

MINUTES OF COMMISSION MEETING
August 8, 1974

PRESENT

Frank P. Reiche, Chairman
Sidney Goldmann, Vice-Chairman
Edward J. Farrell, Legal Counsel
Josephine Margetts, Member
Herbert Alexander, Consultant
David F. Norcross, Executive Director

ABSENT

NONE

The submission of the minutes of July 11, 1974 Commission meeting were dispensed with and the Commission turned immediately to scheduled hearings.

- 1) Burlington County Democratic Committee - Failure to timely file an Annual Report as required by Section 8 of Chapter 83 of the Laws of 1973. After hearing evidence presented on behalf of the Committee, considering relevant facts and due deliberation, the Commission found the Committee guilty of a negligent, non-willful violation of the reporting requirements of Chapter 83 of the Laws of 1973. The Commission also found evidence of effort to comply, although such efforts were not timely. (Motion-Goldmann, second-Margetts) (Vote 3-0)

The Committee waived formal notice of hearing and formal hearing and agreed that the matter be immediately determined and concluded by the Commission.

On the motion of Commissioner Goldmann, seconded by Chairman Reiche, the Commission resolved to impose a penalty of \$50.00 on the Committee and Treasurer jointly. Commissioner Margetts voted in the negative (Vote 2-1)

- 2) Gloucester County Democratic Committee - Alleged failure to timely file an Annual Report as required by Section 8 of Chapter 83 of the Laws of 1973. After hearing evidence presented on behalf of the Committee, the Commission found that the Committee was guilty of non-willful gross neglect in failing to timely file. Accordingly, on motion of Chairman Reiche, seconded by Commissioner Goldmann, the Commission resolved to impose a penalty of \$200 on the Committee and Treasurer jointly. Commissioner Margetts was not present and not voting.

The Committee waived formal notice of hearing and formal hearing and agreed that the matter be immediately determined and concluded by the Commission.

- 3) Hunterdon County Democratic Committee - Alleged failure to timely file an Annual Report as required by Section 8 of Chapter 83 of the Laws of 1973. Accordingly, the Commission found a negligent, non-willful violation and evidence of willingness and effort to comply, and further found that the Committee did file prior to receiving notice of failure to file from the Commission. Accordingly, the Commission resolved to issue a letter of reprimand to the Committee. (Motion, Margetts, second, Goldmann) (Vote 3-0)

The Committee waived formal notice of hearing and formal hearing and agreed that the matter be immediately determined and concluded by the Commission.

- 4) Cape May County Republican Committee - Alleged failure to timely file an Annual Report as required by Section 8 of Chapter 83 of the Laws of 1973. The Commission found a non-willful, negligent violation of the reporting requirements of the Act characterized by a great laxity in effort to comply, although the evidence indicated an awareness of the reporting requirements. Accordingly, it was resolved to impose a fine of \$100.00 on the Committee and Treasurer jointly. (Motion, Goldmann; second, Margetts) (Vote 3-0)

The Committee waived formal notice of hearing and formal hearing and agreed that the matter be immediately determined and concluded by the Commission.

- 5) Ocean County Democratic Committee - Alleged failure to timely file an Annual Report as required by Section 8 of Chapter 83 of the Laws of 1973. The Commission found a non-willful, negligent violation of the reporting requirements of the Act characterized by a great laxity in effort to comply, although the evidence indicated an awareness of the reporting requirements. Accordingly, it was resolved to impose upon the Treasurer and Committee jointly a fine of \$100. (Motion Goldmann, second, Reiche) (Vote 3-0)

The Committee waived formal notice of hearing and formal hearing and agreed that the matter be immediately determined and concluded by the Commission.

- 6) Cape May County Democratic Committee - Alleged failure to timely file an Annual Report as required by Section 8 of Chapter 83 of the Laws of 1973. The Commission found a negligent, non-willful violation of the reporting requirements of the Act. Accordingly, it was resolved to impose a fine of \$50 upon the Treasurer and Committee jointly. (Motion, Reiche; second, Goldmann) Commissioner Margetts voted in the negative. Mrs. Margetts explained that she was in accord with respect to the finding of fact, but dissented from the imposition of the penalty.

The Committee waived formal notice of hearing and formal hearing and agreed that the matter be immediately determined and concluded by the Commission.

