



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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PUBLIC SESSION MINUTES

OCTOBER 19, 1993

Chairman McNany, Commissioner Eldridge, Counsel Farrell, senior staff, and Director of Public Financing Nedda Gold Massar were present. Commissioner Linett arrived late.

Chairman McNany called the meeting to order and announced that pursuant to the "Open Public Meetings Act," N.J.S.A. 10:4-6 et seq., special notice of the meeting of the Commission had been filed with the Secretary of State's Office and distributed to the entire State House Press Corps.

The meeting convened at 9:00 a.m. at the Commission offices, Trenton.

1. Approval of Public Session Minutes of September 14, 1993 and the Telephonic Meetings of September 8, September 22, and October 5, 1993

On a motion by Chairman McNany, seconded by Commissioner Eldridge and passed by a vote of 2-0, the Commission approved the Public Session Minutes of September 14, 1993.

On a motion by Commissioner Eldridge, seconded by Chairman McNany and passed by a vote of 2-0, the Commission approved the Public Session Minutes of the telephonic conferences of September 8, September 22, and October 5, 1993.

2. Executive Director's Report

A. Staff Activities

Executive Director Herrmann reported that all staff have been concentrating on dealing with a very heavy preelection workload. He said that the combination of the new law and the Gubernatorial/Senate/Assembly races happening simultaneously have made this year a difficult one.

Executive Director Herrmann informed the Commission that thanks to the additional \$300,000 ELEC received on July 1, 1993, new staff has been hired to assist with the very heavy workload. He added that overtime for staff is also helping the Commission cope with the situation.

Executive Director Herrmann noted that staff morale has been terrific.

The Executive Director proceeded to introduce three new staffers: Andrew Mersel, Assistant Compliance Officer; Terry Rimo, Executive Secretary; and, Barbara Wallace, Assistant Compliance Clerk. Executive Director Herrmann added that Mr. Mersel did an excellent job as a summer intern and that Ms. Rimo has many years of State experience at the Departments of Labor and Corrections. Executive Director Herrmann said that Ms. Wallace came highly recommended from the Department of Law and Public Safety. The Executive Director said that the three have already begun to make important contributions to the Commission.

Executive Director Herrmann advised the Commission that Director of Compliance and Information Evelyn Ford and her staff produced a new training session video at the September 15, 1993 seminar. He said that the video will be available for mailing to candidate groups for viewing and for use in the ELEC office. The Executive Director mentioned that the video will save time and money in terms of training candidates and treasurers.

Executive Director Herrmann announced that the annual holiday party will be held at Mastori's in Bordentown after the December 14, 1993 meeting. He asked the Commissioners for their traditional contribution to the party of \$50.00 each.

#### B. COGEL Conference

Executive Director Herrmann reported that the COGEL Conference was held in St. Paul, Minnesota from September 19 - 22. He said that he would give more details on it at the next regular meeting. He offered his thanks to the Chairman and the Commission for their thoughtful resolution commending him for his services in the field of ethics.

#### C. Legislative Action

Executive Director Herrmann noted that on October 4, 1993, he participated, by invitation, in a meeting of the Joint Legislative Committee on Ethical Standards. He said that he was asked a number of questions about ELEC's efforts in the area of "the appropriate use of campaign contributions." Executive Director Herrmann said that a sub-committee reported that the new Campaign Act superceded the committee's jurisdiction as set forth in the Conflicts of Interests Law in this area. He said that the report was based on a June session in which he participated. Executive Director Herrmann noted that it was recommended that the full committee send ELEC a list of suggestions on how the Commission should apply the new language of the revised Campaign Act concerning campaign contribution usage.

#### D. Future Meetings

The Commission will meet on November 16, 1993 at 9:00 a.m. in Maplewood, and in Trenton on December 14, 1993 at 9:30 a.m. The Commission also scheduled tentative meetings for: October 22, Somerville at 4:00 p.m.; October 25, Berkeley Heights at 7:00 p.m.; and, October 28, New Providence at 9:00 p.m.

Chairman McNany read the resolution commending Executive Herrmann for winning the prestigious COGEL award and his contributing to the field of international, governmental ethics.

Commissioner Linett arrived at 9:25 a.m.

3. Whitman Complaints

For discussion of the Whitman Complaints please see the transcript prepared by the court reporter.

On a motion by Commissioner Linett, seconded by Commissioner Eldridge and passed by a vote of 3-0, the Commission directed staff to orally and in writing request from the Office of Administrative Law (OAL) initial disposition on an emergent basis in order that Final Decisions can be issued prior to the date of the November 2, 1993 general election.

4. Resolution To Go Into Executive Session

On a resolution by Commissioner Linett, seconded by Commissioner Eldridge and passed by a vote of 3-0, the Commission resolved to go into closed Executive Session to discuss the following matters which will become public as follows:

1. Final Decision Recommendations in violation proceedings which will not become public. However, the Final Decisions resulting from those recommendations will become public 15 days after mailing.
2. Investigative Reports of possible violations, which reports will not become public. However, any Complaint generated as the result of an Investigative Report will become public 30 days after mailing.

5. Adjournment

On a motion by Commissioner Eldridge, seconded by Commissioner Linett and passed by a vote of 3-0, the Commission voted to adjourn at 11:50 p.m.

Respectfully submitted,



FREDERICK M. HERRMANN, PH.D.

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