

# Legalized Games of Chance Control Commission

February 14, 2001

## Public Session Minutes

A meeting of the Legalized Games of Chance Control Commission was held on February 14, 2001, in the State House Annex, First Floor Committee Room 1, Trenton, New Jersey. Present for the meeting were Chairman Russell Lupo, Commissioners Alfred Peskoe, Marilou Halvorsen, James Lewandowski, Dorothy F. McCrosson, Esq., Executive Officer William Yorke, Deputy Attorney General John D. Hugelmeyer, Deputy Executive Director Veronica Hursthouse, Supervisors James Convery - Newark Office, Joseph Singh - Camden Office, Investigators Bruce Hurlburt, Annette Misukonis, Patrick Mullan, Frank Pallone, Christine Wisniewski, and staff support Donna Kelly.

The meeting was opened by Chairman Lupo pursuant to provisions of the Open Public Meetings Act, N.J.S.A. 10:4-1 et seq. at 10:00 a.m.

Chairman Lupo wished everyone a Happy Valentines Day!

**1. Welcome new Commissioner - Dorothy F. McCrosson, Esq.** (to replace Bernard J. Conlon resigned 04/30/00) Appointment effective 01/09/01 - A unanimous "Welcome and Congratulations" were extended to Dorothy F. McCrosson, Esq.

## ADMINISTRATIVE HEARING

### 2. LGA-99-307

**Michael Blickman**

Games R US/Quartertime Amusement  
(Wildwood) (Inv. Wisniewski)

John Hugelmeyer, DAG, stated that Dan Goodman, the DAG assigned to this case received a phone call from Lary I Zucker, Esq., counsel for Michael Blickman yesterday afternoon making an offer of settlement. The Commission will defer the offer to Executive Session.

The Commission re-entered Public Session from Executive Session at 12:30 p.m. The Commission determined that a **Consent Order will be drafted by Dan Goodman, DAG, to cease and desist, with a civil penalty in the amount of \$6,500, with a \$2,000 down payment, and \$750 per month for six (6) months.**

**MOTION: Peskoe SECOND: McCrosson APPROVED: Unanimous**

## REQUEST FOR MITIGATION OF PENALTY

### 3. LGA-00-420 (Revisited from 12/13/00 mtg.)

**Marco@s Pizza Restaurant**  
(Toms River) (Inv. Pallone)

This matter will be tabled until the subpoena served upon LGA 00-559 Hammer Amusements (the supplier of the crane machine) has been complied with.

**MOTION: McCrosson SECOND: Halvorsen APPROVED: Unanimous**

## **GENERAL DISCUSSION**

**4. Minutes of the Public Session meeting of January 10, 2001** - The Commission reviewed and approved the minutes. Commissioner McCrosson recused herself, having not attended the January 10, 2001 Commission meeting.

**MOTION: Peskoe SECOND: Lewandowski APPROVED: McCrosson abstained**

**5. Public Comment** - Ed McGlynn, Esq., counsel for the New Jersey Amusement Association has a comment on #9 on the agenda. The Commission will address that comment during Item #9. Additionally, Mr. McGlynn has a concern regarding the progress of the price to play and award amount regulation to be promulgated. Mr. Yorke, E.O., stated that the proposed revision was e-mailed to the Office of Attorney General (OAG) yesterday. After they approve it, Mark Herr, the Director of Consumer Affairs, will sign it. Mr. McGlynn's concern is that the operators' traditional start of the season is Easter weekend, and the forty five (45) day waiting process will boarder on that weekend. Mr. Yorke stated that on the cover letter for the e-mail, he informed OAG and that there was urgency for the industry to have it back in time for the 2001 season. Mr. McGlynn stated that the next important weekend for the industry would be Memorial Day weekend. Mr. Yorke stated that it is out of his hands and suggested Mr. McGlynn, Esq. contact OAG to see if he can get the ball rolling any faster.

**6. List of organizations approved or denied requests for registration for the month of January, 2001** - the Commission reviewed and approved the requests for registration.

**MOTION: Peskoe SECOND: Lewandowski APPROVED: Unanimous**

**7. Statistics report and comparison figures from LGCCC to DCA for the months of October, November and December, 2000** - Commissioner Peskoe stated that he has the same comment that he has had in the past concerning guidance to the industry instead on concentrating on fines. He also questions the \$500,000 deficit in the face of increased fine revenue, and requested the numbers be re-figured. Ronnie Hursthouse, DED, stated that this issue was to be addressed in item # 10 on the agenda, but asked the Commission if they wanted comment now. The Commission made a motion to accept the statistical report, and will hold comment until item # 10 on the agenda.

