

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

STATE OF NEW JERSEY

CASINO CONTROL COMMISSION

- - - - -

PUBLIC MEETING NO. 11-06-15

- - - - -

Wednesday, June 15, 2011

Atlantic City Commission Offices

Joseph P. Lordi Public Meeting Room - First Floor

Tennessee Avenue and Boardwalk

Atlantic City, New Jersey 08401

10:34 a.m. to 10:54 a.m.

Certified Court Reporter: Darlene Sillitoe

- - - - -

ATLANTIC CITY COURT REPORTING, LLC

CERTIFIED COURT REPORTERS & VIDEOGRAPHERS

1125 ATLANTIC AVENUE, SUITE 700

ATLANTIC CITY, NEW JERSEY 08401

(609) 345-8448 www.accourtreporting.com



1 B E F O R E :

2 CASINO CONTROL COMMISSION:

LINDA M. KASSEKERT, CHAIR

3 EDWARD J. FANELLE, VICE CHAIR

SHARON ANNE HARRINGTON, COMMISSIONER

4

5 PRESENT FOR THE CASINO CONTROL COMMISSION:

DARYL W. NANCE, ADMINISTRATIVE ANALYST

6 DANIEL J. HENEGHAN, PUBLIC INFORMATION OFFICER

7 OFFICE OF THE GENERAL COUNSEL:

DIANNA W. FAUNTLEROY, GENERAL COUNSEL/EXECUTIVE

8 SECRETARY

9

DIVISION OF GAMING ENFORCEMENT:

10 DEPUTY ATTORNEYS GENERAL

JOHN E. ADAMS, JR., DEPUTY ATTORNEY GENERAL

11

12

13

14

15

16

17

18

19

20

21

22

23

24



AGENDA			
PUBLIC MEETING NO. 11-06-15			
JUNE 15, 2011, 10:34 a.m.			
ITEM		PAGE	VOTE
1	1 Ratification of the minutes of the May 23, 2011, public meeting	6	6
2	2 Applications for casino key employee licenses and/or for qualifications	6	7
	I Initial casino key employee license:		
	a) James R. Deery		
	b) Alok M. Joshi		
	c) Thomas L. Mann		
	d) Isabelle M. Perreve-Theisen		
	e) Alexander Sutocky, II		
	f) Wendy E. Warner		
	II Resubmitted casino key employees license	7	8
	a) Lewis I. Bonham		
	b) William Cooney		
	c) Brian P. Flesch		
	d) Kenneth J. Harper		
	e) John M. Hlifka		
	f) Scott K. Hummel		
	g) Sarah Ireland		
	h) John M. Kaminski		
	i) Colleen M. Kane		
	j) John W. Meuse		
	III Application of Michael J. Ray for a casino key employee license and for qualification	8	9
3	Petition of Trump Entertainment Resorts, Inc., and Trump Entertainment Holdings, LP, for the issuance of a temporary casino key employee license to David Hughes pursuant to NJSA 5:12-89(e) to permit him to assume the duties of the Chief Financial Officer, Executive Vice President and Corporate Treasurer of Trump Entertainment Resorts, Inc., and Trump Entertainment Holdings, LP (PRN 1571101)	9	10
4	Petition of Harrah's Atlantic City Operating Company, LLC, (d/b/a Harrah's Casino Hotel) for the issuance of a temporary casino key employee license to Mary E. Thompson pursuant to NJSA 5:12-89(e), to permit her to assume the duties of Supervisor Cashier Casino Services of Harrah's Atlantic City Operating Company, LLC (PRN 1571102)	10	11
5	Approval of the Casino Control Commission	11	23





(Exhibits retained by Commission.)

1                   (Public Meeting 11-06-15 was commenced  
2                   at 10:34 a.m.)

3                   MR. NANCE: Good morning. I'd like to  
4                   read an opening statement:

5                   This is to advise the general public  
6                   that in compliance with Chapter 231 of the  
7                   public laws of 1975 entitled the "Open Public  
8                   Meeting Act," the New Jersey Casino Control  
9                   Commission on April 19th, 2011, filed with the  
10                  Secretary of State at the State House in  
11                  Trenton and annual meeting schedule. On April  
12                  20th, copies were mailed to subscribers.

