

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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IN RE: VALLEY FORGE CONVENTION CENTER PARTNERS, LP -
PETITION FOR APPROVAL OF REVISED MASTER SITE PLAN

* * * * *

PUBLIC HEARING

BEFORE: GREGORY C. FAJT, CHAIRMAN
Raymond S. Angeli, James B. Ginty,
Keith R. McCall, Anthony C. Moscato,
Gary A. Sojka, Kenneth I. Trujillo; Members
Christopher Craig, Representing Robert M.
McCord, State Treasurer
Robert Coyne, Representing Daniel P.
Meuser, Secretary of Revenue
Daniel Tufano, Representing George Greig,
Secretary of Agriculture

HEARING: Thursday, April 28, 2011
11:00 a.m.

LOCATION: Hearing Room One
North Office Building
401 North Street
Harrisburg, PA 17120

WITNESSES: Saverio Scheri

Reporter: Cynthia Piro Simpson

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CHAIRMAN:

Let's move directly into your second petition. I see that you do have somebody with you, and I'm going to assume ---. I thought I saw you standing earlier. You were sworn in as a non-lawyer? Okay. Great. And then, obviously, before you begin, you'll state your name and spell it for the stenographer, and with that, we'll move into the second matter regarding Valley Forge.

ATTORNEY HAYES:

Chairman Fajt, members of the Board, good morning. My name is Kevin Hayes, H-A-Y-E-S, of the law firm Doherty Hayes. I'm here on behalf of Valley Forge Convention Center Partners, an entity which was approved by this Board for a Category 3 Slot Operator License in April of 2009. I'd like to thank you for the opportunity to appear before you today. Seated to my right is Mr. Sal Scheri, the newly appointed president and Chief Executive Officer of Valley Forge Convention Center Partners.

In addition to our chairman, Mr. Lubert and Mr. Landman from CMS, we also have another principal here today from Valley Forge Convention

1 Center Partners, Mr. Ken Kochenour, and we also have
2 our architect, Stephen Varenhorst, of the Philadelphia
3 based architectural firm Stephen Varenhorst
4 Associates, who has been retained by Valley Forge
5 Convention Center Partners in designing its gaming
6 facility. We are here today regarding Valley Forge's
7 petition for approval of its revised master site plan,
8 which was filed with this Board on or about June 16th,
9 2010.

10 Before I begin describing the features of
11 this revised facility, like my colleague, Attorney
12 King, I understand that there are four commissioners
13 who were appointed to this Board after Valley Forge
14 was approved for licensure back in April of 2009. As
15 such, I would like to provide a very brief overview of
16 the existing Valley Forge Convention Center Complex,
17 which is located in Upper Merion Township, Montgomery
18 County.

19 As you may know, Valley Forge Convention
20 Center is situated in an optimum location. It is a
21 20-minute drive from downtown Philadelphia and the
22 Philadelphia International Airport. It is about a
23 five-minute drive from King of Prussia's mall, one of
24 the nation's largest retail facilities. Valley Forge
25 Convention Center complex is easily accessible to all

1 major highways in the region, including Interstates
2 476, 76, the Pennsylvania Turnpike and State Routes
3 422 and 202.

4 Valley Forge Convention Center is a
5 massive 850,000 square foot facility featuring two
6 hotels, 108 square feet of meeting convention and
7 special space, three full service restaurants, two
8 major entertainment facilities, a fitness center and a
9 swimming pool. As part of this --- its initial
10 application, Valley Forge Convention Center Partners
11 submitted a proposed site plan which would place their
12 casino on the concourse or lower level of the
13 convention center.

14 At that time, when this design was made
15 and submission was made to this Board, Category 3
16 Licensees were limited to operating a total of 500
17 slot machines and no table games. As such, the
18 initial site plan included approximately 1 --- or
19 18,000 square foot gaming floor, where the 500 slot
20 machines would be placed.

21 With the passage of Senate Bill 711 and
22 the enactment of Act 1 of 2010, which authorized
23 Category 3 facilities to operate a total of 600 slot
24 machines and 50 table games, Valley Forge Convention
25 Center Partners went back to the drawing board in

1 order to design a casino which would accommodate this
2 increase in slot machines and the addition of table
3 games. With that objective, Valley Forge has
4 submitted a proposal for the Board's consideration
5 which would convert the main floor of the convention
6 center facility into its casino.

7 The revised site plan, which has been
8 designed by Stephen Varenhorst Architects and
9 designated as OP-2, calls for an increase in the size
10 and scope of the gaming area within the Valley Forge
11 Convention Center Complex. To take you through the
12 main features of the revised master site plan, I would
13 like to turn it over to Mr. Sal Scheri, who was
14 appointed to the position of president and Chief
15 Executive Officer on April 4th, 2011.

