



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

LORI GRIFA
Commissioner

July 18, 2011

Louise M. Palagano, Clerk
Township of Bloomfield
1 Municipal Building
Bloomfield, New Jersey 07003

Re: Local Government Ethics Law
Roster of Local Government Officers

Dear Ms. Palagano:

It has recently come to the attention of the Local Finance Board (Board) that the Township of Bloomfield does not maintain a complete roster of local government officers. This information is vital to the Board's effective administration of the Local Government Ethics Law. As you are aware, the failure by a local government officer to file an annual Financial Disclosure Statement constitutes a violation of the Local Government Ethics Law.

In order to properly record the officers who have complied with the Financial Disclosure Statement filing requirement, the Board requests that every local government entity maintain an up-to-date roster of all local government officers. A reminder of this requirement was most recently sent to all local government entities when the financial disclosure statement packages were mailed in March of 2011. The Local Finance Notice that accompanied that mailing, LFN 2011-11 dated March 4, 2011, included the following statement, "**It is imperative that the roster be completed in every category in accordance with your specific local government agency's information**". A copy of LFN 2011-11 has been enclosed with this letter.

Please be advised that the form in which the Township of Bloomfield has submitted its roster of local government officers does not constitute an official roster as stipulated by the Local Finance Board. The Board requires that a roster include the following information:

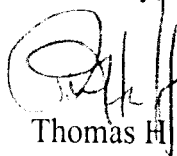
- Name of each person deemed to be a local government officer
- Title/Agency Served
- Filing Status

The Board asks that you submit an updated roster that reflects these requirements. **Please enclose a copy of this letter with your submission.**



Your anticipated cooperation is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'THN', written over a circular stamp or seal.

Thomas H. Neff, Chair
Local Finance Board

Enclosure

July2011.Bloomfield.Clerk.letter

THN:nb



New Jersey Libertarian Party

Open Government Advocacy Project

John Paff, Chairman

P.O. Box 5424

Somerset, NJ 08875-5424

Phone: 732-873-1251 - Fax: 908-325-0129

Email: lpsmc@pobox.com

June 25, 2011

Thomas H. Neff, Chair
Local Finance Board
101 S Broad St – PO Box 803
Trenton, NJ 08625-0803

Dear Mr. Neff:

I intend this letter to be my complaint against Louise M. Palagano, Clerk of Bloomfield Township (Essex County) In accordance with N.J.A.C. 5:35-1.1(b), following are the required elements of the complaint:

1. **State the point of the Local Government Ethics Law alleged to be violated.**

Local Finance Notice 2011-11¹, issued on March 4, 2011, which was addressed to every municipal clerk in New Jersey, stressed how important it is for each municipal clerk to maintain and submit an accurate "Local Government Officer Roster." See LFN 2011-11, p.6. The Roster is defined as "a complete list of local government officials required to file the Financial Disclosure Statement." The Roster contains the following information: a) Name of each person deemed to be a local government officer, b) Title/agency served and c) Filing status.

The purpose of the Roster is to identify all public employees within the municipality who are within the statutory definition of "Local Government Officer" and to indicate whether or not each such Officer did or did not file his or her Financial Disclosure Statement as required by law. In its Local Finance Notice, the Division of Local Government Services stated that the information contained in the Roster "is vital to the [Local Finance] Board's effective administration of the Local Government Ethics Law."

Complainant asserts that the preparation and submission of a Roster is a mandatory duty imposed upon every municipal clerk. Complainant further asserts that failure or refusal of a municipal clerk to prepare and submit a Roster constitutes a violation of the Local Government Ethics Law. If the Local Finance Board, however, deems that a clerk's failure or refusal to prepare and submit a Roster does not constitute a violation, Complainant invites the Board to dismiss this complaint in accordance with N.J.A.C. § 5:35-1.1(e)(1). Upon receipt of such a

¹ On-line at <http://www.state.nj.us/dca/lgs/lfns/11lfns/2011-11.doc>

dismissal, Complaint will make it publicly known that a clerk's preparation and submission of a Local Government Officer Roster is voluntary, rather than a mandatory task.

