



*State of New Jersey*

## **ELECTION LAW ENFORCEMENT COMMISSION**

ERIC H. JASO  
Chairman

STEPHEN M. HOLDEN  
Commissioner

MARGUERITE T. SIMON  
Commissioner

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JEFFREY M. BRINDLE  
Executive Director

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Deputy Director

DEMERY J. ROBERTS  
Legal Director

STEPHANIE A. OLIVO  
Compliance Director

EDWIN R. MATTHEWS  
Legal Counsel

### **PUBLIC SESSION MINUTES**

February 20, 2018

Chairman Eric Jaso, Commissioner Stephen Holden, Commissioner Marguerite Simon, Legal Counsel Edwin Matthews, Executive Director Jeffrey Brindle, Deputy Director Joseph Donohue, Legal Director Demery Roberts, Compliance Director Stephanie Olivo, Deputy Legal Director Amanda Haines, and Director of Review and Investigation Shreve Marshall 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 January 9, 2018**

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 January 9, 2018.

#### **3. Approval of Public Session Minutes of January 16, 2018**

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission approved the Public Session Minutes of January 16, 2018.

**4. Executive Director's Report**

The Executive Director presented the Executive Director's Report.

**Future Meetings Schedule**

- March 20, 2018 at 11:00 am in Trenton; and,
- April 17, 2018 at 11:00 am in Trenton.

**5. Public Comments**

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 January 9, 2018;
- Discussion of Executive Session Minutes for January 16, 2018;
- Final Decision Recommendations;
- Final Decision Reconsideration;
- Complaint Recommendation;
- Legal Memorandum to Commissioners; 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 Holden, seconded by Commissioner Simon, 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 January 9, 2018**

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 January 9, 2018.

**8. Approval of Executive Session Minutes for January 16, 2018**

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission approved the Executive Session Minutes of January 16, 2018.

**9. Final Decision Recommendations**

On a motion by Commissioner Holden, seconded by Commissioner Simon, and passed by a vote of 3-0, the Commission adopted the Final Decision Recommendations, items 1 through 14, as recommended by staff.

**10. Final Decision Recommendation - Reconsideration**

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission adopted the Final Decision Recommendation Reconsideration, Item 1, as recommended by staff.

**11. Complaint Recommendation**

On a motion by Commissioner Holden, seconded by Commissioner Simon, and passed by a vote of 3-0, the Commission approved the Complaint Recommendation, Item 1, as recommended by staff.

**12. Public Comments**

No public comments. Meeting adjourned.

**13. Adjournment**

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission resolved to adjourn at 12:23 p.m.

Respectfully submitted as true  
and correct,

Jeffrey M. Brindle  
Executive Director