



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

ERIC H. JASO
Chairman

STEPHEN M. HOLDEN
Commissioner

MARGUERITE T. SIMON
Commissioner

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Legal Director

STEPHANIE A. OLIVO
Compliance Director

EDWIN R. MATTHEWS
Legal Counsel

PUBLIC SESSION MINUTES

October 17, 2017

Chairman Eric Jaso, Commissioner Stephen Holden, Commissioner Marguerite Simon, Legal Counsel Edwin Matthews, Executive Director Jeffrey Brindle, Legal Director Demery Roberts, Compliance Director Stephanie Olivo, and Deputy Legal Director Amanda Haines were present.

A court reporter was available to record the proceedings.

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 Jaso 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 September 26, 2017

On a motion by Commissioner Holden, seconded by Commissioner Simon, and passed by a vote of 3-0, the Commission approved the Public Session Minutes of September 26, 2017, as modified by Executive Director Brindle.

3. Executive Director's Report

The Executive Director presented the Executive Director's Report.

Future Meetings Schedule

- November 21, 2017 at 11:00 am in Trenton; and,
- January 16, 2018 at 11:00 am in Trenton.

4. Report on 2017 Gubernatorial Public Financing Program

Compliance Director Olivo presented the gubernatorial public financing report.

5. Public Comments

There were no public comments.

6. Resolution Authorizing an Executive Session

Whereas, there exists a need to hold an Executive Session for the purpose of discussing the following matter/matters, which fall within the exceptions to the Open Public Meetings Act, N.J.S.A. 10:4-12 et seq. to wit.

Matter/Matters (OPMA Exception)

- Discussion of Executive Session Minutes for September 26, 2017;
- Final Decision Recommendations;
- Executive Session Memorandum: Final Decision Recommendation;
- Executive Session Memorandum from Legal Staff;
- Legal Section 2017 Third Quarter Report,
- Office of Administrative Law (OAL) - Initial Decision; and,
- Pending Litigation.

Whereas, it is unknown at this time when such discussion to take place in Executive Session may be disclosed to the public.

Now Therefore Be It Resolved by the Election Law Enforcement Commission as follows:

1. This Executive Session Meeting of the Election Law Enforcement Commission shall be closed to the public for discussion of the aforesaid referenced matters.
2. The matters discussed during this Executive Session Meeting shall be disclosed to the public at such time when reason for discussing and acting on same in Executive Session shall no longer exist.

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, 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. 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

7. Approval of Executive Session Minutes for September 26, 2017

On a motion by Commissioner Holden, seconded by Commissioner Simon, and passed by a vote of 3-0, the Commission approved the Executive Session Minutes of September 26, 2017.

8. Final Decision Recommendations

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission approved the Final Decision Recommendations, items 1 through 7, as recommended by staff.

9. Executive Session Memorandum: Final Decision Recommendation

On a motion by Commissioner Holden, seconded by Commissioner Simon, and passed by a vote of 3-0, the Commission approved the Final Decision Recommendation, item 1, as presented by staff.

10. Office of Administrative Law (OAL) - Initial Decision

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission adopted the Initial Decision of the OAL, as amended per the discussion.

11. Executive Session Memorandum from Legal Staff

On a motion by Commissioner Holden, seconded by Commissioner Simon, and passed by a vote of 3-0, the Commission approved the Memorandum from Legal Staff, item 1, as presented by staff.

12. Public Comments

No public comments. Meeting adjourned.

13. Adjournment

On a motion by Chairman Jaso, seconded by Commissioner Simon, and passed by a vote of 3-0, the Commission resolved to adjourn at 12:30 p.m.

Respectfully submitted as true
and correct,

Jeffrey M. Brindle
Executive Director

JMB/elz