2. **State the name(s) and title(s) of the parties involved in the action and against whom the complaint is filed.**

- Complainant John Paff and the New Jersey Libertarian Party
- Louise M. Palagano

3. **Set forth in detail the pertinent facts surrounding the alleged violative action.**

On June 24, 2011, in response to a recent records request, the Township of Bloomfield's Records Custodian confirmed that "[t]he Township does not maintain a Local Government Officer Roster that lists those who did not file, therefore this record does not exist." A copy of the e-mailed response is attached.

In lieu of a proper Roster, the Township instead provided two records, each of which is attached. One of the records is labeled "2011 Financial Disclosure Statements Sent" which, purportedly is a list of each Local Government Officer to whom an FDS form was sent. The other record is labeled "2011 Financial Statements Received" which, purportedly, lists each person who filed an FDS.

In order to determine which Bloomfield Officers did not file his or her FDS, the Board (or an interested citizen) would need to undergo the tedious task of comparing the two documents, line by line, and determining which Officers listed in the "Sent" document are not also listed in the "Received" document. But, even after completing this time consuming task, I am not 100% clear which officials did and did not file.

For example, according to the "Sent" document, an FDS form was sent to Richard Stephan, who serves as a Planning Board Alternate. Yet, the "Received" document does not show that Richard Stephan filed his FDS. Rather, it shows that *Paul* Stephan filed an FDS. And, the "Sent" document shows that no person named *Paul* Stephan was sent an FDS.

Is this a clerical error where the name "Paul" was improperly entered upon the "Received" document instead of "Richard"? Or, is it true that Richard Stephan truly didn't file his FDS form? The Clerk's failure to maintain a proper Roster permits this ambiguity to exist and frustrates the Board's efforts to administer and enforce the Local Government Ethics Law.

4. **Indicate whether the complaint concerns the complainant in any way and what, if any, relationship the complainant has to the subject of the complaint.**

Complainant has no interest in or relationship to this complaint greater than any other citizen or organization who wishes for all government officers and employees to comply fully with the Local Government Ethics Law.

5. **Indicate any other action previously taken in an attempt to resolve the issue and indicate whether the issue is the subject of pending litigation elsewhere.**

No other action has been taken previously in an attempt to resolve this issue and this issue is not the subject of any pending litigation.

Thank you for your attention to this matter. I ask that you please acknowledge your receipt of this complaint within 30 days.

Sincerely,

John Paff

Subject: 2011 Disclosure Statements
From: Bob Lipinski <recordsmgr@bloomfieldwpnj.com>
Date: Fri, 24 Jun 2011 16:26:32 -0400
To: "'paff@pobox.com'" <paff@pobox.com>
CC: Bonnie Triola <btriola@bloomfieldwpnj.com>

Mr. Paff,

The Township of Bloomfield received your Open Public Records (OPRA) request on June 24, 2011. As such, the seven business day deadline to respond to your request is July 6, 2011. This response to your request is being provided to you on the same day as your request was received. Your OPRA request sought access to the following:

1. The Local Government Officer Roster which shows which officers did and did not file the Financial Disclosure Statements (FDS) that were due to be filled on or before April 30, 2011.

The following records are being provided to you:

1. List of 2011 Financial Disclosure Statements Sent.
2. List of 2011 Financial Disclosure Statements Received

The Township does not maintain a Local Government Officer Roster that lists those who did not file, therefore this record does not exist.

If your request for a government records have been denied or unfilled within the seven (7) business days required by law, you have the right to challenge the decision by the Township of Bloomfield to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access of Complaint Form. You may contact the GRCbt toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton NJ, 08625, by e-mail at grc@dca.state.nj.us or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your county.

