



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

THOMAS H. PROL
Chairman

RYAN PETERS
Commissioner

NORMA R. EVANS
Commissioner

JON-HENRY BARR
Commissioner

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JOSEPH W. DONOHUE
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PUBLIC SESSION MINUTES

January 16, 2024

Chairman Thomas H. Prol, Commissioner Norma R. Evans, Commissioner Jon-Henry Barr, Commissioner Ryan Peters, Legal Counsel Edwin R. Matthews, Acting Executive Director Joseph Donohue, Acting Legal Director Amanda Haines, Compliance Director Stephanie Olivo, Legal Administrator of Review and Investigation Theresa Lelinski, Review and Investigation Director Shreve Marshall, Information Technology (IT) Director Anthony Giancarli, Finance and Administration Director Christopher Mistichelli, IT Specialist Lou Solimeo, IT Specialist Elias Amaya, and Executive Secretarial Assistant Elbia Zeppetelli participated via Zoom.

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>.

Chairman Prol convened the meeting at 11:00 a.m. in Trenton.

1. Open Public Meetings Statement

Chairman Prol called the meeting to order and 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.

Pledge of Allegiance.

2. Addition to Agenda Materials in Executive Session

The Commissioners unanimously consented to add another item to the agenda in executive session, personnel matter, to discuss executive director appointment.

3. Approval of Public Session Minutes for December 19, 2023

On a motion by Commissioner Barr seconded by Commissioner Evans, and passed by a vote of 4-0, the Commission approved the Public Session Minutes for December 19, 2023.

4. Acting Executive Director's Report

Acting Executive Director Donohue presented the Acting Executive Director's Report.

Next Commission Meeting

February 20, 2024, at 11:00 a.m.

5. Public Comments

On a motion by Commissioner Peters, seconded by Commissioner Barr, and passed by a vote of 4-0, the Commission voted to open the meeting for public comment.

No public comments.

6. Chairman Prol Read 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 December 19, 2023;
- Final Decision Recommendations for Non-Filer Complaints;
- Consent Orders and Final Decisions;
- Daniel's Law; and,
- Personnel Matter – Executive Director Appointment.

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.

Without objection 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.

- C. Personnel matters concerning the hiring of executive director, which will become public upon appointment of such position.

Return to Public Session

Chairman Prol stated that the following items were discussed in Executive Session:

- Discussion of Executive Session Minutes for December 19, 2023;
- Final Decision Recommendations for Non-Filer Complaints;
- Consent Orders and Final Decisions;
- Daniel's Law; and,
- Personnel Matter – Executive Director Appointment.

7. Approval of Executive Session Minutes for December 19, 2023

On a motion by Commissioner Barr seconded by Commissioner Peters, and passed by a vote of 4-0, the Commission approved the Executive Session Minutes for December 19, 2023, as amended.

8. Final Decision Recommendations for Non-Filer Complaints

On a motion by Commissioner Barr, seconded by Commissioner Evans, and passed by a vote of 4-0, the Commission adopted 12 Final Decision Recommendations for Non-Filer Complaints in the following matters:

- 2019 Primary Election: 1. Vandegrift; 2. Corwonski;
- 2020 Primary Election: 3. Jenkins, 4. Grossman, 5. Finnegan, 6. Valencia, 7. Grossman;
- 2022 Primary Election: 8. Paura, 9. Wadsworth, 10. Zaccagnini, 11. Powell, 12. Valencia.

9. Consent Orders and Final Decisions

On a motion by Commissioner Peters, seconded by Commissioner Evans, and passed by a vote of 4-0, the Commission approved the following consent orders and final decisions:

- Item 1. ELEC v. Jim Kennedy, C-2 0022 03 01-P2017; and,
Item 2. ELEC v. James J. Kennedy, C-2 0022 06 01-G2017.

10. Public Comments

On a motion by Commissioner Barr, seconded by Commissioner Peters, and passed by a vote of 4-0, the Commission voted to open the meeting for public comments.

No public comments.

On a motion by Commissioner Barr, seconded by Commissioner Evans, and passed by a vote of 4-0, the Commission voted to close public comments.

11. Adjournment

On a motion by Commissioner Barr, seconded by Commissioner Peters, and passed by a vote of 4-0, the Commission resolved to adjourn the meeting at 12:48 p.m.

Respectfully submitted as true
and correct,

Joseph W. Donohue
Acting Executive Director

JWD/elz