13                  Members of the press will be permitted  
14                  to take photographs, and we ask that this be  
15                  done in a manner which is not disruptive or  
16                  distracting to the Commission.

17                  The use of cell phones in the public  
18                  meeting room is prohibited.

19                  Any member of the public who wish to  
20                  address the Commission will be given the  
21                  opportunity to do so before the Commission  
22                  adjourns for the day.

23                  Please stand for the Pledge of  
24                  Allegiance.

(The flag salute was recited.)

ITEM NO. 1-2

1 CHAIR KASSEKERT: Good morning.

2 MR. NANCE: Good morning.

3 The matters discussed in closed  
4 session --

5 The Commissioners approved the May 23rd,  
6 2011, closed-session minutes.

7 Personnel matters were discussed as  
8 follows: Commission approved the  
9 Post-Employment Application of Ronald J.  
10 Amoriello pursuant to NJSA 5:12-60b(2).

11 Item No. 1, the ratification of the  
12 minutes of May 23rd, 2011, public meeting.

13 COMMISSIONER HARRINGTON: Move that we  
14 adopt the minutes.

15 VICE CHAIR FANELLE: Second.

16 CHAIR KASSEKERT: The motion has been  
17 made and seconded. All in favor?

18 (Ayes.)

19 CHAIR KASSEKERT: Opposed?

20 (No response.)

21 CHAIR KASSEKERT: The motion carries.

22 MR. NANCE: Item No. 2, applications for  
23 a casino key employee licenses and for  
24 qualification.

This agenda item will be entered as

ITEM NO. 2

1 Exhibit List 1, 2, and 3.

2 Exhibit List 1 consists of the following  
3 six applications for initial casino key  
4 employee licenses:

5 For James R. Deery, Alok M. Joshi, Thomas L.  
6 Mann, Isabelle M. Perreve-Theisen, Alexander  
7 Sutocky, II, and Wendy E. Warner.

8 Staff and the Division have recommended  
9 that these licenses be granted.

10 COMMISSIONER HARRINGTON: Move that we  
11 adopt these -- or we grant these initial  
12 applications.

13 VICE CHAIR FANELLE: Second.

14 CHAIR KASSEKERT: The motion has been  
15 made and seconded. All in favor?

16 (Ayes.)

17 CHAIR KASSEKERT: Opposed?

18 (No response.)

19 CHAIR KASSEKERT: The motion carries.

20 MR. NANCE: Exhibit List 2 consists of  
21 the following ten resubmitted casino key  
22 employee licenses for:

23 Lewis I. Bonham, William Cooney, Brian P.  
24 Flesch, Kenneth J. Harper, John M. Hlifka, Scott K.



ITEM NO. 2

1 Kane, and John W. Meuse.

2 Staff and the Division have recommended  
3 that these licenses be granted.

4 COMMISSIONER HARRINGTON: I move that we  
5 grant these resubmitted key licenses.

6 VICE CHAIR FANELLE: Second.

7 CHAIR KASSEKERT: The motion has been  
8 made and seconded. All in favor?

9 (Ayes.)

10 CHAIR KASSEKERT: Opposed?

11 (No response.)

12 CHAIR KASSEKERT: The motion carries.

13 MR. NANCE: Exhibit List 3 consists of  
14 the following applications for casino key and  
15 employee license and for qualification: The  
16 application of Michael J. Ray for a casino key  
17 employee license and for qualification of  
18 Assistant Vice President of Information  
19 Technology for Tropicana Atlantic City  
20 Corporation.

21 Staff and the Division have recommended  
22 that this application be granted.

23 VICE CHAIR FANELLE: I'll move that we  
24 grant the application of Michael Ray for a



ITEM NO. 3

1 qualification.

