

John Paff
2106 S Cypress Bend Dr Apt 102
Pompano Beach, FL 33069-4457

March 16, 2016

Patricia Parkin McNamara
Local Finance Board
101 S Broad St – PO Box 803
Trenton, NJ 08625-0803
(via fax to 609-633-6243 and e-mail to Patricia.McNamara@dca.state.nj.us)

Dear Ms. McNamara:

This letter is in follow up to my phone conversation this morning with Nick Bennett (voice 609-984-7765) regarding LFB Complaint No. 13-014.

Attached is Mr. Bennett's April 26, 2013 acknowledgement letter to me that bears that complaint number and was sent in response to my ethics complaint against six Local Government Officers in two townships in Cumberland County. I filed my complaint with Mr. Neff via e-mail on April 22, 2013.

As you may be aware, I was one of the petitioners in an August 31, 2015 rulemaking petition that the Board rejected on March 7, 2016 at 48 N.J.R. 3(1). The petition, which sought quicker ethics complaint adjudications and greater transparency in the ethics complaint process, used LFB Complaint No. 13-014 as an example of a complaint that has "been pending for more than two years." In its March 7, 2016 public notice that rejected the petition, the Board claimed that a Notice of Violation was issued for Complaint No. 13-014 in August 2015.

Since I had not received any notice of adjudication of my complaint against the six Cumberland County officials, I submitted an OPRA request for the Notice of Violation that Board claimed to have issued in that matter. Today, I received an August 13, 2015 Notice of Violation against Robert Gillman of Bergenfield, a copy of which is attached for your ready reference. You will note that the Notice of Violation bears the same number, Complaint No. 13-014, that the Board assigned to my complaint against the six Cumberland officials.

This leaves me to wonder about the status of my complaint against the six Cumberland officials. Did Mr. Bennett's April 26, 2013 acknowledgement letter reference an incorrect case number, or is there a larger problem? Please clarify this matter, noting my new address in the letterhead.

Thank you for your attention to this matter.

Very truly yours,

John Paff



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

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

RICHARD E. CONSTABLE, III
Acting Commissioner

April 26, 2013

John Paff
New Jersey Libertarian Party's
Open Government Advocacy Project
P.O. Box 5424
Somerset, New Jersey 08875

Re: Local Government Ethics Law
LFB Complaint #13-014

Dear Mr. Paff:

The Local Finance Board (Board) acknowledges receipt of the complaint letter you filed alleging a violation of the Local Government Ethics Law.

Please be advised that it is the Board's practice and intent to conduct a thorough investigation of all complaints. The Board's staff is processing your complaint at this time and will, subsequently, present it to the Board for review and authorization of any necessary formal investigation. The Board will correspond with you as soon as a determination is made in this matter.

Should you have any questions regarding this matter, please feel free to contact me at (609) 292-0479.

Sincerely,

Nick Bennett
Local Finance Board

NB:la



Chlorophyll a fluorescence and photosynthesis in *Phragmites* and *Cyperus* species

and, presented below, will be discussed.

the first in which he appears has always been
considered as his best, and is probably the best of his
whole series of portraits. It is a bust-length
figure, seated in an armchair, and looking slightly
to the right. He wears a dark velvet cap, a white
collar, and a dark coat over a white waistcoat.

in the following month, and the author had written a short article on the subject.

2. *Leucosia* *leucostoma* *leucostoma* *leucostoma*

10. *Leucosia* *leucostoma* (Fabricius) *leucostoma* (Fabricius)

19. *Leptodora histrio* (L.) Schlechtendal
19. *Leptodora histrio* (L.) Schlechtendal



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

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

RICHARD E. CONSTABLE, III
Commissioner

August 13, 2015

Joseph G. Monaghan
Attorney At Law
11 State Street
Hackensack, New Jersey 07601

Re: Local Government Ethics Law
LFB Complaint #13-014
NOTICE OF VIOLATION

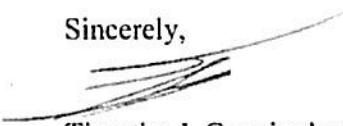
Dear Mr. Monaghan:

The Local Finance Board (Board) issued a **NOTICE OF VIOLATION** regarding its findings in the matter of Complaint #LFB 13-014 filed against your client, Robert Gillman. Enclosed is the **NOTICE** issued by the Board.

