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STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
LOCAL FINANCE BOARD
LOCAL GOVERNMENT ETHICS LAW PORTION

Department of Community Affairs
Conference Room #129/235A
101 South Broad Street
Trenton, New Jersey 08625
June 10, 2015

B E F O R E: TIM CUNNINGHAM, Chairman
 PATRICIA STERN, Deputy Attorney General
 MELANIE WALTER, Deputy Attorney General
 PATRICIA McNAMARA, Executive Secretary
 EMMA SALAY, Deputy Executive Secretary
 FRANCIS BLEE, Member
 ALAN AVERY, Member
 TED LIGHT, Member

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STATE SHORTHAND REPORTING SERVICE, INC.

1 MR. CUNNINGHAM: We're ready. So we
2 shall open this meeting. And I'd ask Emma to read the
3 Open Public Meeting Statement.

4 MS SALAY: We are in compliance with the
5 Open Public Meetings Act. Notice was given to the
6 Secretary of State, the Star Ledger and the Trenton
7 Times. Role call: Mr. Cunningham?

8 MR. CUNNINGHAM: Present.

9 MS SALAY: Mr. Blee.

10 MR. BLEE: Here.

11 MS SALAY: Mr. Light?

12 MR. LIGHT: Here.

13 MR. CUNNINGHAM: First action in front
14 of the Board today is approval of the May 13th minutes.
15 I believe the Board members that are in attendance were
16 all here at that meeting.

17 MR. BLEE: Motion to approve.

18 MR. CUNNINGHAM: Thank, you.

19 MR. LIGHT: Second.

20 MS SALAY: Mr. Cunningham.

21 MR. CUNNINGHAM: Yes.

22 MS SALAY: Mr. Blee?

23 MR. BLEE: Yes.

24 MS SALAY: Mr. Light?

25 MR. LIGHT: Yes.

1 MR. CUNNINGHAM: Under complaint
2 considerations today we have matter C11001 out of the
3 Township of Westampton. This was a matter that was
4 discussed by the Board prior to my tenure in this
5 position, but the person whom the complaint was filed
6 against moved. And it took a little while to track an
7 address down. We now have a valid address and the
8 Board is being asked to vote on sending out this letter
9 regarding the Notice of Investigation. So may I have a
10 motion to approve?

11 MR. LIGHT: Motion to approve.

12 MR. BLEE: Second.

13 MS SALAY: Mr. Cunningham?

14 MR. Cunningham: Yes.

15 MS SALAY: Mr. Blee?

16 MR. BLEE: Yes.

17 MS SALAY: Mr. Light?

18 MR. LIGHT: Yes.

19 MR. Cunningham: The next matter is
20 C11090 out of the Township of Scotch Plains. This is
21 probably one of the more important matters that the
22 Board ever considered. And this was the one regarding
23 Union High School because someone went to Union High
24 School. There was complaint filed. And I think we
25 dispatched of that rather quickly at the last meeting.

1 So we will send that letter advising the party whom the
2 complaint was filed against that there would be no
3 action taken. So I would ask for a motion and second
4 on that, please.

5 MR. BLEE: Motion.

6 MR. LIGHT: Second.

7 MS SALAY: Mr. Cunningham?

8 MR. Cunningham: Yes.

9 MS SALAY: Mr. Blee?

10 MR. BLEE: Yes.

11 MS SALAY: Mr. Light?

12 MR. LIGHT: Yes.

13 MR. Cunningham: On a more serious note,
14 there is significant number of historic or older
15 financial disclosure statement complaints that have
16 been filed against several parties. And that's
17 resulted in a backlog within the Local Finance Board's
18 ethics responsibilities. And the Board is today being
19 asked to administratively close 173 complaints that
20 were made against 1,504 local government officers and
21 cover a time period from 2008 through 2013. The fact
22 that the Department -- the Division, I should say, has
23 gone to an electronic filing system has really obviated
24 the need for continued complaints by constituents and
25 citizens. As this Board is well aware, notices of

1 violation were recently sent out to thousands of
2 non-filers for the 2014 cycle. Therefore, the idea of
3 pursuing complaints from 2008 through, you know, you
4 know, '13 those complaints are rather historic at this
5 point. People may no longer be in office. People may
6 have moved. People may have passed away. And frankly,
7 we know that to be the case. So now that we have a
8 better system in place we feel it prudent -- from the
9 Division standpoint we feel it prudent to
10 administratively close these out.

11 And I do want to note that Pat and her
12 team have really worked tremendously hard to kind of
13 quantify, triage and identify all these complaints.
14 And if the Board approves this today then I will
15 personally reach out to the complainants and advise
16 them of the outcome of the Board's decision. I do note
17 that these complaints and still do have certain
18 complaints for perhaps, you know, 2014 and may continue
19 to file, but the goal here is to clear up the historic
20 cases.

21 So that is the matter before the Board
22 today. And gentlemen, I didn't know if you wanted to
23 have any discussion, any questions you may have on this
24 we'd be happy to answer.

25 MR. LIGHT: I just want to mention that

1 you and the staff are doing an excellent job on
2 completing these and clearing them up. I mean, they've
3 been hanging for so many years it's nice to see them
4 off the agenda docket.

5 MR. Cunningham: I thank you for that,
6 but the credit really does go to the other people in
7 the room today. They've really been working hard to
8 clear these up. I'm appreciative of it.

