



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

JOSEPH P. LASALA, ESQ.
CHAIR

MARK T. HOLMES, ESQ.
ACTING EXECUTIVE DIRECTOR

June 13, 2018

Lynne Alexander
Ethics Liaison Officer
Department of Health
Division of Mental Health & Addiction Services
P.O. Box 362
Trenton, NJ 08625-0340

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

Dear Ms. Alexander:

At its June 12, 2018 meeting, the State Ethics Commission considered your request on behalf of Volodymyr Ostapenko, Assistant Housekeeping Supervisor 2, Ancora Psychiatric Hospital, Department of Health, whose wife, Elina Ostapenko, is currently employed by the Borgata Hotel & Casino as a dealer. 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. Ostapenko's position at Department of Health and his wife's employment with the Borgata Hotel & Casino. Mr. Ostapenko's position and his

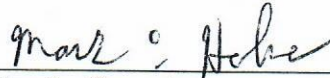
Page 2
June 13, 2018

wife's 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 wife'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 Volodymyr Ostapenko and his wife, Elina Ostapenko.

Very truly yours,

STATE ETHICS COMMISSION



For the Commission
Mark T. Holmes
Acting Executive Director

MTH/sc

Exit_Ostapenko_CW_DOH_6-2018