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STATE OF NEW JERSEY

CASINO CONTROL COMMISSION

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PUBLIC MEETING NO. 11-10-12

- - - - -

Wednesday, October 12, 2011

Atlantic City Commission Offices

Joseph P. Lordi Public Meeting Room - First Floor

Tennessee Avenue and Boardwalk

Atlantic City, New Jersey 08401

10:30 a.m. to 11:25 a.m.

Certified Court Reporter: Darlene Sillitoe

- - - - -

GUY J. RENZI & ASSOCIATES

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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

SANDRA DeLIA, LEGAL SUPPORT SPECIALIST

9 DAVID LUBIN, PROGRAM SPECIALIST

10 DIVISION OF GAMING ENFORCEMENT:

DEPUTY ATTORNEYS GENERAL

11 BRIAN C. BISCIEGLIA, DEPUTY ATTORNEY GENERAL

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1 A P P E A R A N C E S :

2 ITEM NO. 4 DAVID LUBIN, PROGRAM SPECIALIST
3 BRIAN C. BISCIEGLIA, DEPUTY
4 ATTORNEY GENERAL
5 STERNS & WEINROTH, PC
6 PACIFICO ANGNELLINI, ESQ.
7 FOR: TROPICANA ENTERTAINMENT, INC

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AGENDA			
PUBLIC MEETING NO. 11-10-12			
OCTOBER 13, 2011, 10:37 a.m.			
ITEM		PAGE	VOTE
1	1 Ratification of the minutes of the	8	8
	September 14, 2011, public meeting		
2	2 Applications for casino key employee		
	licenses and/or for qualifications:		
3	I Initial casino key employee license applications:		
	a) Paschal I. Barnard	9	10
4	b) Michael J. Harty	9	9
	c) Jaswantkumar G. Patel	9	9
5	d) Irvin Serrano	9	9
	e) Elizabeth J. Shuman	9	9
6	II Resubmitted casino key employees		
	License applications:		
7	a) Raymond A. Abbamondi	10	11
	b) Jean D. Alexander	10	11
8	c) Vincent C. Alonge, Jr.	10	11
	d) Anthony Beauford	10	11
9	e) Richard L. Beroth	10	11
	f) Timothy E. Brady	10	11
10	g) Craig A. Burke	10	11
	h) William T. Castorina	10	11
11	i) Steven M. Collings	10	11
	j) Honour R. Cooker	10	11
12	k) James L. Curtis	11	11
	l) Andrew D'Angelo	10	11
13	m) Nicholas L. Devito, Jr.	10	11
	n) Clifford S. Dipalo	10	11
14	o) Kathleen M. DiPasquale	10	11
	p) Domenic J. Dodato, Jr.	10	11
15	q) Bryon P. Dowd	10	11
	r) Anthony M. Frabbiele	10	11
16	s) Sameh R. Ghattas	10	11
	t) Franklin D. Hagerty, Jr.	10	11
17	u) Amy E. Kinney	10	11
	v) John A. Liskowicz	10	11
18	w) John M. Magro, Jr.	10	11
	x) Kevin M. Magro	10	11
19	y) Laurel M. Mahoney	10	11
	z) Margaret M. Nagle	10	11
20	aa) Edward Nichols, Jr.	10	11
	bb) Tracy S. Osterloo	10	11
21	cc) Tracy L. Pagan	10	11
	dd) Thomas J. Pelletier	10	11
22	ee) Louise Prange	10	11

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ff) John W. Robinson, Jr.

