



State of New Jersey
STATE ETHICS COMMISSION

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July 29, 2020

Noreen Kemether, Esq.
Ethics Liaison Officer
Motor Vehicle Commission
PO Box 684
Trenton, New Jersey 08666

Re: Waiver to the Provisions of *N.J.S.A.* 52:13D-17.2(b)

Dear Ms. Kemether:

At its July 28, 2020 meeting, the State Ethics Commission considered your request on behalf of Donna Cotto, Technician, Motor Vehicle Commission, whose husband, Angel Cotto, Jr., is currently employed by the Borgata Hotel and Casino and the Tropicana Hotel and Casino as an Assistant Executive Steward – Shipping and Receiving. Based on the facts and circumstances set forth below, the Commission granted a waiver of the general prohibition of section 17.2(b).

Generally, Section 17.2(b) of the Conflicts Law prohibits all State officers and employees and members of their immediate families from holding an interest in, holding employment with, representing, appearing for, or negotiating on behalf of the holder of, or applicant for, a casino license or any holding or intermediary company with respect thereto. However, the statute also contains the following exception language:

except that ... a member of the immediate family of a State officer or employee, or person, may hold employment with the holder of, or applicant for, a casino license if, in the judgment of the State Ethics Commission ... such employment will not interfere with the responsibilities of the State officer or employee, or person, and will not create a conflict of interest, or reasonable risk of the public perception of a conflict of interest, on the part of the State officer or employee, or person

The Commission agrees that there is no conflict between Mrs. Cotto's position at the Motor Vehicle Commission and her husband's employment with the Borgata Hotel and Casino and the Tropicana Hotel and Casino. Mrs. Cotto's position and her husband's employment do not overlap,

and there is no conflict of interest or reasonable risk of the public perceiving any kind of conflict between her position and her husband's casino employment.

Based on the facts and circumstances set forth above, the Commission granted the waiver of the general prohibition of section 17.2(b) in the case of Donna Cotto and her husband, Angel Cotto, Jr.

Very truly yours,

STATE ETHICS COMMISSION



For the Commission
Mark T. Holmes
Executive Director

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