Robert Lipinski
 Records Manager
 Township of Bloomfield
 973-259-3162 Office
 973-680-0048 Fax
recordsmgr@bloomfieldwpnj.com

Received 2011 Disclosure Statements.pdf	<p>Received 2011 Content-Description: Disclosure Statements.pdf Content-Type: application/pdf Content-Encoding: base64</p>
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—2011 Financial Disclosure Statements Sent.pdf—

2011 Financial Disclosure Statements Sent.pdf	<p>2011 Financial Content-Description: Disclosure Statements Sent.pdf</p>
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Content-Type:	application/pdf
Content-Encoding:	base64

2011 Financial Disclosure Statements Sent

Salutation	First Name	Last Name	Position
Mr.	Brian	Aloia	Township Attorney
Mr.	Steven J.	Martino	Asst. Township Attorney
Mr.	Paul	Sant'Ambrosio	Prosecutor
Mr.	Richard	DiLascio	Asst. Prosecutor
Honorable	John A.	Paparazzo	Chief Judge
Honorable	Joseph T.	Connolly	Judge
Mr.	Harold	Savage	Public Defender
Honorable	Raymond	McCarthy	Mayor
Councilwoman	Janice	Maly	Council
Councilman	Nicholas	Joanow	Council
Councilman	Robert	Ruane	Council
Councilman	Michael	Venezia	Council
Councilman	Bernard	Hamilton	Council
Councilwoman	Peggy	Dunigan	Council
Mr.	Carl	Graziano	Construction Official
Ms.	Danielle	Christiano	Clerk Typist
Ms.	Andrea	Barba	Secretary to Township Attorney
Mr.	Glenn	Dominick	Director, CDBG
Mr.	Thomas	Horton	Zoning Officer
Mr.	Paul	Lasek	Township Engineer
Ms.	Samantha	DePalma	Administrative Secretary
Mr.	Robert	Renna	Director of Finance
Mr.	Joseph	Pisaro	Tax Assessor
Ms.	Cindy	Prochilo	Tax Collector
Ms.	Pam	Walsh	Secretary to the Mayor & Council
Ms.	Bonita	Triola	Deputy Municipal Clerk
Ms.	Karen	Lore	Assistant Director of Health
Mr.	Steven	Coppola	Assistant Township Engineer
Mr.	Michael	Scurman	Assistant Recreation Director
Chief	Joseph	McCarthy	Fire Chief
Mr.	Frederick	Menzel	OEM Coordinator
Mr.	Thomas	Pelaia	Deputy OEM Coordinator
Mr.	Gerald	MacIntyre	Director, Department of Public Works
Mr.	Anthony	Nesto	Recreation Director
Ms.	Louis M.	Palagano	Municipal Clerk
Mr.	Yoshi	Manale	Township Administrator
Chief	Chris	Goul	Police Chief
Mr.	Richard	Rockwell	Zoning Board of Adjustment
Mr.	Edward	Michalski	Zoning Board of Adjustment
Ms.	Thessalonia B.	Prince	Zoning Board of Adjustment
Mr.	John	Debold	Zoning Board of Adjustment
Ms.	Doris	Carroll	Zoning Board of Adjustment
Ms.	Linda	Barucky	Zoning Board of Adjustment
Mr.	Allen	Balnicky	Zoning Board of Adjustment
Mr.	Leo	Scurman	Zoning Board of Adjustment
Mr.	Jeffrey	Bunin	Zoning Board of Adjustment
Mr.	Joseph	DelGuidice	Zoning Board of Adjustment
Mr.	Dennis	DeCarlo	Zoning Board of Adjustment
Mr.	Joel	Elkins	Division of Health
Mr.	James	McLaughlin	Division of Health
Ms.	Stephanie Marie	Smith	Division of Health
Ms.	Kathleen	DeMarino	Division of Health
Ms.	Martha	Felix	Division of Health
Councilwoman	Peggy	Dunigan	Division of Health - Council Liaison
Mr.	Darryl	Love	Bloomfield CATV Program Committee
Mr.	Joseph	Wannat	Bloomfield CATV Program Committee

