



State of New Jersey

## ELECTION LAW ENFORCEMENT COMMISSION

RONALD DEFILIPPIS  
Chairman

WALTER F. TIMPONE  
Vice Chairman

AMOS C. SAUNDERS  
Commissioner

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JEFFREY M. BRINDLE  
Executive Director

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CAROL L. HOEKJE  
Legal Director

AMY F. DAVIS  
Compliance Director

### PUBLIC SESSION MINUTES

February 21, 2012

Chairman DeFilippis, Vice Chairman Timpone, Commissioner Saunders, and senior staff were present. Director of Review and Investigation Shreve Marshall was also present. Report Review Officer Lovinsky Joseph was present for the purpose of recording the minutes. Legal Counsel James P. Wyse was present as noted below.

The Public Session Minutes will be available online in the Commission's website at: <http://www.elec.state.nj.us>.

The meeting convened at 11:00 a.m. in Trenton.

#### 1. Open Public Meetings Statement

Chairman DeFilippis called the meeting to order and announced that pursuant to the "Open Public Meetings Act," N.J.S.A. 10:4-6 et seq., adequate notice of the meeting of the Commission had been filed with the Secretary of State's Office and distributed to the entire State House Press Corps. It was also posted on the Commission's website.

#### 2. Approval of Public Session Minutes of January 17, 2012

On a motion by Vice Chairman Timpone, seconded by Commissioner Saunders and passed by a vote of 3-0, the Commission approved the Public Session Minutes of January 17, 2012.

#### 3. Approval of Public Session Minutes of January 31, 2012

On a motion by Vice Chairman Timpone, seconded by Commissioner Saunders and passed by a vote of 3-0, the Commission approved the Public Session Minutes of January 31, 2012.

#### 4. Resolution to go into First Executive Session

On a motion by Vice Chairman Timpone, seconded by Commissioner Saunders and passed by a vote of 3-0, the Commission resolved to go into Executive Session to discuss a personnel matter.

Return to Public Session

At this juncture, Chairman DeFilippis summoned Legal Counsel Wyse to attend the meeting, noting that he now has been engaged by the Commissioners as Legal Counsel.

Legal Counsel Wyse greeted the Commissioners.

5. Executive Director's Report

A. Lobbyist Electronic Filing – Annual Financial Reports

Executive Director Brindle reported that 1,243 lobbyists had submitted Annual Financial Reports as of February 17, 2012. He stated that 436 reports, 35 percent of the total, had been submitted electronically, and that 807 reports constituting 65 percent had been submitted manually. The Executive Director informed the Commissioners that the process had proceeded smoothly, and that the Commission would make electronic filing of Annual Financial Reports mandatory next year, with additional training sessions to aid filers.

B. Treasurer Training

Executive Director Brindle informed the Commissioners that the Commission has scheduled seven upcoming treasurer training sessions for candidate committees, four sessions for political party and political action committees, and six sessions for candidate committee electronic filing. He also stated that the Commission will continue to reach out to county political party organizations to facilitate offsite training sessions.

C. Analytical Press Releases

The Executive Director reported that the Commission would issue analytical press releases relevant to Lobbyist Annual Financial Reports on March 7 and pay-to-play vendor filings on April 5.

D. Eagleton Institute

Executive Director Brindle informed the Commissioners that he had participated in a panel discussion featuring representatives of independent agencies hosted by the Eagleton Institute. He reported that Jane Kelly, Vice President of Corporate Governance and Operations for the Schools Development Authority, Nancy Wittenberg, Executive Director of the Pinelands Commission, and Anthony Marchetta, Executive Director of the Housing and Mortgage Financing Agency, had also been in attendance.

E. Meetings with Legislative and Executive Staff

The Executive Director reported that he had participated in a series of meetings with Legislative leaders and representatives from the Governor's office regarding the status of the Commission's computer and staffing needs. He informed the officials that the Commission's computer system is 13 years old, and noted the recent system collapse of California's campaign finance agency, which uses software half as old. Executive Director Brindle stated that he had received positive feedback, but no definitive commitments.

F. Annual Report Draft

The Executive Director informed the Commissioners that the Commission's Annual Report was currently in progress, and would be presented to the Commissioners in April. He reported that the report was due by May 1 to the Legislature by statute. Executive Director Brindle further noted that photos for the Annual Report would be taken at the next meeting.

G. State Ethics Commission Filings

Executive Director Brindle reported that the annual filing with the State Ethics Commission required of Commissioners and directors will be due on May 15, and anticipated receiving instructions shortly.

H. Appellate Division Decision (Morris County)

The Executive Director informed the Commissioners of the decision rendered by the Appellate Division on February 7, 2012 upholding the Commission's authority to enforce the state's campaign finance laws.

Chairman DeFilippis commended Legal Director Carol Hoekje for her grasp of the material at hand and explanation of the Commission's procedures.

Commissioner Saunders expressed his agreement with the Chairman.

Legal Director Hoekje recognized attorneys Gail Shanker, Amanda Haines and Theresa Lelinsky of the Legal Staff and Administrative Assistant Elbia Zeppetelli for their work as a joint effort in preparing the papers for the Motion for Leave to Intervene and the arguments in the Brief on Appeal.

I. Spring Meeting Schedule

- March 20, 2012 at 11:00 a.m. in Trenton;
- April 17, 2012 at 11:00 a.m. in Trenton; and,
- May 15, 2012 at 11:00 a.m. in Trenton.

The Chairman asked if any progress had been made with regard to obtaining a loan from the Department of the Treasury for computer upgrades.

Executive Director Brindle replied that the Commission had to wait until the release of the budget.

6. Public Comments

Chairman DeFilippis asked if any members of the public in attendance wished to comment.

No comments were received from the public.

7. Resolution to go into Second Executive Session

On a motion by Vice Chairman Timpone, seconded by Commissioner Saunders and passed by a vote of 3-0, the Commission resolved to go into Executive Session to discuss anticipated litigation, which will become public as follows:

- A. Final Decision Recommendations in complaint proceedings which will not become public. However, the Final Decisions resulting from those recommendations will become public not later than seven business days after mailing to the named respondents.
- B. Investigative Reports of possible violations, which reports will not become public. However, any complaint generated as the result of an Investigative Report will become public not later than seven business days after mailing to the named respondents.

Return to Public Session

8. Adjournment

On a motion by Vice Chairman Timpone, seconded by Commissioner Saunders and passed by a vote of 3-0, the Commission resolved to adjourn at 12:05 p.m.

Respectfully submitted as true  
and correct,

Jeffrey M. Brindle  
Executive Director

JMB/elz