

A0 20-1989

Donald J. Soriero  
177 Cooper Rd.  
Red Bank, N.J. 07701  
(201) 822-7028

September 14, 1989

New Jersey Election Law  
Enforcement Commission  
28 West State Street  
Suite 1215  
Trenton, New Jersey 08608

Attn: Nedda Massar Esq.

Re: Formation of an  
Independent Committee

Dear Ms. Massar:

Please be advised that I would like to withdraw my request for an advisory opinion at this time.

I am sorry for any inconvenience caused by this action.

I would like to take this opportunity to thank you for the open, fair and professional manner in which this matter was handled.

Very truly yours,

  
Donald J. Soriero

DJS/57:mhq

LAW ENFORCEMENT  
COMMISSION

SEP 14 1 37 PM '89

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State of New Jersey

**ELECTION LAW ENFORCEMENT COMMISSION**

NATIONAL STATE BANK BLDG., SUITE 1215  
28 W. STATE STREET, CN-185  
TRENTON, NEW JERSEY 08625-0185  
(609) 292-8700

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LEGAL DIRECTOR

EDWARD J. FARRELL  
COUNSEL

September 7, 1989

Donald J. Soriero  
177 Cooper Road  
Red Bank, NJ 07701

RE: Advisory Opinion Request No. 20-1989

Dear Mr. Soriero:

Your request for an advisory opinion from the Election Law Enforcement Commission was received on September 6, 1989 and has been scheduled for consideration at the Commission meeting scheduled for September 19, 1989.

Because that meeting of the Commission will not occur within ten days of receipt of your request, the Commission requests your consent to an extension of the response date to September 20, 1989. Unless you advise to the contrary, the Commission will assume that your consent to the extension has been granted.

Please let me know as soon as possible if there is an objection to the extension, or if you have any other questions about the response process. Thank you for your cooperation.

Very truly yours,

GREGORY E. NAGY

GEN/cn

A.O. 20-1989

Donald J. Soriero  
177 Cooper Rd.  
Red Bank, N.J. 07701  
(201) 822-7028

September 6, 1989

New Jersey Election Law  
Enforcement Commission  
28 West State Street  
Suite 1215  
Trenton, New Jersey 08608

Attn: Nedda Massar Esq.

Re: Formation of an  
Independent Committee

Dear Ms. Massar:

This will confirm facts which I have previously discussed with you the telephone, and serve as a request for an advanced ruling from the Commission.

1. I am currently Chairman of the Middletown Township Democratic Executive Committee, and have held that position since June of 1983.
2. I have obtained permission to paint "Florio for Governor" on a Water Tower located adjacent to Route 287 in Edison, N.J. ("The Project")
3. I have obtained commitments from several individuals to donate the necessary funds for the Project. My intention is to form a separate independent Committee to which individuals will contribute and which will pay for the Project.
4. The above Project has been done without the advice, consent, approval, knowledge or direction of anyone associated with the Florio Campaign.
5. Any person who has indicated they will contribute to the Committee has been told that they cannot discuss the Project with any official of the Florio Campaign, at least prior to completion of the Project.
6. The cost to paint "Florio for Governor" on the water tower is approximately \$2,500. It will cost approximately the same amount (\$2,500) to repaint the water tower. My intention is to obtain approximately \$5,000 of contributions. The Committee will spend \$2,500 almost immediately upon receiving a ruling from the Commission. The Committee will continue in existence until shortly after the Election when the water tower will be repainted. The additional \$2,500 will be spent at that time.

M.J. ELECTION LAW ENFORCEMENT COMMISSION  
SEP 6 3 38 PM '89

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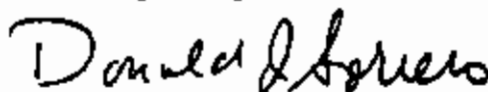
7. As Chairman of the Democratic Party in Middletown, I have had and anticipate having contact with the Florio Campaign. For example, I recently discussed the possibility of including Jim Florio's name on our local campaign lawn signs. I have not, however, mentioned the Project during any discussion with the Florio Campaign.
8. In 1981 I had "Florio for Governor" painted on this same water tower. To the best of my knowledge, then as now, neither Mr. Florio nor anyone associated with his campaign knew about the water tower before it was painted.

Based on the above, I would appreciate the Commission's opinion concerning the following issues:

1. Would the expenses associated with the Project be charged against the Florio Campaign. In other words, would the expenses be considered in determining the Campaign's limit or cap on expenditures.
2. If it will not be charged against his campaign, are there any prohibitions against notifying him or his campaign about the Project after it has been completed? (i.e. after "Florio for Governor" has been painted on the water tower)

If you have any questions please do not hesitate to contact me at (201) 822-7028. Thank you for your cooperation in this matter.

Very truly yours,

  
Donald J. Sortero

DJS/50:mhq