

MINUTES OF THE FEBRUARY 4, 2025 MEETING
OF THE STATE ETHICS COMMISSION
225 E. STATE STREET, 5TH FLOOR EAST
10 a.m.
(*Meeting conducted via teleconference)

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

I. CALL TO ORDER BY CHAIR BROWN

The meeting was called to order at approximately 10:05 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 January 23, 2025, 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 DECEMBER 3, 2024 MEETING

Commission members had no changes to the December 3, 2024, Minutes, which were approved unanimously on motion of Commissioner Herlinsky, seconded by Vice Chair Morgan, following the Executive Session of the meeting.

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 Herlinsky seconded the motion, which was unanimously carried 5 to 0 (Adelman, Bridges, Brown, Herlinsky and Morgan).

IV. RECONVENING OF THE OPEN MEETING

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

V. CASES

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.

49-24 Report of Preliminary Investigation New Jersey Department of Corrections Commission Case No. 49-24

Commissioner Herlinsky moved that the Commission authorize the Department of Corrections to proceed with disciplinary action against the individual for violating Section II, paragraphs 4 and 5 of the Uniform Ethics Code (“UEC”), as alleged in the materials submitted. Commissioner Bridges seconded the motion, which was passed 4 to 0 (Bridges, Brown, Herlinsky and Morgan).

52-24 Appeal of Denial of Secondary Employment Request Department of Children and Families Commission Case No. 52-24

Commissioner Herlinsky moved that the Commission reverse the decision of ELO Mahoney disapproving of the OAQ, which disapproved the outside employment, and find that said outside employment is approvable with conditions. These conditions include no use of State time, materials, resources, or title for outside employment; no representation of the outside employer or any other third party before any State agency, to include a prohibition on the forwarding of any documentation or notes to any State agency on behalf of any party other than the State; and no use of sick leave to perform outside employment. Commissioner Bridges seconded the motion, which was passed 3 to 1 (Bridges, Brown and Herlinsky in favor; Morgan opposed).

53-24 Appeal of Denial of Secondary Employment Request Department of Children and Families Commission Case No. 53-54

Commissioner Herlinsky moved that the Commission reverse the decision of ELO Mahoney disapproving of the proposed secondary employment, and find that the proposed outside employment is approvable with restrictions. These restrictions include that the employee must adhere to the requirements of both the Uniform Ethics Code and the DCF Supplemental Code of Ethics, including stopping any crisis screening session if they become aware that the person they are screening is a client of any DCF program, and immediately referring such matters to a supervisor or other staff member at the outside employer. The Commission also advises the employee that he must recuse from matters involving his outside employer’s clients he encounters while working at DCF, that he is not to have contact with any DCF personnel or any other State agency in the course of his outside employment, and that under no circumstances may he utilize any State resources, including his State-issued laptop or other electronic device, to access the NJSPIRIT database in the course of the outside employment, even if the purpose of doing so would be to screen himself from potential conflicts of interest. Commissioner Bridges seconded the motion, which was passed 3 to 1 (Bridges, Brown and Herlinsky in favor; Morgan opposed).

55-24 Appeal of Denial of Secondary Employment Request
Department of Children and Families
Commission Case No. 55-24

Commissioner Bridges moved that the Commission reverse the decision of ELO Mahoney disapproving of the OAQ, which disapproved the employee's outside employment, and find that said outside employment is approvable with restrictions, including a prohibition on representing the outside employer or any third party before DCF or any other State agency. These conditions include adherence to the rules set forth in the Uniform Ethics Code and the DCF Supplemental Code of Ethics, to wit, Section H, paragraph 4; no use of State time, materials, resources, or title for outside employment; no representation of the outside employer or any other third party before any State agency, to include a prohibition on the forwarding of any documentation or notes to any State agency on behalf of any party other than the State; no interaction with the same individuals with whom they interact in their role at DCF; and no use of sick leave to perform outside employment. Commissioner Herlinsky seconded the motion, which was passed 3 to 1 (Bridges, Brown and Herlinsky in favor; Morgan opposed).

58-24 Appeal of Denial of Secondary Employment Request
Department of Children and Families
Commission Case No. 58-24

Commissioner Herlinsky moved that the Commission affirm the decision of ELO Mahoney disapproving of the OAQ, which disapproved the employee's outside employment on the basis that the outside position would require her to transmit documents to a State agency in violation of the representation rule set forth in Section 16(b) of the Conflicts Law. Commissioner Bridges seconded the motion, which was passed 3 to 1 (Bridges, Brown and Herlinsky in favor; Morgan abstained).

02-25 Report of Preliminary Investigation
Department of Children and Families
Commission Case No. 02-25

Chair Brown moved that the Commission authorize the Department of Children and Families to proceed with disciplinary action against the individual for violating Section VI of the Uniform Ethics Code ("UEC") and Section H paragraphs 1 and 2 of the DCF Supplemental Code of Ethics, as alleged in the materials submitted by ELO Mahoney. Commissioner Bridges seconded the motion, which was passed 3 to 1 (Bridges, Brown and Morgan in favor; Herlinsky opposed).

VI. ADMINISTRATIVE

Casino Waiver Consent

Commissioner Herlinsky moved that the Commission approve casino employment waivers for Hurd (DCF), Adams (DCF), Guldin (Rowan), Green (Transit), Danjoli (Treasury) and Mack (DCF). Commissioner Bridges seconded the motion, which was passed 4 to 0 (Bridges, Brown, Herlinsky and Morgan).

Cannabis Waiver Consent

Commissioner Bridges moved that the Commission approve a cannabis employment waiver for Sanchez (DCF), Frommelt (DCF), Kane (DCF) and DiCorcia (DCF). Chair Brown seconded the motion, which was passed 4 to 0 (Bridges, Brown, Herlinsky and Morgan).

IX. ADJOURNMENT

There being no further business, Commissioner Bridges moved to adjourn the meeting. Commissioner Herlinsky seconded the motion, which was unanimously carried.

Respectfully submitted,

Shanna Cook

Shanna Cook, Executive Assistant
State Ethics Commission
Date: March 4, 2025