16 Prior to accepting this position, Mr.
17 Scheri served as Managing Director of WhiteSand
18 Consulting, where he was responsible for managing
19 consulting services for many of the world's premier
20 gaming companies. In fact, Mr. Scheri and WhiteSand
21 Consulting were retained by Mohegan Sun at Pocono
22 Downs to assist that Pennsylvania Licensee in their
23 November 2006 opening.

24 Recently, Mr. Scheri served as the
25 president and general manager of Morongo Casino in

1 California. Mr. Scheri previously served as Director
2 of the Gaming Consulting Practice for
3 PricewaterhouseCoopers and the National Director of
4 Gaming Practice for KPMG Peat Marwick. I'll now turn
5 it over to Mr. Scheri.

6 MR. SCHERI:

7 Thank you, Counsel. For the record, it's
8 Saverio, S-A-V-E-R-I-O, Scheri, S-C-H-E-R-I. Mr.
9 Chairman and members of the Board, I wanted to begin
10 by thanking you for the opportunity to appear before
11 you today. I am very much looking forward to working
12 with you and your staff in the coming year as we
13 prepare for an opening of the Commonwealth's first
14 resort casino.

15 I am familiar with members of your staff
16 from my work at Mohegan Sun at Pocono Downs opening,
17 and have recently met with members of your Gaming
18 Operations and Casino Compliance staff to review the
19 proposed site plans and discuss our joint objectives
20 for the casino's opening. I've been very impressed
21 with your knowledge, professionalism and willingness
22 to provide guidance regarding the Board's rules and
23 regulations.

24 As demonstrated earlier, the revised site
25 plan before you today is an upgrade in every respect

1 from what was initially pledged by Valley Forge. The
2 main convention center level features 16-foot ceilings
3 with five 30-foot high ceiling coffers which measure
4 40 feet in width and 75 feet in length. These coffers
5 will be equipped with various lighting displays that
6 will create an exciting venue for our gaming patrons.

7 The main level of the convention center
8 provides greater access to the parking facility, as
9 well as the non-gaming amenities at the hotel resort
10 complex. The revised site plan calls for a gaming
11 floor of nearly 33,000 square feet with a 3,400 square
12 foot food court and 130-seat dining area. In
13 addition, there is 1,340 square feet in retail space
14 and a 2,200 square foot multiple purpose room for
15 special events.

16 There are three points of entry into the
17 casino. There is a main valet entrance through a
18 newly constructed porte cochere, there is a convention
19 center parking lot entrance, and lastly, there is a
20 point of entry that will be accessible to guests of
21 both hotels and patrons of the nightclub, the
22 Waterford Room, Chumley's Steakhouse and Sports Bar,
23 Café Soleil and our other non-gaming amenities within
24 the resort hotel complex.

25 CHAIRMAN:

1 Mr. Scheri, I just ---. I'm looking at
2 the display there. We can't really tell ---. You
3 can't read this. Point out, you know, where the porte
4 cochere is, where the point of entries are and where
5 the steakhouse is.

6 MR. SCHERI:

7 Yeah. Do you mind if I come up?

8 CHAIRMAN:

9 No, not at all.

10 MR. SCHERI:

11 I have a little laser pointer here. I'll
12 try to use this on the screen for you. Can everyone
13 see this monitor? Now, here. Switch those lights
14 right off. I'll do my best to describe it to you. At
15 the lower portion of the diagram, you'll notice some
16 cars. That would be the porte cochere main entrance
17 and valet drop-off area. To the upper left side is
18 what we would consider our self-parking and main
19 convention area entrance.

20 CHAIRMAN:

21 So that's the green area --- would be
22 your main entrance, here?

23 MR. SCHERI:

24 Correct; the upper corner of that green
25 area, yes, sir. Now, to the right there's another

1 small green area that's wedged kind of ---

2 CHAIRMAN:

3 Uh-huh (yes).

4 MR. SCHERI:

5 --- in between the yellow and blue area?

6 CHAIRMAN:

7 Yeah.

8 MR. SCHERI:

9 That would be the access from the resort,
10 the resort complex and our other non-gaming amenities.

11 CHAIRMAN:

12 So that's your second access area, the
13 porte cochere ---?

14 MR. SCHERI:

15 Actually, that's our third. That's our
16 third. We have three.

17 CHAIRMAN:

18 And where's the second one? I missed
19 that.

20 MR. SCHERI:

21 That's the second self-park, the upper
22 green area, and the first is the lower green area with
23 the other cars located in front of it; okay?