2 COMMISSIONER HARRINGTON: Second.

3 CHAIR KASSEKERT: Motion has been made  
4 and seconded. This is a roll call vote.

5 MR. NANCE: Commissioner Harrington?

6 COMMISSIONER HARRINGTON: Yes.

7 MR. NANCE: Vice Chair Fanelle?

8 VICE CHAIR FANELLE: Yes.

9 MR. NANCE: Chair Kassekert?

10 CHAIR KASSEKERT: Yes.

11 MR. NANCE: The record will reflect that  
12 the motion is unanimous.

13 Item No. 3, Petition No. 1571101 of  
14 Trump Entertainment Resorts, Inc., and Trump  
15 Entrainment Holdings, LP, is requesting the  
16 issuance of a temporary casino key employee  
17 license to David Hughes pursuant to NJSA  
18 5:12-89(e) to permit him to assume the duties  
19 of Chief Financial Officer, Executive Vice  
20 President, and Corporate Treasurer for Trump  
21 Entertainment Resorts, Inc., and Trump  
22 Entrainment Holdings, LP.

23 Staff and the Division have recommended  
24 that this petition be granted.

COMMISSIONER HARRINGTON: I move that we

ITEM NO. 4

1 approve the petition and issue a temporary  
2 casino key employee license to David Hughes to  
3 permit him to assume the duties of Chief  
4 Finance Officer, Executive Vice President, and  
5 Corporate Treasurer for Trump Entertainment  
6 Resorts, Inc., and Trump Entertainment Holdings,  
7 LP.

8 VICE CHAIR FANELLE: Second.

9 CHAIR KASSEKERT: The motion has been  
10 made and seconded. All in favor?

11 (Ayes.)

12 CHAIR KASSEKERT: Opposed?

13 (No response.)

14 CHAIR KASSEKERT: The motion carries.

15 MR. NANCE: Item No. 4, Petition No.  
16 1571102, of Harrah's Atlantic City Operating  
17 Company, LLC, is requesting the issuance of a  
18 temporary casino key employee license to Mary  
19 E. Thompson pursuant to NJSA 5:12-89(e) to  
20 permit her to assume the duties of Supervisor  
21 Cashiers, Casino Services for Harrah's Atlantic  
22 City Operating Company, LLC.

23 Staff and the Division have recommended  
24 that this petition be granted.

VICE CHAIR FANELLE: Madame Chair, I'll

ITEM NO. 5

1 move that we approve the petition and issue a  
2 temporary casino key employee license to Mary  
3 E. Thompson to permit her to assume the duties  
4 of Supervisor Cashier, Casino Services for  
5 Harrah's Atlantic City Operating Company, LLC.

6 COMMISSIONER HARRINGTON: Second.

7 CHAIR KASSEKERT: The motion has been  
8 made and seconded. All in favor?

9 (Ayes.)

10 CHAIR KASSEKERT: Opposed?

11 (No response.)

12 CHAIR KASSEKERT: The motion carries.

13 MR. NANCE: Item No. 5, approval of the  
14 Casino Control Commission Pilot Program for  
15 small-scale and staged casino licenses.

16 Miss Fauntleroy?

17 MS. FAUNTLEROY: Good morning,  
18 Commissioners.

19 NJSA 5:12-80.1 of the Casino Control Act  
20 enacted January 5, 2011, provides for the  
21 establishment of a Pilot Program under which  
22 the Commission shall issue two additional types  
23 of casino licenses, a small-scale casino  
24 facility license and a staged casino facility



ITEM NO. 5

1                   The Act requires that an applicant for a  
2                   small-scale casino facility license or a staged  
3                   casino facility license submit a Notice of  
4                   Intent to proceed to the Commission on such  
5                   form as the Commission may provide, which form  
6                   shall, at a minimum, provide a statement of  
7                   intention to apply for either a small-scale or  
8                   a staged casino facility license, a description  
9                   of the general elements of the project, a  
10                  description of the financing and source of  
11                  funds for the project, and a commitment to a  
12                  minimum investment threshold that includes  
13                  acquisition costs and hard and soft development  
14                  costs.

15                  The Act further provides that no more  
16                  than two licenses under the Pilot Program shall  
17                  be outstanding at the same time, at least one  
18                  of which shall be a staged casino facility  
19                  license.

20                  Additionally, the Act provided that if  
21                  the Commission is in receipt of more than two  
22                  applications for licensure, the Commission  
23                  shall rank the applications according to  
24                  criteria that it develops, including without



ITEM NO. 5

1 immediacy of project development, and  
2 neighborhood benefit, but shall give preference  
3 to applicants seeking licensure to operate a  
4 staged facility.

