

May 2023 Local Finance Board Meeting



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

May 26, 2023

PERSONAL AND CONFIDENTIAL

Don Purdy



Re: Local Government Ethics Law
Complaint #LFB 17-034
Notice of Investigation

Dear Mr. Purdy:

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., empowers the Local Finance Board (Board) to initiate, receive, hear and review complaints, and to hold hearings with regard to possible violations of the LGEL, where no local ethics board has been established.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint has been filed against you.

The nature of the complaint alleges possible violations of the following provisions of the LGEL:

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others;

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment.

The allegations in the complaint are summarized as follows:

As Mayor of the Township of Galloway, you participated in a meeting regarding a proposed land purchase by Stockton University (Stockton) when you were in the process of entering into an agreement with Stockton to lease property to be used as a residence hall, in violation of the LGEL.

In the course of a preliminary investigation of the above-referenced allegations, the Board determined that in March of 2016, you served as the Mayor of the Township of Galloway. In July 2015, you purchased 421 Chris Gaupp Drive in Galloway in your private capacity and started to convert the property into a residence hall for Stockton. On July 25, 2016, you, through your company D & M Galloway Holdings, LLC, reached a three-year lease agreement with Stockton covering the term of August 2016 to May 2019. The agreement permitted Stockton to use the 421 Chris Gaupp Drive property as a student residence. In addition to, but separate from the lease of 421 Chris Gaupp Drive, your companies, Purdy Collision and Purdy Automotive, frequently performed maintenance and repair work for vehicles owned by Stockton in 2016.

In December of 2015, Stockton submitted an application to purchase municipally owned property in Galloway along Jimmie Leeds Road and Ezra Boyce Road. On March 15, 2016, you participated in a meeting with the Municipal Clerk, Municipal Attorney, Township Planner, Township Manager, and another governing body member about the proposed land purchase by Stockton at a time when the lease agreement with Stockton for the use of the 421 Chris Gaupp Drive facility was being negotiated.

Based upon the information reviewed in the course of a preliminary investigation, the Board voted to authorize an investigation into this matter for possible violations of subsections (c) and (d) of N.J.S.A. 40A:9-22.5.

In accordance with N.J.S.A. 40A:9-22.9, you may respond with any statement or provide any information concerning the allegations that you wish. Should you decide to make such a submission, the Board requests receipt of the written response **within thirty (30) days of your receipt of this letter.**

Please be advised that the Board's decision to undertake a formal inquiry neither implies nor constitutes an opinion as to whether a violation has occurred. If additional information is not received from you within the time frame mentioned above, the Board will base its decision on the information secured through, and findings of, its investigation.

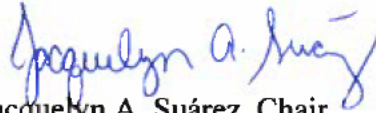
Upon completion of the investigation, the Board, at a regularly scheduled meeting, will make a determination as to whether the allegations constitute a violation of the LGEL.

You will be advised of the result of the Board's determination in writing after the meeting. If the Board concludes that a violation of the LGEL has occurred, you will be given an opportunity to request an administrative hearing to contest the Board's finding. That request must be received, in writing, within 30 days receipt of the Board's finding. If an administrative hearing is requested, the Board will not issue a final decision until the completion of the administrative hearing process.

Please send your response to the Local Finance Board, Department of Community Affairs, P.O. Box 803, 101 S. Broad Street, Trenton, New Jersey 08625 or via e-mail to Dana.Jones@dca.nj.gov.

Should you have any questions regarding this matter, please contact Dana Jones at (609) 815-3904.

Sincerely,



Jacquelyn A. Suárez, Chair
Local Finance Board

JAS:dcj
C17-034.NOI

June 2023 Local Finance Board Meeting



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

July 28, 2023

Gene DiFilippo
[REDACTED]

**Re: Local Government Ethics Law
LFB Complaint C18-017
Notice of Determination**

Dear Mr. DiFilippo:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint.

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., authorizes the Board to initiate, receive, hear and review complaints, and hold hearings with regard to possible violations of the LGEL where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or has no reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you, and it has been dismissed for lack of jurisdiction.

The Complaint alleged a possible violation of the following provision of the LGEL:

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.

The allegations set forth in the complaint may be summarized as follows:

Gene DiFilippo, Chief of Police, Township of Edgewater Park, engaged in threatening behavior toward a resident in violation of the LGEL.

In the course of its preliminary investigation, the Board determined that you served as the Chief of Police in the Township of Edgewater Park in 2015. The complaint alleged that you sent threatening messages on Facebook to a resident in that year.

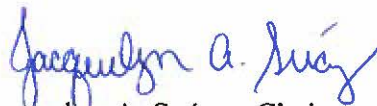
Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the Complaint for a lack of jurisdiction. The Board does not have the authority to review potential criminal activity in its enforcement of the LGEL. Such claims should be pursued with the appropriate law enforcement authorities.

Pursuant to N.J.S.A. 40A:9-22.9, the local government officer or employee against whom a complaint was filed must be notified of the Board's determination regarding a complaint. No action is required on your part.

LFB Complaint C18-017 is now closed.

If you have any questions regarding this matter, please feel free to contact Dana Jones at (609) 913-4408 or via email at Dana.Jones@dca.nj.gov.

Sincerely,



Jacquelyn A. Suárez, Chair
Local Finance Board

cc: Complainant
JAS:dcj
C18-017.NOD



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

July 28, 2023

Mark Catanzaro, Esq.
21 Grant Street
Mount Holly, New Jersey 08060

Re: Local Government Ethics Law
LFB Complaint C18-017
NOTICE OF VIOLATION

Dear Mr. Catanzaro:

The Local Finance Board (Board) issued a **NOTICE OF VIOLATION (NOTICE)** regarding its findings in the matter of LFB Complaint C18-017, filed against your client, Lauren DiFilippo (née Kremper). Enclosed is the **NOTICE** issued by the Board.

Please be advised that the **NOTICE** is not a final determination if your client desires to avail herself of the right to request an administrative hearing pursuant to N.J.A.C. 5:35-1.1(i). If a hearing is requested in accordance with the enclosed **NOTICE**, the Board will not issue a final decision until the completion of the administrative hearing process.

The complaint included multiple allegations of Local Government Ethics Law (LGEL) violations by Ms. DiFilippo. The Board did not find that each allegation violated the LGEL. This **NOTICE** includes a summary of those allegations the Board did not find to be LGEL violations.

The Board dismissed the allegation below following an investigation. The complaint had alleged a possible violation of the following provision of the LGEL:

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others;

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment.

The allegations set forth in the complaint may be summarized as follows:

Lauren DiFilippo, Township Committee member, Township of Edgewater Park, participated in her official capacity on matters involving the police department when she was cohabitating with the Chief for the Township of Edgewater Park Police, in violation of the LGEL.

In the course of its investigation, the Board determined that Ms. DiFilippo was a Committee member for the Township of Edgewater Park in 2015. In 2015, Ms. DiFilippo and Gene DiFilippo, the Chief of Police for the Township of Edgewater Park, were involved in a romantic relationship. At the March 3, 2015 Township Committee meeting, Ms. DiFilippo voted yes for the resolution adopting emergency temporary appropriations for 2015. At the April 21, 2015 Township Committee meeting, Ms. DiFilippo voted for the 2015 budget and the first reading of Ordinance 2015-03, which set the municipality's salary ranges. At the May 5, 2015 Township Committee meeting, Ms. DiFilippo voted yes at the second reading of Ordinance 2015-03. At the Township Committee meetings of March 3, 2015, April 7, 2015, May 5, 2015, May 19, 2015, June 2, 2015, July 21, 2015, August 18, 2015, September 1, 2015, October 20, 2015, November 10, 2015, and December 8, 2015, Ms. DiFilippo voted yes on bill lists that involved the police department. Following a preliminary investigation and a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss these allegations as having no reasonable factual basis as Ms. DiFilippo and Chief DiFilippo were not cohabitating at the time. The Board has held that a romantic involvement alone does not create a direct or indirect personal or financial involvement.

In 2016, Ms. DiFilippo and Gene DiFilippo, the Chief of Police for the Township of Edgewater Park, were involved in a romantic relationship. At the January 2, 2016 Township Committee meeting, Ms. DiFilippo voted yes for Resolutions 2016-1 through 23, including Resolution 2016-1 appointing Chief DiFilippo as Alternate Fund Commissioner for the Burlington County Municipal Joint Insurance Fund (JIF.) At the March 15, 2016 Township Committee meeting, Resolutions 2016-45 through 52 were placed on the consent agenda with Ms. DiFilippo voting for the resolutions. Resolution 2016-45 adopted temporary emergency appropriations for employee group insurance, police and firemen's retirement system, and PERS. At the June 7, 2016 Township Committee meeting, Ms. DiFilippo voted yes on Salary Ordinance 2016-06 establishing the salary range for the Chief of Police. The Board determined that this salary ordinance did not impact Chief DiFilippo as it was for future chiefs of the police department. At the time of the above votes, Ms. DiFilippo and Chief DiFilippo were not residing together. Therefore, the Board dismissed the allegations.

Ms. DiFilippo was the Mayor for the Township of Edgewater Park in 2017. Ms. DiFilippo and Gene DiFilippo, the Chief of Police for the Township of Edgewater Park. Ms. DiFilippo and Mr. DiFilippo began cohabitating in late 2016. In a letter dated February 6, 2017, Salvatore Siciliano, the municipal attorney, provided guidance stating that Ms. DiFilippo had to recuse on certain matters relating to Chief DiFilippo but did not have to abstain from every item relating to the police department. At the Township Committee meetings of August 15, 2017, September 19, 2017, October 3, 2017, October 17, 2017, November 21, 2017, and December 5, 2017, the Board determined that Ms. DiFilippo voted on bill lists that involved the police department at a time when she was cohabitating with Chief DiFilippo. The cohabitation relationship constituted a direct or indirect personal or financial involvement which might reasonably be expected to impair Ms. DiFilippo's objectivity or independence of judgment. However, her actions were consistent with the advice provided by the municipal counsel. Therefore, the Board has decided not to find a violation for the actions described above.

Following an investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the above allegations.

The enclosed Notice of Violation addresses the remaining allegations.

Should you have any questions regarding this matter, please contact Dana Jones at (609) 913-4408 or by email at Dana.Jones@dca.nj.gov.

Sincerely,


Jacquelyn A. Suárez, Chair
Local Finance Board

cc: Complainant
Enclosure
JAS:dcj
C18-017.NOV

**STATE OF NEW JERSEY
LOCAL FINANCE BOARD
NOTICE OF VIOLATION**

In Re: Lauren DiFilippo, Mayor, Township of Edgewater Park, LFB Complaint C18-017

This matter having come before the Local Finance Board (Board) pursuant to the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., upon complaint that Township of Edgewater Park Committee Member Lauren DiFilippo voted on a resolution appointing Gene DiFilippo as the municipality's Joint Insurance Fund Commissioner at a time that Lauren DiFilippo was cohabitating with Gene DiFilippo, in violation of N.J.S.A. 40A:9-22.5(d) of the Local Government Ethics Law; and

WHEREAS, the Board determined that the allegations were within its jurisdiction, were not frivolous, and were based upon a reasonable factual basis, authorized an investigation of this complaint; and

WHEREAS, Lauren DiFilippo (née Kremper) served as Mayor of the Township of Edgewater Park in 2017; and

WHEREAS, Lauren DiFilippo and Gene DiFilippo were cohabitating in 2017; and

WHEREAS, Lauren DiFilippo received guidance from the municipal attorney, Salvatore Siciliano, in a letter dated February 6, 2017, stating that if a matter did not involve a direct material or monetary gain to Chief DiFilippo or herself, she could participate in her official capacity on that matter; and

WHEREAS, the advice rendered to Lauren DiFilippo further provided that "where the matter to be considered is specific to Chief DiFilippo ... [Ms. DiFilippo] must abstain from participating in any aspect of its consideration."; and

WHEREAS, at the July 18, 2017 Township Committee meeting, Mayor DiFilippo voted yes on Resolutions 2017-91 through Resolutions 2017-99, including Resolution 2017-93 appointing Gene DiFilippo as Fund Commissioner for the Burlington County Municipal Joint Insurance Fund; and

WHEREAS, the Local Government Ethics Law states:

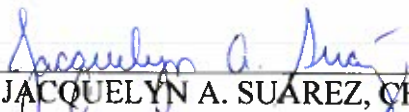
N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment.

