



John Paff &lt;opengovtissues@gmail.com&gt;

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**OPRA request to Little Falls**

1 message

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**John Paff** <paff@pobox.com>

Thu, Apr 30, 2015 at 5:47 PM

To: ckraus@lfnj.com

Please accept this e-mail/fax as my request under the Open Public Records Act (OPRA) and the common law right of access. Please send all responses and responsive records to me via e-mail to [paff@pobox.com](mailto:paff@pobox.com). Thank you.

**Background:**

Attached are two files, "2011Correspondence.pdf" and "2014Correspondence.pdf"

2011Correspondence.pdf is an 10-page file consisting of my June 21, 2011 ethics complaint and some back and forth with Ethics Board lawyer Michael J. Pasquale. The most recent correspondence I have from Pasquale on this matter is his October 3, 2011, 5:27 p.m. e-mail in which he thanked me for providing him with a copy of the original ethics complaint.

2014Correspondence.pdf is a 2-page file consisting of my December 1, 2014 e-mail to Rosemarie Belo-Truland, a member of the local Ethics Board, containing a new ethics complaint against Little Falls officials. The most recent correspondence I have on this matter is Belo-Truland's December 1, 2014, 8:56 p.m. e-mail in which she informs me that she had forwarded my e-mail to the chair of the Ethics Board.

**Records Requested:**

1. Notices of Dismissal, Notices of Violation or other final dispositions of either of the above described ethics complaints.
2. Minutes of all public and nonpublic Little Falls Ethics Board meeting held on or after October, 3, 2011.
3. All correspondence, including e-mails, to or from any member of the

ethics board sent or received after October 3, 2011 that pertained to my 2011 complaint.

4. All correspondence, including e-mails, to or from any member of the ethics board sent or received after December 1, 2014 that pertained to my 2014 complaint.

*John Paff*  
*P.O. Box 5424*  
*Somerset, NJ 08875*  
*Voice: 732-873-1251*  
*Fax: 908-325-0129*  
*e-mail: [paff@pobox.com](mailto:paff@pobox.com)*

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**2 attachments**

 **2014Correspondence.pdf**  
85K

 **2011Correspondence.pdf**  
443K



John Paff &lt;opengovtissues@gmail.com&gt;

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**RE: Little Falls Ethics Board**

1 message

**Rosemarie BelloTruland** <rbtruland@brookdalecc.edu>

Mon, Dec 1, 2014 at 8:56 PM

To: John Paff &lt;paff@pobox.com&gt;

I forwarded your email to the chair of the committee.

Rosemarie Bello-Truland  
Assistant Professor of Sociology  
Department of Anthropology and Sociology  
Brookdale Community College  
(732) 224-2794

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From: [opengovtissues@gmail.com](mailto:opengovtissues@gmail.com) [[opengovtissues@gmail.com](mailto:opengovtissues@gmail.com)] On Behalf Of John Paff [[paff@pobox.com](mailto:paff@pobox.com)]  
Sent: Monday, December 01, 2014 7:54 PM  
To: Rosemarie BelloTruland; [bellotrulandr@wpunj.edu](mailto:bellotrulandr@wpunj.edu)  
Subject: Little Falls Ethics Board

December 1, 2014

Rosemarie Belo-Truland  
15 High Court  
Little Falls, NJ 07424  
(via e-mail only to [rbtruland@brookdalecc.edu](mailto:rbtruland@brookdalecc.edu)<<mailto:rbtruland@brookdalecc.edu>> and [bellotrulandr@wpunj.edu](mailto:bellotrulandr@wpunj.edu)<<mailto:bellotrulandr@wpunj.edu>>

Dear Ms. Belo-Truland:

I apologize for contacting you at your work e-mail addresses. I want to file a complaint with the Little Falls Ethics Board and can find nothing on the Little Falls web site explaining how a person is supposed to file a complaint. So, I downloaded your financial disclosure statement, determined that you worked at both Brookdale and William Paterson, and then located your e-mail addresses from the colleges' sites.