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1	CONTINUED	AGENDA		
		PUBLIC MEETING NO. 11-10-12		
2		OCTOBER 13, 2011, 10:37 a.m.		
	ITEM		PAGE	VOTE
3	2 gg) David A. Rose		10	11
	hh) Anthony M. Roseto		10	11
4	ii) James M. Rottler, Jr.		10	11
	jj) Betty J. Shaddinger		10	11
5	kk) Allen N. Strauss		10	11
	ll) Sheila L. Struthers		10	11
6	mm) Janis M. Sullivan		11	11
	nn) Michael R. Weidlich		11	11
7	oo) David G. Willard		11	11
	pp) Antoinette Wood		11	11
8	III Application of John Zulawski, Jr.,		12	12
	for a casino key employee license and			
9	for qualification			
	3 Proposed revocation of casino key employee	13		16
10	license for Carol L. Ostroski (DK 11-0008-CK)			
	4 Amended and restated petition of Tropicana	17		20
11	Entertainment, Inc., and Tropicana Atlantic			
	City Corp., requesting permission for			
12	William Murtha, Esq., to perform the duties			
	and exercise the powers of Senior Vice			
13	President, General Counsel and Secretary of			
	Tropicana Entertainment, Inc., pending			
14	plenary qualification (PRN 2651101)			
	5 Petition of Trump Plaza Associates, LP,	20		21
15	(d/b/a Trump Casino Resorts) for the			
	issuance of a temporary casino key employee			
16	license to Corey A. Sprague pursuant to NJSA			
	5:12-89(3) (PRN 2781101)			
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E X H I B I T S :

NO. 2	DESCRIPTION	ID	EVD
EL-1	Grant 4 licenses Remand for hearing 1 license		X
EL-2	Grant 41 licenses Remand for hearing 1 license		X
EL-3	Grant 1 license		X

1 (Public Meeting 11-10-12 was commenced
2 at 10:37 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 "Senator Bryon M.
8 Baer Open Public Meeting Act," the Casino
9 Control Commission on April 19, 2011, filed
10 with the Secretary of State at the State House
11 in Trenton an annual meeting schedule. On
12 April 20th, copies were mailed to subscribers.

13 Members of the press will be permitted
14 to take photographs. We ask that this be done
15 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 wishes 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 session

4 were: Employee license matters.

5 The Commission approved the September

6 14th, 2011, closed-session minutes.

7 Litigation update regarding: Edwards

8 versus Adamar of New Jersey, Inc., et al.

9 And personnel matters were discussed.

10 Item No. 1, ratification of the minutes

11 of September 14th, 2011, public meeting.

12 COMMISSIONER HARRINGTON: I move that we

13 adopt the minutes.

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 MR. NANCE: Item No. 2, application for

22 casino key employee licenses and for

23 qualifications. This agenda item will be

24 entered as Exhibit List 1, 2, and 3.

Exhibit List 1 consists of the following

ITEM NO. 2

1 four applications for initial casino key
2 employee license for: Michael J. Harty,
3 Jaswantkumar Patel, Irvin Serrano, and
4 Elizabeth J. Shuman.

5 Staff and the Division have recommended
6 that these licenses be granted.

7 COMMISSIONER HARRINGTON: I'll move that
8 we grant the four applications for initial and
9 casino key employee license.

10 VICE CHAIR FANELLE: Second.

11 CHAIR KASSEKERT: The motion has been
12 made and seconded. All in favor?

13 (Ayes.)

14 CHAIR KASSEKERT: Opposed?

15 (No response.)

16 CHAIR KASSEKERT: The motion carries.

17 MR. NANCE: Also for your consideration
18 is the initial casino key employee license
19 application of Paschal I. Barnard.

20 The Division has requested that this
21 application be remanded to a hearing.

22 VICE CHAIR FANELLE: Move that we remand
23 for a hearing the initial key employee license
24 application of Paschal Barnard.

ITEM NO. 2

1 CHAIR KASSEKERT: The motion has been
2 made and seconded. All in favor?

3 (Ayes.)

4 CHAIR KASSEKERT: Opposed?

5 (No response.)

6 CHAIR KASSEKERT: The motion carries.

7 MR. NANCE: Exhibit List 2 consists of
8 the following 41 resubmitted casino key
9 employee licenses for: Bettylou Barber [sic],
10 Raymond Abbamondi, Jean D. Alexander, Vincent
11 C. Alonge, Jr., Anthony Beauford, Richard L.
12 Beroth, Timothy E. Brady, Craig A. Burke,
13 William T. Castorina, Steven M. Collings,
14 Honour R. Cooker, Andrew D'Angelo, Nicholas
15 Devito, Jr., Clifford S. Dipalo, Kathleen M.
16 DiPasquale, Domenic J. Dodato, Jr., Bryon P.
17 Dowd, Anthony M. Frabbiele, Sameh R. Ghattas,
18 Franklin D. Hagerty, Jr., Amy E. Kinney, John
19 A. Liskowicz, John M. Magro, Jr., Kevin M.
20 Magro, Laurel M. Mahoney, Margaret M. Nagle,
21 Edward Nichols, Jr., Tracy S. Osterloo, Tracy
22 L. Pagan, Thomas J. Pelletier, Louise Prange,
23 John W. Robinson, Jr., David A. Rose, Anthony
24 M. Roseto, James M. Rottler, Jr., Betty J.

