



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

February 19, 2015

Roman Kruk



Re: Local Government Ethics Law
Complaint #LFB-11-042
Notice of Determination

Dear Mr. Kruk:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint.

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., authorizes the Board to initiate, receive, hear and review complaints, and hold hearings with regard to possible violations of the LGEL where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or has no reasonable factual basis, prior to conducting a formal investigation.

You are hereby notified that a Complaint was filed against you and was dismissed as having no reasonable factual basis. In complaint #LFB-11-042, as summarized, it was alleged that you violated the Local Government Ethics Law when you did not include the required disclosures by leaving certain fields blank in your Financial Disclosure Statement (FDS) for 2007, 2008, and 2011. It was also alleged that you did not file your 2009 and 2010 Financial Disclosure Statements.

The following provision of the LEGL was analyzed based on what the Complaint alleged:
N.J.S.A. 40A:9-22.6(a) states:

Local government officers shall annually file a financial disclosure statement. All financial disclosure statements filed pursuant to this act shall include the following information which shall specify, where applicable, the name and address of each source and the local government officer's job title:

(1) Each source of income, earned or unearned, exceeding \$2,000 received by the local government officer or a member of his immediate family during the preceding calendar year. Individual client fees, customer receipts or commissions on transactions received through a business organization need not



be separately reported as sources of income. If a publicly traded security is the source of income, the security need not be reported unless the local government officer or member of his immediate family has an interest in the business organization;

(2) Each source of fees and honorariums having an aggregate amount exceeding \$250 from any single source for personal appearances, speeches or writings received by the local government officer or a member of his immediate family during the preceding calendar year;

(3) Each source of gifts, reimbursements or prepaid expenses having an aggregate value exceeding \$400 from any single source, excluding relatives, received by the local government officer or a member of his immediate family during the preceding calendar year;

(4) The name and address of all business organizations in which the local government officer or a member of his immediate family had an interest during the preceding calendar year; and

(5) The address and brief description of all real property in the State in which the local government officer or a member of his immediate family held an interest during the preceding calendar year.

Following a preliminary investigation of the facts and circumstances relevant to this Complaint, the Board determined that the allegations do not rise to the level of an ethics violation. The Board noted in its investigation that you filed your 2012, 2013, and 2014 FDS's. The Board determined that while the instructions provide for a response, there is no statutory provision in N.J.S.A. 40A:9-22.6(a) requiring the word "NONE" or "NOT-APPLICABLE" be written in on a FDS. Further, the Board has decided that it is not going to pursue the 2009 and 2010 FDS complaints at this time as a significant amount of time has passed and you filed subsequent FDS's correctly. Accordingly, the Board voted to dismiss the Complaint.

Pursuant to N.J.S.A. 40A:9-22.9, the local government officer or employee against whom a complaint was filed must be notified of the Board's determination regarding a complaint. This letter is notification that a complaint was filed against you and was dismissed. No action is required on your part. This case is now closed.

If you have any questions regarding this matter, please feel free to contact Dana Jones at (609) 292-7080.

Sincerely,



Timothy J. Cunningham, Chair
Local Finance Board

Cc: Complainant(s)
TJC:dcj
C11-042.Dismissal.Accused