

MINUTES OF THE SEPTEMBER 26, 2023 MEETING
OF THE STATE ETHICS COMMISSION
225 E. STATE STREET, 5TH FLOOR EAST
10 a.m.

Present: Chair Stephanie A. Brown, Commissioner Brian Bridges, Commissioner Victor J. Herlinsky, Jr., Commissioner Babatunde P. Odubekun, Executive Director Joy-Michele Johnson, Deputy Director Christina C. Fullam, Assistant Attorney General Melissa Dutton Schaffer and members of the Commission staff. Vice Chair Patricia Morgan and Commissioner Christine Norbut Beyer participated by telephone. Commissioner Bridges joined at 10:21 am and initially participated by telephone before arriving in person.

I. CALL TO ORDER BY CHAIR BROWN

The meeting was called to order at approximately 10:04 a.m. by Chair Brown. The Chair announced that adequate notice of the date, time and place of the meeting had been provided to the Office of the Secretary of State on December 6, 2022 to be posted prominently on a board reserved for such announcements. On the same date, identical notices of the meeting date were distributed to two major newspapers in New Jersey.

II. MINUTES OF THE AUGUST 1, 2023 MEETING

Commission members had no changes to the August 1, 2023 Minutes, which were approved unanimously on motion of Commissioner Herlinsky, seconded by Commissioner Odubekun, following the Executive Session of the meeting. Commissioner Bridges was not present for the vote and Commissioner Norbut Beyer abstained.

III. RECESS OF THE OPEN MEETING

Commissioner Herlinsky moved that the open session be recessed and that, pursuant to Section 10:4-12(b) of the Open Public Meetings Act, the Commission enter into Executive Session to discuss personnel matters, matters falling within the attorney-client privilege, and investigations of possible violations of the law. Pursuant to Section 10:4-13(b) of the Act, the discussion conducted in closed session may be disclosed to the public when there is no longer a need to maintain the confidentiality of same. Commissioner Odubekun seconded the motion, which was unanimously carried 5 to 0 (Beyer, Brown, Herlinsky, Morgan, and Odubekun). Commissioner Bridges was not present for the vote.

IV. RECONVENING OF THE OPEN MEETING

Following the Executive Session, Chair Brown reconvened the open meeting.

V. CASES

**41-23 John F. Coffey, II, (Mayor of Oceanport) Board Member,
Fort Monmouth Economic Revitalization Authority
EO 2 violation – failure to file 2021, 2022, and 2023 Financial Disclosure
Statement
Commission Case No. 41-23**

After considering the matter and hearing from the FMERA Board member, Vice Chair Morgan moved that the Commission impose a Civil penalty of \$15,775 for late filing of the FMERA Board Members FDS in 2021, 2022, and 2023, calculated as follows: the penalty was waived for the late filing in 2021 and 50% for the last filing in 2022 for the Commission’s prior inaction in collecting the penalty, but imposes 100% of the \$50 per day penalty in 2023, and further require that the penalty either be paid in full or a payment plan be agreed upon within thirty days, and that the filer communicate with SEC staff to correct technical errors in the three filings within thirty days. Commissioner Odubekun seconded the motion, which was passed 5 to 0 (Brown, Herlinsky, Morgan, Norbut Beyer and Odubekun) Commissioner Bridges abstained.

VI. RECESS OF THE OPEN MEETING

Commissioner Herlinsky moved that the open session be recessed and that, pursuant to Section 10:4-12(b) of the Open Public Meetings Act, the Commission enter into Executive Session to discuss personnel matters, matters falling within the attorney-client privilege, and investigations of possible violations of the law. Pursuant to Section 10:4-13(b) of the Act, the discussion conducted in closed session may be disclosed to the public when there is no longer a need to maintain the confidentiality of same. Commissioner Odubekun seconded the motion, which was unanimously carried 6 to 0 (Bridges, Brown, Herlinsky, Morgan, Norbut Beyer and Odubekun).

VII. RECONVENING OF THE OPEN MEETING

Following the Executive Session, Chair Brown reconvened the open meeting.

VIII. CASES

**16-20 Report of Preliminary Investigation
Department of Health
Commission Case No. 16-20**

Commissioners discussed the status of this matter in executive session and no action was taken. Vice Chair Morgan recused and left the call during the discussion.

36-20 Deep Shah, Assistant Engineer Electrical

Department of Transportation
Commission Case No. 36-20 COMPLAINT UPDATE

Commissioner Herlinsky moved that the Commission approve the Complaint and authorize it to be served on Deep Shah and filed with the Office of Administrative Law, in the event that he files an Answer denying the allegations. Commissioner Odubekun seconded the motion, which was passed 6 to 0 (Bridges, Brown, Herlinsky, Morgan, Norbut Beyer and Odubekun).

