

MINUTES OF THE AUGUST 1, 2023 MEETING  
OF THE STATE ETHICS COMMISSION  
225 E. STATE STREET, 5<sup>TH</sup> FLOOR EAST  
10 a.m.

\*\*\*\*\*

**Present:** Chair Stephanie A. Brown, Commissioner Sarah Adelman, Commissioner Victor J. Herlinsky, Jr., Commissioner Babatunde P. Odubekun, Executive Director Joy-Michele Johnson, Deputy Director Christina C. Fullam, and members of the Commission staff. Vice Chair Patricia Morgan and Commissioner Tahesha Way participated by telephone.

\*\*\*\*\*

**I. CALL TO ORDER BY CHAIR BROWN**

The meeting was called to order at approximately 10:08 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 JUNE 13, 2023 MEETING**

Commission members had no changes to the June 13, 2023 Minutes, which were approved unanimously on motion of Commissioner Herlinsky, seconded by Chair Brown, following the Executive Session of the meeting. Commissioner Way was not present for the vote.

**III. RECESS OF THE OPEN MEETING**

Chair Brown 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 Herlinsky seconded the motion, which was unanimously carried 6 to 0 (Adelman, Brown, Herlinsky, Morgan, Odubekun and Way).

**IV. RECONVENING OF THE OPEN MEETING**

Following the Executive Session, Chair Brown reconvened the open meeting. A moment of silence was held in observance of the passing of Lieutenant Governor Sheila Y. Oliver.

V. CASES

**09-23 Mark Manigan**  
**Request for an Exception to EO 14 (Corzine, 2006)**  
**Rutgers University**  
**Commission Case No. 09-23**

Chair Brown moved that the Commission approve the EO 14 exception request. Commissioner Adelman seconded the motion, which was passed 4 to 0 (Adelman, Brown, Morgan, and Way) Commissioners Herlinsky and Odubekun recused.

**33-23 Christina Kadelski**  
**Request for Section 19 Exception**  
**Rutgers University**  
**Commission Case No. 33-23**

Commissioner Herlinsky moved that the Commission approve the Section 19 exception request. Chair Brown seconded the motion, which was passed 4 to 0 (Brown, Herlinsky, Morgan, and Way) Commissioner Odubekun recused and Commissioner Adelman abstained.

Commissioner Way left the meeting.

**31-19 Dr. Pankaj Lal**  
**Montclair State University**  
**Commission Case No. 31-19**

Commissioner Odubekun moved that pursuant to *N.J.A.C. 19:61-3.1(g)*, the Commission dismiss the allegations that Dr. Pankaj Lal violated sections 23(e)(3) and 23(e)(7) of the Conflicts Law. Commissioner Herlinsky seconded the motion, which was passed 5 to 0 (Adelman, Brown, Herlinsky, Morgan and Odubekun).

**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.

**39-21 Saudia Beverly**  
**Rowan Global, Rowan University**  
**Commission Case No. 39-21 PROPOSED SETTLEMENT**

Vice Chair Morgan moved that the Commission approve the proposed settlement In the Matter of Saudia Beverly, with a civil penalty of \$8,500, as outlined in the Consent Order. Commissioner Herlinsky seconded the motion, 5 to 0 (Adelman, Brown, Herlinsky, Morgan and Odubekun).

**40-21 Ebony Millet**  
**Department of Treasury, Division of Taxation, Camden Office**  
**Case No. 40-21**

Commissioner Herlinsky moved that pursuant to *N.J.A.C. 19:61-3.1(g)*, the Commission dismiss the allegations that Ebony Millet violated sections 23(e)(3) and 23(e)(7) of the Conflicts Law.

Commissioner Adelman seconded the motion, 5 to 0 (Adelman, Brown, Herlinsky, Morgan and Odubekun).

**37-22            Report of Preliminary Investigation  
Board of Public Utilities  
Commission Case No. 37-22**

Commissioner Herlinsky moved that the Commission find violations on all matters and file a Complaint with the Office of Administrative Law and advise the head of the employing agency. Commissioner Odubekun seconded the motion, which was passed 5 to 0 (Adelman, Brown, Herlinsky, Morgan and Odubekun)

**30-23            Report of Preliminary Investigation  
Department of Law and Public Safety  
Commission Case No. 30-23**

Commissioner Odubekun moved that the Commission authorize DLPS to proceed with disciplinary action against the individual for violating Section XIII, Uniform Ethics Code (“UEC”) as well as Section XIII of the LPS Supplementary Code of Ethics by conducting a romantic relationship with a subordinate without disclosing that relationship to the appropriate authorities or recusing from matters involving the subordinate. Commissioner Herlinsky seconded the motion, 5 to 0 (Adelman, Brown, Herlinsky, Morgan and Odubekun).