WHEREAS, the Board having considered the matter and the relevant statements and information, as well as the written response to the allegations submitted by Mark Catanzaro, Esq. on behalf of Lauren DiFilippo, determined that Lauren DiFilippo's vote for Resolution 2017-93 constituted an action in her official capacity in a matter where Lauren DiFilippo had a direct or indirect financial or personal involvement that might reasonably be expected to impair her objectivity or independence of judgment, in violation of subsection (d) of N.J.S.A. 40A:9-22.5; and

IT IS THEREFORE DETERMINED that Committee member Lauren DiFilippo shall be assessed a fine in the amount of \$100 for her actions in violation of N.J.S.A. 40A:9-22.5(d) for a total fine of \$100.00. However, in light of her reasonable reliance on the advice of counsel, the fine shall be waived.

NOTICE that Lauren DiFilippo, is entitled to an administrative hearing in accordance with N.J.S.A. 40A: 9-22.12 to contest this **NOTICE**. Any request for an administrative hearing shall be filed with the Local Finance Board within 30 days receipt of this **NOTICE**. If an administrative hearing is requested, the Board will not issue a final decision until the completion of the administrative hearing process. Said hearing request shall be filed with Nicholas Bennett, Executive Secretary, Local Finance Board, Department of Community Affairs, P.O. Box 803, Trenton, New Jersey 08625.

7/28/2023
DATE


JACQUELYN A. SUAREZ, CHAIR
LOCAL FINANCE BOARD



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

July 28, 2023

Mario DiNatale
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint C18-028
Notice of Determination

Dear Mr. DiNatale:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced complaint.

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., empowers the Board to initiate, receive, hear and review complaints, and to hold hearings regarding possible violations of the LGEL where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or without a reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you, and it has been dismissed as having no reasonable factual basis.

The complaint alleged possible violations of the following provision of the LGEL:

N.J.S.A. 40A:9-22.5(e) No local government officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties.

The allegations set forth in the complaint may be summarized as follows:

Mario DiNatale, Public Safety Director, Township of Voorhees, attempted to use his official position to secure unwarranted privileges when he showed a Township of Voorhees police badge to a police officer executing a motor vehicle stop on Mario DiNatale's vehicle in the Township of Berlin.

It was further alleged that Mario DiNatale was appointed to the position of Aide to the Mayor over more qualified candidates for the position.

In the course of its preliminary investigation, the Board determined that in 2012 you had the title of Public Safety Director for the Township of Voorhees. On January 5, 2012 you were stopped by a police officer in Berlin Township and used the Voorhees Township police badge that had been issued to you by then Voorhees Township Chief of Police Keith Hummel for your title as Public Safety Director. At the time of the stop, you were not issued a citation. Subsequently, you wrote to Berlin Township requesting the appropriate ticket. The Board previously adjudicated this matter in C12-003 and, following an investigation, found no violation of the LGEL.

Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to this claim of the complaint, and upon consideration of the foregoing provisions of the LGEL, the Board determined that the allegation concerning the traffic stop has already been adjudicated by the Board in C12-003, and the present complaint did not offer additional facts and circumstances considered in that complaint. As such the Board found no reasonable factual basis to pursue this matter again.

At the April 25, 2016 Township of Voorhees governing body meeting, you were appointed as Aide to the Mayor, Economic Development Director, and Community Development Director via Resolution 100-16 by a vote of four in favor and one opposed. You were not a member of the governing body at the time of the appointment.

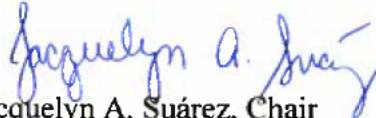
Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to this claim of the complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the complaint for lack of jurisdiction, as the Board does not review or adjudicate disputes concerning the qualifications of job applicants hired by a municipality in its enforcement of the LGEL.

Pursuant to N.J.S.A. 40A:9-22.9, the local government officer or employee against whom a complaint was filed must be notified of the Board's determination regarding a complaint. No action is required on your part.

LFB Complaint C18-028 is now closed.

If you have any questions regarding this matter, please feel free to contact Dana Jones at (609) 913-4408 or via email at Dana.Jones@dca.nj.gov.

Sincerely,


Jacquelyn A. Suárez, Chair
Local Finance Board

cc: Complainant
JAS:dcj
C18-028.NOD.DiNatale



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

July 28, 2023

The Honorable Michael Mignogna
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint C18-028
Notice of Determination

Dear Committeeman Mignogna:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint.

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., empowers the Board to initiate, receive, hear and review complaints, and to hold hearings regarding possible violations of the LGEL, where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or without a reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you, and the claims within the complaint have been dismissed in part for no reasonable factual basis and in part for a lack of jurisdiction.

The complaint alleged a possible violation of the following provision of the LGEL:

N.J.S.A. 40A:9-22.5(e) No local government officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties.

The allegations set forth in the complaint may be summarized as follows:

Michael Mignogna, Mayor, Township of Voorhees, hired Mario DiNatale for the position of Aide to the Mayor, a position Mr. DiNatale was allegedly unqualified to hold, while Michael Mignogna was simultaneously a member of the business advisory committee of the Alicia Rose Victorious Foundation, an entity founded by Mr. DiNatale.

In the course of its preliminary investigation, the Board determined that you were the Mayor of the Township of Voorhees at all times relevant to the complaint. Mario DiNatale founded the Alicia Rose Victorious Foundation and was the Chairman of the Board of Trustees. The purpose of the Alicia Rose Victorious Foundation is to provide age-appropriate programs and activities for children and teens receiving treatment for cancer and other life-threatening illnesses. In your private capacity, you served on the Business Advisory Committee of the Alicia Rose Victorious Foundation. The Business Advisory Committee of the Alicia Rose Victorious Foundation does not have any governing authority or fiduciary role for the nonprofit. At the April 25, 2016 Township of Voorhees governing body meeting, Mr. DiNatale was appointed as Aide to the Mayor, Economic Development Director, and Community Development Director. As Mayor, you supervised Mr. DiNatale in his positions.

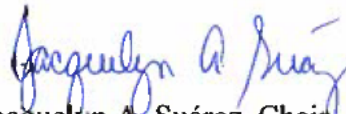
Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to this complaint, and upon consideration of the foregoing provisions of the LGEL, the Board determined that the mission of the foundation was not in conflict with your duties in the public interest. In your role on the business advisory board of the nonprofit you were not supervised by DiNatale. Therefore, the Board found that there is no inherent conflict from this relationship. Upon consideration of these facts and circumstances, the Board voted to dismiss the allegation as without any reasonable factual basis under the LGEL. The Board also dismissed the allegations concerning the qualifications of Mr. DiNatale as the Board does not review or adjudicate disputes concerning the qualifications of job applicants hired by a municipality in its enforcement of the LGEL. Therefore, the Board dismissed this allegation as not being within its jurisdiction.

Pursuant to N.J.S.A. 40A:9-22.9, the local government officer or employee against whom a complaint was filed must be notified of the Board's determination regarding a complaint. No action is required on your part.

LFB Complaint C18-028 is now closed.

If you have any questions regarding this matter, please feel free to contact Dana Jones at (609) 913-4408 or via email at Dana.Jones@dca.nj.gov.

Sincerely,



Jacquelyn A. Suárez, Chair
Local Finance Board

cc: Complainant
JAS:dcj
C18-028.NOD.Mignogna



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

July 28, 2023

The Honorable Jason Ravitz
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint C18-028
Notice of Determination

Dear Deputy Mayor Ravitz:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint.

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., empowers the Board to initiate, receive, hear and review complaints, and to hold hearings regarding possible violations of the LGEL, where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or without a reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you, and it has been dismissed as having no reasonable factual basis.

The complaint alleged a possible violation of the following provision of the LGEL:

N.J.S.A. 40A:9-22.5(e) No local government officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties.

The allegations set forth in the complaint may be summarized as follows:

Jason Ravitz, Deputy Mayor, Township of Voorhees, was a member of the business advisory committee of the Alicia Rose Victorious Foundation, a non-profit organization founded by Mario DiNatale, at a time when Mr. DiNatale was employed as Aide to the Mayor.

In the course of its preliminary investigation, the Board determined that at all times relevant you were the Deputy Mayor of the Township of Voorhees. Mario DiNatale founded the Alicia Rose Victorious Foundation and served as the Chairman of the Board of Trustees. The purpose of the Alicia Rose Victorious Foundation is to provide age-appropriate programs and activities for children and teens receiving treatment for cancer and other life-threatening illnesses. In your private capacity, you served on the Business Advisory Committee of the Alicia Rose Victorious Foundation. The Business Advisory Committee of the Alicia Rose Victorious Foundation does not have any governing authority or fiduciary role for the nonprofit. At the April 25, 2016 Township of Voorhees governing body meeting, Mr. DiNatale was appointed as Aide to the Mayor, Economic Development Director, and Community Development Director. As Deputy Mayor, you supervised Mr. DiNatale in his positions. During all times relevant to Mr. DiNatale's employment, you were on the Business Advisory Committee of the Alicia Rose Victorious Foundation.

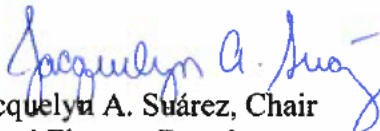
Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to this complaint, and upon consideration of the foregoing provisions of the LGEL, the Board determined that the mission of the foundation was not in conflict with your duties in the public interest. In your role on the business advisory board of the nonprofit, you were not supervised by DiNatale in his capacity as Chair of the Board of Trustees. Therefore, the Board found that there is no inherent conflict from this relationship. Upon consideration of these facts and circumstances, the Board voted to dismiss the complaint as without any reasonable factual basis under the LGEL.

Pursuant to N.J.S.A. 40A:9-22.9, the local government officer or employee against whom a complaint was filed must be notified of the Board's determination regarding a complaint. No action is required on your part.

LFB Complaint C18-028 is now closed.

If you have any questions regarding this matter, please feel free to contact Dana Jones at (609) 913-4408 or via email at Dana.Jones@dca.nj.gov.

Sincerely,


Jacquelyn A. Suarez, Chair
Local Finance Board

cc: Complainant
JAS:dcj
C18-028.NOD.Ravitz



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

July 28, 2023

Vito Gagliardi, Esq.
Porzio, Bromberg & Newman
100 Southgate Parkway
P.O. Box 1997
Morristown, New Jersey 07962

Re: Local Government Ethics Law
LFB Complaint C18-028
NOTICE OF VIOLATION

Dear Mr. Gagliardi:

The Local Finance Board (Board) issued a **NOTICE OF VIOLATION** (NOTICE) regarding its findings in the matter of Complaint #LFB 18-028 against your client, Louis Bordi. Enclosed is the **NOTICE** issued by the Board.