- 7) Sussex County Democratic Committee - Alleged failure to timely file an Annual Report as required by Section 8 of Chapter 83 of the Laws of 1973. The Commission found a negligent, non-willful violation of the Act, without any mitigating circumstances, and accordingly resolved to impose a penalty of \$100 on the Committee and Treasurer jointly. (Motion, Reiche; second, Margetts) (Vote 3-0)

The Committee waived formal notice of hearing and formal hearing and agreed that the matter be immediately determined and concluded by the Commission.

- 8) Sussex County Republican Committee - Alleged failure to timely file an Annual Report as required by Section 8 of Chapter 83 of the Laws of 1973. The Commission found a negligent, non-willful violation without mitigating circumstances and accordingly, it was resolved to impose a penalty of \$100 on the Committee and Treasurer jointly. (Motion, Goldman; second, Margetts) (Vote 3-0)

The Committee waived formal notice of hearing and formal hearing and agreed that the matter be immediately determined and concluded by the Commission.

- 9) Edward Murphy - The Commission held a hearing with respect to Edward Murphy, a Mayoral candidate in Paterson, New Jersey for alleged failure to comply with the reporting requirements of the Act in that he failed to timely file. After hearing all of the evidence and making due deliberation, the Commission found gross negligence in violation of the reporting requirements of the Act with no effort on the part of the candidate to comply with the Act, although he was found to have been aware of the reporting requirements. Accordingly, it was resolved to impose a fine of \$100 on the candidate, Edward Murphy. (Motion, Goldman; second, Margetts) (Vote 3-0)

Mr. Murphy waived formal notice of hearing and formal hearing and agreed that the matter be immediately determined and concluded by the Commission.

- 10) Glen M. Brickus - The Commission held a hearing with respect to Glen M. Brickus, a candidate for Council in Newark, New Jersey for alleged failure to comply with the reporting requirements of the Act in that she failed to timely file. The Commission found a negligent, non-willful violation of the Act and the absence of an intent to avoid the reporting requirements. Accordingly, the Commission resolved to issue a letter of reprimand and impose a \$50 fine on the candidate, Glen Brickus. (Motion, Goldman; second, Margetts) (Vote 3-0)

Ms. Brickus waived formal notice of hearing and formal hearing and agreed that the matter be immediately determined and concluded by the Commission.

- 11) William Guyton, Jr. - The Commission held a hearing with respect to William Guyton, Jr., a candidate for Council in Newark, New Jersey for alleged failure to comply with the reporting requirements of the Act in that he failed to timely file. Having considered the evidence, the Commission found a non-willful, negligent violation of the Act, and accordingly, it was resolved that the Commission issue a stern reprimand and impose a fine of \$75.00 on the candidate, William Guyton. (Motion, Reiche; second, Goldman) (Vote 3-0)

Mr. Guyton waived formal notice of hearing and formal hearing and agreed that the matter be immediately determined and concluded by the Commission.

- 12) Mitchell Dentley - The Commission held a hearing with respect to Mitchell Dentley, candidate for Assembly, General Election 1973, for alleged failure to comply with the reporting requirements of the Act in that he failed to timely file. The Commission found a repeated failure to respond to inquiries on the part of the candidate and a negligent failure to file for the reporting period ending November 21, 1973, although he was found to have been aware of the reporting requirements of the Act. The candidate's difficulties with respect to the availability of records because of domestic circumstances was considered as a mitigating factor. Accordingly, the Commission resolved to impose a fine of \$50 upon the candidate, Mitchell Dentley. (Motion, Margetts; second, Goldman) (Vote 3-0)

Mr. Dentley waived formal notice of hearing and formal hearing and agreed that the matter be immediately determined and concluded by the Commission.

- 13) Frank Paradise - The Commission held a hearing with respect to Frank Paradise, candidate for Assembly, General Election, 1973, for alleged failure to comply with the reporting requirements of the Act in that he failed to timely file. The Commission found a negligent violation of the reporting requirements of the Act. The Commission further found that the candidate had attempted to terminate his candidacy and that no funds had been expended or collected. Accordingly, the Commission resolved to issue a letter of reprimand. (Motion, Goldman; second, Margetts) (Vote 3-0)

Mr. Paradise waived formal notice of hearing and formal hearing and agreed that the matter be immediately determined and concluded by the Commission.

- 14) Moises Jimenez - Appeared before the Commission and declined to waive notice of formal hearing. Accordingly, his hearing was rescheduled for September 12, 1974 at 3:00 p.m.

Meeting was adjourned at 4:30 p.m.

Respectfully submitted,



David F. Norcross
Executive Director