**MOTION: Peskoe SECOND: Halvorsen APPROVED: Unanimous**

### **8. RMLG-01-12**

Sandy Hook Foundation (I.D. # 208-05-31558)

Request to compensate non-members

for services rendered

(Reference N.J.S.A. 5:8-61)

The office received an inquiry from Thomas F. Daly, Esq., who represents the Sandy Hook Foundation, Inc., a registered, New Jersey non-profit organization, asking if the Foundation can pay a marketing fee of \$10 per ticket (ticket price is \$100 per ticket) to ticket sellers. The sellers will not be employees of the Foundation or members thereof. The prize is a year's worth of transportation aboard a commuter ferry. Because the regulation allowing compensation is not in place yet, the Commission declined to approve the request. The Commission instructed E.O. Bill Yorke to draft any additional guidelines, requirements and/or restrictions he feels would be warranted, i.e.: licensing procedure, corporate structure and operator guarantee comments and submit them to Director Herr as quickly as possible.

**MOTION: McCrosson SECOND: Peskoe APPROVED: Unanimous**

### **9. RMLG-01-13**

New Jersey Law Revision Commission

## Tentative Report relating to LGCCC

This report is distributed to advise interested persons of the Law Review. The Commission has the opportunity to submit comments and/or recommendations. Comments are to be received no later than March 5, 2001. This revision would take responsibility away from municipalities, making the Legalized Games Control Commission responsible for all licensing. Mr. McGlynn, counsel for the New Jersey Amusement Association, wasn't aware of this report, and would like to opportunity to review and give input to the Commissioners and DAG Hugelmeyer at the next Commission meeting. E.O.Yorke will submit a request to extend the comment period. This item will be re-visited at the next Commission meeting.

**MOTION: Halvorsen    SECOND: Peskoe    APPROVED: Unanimous**

### 10. Executive Officer's Report

#### a. LGCCC Budget Summary as provided by the DCA

DED Ronnie Hursthouse provided EO Yorke and the Commissioners with an updated copy of the budget summary. Commissioner Peskoe questioned a deficit, although the civil penalties accessed this past year were greater than they were in years past. Commissioner Peskoe requested that the Commissioners be provided with a breakdown of salaries and office expenses. Ronnie Hursthouse, DED, stated that LGCCC, up until 1994, was revenue supported by the State. LGCCC would collect the fees, principally license and penalty fees, and the State never collected any of the revenue back. The Office of Consumer Protection, in order to help balance the budget, absorbed four investigators, three (3 )to OCP for task forces that needed to be done and one (1) to Charities. Chairman Lupo requested a breakdown of employees and their salaries, expenditures over \$1,000, a breakdown of special services, a breakdown of services other than personnel, and a breakdown of maintenance and fixed charges. Chairman Lupo stated that for the fiscal year 2001, the Commission will look to address this fiscal matter. This matter will be re-visited at the next Commission meeting.

Mr. McGlynn, Esq. for New Jersey Amusement Association, requested to be heard. Mr. McGlynn stated that perhaps if there were the increase in the price to play and award amount, he would be willing to discuss license fees. Chairman Lupo suggested he contact the OAG regarding the proposed price to play and award amounts' regulatory change.

The Commission broke for lunch at 11:45 a.m., Commissioner Lewandowski had to leave, and the Commission entered Executive Session at 12:15 p.m.

The Commission entered Public Session at 12:30 p.m. and re-entered Executive Session at 12:40 p.m.

The Commission entered Public Session at 1:15 p.m.

After approving the reading of the closing statement by Chairman Lupo, the meeting was adjourned at 1:20 p.m.

**MOTION: Halvorsen    SECOND: McCrosson    APPROVED: Unanimous**

Respectfully submitted,

by: \_\_\_\_\_

Donna B.Kelly  
LGCCC



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<a href="#">Legalized Games of Chance Control Commission</a>	<a href="#">Office of Consumer Protection</a>	<a href="#">Consumer Affairs</a>	<a href="#">Feedback</a>	<a href="#">NJ Dept. of Law and Public Safety</a>	<a href="#">State of New Jersey</a>
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*Posted July 2002*