Please be advised that the **NOTICE** is not a final determination if Mr. Bordi desires to avail himself of the right to request an administrative hearing pursuant to N.J.A.C. 5:35-1.1(i). If a hearing is requested in accordance with the enclosed **NOTICE**, the Board will not issue a final decision until the completion of the administrative hearing process.

The complaint included multiple allegations of Local Government Ethics Law (LGEL) violations by Mr. Bordi. The Board did not find that each allegation violated the LGEL. This **NOTICE** includes a summary of those allegations the Board did not find to be LGEL violations.

The Board dismissed the allegations below following an investigation. The complaint had alleged possible violations of the following provisions of the LGEL:

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others;

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment.

The allegations set forth in the complaint may be summarized as follows:

Louis Bordi, Chief of Police, Township of Voorhees, recommended the Township hire the Township Business Administrator's son as a law enforcement officer in violation of the LGEL.

Louis Bordi, Chief of Police, Township of Voorhees, held the titles of both Fire Chief and Fire District Commissioner in violation of the LGEL.

Louis Bordi, Chief of Police, Township of Voorhees, recommended the promotion of his wife, April Herrington, to the position of captain in 2016 in violation of the LGEL.

In the course of its preliminary investigation, the Board determined that Mr. Bordi was the Chief of Police in the Township of Voorhees during the relevant time period. During that time period, the son of the Township Business Administrator was hired as a police officer. As no prohibited relationship existed between the Business Administrator and Mr. Bordi, the Board determined that this allegation lacked a reasonable factual basis and therefore dismissed this claim.

In the course of its preliminary investigation, the Board further determined that Mr. Bordi was appointed as interim Fire Chief in the Township of Voorhees from 2017 to 2022. He served as both Fire Chief and Police Chief. The Board found that following the dissolution of Fire District #3 by the Township of Voorhees governing body, Mr. Bordi held both positions simultaneously on an interim basis. However, holding the titles of Fire Chief and Police Chief at the same time is not an incompatible office-holding under the LGEL. Therefore, the Board dismissed this allegation as not having a reasonable factual basis.

Finally, in the course of its preliminary investigation, the Board determined that Mr. Bordi did not serve as a Fire District Commissioner. Therefore, the claim that simultaneously serving in the positions of Fire Commissioner and Police Chief created an incompatibility of office in violation of the LGEL was dismissed as lacking a reasonable factual basis.

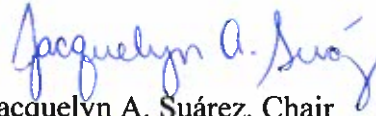
Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the Complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the above allegations for a lack of a reasonable factual basis.

The Board also found that during the relevant time period, Mr. Bordi was married to April Herrington. In 2016, Ms. Herrington was promoted to the title of captain. Following an investigation, the Board dismissed the allegation that Mr. Bordi recommended the promotion of his spouse, April Herrington, to the position of captain in 2016.

The enclosed Notice of Violation addresses the remaining allegations.

Should you have any questions regarding this matter, please contact Dana Jones at (609) 913-4408 or by email at Dana.Jones@dca.nj.gov.

Sincerely,



Jacquelyn A. Suárez, Chair
Local Finance Board

cc: Complainant
Enclosure
JAS:dcj
C18-028.NOV

**STATE OF NEW JERSEY
LOCAL FINANCE BOARD
NOTICE OF VIOLATION**

In Re: Louis Bordi, Chief of Police, Township of Voorhees, LFB Complaint C18-028

This matter having come before the Local Finance Board (Board) pursuant to the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., upon complaint that Chief of Police Louis Bordi recommended the promotion of April Herrington, his spouse, to Lieutenant; and upon complaint that Louis Bordi recommended that the Township hire his son, Thomas Bordi, as a police officer; and upon complaint that Louis Bordi recommended that the Township hire his nephew, Steven Bordi, as a police officer in violation of N.J.S.A. 40A:9-22.5(d) of the Local Government Ethics Law; and

WHEREAS, the Board determined that the allegations were within its jurisdiction, were not frivolous and were based upon a reasonable factual basis, authorized an investigation of this complaint; and

WHEREAS, Louis Bordi has served as the Chief of Police for the Township of Voorhees Police Department since 2012; and

WHEREAS, Louis Bordi is married to April Herrington and resides with her; and

WHEREAS, Louis Bordi is the father of Thomas Bordi; and

WHEREAS, Louis Bordi is the uncle of Steven Bordi; and

WHEREAS, the Civil Service Commission promulgated a Certification of Eligibles List on March 8, 2013 for promotion to lieutenant for the Township of Voorhees; and

WHEREAS, April Herrington was ranked first on the March 8, 2013 Civil Service Commission's Certification of Eligibles List for police lieutenants; and

WHEREAS, at the March 11, 2013 Township of Voorhees Committee meeting, the Committee approved Resolution 95-13 appointing April Herrington as a police lieutenant; and

WHEREAS, Resolution 95-14 states April Herrington has been recommended for promotion to the position of Police Lieutenant by Police Chief Louis Bordi; and

WHEREAS, the Civil Service Commission promulgated a Certification of Eligibles List on May 12, 2014 for police officers for the Township of Voorhees; and

WHEREAS, Thomas Bordi was ranked fourth on the May 12, 2014 Civil Service Commission's Certification of Eligibles List; and

WHEREAS, Louis Bordi made the recommendation to hire the five highest-ranking candidates from the May 12, 2014 Civil Service Commission's Certification of Eligibles List to the Township Committee by e-mail dated June 20, 2014; and

WHEREAS, at the June 23, 2014 Township of Voorhees Committee meeting, the Committee approved Resolution 156-14 appointing Thomas Bordi as a police officer; and

WHEREAS, Resolution 156-14 states Police Chief Louis Bordi has recommended the approval of Thomas Bordi to the position of police officer; and

WHEREAS, the Civil Service Commission promulgated a Certification of Eligibles List on July 29, 2020 for police officers for the Township of Voorhees; and

WHEREAS, Steven Bordi was ranked third on the July 29, 2020 Civil Service Commission's Certification of Eligibles List for police officer; and

WHEREAS, Louis Bordi participated in the interview process for the candidates for police officer from the July 29, 2020 Civil Service Commission's eligibles list; and

WHEREAS, Louis Bordi made the recommendation to hire the five highest ranking candidates from the July 29, 2020 Civil Service Commission's Certification of Eligibles List to the Township Committee by e-mail dated January 28, 2021; and

WHEREAS, at the February 8, 2021 Township of Voorhees Committee meeting, the Committee approved Resolution 71-21 appointing Steven Bordi as a police officer; and

WHEREAS, Resolution 71-21 states Police Chief Louis Bordi has recommended the approval of Steven Bordi to the position of police officer; and

WHEREAS, the Local Government Ethics Law states:

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment.

WHEREAS, the Board having considered the matter and the relevant statements and information, as well as the written response to the allegations submitted by Vito Gagliardi, Esq., on behalf of Louis Bordi, determined that Chief of Police Louis Bordi's recommendation of his spouse, April Herrington, to be promoted to Lieutenant when Louis Bordi was the Police Chief constituted an act in his official capacity in a matter where Louis Bordi had a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment, in violation of subsection (d) of N.J.S.A. 40A:9-22.5; and,

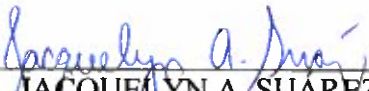
WHEREAS, the Board having considered the matter and the relevant statements and information, as well as the written response to the allegations submitted by Vito Gagliardi, Esq., on behalf of Louis Bordi, determined that Chief of Police Louis Bordi's recommendation of his son, Thomas Bordi, to be hired as a police officer when Louis Bordi was the Police Chief constituted an act in his official capacity in a matter where Louis Bordi had a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment, in violation of subsection (d) of N.J.S.A. 40A:9-22.5; and,

WHEREAS, the Board having considered the matter and the relevant statements and information, as well as the written response to the allegations submitted by Vito Gagliardi, Esq., on behalf of Louis Bordi, determined that Chief of Police Louis Bordi's recommendation of his nephew, Steven Bordi, to be hired as a police officer when Louis Bordi was the Police Chief and when Louis Bordi participated in the interview process of candidates for the position constituted acts in his official capacity in a matter where Louis Bordi had a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment, in violation of subsection (d) of N.J.S.A. 40A:9-22.5; and,

IT IS THEREFORE DETERMINED that Chief of Police Louis Bordi shall be assessed a fine in the amount of \$500.00 for each of the above violations of subsection (d) for a total of \$1,500.00 as it relates to him engaging in official acts prohibited by the Statute. Said fine shall be payable to: Treasurer, State of New Jersey, and be submitted to Jacquelyn A. Suárez, Chair, Local Finance Board, P.O. Box 803, Trenton, New Jersey, 08625 immediately. If payment of said fine is not received within 30 days receipt of this **NOTICE**, Louis Bordi, is subject to additional fines as determined by the Board in accordance with its powers pursuant to N.J.S.A. 40A:9-22.10, Violations and Penalties.

NOTICE that Louis Bordi is entitled to an administrative hearing in accordance with N.J.S.A. 40A:9-22.12 to contest this **NOTICE**. Any request for an administrative hearing shall be filed with the Local Finance Board within 30 days of receipt of this **NOTICE**. If an administrative hearing is requested, the Board will not issue a final decision until the completion of the administrative hearing process. Said hearing request shall be filed with Nicholas Bennett, Executive Secretary, Local Finance Board, Department of Community Affairs, P.O. Box 803, Trenton, New Jersey 08625.

7/28/2023
DATE


JACQUELYN A. SUAREZ, CHAIR
LOCAL FINANCE BOARD



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

July 28, 2023

David Deegan
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint C19-035
NOTICE OF VIOLATION

Dear Mr. Deegan:

The Local Finance Board (Board) issued a **NOTICE OF VIOLATION (NOTICE)** regarding its findings in the matter of Complaint #LFB 19-035 against you. Enclosed is the **NOTICE** issued by the Board.

Please be advised that the **NOTICE** is not a final determination if you desire to avail yourself of the right to request an administrative hearing pursuant to N.J.A.C. 5:35-1.1(i). If a hearing is requested in accordance with the enclosed **NOTICE**, the Board will not issue a final decision until the completion of the administrative hearing process.

The complaint included multiple allegations of Local Government Ethics Law (LGEL) violations. The Board did not find that each allegation violated the LGEL. This **NOTICE** includes a summary of those allegations the Board did not find to be LGEL violations.

The Board dismissed the allegations below. The complaint had alleged possible violations of the following provisions of the LGEL:

N.J.S.A. 40A:9-22.5(a) No local government officer or employee or member of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest;

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others;

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment.

N.J.S.A. 40A:9-22.5(h) No local government officer or employee or business organization in which he has an interest shall represent any person or party other than the local government in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which he serves. This provision shall not be deemed to prohibit one local government employee from representing another local government employee where the local government agency is the employer and the representation is within the context of official labor union or similar representational responsibilities.

The allegations set forth in the complaint may be summarized as follows:

David Deegan, Township Committee member, Township of Franklin, voted on the 2017 and 2018 municipal budgets which contained funding for Township of Franklin Fire District No. 5, when he served as a Fire Commissioner in Fire District No. 5, in violation of the LGEL.

David Deegan, Township Committee member, Township of Franklin, voted on the 2017 and 2018 municipal budgets which contained funding allocations for the position of Deputy Fire Marshal when his son, also named David Deegan, was employed as the Township Deputy Fire Marshal, in violation of the LGEL.

