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New Jersey Office of the Attorney General

Division of Consumer Affairs
Legalized Games of Chance Control Commission
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PUBLIC SESSION MINUTES December 8, 2010

The Legalized Games of Chance Control Commission met on December 8, 2010, at the Division of Consumer of Affairs, located at 124 Halsey Street, 6th Floor Somerset Room, Newark New Jersey. Present were Commissioners Marilou Halvorsen, Chairperson, Christine Vanek, Edward Barrett, and Timothy E Ryan. Also in attendance: Assistant Counsel, Authorities Unit, Office of the Governor, Brandon D. Minde, Deputy Attorney General Nancy Miller, Chief Investigator/Manager Scott Jenkins, Investigator Martin Silva, Investigator Joseph Chessere and supporting staff Farah Rodriguez.

The meeting was opened at 10:30 a.m. by Commissioner Halvorsen pursuant to provisions of the Open Public Meetings Act. N.J.S.A. 10:4-6 et seq. Adequate notice of the Legalized Games public meeting was provided by mailing a list of all regularly scheduled Commission meetings to be held during 2010 to the Office of the Secretary of State, Star Ledger, Trenton Times, the Director of the Division of Consumer Affairs, and posted in the State Building at 124 Halsey Street, Newark, New Jersey, as well as being posted on LGCCC website: www.state.nj.gov/oag/ca/lgccc.htm.

1. Reading and Approval of the Agenda

The Commission reviewed and approved the agenda.

MOTION: Barrett SECOND: Vanek APPROVED: Unanimous

2). Minutes of the Public Session meeting September 8, 2010

The Commission reviewed and approved the minutes. Commission Vanek abstained.

MOTION: Barrett SECOND: Ryan APPROVED: Unanimous

3). Public Comment

Edward McGlynn, Esq., counsel for the New Jersey Amusement Association, requested that a staff member speak at the New Jersey Amusement Games Association trade show which will be held on March 16 and 17, 2011 in Atlantic City. The Commission requests that permission be obtained for investigator staff to attend the trade show. In addition to instruction to the regulated community, the show provides an opportunity for staff to review new games that may be used in New Jersey.

MOTION: Barrett SECOND: Ryan APPROVED: Unanimous

- 4). Statistics report and comparison figures from LGCCC to DCA for the months of **August, September, and October 2010. Move to accept as presented.**

MOTION:: Vanek Second: Barrett Approved: Unanimous

- 5). List of organizations approved or denied requests for registration for the months September, October, and November 2010.

The Commission approved the approved and denied list for registration applications for September, October, and November 2010.

MOTION: Vanek Second: Barrett Approved: Unanimous

- 6). Recommended approval for the approved and denied list of Casino Operators, Casino Operators Pending Additional Correspondence, Manufacturers, Distributors, and Providers, Compensated Workers and Games Submissions for the Months of September, October, and November 2010.

The Commission approved the recommendations of staff regarding of Casino Operators, Manufacturers, Games Submissions, Distributors, and Providers and Compensated Workers for the months of September, October, and November 2010.

MOTION: Barrett SECOND: Vanek APPROVED: Unanimous

- 6A. Gerald Hall- consideration for a casino night operator license. Mr. Hall was convicted of a crime in Pennsylvania more than ten years ago. The Commission deliberated in executive session.

The Commission, noting that the responsibilities of a casino night operator do not include any contact with funds being raised by the organization conducting the event, and using the criteria set forth in the Rehabilitated Convicted Offenders Act, was satisfied that the applicant had demonstrated sufficient rehabilitation to be licensed as casino night operator.

- 7) Draft of amendments to N.J.A.C. 13:47-7.3, based on P.L. 2010, c. 77 (S1612). The Commission determined to purpose the amendments.

MOTION: Barrett SECOND: Vanek APPROVED: Unanimous

- 7A. Proposed New Rules: N.J.A.C. 13:47-5A.8, 6.19, 8.1,
20.40 and 20.41
Proposed Amendments: N.J.A.C. 13:47-7.2, 7.11,
13.8, 20.2 and 20.4

FYI

- 8). Ordinance 19-2010 of the Borough of Eatontown amending chapter 245 entitled "Raffles" of the Borough Code to permit clerk or deputy clerk to issue license.