28-22 Gary Catrambone, Agent
Motor Vehicle Commission
Commission Case No. 28-22

Commissioner Odubekun moved that pursuant to *N.J.A.C. 19:61-3.1(g)*, the Commission dismiss the allegations that Gary Catrambone violated sections 23(e)(3) and 23(e)(7) of the Conflicts Law, and while there may have been technical violations of the Recusal Rule and 23(e)(6) and (e)(7), that the Commission use its discretion and decline action and direct staff to provide guidance to Catrambone. Commissioner Herlinsky seconded the motion, which was passed 6 to 0 (Bridges, Brown, Herlinsky, Morgan, Norbut Beyer and Odubekun).

37-22 Kenyatta Nobles
Division Director, Division of Administration/Office of Management
Information Systems
Board of Public Utilities
Commission Case No. 37-22 COMPLAINT UPDATE

Commissioner Bridges moved that the Commission approve the Complaint and authorize it to be served on Kenyatta Nobles and filed with the Office of Administrative Law, in the event that he files an Answer denying the allegations. Commissioner Herlinsky seconded the motion, 6 to 0 (Bridges, Brown, Herlinsky, Morgan, Norbut Beyer and Odubekun).

40-23 Kristi Hanselmann, Trustee
Stockton University
Request for EO 14 (Corzine, 2006) Exception
Commission Case No. 40-23

Commissioner Herlinsky moved that the Commission approve the EO 14 exception. Commissioner Odubekun seconded the motion, 6 to 0 (Bridges, Brown, Herlinsky, Morgan, Norbut Beyer and Odubekun).

43-23 Report of Preliminary Investigation
Department of Transportation
Commission Case No. 43-23

Commissioner Bridges moved that the Commission authorize DOT to proceed with disciplinary action against the State employee for violating Section II, paragraph 5 and Section IX of the UEC for taking personnel action with regard to someone with whom the employee had an ongoing romantic relationship. Commissioner Odubekun seconded the motion, which was passed 6 to 0 (Bridges, Brown, Herlinsky, Morgan, Norbut Beyer and Odubekun).

45-23 Report of Preliminary Investigation
Ramapo College of New Jersey

Commission Case No. 45-23

Commissioner Odubekun moved that the Commission authorize Ramapo College to proceed with disciplinary action against the individual for violating Section II, paragraphs 4 and 5 of the UEC, for theft of moveable property and using a State vehicle on State time to transporting the item to the employee's residence. Commissioner Herlinsky seconded the motion, 6 to 0 (Bridges, Brown, Herlinsky, Morgan, Norbut Beyer and Odubekun).

46-23 **Report of Preliminary Investigation** **Department of Children and Families** **Commission Case No. 46-23**

Commissioner Bridges moved that the Commission authorize DCF to proceed with disciplinary action against the individual for violating Section II, paragraphs 4 and 5 of the UEC, as well as Section B, paragraphs 2 and 3 and Section G, paragraph 4 of the DCF Supplemental Code of Ethics, by accessing DCF's New Jersey Statewide Protection Investigation Reporting Information Tool, known as "NJSPIRIT", case database for personal reasons and without authorization. Commissioner Odubekun seconded the motion, 5 to 0 (Bridges, Brown, Herlinsky, Morgan and Odubekun). Commissioner Norbut Beyer recused and abstained from voting.

IX. ADMINISTRATIVE

Casino Waiver Consent

Commissioner Odubekun moved that the Commission approve casino employment waivers for Hart (Stockton), Byrne (Stockton), Howard (Stockton), Howard (Stockton), Mora (Stockton), Miller (Stockton), Campbell (DOC), Didato (JJC/DLPS), Rodriguez (JJC/DLPS), Gallagher (SEC) and Deman (Pinelands). Commissioner Herlinsky seconded the motion, which was passed 6 to 0 (Bridges, Brown, Herlinsky, Morgan, Norbut Beyer and Odubekun).

Cannabis Waiver Consent

Commissioner Odubekun moved that the Commission approve a cannabis employment waiver for Aguilar (NJIT) and Giordano (OPD). Commissioner Bridges seconded the motion, which was passed 6 to 0 (Bridges, Brown, Herlinsky, Morgan, Norbut Beyer and Odubekun).

X. ADJOURNMENT

There being no further business, Commissioner Herlinsky moved to adjourn the meeting. Commissioner Bridges seconded the motion, which was unanimously carried.

Respectfully submitted,

Shanna Cook

Shanna Cook, Executive Assistant
State Ethics Commission
Date: November 20, 2023