

MINUTES OF THE SEPTEMBER 9, 2022 MEETING
OF THE STATE ETHICS COMMISSION
225 E. STATE STREET, 5TH FLOOR EAST
10 a.m.
(*Meeting conducted via teleconference)

Present: Chair Stephanie A. Brown, Vice Chair Patricia C. Morgan, Jr., Commissioner Babatunde P. Odubekun, Commissioner Tahesha L. Way, Executive Director Joy-Michele Johnson, Deputy Director Christina C. Fullam, Assistant Attorney General Melissa Dutton Schaffer and members of the Commission staff.

I. CALL TO ORDER BY CHAIR BROWN

The meeting was called to order at approximately 10:11 a.m. by Chair Brown. The Chair announced that adequate notice of the date, time and place of the meeting had been provided to the Office of the Secretary of State on July 22, 2022 to be posted prominently on a board reserved for such announcements. On the same date, identical notices of the meeting date were distributed to two major newspapers in New Jersey.

II. MINUTES OF THE JUNE 14, 2022 MEETING

Commission members had no changes to the June 14, 2022 Minutes.

III. MINUTES OF THE JUNE 23, 2022 MEETING

Commission members had no changes to the June 23, 2022 Minutes.

IV. RECESS OF THE OPEN MEETING

Vice Chair Morgan moved that the open session be recessed and that, pursuant to Section 10:4-12(b) of the Open Public Meetings Act, the Commission enter into Executive Session to discuss personnel matters, matters falling within the attorney-client privilege, and investigations of possible violations of the law. Pursuant to Section 10:4-13(b) of the Act, the discussion conducted in closed session may be disclosed to the public when there is no longer a need to maintain the confidentiality of same. Commissioner Way seconded the motion, which was unanimously carried 4 to 0 (Brown, Morgan, Odubekun and Way).

V. RECONVENING OF THE OPEN MEETING

Following the Executive Session, Chair Brown reconvened the open meeting.

VI. CASES

36-15 Joel Soto, Network Administrator 1 New Jersey Office of Information Technology (formerly Treasury) Commission Case No. 36-15A

Commissioner Way moved that the Commission approve the proposed consent order and authorize the Executive Director and Chair to sign it. Commissioner Odubekun seconded the motion, which was passed 4 to 0 (Brown, Morgan, Odubekun and Way).

32-18 Report of Preliminary Investigation New Jersey Turnpike Authority Commission Case No. 32-18

Vice Chair Morgan moved that the Commission find indications of violations of the Conflicts Law or Commission Regulations, which merit further action; that a Complaint shall be prepared for filing with the Office of Administrative Law, pursuant to *N.J.A.C.* 19:61-3.1(h); and that the Commission may direct staff to undertake efforts to settle the matter by way of Consent Order prior to the filing of a Complaint. Commissioner Odubekun seconded the motion, 4 to 0 (Brown, Morgan, Odubekun and Way).

18-20 Dennis Devery, Vice President for Enrollment Management Thomas Edison State University Commission Case No. 18-20

Commissioner Way moved that pursuant to *N.J.A.C.* 19:61-3.1(g), the Commission dismiss the allegations that Dennis Devery impermissibly used or attempted to use his position to change Thomas Edison State University policies regarding the Tuition Waiver Program in order to give New Jersey National Guard students unwarranted privileges or advantages. The Commission also dismisses the allegations that Dennis Devery accepted a gift of a lake house from the New Jersey National Guard. Vice Chair Morgan seconded the motion, 4 to 0 (Brown, Morgan, Odubekun and Way).

09-22 Richard Santoro, Director, Special Improvement Division Casino Reinvestment Development Authority Commission Case No. 09-22

Commissioner Way moved that the Commission find indications that Richard Santoro violated Section 17.2(b)(1) of the Conflicts Law by providing work product on behalf of Bally's Atlantic City Hotel and Casino as well as other New Jersey casino license holders, but exercise its discretion and decline to take any action as to his prior conduct; and that the Commission recommend that CRDA re-evaluate Richard Santoro's outside employment at Interbrief.org LLC to ensure that Santoro is abiding by the necessary representation restrictions and is advised of potential post-employment restrictions under section 17.2(c) of the Conflicts Law, and that the Commission

dismiss the allegations against Richard Santoro, pursuant to *N.J.A.C.* 19:61-3.1(g). Vice Chair Morgan seconded the motion, which was passed 4 to 0 (Brown, Morgan, Odubekun and Way).

