



*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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Legal Director

STEPHANIE A. OLIVO  
Compliance Director

EDWIN R. MATTHEWS  
Legal Counsel

### PUBLIC SESSION MINUTES

July 21, 2020

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, Deputy Legal Director Amanda Haines, Director of Review and Investigation Shreve Marshall, Compliance Director Stephanie Olivo, IT Specialist Ken Colandrea, and IT Specialist Elias Amaya participated via GoToWebinar.

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 for June 16, 2020**

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 June 16, 2020, as amended.

#### **3. Executive Director's Report**

The Executive Director presented the Executive Director's Report.

**Future Meetings Schedule**

- August 18, 2020 at 11:00 am in Trenton (if needed);
- September 15 at 11:00 am in Trenton; and,
- October 20 at 11:00 am in Trenton.

**4. Advisory Opinion Request No. 01-2020**

Chairman Jaso said that an Advisory Opinion Request was received from Michael Jenkins. The request asks whether local candidates can utilize PayPal to receive campaign contributions.

**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 June 16, 2020;
- Discussion of Advisory Opinion Request No. 01-2020;
- Final Decision Recommendations for Non-Filer Complaints; and,
- Update on 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 June 16, 2020**

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 June 16, 2020.

**8. Final Decision Recommendations for Non-Filer Complaints**

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 for Non-Filer Complaints, items 1 through 7.

**9. Advisory Opinion Request No. 01-2020**

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission adopted the Advisory Opinion 01-2020 as drafted by staff.

**10. Public Comments**

No public comments.

**11. Adjournment**

On a motion by Commissioner Holden, seconded by Commissioner Simon and passed by a vote of 3-0, the Commission resolved to adjourn at 12:00 p.m.

Respectfully submitted as true  
and correct,

Jeffrey M. Brindle  
Executive Director

JMB/elz