



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

THOMAS H. PROL
Chairman

RYAN PETERS
Commissioner

NORMA R. EVANS
Commissioner

JON-HENRY BARR
Commissioner

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PUBLIC SESSION MINUTES

April 16, 2024

Chairman Thomas H. Prol, Commissioner Ryan Peters, Commissioner Norma R. Evans, Commissioner Jon-Henry Barr, Legal Counsel Edwin R. Matthews, Acting Executive Director Joseph Donohue, Acting Legal Director Amanda Haines, Compliance Director Stephanie Olivo, Legal Administrator of Review and Investigation Theresa Lelinski, Assistant Legal Counsel Ben Kachuriner, Information Technology (IT) Director Anthony Giancarli, IT Specialist Lou Solimeo, and Executive Secretarial Assistant Elbia Zeppetelli were present. IT Specialist Elias Amaya participated via Zoom.

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>.

Chairman Prol convened the meeting at 11:00 a.m. in Trenton.

1. Open Public Meetings Statement

Chairman Prol called the meeting to order and 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. Pledge of Allegiance

3. Approval of Public Session Minutes for March 19, 2024

On a motion by Commissioner Peters seconded by Commissioner Evans, and passed by a vote of 4-0, the Commission approved the Public Session Minutes for March 19, 2024.

4. Acting Executive Director's Report

Acting Executive Director Donohue presented the Acting Executive Director's Report.

5. Public Hearing Concerning Readoption of Commission Regulations with Amendments

A public hearing was conducted concerning the proposed readoption of the Commission's regulations with amendments.

6. Public Hearing Comments on Proposed Regulations

On a motion by Commissioner Peters, seconded by Commissioner Barr, and passed by a vote of 4-0, the Commission voted to open the public hearing comments.

No public hearing comments.

On a motion by Commissioner Evans, seconded by Commissioner Barr, and passed by a vote of 4-0, the Commission resolved to close public hearing comments.

7. Public Comments

On a motion by Commissioner Evans, seconded by Commissioner Barr, and passed by a vote of 4-0, the Commission voted to open the meeting for public comments.

No public comments.

On a motion by Commissioner Peters, seconded by Commissioner Barr, and passed by a vote of 4-0, the Commission resolved to close public comments.

8. Chairman Prol Read 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 March 19, 2024;
- Complaint Recommendation;
- Final Decision Recommendations for Non-Filer Complaints;
- Legal Memorandum;
- Daniel's Law; and,
- Draft 2023 Annual Report with Legislative Recommendations.

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 Peters, seconded by Commissioner Evans, and passed by a vote of 4-0, 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

Chairman Prol stated that the following items were discussed in Executive Session:

- Discussion of Executive Session Minutes for March 19, 2024;
- Complaint Recommendation;
- Final Decision Recommendations for Non-Filer Complaints;
- Legal Memorandum;
- Daniel's Law; and,
- Draft 2023 Annual Report with Legislative Recommendations.

9. Approval of Executive Session Minutes for March 19, 2024

On a motion by Commissioner Evans seconded by Commissioner Barr, and passed by a vote of 4-0, the Commission approved the Executive Session Minutes for March 19, 2024.

10. Complaint Recommendation

On a motion by Commissioner Barr, seconded by Commissioner Evans, and passed by a vote of 4-0, the Commission approved the complaint recommendation as follows:

- Item 1. ELEC v. Somerset County Republican Organization and Robert Damiano, Treasurer
C-O 1800 0002 22-Q2022 (County Political Party Committee)

11. Final Decision Recommendations for Non-Filer Complaints

On a motion by Commissioner Peters, seconded by Commissioner Evans, and passed by a vote of 3-0, the Commission adopted the Final Decision Recommendation as follows:

- 2022 Primary Election: Item 1. Candarella.

Commissioner Barr abstained.

On a motion by Commissioner Peters, seconded by Commissioner Evans, and passed by a vote of 4-0, the Commission adopted the Final Decision Recommendation as follows:

- 2022 General Election: Item 2. Hansen.

12. Draft 2023 Annual Report with Legislative Recommendations

On a motion by Commissioner Evans, seconded by Commissioner Peters, and passed by a vote of 4-0, the Commission approved the 2023 annual report with legislative recommendations and suggested changes by the Commissioners.

13. Public Comments

On a motion by Commissioner Peters, seconded by Commissioner Evans, and passed by a vote of 4-0, the Commission voted to open the meeting for public comments.

No public comments.

On a motion by Commissioner Evans, seconded by Commissioner Peters, and passed by a vote of 4-0, the Commission voted to close public comments.

14. Adjournment

On a motion by Commissioner Peters, seconded by Commissioner Evans, and passed by a vote of 4-0, the Commission resolved to adjourn the meeting at 12:24 pm

Respectfully submitted as true
and correct,

Joseph W. Donohue
Acting Executive Director

JWD/elz