David Deegan, Township Committee member, Township of Franklin, requested that the municipal Chief Financial Officer (CFO) remit funding to the Township of Franklin Fire District No. 5 when the funding was not yet approved, in violation of the LGEL.

In the course of its investigation, the Board determined in 2017 and 2018 that you served on the Franklin Township Committee and as Fire District Commissioner in Fire District No. 5. Your son, David Deegan, was also employed by Franklin Township as the Deputy Fire Marshal in 2017 and 2018. As Committee Member and Deputy Mayor, you voted at the March 23, 2017 and June 26, 2018 Franklin Township Committee meetings on the 2017 and 2018 budgets which contained both funding for the salary of the Deputy Fire Marshal, and discretionary funding for Fire District No. 5 when you were serving as a Commissioner in Fire District No. 5. The Board found no violation for this allegation as the Board has long held that governing body members can vote on the entire budget as budgets are a tool of the municipality.

It was further alleged that in December 2018, you requested that the municipal CFO remit the Supplemental Fire Service Program District payments to Fire District No. 5 when the funding was not yet approved by the governing body. The Board found no violation of the LGEL for this allegation.

The enclosed Notice of Violation addresses the remaining allegations.

Should you have any questions regarding this matter, please contact Dana Jones at (609) 815-3904 or by email at Dana.Jones@dca.nj.gov.

Sincerely,



Jacquelyn A. Suárez, Chair
Local Finance Board

cc: Complainant
Enclosure
JAS:dcj
C19-035.NOV

**STATE OF NEW JERSEY
LOCAL FINANCE BOARD
NOTICE OF VIOLATION**

In Re: David Deegan, Fire Commissioner, Township of Franklin Fire District No. 5, Complaint #19-035(A)

This matter having come before the Local Finance Board (Board) pursuant to the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., upon complaint that Township of Franklin Fire District No. 5 Commissioner David Deegan worked for FD Testing Services, owned by his son, the Fire Chief of Star Cross Fire Company, and voted to authorize payment to FD Testing Services, in violation of N.J.S.A. 40A:9-22.5(d), (e), and (g) of the Local Government Ethics Law; and

WHEREAS, the Board determined that the allegations were within its jurisdiction, were not frivolous, and were based upon a reasonable factual basis, authorized an investigation of this complaint; and

WHEREAS, David Deegan served as Commissioner of Fire District No. 5 in the Township of Franklin in 2016, 2017, and 2018; and

WHEREAS, David Deegan's son, David Deegan III, was the Fire Chief of Star Cross Fire Company; and

WHEREAS, Star Cross Fire Company provides firematic services to Fire District No. 5; and

WHEREAS, David Deegan's son, David Deegan III, owned FD Testing Services; and

WHEREAS, David Deegan identified FD Testing Services as a source of income in excess of \$2,000 on his 2017, 2018, and 2019 Financial Disclosure Statements (FDS); and

WHEREAS, Star Cross Fire Company contracted with FD Testing Services to perform certain services for the fire company; and

WHEREAS, David Deegan performed the services contracted by Star Cross Fire Company on behalf of FD Testing Services as an employee of FD Testing Services; and

WHEREAS, at the April 4, 2016 Fire District Commissioners meeting, David Deegan voted to authorize payment to FD Testing Services; and

WHEREAS, at the November 7, 2016 Fire District Commissioners meeting, David Deegan voted to authorize payment to FD Testing Services; and

WHEREAS, at the April 3, 2017 Fire District Commissioners meeting, David Deegan voted to authorize payment to FD Testing Services; and

WHEREAS, at the January 2, 2018 Fire District Commissioners meeting, David Deegan voted to authorize payment to FD Testing Services; and

WHEREAS, at the April 2, 2018 Fire District Commissioners meeting, David Deegan voted to authorize payment to FD Testing Services; and

WHEREAS, the Local Government Ethics Law states:

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment;

N.J.S.A. 40A:9-22.5(e) No local government officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties;

N.J.S.A. 40A:9-22.5(g) No local government officer or employee shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated;

WHEREAS, the Board having considered the matter and the relevant statements and information, as well as the written response to the allegations submitted by David Deegan, determined that David Deegan's votes as Fire District Commissioner at the April 4, 2016, November 7, 2016, April 3, 2017, January 2, 2018, and April 2, 2018 Fire District Commission meetings to authorize payment to FD Testing Services when he was employed by FD Testing Services, when he performed the work as a representative of FD Testing Services, and when his son owned FD Testing Services constitute acts in his official capacity in any matter where he and a member of his immediate family has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment in violation of subsection (d) of N.J.S.A. 40A:9-22.5; and

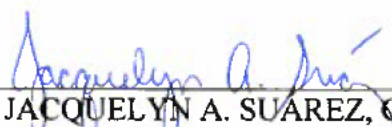
WHEREAS, the Board having considered the matter and the relevant statements and information, as well as the written response to the allegations submitted by David Deegan, determined that David Deegan's employment with FD Testing Services at a time when he was a Fire District Commissioner and when FD Testing Services was owned by the Fire Chief of the Star Cross Fire Company, and during which FD Testing Services performed work for Star Cross Fire Company that was funded by Fire District No. 5 constitutes the undertaking of employment which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties in violation of subsection (e) of N.J.S.A. 40A:9-22.5; and

WHEREAS, the Board having considered the matter and the relevant statements and information, as well as the written response to the allegations submitted by David Deegan, determined that as Fire Commissioner, David Deegan used his public office and any information not generally available to the members of the public, which he received and acquired in the course of and by reason of his office, for the purpose of financial gain for himself and for members of his family by knowing the contracting and bidding process the Fire Company followed when selecting the contract at a time when he was providing compensated services on behalf of FD Testing Services while simultaneously serving as a Fire Commissioner of the Fire District which authorized payment to FD Testing Services, in violation of subsection (g) of N.J.S.A. 40A:9-22.5; and,

IT IS THEREFORE DETERMINED that David Deegan shall be assessed a fine in the amount of \$250 for each violation of subsection (d) for each vote at the Fire Commissioners meeting constituting five (5) violations of subsection (d), \$250 for one violation of subsection (e), and \$250 for one violation of subsection (g) for a total fine of \$1,750.00 as it relates to his official actions by engaging in activities prohibited by the Statute. Said fine shall be payable to: Treasurer, State of New Jersey, and be submitted to Jacquelyn A. Suárez, Chair, Local Finance Board, P.O. Box 803, Trenton, New Jersey, 08625 immediately. If payment of said fine is not received within 30 days receipt of this **NOTICE**, David Deegan, is subject to additional fines as determined by the Board in accordance with its powers pursuant to N.J.S.A. 40A:9-22.10, Violations and Penalties.

NOTICE that David Deegan is entitled to an administrative hearing in accordance with N.J.S.A. 40A:9-22.12 to contest this **NOTICE**. Any request for an administrative hearing shall be filed with the Local Finance Board within 30 days of receipt of this **NOTICE**. If an administrative hearing is requested, the Board will not issue a final decision until the completion of the administrative hearing process. Said hearing request shall be filed with Nicholas Bennett, Executive Secretary, Local Finance Board, Department of Community Affairs, P.O. Box 803, Trenton, New Jersey 08625.

7/28/2023
DATE


JACQUELYN A. SUAREZ, CHAIR
LOCAL FINANCE BOARD

**STATE OF NEW JERSEY
LOCAL FINANCE BOARD
NOTICE OF VIOLATION**

In Re: David Deegan, Committee Member, Township of Franklin, Complaint #19-035(B)

This matter having come before the Local Finance Board (Board) pursuant to the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., upon complaint that Township of Franklin Committee Member David Deegan voted for a salary increase for his son's position in violation of N.J.S.A. 40A:9-22.5(d); and

WHEREAS, David Deegan served as Committee Member in the Township of Franklin in 2017; and

WHEREAS, David Deegan's son, David Deegan III, was employed by the Township of Franklin as Deputy Fire Marshal in 2017; and

WHEREAS, at the January 26, 2017 Township of Franklin Committee meeting, David Deegan voted "yes" for Resolution 35-17, authorizing annual salary increases for unrepresented employees; and

WHEREAS, as Deputy Fire Marshal, David Deegan's son was included in the group of unrepresented employees; and

WHEREAS, the Local Government Ethics Law states:

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment;

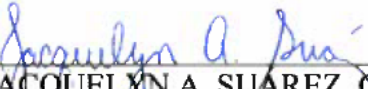
WHEREAS, the Board having considered the matter and the relevant statements and information, as well as the written response to the allegations submitted by David Deegan, determined that David Deegan's vote at the January 26, 2017 Township of Franklin Committee meeting for Resolution 35-17, authorizing annual salary increases for unrepresented employees, which included his son's position, was an act in his official capacity in a matter where he had a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment in violation of subsection (d) of N.J.S.A. 40A:9-22.5; and

IT IS THEREFORE DETERMINED that David Deegan shall be assessed a fine in the amount of \$250 for the violation of subsection (d) for a total fine of \$250 as it relates to his official act of engaging in activities prohibited by the Statute. Said fine shall be payable to: Treasurer, State of New Jersey, and be submitted to Jacquelyn A. Suárez, Chair, Local Finance Board, P.O. Box 803, Trenton, New Jersey, 08625 immediately. If payment of said fine is not received within 30 days receipt of this **NOTICE**, David Deegan, is subject to additional fines as determined by the Board in accordance with its powers pursuant to N.J.S.A. 40A:9-22.10, Violations and Penalties.

NOTICE that David Deegan is entitled to an administrative hearing in accordance with N.J.S.A. 40A:9-22.12 to contest this **NOTICE**. Any request for an administrative hearing shall be filed with the Local Finance Board within 30 days of receipt of this **NOTICE**. If an administrative hearing is requested, the Board will not issue a final decision until the completion of the administrative hearing process. Said hearing request shall be filed with Nicholas Bennett, Executive Secretary, Local Finance Board, Department of Community Affairs, P.O. Box 803, Trenton, New Jersey 08625.

7/28/2023

DATE



JACQUELYN A. SUAREZ, CHAIR
LOCAL FINANCE BOARD



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

July 28, 2023

The Honorable Maggee Miggins
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint C21-005
Notice of Determination

Dear Mayor Miggins:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint.

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., empowers the Board to initiate, receive, hear and review complaints, and hold hearings with regard to possible violations of the LGEL where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or has no reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you, and it has been dismissed as having no reasonable factual basis.

The Complaint alleged a possible violation of the following provision of the LGEL:

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment.

The allegations set forth in the complaint may be summarized as follows:

Maggee Miggins, Mayor, Township of Millburn, has an ownership interest in a business located within the Township of Millburn's Special Improvement District (SID) while serving on the governing body, in violation of the LGEL.

In the course of its preliminary investigation, the Board determined that you became a Committee member for the Township of Millburn in 2021. You currently serve as the Mayor. In 2020, the municipality adopted Ordinance No. 2562-20, which created a SID in the township commencing in 2022. The SID develops its own budget and acts independently from the governing body. The actions of the SID have a similar effect on all entities located within its borders. At the time of the ordinance's passage, you were not a governing body member. Per the ordinance, all properties within the district, except those that are exempt, are subject to a special assessment which is used for the purposes of the SID. The Board determined that you hold an interest in Miggins Real Estate LLC, whose address is 34 South Terrace in Short Hills. The address of Miggins Real Estate LLC does not fall within the boundaries of the SID according to Ordinance 2562-20.

