



State of New Jersey
CASINO CONTROL COMMISSION
TENNESSEE AVENUE AND BOARDWALK
ATLANTIC CITY NJ 08401

CHRIS CHRISTIE
GOVERNOR

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LT. GOVERNOR

MATTHEW B. LEVINSON
CHAIRMAN & CHIEF EXECUTIVE OFFICER

ALISA BETH COOPER
SHARON ANNE HARRINGTON
COMMISSIONERS

(609) 441-3422

MINUTES - PUBLIC MEETING NO. 17-01-11
January 11, 2017 - 10:30 a.m.

New Jersey Casino Control Commission
Joseph P. Lordi Public Meeting Room - First Floor
Tennessee Avenue & Boardwalk
Atlantic City, New Jersey

PRESIDING: Chairman Matthew B. Levinson

PRESENT: Vice Chair Sharon Anne Harrington and Commissioner Alisa B. Cooper

Subsequent to the reading of a statement of compliance with the notice requirements of the Open Public Meetings Act and identification of items discussed during closed session, the Commission considered and took formal action on the following matters:

1. By a vote of 3-0, ratified the minutes of December 7, 2016 public meeting (transcript pages 8-9).
2. By a vote of 2-1 (Commissioner Cooper dissented), Sharon Anne Harrington was elected Vice Chair of the Commission until the Reorganization Meeting in January 2018 (ruling number 17-01-11-02; transcript pages 9-10).
3. By a vote of 3-0, granted the initial of applications Jennifer L. Gindt and Frank J. Pizzutilla, Jr. for casino key employee licenses (Exhibit EL-1*; transcript pages 10-11); and
By a vote of 3-0, remanded the application of Sumiti Sondhi, for a casino key employee license to a hearing (Exhibit EL-1*; transcript pages 11-12).

4. By a vote of 3-0, granted the resubmitted applications of William A. Alber III, Robert C. Allen, Jr., Ronald H. Bramble, Dora A. Brooks, Brian K. Conger, Peter D. Dellaringa, Wallis R. Doan, Michael J. Harty, Jr. and Peter I. MacPherson for casino key employee licenses (Exhibit EL-2*; transcript pages 12-13).
5. Temporary casino key employee licenses were issued between December 5, 2016 and January 9, 2017, pursuant to Delegation of Authority Resolution Number 13-01-10-16-C to the following applicants: Stephen E. Carter, Daniel J. McMenamain and Joseph K. O'Connor (Exhibit EL-3*; transcript pages 13-14).
6. By a vote of 3-0, granted the requested relief and inactivated the casino key employee licenses held by Helen A. Allman, Thomas L. Cantone, Steven M. Collings, Ernest E. D'Ambrosio, Jr., Andrew M. D'Angelo, Daniel R. Diczno, Vito R. DiCosmo, William E. Hamer, Jr., Tama B. Hughes, Karen L. Miloszar, Charles E. Nutile and Cynthia L. Spivey. (Ruling numbers 17-01-11-06-A, 17-01-11-06-B, 17-01-11-06-C, 17-01-11-06-D, 17-01-11-06-E, 17-01-11-06-F, 17-01-11-06-G, 17-01-11-06-H, 17-01-11-06-I, 17-01-11-06-J, 17-01-11-06-K, 17-01-11-06-L; transcript pages 14-15).
7. By a vote of 3-0, found that Paschal I. Barnard, Brandon N. Burbee, Thomas E. Robinson and Anthony M. Roseto's casino key employee licenses lapsed, pursuant to N.J.A.C. 19:41A-6.1 (f) of the regulation. (Ruling numbers 17-01-11-07-A; 17-01-11-07-B; 17-01-11-07-C, 17-01-11-07-D; transcript pages 15-16).
8. Adjourned the Consideration of the initial application of Peter K. Bottcher, Jr., for a casino key employee license (transcript pages 16-17).
9. Considered the petition of Marina District Development Company, LLC and issued the following ruling:

By a vote of 3-0, approved the petition and issued a temporary casino key employee license to Michael Woodside, pursuant to N.J.S.A. 5:12-89(e), and permitted him to assume the duties and exercise the powers of Vice President of Marketing for Marina District Development Company, LLC, pending plenary qualification, subject to the conditions contained in N.J.S.A. 5:12-85.1 c; and N.J.A.C. 13:69C-2.6 (PRN 3471603) (17-01-11-09; transcript pages 17-21).
10. By a vote of 3-0, adopted the draft resolution and found Michael J. Carlotti, qualified to serve as Senior Vice President and Treasurer of MGM Resorts International; and as Treasurer of Mirage Resorts, Inc., MAC, CORP., and Marina District Development