5 Before you are the proposed Pilot  
6 Program instructions and guidelines, Notice of  
7 Interest form, Intent to Proceed/Pilot Program  
8 application, which have been submitted to you  
9 as Exhibits A, B, and C respectively.

10 The forms provide for, at a minimum, the  
11 following: Statement of intention to apply for  
12 either a small-scale or staged casino facility  
13 license, description of the general elements of  
14 the proposed small-scale or staged facility,  
15 including any special amenities, estimated cost  
16 of the small-scale or staged casino facility,  
17 and a description of the financing and source  
18 of funds for the proposed small-scale or staged  
19 casino facility, commitment to the minimum  
20 investment threshold, anticipated commencement  
21 and completion dates of the proposed projects,  
22 location of the proposed projects, and proof of  
23 site control, location -- excuse me, ability to  
24 fund the project, the description of the



ITEM NO. 5

1 proposed project, including estimates of job  
2 creation, certification by the applicant that,  
3 if granted, approval to proceed to apply for  
4 one of the licenses, it shall provide within  
5 120 calendar days of receiving program approval  
6 a bond letter of credit or cash deposit payable  
7 to the State Treasurer in the amount of \$1  
8 million, by which it acknowledges it shall be  
9 forfeited upon its failure to commence or  
10 complete the project within the timelines to be  
11 set by the Commission, certification by the  
12 Pilot Program applicant that, if granted  
13 permission to proceed to apply, it shall make a  
14 cash deposit of \$1 million to the State  
15 Treasurer within seven days of commencement of  
16 the project, which shall be nonrefundable and  
17 used to fund infrastructure improvements in  
18 accordance with the provisions of NJSA  
19 5:12-80.1(d).

20 The instructions and guidelines  
21 presented to you consistent with the provision  
22 of 5:12-80.1 and 80.2 include a glossary of  
23 terms, application minimum requirements,  
24 general requirements, evaluation and selection

procedures if more than two applicants,

ITEM NO. 5

1 mandatory project requirements, performance  
2 deposit description, infrastructure deposit  
3 description, expansion fund description, and  
4 expansion requirements.

5 Further, the Notice of Interest form  
6 provided to you proposes that it be submitted  
7 to the Commission by no later than July 8 of  
8 2011.

9 Further, the Intent to Proceed  
10 application to participate in the Pilot Program  
11 proposes to be submitted to the Commission  
12 completed by no later than August 19 of 2011  
13 and include a nonrefundable processing fee of  
14 \$1500. The guidelines further propose that the  
15 Commission adopt the position that it will  
16 expeditiously consider all initial applications  
17 to participate in the Pilot Program, making  
18 every reasonable effort to consider and act  
19 upon application submitted within 60 days of  
20 the deadline for submission.

21 Further, it proposes that if the  
22 Commission receives and has pending more than  
23 two applications to participate in the Pilot  
24 Program or the Commission has received one --

excuse me, or the Commission has approved one

ITEM NO. 5

1 application to participate and subsequently  
2 receives and has pending two or more new  
3 applications to participate, then each such  
4 applicant shall be provided written notice that  
5 the Commission will be conducting a comparison  
6 of those applications for the purpose of  
7 ranking the proposals contained.

8           Within 20 calendar days of the  
9 applicant's receipt of such written notice, the  
10 applicant shall be permitted to supply the  
11 Commission additional information as the  
12 applicant may deem necessary and appropriate or  
13 as the Commission may request by written  
14 notice.

15           Should the Commission receive two or  
16 more applications to participate in the Pilot  
17 Program as described, the Commission shall rank  
18 such applications giving due consideration to  
19 the following factors: Immediacy of project  
20 development, job preservation, job creation,  
21 potential for enhancing tourism, anticipated  
22 tax revenue for all sources, level of committed  
23 investment, evidence of financing and financial  
24 resources, experience of the applicant and its



ITEM NO. 5

1 entertainment facilities elsewhere,  
2 neighborhood benefits, including improvement of  
3 infrastructure and elimination of blight and  
4 underutilization of property, and other such  
5 factors as the Commission may consider  
6 appropriate.