24 CHAIRMAN:

25 And I see that, and I don't mean to ---

1 MR. SCHERI:

2 Not a problem.

3 CHAIRMAN:

4 --- be dense here. I see the porte
5 cochere, obviously. That's an entrance area. I see
6 that wedge area up in the right. Where is the
7 entrance area in the large green ---?

8 MR. SCHERI:

9 Sure. If you look on the side, the left
10 side of it, you'll see a little bit of a break in the
11 wall.

12 CHAIRMAN:

13 Yes.

14 MR. SCHERI:

15 That's were the entrance is.

16 CHAIRMAN:

17 Thank you.

18 MR. SCHERI:

19 You're welcome.

20 CHAIRMAN:

21 Okay.

22 MR. SCHERI:

23 Now, I will be right back up to show you
24 something else. Okay. So, also, what we want to
25 highlight for you is that upon the request of Board

1 staff, the Board's Casino Compliance Office has been
2 placed in a location immediately adjacent to the
3 gaming floor and secured area surfacing the gaming
4 floor, so I'll describe that location to you.

5 You notice that --- the wedge green
6 entrance? Okay. Now look up a little bit on the
7 floor, the casino floor, and there is an office area
8 in the --- kind of that yellow.

9 CHAIRMAN:

10 Uh-huh (yes).

11 MR. SCHERI:

12 That's the new office location for the
13 Gaming --- the control.

14 CHAIRMAN:

15 State Police are in there, too?

16 MR. SCHERI:

17 Yes, sir.

18 CHAIRMAN:

19 Okay.

20 ATTORNEY HAYES:

21 Oh, I'm sorry. At this time the State
22 Police are ---. There's a mezzanine level directly
23 above. It would be one stairwell above the cage
24 accountability and the PGCB offices, where they're
25 situated. Both locations, both offices are --- have a

1 direct exit to the --- where the armored car pickup
2 is, which is directly behind the cage in the count
3 room.

4 And their parking spots are directly
5 behind there, as well, there's an exit right in the
6 back there, where the ---. The top of the yellow is
7 where the armored car pickup would be, where their
8 parking spots would be, so they would be one flight
9 above the PGCB offices.

10 CHAIRMAN:

11 The PGCB offices open right onto the
12 gaming floor?

13 ATTORNEY HAYES:

14 Right on the gaming floor.

15 CHAIRMAN:

16 PSP does not?

17 ATTORNEY HAYES:

18 No.

19 CHAIRMAN:

20 Oh, okay.

21 MR. SCHERI:

22 This slide shows a rendering of the
23 interior of the casino from the viewpoint of the main
24 valet entrance to the casino. As you can see, there's
25 a permanent 42-inch rail barrier which will surround

1 the gaming floor and restricts access to the three
2 points of entry. In addition, you can see the
3 lighting and other interior design features, which
4 have been developed by the gaming premier interior
5 designer.

6 This slide provides a rendering of the
7 casino's interior from the viewpoint of the convention
8 center parking lot. And you will note that the
9 dramatic lighting and higher ceilings, wide aisles
10 that create a comfortable space for the gaming space
11 for the patrons. And again, these are conceptual
12 drawings.

13 This slide provides a rendering of the
14 porte cochere featured in the main valet area, and
15 again, these are conceptual drawings. And this slide
16 gives a --- gives you a perspective of where the
17 casino will be situated with respect to the entire
18 Valley Forge complex. To the right you can see the
19 Radisson Hotel tower, and where it's situated in
20 relation to the entrance of the porte cochere. I'll
21 now turn it back to Kevin.

22 ATTORNEY HAYES:

23 Mr. Chairman and members of the Board, I
24 must tell you for the past several years, Valley Forge
25 has been in very active communications with officials

1 from Upper Merion Township. To date, Valley Forge has
2 obtained approval of a minor land development plan, a
3 demolition permit and entered into a sewer capacity
4 agreement with the Township.

5 While Valley Forge was awaiting the
6 decision and the appeal pending before the
7 Pennsylvania Supreme Court, that demolition permit
8 expired. However, with the approval of this revised
9 master site plan petition and the petition for
10 corporate restructuring, which will allow for Valley
11 Forge to close on its financing, Valley Forge will
12 seek a re-issuance of the demolition permit, as well
13 as a final building permit.

14 Once in possession of the final building
15 permit from Upper Merion Township, Valley Forge
16 anticipates a ten-month --- a ten to twelve-month
17 construction period. If everything proceeds according
18 to current plans, we anticipate an opening in the
19 spring of 2012.

