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VIA ELECTRONIC MAIL

New Jersey Election Law Enforcement Commission
C/O Elbia Zeppetelli
25 South Stockton Street – 5th Floor
Trenton, New 08608
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RE: IN THE MATTER OF SPADEA FOR GOVERNOR, A SINGLE CANDIDATE COMMITTEE FOR THE 2025 PRIMARY ELECTION

Dear Chairman Prol, Commissioner Peters, Commissioner Evans, and Commissioner Barr:

This firm represents Bramnick for Governor, Inc. and Jon Bramnick in connection with the above-listed matter. Please accept this informal brief in lieu of a more formal submission in support of a determination by the New Jersey Election Law Commission (hereinafter referred to as “ELEC”) that a gubernatorial candidate's media airtime is an "in-kind" contribution to the candidate's campaign, and, therefore, subject to the applicable requirements for same including contribution limits.

On June 14, 2024, ELEC received Bill Spadea’s Spadea for Governor Form D-1, the Single Candidate Committee- Certificate of Organization and Designation of Campaign Treasurer and Depository. Since starting his campaign for governor, Mr. Spadea has been on NJ 101.5 air for approximately twenty-four hours, which does not include Bill Spadea’s live streaming podcast Common Ground <https://nj1015.com/spadea-common-ground/>. Since June 14,



2024, while on the Mr. Spadea has discussed numerous issues directly related to public policy, political party politics in New Jersey and his gubernatorial campaign. For example, on June 17, 2024, Mr. Spadea while broadcasting on NJ 101.5 and simultaneously as a filed candidate for Governor of New Jersey, emphasized his focus on rebuilding the “sad” Republican Party in New Jersey, and criticized what he referred to as the “old guard” that has contributed to the state's problems. Clearly, New Jersey Republican Party dynamics and party reform will be significant topics of Mr. Spadea’s Republican Primary campaign for governor of New Jersey. It is important to note that the June 17th broadcast remains available at <https://nj1015.com/podcast/popup/?id=64dbe304600d04523c1d94b9&item=0&theme=light&playertype=player>. On June 20, 2024, Mr. Spadea criticized the publicly funded residences for the Governor at Island Beach State Park. Mr. Spadea lamented that recently the park itself, including its parking and beach facilities, were closed to the public due to capacity issues. This critique is just a continuation of Mr. Spadea’s focus on government spending priorities, a topic that will be highly debated during the 2025 gubernatorial campaign. The critique of the New Jersey Republican Party and the Governor’s residences are just two examples of Bill Spadea’s ongoing campaign, both to secure the Republican nomination for governor of New Jersey and eventually become governor, all while on the radio. His twenty-four-hour weekly radio program serves as a bully pulpit from which he spreads his campaign message and platform across New Jersey, all the while receiving a paycheck from Townsquare Media without incurring campaign costs.

The continuation of Bill Spadea’s daily four-hour radio program, airing five days a week from 6:00 a.m. to 10:00 a.m. on Townsquare Media’s FM channel 101.5 (New Jersey 101.5), constitutes an in-kind campaign contribution from Townsquare Media to the Spadea for



Governor. This determination aligns with the spirit, intent, and letter of New Jersey’s election laws, which aim to prevent undue influence and ensure fair competition in the electoral process.

As noted by ELEC (New Jersey Election Law Enforcement Commission):

The interim report of the bipartisan New Jersey Election Law Revision Commission concludes “stringent disclosure requirements on every aspect of political financing must be imposed and enforce at every election level....If there were full public disclosure and publication of all campaign contributions and expenditures during a campaign, the voters themselves could better judge whether a candidate has spent too much.” ELEC – Historical Timeline, available at <https://www.elec.nj.gov/aboutelec/timeline.htm> (last visited June 24, 2024).

The provision of a media platform to a candidate represents a valuable in-kind contribution subject to the same limits as monetary donations. New Jersey Administrative Code defines “In-kind contribution” as:

[M]eans a contribution of goods or services received by a candidate committee, joint candidates committee, political party committee or legislative leadership committee, which contribution is paid for by a person or entity other than the recipient committee but does not include services provided without compensation by an individual volunteering a part of or all of his or her time on behalf of a candidate or committee. N.J.A.C. 19:25-24.1.

and

[M]eans a contribution of goods or services received by a candidate, candidate committee, joint candidates committee, political committee, continuing political committee, political party committee or legislative leadership committee, which contribution is paid for by a person or entity other than the recipient committee, but does not include services provided without compensation by an individual volunteering a part of or all of his or her time on behalf of a candidate or committee. N.J.A.C. 19:25-1.7

And ELEC defines “In-kind contribution” as:

[A] contribution of goods or services received by a candidate, candidate committee, joint candidates committee, political committee, continuing political committee, political party committee or legislative leadership committee, which contribution is paid for by a person or entity other than the recipient committee, but does not include services provided without compensation by an individual volunteering a part of or all of his or her time on behalf of a candidate or committee. ELEC Glossary Terms



ELEC has previously opined that donations of office space and the publication of political newsletters are also considered in-kind contributions. [See ELEC Advisory Opinion Number 16-1980](#) and [ELEC Advisory Opinion Number 8-1997](#). Similarly, under New Jersey election law, "paid personal services" constitute in-kind contributions when provided for campaign purposes (N.J.A.C. 19:25-1.7 and [N.J.S.A. § 19:44A-3\(f\)](#)).

In the case at hand Bill Spadea, who is compensated by Townsquare Media, hosts a radio show in which he speaks on a variety of New Jersey centric topics including New Jersey politics and various political campaigns. Based on information and belief, Townsquare Media continues to pay Mr. Spadea his full salary while simultaneously allowing candidate Bill Spadea to engage in campaign activities during work hours. As Mr. Spadea's political messages and commentary reach daily NJ 101.5's extensive audience, which likely includes a significant number of registered voters in New Jersey, his salary should be viewed as part of the overall in-kind contribution limit, along with the value of the airtime itself. While on air, Mr. Spadea essentially receives compensation from Townsquare Media to advocate for his gubernatorial campaign, a practice similar to activities that the FEC has deemed in-kind contributions. [See FEC Advisory Opinion 2007-14](#).

Mr. Spadea's dual role as a talk show host and gubernatorial candidate transforms his radio show on NJ101.5 into an in-kind contribution from Townsquare Media. His program offers substantial promotional advantages to his campaign, including unrestricted market access and significant advertising influence typically purchased by other candidates. The continuation of Mr. Spadea's show during his candidacy should be subject to in-kind contribution regulations, irrespective of internal station guidelines.



Based on the foregoing, we respectfully request that ELEC confirm that Mr. Spadea's continued presence on air at New Jersey 101.5 constitutes an in-kind contribution from Townsquare Media (101.5's parent company) to the Spadea for Governor campaign.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'WRB', with a long horizontal flourish extending to the right.

William R. Burns, Esq.