7           If two applicants are two -- if fewer  
8 than two applicants are approved to participate  
9 in the Pilot Program after Commission  
10 consideration of applications submitted by the  
11 August 19 filing deadline, the guidelines  
12 propose that the Commission establish a  
13 separate deadline for new applicants and  
14 continue the Pilot Program until all available  
15 small-scale and/or staged casino facility  
16 licenses have been awarded.

17           As required, the guidelines provide that  
18 the order or resolution by the Commission  
19 approving participation in the Pilot Program  
20 specify a commencement date, completion date,  
21 and general elements of the proposed  
22 small-scale or staged casino facility. The  
23 number of approved qualified sleeping units,  
24 and the square footage of any approved special



ITEM NO. 5

1                   Additionally, the guidelines provide  
2                   that the approved applicant file an application  
3                   for casino licensure in accordance with the  
4                   Casino Control Act, including but not limited  
5                   to NJSA 5:12-80, 5:12-82, applicable Division  
6                   of Gaming Enforcement regulations, and Casino  
7                   Control Commission regulations within 120 days  
8                   of Commission approval to participate in the  
9                   Pilot Program and shall at that point in time  
10                  post the statutorily required \$1 million bond  
11                  irrevocable letter of credit or cash deposit  
12                  payable to the Treasurer, State of New Jersey,  
13                  as security for the required performance of the  
14                  commencement and completion date obligations.

15                  Further, the guidelines provide that  
16                  within seven days of the commencement date as  
17                  defined in the guidelines, the applicant  
18                  approved to participate in the Pilot Program  
19                  must deliver in accordance with NJSA  
20                  5:12-80.1(d) to the State Treasurer a  
21                  nonrefundable cash deposit of \$1 million which  
22                  shall be a fee to be accessed by the City of  
23                  Atlantic City and used to fund infrastructure  
24                  improvements within the city of Atlantic City,

provided that such improvements are related to

ITEM NO. 5

1 the applicant's project.

2 Lastly, the proposal provides for the  
3 delegation to the Chair or her designee to make  
4 such necessary changes to the form and  
5 instructions as may be appropriate and  
6 consistent with the Act.

7 CHAIR KASSEKERT: Thank you.

8 Let me ask if any of the Commissioners  
9 have any questions?

10 COMMISSIONER HARRINGTON: I don't. I  
11 just want to say that I think this is a very  
12 exciting development and exciting day.

13 Thank you.

14 CHAIR KASSEKERT: Let me ask, if we have  
15 representatives from the Division here, if  
16 you'd like to comment at all.

17 Jack?

18 MR. ADAMS: I'd just like to thank  
19 Dianna and her staff. Mary Jo Flaherty is here  
20 also with me. A lot of effort and thought went  
21 into these guidelines and applications. And  
22 we're satisfied that they can go forward as  
23 proposed.

24 CHAIR KASSEKERT: Thank you.

Any questions for the Division?

ITEM NO. 5

1 COMMISSIONER HARRINGTON: No.

2 CHAIR KASSEKERT: Okay. Immediately  
3 prior to the February 1st, 2011, comprehensive  
4 amendments to the Casino Control Act, the Act  
5 was amended on January 25th, 2011, to provide  
6 for the establishment of a pilot program under  
7 which the Commission is authorized to issue two  
8 additional types of casino licenses, a  
9 small-scale casino facility license and a  
10 staged casino facility license.

11 The legislation provides that no more  
12 than two licenses under the Pilot Program shall  
13 be outstanding at the same time.

14 The Statutory amendment by its clear  
15 terms is intended to promote the construction  
16 of new, first-class casino facilities along the  
17 Boardwalk containing first-class restaurants,  
18 high-quality entertainment venues, special  
19 amenities, as well as much needed hotel rooms.

20 A competitive market is often cited as  
21 enhancing the innovative efforts of our society  
22 as a whole, and to that end, the creation of a  
23 small-scale and staged casino facility licenses  
24 offer the Atlantic City market the unique



ITEM NO. 5

1 innovative, one-of-a-kind, themed concepts and  
2 attractions to add to the traditional gaming  
3 environment.