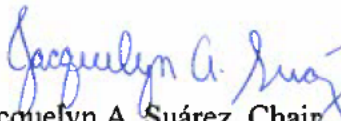
Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the Complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the complaint for a lack of a reasonable factual basis.

Pursuant to N.J.S.A. 40A:9-22.9, the local government officer or employee against whom a complaint was filed must be notified of the Board's determination regarding a complaint. No action is required on your part.

LFB Complaint C21-005 is now closed.

If you have any questions regarding this matter, please feel free to contact Dana Jones at (609) 913-4408 or via email at Dana.Jones@dca.nj.gov.

Sincerely,


Jacquelyn A. Suárez, Chair
Local Finance Board

cc: Complainant
JAS:dcj
C21-005.NOD.Miggins



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

July 28, 2023

The Honorable Tara Prupis
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint C21-005
NOTICE OF VIOLATION

Dear Committee Member Prupis:

The Local Finance Board (Board) issued a **NOTICE OF VIOLATION (NOTICE)** regarding its findings in the matter of LFB Complaint C21-005 against you. Enclosed is the **NOTICE** issued by the Board.

Please be advised that the **NOTICE** is not a final determination if you desire to avail yourself of the right to request an administrative hearing pursuant to N.J.A.C. 5:35-1.1(i). If a hearing is requested in accordance with the enclosed **NOTICE**, the Board will not issue a final decision until the completion of the administrative hearing process.

The complaint included multiple allegations of Local Government Ethics Law (LGEL) violations by you. The Board did not find that each allegation violated the LGEL. This **NOTICE** includes a summary of those allegations the Board did not find to be LGEL violations.

The Board dismissed the allegation below following a preliminary investigation. The complaint had alleged a possible violation of the following provision of the LGEL:

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment.

The allegations set forth in the complaint may be summarized as follows:

Tara Prupis, Committee Member, Township of Millburn, has an ownership interest in a business located within the Township of Millburn's Special Improvement District (SID) while serving on the governing body, in violation of the LGEL.

Tara Prupis, Planning Board member, voted on a B-3 zoning ordinance which benefitted her business in the SID.

In the course of its preliminary investigation, the Board determined that you became a Committee member for the Township of Millburn in 2018. In 2020, the municipality adopted Ordinance No. 2562-20, which created a SID in the township commencing in 2022. The SID develops its own budget and acts independently from the governing body. The actions of the SID have a similar effect on all entities located within its borders. Per the ordinance, all properties within the district, except those that are exempt, are subject to a special assessment which is used for the purposes of the SID. The Board determined that you hold an interest in Green Nectar Juicery, LLC which has an address of 358 Millburn Ave Suite E in Millburn. Green Nectar Juicery, LLC is located within the boundaries of the SID according to Ordinance 2562-20. As a Committee member of the Township of Millburn who has an interest in a business located within the SID's boundaries, your vote on the SID ordinance or its budget did not cause you to accrue any material or monetary gain to any greater extent than any other owner of a business in the SID. Therefore, the Board dismissed the allegation as having no reasonable factual basis.

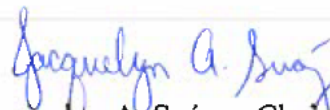
The Board also determined that you served on the Planning Board during 2020 as a Class III member for a one-year term. According to the Township's online zoning map, the B-3 zoning designation is "Neighborhood Business." Various zones along Chatham Road, Millburn Avenue, and E. Willow Street are zoned B-3. The Board determined that, absent an allegation concerning a specific application, there was no reasonable factual basis to pursue the matter.

Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the Complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the above allegations for a lack of a reasonable factual basis.

The enclosed Notice of Violation addresses the remaining allegation.

Should you have any questions regarding this matter, please contact Dana Jones at (609) 913-4408 or by email at Dana.Jones@dca.nj.gov.

Sincerely,



Jacquelyn A. Suárez, Chair
Local Finance Board

cc: Complainant
Enclosure
JAS:dcj
C21-005.NOV

**STATE OF NEW JERSEY
LOCAL FINANCE BOARD
NOTICE OF VIOLATION**

In Re: Tara Prupis, Committee Member, Township of Millburn, LFB Complaint C21-005

This matter having come before the Local Finance Board (Board) pursuant to the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., upon complaint that Township of Millburn Committee Member Tara Prupis failed to properly disclose her ownership interest in a business organization on her 2019, 2020, and 2021 Financial Disclosure Statements (FDS) in violation of N.J.S.A. 40A:9-22.6(a)(4) of the Local Government Ethics Law; and

WHEREAS, the Board determined that the allegations were within its jurisdiction, were not frivolous, and were based upon a reasonable factual basis, authorized an investigation of this complaint; and

WHEREAS, Tara Prupis served as Committee Member of the Township of Millburn in 2019, 2020, and 2021; and

WHEREAS, Tara Prupis was required to file an FDS as a Committee Member in 2019, 2020, and 2021; and

WHEREAS, Tara Prupis is the sole member in Green Nectar Juicery, LLC, which was formed in April 2014; and

WHEREAS, the LGEL defines "interest" as "the ownership or control of more than 10% of the profits, assets or stock of a business organization but shall not include the control of assets in a nonprofit entity or labor union"; and

WHEREAS, Tara Prupis had an interest in Green Nectar Juicery, LLC in 2018, 2019, and 2020; and

WHEREAS, Tara Prupis has, subsequent to the Board's investigation of this matter, amended her FDS for 2019, 2020, and 2021 to include her ownership interest in the subject business organization; and

WHEREAS, the Local Government Ethics Law states:

N.J.S.A. 40A:9-22.6 Financial disclosure statement

a. Local government officers shall annually file a financial disclosure statement. All financial disclosure statements filed pursuant to this act shall include the following information which shall specify, where applicable, the name and address of each source of income and the local government officer's job title:

. . . .

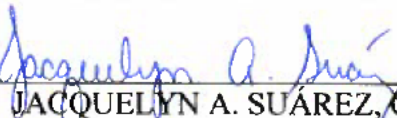
(4) The name and address of all business organizations in which the local government officer or a member of his immediate family had an interest during the preceding calendar year;

WHEREAS, the Board having considered the matter and the relevant statements and information, as well as the written response to the allegations submitted by Tara Prupis, determined that Tara Prupis failed to disclose her interest in the business organization Green Nectar Juicery, LLC on her FDS for 2019, 2020, and 2021 in violation of N.J.S.A. 40A:9-22.6(a)(4); and

IT IS THEREFORE DETERMINED that Committee member Tara Prupis shall be assessed a fine in the amount of \$100 for the omission of required information in violation of N.J.S.A. 40A:9-22.6(a)(4), for a total fine of \$100.00. Said fine shall be payable to: Treasurer, State of New Jersey, and be submitted to: Jacquelyn A Suárez, Chair, Local Finance Board, P.O. Box 803, Trenton, New Jersey, 08625 immediately. If payment of said fine is not received within 30 days receipt of this **NOTICE**, Tara Prupis, is subject to additional fines as determined by the Board in accordance with its powers pursuant to N.J.S.A. 40A:9-22.10, Violations and Penalties.

NOTICE that Tara Prupis, is entitled to an administrative hearing in accordance with N.J.S.A. 40A: 9-22.12 to contest this **NOTICE**. Any request for an administrative hearing shall be filed with the Local Finance Board within 30 days receipt of this **NOTICE**. If an administrative hearing is requested, the Board will not issue a final decision until the completion of the administrative hearing process. Said hearing request shall be filed with Nicholas Bennett, Executive Secretary, Local Finance Board, Department of Community Affairs, P.O. Box 803, Trenton, New Jersey 08625.

7/28/2023
DATE


JACQUELYN A. SUAREZ, CHAIR
LOCAL FINANCE BOARD



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

July 28, 2023

Richard Wasserman
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint C21-005
NOTICE OF VIOLATION

Dear Mr. Wasserman:

The Local Finance Board (Board) issued a **NOTICE OF VIOLATION (NOTICE)** regarding its findings in the matter of LFB Complaint C21-005 against you. Enclosed is the **NOTICE** issued by the Board.

Please be advised that the **NOTICE** is not a final determination if you desire to avail yourself of the right to request an administrative hearing pursuant to N.J.A.C. 5:35-1.1(i). If a hearing is requested in accordance with the enclosed **NOTICE**, the Board will not issue a final decision until the completion of the administrative hearing process.

The complaint included multiple allegations of Local Government Ethics Law (LGEL) violations by you. The Board did not find that each allegation violated the LGEL. This **NOTICE** includes a summary of those allegations the Board did not find to be LGEL violations.

The Board dismissed the allegation below following a preliminary investigation. The complaint had alleged a possible violation of the following provision of the LGEL:

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment.

The allegations set forth in the complaint may be summarized as follows:

Richard Wasserman, Committee Member, Township of Millburn, has an ownership interest in a business located within the Township of Millburn's Special Improvement District (SID) while serving on the governing body, in violation of the LGEL.

In the course of its preliminary investigation, the Board determined that you became a Committee member for the Township of Millburn in 2019. In 2020, the municipality adopted Ordinance No. 2562-20, which created a SID in the township commencing in 2022. The SID develops its own budget and acts independently from the governing body. The actions of the SID have a similar effect on all entities located within its borders. Per the ordinance, all properties within the district, except those that are exempt, are subject to a special assessment which is used for the purposes of the SID. The Board determined that you hold an interest in Richard Wasserman Jewelers, Inc. located at 608 Fifth Avenue in New York City, New York. The address of Wasserman Jewelers, Inc. does not fall within the boundaries of the SID according to Ordinance 2562-20.

Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the Complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the above allegation for a lack of a reasonable factual basis.

The enclosed Notice of Violation addresses the remaining allegations.

Should you have any questions regarding this matter, please contact Dana Jones at (609) 913-4408 or by email at Dana.Jones@dca.nj.gov.

Sincerely,



Jacquelyn A. Suárez, Chair
Local Finance Board

cc: Complainant
Enclosure
JAS:dcj
C21-005.NOV.Wasserman

**STATE OF NEW JERSEY
LOCAL FINANCE BOARD
NOTICE OF VIOLATION**

In Re: Richard Wasserman, Committee Member, Township of Millburn, Complaint C21-005

This matter having come before the Local Finance Board (Board) pursuant to the Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., upon complaint that Township of Millburn Committee Member Richard Wasserman failed to properly disclose his ownership interest in a business organization on his 2020, 2021, and 2022 Financial Disclosure Statements (FDS) in violation of N.J.S.A. 40A:9-22.6(a)(4) of the Local Government Ethics Law; and

WHEREAS, the Board determined that the allegations were within its jurisdiction, were not frivolous and were based upon a reasonable factual basis, authorized an investigation of this complaint; and

WHEREAS, Richard Wasserman served as Committee Member of the Township of Millburn in 2020, 2021, and 2022; and

WHEREAS, Richard Wasserman was required to file an FDS as a Committee Member in 2020, 2021, and 2022; and

WHEREAS, the LGEL defines “interest” as “the ownership or control of more than 10% of the profits, assets or stock of a business organization but shall not include the control of assets in a nonprofit entity or labor union”; and

WHEREAS, Richard Wasserman had an interest in “Richard Wasserman Jewelers, Inc.” in 2019, 2020, and 2021; and

WHEREAS, Richard Wasserman has, subsequent to the Board’s investigation of this matter, amended his FDS for 2020, 2021, and 2022 to include his ownership interest in the subject business organization; and

WHEREAS, the Local Government Ethics Law states:

N.J.S.A. 40A:9-22.6 Financial disclosure statement

a. Local government officers shall annually file a financial disclosure statement. All financial disclosure statements filed pursuant to this act shall include the following information which shall specify, where applicable, the name and address of each source of income and the local government officer’s job title:

. . . .

