



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  
Commissioner

August 22, 2012

PERSONAL AND CONFIDENTIAL

Frank Gambatese, Mayor  
Township of South Brunswick

~~10 Providence Boulevard  
Kendall Park, New Jersey 08824~~

Re: Local Government Ethics Law  
Complaint #LFB-12-013  
**NOTICE OF VIOLATION**

Dear Mr. Gambatese:

The Local Finance Board ("Board") issued a **NOTICE OF VIOLATION** regarding its findings in the matter of Complaint #LFB-12-013 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. 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,

Thomas H. Neff, Chair  
Local Finance Board

Enclosure  
THN:nb  
C12-013 Gambatese.NOV



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

In Re: [Frank Gambatese, Mayor, Township of South Brunswick, Complaint #12-013]

**WHEREAS**, 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 the Township of South Brunswick ("Township") Mayor Frank Gambatese acted improperly by authorizing the issuance of a letter on Township letterhead, dated February 8, 2012, addressed to "All 16th District Democratic Leaders", which supports a candidate for public office (the "Letter"); and,

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

**WHEREAS**, the Local Government Ethics Law, N.J.S.A. 40A: 9-22.5(c), states:

**"No local government officers or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others";** and,

**WHEREAS**, the Board, having considered the complaint, and the relevant statements and information submitted by Mayor Frank Gambatese in response to the allegations set forth in the complaint; and,

**WHEREAS**, the Board, having found that Mayor Frank Gambatese used the Township's resources by (a) authorizing the issuance of the Letter on the Township's letterhead (which includes the Township's seal, as well as the mailing address, telephone and fax numbers of the Township's Office of the Mayor), and further by (b) directing the Township's Administrative Assistant to print the Letter, which was thereafter signed by Mayor Frank Gambatese and distributed accordingly from the Township's Office of the Mayor; and,

**WHEREAS**, the Board, having concluded that the aforementioned actions constitute the use or attempted use of Mayor Frank Gambatese's official position to secure an unwarranted privilege or advantage for himself or others in violation of N.J.S.A. 40A:9-22.5(c);

**THEREFORE**, it is **DETERMINED** that Mayor Frank Gambatese shall be assessed a fine in the amount of \$200.00 for the violation as related to his engaging in activities prohibited by the statute. Said fine shall be payable to: Treasurer, State of New Jersey, and be submitted to: Thomas H. Neff, Chair, Local Finance Board, P.O. Box 803, Trenton, New Jersey, 08625 immediately. If payment of said fine is not received within 10 days receipt of this **NOTICE**, Mayor Frank Gambatese 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 Mayor Frank Gambatese 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.



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THOMAS H. NEFF, CHAIR  
LOCAL FINANCE BOARD