



*State of New Jersey*

## ELECTION LAW ENFORCEMENT COMMISSION

RALPH V. MARTIN  
Chair

PAULA A. FRANZESE  
Vice Chair

SUSAN S. LEDERMAN, Ph.D.  
Commissioner

PETER J. TOBER  
Commissioner

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FREDERICK M. HERRMANN, Ph.D.  
Executive Director

JEFFREY M. BRINDLE  
Deputy Director

NEDDA G. MASSAR  
Legal Director

JAMES P. WYSE  
Counsel

### PUBLIC SESSION MINUTES

September 12, 2003

Chair Martin, Vice Chair Franzese, Commissioner Lederman, and Counsel Wyse participated by telephone. Commissioner Tober was not present. Executive Director Herrmann and Legal Director Massar were present and Deputy Director Brindle was not present.

#### 1. Open Public Meetings Statement

Chair Martin called the meeting to order and Executive Director Herrmann announced that pursuant to the "Open Public Meetings Act," N.J.S.A. 10:4-6 et seq., notice of the emergency meeting of the Commission had been filed with the Secretary of State's Office and distributed to the entire State House Press Corps. Executive Director Herrmann stated that the special meeting was held pursuant to N.J.S.A. 10:4-9 and is necessary to deal with an urgent matter of importance and of concern to the public interest. A delay for the purpose of providing adequate notice might result in harm to the public interest. The special meeting will be limited to discussion of and action with respect to a matter of pending litigation.

The meeting convened at 10:00 a.m. in Trenton, New Jersey.

Executive Director Herrmann explained that a vote of three-quarters of the Commissioners present was required to hold the special meeting.

On a motion by Vice Chair Franzese, seconded by Commissioner Lederman and passed by a vote of 3-0, the Commission voted to hold the special meeting.

#### 2. Resolution to Go Into Executive Session

On a motion by Commissioner Lederman, seconded by Vice Chair Franzese and passed by a vote of 3-0, the Commission went into Executive Session for the purpose of discussing a matter of pending litigation.

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3. Return to Public Session

On a motion by Vice Chair Franzese, seconded by Commissioner Lederman and passed by a vote of 3-0, the Commission voted to return to Public Session.

4. Adjournment

On a motion by Commissioner Lederman, seconded by Vice Chair Franzese and passed by a vote of 3-0, the Commission voted to adjourn at 10:30 a.m.

Respectfully submitted,

Frederick M. Herrmann, Ph.D.  
Executive Director

FMH/elz