



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

ERIC H. JASO
Chairman

STEPHEN M. HOLDEN
Commissioner

MARGUERITE T. SIMON
Commissioner

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Compliance Director

EDWIN R. MATTHEWS
Legal Counsel

PUBLIC SESSION MINUTES

September 18, 2018

Chairman Eric Jaso, Commissioner Marguerite Simon, 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 11:10 a.m. in Trenton.

1. Open Public Meetings Statement

Chairman Jaso 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 July 17, 2018

On a motion by Commissioner Simon, seconded by Chairman Jaso, and passed by a vote of 2-0, the Commission approved the Public Session Minutes of July 17, 2018, as amended by Chairman Jaso.

3. Executive Director's Report

The Executive Director presented the Executive Director's Report.

Future Meetings Schedule

- October 16, 2018 at 11:00 am in Trenton;
- November 20, 2018 at 11:00 am in Trenton; and,
- December 18, 2018 at 11:00 am in Trenton.

4. Public Comments

No public comments.

5. 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)

- Discussion of Executive Session Minutes for July 17, 2018;
- Final Decision Recommendations;
- Executive Session Memoranda: Final Decision Recommendations;
- Complaint Recommendation;
- Initial Decision; and,
- Update on Litigation Matters.

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 Simon, seconded by Chairman Jaso, and passed by a vote of 2-0, 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

Commissioner Stephen Holden was in attendance at this time.

6. Approval of Executive Session Minutes for July 17, 2018

On a motion by Commissioner Holden, seconded by Commissioner Simon, and passed by a vote of 3-0, the Commission approved the Executive Session Minutes of July 17, 2018, as amended by Chairman Jaso.

7. Final Decision Recommendations

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission adopted the Final Decision Recommendations, items 1 through 51.

8. Executive Session Memoranda: Final Decision Recommendations

On a motion by Commissioner Holden, seconded by Commissioner Simon, and passed by a vote of 3-0, the Commission adopted the Final Decision Recommendations, items 1 and 2.

9. Complaint Recommendation

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission approved the complaint recommendation, as presented by staff.

10. OAL Initial Decision

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission voted to seek a 45-day extension from the Office of Administrative Law to consider a matter discussed in Executive Session.

11. Public Comments

No public comments. Meeting adjourned.

12. Adjournment

On a motion by Commissioner Holden, seconded by Commissioner Simon, and passed by a vote of 3-0, the Commission resolved to adjourn at 1:20 p.m.

Respectfully submitted as true
and correct,

Jeffrey M. Brindle
Executive Director