Ms.	Terri	Gatto	Bloomfield CATV Program Committee
Mr.	Justin	Johanson	Bloomfield CATV Program Committee
Mr.	Frank	Grauso	Bloomfield CATV Program Committee
Ms.	Joanne	Reddan	Bloomfield CATV Program Committee
Superintendent of School District			Bloomfield CATV Program Committee
Councilman	Bernard	Hamilton	Bloomfield CATV Program Committee - Council Liaison
Mr.	Louis C.	Acocella	Public Library Trustee
Ms.	Rosemarie	Vetrano	Public Library Trustee
Mr.	Dennis	Valentovic	Public Library Trustee
Mr.	Jeremiah	Larkin, Jr.	Public Library Trustee
Ms.	Sharon	Mclver	Public Library Trustee
Ms.	Susan	Carter	Public Library Trustee
Ms.	Kathleen	Hughes	Public Library Trustee
Ms.	Catherine	Mozak	Public Library Trustee - Superintendent of Schools
Ms.	Gail	Reicheg	Public Library Trustee - Alt. for Super. Of Schools
Honorable	Raymond J.	McCarthy	Public Library Trustee
Unknown			Public Library Trustee - Alt. for Mayor
Mr.	Bryan	McFarlane	Bloomfield Municipal Youth Guidance Council
Ms.	Lenore	Imhof	Bloomfield Municipal Youth Guidance Council - School Rep.
Ms.	Mary	Todaro	Bloomfield Municipal Youth Guidance Council - School Rep. Alt.
Mr.	Derek	Hernandez	Bloomfield Municipal Youth Guidance Council
Mr.	Carlos	Bernard	Bloomfield Municipal Youth Guidance Council
Ms.	Rosemarie	Scola	Bloomfield Municipal Youth Guidance Council
Lieutenant	James	Behre	Bloomfield Municipal Youth Guidance Council
Councilman	Michael	Venezia	Bloomfield Municipal Youth Guidance Council - Council Liaison
Mr.	Luis	Felix	Board of Recreation
Mr.	Anthony	Todaro	Board of Recreation
Ms.	Barbara	Francisco	Board of Recreation
Ms.	Sabina	O'Brien	Board of Recreation
Mr.	Ben	Contella	Board of Recreation
Ms.	Robin	Sims	Board of Recreation
Mr.	Steven	Jenkins	Board of Recreation
Mr.	Matthew	Zichelli	Board of Recreation - Alt. #1
Mr.	Christian	Strumolo	Board of Recreation - Alt. #2
Honorable	Raymond J.	McCarthy	Board of Recreation - Council Liaison
Mr.	John	Pietrykoski	Planning Board
Dr.	Duke U.	Ophori	Planning Board
Mr.	Alan	LaQuaglia	Planning Board - Chairman
Mr.	Daniel	McGonigle	Planning Board - Vice Chairman
Ms.	Susana	Sotillo	Planning Board
Mr.	Russ	Zimmerman	Planning Board
Mr.	Richard	Stephan	Planning Board - Alt. #1
Mr.	Thomas J.	Francisco	Planning Board - Alt #2
Mr.	Paul	Lasek	Planning Board - Municipal Representative
Councilman	Bernard	Hamilton	Planning Board - Council Representative
Honorable	Raymond J.	McCarthy	Planning Board
Mr.	Dominick	Ferrara, III	Bloomfield Cultural Commission
Mr.	Robert	Harney	Bloomfield Cultural Commission
Vacancy			Bloomfield Cultural Commission
Ms.	Dorothy E.	Johnson	Bloomfield Cultural Commission
Mr.	Gregory G.	Allen	Bloomfield Cultural Commission
Mr.	Robert	Harney	Oakside Board of Trustees
Vacancy			Oakside Board of Trustees
Ms.	Dorothy E.	Johnson	Oakside Board of Trustees
Ms.	Patricia Ann	Copeck	Oakside Board of Trustees
Ms.	Sarah	Meyer	Oakside Board of Trustees
Ms.	Joan	Ingold	Oakside Board of Trustees
Vacancy			Oakside Board of Trustees