ITEM NO. 2

1 Struthers, Janis M. Sullivan, Michael R.
2 Weidlich, David G. Willard, and Antoinette
3 Woods.

4 COMMISSIONER HARRINGTON: I'll move that
5 we grant the 41 resubmitted casino key
6 employees licenses.

7 VICE CHAIR FANELLE: Second.

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

10 (Ayes.)

11 CHAIR KASSEKERT: Opposed?

12 (No response.)

13 CHAIR KASSEKERT: The motion carries.

14 MR. NANCE: Also for your consideration
15 is a resubmitted casino key employee license of
16 James L. Curtis.

17 The Division has requested that this
18 application be remanded to a hearing.

19 COMMISSIONER HARRINGTON: I'll move that
20 we remand for a hearing the resubmitted key --
21 casino key employee license application of
22 James L. Curtis.

23 VICE CHAIR FANELLE: Second.

24 CHAIR KASSEKERT: The motion has been

25

made and seconded. All in favor?

ITEM NO. 2

1 (Ayes.)

2 CHAIR KASSEKERT: Opposed?

3 (No response.)

4 CHAIR KASSEKERT: The motion carries.

5 MR. NANCE: Exhibit List 3 consists of
6 the application of John Zulawski, Jr., for a
7 casino key employee license and for
8 qualification as Director of security for RIH
9 Acquisition New Jersey, LLC.

10 Is Mr. Zulawski present or represented?

11 (No response.)

12 MR. NANCE: Staff and the Division have
13 recommended that this application be granted.

14 VICE CHAIR FANELLE: I move that we
15 grant the application for John Zulawski, Jr.,
16 for a casino employee license and for
17 qualification as a Director of Security for RIH
18 Acquisition, New Jersey, LLC.

19 COMMISSIONER HARRINGTON: Second.

20 CHAIR KASSEKERT: Motion is made and
21 seconded. This is a roll call vote.

22 MR. NANCE: Commissioner Harrington?

23 COMMISSIONER HARRINGTON: Yes.

24 MR. NANCE: Vice Chair Fanelle?

VICE CHAIR FANELLE: Yes.

ITEM NO. 3

1 MR. NANCE: Chair Kassekert?

2 CHAIR KASSEKERT: Yes.

3 MR. NANCE: The record will reflect that
4 the motion is unanimous.

5 Item No. 3, proposed revocation of
6 casino key employee license for Carol L.
7 Ostroski.

8 Mr. Lubin?

9 MR. LUBIN: Good morning, Chair.

10 CHAIR KASSEKERT: Good morning.

11 MR. LUBIN: Good morning, Commissioners.

12 For your consideration in the matter of
13 Carol Ostroski. Miss Ostroski filed a
14 resubmission application but failed to request
15 a hearing after the Division of Gaming
16 Enforcement recommended denial and revocation
17 of her casino key employee license.
18 Accordingly, the matter is now before you for
19 your consideration.

20 Miss Ostroski was notified that the
21 Commission would be considering this matter
22 today, but it does not appear she is present.

23 Thank you.

24 CHAIR KASSEKERT: Thank you.

ITEM NO. 3

1 MR. BISCIEGLIA: Good morning.

2 CHAIR KASSEKERT: Good morning.

3 MR. BISCIEGLIA: Chair, Commissioners.

4 This is a little different than what I
5 had understood from this case. It seems that
6 the Division had a prior agreement with Miss
7 Ostroski and had difficulty in contacting her.
8 I seemed to hope today that she would appear
9 and we could reopen the investigation.

10 In the absence of that, the Division
11 would have to ask that this matter be remanded
12 to the hearing process so we can come to a
13 conclusion regarding this investigation or
14 matters.