Do you think that you could raise my difficulty in filing a complaint with the other members of Little Falls Ethics Board? I hope that you will agree with me that the process of filing a complaint should be a bit more user-friendly.

In accordance with N.J.A.C. 5:35-1.1(b) (I cannot find Little Falls' corresponding rules anywhere on-line), following are the required elements of the complaint:

1. State the point of the Local Government Ethics Law alleged to be violated.

Local Finance Notice 2014-7 requires Local Government Officers to file their 2014 Financial Disclosure Statements (FDS) on or before June 13, 2014.

2. State the name(s) and title(s) of the parties involved in the action and against whom the complaint is filed.

Complainant John Paff and the New Jersey Libertarian Party and

1. Edward Bennett, Planning Board Member;
2. James Cestone, Rent Leveling Board Member;
3. Lou Conti, Rent Leveling Board Member;
4. Patrick Heaney, Planning Board Member;
5. John Reilly, Planning Board Member;

6. John Sweezy, Fire Chief.

3. Set forth in detail the pertinent facts surrounding the alleged violative action.

A search of New Jersey's on-line database<<http://www.nj.gov/dca/divisions/dlgs/resources/fds.html>> does not show a filing for any of the above six Local Government Officers despite their responsibility to file on or before June 13, 2014.

4. Indicate whether the complaint concerns the complainant in any way and what, if any, relationship the complainant has to the subject of the complaint.

Complainant has no interest in or relationship to this complaint greater than any other citizen or organization who wishes for all government officers and employees to comply fully with the Local Government Ethics Law.

5. Indicate any other action previously taken in an attempt to resolve the issue and indicate whether the issue is the subject of pending litigation elsewhere.

No other action has been taken previously in an attempt to resolve this issue and this issue is not the subject of any pending litigation. Thank you for your attention to this matter. I ask that you please acknowledge your receipt of this complaint within 30 days.

Sincerely,

/s/ John Paff, Chairman  
New Jersey Libertarian Party's  
Open Government Advocacy Project  
P.O. Box 5424  
Somerset, NJ 08875  
Voice: [732-873-1251](tel:732-873-1251)  
Fax: [908-325-0129](tel:908-325-0129)  
e-mail: [paff@pobox.com](mailto:paff@pobox.com)<<mailto:paff@pobox.com>>



# New Jersey Libertarian Party

Open Government Advocacy Project

*John Paff, Chairman*

*P.O. Box 5424*

*Somerset, NJ 08875-5424*

*Phone: 732-873-1251 - Fax: 908-325-0129*

*Email: [lpsmc@pobox.com](mailto:lpsmc@pobox.com)*

June 21, 2011

Thomas H. Neff, Chair  
Local Finance Board  
101 S Broad St – PO Box 803  
Trenton, NJ 08625-0803

Little Falls Municipal Ethics Board  
c/o Little Falls Township Clerk  
225 Main St  
Little Falls, NJ 07424

Dear Mr. Neff and the Municipal Ethics Board:

I intend this letter to be my complaint against fourteen (14) Local Government Officers in the Township of Little Falls, Passaic County.

## **Jurisdictional Question**

§ 3-12.9 of the Little Falls Township Code establishes a Municipal Ethics Board. Yet, the Municipal Ethics Board is not listed on the Local Finance Board's Internet site at <http://www.nj.gov/dca/lgs/ethics/localbds.shtml> as being in existence or operation. In addition, three members of the six-member Municipal Ethics Board are named in this complaint, raising a question as to whether a quorum of Board members are eligible to act upon this complaint. Accordingly, I am submitting my complaint to both the Municipal Ethics Board and the Local Finance Board and ask that those bodies confer to determine which one has proper jurisdiction over the matter.

1. **State the point of the Local Government Ethics Law alleged to be violated.**

N.J.S.A. 40A:9-22.6 requires Local Government Officers to file annual Financial Disclosure Statements (FDS) on or before April 30<sup>th</sup> of each year.

