



*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

**JOSEPH W. DONOHUE**  
Deputy Director

**Demery J. Roberts**  
Legal Director

**AMY F. DAVIS**  
Compliance Director

**EDWIN R. MATTHEWS**  
Legal Counsel

**PUBLIC SESSION MINUTES**

**February 17, 2015**

Chairman DeFilippis, Vice Chairman Timpone, Commissioner Saunders, and Legal Counsel Matthews participated by telephone. Executive Director Brindle, Deputy Director Donohue, and Legal Director Roberts were present. Director of Review and Investigation Shreve Marshall and Associate Legal Director Michelle R. Levy were also present. Special Programs Analyst Scott Fagerty was present for the purpose of recording the minutes

The Public Session Minutes will be available online on 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. Executive Director Brindle 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 20, 2015**

On a motion by Vice Chairman Timpone, seconded by Chairman DeFilippis and passed by a vote of 2-0, the Commission approved the Public Session Minutes of January 20, 2015.

3. **Approval of Public Session Minutes of January 23, 2015**

On a motion by Vice Chairman Timpone, seconded by Chairman DeFilippis and passed by a vote of 2-0, the Commission approved the Public Session Minutes of January 23, 2015.

4. Executive Director's Report

- A. Computer Upgrade – Executive Director Brindle informed the Commission that staff has received the approvals necessary to begin the anticipated computer upgrade.
- B. Relocation of Commission Offices – Executive Director reported that the anticipated date to relocate to the Commission's new offices has been moved to December. He stated that the delay is due to difficulty of the State to obtain a certificate of occupancy.
- C. County Party Analytical Press Release – Executive Director Brindle reported that county political party activity is at the lowest point since 2001. Together, county parties raised \$7.6 million, while spending a similar amount.
- D. Legal Staff – Executive Director Brindle expressed his appreciation for the commitment demonstrated by members of the Legal Section. Noting the abnormally large volume of section activity, he recalled a Saturday morning when he had stopped in to find members of the section hard at work attending to their cases, adding that such work outside of typical hours has become common within the section.
- E. Annual Report – Executive Director Brindle stated that the annual report is in the process of being drafted. He informed the Commissioners that photos would be taken at the next meeting.
- F. NJ State Bar Association Election Law Seminar – Executive Director Brindle announced that Compliance Director Amy Davis will participate on a panel sponsored by the New Jersey Bar Association. The panel will discuss lobbying and Pay-to-Play laws in New Jersey.
- G. Pay-to-Play Analytical Report – Executive Director Brindle stated that the report is slated to be released in April. He noted that the filing is due March 30.
- H. Future Meetings Schedule
  - March 17, 2015 at 11:00 a.m. in Trenton;
  - April 21, 2015 at 11:00 a.m. in Trenton; and,
  - May 19, 2015 at 11:00 a.m. in Trenton.

At this point, Commissioner Saunders joined the meeting.

5. Public Hearing Concerning Proposed Amendments to N.J.A.C. 19:25-8.12

Chairman DeFilippis announced that a public hearing was being conducted to solicit public comment on proposed amendments concerning N.J.A.C. 19:25-8.12.

Associate Legal Director Michelle R. Levy reported on the proposed amendment to N.J.A.C. 19:25-8.12 regarding elimination of the requirement to file duplicate copies of reports with county clerks. She stated that notice of the proposal appeared in the New Jersey Register on December 1, 2014 at 46 N.J.R. 2349(a), on the Commission's website, pursuant to the Open Public Meetings Act,

and through secondary notice. She stated that the matter would be brought before the Commission on March 17, 2015 for a vote on adoption of the proposed amendment.

No individuals appeared to offer testimony.

A court reporter was available to record the proceedings. The transcript will be available to the public for inspection upon request.

6. Public Comments

Chairman DeFilippis asked if any members of the public wished to comment. Seeing none, he asked for a motion to enter Executive Session.

7. Resolution to go into 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 and current 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. The reports will not become public in order to protect the identity of informants and maintain the integrity of investigative procedures and priorities. However, any complaint alleging violations, which complaint may be generated as a result of a request for investigation, will become public not later than seven business days after mailing to the named respondents.
- C. Matters under current litigation, the substance of discussions of which will not become public in order to protect the attorney-client privilege and the deliberative process. However, any litigation in which the Commission is currently a party is a public matter and will become public subject to the above limitations and privileges.

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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 11:45 a.m.

Respectfully submitted as true  
and correct,

Jeffrey M. Brindle  
Executive Director

JMB/elz