



State of New Jersey
STATE ETHICS COMMISSION

PO BOX 082
TRENTON, NJ 08625-0082
WWW.NJ.GOV/ETHICS

PHILIP D. MURPHY
GOVERNOR

SHEILA Y. OLIVER
LT. GOVERNOR

STEPHANIE A. BROWN, ESQ.
CHAIR

JOY-MICHELE JOHNSON, ESQ.
EXECUTIVE DIRECTOR

September 12, 2022

Pamela Hayes
Ethics Liaison Officer
South Jersey Transportation Authority
Hammonton, NJ 08037
Via Email Only: phayes@sjta.com

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

Dear Ms. Hayes:

At its September 9, 2022 meeting, the State Ethics Commission considered the South Jersey Transportation Authority's request on behalf of James Phelan, Part-Time Parking Attendant, South Jersey Transportation Authority, who is also employed by Ocean Casino Resort as a Surveillance Officer. 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 Mr. Phelan's position at SJTA and his employment with Ocean Casino and Resort. Mr. Phelan's position and his casino employment do not overlap, and there is no conflict of interest or reasonable risk of the public perceiving any kind of conflict between his position and his 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 James Phelan.

Very truly yours,

STATE ETHICS COMMISSION



For the Commission
Christina C. Fullam
Deputy Director

CCF/sc

Exit_Phelan_SJTA_CW