9 MR. LIGHT: Looking for motion?

10 MR. Cunningham: Yeah, sure if you're
11 prepared.

12 MR. LIGHT: I'll make a motion to
13 approve the financial disclosure statement complaints
14 from 2009 to 2012.

15 MR. BLEE: Second.

16 MS SALAY: Mr. Cunningham?

17 MR. Cunningham: Yes.

18 MS SALAY: Mr. Blee?

19 MR. BLEE: Yes.

20 MS SALAY: Mr. Light?

21 MR. LIGHT: Yes.

22 MR. Cunningham: Thank you, gentlemen.

23 We have no complaint determinations today so we're
24 going to go into an update that I'm going to ask Dana
25 to provide. And that deals with an update on the 2014

1 financial disclosure statement non-filing of appeals.
2 She's updated the Board before and has more recent
3 numbers. So Dana, would you kindly advise the Board?

4 MR. JONES: So at the last few meetings
5 we've been discussing, you know, recommending to waive
6 the fines and to follow up and verify the information
7 with the clerks. So recently we received an intern and
8 largely with his help that we've been able to verify a
9 lot of the information with the clerks. And in the
10 next few weeks we should be able to send out the
11 letters to all of these people who are also waiving the
12 fines, too. So hopefully at the next July meeting as
13 well we'll have more recommendations as to waive the
14 fines or he rescind the fines. We are going to have to
15 vote against him on the recommendation to waive the
16 fines A through G because some of the numbers have
17 increased.

18 The biggest increase has really been in
19 clerks verifying they made a mistake. So right now
20 we're at 467 appeals which is 38 more since our last
21 Board meeting. And we're anticipating at the next
22 meeting, because right now they're following up with
23 the clerks on a few topics, we should have about 100 to
24 200 more for next meeting that hopefully we can waive
25 the final notices as well.

1 MR. Cunningham: Right. The only thing
2 I want to point out to the Board members that was in
3 your memo was that we have received 288 checks from
4 filers. So we have about \$28,000 collected which helps
5 defray the cost of the electronic filing system. So
6 once again, you know, I know said it before but I think
7 it warrants saying again, this is something the entire
8 Local Finance Board staff has been working on,
9 fielding phone calls, everybody from Pat down to, you
10 know, a new intern. And clearly, we're making progress
11 on it. There's still a good amount of work to do, but
12 I think it's been a very worth while effort. So I
13 guess as Dana said, with respect to the recommendation
14 to waive fines which are labeled A through G on the
15 street in front of you because those numbers had
16 changed I would ask for a motion to waive those fines
17 and those instances and then the staff will handle them
18 accordingly.

19 MR. BLEE: Make to make a motion.

20 MR. LIGHT: I'll second.

21 MS SALAY: Mr. Cunningham?

22 MR. Cunningham: Yes.

23 MS SALAY: Mr. Blee?

24 MR. BLEE: Yes.

25 MS SALAY: Mr. Light?

1 MR. LIGHT: Yes.

2 MR. Cunningham: Members also included
3 in your packet was a stipulation of settlement which
4 dealt with the mayor of Haddon Heights. For purposes
5 of recollection, and, again, I believe this predated my
6 tenure, but this was a matter in which the mayor was a
7 -- the mayor was a member and past president of a Sons
8 of Italy lodge. And he executed a lease with the Sons
9 of Italy and the borough and didn't recuse himself. So
10 the Board had pursued an ethics complaint against him.

11 The stipulation of settlement in front
12 of you today, the mayor admits guilt. He agrees to pay
13 the fine that was levied by the Board, but the
14 stipulation acknowledges that his actions were
15 inadvertent and the mayor did not intend to violate the
16 ethics law. I certainly can live with that provision
17 within the stipulation. I think it's fairly common.
18 Again, he's admitting guilt and paying the fine which I
19 think is the ultimate goal of this Board. So I think
20 we need to have take a vote today to accept the
21 stipulation of settlement.

22 MR. BLEE: Motion.

23 MR. Cunningham: Thank you.

24 MR. LIGHT: Second.

25 MS SALAY: Mr. Cunningham?

1 MR. Cunningham: Yes.

2 MS SALAY: Mr. Blee?

3 MR. BLEE: Yes.

4 MS SALAY: Mr. Light?

5 MR. LIGHT: Yes.

6 MR. Cunningham: I believe they're all
7 the matters that we have for open session. So I would
8 ask for a motion to go into closed session then ask the
9 Emma to read the statement. I'll actually make the
10 motion.

11 MS SALAY: Motion to go into closed
12 session for the purpose of discussing complaints will
13 and requests for advisory opinions under the Local
14 Government Ethics Law and to receive related legal
15 advice. So motion?

16 MR. BLEE: Second.

17 MS SALAY: Mr. Cunningham?

18 MR. Cunningham: Yes.

19 MS SALAY: Mr. Blee?

20 MR. BLEE: Yes.

21 MS SALAY: Mr. Light?

22 MR. LIGHT: Yes.

23

24 (Matter is adjourned at 9:29 a.m.)

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1 CERTIFICATE

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I, CARMEN WOLFE, a Certified Court Reporter and Registered Professional Reporter and Notary Public of the State of New Jersey hereby certify the foregoing to be a true and accurate transcript of the proceedings as taken stenographically by me on the date and place hereinbefore set forth.

C:\TINYTRAN\CARMEN.BMP

CARMEN WOLFE, C.C.R., R.P.R.

Dated: June 23, 2015

License No. 30XI00192200

Notary Commission Expiration Date: July 29, 2016

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