

Christopher Dean
28 Pheasant Drive
Marlboro, NJ 07746

January 26, 2012

Marlboro Township Ethics Board
PO Box 372
Marlboro, NJ 07746

RE: Clarification of Ethic Complaint# 0001-2011

To The Marlboro Ethics Board,

The purpose of this letter is to raise a point of clarification that I suspect the Marlboro Ethics Board has missed, with regard to the ethics complaint that I filed dated October 25, 2011. This complaint as you are aware, was filed against Councilwoman Randy Marder for the blatant and egregious violation of the Marlboro Ethics Code Sections B(1), B(2), B(3), B(4), B(9), and possibly others.

As a sitting Councilwoman and “Account Executive” Ms. Marder has **accepted tens of thousands of dollars in “no-bid” business** from Marlboro Township directed to **Inkwell Global Marketing Corporation**, a promotional marketing products company that she and her husband together own and manage. Her husband serves as company President of Inkwell Global Marketing, and Ms. Marder herself is as an “Account Executive” employed at the firm.

The point that I suspect the Marlboro Ethics Board has overlooked is that this same complaint also names **two additional defendants**. As noted in the fourth paragraph of my complaint, “...*both Mayor Hornik and Councilman LaRocca knowingly and willingly DID allow Township business to be directed to a fellow council member (Ms. Marder), thus making them, as well, in violation of Marlboro Ethics Code Section B(2)...*” and possibly other ethics rules. This was further evidenced by statements made by both Mayor Hornik and Councilman LaRocca at the Marlboro Town Council meeting on August 10, 2011.

Thus, any subsequent hearings and determinations of jurisdiction with regard to this complaint should be addressing *all three named defendants* for this ethics violation complaint.

Given the nature, severity, and elected positions of the named defendants (namely the mayor and two seated council members of Marlboro Township) it would clearly be unreasonable and unacceptable to continue the hearing process in the current local venue with the current members of the Marlboro Ethics Board.

While I am not questioning the honesty or dedication of the members of the board, it is a fact that many of the Marlboro Ethics Board members are personal friends with the mayor and members of council and several of them were personally selected and appointed by the mayor; the same mayor who is a defendant in this complaint. In addition, the ethics board attorney appointed by

the board in a “no-pay” position has since resigned, and the board cannot act without an attorney. Furthermore, the board attorney position has now become a “paid” job and Mayor Hornik is currently waiting to “appoint” someone to this vacancy. In any court of law or quasi-judicial body in the United States, judges, jurors, or voting board members would be required to recuse themselves when such a conflict of interest or even perceived conflict of interest exists.

I am therefore asking that the Marlboro Ethics Board take itself out of this awkward conflict-of-interest position and that the board pass jurisdiction for hearing this complaint to the New Jersey Department of Community Affairs Local Finance Board, which is set up to hear such complaints when there either is no local ethics board or if the local ethics board is unable to appropriately hear and rule on a complaint. I am copying several New Jersey legislators as well as members of the NJ Department of Community Affairs and asking them for help to assure that this complaint is heard in a venue where it will be justly ruled on.

Sincerely,

Christopher Dean

Attached: Copy of Complaint#0001-2011 dated October 25, 2011

Copy to:

Lieutenant-Governor Kimberly Guadagno

Senator Joseph Kyrillos

Assemblyman Declan O’Scanlon

Assemblywoman Amy Handlin

Thomas H. Neff, DCA

Commissioner Richard E. Constable, DCA