15 Thank you.

16 CHAIR KASSEKERT: Thank you. So there
17 was really -- it was just an issue of
18 noncooperation?

19 MR. BISCIEGLIA: It's noncontact --

20 CHAIR KASSEKERT: Noncontact.

21 MR. BISCIEGLIA: -- more than -- excuse
22 me.

23 CHAIR KASSEKERT: Uh-hum.

24 MR. BISCIEGLIA: Noncontact more than

noncooperation. We've been unable to contact

ITEM NO. 3

1 her.

2 CHAIR KASSEKERT: Okay.

3 MR. BISCIEGLIA: And she has not replied
4 to any of the Division contact. There might be
5 an explanation for this

6 CHAIR KASSEKERT: Uh-hum.

7 MR. BISCIEGLIA: But, unfortunately,
8 without her appearing --

9 CHAIR KASSEKERT: Right.

10 MR. BISCIEGLIA: -- we're left to not
11 know that. And remanding it to the hearing
12 process would seem the quickest way to be able
13 to get in contact with her and be able to
14 address these matters.

15 CHAIR KASSEKERT: Okay. Thank you.

16 MR. BISCIEGLIA: Thank you.

17 CHAIR KASSEKERT: Any questions?

18 MR. FAUNTLEROY: I actually thought...

19 (Conferring.)

20 MR. FAUNTLEROY: Give us one second.

21 CHAIR KASSEKERT: Sure.

22 (Conferring.)

23 MR. FAUNTLEROY: My recollection, and

24 we're certainly in order to ensure that we

provide Miss Ostroski every opportunity to be

ITEM NO. 3

1 heard, it's my understanding, however, that it
2 was previously remanded at the August meeting.

3 MR. BISCIEGLIA: Okay.

4 MR. FAUNTLEROY: And she failed to
5 respond to the hearing notices. But to ensure,
6 so that we can provide her -- I certainly would
7 recommend that the Commission remand again.

8 CHAIR KASSEKERT: Okay.

9 MR. FAUNTLEROY: Just to make sure that
10 all the i's are dotted and t's are crossed. If
11 there's any questions as to whether or not she
12 was afforded a full opportunity to participate
13 in the proceeding.

14 MR. BISCIEGLIA: The Division would
15 agree with that.

16 CHAIR KASSEKERT: Okay. So the
17 recommendation is to remand for a hearing.

18 MR. FAUNTLEROY: Correct.

19 COMMISSIONER HARRINGTON: I'll move that
20 we remand for a hearing the key employee
21 license of Carol Ostroski.

22 VICE CHAIR FANELLE: Second.

23 CHAIR KASSEKERT: The motion has been
24 made and seconded. All in favor?

ITEM NO. 4

1 CHAIR KASSEKERT: Opposed?

2 (No response.)

3 CHAIR KASSEKERT: The motion carries.

4 MR. NANCE: Item No. 4, amended and
5 restated petition of Tropicana Entertainment,
6 Inc., and Tropicana Atlantic City Corp.
7 requesting permission for William Murtha, Esq.,
8 to perform the duties and exercise the powers
9 of Senior Vice President, General Counsel, and
10 Secretary of Tropicana Entertainment, Inc.,
11 pending plenary qualification.

12 Miss Delia?

13 MS. DeLIA: Good morning. This morning
14 Mr. Agnellini is here on behalf of the
15 Petitioner, and Mr. Murtha is also here today.
16 And Miss Richardson is here from the Division
17 of Gaming Enforcement.

18 CHAIR KASSEKERT: Thank you.

19 Mr. Agnellini?

20 MR. AGNELLINI: Madame Chair, members of
21 the Commission, Pat Agnellini of Sterns &
22 Weinroth. I'm here today on behalf of
23 Tropicana Entertainment, Inc., and Tropicana
24 Atlantic City Corp. for the -- requesting

permission for Mr. Murtha to perform the duties

ITEM NO. 4

1 and exercise the powers of Senior Vice
2 President, General Counsel, and Secretary of
3 Tropicana Entertainment, Inc., pending plenary
4 qualification.

5 I have Mr. Murtha here with me here
6 today in case you have any questions.

7 CHAIR KASSEKERT: Thank you.

8 Good morning.

9 It's nice to see that -- that Tropicana
10 is going to have its corporate counsel here in
11 Atlantic City. I think that's -- that's a good
12 sign in terms of a commitment to Atlantic City.