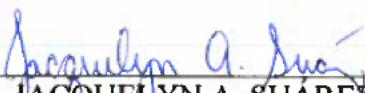
(4) The name and address of all business organizations in which the local government officer or a member of his immediate family had an interest during the preceding calendar year;

WHEREAS, the Board having considered the matter and the relevant statements and information, as well as the written response to the allegations submitted by Richard Wasserman, determined that Richard Wasserman failed to disclose his ownership in the business organization "Richard Wasserman Jewelers, Inc." on his FDS for 2020, 2021, and 2022 in violation of N.J.S.A. 40A:9-22.6(a)(4); and

IT IS THEREFORE DETERMINED that Committee member Richard Wasserman shall be assessed a fine in the amount of \$100 for the omission of required information in violation of N.J.S.A. 40A:9-22.6(a)(4), for a total fine of \$100.00. Said fine shall be payable to: Treasurer, State of New Jersey, and be submitted to: Jacquelyn A Suárez, Chair, Local Finance Board, P.O. Box 803, Trenton, New Jersey, 08625 immediately. If payment of said fine is not received within 30 days receipt of this **NOTICE**, Richard Wasserman, is subject to additional fines as determined by the Board in accordance with its powers pursuant to N.J.S.A. 40A:9-22.10, Violations and Penalties.

NOTICE that Richard Wasserman, is entitled to an administrative hearing in accordance with N.J.S.A. 40A: 9-22.12 to contest this **NOTICE**. Any request for an administrative hearing shall be filed with the Local Finance Board within 30 days receipt of this **NOTICE**. If an administrative hearing is requested, the Board will not issue a final decision until the completion of the administrative hearing process. Said hearing request shall be filed with Nicholas Bennett, Executive Secretary, Local Finance Board, Department of Community Affairs, P.O. Box 803, Trenton, New Jersey 08625.

7/28/2023
DATE



JACQUELYN A. SUÁREZ, CHAIR
LOCAL FINANCE BOARD



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

July 28, 2023

The Honorable Sanjeev Vinayak
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint C21-005
Notice of Determination

Dear Committee member Vinayak:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced complaint.

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., empowers the Board to initiate, receive, hear and review complaints, and hold hearings with regard to possible violations of the LGEL where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or has no reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you, and it has been dismissed as having no reasonable factual basis.

The complaint alleged possible violations of the following provision of the LGEL:

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.

The allegations set forth in the complaint may be summarized as follows:

Sanjeev Vinayak, Committee member, Township of Millburn, sought to have the Millburn Township Police Department "quash" two noise summonses issued on May 7, 2021 to individuals with whom Committee member Vinayak was alleged to enjoy a friendship, in violation of the LGEL.

Sanjeev Vinayak, Committee member, Township of Millburn, has an ownership interest in a business located within the Township of Millburn's Special Improvement District (SID) when he serves on the governing body, in violation of the LGEL.

In the course of its preliminary investigation, the Board determined that you became a Committee member for the Township of Millburn in 2021. The Board determined that noise summonses were issued by the Township of Millburn police on May 7, 2021 to Victor Delepa and Namrita Bansal. On July 20, 2021, both Mr. Delepa and Ms. Bansal pleaded guilty and paid the fines. The Board found no evidence to support the allegation that you sought to quash those noise summonses.

The Board further found that in 2020, the municipality passed Ordinance No. 2562-20 which created a SID for the township commencing in 2022. The SID develops its own budget and acts independently from the governing body. The actions of the SID have a similar effect on all entities located within its borders. At the time of the ordinance's passage, you were not a governing body member. Per the ordinance, all properties within the district, except those that are exempt, are subject to a special assessment which is used for the purposes of the SID. The Board determined that you hold an interest in SSV Group LLC, whose address is 2 Rippling Brook Drive in Short Hills. The address of SSV Group LLC does not fall within the boundaries of the SID according to Ordinance 2562-20.

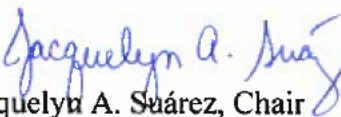
Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the Complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the complaint for a lack of a reasonable factual basis.

Pursuant to N.J.S.A. 40A:9-22.9, the local government officer or employee against whom a complaint was filed must be notified of the Board's determination regarding a complaint. No action is required on your part.

Complaint #LFB 21-005 is now closed.

If you have any questions regarding this matter, please feel free to contact Dana Jones at (609) 913-4408 or via email at Dana.Jones@dca.nj.gov.

Sincerely,


Jacquelyn A. Suarez, Chair
Local Finance Board

cc: Complainant
JAS:dcj
C21-005.NOD.Vinayak

July 2023 Local Finance Board Meeting

August 2023 Local Finance Board Meeting



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

JACQUELYN A. SUÁREZ
Acting Commissioner

November 22, 2023

The Honorable Michael Toretta
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint C18-031
Notice of Dismissal

Dear Mayor Toretta:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint.

The Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq. empowers the Board to initiate, receive, hear and review complaints, and to hold hearings regarding possible violations of the Local Government Ethics Law (LGEL), where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or without a reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you were notified by letter dated January 5, 2023, that an investigation was authorized into a Complaint filed against you. You are hereby notified that the Board has dismissed the Complaint.

The nature of the Complaint alleges a possible violation of the following provisions of the LGEL:

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment.

N.J.S.A. 40A:9-22.6(a) Local government officers shall annually file a financial disclosure statement. All financial disclosure statements filed pursuant to this act shall include the following information which shall specify, where applicable, the name and address of each source and the local government officer's job title:

(1) Each source of income, earned or unearned, exceeding \$2,000 received by the local government officer or a member of his immediate family during the preceding calendar year. Individual client fees, customer receipts or commissions on transactions received through a business organization need not be separately reported as sources of income.

The allegations set forth in the Complaint may be summarized as follows:

A. Michael Toretta, Committee member, Township of Franklin, did not disclose his spouse's source of income on his 2013 Financial Disclosure Statement (FDS), in violation of the Local Government Ethics Law; and,

B. Michael Toretta, Committee member, Township of Franklin, applied for Open Space Municipal Planning Incentive Grant Program (Muni PIG) funds for his farm while serving on the Township Committee, in violation of the Local Government Ethics Law (LGEL).

Following an investigation and a thorough review of the documents submitted and an evaluation of the facts and circumstances relevant to this complaint, the Board found that you served as Committee member for the Township of Franklin in 2013. As a governing body member, you were required to file an FDS. In your response to the investigation, you stated that your spouse worked at Hackettstown Livestock Cooperative Auction Market in 2013. Information to be reported on the FDS is from the prior year. As such, your spouse's source of income should have been disclosed on the 2014 FDS rather than the 2013 FDS. You have since amended your 2014 FDS to be in compliance.

With regard to the second allegation, the Board found that in 2015 and 2016, while serving as a Committee member, you applied for Open Space Municipal Planning Incentive Grant Program (Muni PIG) funds for your farm. The Board has consistently held that the LGEL does not prohibit a local elected official from participating in processes that would be available to private citizens. Therefore, you were not prohibited from applying for a Muni PIG solely because you serve as a governing body member. However, once you have applied for Muni PIG, you had an obligation to recuse yourself from any involvement in the consideration of applications that may draw from a particular source of funding when the official intends to submit an application, or has already submitted an application, that may draw from that same source of funding. The Board found that you recused during the open session of the January 4, 2016 Township Committee meeting when your Muni PIG application was discussed. In addition, the closed session meeting minutes reflect that you were not present during the closed session.

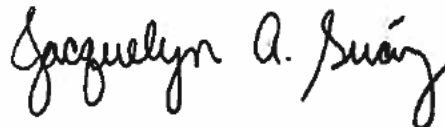
At the February 1, 2016 Township Committee meeting, after the vote on your Muni PIG application from which you recused, the minutes reflect that you participated in discussions as to why the municipality was no longer funding Muni PIGs. In questioning the governing body, you did not avail yourself of rights or privileges beyond what you are entitled to as a member of the general public. The meeting minutes reflect that you removed yourself from the dais and sat in the public section while discussion and vote occurred. Once the vote of the participating members of the governing body concluded, there was no longer any official action that could be taken by you in your official capacity on a pending matter.

Upon consideration of these facts and circumstances, the Board voted to dismiss the allegations contained in the complaint.

LFB Complaint C18-031 is now closed. No action is required on your part.

If you have any questions regarding this matter, please contact Dana Jones at (609) 815-3904.

Sincerely,

A handwritten signature in black ink, reading "Jacquelyn A. Suárez". The signature is written in a cursive style with a large, stylized "J" and "S".

Jacquelyn A. Suárez
Acting Commissioner, Department of Community Affairs
Chair, Local Finance Board

cc: Complainant
JAS:dcj
C18-031.NOD



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

JACQUELYN A. SUÁREZ
Acting Commissioner

November 22, 2023

The Honorable Michael Toretta
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint C18-032
Notice of Dismissal

Dear Mayor Toretta:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint.

The Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq. empowers the Board to initiate, receive, hear and review complaints, and to hold hearings regarding possible violations of the Local Government Ethics Law (LGEL), where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or without a reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you were notified by letter dated January 5, 2023, that an investigation was authorized into a Complaint filed against you. You are hereby notified that the Board has dismissed the Complaint.

The nature of the Complaint alleges a possible violation of the following provisions of the LGEL:

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.

The allegations set forth in the Complaint may be summarized as follows:

Michael Toretta, Committee member, Township of Franklin, secured an unwarranted privilege for himself from the Township of Franklin construction code office when he utilized the authority of his position to pay reduced fees for a construction project at his residence in 2013, in violation of the LGEL.

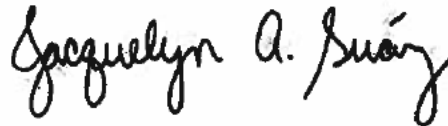
Following an investigation and a thorough review of the documents submitted and an evaluation of the facts and circumstances relevant to this complaint, the Board found that in 2013 you served as a Committee member for the Township of Franklin. While serving as a governing body member, you obtained permit #13-0090 for a utility shed at your residence. The Franklin Township construction code office did not perform the inspection for your permit. James Rossi, a conflict code official employed by Washington Township, signed off on the inspection for permit #13-0090. Further, the permit fees assessed to you were consistent with the fee structure established by municipal ordinance as the fees for new structure permits are based on building size and not the cost of construction. The permit indicates that you paid the proper fees for a structure of the proposed size.

Upon consideration of these facts and circumstances, the Board voted to dismiss the complaint.

LFB Complaint C18-032 is now closed. No action is required on your part.

If you have any questions regarding this matter, please contact Dana Jones at (609) 815-3904.

Sincerely,

A handwritten signature in black ink that reads "Jacquelyn A. Suárez". The signature is written in a cursive, flowing style.

Jacquelyn A. Suárez
Acting Commissioner, Department of Community Affairs
Chair, Local Finance Board

cc: Complainant
JAS:dcj
C18-032.NOD

September 2023 Local Finance Board Meeting

October 2023 Local Finance Board Meeting



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 803
TRENTON, NJ 08625-0803

JACQUELYN A. SUÁREZ
Acting Commissioner

TAHESHA L. WAY
Lieutenant Governor

November 1, 2023

Mr. William G. Blaney, Esq.
Blaney, Donohue & Weinberg, P.C.
2123 Dune Drive, Suite 11
Avalon, New Jersey 08202

Re: Local Government Ethics Law
LFB Complaint C17-034
Notice of Dismissal

Dear Mr. Blaney, Esq.:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint filed against your client, Mr. Don Purdy.

The Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq. empowers the Board to initiate, receive, hear and review complaints, and to hold hearings regarding possible violations of the Local Government Ethics Law (LGEL), where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or without a reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you were notified by letters dated May 26, 2023 and August 10, 2023 that an investigation was authorized into a Complaint filed against your client. You are hereby notified that the Board has dismissed the Complaint filed against your client.

The nature of the Complaint alleges a possible violation of the following provisions of the LGEL:

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others;

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment.

The allegations set forth in the Complaint may be summarized as follows:

Don Purdy, Mayor, Township of Galloway, violated the Local Government Ethics Law (LGEL) when he participated in a meeting on the potential sale of Township land to Stockton University (Stockton) when his real estate business was building residences for the university.

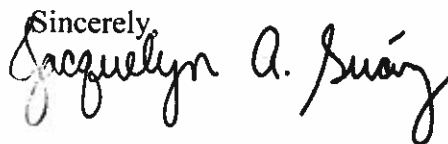
Following an investigation and a thorough review of the documents submitted and an evaluation of the facts and circumstances relevant to this complaint, the Board found that at all times relevant to the complaint, Mr. Purdy was the Mayor of the Township of Galloway. In July 2015, Mr. Purdy purchased 421 Chris Gaupp Drive in Galloway. On July 25, 2016, Mr. Purdy, through his company D & M Galloway Holdings, LLC signed a three-year lease from August 20, 2016 to May 12, 2019 with Stockton for Stockton to use 421 Chris Gaupp Drive as a student residence.

On March 15, 2016 on Galloway Township Manager Chris Johannsen's schedule, there was a meeting labeled "Stockton University to Purchase Twp Land." Mr. Purdy was listed as an invitee to the meeting. The Board determined that this meeting was not a public meeting subject to the Open Public Meetings Act.

While the Board concludes that the process of negotiating and ultimately entering into an agreement with Stockton to lease the 421 Chris Gaupp Drive facility constituted a prohibited involvement for Mr. Purdy as it applied to any acts in his official capacity concerning Stockton, the Board determined that there were no notes, comments, or minutes maintained to support a claim that Mr. Purdy attended or participated in the meeting on March 15, 2016, aside from the entry on the Township Manager's calendar.

Upon consideration of these facts and circumstances, the Board voted to dismiss the complaint. LFB Complaint C17-034 is now closed. No action is required on your part.

If you have any questions regarding this matter, please contact Dana Jones at (609) 815-3904.

Sincerely,


Jacquelyn A. Suárez
Acting Commissioner, Department of Community Affairs
Chair, Local Finance Board

cc: Complainant
JAS:dcj
C17-034.NOD



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

JACQUELYN A. SUÁREZ
Acting Commissioner

November 1, 2023

Gloria Oh



Re: Local Government Ethics Law
LFB Complaint #19-006
Notice of Determination

Dear Ms. Oh:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint.

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., empowers the Board to initiate, receive, hear and review complaints, and hold hearings with regard to possible violations of the LGEL, where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or has no reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you, and it has been dismissed as having no reasonable factual basis.

The Complaint alleges possible violations of the following provision of the LGEL:

N.J.S.A. 40A:9-22.5(a) No local government officer or employee or member of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest;

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others;

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment;

N.J.S.A. 40A:9-22.5(e) No local government officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties.

The allegations set forth in the complaint may be summarized as follows:

Gloria Oh, Council President, Borough of Englewood Cliffs, represented clients of her law practice in tax appeals in the Borough of Lodi and the Borough of Ridgefield when the Tax Assessor representing the Boroughs of Lodi and Ridgefield, George Reggo, also served as Tax Assessor in Englewood Cliffs, in violation of the LGEL.

In the course of its preliminary investigation, the Board determined that in 2015 you were the Council President of the Borough of Englewood Cliffs. In your private capacity, you are an attorney who handles, among other matters, tax appeals. In 2015, you filed tax appeals #49-1500126L, #49-1500126L, #49-1500127L, and #49-1500128L on behalf of your clients in the Borough of Lodi and the Borough of Ridgefield. At the time of the appeals, George Reggo was the Tax Assessor in the Borough of Englewood Cliffs, the Borough of Lodi, and the Borough of Ridgefield.

At the July 21, 2015 Bergen County Board of Taxation meeting, the Board Members reviewed the recommendations for the appeals and accepted the recommendations of the appeal judgments. Appeal #31-1500180L was withdrawn, while appeals #49-1500126L, #49-1500127L, and #49-1500128L were affirmed without prejudice. As Tax Assessor, Mr. Reggo did not testify or submit additional reports in connection with the above appeals.

Mr. Reggo had served the Borough of Englewood Cliffs since 2002 and was tenured in the position during the events of this complaint. Once a Tax Assessor has tenure, he may only be removed for cause. In addition, N.J.S.A. 40A:9-165 prohibits a municipality from reducing a tax assessor's salary during the term of his or her office. In accordance with this statutory framework, in 2015, the governing body of Englewood Cliffs did not take any action on Mr. Reggo's employment. The Board found nothing in the record to indicate that you utilized your official position or took any official action on Mr. Reggo's employment during the period in which you had pending tax appeals on behalf of clients in other municipalities that Mr. Reggo served.

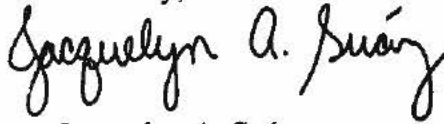
Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the Complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the Complaint for a lack of a reasonable factual basis.

Pursuant to N.J.S.A. 40A:9-22.9, the local government officer or employee against whom a complaint was filed must be notified of the Board's determination regarding a complaint. No action is required on your part.

LFB Complaint C19-006 is now closed.

Should you have any questions regarding this matter, please contact Dana Jones at (609) 815-3904.

Sincerely,

A handwritten signature in black ink that reads "Jacquelyn A. Suárez". The signature is written in a cursive style with a large, stylized 'J' and 'S'.

Jacquelyn A. Suárez
Acting Commissioner, Department of Community Affairs
Chair, Local Finance Board

cc: Complainant
JAS:dcj
C19-006.NOD



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

JACQUELYN A. SUÁREZ
Acting Commissioner

November 1, 2023

John Weber
[REDACTED]
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint #22-021
Notice of Determination

Dear Mr. Weber:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint.

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., empowers the Board to initiate, receive, hear and review complaints, and hold hearings with regard to possible violations of the LGEL, where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or has no reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you, and it has been dismissed as having no reasonable factual basis.

The Complaint alleges possible violations of the following provisions of the LGEL:

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment;

N.J.S.A. 40A:9-22.5(e) No local government officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties;

The allegations set forth in the complaint may be summarized as follows:

John Weber, Councilman, Borough of Bradley Beach, acted in his official capacity with respect to matters involving beach fill and beach replenishment projects, when he simultaneously served as Mid-Atlantic Manager for the Surfrider Foundation, a group opposed to public funding for such projects, in violation of the LGEL.

In the course of its preliminary investigation, the Board determined that you began working for the Surfrider Foundation in or around 2005 and that you continue that work today. You ran for and gained a seat on the Bradley Beach Borough Council in 2016 and won reelection in 2019. In that capacity, it was alleged that you voted on matters related to beach fill and beach replenishment projects, such as the 2018 Reexamination of the Borough Master Plan and 2018 Municipal Access Plan. It was further alleged that you removed a resolution from the consent agenda that supported an increase in the NJ Shore Protection Fund, which pays for beach replenishment projects.

The LFB has long held that a public official's participation in a citizen group advancing a particular policy position does not rise to the level of a disqualifying conflict of interest in violation of the LGEL. Here, there is no dispute that you, through your role for the Surfrider Foundation, have taken a position on matters of public policy. Such public advocacy does not constitute a violation of the LGEL.

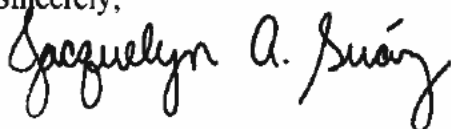
Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the Complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the Complaint for a lack of a reasonable factual basis.

Pursuant to N.J.S.A. 40A:9-22.9, the local government officer or employee against whom a complaint was filed must be notified of the Board's determination regarding a complaint. No action is required on your part.

LFB Complaint C22-021 is now closed.

Should you have any questions regarding this matter, please contact Dana Jones at (609) 815-3904.

Sincerely,

A handwritten signature in black ink that reads "Jacquelyn A. Suárez". The signature is fluid and cursive, with the first name being the most prominent.

Jacquelyn A. Suárez
Acting Commissioner, Department of Community Affairs
Chair, Local Finance Board

cc: Complainant
JAS:dcj
C22-021.NOD

November 2023 Local Finance Board Meeting



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

JACQUELYN A. SUÁREZ
Acting Commissioner

December 21, 2023

Gerald Patesh Freedman
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint #19-024
Notice of Determination

Dear Council President Freedman:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint.

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., empowers the Board to initiate, receive, hear and review complaints, and hold hearings with regard to possible violations of the LGEL, where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or has no reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you, and it has been dismissed as having no reasonable factual basis.

The Complaint alleges possible violations of the following provision of the LGEL:

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.

The allegations set forth in the complaint may be summarized as follows:

Gerald Freedman, Council President, Township of Hillside, sought to appoint individuals to professional services contracts in return for partisan political considerations in violation of the Local Government Ethics Law (LGEL).

In the course of its preliminary investigation, the Board determined that you served as a Council member for the Township of Hillside in 2019. The Township of Hillside issued Requests for Proposals (RFPs) for professional services under the fair and open process for the year 2019 which were due back to the Township on December 20, 2018.

On January 9, 2019, you purportedly met with Township Mayor Dahlia O. Vertreese, Council Vice-President George Cook, and Township Chief Financial Officer Glynn Jones to evaluate the RFPs. It was alleged that you availed yourself of an unwarranted privilege by participating in the RFP process. Further, it was alleged that you did not inquire about the qualifications or ratings of the vendors and instead showed preference to certain firms and professionals due to their political affiliations and connections. You and the Mayor did not agree on which vendors to appoint. Although the awardees were due to be submitted to Council on or about February 2, 2019, the municipality did not appoint professionals at that time.

On May 17, 2019, Melanie Walter, Director of the Division of Local Government Services (Division), wrote to the Township of Hillside governing body stating that the municipality has improperly continued professional services contracts that legally expired on December 31, 2018 in violation of the Local Public Contracts Law (LPCL). Subsequent to the May 17, 2019 letter, staff from the Division met with the governing body and employees of Hillside in 2020 and 2021 to provide a comprehensive review of the Mayor and Council's statutory responsibilities in this form of government. At that time, Division staff provided guidance on the role of the Mayor and the governing body in the selection of professionals and the applicability of the LPCL.

The Board determined that it was not an unwarranted privilege or advantage for governing body members to participate in the review of responses to an RFP. In addition, since the complaint was filed, the Division has provided guidance on the proper processes under the LPCL to Township officials and staff.

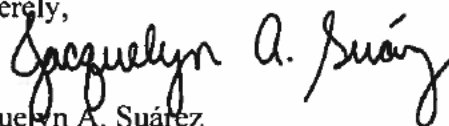
Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the Complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the Complaint for a lack of a reasonable factual basis.

Pursuant to N.J.S.A. 40A:9-22.9, the local government officer or employee against whom a complaint was filed must be notified of the Board's determination regarding a complaint. No action is required on your part.

