

**STATE OF NEW JERSEY
LOCAL FINANCE BOARD
NOTICE OF VIOLATION**

In Re: [Michael Perrone, Belleville Library Board of Trustees (Mayor's Designee),
Township of Belleville, Complaint #LFB-06-002]

This matter having come before the Local Finance Board (Board) pursuant to the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., upon complaint that the Belleville Library Board of Trustees (Mayor's Designee), Michael Perrone, was in violation of N.J.S.A. 40A: 9-22.6 (a) for failing to annually file a Financial Disclosure Statement as required for local government officers; and

WHEREAS, it was alleged that Michael Perrone, Belleville Library Board of Trustees (Mayor's Designee), failed to file his annual Financial Disclosure Statements for the years 2004 and 2005 by the statutorily required date of April 30th each year; and

WHEREAS, the Board, having determined that the allegations were within its jurisdiction, were not frivolous and were based upon a reasonable factual basis, authorized an investigation of this complaint; and

WHEREAS, the Local Government Ethics Law states:

N.J.S.A. 40A: 9-22.6(a) "Local government officers shall annually file a financial disclosure statement...

(1) each source of income, earned or unearned, exceeding \$2000 received by the local government officer or a member of his immediate family during the preceding calendar year;"

WHEREAS, the Board, having considered the matter and the relevant statements and information presented and having considered Michael Perrone's written response to the Notice of Investigation, has determined that:

- 1) Michael Perrone, Belleville Library Board of Trustees (Mayor's Designee) failed to file the annual Financial Disclosure Statements for 2004 and 2005 as required by N.J.S.A. 40A: 9-22.6 (a); and
- 2) Michael Perrone, Belleville Library Board of Trustees failed to comply with the Board's Determination of May 8, 2007; and


It is therefore,

DETERMINED that Michael Perrone, Belleville Library Board of Trustees (Mayor's Designee), Township of Belleville, shall be assessed a fine of \$300.00 for his actions in violation of N.J.S.A. 40A:9-22.6(a), as related to his failure to file Financial Disclosure Statements for 2004 and 2005.

NOTICE that Michael Perrone, Belleville Library Board of Trustees (Mayor's Designee), Township of Belleville, is entitled to an administrative hearing in accordance with N.J.S.A. 40A:9-22.12 to contest this **NOTICE**. Any request for an administrative hearing shall be filed with the Local Finance Board within **thirty (30) days** receipt of this **NOTICE**.

If an administrative hearing is requested, the Board will not issue a final decision until the completion of the administrative hearing process. Said hearing request shall be filed with Patricia Parkin McNamara, Executive Secretary, Local Finance Board, Department of Community Affairs, P.O. Box 803, Trenton, New Jersey 08625.

December 4, 2007
DATE



Susan Jacobucci, Chair
Local Finance Board

The following Request for Information has been forwarded to the
Division of Local Government Services in the **Department of Community Affairs**.

Your confirmation number is **W68881**. Please write this number down or print this page as a reference.

Requestor Information

First Name	MI	Last Name	
John		Paff	
Company			
Mailing Address			
1605 Amwell Rd			
City	State	ZIP	
Somerset	New Jersey	08873 -	
Email			
paff@pobox.com			
Day Time Telephone:	Area Code	Number	Extension
		-	
Preferred Delivery: E-Mail			
Under penalty of N.J.S.A. 2C:28-3, I certify that I Have Not been convicted of any indictable offense under the laws of New Jersey, or any other state, or in United States.			
Record Request Information:			
By notice dated December 4, 2007, the Local Finance Board assessed a \$300 fine against Michael Perrone, Bellville Library Board of Trustees (See LFB-06-002). I am interested in determining whether the fine was ever paid or, if not, whether the Board, or an agency working on the Board's behalf, attempted to collect the matter in accordance with N.J.S.A. 40A:9-22.10. 1. Any writing indicating whether or not the \$300 fine against Michael Perrone was paid. 2. Any writings regarding an enforcement action to collect the \$300 fine.			

Payment Information

Maximum Authorized Cost:	
\$ 1	
Payment Method:	
Fees:	Letter Size @ \$0.05/page Legal Size @ \$0.07/page
Electronic Records:	shall be provided free of charge, but agency may charge for cost of media, programming, clerical, supervisory assistance and/or substantial use of information technology.
Delivery:	Delivery / postage fees additional depending upon delivery type.
Additional Charges:	may be charged if extraordinary time/effort required, depending upon request.

[privacy notice](#) | [legal statement](#)

Subject: FW: Response to Government Records Request W68881
From: "Kelly, Colleen" <Colleen.Kelly@dca.state.nj.us>
Date: 7/31/2012 8:44 AM
To: "paff@pobox.com" <paff@pobox.com>

Dear Mr. Paff:

Attached is a copy of your receipt.

Sincerely,

Colleen Kelly

-----Original Message-----

From: Kelly, Colleen
Sent: Tuesday, July 31, 2012 8:36 AM
To: 'paff@pobox.com'
Subject: Response to Government Records Request W68881

Dear Mr. Paff:

This is in response to your recent OPRA request assigned as W68881.

Please be advised that the Division of Local Government Services has completed it's search for records and has found no governmental records that are responsive to your request.

If you have any questions, please feel free to contact this office.