FYI (Commission Halvorsen was recused)

- 9) **FYI-List of Signed Warning Letters, UPL Letters
& Consent Orders for the month of September 2010.**

Warning Letters Signed

None

UPL Letters Signed

LG 10-16	Capitol Vending, LLC	(Penalty Paid)
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Consent Orders/ Settlement Agreements

None

FYI

- FYI-List of Signed Warning Letters, UPL Letters
& Consent Orders for the month of October 2010.**

Warning Letters Signed

LG 10-22	Carefree Booster Association	(Certification Signed)
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UPL Letters Signed

LG 10-16	SCJ Vending, Co.	(Penalty paid)
LGA 10-39	Corinne Gorfman	(Penalty paid)
LGA 10-134	Adam West	(Penalty paid)
LGA 10-209	George Nickels	(Penalty paid)
LGA 10-212	Thomas O'Connor	(Penalty paid)
LGA 10-213	Thomas O'Connor	(Penalty paid)
ACR 10-163	Andrew Roberts	(Penalty paid)
ACR 10-168	Boardwalk Casino Arcade	(Penalty paid)
ACR 10-173	Dawn Knox	(Penalty paid)
ACR 10-174	Debra Wickham	(Penalty paid)
ACR 10-176	FJS Foods	(Penalty paid)
ACR 10-177	Gary Thomas	(Penalty paid)

ACR 10-183	Jenkinson's South/Lucky Amusements	(Penalty paid)
ACR 10-198	Paul Wood Sr.	(Penalty paid)
ACR 1-205	Theresa Petaccio	(Penalty paid)

Consent Orders/ Settlement Agreements

None

FYI

**FYI-List of Signed Warning Letters, UPL Letters
& Consent Orders for the month of November 2010**

Warning Letters Signed

LG 10-114	Salem Fraternal Order of Eagles Aerie #1966	(Cert. Signed)
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UPL Letters Signed

LGA 09-211	Majestic Midway	(Penalty paid)
LGA 10-159	Castle Casino Arcade	(Penalty paid)
ACR 10-160	11 Browning LLC	(Penalty paid)
ACR 10-186	Joseph Plantamura	(Penalty paid)

Consent Orders/ Settlement Agreements

None

FYI

- 10). State of New Jersey Assembly Bill, No 1168

FYI

- 11). **Board of Island Managers-** seeking registration

The Board of Island Managers is a public entity. It is in the process of creating a 501(c)3 organization. Commission determined to send a letter offering assistance in registration process.

- 12). **Child Federation of Atlantic City, Inc.-** seeking advice on how to proceed with unwanted prize.

The Commission tabled this item. More information on prizes is needed.

- 13. Sonata Bay Senior Citizens Bingo Club-**requesting a refund of bingo and raffle license fees in the amount of \$520.

The Commission, noting the organization did not need a license and would not be seeking additional licenses, determined to issue a refund in the amount \$520.

MOTION: Barrett

SECOND: Vanek

APPROVED: Unanimous

- 14. Lions Club of Avalon, Inc.,-**requesting a refund of raffle license application fee in the amount of \$160.

The Commission determined to issue a credit to the organization in the amount of \$160.

MOTION: Barrett

SECOND: Vanek

APPROVED: Unanimous

- 15. American Legion Pos 43 Frank Patterson-** seeking to use net proceed for capital improvements.

The Commission approved the use of the net proceeds in a amount as permitted by regulation. Reviewing the submitted material, the Commission determined that 25% of proceeds from 2010 could be used. Commission Barrett also suggested that staff contact the American Legion League and suggest a seminar for various chapters on use of net proceeds for capital improvements.

MOTION: Ryan

SECOND: Vanek

APPROVED: Unanimous

- 16. PTO Midstreams Jaguars-**requesting a refund of raffle license application fee in the amount of \$160.

The Commission determined to issue a credit to the organization in the amount of \$160.

- 17. Congregation Agudath Achim-**is seeking approval of "Money Ball" bingo game.