LFB Complaint C19-024 is now closed.

Should you have any questions regarding this matter, please contact Dana Jones at (609) 815-3904.

Sincerely,



Jacquelyn A. Suárez
Acting Commissioner, Department of Community Affairs
Chair, Local Finance Board

cc: Complainant
JAS:dcj
C19-024.NOD



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

JACQUELYN A. SUÁREZ
Acting Commissioner

December 21, 2023

George Cook
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint #19-024
Notice of Determination

Dear Mr. Cook:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint.

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., empowers the Board to initiate, receive, hear and review complaints, and hold hearings with regard to possible violations of the LGEL, where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or has no reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you, and it has been dismissed as having no reasonable factual basis.

The Complaint alleges possible violations of the following provision of the LGEL:

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.

The allegations set forth in the complaint may be summarized as follows:

George Cook, Council Vice-President, Township of Hillside, sought to appoint individuals to professional services contracts in return for partisan political considerations in violation of the Local Government Ethics Law (LGEL).

In the course of its preliminary investigation, the Board determined that you served as a Council member for the Township of Hillside in 2019. The Township of Hillside issued Requests for Proposals (RFPs) for professional services under the fair and open process for the year 2019 which were due back to the Township on December 20, 2018.

On January 9, 2019, you purportedly met with Township Mayor Dahlia O. Vertreese, Council President Gerald Freedman, and Township Chief Financial Officer Glynn Jones to evaluate the RFPs. It was alleged that you availed yourself of an unwarranted privilege by participating in the RFP process. Further, it was alleged that you did not inquire about the qualifications or ratings of the vendors and instead showed preference to certain firms and professionals due to their political affiliations and connections. You and the Mayor did not agree on which vendors to appoint. Although the awardees were due to be submitted to Council on or about February 2, 2019, the municipality did not appoint professionals at that time.

On May 17, 2019, Melanie Walter, Director of the Division of Local Government Services (Division), wrote to the Township of Hillside governing body stating that the municipality has improperly continued professional services contracts that legally expired on December 31, 2018 in violation of the Local Public Contracts Law (LPCL). Subsequent to the May 17, 2019 letter, staff from the Division met with the governing body and employees of Hillside in 2020 and 2021 to provide a comprehensive review of the Mayor and Council's statutory responsibilities in this form of government. At that time, Division staff provided guidance on the role of the Mayor and the governing body in the selection of professionals and the applicability of the LPCL.

The Board determined that it was not an unwarranted privilege or advantage for governing body members to participate in the review of responses to an RFP. In addition, since the complaint was filed, the Division has provided guidance on the proper processes under the LPCL to Township officials and staff.

Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the Complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the Complaint for a lack of a reasonable factual basis.

Pursuant to N.J.S.A. 40A:9-22.9, the local government officer or employee against whom a complaint was filed must be notified of the Board's determination regarding a complaint. No action is required on your part.

LFB Complaint C19-024 is now closed.

Should you have any questions regarding this matter, please contact Dana Jones at (609) 815-3904.

Sincerely,



Jacquelyn A. Suárez
Acting Commissioner, Department of Community Affairs
Chair, Local Finance Board

cc: Complainant
JAS:dcj
C19-024.NOD.Cook



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS

101 SOUTH BROAD STREET

PO Box 803

TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

JACQUELYN A. SUÁREZ
Acting Commissioner

December 14, 2023

Meaghan Lewis
[REDACTED]
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint #22-011
Notice of Determination

Dear Ms. Lewis:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint.

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., empowers the Board to initiate, receive, hear and review complaints, and hold hearings with regard to possible violations of the LGEL, where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or has no reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you, and it has been dismissed for lack of jurisdiction.

The Complaint alleges possible violations of the following provisions of the LGEL:

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others;

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment;

N.J.S.A. 40A:9-22.5(f) No local government officer or employee, member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the local government officer has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the local government officer in the discharge of his official duties;

N.J.S.A. 40A:9-22.5(g) No local government officer or employee shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated;

The allegations set forth in the complaint may be summarized as follows:

Meaghan Lewis, Councilwoman, Borough of Englishtown, acted as the Administrator of the Facebook site "Englishtown Residents," selectively banned residents from seeing events and deleted public comments and content without members' consent in the time prior to her election to the governing body, in violation of the LGEL.

In the course of its preliminary investigation, the Board determined that you have only served as Councilwoman for the Borough of Englishtown since 2023. The actions alleged to have violated the LGEL occurred prior to you taking the oath of office. During this time period, you were not a local government officer or employee, as defined by the LGEL.

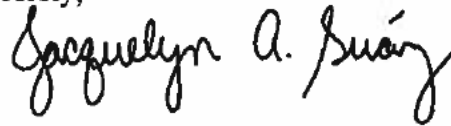
Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the Complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the Complaint against you for a lack of jurisdiction as you were not a local government officer or employee at the time of the alleged conduct.

Pursuant to N.J.S.A. 40A:9-22.9, the local government officer or employee against whom a complaint was filed must be notified of the Board's determination regarding a complaint. No action is required on your part.

LFB Complaint C22-011 is now closed.

Should you have any questions regarding this matter, please contact Dana Jones at (609) 815-3904.

Sincerely,

A handwritten signature in black ink that reads "Jacquelyn A. Suárez". The signature is written in a cursive, flowing style.

Jacquelyn A. Suárez
Acting Commissioner, Department of Community Affairs
Chair, Local Finance Board

JAS:dj
C22-011.NOD



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

JACQUELYN A. SUÁREZ
Acting Commissioner

December 14, 2023

Daniel Francisco
[REDACTED]
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint #22-011
Notice of Determination

Dear Councilman Francisco:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint.

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., empowers the Board to initiate, receive, hear and review complaints, and hold hearings with regard to possible violations of the LGEL, where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or has no reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you, and it has been dismissed for lack of jurisdiction.

The Complaint alleges possible violations of the following provisions of the LGEL:

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others;

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment;

N.J.S.A. 40A:9-22.5(f) No local government officer or employee, member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office if the local government officer has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the local government officer in the discharge of his official duties;

N.J.S.A. 40A:9-22.5(g) No local government officer or employee shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated;

The allegations set forth in the complaint may be summarized as follows:

Daniel Francisco, Councilman, Borough of Englishtown, used his official position to enable then-Councilman-Elect William Lewis to act on behalf of the Borough to solicit cash and merchandise from Borough residents and businesses for the "Inaugural Englishtown Christmas Light Contest," without the knowledge or consent of the Mayor and Council, without filing an official Events Committee Report with the Borough Clerk, and without reporting his actions to his committee co-chair, in violation of the LGEL.

Councilman Francisco used his official position to "harass and intimidate" residents on the "Englishtown Residents" Facebook page and violated OPRA by conducting official business using private Facebook chat tools, in violation of the LGEL.

In the course of its preliminary investigation, the Board determined that you have served as Councilman for the Borough of Englishtown since 2020. In November 2021, an "Inaugural Englishtown Christmas Light Contest" took place. It appears that the contest was organized by then-Councilman-Elect William ("Bill") Lewis, as mentioned by Councilman Francisco at the Borough Council meeting on November 22, 2021. The meeting minutes under "Committee Reports" state, "Councilmember Francisco - Code Enforcement, Public Health, Welfare & Public Events reported on a photo with Santa fundraiser being held at the Village Inn a light contest run by Bill Lewis."

Aside from the comment cited above, no other official action was taken by the municipality with respect to the Christmas light contest.

The contest was operated through a private Facebook group which was not a function of the municipality. Furthermore, the Board does not have jurisdiction over the Open Public Records Act (OPRA).

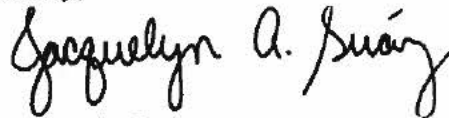
Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the Complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the Complaint for a lack of jurisdiction.

Pursuant to N.J.S.A. 40A:9-22.9, the local government officer or employee against whom a complaint was filed must be notified of the Board's determination regarding a complaint. No action is required on your part.

LFB Complaint C22-011 is now closed.

Should you have any questions regarding this matter, please contact Dana Jones at (609) 815-3904.

Sincerely,

A handwritten signature in black ink, reading "Jacquelyn A. Suárez". The signature is fluid and cursive, with the first name "Jacquelyn" being the most prominent part.

Jacquelyn A. Suárez
Acting Commissioner, Department of Community Affairs
Chair, Local Finance Board

JAS:dcj
C22-011.NOD.Francisco



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

JACQUELYN A. SUÁREZ
Acting Commissioner

December 14, 2023

William Lewis
[REDACTED]

Re: Local Government Ethics Law
LFB Complaint #22-011
Notice of Determination

Dear Councilman Lewis:

The purpose of this letter is to apprise you of the Local Finance Board's (Board) final disposition of the above-referenced Complaint.

The Local Government Ethics Law (LGEL), N.J.S.A. 40A:9-22.1 et seq., empowers the Board to initiate, receive, hear and review complaints, and hold hearings with regard to possible violations of the LGEL, where no local ethics board has been established. Upon receipt of a complaint against a local government officer or employee, the Board determines if a complaint is within its jurisdiction, frivolous, or has no reasonable factual basis prior to conducting an investigation.

Pursuant to N.J.S.A. 40A:9-22.9, you are hereby notified that a complaint was filed against you, and it has been dismissed for lack of jurisdiction.

The Complaint alleges possible violations of the following provisions of the LGEL:

N.J.S.A. 40A:9-22.5(c) No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others;

N.J.S.A. 40A:9-22.5(d) No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment;

N.J.S.A. 40A:9-22.5(f) No local government officer or employee, member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the local government officer has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the local government officer in the discharge of his official duties;

N.J.S.A. 40A:9-22.5(g) No local government officer or employee shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated;

The allegations set forth in the complaint may be summarized as follows:

Councilman-Elect William Lewis, Borough of Englishtown, solicited donations from Borough residents and businesses when he was neither licensed nor bonded. Mr. Lewis failed to provide receipts to businesses and individuals who donated cash and merchandise.

In the course of its preliminary investigation, the Board determined that you have served as Councilman for the Borough of Englishtown since 2022. The actions alleged to have violated the LGEL occurred prior to you taking the oath of office. During this time period, you were not a local government officer or employee, as defined by the LGEL.

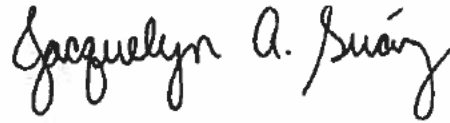
Following a preliminary investigation, a thorough review of the documents submitted, an evaluation of the facts and circumstances relevant to the Complaint, and upon consideration of the foregoing provisions of the LGEL, the Board voted to dismiss the Complaint against you for a lack of jurisdiction as you were not a local government officer or employee at the time of the alleged conduct.

Pursuant to N.J.S.A. 40A:9-22.9, the local government officer or employee against whom a complaint was filed must be notified of the Board's determination regarding a complaint. No action is required on your part.

LFB Complaint C22-011 is now closed.

Should you have any questions regarding this matter, please contact Dana Jones at (609) 815-3904.

Sincerely,

A handwritten signature in black ink that reads "Jacquelyn A. Suárez". The signature is written in a cursive style with a large, stylized 'J' and 'S'.

Jacquelyn A. Suárez
Acting Commissioner, Department of Community Affairs
Chair, Local Finance Board

JAS:dj
C22-011.NOD

December 2023 Local Finance Board Meeting

January 2024 Local Finance Board Meeting