Sincerely,

Colleen M. Kelly, Records Custodian
Division of Local Government Services
P.O. Box 803
Trenton, NJ 08625-0803
Phone: 609-292-0827
Fax: 609-633-6243
E-Mail: ckelly@dca.state.nj.us

State Agency: Community Affairs, Division of Local Government Services

Requestor Name: John Paff
Company:
Address: 1605 Amwell Rd
Somerset NJ 08873
Email: paff@pobox.com
Telephone:

Convicted of indictable offense: NO

Preferred Delivery: E-Mail
Maximum Authorized Cost: \$1
Payment Method: None Selected

Requested Information: By notice dated December 4, 2007, the Local Finance Board assessed a \$300 fine against Michael Perrone, Bellville Library Board of Trustees (See LFB-06-002). I am interested in determining whether the fine was ever paid or, if not, whether the Board, or an agency working on the Board's behalf, attempted to collect the matter in accordance with N.J.S.A. 40A:9-22.10.

1. Any writing indicating whether or not the \$300 fine against Michael Perrone was paid.
2. Any writings regarding an enforcement action to collect the \$300 fine.

The following Request for Information has been forwarded to the
Division of Local Government Services in the **Department of Community Affairs**.

Your confirmation number is **W69180**. Please write this number down or print this page as a reference.

Requestor Information

First Name	MI	Last Name	
John		Paff	
Company			
Mailing Address			
1605 Amwell Rd			
City	State	ZIP	
Somerset	New Jersey	08873 -	
Email			
paff@pobox.com			
Day Time Telephone:	Area Code	Number	Extension
		-	
Preferred Delivery: E-Mail			
Under penalty of N.J.S.A. 2C:28-3, I certify that I Have Not been convicted of any indictable offense under the laws of New Jersey, or any other state, or in United States.			
Record Request Information:			
Background: I am a bit astonished at LGS's July 31, 2012 response to my Records Request W68881. The purpose of my request to satisfy myself that when the Local Finance Board levied a fine against a municipal official for violating the Local Government Ethics Law, that some mechanism was in place to follow up and make sure that the fine was actually paid. So, I found an example where Michael Perrone, of the Bellville Library Board of Trustees, was sent a December 4, 2007 notice fining him \$300 (See LFB-06-002). But, when I sent in my OPRA asking for evidence that the fine was paid or reduced to a docketed judgment, I was told by Colleen Kelly that "the Division of Local Government Services has completed it's [sic] search for records and has found no governmental records that are responsive to your request." Am I to believe that the Local Finance Board fines people and then makes no effort to enforce collection of the fine? Records requested: 1. Any correspondence to Mr. Perrone forgiving or adjusting his fine. 2. The results of any administrative hearing that may have been requested by Mr. Perrone.			

Payment Information

Maximum Authorized Cost:	
\$ 1	
Payment Method:	
Fees:	Letter Size @ \$0.05/page Legal Size @ \$0.07/page
Electronic Records:	shall be provided free of charge, but agency may charge for cost of media, programming, clerical, supervisory assistance and/or substantial use of information technology.
Delivery:	Delivery / postage fees additional depending upon delivery type.
Additional Charges:	may be charged if extraordinary time/effort required, depending upon request.

Subject: Response to Government Records Request W69180
From: "Kelly, Colleen" <Colleen.Kelly@dca.state.nj.us>
Date: 8/10/2012 10:28 AM
To: "paff@pobox.com" <paff@pobox.com>

Dear Mr. Paff:

This is in response to your recent OPRA request assigned as W69180. Specifically, you requested copies of (1) Any correspondence to Mr. Perrone forgiving or adjusting his fine, and (2) The results of any administrative hearing that may have been requested by Mr. Perrone.

Please be advised that the Division of Local Government Services has no governmental records that are responsive to your request.

In order to clarify this matter, the Director of the Division of Local Government Services, Thomas Neff, has asked me to pass along his response to your August 2 (e-mail) inquiry concerning the "Collection of LGEL fines":

Dear Mr. Paff:

Staff has reviewed complaint file #06-002, and determined that the complaint was filed in 2006 for failure to file an annual Financial Disclosure Statement for 2004 and 2005. The case was reviewed by the LFB at meetings in January, April and November of 2007. The staff review indicates that there are no documents reflecting the payment of the fine or action pursuant to the penalty enforcement law (N.J.S. 2A:58-1). Numerous different staff members have been assigned to process complaint files and have had access to the internal tracking report since that time. In the past, under a prior administration, standard procedure for pursuing fines through penalty enforcement were not always followed. We have since rectified that situation.

**Sincerely,
Thomas H. Neff, Director**

This OPRA request is now closed. If you have any questions, please do not hesitate to contact this office.

Sincerely,

Colleen M. Kelly, Records Custodian
Division of Local Government Services
P.O. Box 803
Trenton, NJ 08625-0803
Phone: 609-292-0827
Fax: 609-633-6243
E-Mail: ckelly@dca.state.nj.us

State Agency: Community Affairs, Division of Local Government Services

Requestor Name: John Paff
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Convicted of indictable offense: NO

Preferred Delivery: E-Mail
Maximum Authorized Cost: \$1
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Requested Information: Background:

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Records requested:

1. Any correspondence to Mr. Perrone forgiving or adjusting his fine.
2. The results of any administrative hearing that may have been requested by Mr. Perrone.

—Attachments:—

W69180 Receipt.pdf

11.0 KB