The Commission determined to send letter advising the organization on the proper way to operate the games. Scott Jenkins will develop a proposal for rules for the game and present it to the Commission for review.

MOTION: Barrett

SECOND: Vanek

APPROVED: Unanimous

18). Reconsideration of ACR/ UPL; Request to consider explanation/mitigation: Following issuance of Uniform Penalty Letters, these licensees asked the Commission to consider information submitted prior to making final decision. The Commission moved to Executive Session for deliberation. Upon return to public session, the Commission determined

A. ACR-10-185 John Leadbeater

The Commission reviewed and was not persuaded by the mitigation/information presented and sustained the penalty set in the Uniform Penalty Letter.

MOTION: Ryan SECOND: Barrett APPROVED: Unanimous

B. ACR-10-191MHC Lake & Shore, LLC

The Commission was persuaded by the mitigation offered determined to reduce the UPL penalty to \$100.

MOTION: Barrett SECOND: Ryan APPROVED: Unanimous

C. ACR-10-195 Park, Play & Stay

The Commission reviewed and was not persuaded by the mitigation/information presented and sustained the penalty set in the Uniform Penalty Letter.

MOTION: Halvorsen SECOND: Ryan APPROVED: Unanimous

D. ACR-10-196 Patricia Napolitano

The Commission reviewed and was persuaded by the mitigation/information presented and rescinded the penalty set in the Uniform Penalty Letter.

MOTION: Halvorsen SECOND: Ryan APPROVED: Unanimous

E. LGA-10-210 Clementon Lake Operations, LLC

The Commission reviewed and was not persuaded by the mitigation/information presented and sustained the penalty set in the Uniform Penalty Letter.

MOTION: Vanek SECOND: Barrett APPROVED: Unanimous

19. Old Business

None

20. New Business

None

21. E. O.'s Report

- A) Danyelle Williamson.- Millburn 5th Quarter Club commends Danyelle on helping them on obtaining their renewal application for registration.
The Commission recognized Danyelle Williamson for her outstanding work.

- B) Ocean County College Foundation- Letter sent to organization for delinquent Raffle Report of Operations
FYI

- C) Scott Steinman-Cedar Glen West commends Scott Steinman for helping them obtain their Bingo License.
The Commission recognized Scott Steinman for his outstanding work.

- D) OAG File #9433-Jump Zone Party wants to know if inflatables are considered a carnival amusement ride. Scott Jenkins advised the subject matter not fall within the jurisdiction of this Commission.

- E) William J Keller c/o Most Holy Redeemer Church-Asked what information must an organization obtain from a winner of a raffle for tax information.
Scott Jenkins referred the writer to the Internal Revenue Service, Chapter (6) of the section titled "Tax Exempt Organizations and Gaming."

- F) Roger K.Stein - Asked about sales of raffle ticket on their website. Scott Jenkins replied, advising that different states may have regulations regarding sales of tickets.

- G) Sonata Bay Senior Bingo
FYI

- H) Educational Partnership for Instructing Children- Letter sent to organization for delinquent Raffle Report of Operations
FYI

- I) Jerri Dametz-
FYI

- J) Deborah L. Graniccioni, Director, Governor's Authorities Unit - Request for information- Scott Jenkins responded to questions.

- K) AL Dorso Jr, - State Fair

Public Minutes

December 8, 2010

The Commission moved to Executive Session for discussion of investigative matters, deliberations, and advice of counsel. At the conclusion of the Executive Session, and the reading of the closing statement by Commissioner Halvorsen, the meeting was adjourned at 12:30 p.m.

MOTION to adjourn: Halvorsen

SECOND: Vanek

**APPROVED:
Unanimous**

Approved by:

**Marilou C. Halvorsen
Chairperson**

MCH:fr

enc. (3)

1. Statistics report and comparison figures from LGCCC to DCA for September, October and November 2010 (Refer to item 4)
2. List of organizations approved or denied requests for registration for September, October and November 2010 (Refer to item 5)
3. List of approved and denied Compensated Workers, Commercial Licenses September, October and November 2010
(Refer to item 6)