

**Local Finance Board
Local Government Ethics Law
June 14, 2023
VIA MICROSOFT TEAMS**

The meeting was called to order at 9:03 a.m. by Jacquelyn A. Suárez, Chairperson. Nicholas Bennett, Executive Secretary, stated that in accordance with the Open Public Meetings Act, C.10:4-6 et seq., proper notice was given to the Secretary of State, the *Star-Ledger* and the *Times of Trenton*. A roll call was taken: 5 members were present: Chairperson Suárez, Adrian Mapp, William Close, Alan Avery, and Idida Rodriguez were present. Dominick DiRocco was absent. There are two vacancies. A quorum was present. Also present were DAG Craig Keiser and staff members Dana C. Jones, Shannon Hudak, and Alyssa Karczewski.

At 9:03 a.m., a motion was made by Mr. Mapp and second by Mr. Close to go into closed session for the purpose of discussing complaints, requests for advisory opinions, and to receive related legal advice. A roll call vote was taken: 5 affirmative. Motion passed.

At 10:46 a.m., a motion was made by Mr. Close and second by Mr. Avery to go into open session. A roll call was taken: 5 affirmative. Motion passed.

The Local Finance Board then determined to take a brief recess and reconvene at 11:00 a.m. to consider financing applications. It further determined to take action on the following Ethics items at 12:30 p.m.

Mr. DiRocco arrived at 12:30 p.m.

Concerning the matter of III.B.4. A motion was made by Mr. Mapp and second by Mr. Avery to issue a Notice of Determination to one local government officer (LGO) dismissing the complaint for a lack of jurisdiction, and a Notice of Violation to a second LGO for a violation of N.J.S.A. 40A:9-22.5(d) and to assess a fine of \$100. The Board elected to waive payment of the fine. For the final LGO, the Board dismissed allegations concerning other violations of subsections (c) and (d). A roll call was taken: 6 affirmative. Motion passed.

Concerning the matter of III.B.5. A motion was made by Ms. Rodriguez and second by Mr. Avery to issue Notices of Determination to two LGOs where the matter is being dismissed for no reasonable factual basis, a Notice of Determination to one LGO dismissing the matter in part for no reasonable factual basis and in part for lack of jurisdiction, and a Notice of Violation to a final LGO for three violations of N.J.S.A. 40A:9-22.5(d) and to assess a fine of \$500 for each violation for a total fine of \$1,500. For the final LGO, the Board dismissed certain other allegations concerning potential violations of N.J.S.A. 40A:9-22.5(c) and N.J.S.A. 40A:9-22.5(d). A roll call was taken: 6 affirmative. Motion passed.

Concerning the matter of III.B.6. A motion was made by Mr. Mapp and second by Mr. DiRocco to issue a Notice of Violation to one LGO for six violations of N.J.S.A. 40A:9-22.5(d), one violation of N.J.S.A. 40A:9-22.5(e), and one violation of N.J.S.A. 40A:9-22.5(g) and to assess a fine of \$250 for each violation for a total fine of \$2,000. The Board dismissed certain other

allegations concerning potential violations of N.J.S.A. 40A:9-22.5(a), N.J.S.A. 40A:9-22.5(c), N.J.S.A. 40A:9-22.5(d) and N.J.S.A. 40A:9-22.5(h). A roll call was taken: 6 affirmative. Motion passed.

Concerning the matter of III.B.7. A motion was made by Mr. Mapp and second by Mr. Avery to issue Notices of Determination to two LGOs where the matter is being dismissed for no reasonable factual basis, and Notices of Violation to two additional LGOs for a violation of N.J.S.A. 40A:9-22.6(a)(4) and to assess a fine of \$100. The Board dismissed certain other allegations concerning potential violations of N.J.S.A. 40A:9-22.5(d) filed against the LGOs found in violation of N.J.S.A. 40A:9-22.6(a)(4). A roll call was taken: 6 affirmative. Motion passed.

Concerning the matter of III.B.9. A motion was made by Mr. Avery and second by Mr. Mapp to issue a Notices of Violation to 1,582 individuals listed as active on a local government entity roster, who are not under the jurisdiction of a local ethics board, and who were not recorded as having filed the annual Financial Disclosure Statement as of 10 a.m. on Monday, June 12th as required by N.J.S.A. 40A:9-22.6 and to assess a fine of \$100. A roll call was taken: 6 affirmative. Motion passed.

May 10, 2023 Meeting Minutes A motion was made by Mr. Avery and second by Mr. DiRocco to approve the minutes with a revision to the number of Notices of Investigation authorized in III.B.2 in the presented minutes. A roll call was taken: 6 affirmative. Motion passed.

Concerning the matter of III.B.2. A motion was made by Mr. Mapp and second by Mr. Avery to issue Notices of Investigation to one LGO for alleged violations of N.J.S.A. 40A:9-22.5(c) and to another LGO for alleged violations of N.J.S.A. 40A:9-22.5(c) and N.J.S.A. 40A:9-22.5(d). A roll call was taken: 5 affirmative. Motion passed. Mr. DiRocco recused.

Respectfully submitted,



Nicholas Bennett
Executive Secretary
Local Finance Board