13 MR. MURTHA: Thank you, Madame Chair.
14 It's good for me, too, since I've lived here
15 for 25 years.

16 {Laughter.}

17 MR. MURTHA: It's nice not to have to
18 move to Nevada.

19 CHAIR KASSEKERT: Very good.

20 Let me ask if any of the Commissioners
21 have any questions or want to make any comments
22 before we hear from Miss Richardson?

23 COMMISSIONER HARRINGTON: No.

24 CHAIR KASSEKERT: Okay. Miss

ITEM NO. 4

1 MS. RICHARDSON: Good morning, Chair and
2 Commissioners.

3 You have our letter report dated October
4 3rd having no objection to Mr. Murtha's
5 temporary qualification.

6 And we've seen a draft resolution on
7 this matter and have no objection to that.

8 CHAIR KASSEKERT: Thank you.

9 Any questions?

10 VICE CHAIR FANELLE: No.

11 Madame Chair, I'll move that we adopt
12 the draft resolution and authorize William
13 Murtha, Esq., on a temporary basis and prior to
14 his plenary qualification to assume the duties
15 and exercise the powers of Senior Vice
16 President, General Counsel, and Secretary for
17 Tropicana Entertainment, Inc., subject to the
18 conditions contained in NJSA 5:12-85.1(c), NJSA
19 5:12-89(b) (1) and (2), and NJAC 13:69C-2.7(a)
20 and (c).

21 COMMISSIONER HARRINGTON: I will second
22 that motion.

23 CHAIR KASSEKERT: Thank you.

24 A motion has been made and seconded.

And this is a roll call vote.

ITEM NO. 5

1 MR. NANCE: Commissioner Harrington?

2 COMMISSIONER HARRINGTON: Yes.

3 MR. NANCE: Vice Chair Fanelle?

4 VICE CHAIR FANELLE: Yes.

5 MR. NANCE: Chair Kassekert?

6 CHAIR KASSEKERT: Yes.

7 MR. NANCE: The record will reflect that
8 the motion is unanimous.

9 CHAIR KASSEKERT: Congratulations. I
10 guess I don't have to say welcome to Atlantic
11 City, then.

12 {Laughter.}

13 MR. MURTHA: Thank you very much.

14 MR. AGNELLINI: Thank you.

15 MR. NANCE: Item No. 5, amended Petition
16 No. 2781101 of Trump Plaza Associates, LP, is
17 requesting the issuance of a temporary casino
18 key employee license to Corey A. Sprague
19 pursuant to NJSA 5:12-89(e) to permit him to
20 assume the duties of Security Supervisor/
21 Trainer.

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

24 CHAIR KASSEKERT: Any questions on the

ITEM NO. 5

1 COMMISSIONER HARRINGTON: Nope.

2 I will move that we approve the petition
3 and issue a temporary casino key employee
4 license to Corey A. Sprague and permit him to
5 assume the duties of Security Supervisor
6 Trainer for Trump Plaza Associates, LP,
7 pursuant to NJSA 5:12-89(e).

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: In accordance with
16 Resolution No. 11-04-06-03, the next closed
17 session of the Commission shall be held on
18 Wednesday, November 16th, 2011, at 9:30 a.m. in
19 the Commission offices.

20 It is now time for the public
21 participation portion of the meeting.

22 CHAIR KASSEKERT: Is there anyone from
23 the public that wishes to be heard?

24 (No response.)

CHAIR KASSEKERT: Seeing no one, I'll

1 declare this portion of the meeting closed and
2 entertain a motion to adjourn.

3 COMMISSIONER HARRINGTON: So moved.

4 CHAIR KASSEKERT: The motion has been
5 made and seconded. All in favor?

6 (Ayes.)

7 CHAIR KASSEKERT: Opposed?

8 (No response.)

9 CHAIR KASSEKERT: The motion carries.
10 Thank you.

11 (Public Meeting 11-10-12 was adjourned
12 at 10:50 a.m.)

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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: October 14, 2011
My Notary Commission Expires
July 22, 2014
ID No 2062871

