

**BOROUGH OF SHREWSBURY
MUNICIPAL COMPLEX
LOCAL ETHICS BOARD**

December 5, 2022

Meeting Called to Order

Mr. Thomas Menapace called the meeting to order at 6:00pm and read the Presiding Officer's Statement.

Sunshine Statement

The Notice Requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press and the Two River Times and by posting on the bulletin board in the Municipal Building on December 1, 2022 by the Municipal Clerk.

Roll Call

Present: Mr. Sean Galligan
Mr. Michael Jones
Mr. Thomas Menapace
Ms. Dena Reger

Also, Present: Danielle Panizzi, Borough Attorney
Kerry Quinn, Municipal Clerk

Absent: Mr. Michael Keller

Salute to Flag

Led by Mr. Thomas Menapace

Approval of Minutes- October 12, 2022:

Ms. Reger motioned to approve the October 12, 2022 Minutes seconded by Mr. Menapace, and approved by the following roll call vote:

Ayes: Galligan, Jones, Menapace and Reger
Nays: None
Abstain: None

Resolutions:

Mr. Menapace motioned to approve the Resolution 2022-004 seconded by Mr. Jones and approved by the following roll call vote:

Ayes: Galligan, Jones, Menapace and Reger
Nays: None
Abstain: None

RESOLUTION 2022-004

WHEREAS, the Shrewsbury Borough Ethics Board received a Complaint on December 30, 2021 pursuant to N.J.S.A. 40A:9-22.18 and Shrewsbury Borough Code §21-9; and

WHEREAS, the Complaint alleges Shrewsbury Board of Health members Tricia Gandolfo and Margaret Levinson failed to timely file Financial Disclosure Statements in 2019; and

WHEREAS, the Local Government Ethics Law requires "local government officers" to annually file a financial disclosure statement on or before April 30th of each year pursuant to N.J.S.A. 40A:9-22.6 (b); and

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WHEREAS, N.J.S.A. 40A:9-22.3 defines a local government officer as any person, whether compensated or not, whether part-time or full-time:

- (1) elected to any office of a local government agency;
- (2) serving on a local government agency, which has the authority to enact ordinances, approve development applications or grant zoning variances;
- (3) who is a member of an independent municipal, county or regional authority; or
- (4) who is a managerial executive employee of a local government agency, as defined in rules and regulations adopted by the Director of the Division of Local Government Services in the Department of Community Affairs pursuant to the "Administrative Procedure Act," P.L. 1968, c. 410 (C:52:14B-1 et seq.), but shall not mean any employee of a school district or member of a school board."; and

WHEREAS, the Shrewsbury Local Board of Health was a member of the Monmouth Regional Health Commission in 2019; and

WHEREAS, due to the Shrewsbury Local Board of Health's membership in the Monmouth County Regional Health Commission in 2019, the Local Board of Health relinquished its power to enact ordinances; and

WHEREAS, Gandolfo and Levinson did not qualify in 2019 as "local government officers" pursuant to N.J.S.A. 40A:9-22.3(g)(1)-(4) as members of the Local Board of Health in 2019, negating the need to file financial disclosure statements.

NOW THEREFORE, BE IT RESOLVED that Shrewsbury Board of Ethics finds that that there is no evidence supporting that the conduct of Tricia Gandolfo or Margaret Levinson as members of the Shrewsbury Local Board of Health in 2019 is in violation of any financial disclosure requirements pursuant to N.J.S.A. 40A:9-22.6 (b).

BE IT FURTHER RESOLVED that a final decision of the Ethics Board may be appealed to the Local Finance Board within thirty days of the adoption of this resolution.

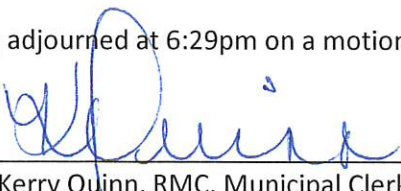
Open to the Public

Close the Floor to the Public

With no one from the public wishing to speak, the floor was closed to the public.

Adjourn

Meeting adjourned at 6:29pm on a motion made by Mr. Jones, seconded by Mr. Galligan with ayes by all members present.

Attest: 
Kerry Quinn, RMC, Municipal Clerk

Approve: 
Thomas Menapace, LEB Chairman