

**BOROUGH OF SHREWSBURY  
COUNTY OF MONMOUTH**

**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 30<sup>th</sup> of each year pursuant to N.J.S.A. 40A:9-22.6 (b); and

**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

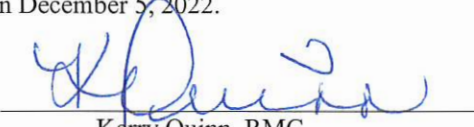
**WHEREAS**, Gandolfo and Levinson did not qualify in 2019 as "local government officers" pursuant to N.J.S.A. 40A:9-22.3(g)(1)-(4) as members of the Local Board of Health in 2019, negating the need to file financial disclosure statements.

**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.

I, Kerry Quinn, Municipal Clerk of the Borough of Shrewsbury, do hereby certify the foregoing to be a true copy of a resolution adopted by the Shrewsbury Borough Municipal Ethics Board on December 5, 2022.

12/5/2022  
Date

  
Kerry Quinn, RMC  
Municipal Clerk

| Ethics Member | Moved | Seconded | Ayes | Nays | Absent | Abstain |
|---------------|-------|----------|------|------|--------|---------|
| Mr. Galligan  |       |          | X    |      |        |         |
| Mr. Jones     |       | X        | X    |      |        |         |
| Mr. Keller    |       |          |      |      | X      |         |
| Mr. Menapace  | X     |          | X    |      |        |         |
| Ms. Reger     |       |          | X    |      |        |         |