20 In designing the revised master site plan
21 before you today, Valley Forge and its consultants
22 gave great consideration to the fact that access to
23 this --- to the gaming floor would be limited to one,
24 overnight guests of the hotel; two, patrons of non-
25 gaming amenities of the resort complex; and three,

1 members and their guests of Board-approved reserved
2 memberships. In order to address these restrictions
3 with regard to accessing the gaming floor, the design
4 has the following features. One, three controlled
5 access points to the floor; two, a 42-inch rail
6 surrounding the gaming floor; and three, the placement
7 of customer service desks at both of the casino's main
8 entrances.

9 At this time Valley Forge is working
10 diligently to develop an access plan for its Category
11 3 facility. Once this plan has been fully developed,
12 we will be back before this Board for your approval.
13 Again, I would like to thank the Board and their staff
14 for their thoughtful consideration of this petition
15 and respectfully submit that it meet your approval.
16 At this time, we would be happy to answer any
17 questions you might have. I only ask that our
18 presentation be submitted --- offered and submitted as
19 an exhibit to our presentation.

20 CHAIRMAN:

21 Fine. We will submit that into the
22 record. Does OEC have any questions?

23 ATTORNEY DALE MILLER:

24 No, we don't have any questions, Mr.
25 Chairman, but we would like an opportunity to address

1 our objections of record at the conclusion of Board
2 questioning.

3 CHAIRMAN:

4 Okay. And I assume you have no
5 presentation?

6 ATTORNEY DALE MILLER:

7 We do not.

8 CHAIRMAN:

9 Okay. Thank you. With that, questions
10 from the Board? Commissioner Angeli.

11 MR. ANGELI:

12 The 42-inch fence or whatever going
13 around, I'm sure that's a fire code adjusted thing, in
14 case ---. You only have three entrances and exits.
15 What happens if there's an emergency?

16 ATTORNEY HAYES:

17 To put it in perspective, it's akin to
18 what Mohegan Sun at Pocono Downs has, if you've seen
19 that rail. I can tell you that our design ---.

20 MR. ANGELI:

21 They have more exit points.

22 ATTORNEY HAYES:

23 Right. They do; that's correct. Our
24 design team has been in active discussions with the
25 fire marshal of Upper Merion Township with regard to

1 the design and his approvals over that. So that issue
2 was raised, and we'll certainly have to address it.
3 But we have been in ongoing and continuous discussion
4 with the fire marshal of Upper Merion Township
5 regarding the design.

6 MR. ANGELI:

7 Okay. Thank you.

8 CHAIRMAN:

9 Commissioner Sojka?

10 MR. SOJKA:

11 Yeah, just very generally. The three
12 entrances, two of them have customer service.

13 ATTORNEY HAYES:

14 Yes.

15 MR. SOJKA:

16 One is from the porte cochere, the
17 other's from the parking lot. The third one, then,
18 which is from the hotel ---

19 ATTORNEY HAYES:

20 Right.

21 MR. SOJKA:

22 --- customer service there is handled by
23 the hotel people, I assume?

24 ATTORNEY HAYES:

25 Presumably, that would be the case.

1 MR. SOJKA:

2 Does that suggest, then, that you suspect
3 that the vast majority of people who will gain
4 entrance to the gaming floor because they hold some
5 kind of membership card are going to come through
6 those first two?

7 ATTORNEY HAYES:

8 Right.

9 MR. SOJKA:

10 And you don't expect any of those people,
11 probably, coming through the hotel lobby?

12 ATTORNEY HAYES:

13 Correct. We would anticipate the vast
14 majority of patrons to come through the --- what we're
15 referring to as the convention center exit --- or
16 entrance, which is really our parking lot and shuttle
17 entrance, which is --- we've denoted in the green
18 area, with a secondary --- secondarily, the main porte
19 cochere entrance. The reason that we have an
20 additional entrance would be for guests of the
21 Radisson Hotel who are allowed unfettered access to
22 the floor during the duration of their stay there.

23 They would not have to walk outside the
24 facility and come in. They would have some sort of
25 card that would signify that they have --- they are

1 allowed access to the floor.

2 MR. SOJKA:

3 Okay.

4 ATTORNEY HAYES:

5 And Sal can certainly ---.

6 MR. SCHERI:

7 If I say both our folks that are
8 attending a meeting or a convention in the lower level
9 underneath the casino, would have access from either
10 valet or the parking lot. And they would be able to
11 access the convention without necessarily going into
12 the casino because of the control points.