Please be advised that the **NOTICE** is not a final determination if Mr. Gillman desires to avail himself of the right to request an administrative hearing. 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.

Should you have any questions regarding this matter, please contact Nick Bennett at (609) 292-0479.

Sincerely,


Timothy J. Cunningham, Chair
Local Finance Board

Enclosure

Cc: Complainants (w/ Enc.)
C13-014.NOV





State of New Jersey
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101 SOUTH BROAD STREET
PO Box 803
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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Commissioner

STATE OF NEW JERSEY
LOCAL FINANCE BOARD
NOTICE OF VIOLATION

In Re: Robert Gillman, Councilman, Borough of Bergenfield, LFB Complaint #13-014

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 Borough of Bergenfield Councilman Robert Gillman acted in his official capacity to direct public resources to the Bergenfield Police Athletic League, an entity he served as President, and upon complaint that Borough of Bergenfield Councilman Robert Gillman voted to provide Borough funds in the amount of \$16,915.74 to reimburse the Police Athletic League for various expenses 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 Complaint was within its jurisdiction, was not frivolous and was based upon a reasonable factual basis, authorized an investigation; 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 presented and having reviewed the written response to the allegations submitted by Robert Gillman's attorney, Joseph G. Monaghan, concluded Robert Gillman served as the President of the Police Athletic League Executive Board while simultaneously serving as an elected Councilman in the Borough, constituting a direct or indirect personal or financial involvement with the Police Athletic League which might reasonably be expected to impair Councilman Gillman's objectivity or independence of judgment; and,

WHEREAS, the Board, having considered the matter and the relevant statements and information presented and having reviewed the written response to the allegations submitted by Robert Gillman's attorney, Joseph G. Monaghan, concluded that the Police Athletic League is



but one of the entities seeking municipal support to provide youth recreation services in the Borough of Bergenfield; and,

WHEREAS, the Board, having considered the matter and the relevant statements and information presented and having reviewed the written response to the allegations submitted by Robert Gillman's attorney, Joseph G. Monaghan, concluded Robert Gillman voted on four (4) separate occasions to authorize municipal funds to pay vouchers submitted by the Police Athletic League in an aggregate amount of \$16,915.74 in violation of N.J.S.A. 40A:9-22.5(d); and,

WHEREAS, the Board, having considered the matter and the relevant statements and information presented and having reviewed the written response to the allegations submitted by Robert Gillman's attorney, Joseph G. Monaghan, concluded Robert Gillman introduced and voted in favor of Bergenfield Capital Ordinance 11-2447 on November 22, 2011. The ordinance re-appropriated \$300,000 from a prior bond ordinance to site work and installation of a pre-fabricated gymnasium/recreation building to be used by the Police Athletic League, providing a benefit to that organization while he served as the President of that organization in violation of N.J.S.A. 40A:9-22.5(d); and,

WHEREAS, the Board has been advised by municipal officials that recreation organizations within the Borough must seek approval from the Police Athletic League to use the fields or recreation facilities which were the subject of Ordinance 11-2447 but could not provide a list of any such other organizations which have used the field or recreation facilities other than the Police Athletic League; and,

WHEREAS, the Board, having considered the matter and the relevant statements and information presented and having reviewed the written response to the allegations submitted by Robert Gillman's attorney, Joseph G. Monaghan, concluded Robert Gillman did not seek the advice of counsel regarding the propriety of his participation on matters related to the Police Athletic League until after he had taken action in his official capacity to introduce Bergenfield Capital Ordinance 11-2447; and,

WHEREAS, the Board, having considered the matter and the relevant statements and information presented and having reviewed the written response to the allegations submitted by Robert Gillman's attorney, Joseph G. Monaghan, recognizes that organizations like the Police Athletic League provide youth recreation opportunities and a benefit to the community as a whole.

It is therefore,

DETERMINED that Borough of Bergenfield Councilman Robert Gillman shall be assessed a fine in the amount of \$100.00 for the violation as related to his engaging in activities prohibited by statute. Said fine shall be waived.

NOTICE that Councilman Gillman 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 Patricia Parkin McNamara, Executive Secretary, Local Finance Board, Department of Community Affairs, P.O. Box 803, Trenton, New Jersey 08625.



TIMOTHY J. CUNNINGHAM, CHAIR
LOCAL FINANCE BOARD