



*State of New Jersey*

RONALD DEFILIPPIS  
Chairman

WALTER F. TIMPONE  
Vice Chairman

## **ELECTION LAW ENFORCEMENT COMMISSION**

Respond to:  
P.O. Box 185  
Trenton, New Jersey 08625-0185

(609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532)

Website: <http://www.elec.state.nj.us/>

JEFFREY M. BRINDLE  
Executive Director

JOSEPH W. DONOHUE  
Deputy Director

DEMERY J. ROBERTS  
Legal Director

STEPHANIE A. OLIVO  
Compliance Director

EDWIN R. MATTHEWS  
Legal Counsel

### PUBLIC SESSION MINUTES

February 16, 2016

Chairman DeFilippis, Vice Chairman Timpone, and Legal Counsel Matthews participated by telephone. Senior staff was present. Director of Review and Investigation Shreve Marshall was 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 19, 2016

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 19, 2016.

#### 3. Executive Director's Report

A. New Staff Member – Executive Director Brindle briefly introduced Scott Miccio, Esq. to the Commission. Mr. Miccio has joined the Legal Section.

B. Commission Vacancies – Executive Director Brindle reported that he and Deputy Director Donohue have met with legislative leaders concerning the vacancies on the Commission.

- C. Relocation of Commission Offices – Executive Director Brindle stated that he and Chris Mistichelli have met with Treasury officials who have assured them that they would be in contact with the Division of Property Management concerning the move. He added that the relocation process has been delayed due to additional code reviews.
- D. Lobbying Training Sessions – Executive Director Brindle announced that training sessions will be held in February and March. He added that lobbyists can now file their forms electronically.
- E. Senate Bill 96 – Executive Director Brindle stated that Senate Bill 96 has been moved from the Senate State Government Committee and has been passed by the full Senate by a vote of 35-0. The bill would provide for public financing of gubernatorial candidates in a special election.
- F. Staffing – Executive Director Brindle informed the Commission that staff has received permission to backfill the vacancy created by the retirement of Joseph Barish. He stated that the process will begin in late February.
- G. Independent Groups – Executive Director Brindle stated that independent groups are beginning to receive contributions from Limited Liability Companies (LLCs). Unlike in New Jersey, where contributions drawn from funds of an LLC must be attributed to a member or members, most jurisdictions do not require that such contributions be attributed to individuals other than the LLC. This allows businesses to create shell LLCs for the purpose of avoiding disclosure and hiding the true sources of the contributions. Meanwhile, President Obama has issued an executive order requiring federal contractors to report contributions made to independent groups.
- H. Comprehensive Campaign Finance Reform Bill – Executive Director Brindle reported that legislative leaders have asked for his input on a comprehensive campaign finance reform bill.
- I. Future Meetings Schedule
- March 15, 2016 at 11:00 am in Trenton;
  - April 19, 2016 at 11:00 am in Trenton; and,
  - May 17, 2016 at 11:00 am in Trenton.

4. 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.

5. Resolution to enter Executive Session

On a motion by Vice Chairman Timpone, seconded by Chairman DeFilippis, and passed by a vote of 2-0, the Commission resolved to enter 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. 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.

Return to Public Session

6. Adjournment

On a motion by Vice Chairman Timpone, seconded by Chairman DeFilippis and passed by a vote of 2-0, the Commission resolved to adjourn at 11:22 a.m.

Respectfully submitted as true  
and correct,

Jeffrey M. Brindle  
Executive Director

JMB/elz