2. **State the name(s) and title(s) of the parties involved in the action and against whom the complaint is filed.**

- Complainant John Paff and the New Jersey Libertarian Party
- The following fourteen (14) Little Falls officials
  1. John Dmuchkowski, Police Chief
  2. Jack Sweezy, Jr., Fire Chief
  3. Alfred Batelli, OEM Coordinator
  4. Bernard Dowd, Deputy OEM Coordinator

5. Dan D'Agostino, Planning Board
6. Donald Radcliffe, Planning/Rent Leveling Board
7. Ian Lawson, Planning Board
8. Elizabeth Gobeille, Municipal Ethics Board
9. Renea Shapiro, Municipal Ethics Board
10. Vic Nowak, Municipal Ethics Board<sup>1</sup>
11. Bonnie Nolan, Library Board
12. Al Glatz, Rent Leveling Board
13. James Cestone, Rent Leveling Board
14. Howard Lipoff, Rent Leveling Board

3. **Set forth in detail the pertinent facts surrounding the alleged violative action.**

In response to a recent records request, the Little Falls Township Clerk provided a "2011 Local Government Officer Roster" showing that the fourteen (14) individuals named above did not file the Financial Disclosure Statements that were due to be filed on or before April 30, 2011. A copy of the Roster is enclosed. The Clerk's response to the OPRA request also indicated that the Roster is up-to-date.

4. **Indicate whether the complaint concerns the complainant in any way and what, if any, relationship the complainant has to the subject of the complaint.**

Complainant has no interest in or relationship to this complaint greater than any other citizen or organization who wishes for all government officers and employees to comply fully with the Local Government Ethics Law.

5. **Indicate any other action previously taken in an attempt to resolve the issue and indicate whether the issue is the subject of pending litigation elsewhere.**

No other action has been taken previously in an attempt to resolve this issue and this issue is not the subject of any pending litigation.

Thank you for your attention to this matter. I ask that you please acknowledge your receipt of this complaint within 30 days.

Sincerely,

John Paff

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<sup>1</sup> Neither "yes" nor "no" is circled on the Roster for Mr. Nowak. Thus, I am not sure whether he filed a timely FDS or not.

## 2011 LOCAL GOVERNMENT OFFICER ROSTER

### TOWNSHIP OF LITTLE FALLS

Below list the names of all individuals in your local government agency who have been determined to be "local government officers" and must file the annual Financial Disclosure Statement.

Trapanese, Joseph ✓	Township Attorney	<input checked="" type="radio"/> Yes	<input type="radio"/> No
DeFrancisci, Michael ✓	Township Mayor	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Fontana, Louis ✓	Township Council, President	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Sisco, Joseph ✓	Township Council	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Post, Darlene ✓	Township Council	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Gonzalez, Mercedes ✓	Township Council	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Vantuno, John ✓	Township Council	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Wilk, William E. ✓	Township Clerk	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Correale, Peter ✓	Health Officer	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Meyer, Cynthia ✓	Dep. Township Clerk	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Albanese, Kathy ✓	CMFO/Treasurer	<input checked="" type="radio"/> Yes	<input type="radio"/> No
— Dmuchkowski, John	Police Chief	<input type="radio"/> Yes	<input checked="" type="radio"/> No
— Sweezy, Jack, Jr.	Fire Chief	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Simone, Phillip ✓	Superintendent DPW	<input checked="" type="radio"/> Yes	<input type="radio"/> No
DiDeo, Donald ✓	Municipal Prosecutor	<input checked="" type="radio"/> Yes	<input type="radio"/> No
— Batelli, Alfred	OEM Coordinator	<input type="radio"/> Yes	<input checked="" type="radio"/> No
— Dowd, Bernard	Dep. OEM Coordinator	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Marotta, William ✓	Public Defender	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Hamilton, Richard ✓	Tax Assessor	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Underhill, Henry ✓	Business Administrator	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Van Houten, William ✓	Planning Board	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Kilpatrick, Walter ✓	•	<input checked="" type="radio"/> Yes	<input type="radio"/> No
— D'Agostino, Dan	•	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Greco, Richard ✓	•	<input checked="" type="radio"/> Yes	<input type="radio"/> No
— Radcliffe, Donald	•	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Kohlman, William ✓	•	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Gaita, Carmen ✓	•	<input checked="" type="radio"/> Yes	<input type="radio"/> No
— Lawson, Ian	•	<input type="radio"/> Yes	<input checked="" type="radio"/> No

