a motion by Commissioner Holden, seconded by Commissioner Jaso, and passed by a vote of 3-0, the Commission approved the Final Decision Recommendation in item No. 2.

9. Approval of Executive Session Minutes of May 16, 2017

On a motion by Commissioner Holden, seconded by Commissioner Jaso, and passed by a vote of 3-0, the Commission approved the Executive Session Minutes of May 16, 2017.

10. Fiscal Year 2018 – Legal Counsel Contract

On a motion by Commissioner Holden, seconded by Commissioner Jaso and passed by a vote of 3-0, the Commission approved the bid received from Edwin R. Matthews of Bourne, Noll & Kenyon pursuant to the Request for Proposal for outside legal counsel for fiscal year 2018.

11. Public Comments

Chairman DeFilippis asked if any members of the public wished to comment. Seeing none, he asked for a motion to adjourn.

12. Adjournment

On a motion by Commissioner Holden, seconded by Commissioner Jaso, and passed by a vote of 3-0, the Commission resolved to adjourn at 1:05 p.m.

Respectfully submitted as true
and correct,

Jeffrey M. Brindle
Executive Director

JMB/elz