

MINUTES OF THE DECEMBER 3, 2024 MEETING
OF THE STATE ETHICS COMMISSION
225 E. STATE STREET, 5TH FLOOR EAST
10 a.m.

Present: Chair Stephanie Brown, Commissioner Sarah Adelman, Commissioner Victor Herlinsky, Commissioner Christine Norbut Beyer, Executive Director Christina C. Fullam, Deputy Director Shamecca Bernardini, Assistant Attorney General David Apy and members of the Commission staff. Vice Chair Patricia Morgan and Commissioner Brian Bridges participated by telephone.

I. CALL TO ORDER BY CHAIR BROWN

The meeting was called to order at approximately 10:06 a.m. by Chair Brown. The Chair announced that adequate notice of the date, time and place of the meeting had been provided to the Office of the Secretary of State on December 5, 2024 to be posted prominently on a board reserved for such announcements. On the same date, identical notices of the meeting date were distributed to two major newspapers in New Jersey.

II. MINUTES OF THE SEPTEMBER 17, 2024 MEETING

Commission members had no changes to the September 17, 2024 Minutes, which were approved unanimously on motion of Commissioner Bridges, seconded by Commissioner Norbut Beyer, following the Executive Session of the meeting. Chair Brown and Commissioner Herlinsky abstained.

III. RECESS OF THE OPEN MEETING

Chair Brown moved that the open session be recessed and that, pursuant to Section 10:4-12(b) of the Open Public Meetings Act, the Commission enter into Executive Session to discuss personnel matters, matters falling within the attorney-client privilege, and investigations of possible violations of the law. Pursuant to Section 10:4-13(b) of the Act, the discussion conducted in closed session may be disclosed to the public when there is no longer a need to maintain the confidentiality of same. Commissioner Norbut Beyer seconded the motion, which was unanimously carried 6 to 0 (Adelman, Bridges, Brown, Herlinsky, Morgan and Norbut Beyer).

IV. RECONVENING OF THE OPEN MEETING

Following the Executive Session, Chair Brown reconvened the open meeting.

V. CASES

**52-18 Lizette Delgado-Polanco, Former Chief Executive Officer
New Jersey Schools Development Authority
Commission Case No. 52-18 – Proposed Settlement**

Commissioner Adelman moved that the Commission approve the proposed settlement of In the Matter of Lizette Delgado-Polanco, with a civil penalty of \$3,500, as outlined in the Consent Order. Commissioner Bridges seconded the motion, which was passed 4 to 0 (Adelman, Bridges, Herlinsky and Norbut Beyer). Chair Brown and Vice Chair Morgan recused.

**16-20 Report of Preliminary Investigation
Department of Health
Commission Case No. 16-20**

Commissioners discussed the status of this matter in executive session and no action was taken. Vice Chair Morgan recused and left the call for the discussion.

**36-20 Deep Shah, Former Assistant Engineer-Electrical
New Jersey Department of Transportation
Commission Case No. 36-20 – Proposed Settlement**

Commissioner Norbut Beyer moved that the Commission approve the proposed settlement of In the Matter of Deep Shah, with a civil penalty of \$1,600, as outlined in the Consent Order. Commissioner Adelman seconded the motion, which was passed 6 to 0 (Adelman, Bridges, Brown, Herlinsky, Morgan and Norbut Beyer).

**44-21 Report of Preliminary Investigation
Department of Law and Public Safety
Commission Case No. 44-21**

Chair Brown moved that the Commission find that the individual violated the Recusal Rule, *N.J.A.C. 19:61-7.1 et seq.*, by failing to recuse from matters involving Price Meese, in conformity with the requirements set forth in *N.J.A.C. 19:61-7.5*, while negotiating for employment with that firm. The Commission also found that the individual violated Section VIII of the Uniform Ethics Code as well as *N.J.S.A. 52:13D-23(e)(7)* by soliciting employment from an interested party with whom they had substantial and regular interaction. The Commission found that the individual should be advised that, pursuant to *N.J.S.A. 52:13D-13(g)* and -17, if they are unable to work on a matter in which you were substantially and directly involved during their State employment, that conflict is imputed to any professional services corporation for which they may work. The staff is authorized to negotiate a settlement and refer the matter to the Attorney General's Office for the drafting of a complaint if a settlement cannot be reached. Commissioner Bridges seconded the motion, which was passed 4 to 2 (Bridges, Brown, Morgan and Norbut Beyer in favor; Adelman and Herlinsky opposed).

**42-22 William White, Former Assistant Commissioner
New Jersey Department of Banking and Insurance
Commission Case No. 42-22 - PROPOSED SETTLEMENT**

Commissioner Adelman moved that the Commission approve the proposed settlement of In the

Matter of William White, with a civil penalty of \$500, as outlined in the Consent Order. Commissioner Herlinsky seconded the motion, which was passed 6 to 0 (Adelman, Bridges, Brown, Herlinsky, Morgan and Norbut Beyer).

