

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

Minutes of Meeting

January 13, 1976

PRESENT

Frank P. Reiche, Chairman
Sidney P. Goldmann, Vice-Chairman
Josephine S. Margetts, Member
Archibald Alexander, Member
Edward J. Farrell, Legal Counsel
David F. Norcross, Executive Director

ABSENT

Herbert Alexander, Consultant

The Meeting was convened at 10:00 a.m.

- 1) The Commission having carefully reviewed the candidates for the position of Executive Director, occupied by David F. Norcross (effective date of resignation, January 23, 1976) it was moved and unanimously voted that Lewis B. Thurston be appointed as Executive Director, effective February 20, 1976 at a salary of \$36,500, subject to his acceptance. The Chairman, Frank P. Reiche, was authorized to so advise Mr. Thurston.
- 2) Consideration of the Minutes of the November 3, November 26 and December 18 meetings was deferred until January 22, 1976.
- 3) Democratic Committee of Bergen County vs. National Conservative Political Action Committee C-315-75
The Executive Director was requested to compare the complaint against the Advisory Opinion request and report the findings to the Commission on January 22, 1976.
- 4) Open Public Meetings Law, P.L.1975, c.231
Counsel discussed the provisions of the law. The Chairman requested a memorandum outlining major points which would pertain to the Commission. Counsel was requested to compare the Attorney General's Opinion with Commission procedures and the Campaign Contributions and Expenditures Reporting Act.
- 5) Commission vs. N.J. Republican Finance Committee, et al C-23-74
The Commission considered the request of John Ewing, on behalf of the N.J. Republican Finance Committee, for a reconsideration of the fine imposed at the meeting of December 18, 1975. The request was denied on motion of Vice-Chairman Goldmann, seconded by Chairman Reiche. Four votes in favor, none opposed.
- 6) It was decided that in the future the Commission would, after every meeting, make public a list of decisions reached. The agenda is also to be distributed in advance of each meeting.
- 7) McGeoy, et al vs. McKenna C-312-75 - This matter was referred to staff for further investigation.

Chairman Reiche excused himself and the chair was assumed by Vice-Chairman Goldmann.

- 8) Vassallo vs. Barbour & Yates C-326-75
The Commission, on motion by Commissioner Margetts, seconded by Commissioner Alexander, dismissed the complaint, because Section 16 requires the filing of a certified copy with the county clerk of the county of residence only for candidates for offices elected by a municipal or countywide constituency or a school district.
- 9) Board of Education of Pt. Pleasant Beach vs. Pt. Pleasant Beach Civic Committee C-14-74 - Supplemental Report of Hearing Officer
The Commission considered the record including the Hearing Officer's Supplemental Report. On motion of Commissioner Alexander, seconded by Commissioner Margetts, the Commission accepted the findings of the Hearing Officer and imposed a written reprimand. Three votes in favor, none opposed.
- 10) Commission vs. Kenneth Butko C-317-75
Harold B. Wells was appointed as Hearing Officer.
- 11) The fine imposed on Mrs. Rosalie Sottile and Angelina Pizzi, (C-03-74) was discussed. Counsel reported to the Commission that he had received correspondence from the respondent's attorney, George Harbaugh, agreeing to pay the fine in one payment. The Commission requested that Mr. Harbaugh be advised of the proper procedures.
- 12) Campaign finance reporting by delegates to the National Party Conventions was discussed. There is coverage by both the FEC and ELEC under Federal Advisory Opinion #12 and New Jersey Law, therefore under the present interpretation of federal law by the FEC committee delegates would have to report to both agencies.
- 13) Commission vs. East Dover Citizens for Gilroy, et al C-298, C-300, C-303-75 and C-02-76
Hearing Officer, Gerald Miller, Esq., requested a Trial Counsel to represent the Commission. Donald Heeb was appointed.
- 14) The memorandum of Investigator William McCafferty, regarding Somerset County Republican Victory Dinner was discussed. The Commission requested more information on this matter and requested a report at the January 22, 1976 meeting.

The Meeting was adjourned at 3:20 p.m.

Respectfully submitted,



DAVID F. NORCROSS
Executive Director