4 In order to fund and encourage  
5 participation in the Pilot Program and thereby  
6 encourage new construction in Atlantic City,  
7 the Commission today considers the adoption of  
8 a Pilot Program for small-scale and staged  
9 casino licenses which includes an aggressive  
10 schedule for the submission of Notices of  
11 Interest in the program and ultimately  
12 submission of the Pilot Program application.

13 The proposed guidelines instructions for  
14 the Pilot Program include a process by which  
15 the Commission can receive and address initial  
16 applications received by the August 19th, 2011,  
17 proposed deadline. And if the two licenses  
18 authorized by the statute are not awarded to  
19 continue the Pilot Program establishing new  
20 deadline and continue to receive and consider  
21 and act upon applications submitted until the  
22 authorized number of licenses have been issued.

23 The guidelines further provide for the  
24 filing of Notice of Interest by July 8th, 2011.

Duly completed applications must be returned by

ITEM NO. 5

1 August 19th, 2011, and extensions of this  
2 initial deadline will not be considered. These  
3 timelines provide an ample opportunity for  
4 interested parties to make their submission.

5 The requirements and obligations  
6 applicable to the small-scale and staged casino  
7 facility are clearly set forth in the statute;  
8 however, many of those requirements are  
9 reiterated and clarified in the guidelines and  
10 instructions. The guidelines and instructions,  
11 Notice of Interest, and application will be  
12 posted on the Commission's website if approved  
13 today by this body. Written questions  
14 regarding any of the procedures or forms can be  
15 submitted to the Commission staff as detailed  
16 in the instructions and guidelines. These  
17 procedures and access are specifically provided  
18 to ensure that all interested parties are  
19 afforded every opportunity to participate in  
20 this unique program.

21 With these preliminary remarks, I move  
22 that the Commission adopt the resolution  
23 approving the Pilot Program, including the  
24 instructions and guidelines, Notice of



1 Pilot Program application.

2 Is there a second?

3 VICE CHAIR FANELLE: Second.

4 CHAIR KASSEKERT: Second?

5 Would you like to do a roll call vote?

6 COMMISSIONER HARRINGTON: No.

7 CHAIR KASSEKERT: Okay.

8 The motion has been made and seconded.

9 All in favor?

10 (Ayes.)

11 CHAIR KASSEKERT: Opposed?

12 (No response.)

13 CHAIR KASSEKERT: The motion carries.

14 Since somebody will be able to figure  
15 out who voted anyway.

16 (Laughter.)

17 CHAIR KASSEKERT: Thank you very much.

18 And let me just say that -- let me just  
19 thank Dianna and her staff who really worked  
20 expeditiously on this process to get it done as  
21 quickly as possible.

22 And thank the Division for their  
23 comments and support throughout this process.

24 Thank you.

MR. NANCE: In accordance with

1 Resolution No. 11-04-06-03, the next closed  
2 session of the Commission shall be held on  
3 Wednesday, July 13th, 2011, at 9:30 a.m. in the  
4 Commission offices.

5 It is now time for the public  
6 participation portion of the meeting.

7 CHAIR KASSEKERT: Is there anyone from  
8 the public that wishes to be heard?

9 (No response.)

10 CHAIR KASSEKERT: Seeing no one, I'll  
11 declare this portion of the meeting closed and  
12 entertain a motion to adjourn.

13 COMMISSIONER HARRINGTON: So moved.

14 VICE CHAIR FANELLE: Second.

15 CHAIR KASSEKERT: The motion has been  
16 made and seconded. All in favor?

17 (Ayes.)

18 CHAIR KASSEKERT: Opposed?

19 (No response.)

20 CHAIR KASSEKERT: The motion carries.

21 Thank you.

22 (Public Meeting 11-06-15 was concluded  
23 at 10:54 a.m.)

24



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

C E R T I F I C A T E

I, DARLENE SILLITOE, a Certified Court Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the proceedings.

I further certify that I am neither attorney, of counsel for, nor related to or employed by any of the parties to the action; further that I am not a relative or employee of any attorney or counsel employed in this case; nor am I financially interested in the action.

DARLENE SILLITOE CCR  
License No XI01023

Dated: June 16, 2011  
My Notary Commission Expires  
July 22, 2014  
ID No 2062871



