



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

CHRIS CHRISTIE
Governor

KIM GUADAGNO
I. Governor

CHARLES A. RICCIAMAN
Acting Commissioner

May 15, 2015

Richard Dow



RE: Local Government Ethics Law
Complaint #LFB-11-056
Notice of Determination

Dear Mr. Dow:

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

As you are aware, the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., (LGEL) provides the Local Finance Board (Board) with the power to initiate, receive, hear and review complaints, and hold hearings with regard to possible violations of the Local Government Ethics Law, where no local ethics board has been established, and determine if a complaint against a local government officer or employee is within its jurisdiction, frivolous, or without a reasonable factual basis, prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you and dismissed.

The allegations set forth in the complaint may be summarized as follows:

You did not file your 2011 Financial Disclosure Statement (FDS) form.

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.

After a preliminary investigation of the facts and circumstances relevant to this complaint, the Board determined to dismiss the allegations that you violated N.J.S.A. 40A:9-22.6(a) as having no reasonable factual basis.

The Board dismissed the allegations as you did file your 2011 FDS. Accordingly, the Board voted to dismiss the Complaint.

Complaint #LFB 11-056 is now closed.

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

If you have any questions regarding this matter, please do not hesitate to contact Dana Jones at (609) 292-0479.

Sincerely,



Timothy J. Cunningham, Chair

Local Finance Board

Cc: Complainant(s)
TJC: DCJ
C11-056. Dismissal-letterDow



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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Acting Commissioner

May 15, 2015

Dwynne Belton



RE: Local Government Ethics Law
Complaint #LFB-11-056
Notice of Determination

Dear Mr. Belton:

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

As you are aware, the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., (LGEL) provides the Local Finance Board (Board) with the power to initiate, receive, hear and review complaints, and hold hearings with regard to possible violations of the Local Government Ethics Law, where no local ethics board has been established, and determine if a complaint against a local government officer or employee is within its jurisdiction, frivolous, or without a reasonable factual basis, prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you and dismissed.

The allegations set forth in the complaint may be summarized as follows:

You did not file your 2011 Financial Disclosure Statement form. In addition, although you were the President of the Board of Trustees for the library, you spoke at a Council meeting and voiced your support for the library.

The complaint alleges a possible violation of the following provisions of the LGEL:

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.

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.**

After a preliminary investigation of the facts and circumstances relevant to this complaint, the Board determined to dismiss the allegations that you violated N.J.S.A. 40A:9-22.5(c) and N.J.S.A. 40A:9-22.6(a) as having no reasonable factual basis.

The Board dismissed the allegations as the Board determined is not to pursue 2011 FDS complaints as a significant amount of time has passed and the Board has decided to actively pursue non-compliance of FDS filings under the newly created electronic filing system on a state-wide basis. In addition, you were not President of the Board of Trustees for the library and Councilmembers can express their support for a township library. Accordingly, the Board voted to dismiss the Complaint.

Complaint #LFB 11-056 is now closed.

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

If you have any questions regarding this matter, please do not hesitate to contact Dana Jones at (609) 292-0479.

Sincerely,



Timothy J. Cunningham, Chair

Local Finance Board

Cc: Complainant(s)
TJC: DCJ
C11-056. Dismissal-letter-Belton