Botbyl, Herbert •  
Strothers, Joan •  
Montalbano, Bernard B. •

Attorney

Yes No  
 Yes No  
 Yes No

Kohlman, William •  
- Gobeille, Elizabeth  
- Shapiro, Renea  
De Young, Margaret •  
Swisher, Clifford •  
Nowak, Vic

Municipal Ethics Board

Yes No  
Yes  No  
Yes  No  
 Yes No  
 Yes No  
Yes No

Pruikisma, Jeffrey •  
- Nolan, Bonnie  
Bayda, Nancy •  
Miller, Carol •  
DeLorenzo, Marianne •  
Ross, Patricia •  
Toomey, Patricia •

Library Board

Yes No  
Yes  No  
 Yes No  
 Yes No  
 Yes No  
 Yes No  
 Yes No

- Radcliffe, Donald  
- Glatz, Al  
- Cestone, James  
- Lipoff, Howard

Rent Leveling Board

Yes  No  
Yes  No  
Yes  No  
Yes  No



LAW OFFICES OF  
**MICHAEL J. PASQUALE**  
146 REA AVENUE  
HAWTHORNE, NEW JERSEY 07506  
(973) 423-0909

MICHAEL J. PASQUALE  
mpasquale@mpasqualelaw.com

FAX: (973) 423-0067

AMY L. WUGMAN  
amy@mpasqualelaw.com

August 1, 2011

John Paff, Chairman  
New Jersey Libertarian Party  
PO Box 5424  
Somerset, New Jersey 08875-5424

Re: Township of Little Falls

Dear Mr. Paff:

As you know, I serve as Attorney to the Little Falls Ethics Board.

By letter dated June 21, 2011, you filed a Complaint against 14 local Government officials in the Township of Little Falls. As you named multiple members of the Little Falls Ethics Board as respondents, you raised a jurisdictional question with the New Jersey Department of Community Affairs, Local Finance Board and with the Little Falls Ethics Board.

By letter dated July 11, 2011, the Local Finance Board advised the municipality that it did not have jurisdiction over the matter as Little Falls maintains an Ethics Board. At the same time, the New Jersey Administrative Code, at NJAC 5:35-1.3, provides that it may request the Local Finance Board to assume jurisdiction of a matter where it is unable to act due to a lack of quorum caused by a conflict of interest.

In the intervening weeks between the time you filed your complaint and today, I have been privy to snippets of your communication with Mr. Wilk which seemingly pored-down your original list of 14 municipal officials to a lesser number. I would ask, at this point, that you please let me know the names of the persons against whom you still wish to proceed and also provide his or her position so we can answer the threshold question as to the capacity of the Ethics Board to hear this matter.

Thank you for your cooperation.

Very truly yours,

  
MICHAEL J. PASQUALE *MP*

MJP/bs

cc: William E. Wilk, Clerk  
Joseph S. Trapanese, Esq.  
William Kohlman

**Subject:** Complaint regarding Financial Disclosure filings

**From:** John Paff <paff@pobox.com>

**Date:** 10/3/2011 5:01 PM

**To:** mpasquale@mpasqualelaw.com

Mr. Pasquale:

I apologize for the delay in responding to your August 1, 2011 letter (copy attached).

Please be advised that I wish to proceed against each of the 14 officials included in my original complaint.

By way of explanation, after I filed my complaint, an issue arose over three of the officials named in the complaint.

1. Vic Nowak. Mr. Nowak allegedly resigned his position on the Ethics Board during a December 2010 conversation with Council President Lou Fontana. Yet, his letter of resignation is dated March 12, 2011. Since there is an issue of material fact regarding whether Mr. Nowak's resignation occurred on the date of his letter or on the date of his conversation with Mr. Fontana, I am not in a position to withdraw my complaint as to Mr. Nowak.