**36-24 Report of Preliminary Investigation
State Parole Board
Commission Case No. 36-24**

Commissioner Herlinsky moved that the Commission authorize the State Parole Board to proceed with disciplinary action against the individual for violating Section II, paragraph 4 of the UEC, as alleged in the materials submitted. Commissioner Norbut Beyer seconded the motion, which was passed 6 to 0 (Adelman, Bridges, Brown, Herlinsky, Morgan and Norbut Beyer).

**39-24 Report of Preliminary Investigation
Department of Transportation
Commission Case No. 39-24**

Commissioner Norbut Beyer moved that the Commission authorize the Department of Transportation to proceed with disciplinary action against the individual for violating Section II, paragraphs 4 and 5 of the UEC, as alleged in the materials submitted. Commissioner Adelman seconded the motion, which was passed 6 to 0 (Adelman, Bridges, Brown, Herlinsky, Morgan and Norbut Beyer).

**41-24 Report of Preliminary Investigation
Department of Law and Public Safety
Commission Case No. 41-24**

Commissioner Herlinsky moved that the Commission authorize the Department of Law and Public Safety to proceed with disciplinary action against the individual for violating Section II, paragraphs 4 and 5, as well as Section VI of the UEC, as alleged in the materials submitted. Commissioner Norbut Beyer seconded the motion, which was passed 6 to 0 (Adelman, Bridges, Brown, Herlinsky, Morgan and Norbut Beyer).

**43-24 Appeal of Denial of Secondary Employment Request
Department of Children and Families
Commission Case No. 43-24**

Commissioner Adelman moved that the Commission affirm ELO Mahoney's disapproval of the individual's Outside Activity Questionnaire because the Conflicts of Interest Law prohibits the individual's spouse from holding an ownership interest of greater than 1% in any cannabis entity, that Staff be directed to provide a redacted copy of the decision to the Office of the Governor, Office of Legislative Services, Speaker of the General Assembly, and President of the Senate as to the impact of the Cannabis Amendments to the Conflicts of Interest Law, and that the required divestiture be held in abeyance until a response is received from those bodies Commissioner Herlinsky seconded the motion, which was passed 5 to 0 (Adelman, Bridges, Brown, Herlinsky and Morgan) Commissioner Norbut Beyer recused.

**45-24 Report of Preliminary Investigation
Department of Law and Public Safety
Commission Case No. 45-24**

Commissioner Herlinsky moved that the Commission authorize the Department of Law and Public

Safety to proceed with disciplinary action against the individual for violating Section II, paragraphs 3, 4, 5 and 7 of the UEC, as alleged in the materials submitted. Commissioner Norbut Beyer seconded the motion, which was passed 6 to 0 (Adelman, Bridges, Brown, Herlinksy, Morgan and Norbut Beyer).

**46-24 Ronald Martucci, Associate Vice President Facilities Services
New Jersey Institute of Technology
Commission Case No. 46-24**

Commissioner Norbut Beyer moved that the Commission affirm ELO Li's determination that Martucci has exercised supervisory authority over the Assistant Manager title, which would require a recusal if his spouse were appointed to the position and that absolute recusal would not be possible based on the organizational structure Commissioner Herlinksy seconded the motion, which was passed 6 to 0 (Adelman, Bridges, Brown, Herlinksy, Morgan and Norbut Beyer).

**47-24 Report of Preliminary Investigation
Department of Human Services
Commission Case No. 47-24**

Commissioner Herlinksy moved that the Commission authorize the Department of Human Services to proceed with disciplinary action against the individual for violating Section XIII of the UEC as alleged in the materials submitted. Commissioner Norbut Beyer seconded the motion, which was passed 5 to 0 (Bridges, Brown, Herlinksy, Morgan and Norbut Beyer). Commissioner Adelman recused.

*Commissioner Bridges and Commissioner Herlinksy left the meeting.

VI. ADMINISTRATIVE

Proposed 2025 Meeting Dates

Commissioner Adelman moved to approve the proposed 2025 Commission meeting dates. Commissioner Norbut Beyer seconded the motion, which was passed 5 to 0 (Adelman, Brown, Morgan and Norbut Beyer).

Casino Waiver Consent

Commissioner Adelman moved that the Commission approve casino employment waivers for Serrette (NJ Transit), Apparri Damian (Stockton), Pamuspusan (Stockton), Strelczyk (Stockton), Williams (Stockton), Anekwe (DOC) and Foster (LWD). Chair Brown seconded the motion, which was passed 4 to 0 (Adelman, Brown, Morgan and Norbut Beyer).

Cannabis Waiver Consent

Commissioner Adelman moved that the Commission approve a cannabis employment waiver for Jimenez (DCA). Chair Brown seconded the motion, which was passed 4 to 0 (Adelman, Brown, Morgan and Norbut Beyer).

IX. ADJOURNMENT

There being no further business, Commissioner Adelman moved to adjourn the meeting. Chair Brown seconded the motion, which was unanimously carried.

Respectfully submitted,

Shanna Cook

Shanna Cook, Executive Assistant

State Ethics Commission

Date: January 28, 2025