



State of New Jersey

## ELECTION LAW ENFORCEMENT COMMISSION

ERIC H. JASO  
Chairman  
  
STEPHEN M. HOLDEN  
Commissioner  
  
MARGUERITE T. SIMON  
Commissioner

Respond to:  
P.O. Box 185  
Trenton, New Jersey 08625-0185  
  
(609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532)  
  
Website: <http://www.elec.state.nj.us/>

JEFFREY M. BRINDLE  
Executive Director  
  
JOSEPH W. DONOHUE  
Deputy Director  
  
DEMERY J. ROBERTS  
Legal Director  
  
STEPHANIE A. OLIVO  
Compliance Director  
  
EDWIN R. MATTHEWS  
Legal Counsel

### PUBLIC SESSION MINUTES

April 22, 2021

Chairman Eric Jaso, Commissioner Stephen Holden, Commissioner Marguerite Simon, Legal Counsel Edwin Matthews, Executive Director Jeffrey Brindle, Deputy Director Joseph Donohue, Legal Director Demery Roberts, Deputy Legal Director Amanda Haines, Compliance Director Stephanie Olivo, Director of Review and Investigation Shreve Marshall, IT Director Anthony Giancarli, and IT Specialist Elias Amaya participated via GoToWebinar.

A court reporter was available to record the proceedings.

The Public Session Minutes will be available online on the Commission's website at: <http://www.elec.state.nj.us>.

The meeting convened at 11:00 a.m. in Trenton.

#### **1. Open Public Meetings Statement**

Chairman Jaso called the meeting to order. Executive Director Brindle announced that pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., notice of this meeting of the Election Law Enforcement Commission was announced for April 22, 2021 at 11:00 a.m. via GoToWebinar, and was distributed at approximately 11:00 a.m., on April 20, 2021, to the entire State House press corps and was filed with the Secretary of State's Office. It was also posted on the Commission's website.

#### **2. Application of Rizzo for Governor Campaign and Philip Rizzo (Rizzo)**

This emergency meeting was called to hear argument from Rizzo and receive statements from the public and/or other interested parties on Rizzo's application to be declared a qualified candidate pursuant to N.J.S.A. 19:44A-3(m), to receive public matching funds and participate in the gubernatorial primary debates.

#### **3. Public Comments**

- John Carbone - Rizzo for Governor campaign

**4. Resolution Authorizing an Executive Session**

Whereas, there exists a need to hold an Executive Session for the purpose of discussing the following matter/matters, which fall within the exceptions to the Open Public Meetings Act, N.J.S.A. 10:4-12 et seq. to wit.

**Matter/Matters (OPMA Exception)**

- Discuss with Counsel the Rizzo for New Jersey Governor Campaign's request that the Commission convene, conduct a review of the letter entered on April 19, 2021 and take appropriate action, or reconsider Rizzo's application for participation in the public financing program for the primary election.

Whereas, it is unknown at this time when such discussion to take place in Executive Session may be disclosed to the public.

Now Therefore Be It Resolved by the Election Law Enforcement Commission as follows:

1. This Executive Session Meeting of the Election Law Enforcement Commission shall be closed to the public for discussion of the aforesaid referenced matters.
2. The matters discussed during this Executive Session Meeting shall be disclosed to the public at such time when reason for discussing and acting on same in Executive Session shall no longer exist.

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission resolved to enter Executive Session.

**Return to Public Session**

**5. Application of Rizzo for Governor Campaign and Philip Rizzo (Rizzo)**

On a motion by Commissioner Holden, seconded by Commissioner Simon, and passed by a vote of 3-0, the Commission resolved that Philip Rizzo is not a qualified candidate pursuant to N.J.S.A. 19:44A-3(m).

**6. Adjournment**

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission resolved to adjourn at 11:59 a.m.

Respectfully submitted as true  
and correct,

Jeffrey M. Brindle  
Executive Director