Company, LLC, in accordance with N.J.S.A. 5:12-85.1c, N.J.S.A. 5:12-85.1d, N.J.S.A. 5:12-89b(1), N.J.S.A. 5:12-89b(2) and N.J.A.C. 13:69C-2.7 (Ruling number 17-01-11-10; transcript pages 21-24).

11. Considered the following Delegated Authorities, in accordance with N.J.A.C. 19:40-2.5:

By votes of 3-0, adopted as amended the Commission's Resolutions delegating authority to perform certain functions to the Chairman/Chief Executive Officer, and Director of Regulatory Affairs; and readopted the Commission's Resolutions delegating authority to perform certain functions to the Executive Secretary, and General Counsel of the Casino Control Commission, pursuant to N.J.A.C. 19:40-2.5(a). (Ruling numbers 17-01-11-11-A, 17-01-11-11-B, 17-01-11-11-C, 17-01-11-11-D; transcript pages 24-30).

12. Petition of 500 Broadway, LLC for Declaratory Ruling Under N.J.S.A. 5:12-82, seeking a determination from the Commission that the Petitioner is not required to obtain a casino license or a casino service industry enterprise license.

The Commission deferred consideration on the relief requested in the petition, due to the untimely filing of an executed amended Lease Agreement. The Commission elected to address the Evidentiary/Relevancy issues, regarding the proposed documents that 500 Broadway, LLC; and the Division of Gaming Enforcement wanted to introduce into evidence to support their respective positions.

By a vote of 3-0, convened into Executive Session with the Parties to consider the admissibility and/or relevance of the proposed introduction of twenty-three documents in the matter of the Petition of 500 Broadway, LLC for Declaratory Ruling Under N.J.S.A. 5:12-82.

The Commission reconvened the Public Meeting and a recess was taken at 12:53 p.m. The Commission resumed the meeting at 3:13 and rendered a decision from the Executive Session.

By a vote of 3-0, adopted the proposed Order Number 17-01-11-12, for the reasons expressed therein, and Ordered that the documents pre-marked as exhibits D2, D3, D4 and D5 and all references to these documents or their contents, are not relevant to the matter before the Commission and are not subject to admission in this matter.

Further Ordered that the documents pre-marked as exhibits D1, D6, D7, D8 may be introduced for admission, but shall be subject to the sealing and conditions, as specified in the Order. The document Pre-marked as exhibit P1, with the consent of the parties shall be admissible in its entirety.

Further Ordered that the documents pre-marked as exhibits D9(a), D9(b), D9(c), D9(e), D9(f), D9(g), D9(h), D9(i), D9(j), D9(k), D9(l), D9(m), D9(n), D9(o), shall be sealed, pending the decision of the Casino Control Commission in the underlying petition of 500 Broadway, LLC for Declaratory Ruling Under N.J.S.A. 5:12-82. At which time, The Division of Gaming Enforcement reserves its right to move to unseal these documents.

All subject to the conditions and to the extent set forth in the Order (Ruling number 17-01-11-12; transcript pages 30-51)

In accordance with Resolution No. 16-12-07-03, the next closed session of the Commission shall be held on Wednesday, February 8, 2017 at 9:30 a.m. in the Commission Offices (transcript page 51).

There being no members of the public to address the Commission, the meeting adjourned at 3:22 p.m.

*Lists of individuals acted upon at this meeting have been documented by exhibit number. Commission rulings are documented in orders or resolutions. These lists, rulings and official transcripts are available for public review at the Commission offices located at the corner of Tennessee Avenue and the Boardwalk, Atlantic City, New Jersey.

These minutes remain subject to amendment until such time as they are formally ratified by the New Jersey Casino Control Commission.

CERTIFICATION

I, Dianna W. Fauntleroy, Executive Secretary of the New Jersey Casino Control Commission, DO HEREBY CERTIFY that the foregoing Minutes of the Open Session conducted on January 11, 2017, are true and correct.


Dianna W. Fauntleroy, Esq.
Executive Secretary