**13-22 Report of Preliminary Investigation
Motor Vehicle Commission
Commission Case No. 13-22**

Vice Chair Morgan moved that the materials submitted by MVC support indications of a violation of section II, paragraph 5 of the UEC and, pursuant to N.J.S.A. 52:13D-23(d) and *N.J.A.C.* 19:61-3.6, authorize MVC to proceed with disciplinary action against the individual for the alleged ethics violations. Commissioner Odubekun seconded the motion, which was passed 4 to 0 (Brown, Morgan, Odubekun and Way).

**21-22 Report of Preliminary Investigation
Department of Corrections
Commission Case No. 21-22**

Commissioner Odubekun moved that the Commission find the materials submitted by DOC support indications of violations of section II, paragraphs 3, 4, 5, and 6 of the UEC and, pursuant to N.J.S.A. 52:13D-23(d) and *N.J.A.C.* 19:61-3.6, authorize DOC to proceed with disciplinary action against the individual for the alleged ethics violations. Commissioner Way seconded the motion, which was passed 4 to 0 (Brown, Morgan, Odubekun and Way).

**24-22 Report of Preliminary Investigation
Department of Military and Veterans Affairs
Commission Case No. 24-22**

Vice Chair Morgan moved that the Commission find the materials submitted by DOC support indications of violations of section II, paragraphs 4 and 5, and section III of the UEC and, pursuant to N.J.S.A. 52:13D-23(d) and *N.J.A.C.* 19:61-3.6, authorize DMAVA to proceed with disciplinary action against the individual for the alleged ethics violations. Commissioner Odubekun seconded the motion, which was passed 4 to 0 (Brown, Morgan, Odubekun and Way).

VI. ADMINISTRATIVE

Supplemental Code of Ethics – Division of Gaming Enforcement

Vice Chair Morgan moved that the Commission approve the supplemental code for the DGE. Commissioner Way seconded the motion, which was passed 4 to 0 (Brown, Morgan, Odubekun and Way).

Appeal of 2022 FDS Penalties

Vice Chair Morgan moved that the Commission approve Victor Carstarphen's request for a waiver of the civil penalty incurred due to the late filing of his 2022 Financial Disclosure Statement. Commissioner Way seconded the motion, which was passed 4 to 0 (Brown, Morgan, Odubekun and Way).

Vice Chair Morgan moved that the Commission reduce Phyllis Melendez's civil penalty incurred due to the late filing of her 2022 Financial Disclosure Statement from \$1,950 to \$150. Commissioner Way seconded the motion, which was passed 4 to 0 (Brown, Morgan, Odubekun and Way).

and Way).

Casino Waiver Consent

Commissioner Odubekun moved that the Commission approve casino employment waivers for Phelan (SJTA), Ferguson (Stockton), McCabe (Stockton), Costello (DLPS), Boogay (SJTA), Jones (DHS), Sturdivant (MVC) and McClinton (SJTA). Vice Chair Morgan seconded the motion, which was passed 4 to 0 (Brown, Morgan, Odubekun and Way).

Cannabis Waiver Consent

Commissioner Way moved that the Commission approve cannabis employment waivers for Suleiman (SJTA) and Varone (Treasury). Vice Chair Morgan seconded the motion, which was passed 4 to 0 (Brown, Morgan, Odubekun and Way).

VII. ADJOURNMENT

There being no further business, Commissioner Way moved to adjourn the meeting. Vice Chair Morgan seconded the motion, which was unanimously carried.

Respectfully submitted,

Shanna Cook

Shanna Cook, Administrative Assistant
State Ethics Commission
Date: November 22, 2022