



State of New Jersey
STATE ETHICS COMMISSION
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September 21, 2016

Penny Thorpe
Ethics Liaison Officer
New Jersey State Parole Board
PO Box 862
Trenton, New Jersey 08625

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

Dear Ms. Thorpe:

At its September 20, 2016 meeting, the State Ethics Commission considered the request on behalf of Brett Bertoni, Parole Officer Recruit, New Jersey State Parole Board ("SPB"), and his mother, Cathleen Bertoni. Ms. Bertoni is currently employed by Caesars Casino as a banquet server. 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:

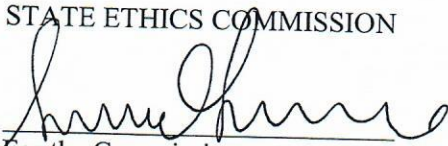
except that ... a member of the immediate family of a State officer or employee, or person, may hold employment with the holder of, or applicant for, a casino license if, in the judgment of the State Ethics Commission ... such employment will not interfere with the responsibilities of the State officer 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. Bertoni's position at NJSPB and his mother's employment with Caesar's Casino. Mr. Bertoni's position and his mother's 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 mother's casino employment.

Based on the facts and circumstances set forth above, the Commission granted a waiver of the general prohibition of section 17.2(b) in the case of Brett Bertoni and his mother, Cathleen Bertoni.

Very truly yours,

STATE ETHICS COMMISSION

A handwritten signature in black ink, appearing to read "Susana Guerrero", written over a horizontal line.

For the Commission
Susana E. Guerrero, Executive Director

SEG/sc

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