Mr.	Frank	Grauso	Oakside Board of Trustees
Ms.	Jeanne	DuChemin	Oakside Board of Trustees
Dr.	John	O'Connor	Oakside Board of Trustees
Mr.	C. Thomas	Zimmerer	Oakside Board of Trustees
Vacancy			Oakside Board of Trustees
Ms.	Geraldine	Nicolette	Oakside Board of Trustees
Ms.	Gwendolyn	Schenck	Oakside Board of Trustees
Ms.	Kim	Reilly	Oakside Board of Trustees - Director
Councilwoman	Janice	Maly	Oakside Board of Trustees - Council Liaison
Ms.	Cynthia	Briney	Open Space Trust Fund
Ms.	Antonia	Rodriguez	Open Space Trust Fund
Ms.	Joann	Castro	Open Space Trust Fund
Mr.	John	Palomaki	Open Space Trust Fund
Mr.	Pat	Gillera	Open Space Trust Fund
Councilman	Michael	Venezia	Open Space Trust Fund
Mr.	Steven	Coppola	Open Space Trust Fund - Asst. Engineer
Mr.	Russ	Moserowitz	Parking Authority
Mr.	John A.	Generazio	Parking Authority - Chairman
Mr.	Joel	Catalano	Parking Authority - Treasurer
Mr.	Thomas O.	Johnston	Parking Authority - Secretary
Mr.	Oscar H.	McKee	Parking Authority
Honorable	Raymond J.	McCarthy	Parking Authority - Council Liaison
Mr.	Gerald	MacIntyre	Former Director of Public Works

2011 Financial Statements Received

Last Name	First Name
Acocella	Louis
Aloia	Brian
Balnicky	Allen
Barucky	Linda
Brennan	Nicole
Briney	Cynthia
Bunin	Jeffrey
Carroll	Doris
Castro	JoAnn
Catalano	Joseph
Christiano	Danielle
Comstock	Patricia
Contella	Benjamin
Copeck	Patricia
Coppola	Steven
Debold	John
DeCarlo	Dennis
DeMarino	Kathleen
DePalma	Samantha
Domenick	Glenn
Dunigan	Margaret
Elkins	Joel
Felix	Martha
Francisco	Barbara Ann
Generazio	John
Gilleran	Patricia
Goul	Christopher
Graziano	Carl
Hamilton	Bernard
Hochman	Karan Ann
Hughes	Kathleen
Joanow	Nicholas
Johnson	Dorothy
Kane	Timothy
LaQuaglia	Alan
Larkin, Jr.	Jeremiah
Lasek	Paul
Lore	Karen
Maly	Janice
Manale	Yoshi
Martino	Steven
McCarthy	Raymond
McCarthy	Joseph
McFarlane	Bryan
McGonigle	Daniel
McIver	Sharon
McKee	Oscar
Menzel	Frederick
Michalski	Edward
Moserowitz	Russell
Nesto	Anthony
Nicolette	Geraldine
Ophori	Duke
Palagano	Louise
Pelaia	Thomas
Pietrykoski	John
Pisauro	Joseph
Prince	Thessalonia
Prochilo	Cindy
Renna	Robert
Rockwell	Richard
Rodriguez	Antonia
Ruane	Robert
Sant'Ambrosio	Paul
Savage	Harold
Scurman	Leo
Scurman	Michael
Schneider	Andrea
Sotillo	Susana
Stephan	Paul
Triola	Bonita
Valentovic	Dennis
Venezia	Michael

Vetrano
Wolverton
Zichelli
Zimmerman

Rosemary
Catherine
Matthew
Russell