**31-23            Report of Preliminary Investigation  
Department of Law and Public Safety  
Commission Case No. 31-23**

Commissioner Adelman moved that the Commission authorize DLPS to proceed with disciplinary action against the individual for violating section II, paragraph C.2 of the LPS Supplementary Code of Ethics by conducting a romantic relationship without disclosing that relationship to the appropriate authorities. Commissioner Odubekun seconded the motion, 5 to 0 (Adelman, Brown, Herlinsky, Morgan and Odubekun).

**32-23            Report of Preliminary Investigation  
Stockton University  
Commission Case No. 32-23**

Commissioner Herlinsky moved that the Commission disapprove of Stockton’s proposed disciplinary action of an employee who obtained part-time employment while involuntarily suspended from Stockton for alleged violations of Section II, Paragraph 1 and 4 and Section VI of the UEC, but authorize Stockton to issue a letter of guidance to the employee after review and approval by the SEC staff, advising the employee of procedures to follow in seeking approval for outside employment during a period of suspension. Commissioner Odubekun seconded the motion, which was passed 5 to 0 (Adelman, Brown, Herlinsky, Morgan and Odubekun).

**36-23            Report of Preliminary Investigation  
Department of Corrections  
Commission Case No. 36-23**

Chair Brown moved that the Commission authorize DOC to proceed with disciplinary action against the individual for violating Section II, paragraph 4, Section IX, and Section XIII of the Uniform Ethics Code (“UEC”) by conducting a romantic relationship with their subordinate without disclosing that relationship to the appropriate authorities or recusing themselves from matters involving the subordinate. Commissioner Odubekun seconded the motion, which was passed 5 to 0 (Adelman, Brown, Herlinsky,

Morgan and Odubekun,).

## **VI. ADMINISTRATIVE**

### **Casino Waiver Consent**

Vice Chair Morgan moved that the Commission approve casino employment waivers for Keeler (DOC), Rodriguez (DLPS) and Roberts (DLPS). Commissioner Odubekun seconded the motion, which was passed 5 to 0 (Adelman, Brown, Herlinsky, Morgan and Odubekun).

### **Cannabis Waiver Consent**

Commissioner Odubekun moved that the Commission approve a cannabis employment waiver for Freundlich (DHS). Commissioner Herlinsky seconded the motion, which was passed 4 to 0 (Brown, Herlinsky, Morgan and Odubekun). Commissioner Adelman recused.

### **Cannabis Waiver Consent**

Commissioner Odubekun moved that the Commission approve cannabis employment waivers for Murkli (DOBI) and Welch (DLPS). Commissioner Adelman seconded the motion, which was passed 4 to 0 (Adelman, Brown, Morgan and Odubekun). Commissioner Herlinsky abstained.

Commissioner Herlinsky left the meeting.

## **VII. RECESS OF THE OPEN MEETING**

Commissioner Odubekun 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 Adelman seconded the motion, which was unanimously carried 4 to 0 (Adelman, Brown, Morgan and Odubekun).

## **VIII. RECONVENING OF THE OPEN MEETING**

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

## **IX. CASES**

**37-23 Request for Advice  
Marguerite M. Schaffer, Board Member  
New Jersey Sports and Exposition Authority  
Commission Case No. 37-23**

Commissioner Adelman moved that pursuant to *N.J.S.A. 52:13D-21(g)*, issue an advisory opinion to Marguerite M. Schaffer, advising her that her proposed conduct to counsel cannabis business clients

would violate Section 17.2(b)(3) of the Conflicts Law because the activity when conducted by an attorney is inherently representational in nature and because the representation restrictions apply to “any cause, application, or matter.” This restriction would not extend to members or associates of her law firm. The Commissioner also moved that the Advisory Opinion not only be posted to the Commission website, but that a copy be delivered to the Office of the Governor and the Office of Legislative Services as to impact of Section 17.2(b)(3) with respect to all State officials, particularly volunteer appointees who serve on State Boards and Commissions. Commissioner Odubekun seconded the motion, which was passed 4 to 0 (Adelman, Brown, Morgan, and Odubekun).

**X. ADJOURNMENT**

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

Respectfully submitted,

*Shanna Cook*

Shanna Cook, Executive Assistant  
State Ethics Commission  
Date: September 15, 2023