2. Alfred Batelli and Elizabeth Gobeille. Both had claimed to Passaic Valley Today Staff Writer Matthew Kodosh that "they filed their disclosure statements for this year." Yet, when I OPRA'd Batelli's and Gobeille's FDS forms, it became apparent that they were filed on June 25, 2011 and July 5, 2011 respectively. Since both Batelli and Gobeille filed their FDS forms AFTER the Passaic Valley Today article was published, I decline to withdraw my complaints against them.

Please let me know if you have any further questions.

Sincerely,

John Paff

—Attachments: \_\_\_\_\_



John Paff &lt;opengovtissues@gmail.com&gt;

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**Re: Complaint regarding Financial Disclosure filings**

1 message

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**Michael** <mpasquale@mpasqualelaw.com>

Mon, Oct 3, 2011 at 5:12 PM

To: paff@pobox.com

Mr. Paff

I acknowledge receipt of your email correspondence of this date. As I indicated in my letter, I have not seen the original complaint you filed in this matter in which you identify 14 Municipal Officials who failed to timely file, or file at all, financial disclosure forms. As I do not know the names of the 14 individuals or the respective Board or entity on which each sits, I do not know if the Ethics Board has a quorum so as to conduct its inquiry.

My understanding of the law is that where a Municipal Ethics Board does not have a quorum, it may petition the Local Finance Board to consider the matter. Otherwise, the matter is properly before the Municipal Ethics Board.

Would you please send me the original complaint or some document setting forth the names and affiliations of the 14 individuals so I can render an opinion regarding jurisdiction.

Mike Pasquale

----- Original Message ----- From: "John Paff" &lt;paff@pobox.com&gt;

To: &lt;mpasquale@mpasqualelaw.com&gt;

Sent: Monday, October 03, 2011 5:01 PM

Subject: Complaint regarding Financial Disclosure filings

Mr. Pasquale:

I apologize for the delay in responding to your August 1, 2011 letter (copy attached).

Please be advised that I wish to proceed against each of the 14 officials included in my original complaint.

By way of explanation, after I filed my complaint, an issue arose over three of the officials named in the complaint.

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Please let me know if you have any further questions.

3/23/2015

Gmail - Re: Complaint regarding Financial Disclosure filings

Sincerely,

John Paff



John Paff &lt;opengovtissues@gmail.com&gt;

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**Re: Complaint regarding Financial Disclosure filings**

1 message

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**Michael** <mpasquale@mpasqualelaw.com>  
To: paff@pobox.com

Mon, Oct 3, 2011 at 5:27 PM

thank you

----- Original Message ----- From: "John Paff" <paff@pobox.com>  
To: "Michael" <mpasquale@mpasqualelaw.com>  
Sent: Monday, October 03, 2011 5:24 PM  
Subject: Re: Complaint regarding Financial Disclosure filings

Mr. Pasquale:

Original complaint attached.

John Paff

On 10/3/2011 5:12 PM, Michael wrote:

Mr. Paff

I acknowledge receipt of your email correspondence of this date. As I indicated in my letter, I have not seen the original complaint you filed in this matter in which you identify 14 Municipal Officials who failed to timely file, or file at all, financial disclosure forms. As I do not know the names of the 14 individuals or the respective Board or entity on which each sits, I do not know if the Ethics Board has a quorum so as to conduct its inquiry.

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Would you please send me the original complaint or some document setting forth the names and affiliations of the 14 individuals so I can render an opinion regarding jurisdiction.

Mike Pasquale

----- Original Message ----- From: "John Paff" <paff@pobox.com>  
To: <mpasquale@mpasqualelaw.com>  
Sent: Monday, October 03, 2011 5:01 PM  
Subject: Complaint regarding Financial Disclosure filings

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Please let me know if you have any further questions.

Sincerely,

John Paff