



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

RICHARD E. CONSTABLE, III
Commissioner

November 21, 2012

The Honorable Amy Telford
Councilwoman, Borough of Fieldsboro



Re: Local Government Ethics Law
Complaint #LFB-11-073
NOTICE OF VIOLATION

Dear Councilwoman Telford:

The Local Finance Board (Board) issued a **NOTICE OF VIOLATION** regarding its findings in the matter of Complaint #LFB-11-073 against you. Enclosed is the **NOTICE** issued by the Board.

Please be advised that the **NOTICE** is not a final determination if you desire to avail yourself of the right to request an administrative hearing. If a hearing is requested in accordance with the enclosed **NOTICE**, the Board will not issue a final decision until the completion of the administrative hearing process.

Should you have any questions regarding this matter, please contact Eileen Brennen at (609) 292-0479.

Sincerely,

Thomas H. Neff, Chair
Local Finance Board

Enclosure
THN:eb
C11-073 Telford NOV



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

In Re: [Amy Telford, Council Member and Planning Board Secretary, Borough of Fieldsboro, Complaint #11-073]

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 Amy Telford is serving in two incompatible offices by simultaneously serving as a member of the Borough Council and accepting the salary as the Planning Board Secretary in the Borough of Fieldsboro in violation of N.J.S.A. 40A:9-22.5(d); and,

WHEREAS, the Board determined that the allegation was within its jurisdiction, was not frivolous and was 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: 9-22.5.d. No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment;

N.J.S.A. 40A:9-22.5(e) "No local government officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties;

WHEREAS, the Board, having considered the matter and the relevant statements and information presented and all documentation with the written response to the allegation submitted by Ms. Telford and her attorney, concluded that the position of Borough Council member as an elected official and the position of Planning Board Secretary in a paid capacity are incompatible offices and constitute the undertaking of employment or service, whether compensated or not, which might reasonably be expected to prejudice one's independence of judgment in the exercise of one's official duties in violation of N.J.S.A. 40A:9-22.5.d.

It is therefore,

DETERMINED that Council member Amy Telford shall be assessed a fine in the amount of \$100.00 for the violation as related to her holding two positions within the Borough that are incompatible and further that she relinquish one of those positions immediately. Said fine shall be payable to: Treasurer, State of New Jersey, and be submitted to: Thomas H. Neff, Chair, Local Finance Board, P.O. Box 803, Trenton, New Jersey, 08625 immediately. If payment of said fine is not received within 10 days receipt of this **NOTICE**, Ms. Telford is subject to additional fines as determined by the Board in accordance with its powers in N.J.S.A. 40A:9-22.10, Violations and Penalties.

NOTICE that Ms. Amy Telford 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 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.



THOMAS H. NEFF, CHAIR
LOCAL FINANCE BOARD