13 MR. SOJKA:

14 That's good. Thank you. And I know I'm
15 ahead of myself on this, because we're not down to
16 operations yet, but let's get it on the record right
17 off the bat. If you're in the neighborhood and you
18 have self parking, we would certainly like you to be
19 giving some serious thought to signage, patrols and
20 everything else. Let's not go to unattended children
21 cars right off the bat at what is a resort casino.

22 ATTORNEY HAYES:

23 Thank you, Commissioner.

24 MR. SOJKA:

25 Thank you.

1 CHAIRMAN:

2 Okay. Questions? Other questions?

3 ATTORNEY CRAIG:

4 Yes, Commissioner.

5 CHAIRMAN:

6 Mr. Craig?

7 ATTORNEY CRAIG:

8 Just real quick. And people began to
9 touch on it. I'd like to ask a couple questions about
10 the point of entrances, because this is a different
11 type of casino in which the patrons are reviewed as to
12 whether or not they can have access, according to the
13 Act.

14 Is there going to be, beyond the one and
15 a rail around it --- is there going to be some sort of
16 a, just for lack of a better word, a checkpoint or
17 assessment that before a person walks onto the gaming
18 floor, an employee has said this person may have
19 access to it or not? I mean it wasn't terribly clear
20 to me.

21 MR. SCHERI:

22 And thank you. Or that's a great
23 question. This is something that we are exploring and
24 working to understand the Act and what will be
25 required and how we can, you know, implement that Act

1 appropriately. We're working with a number of
2 consultants to understand the process, the human
3 traffic flow, the technology, various aspects. We
4 anticipate that there will be a few individuals there
5 to assist and verify that patrons are eligible to
6 access the gaming floor.

7 ATTORNEY CRAIG:

8 I guess more of a procedural question.
9 When you make that determination, is that going to be
10 part of this presentation and request, or do you
11 anticipate putting that as part of the filing that
12 would be made as to how we define patron and ---?

13 ATTORNEY HAYES:

14 Attorney Craig, if I may, we anticipate a
15 full petition which outlines all of our proposals with
16 regard to the access plan, which is in conformance
17 with 1305 of the Act and the regulations thereunder.
18 Because it is a new issue and it is a significant
19 issue, I'm sure that it's going to take, you know,
20 lots of work on behalf of the staff to see if it's ---
21 if it meets the standards of the Act, and that will be
22 ---. We anticipate that would be a separate issue.

23 ATTORNEY CRAIG:

24 And your plan has enough flexibility to
25 accommodate ---

1 ATTORNEY HAYES:

2 Right.

3 ATTORNEY CRAIG:

4 --- whatever this Board may decide in
5 terms of how individuals get --- have access and ---.

6 ATTORNEY HAYES:

7 That's correct.

8 ATTORNEY CRAIG:

9 Okay. Thanks.

10 CHAIRMAN:

11 Thank you. Commissioner Ginty?

12 MR. GINTY:

13 I thought when we approved Valley Forge's
14 application that included approving a plan with
15 respect to limited access issues. Am I mistaken?

16 ATTORNEY HAYES:

17 No, you're correct, Commissioner Ginty,
18 that there was a plan, but it was very general at that
19 time before the membership option would be available.
20 It predated Senate Bill 711 and it was really in its
21 --- I would say in its concept form.

22 We anticipate that with staff there's
23 going to be a lot of dialogue as to what is going to
24 be further --- really, what's going to be acceptable.
25 And we will build on that. Maybe we will phrase it as

1 a revised --- just as we did, as a revised gaming
2 amenity plan --- or access plan.

3 CHAIRMAN:

4 Let me try to address that. We will have
5 the opportunity to sign off on the final amenities
6 plan. It will be offered as a separate petition,
7 separate hearing, and we will have the ability to vote
8 on that, ask questions at that point. Any other
9 questions? Okay. That concludes this hearing. I'm
10 sorry, Mr. Miller. You wanted to make one more
11 statement?

12 ATTORNEY DALE MILLER:

13 Yes, I do, Mr. Chairman. I appreciate
14 that. When this petition was filed, the OEC responded
15 and objected to the petition at that time for a number
16 of reasons, one of which was, again, that Valley Forge
17 didn't have a license. It had not been approved by
18 the Supreme Court. Based on the circumstances that
19 have transpired since the filing of the petition and
20 the presentation today, we withdraw our objections to
21 the petition.

22 However, should the Board decide to grant
23 the petition and approve this new plan, we do
24 recommend several conditions to be attached to that
25 order. We've already submitted those --- the

1 conditions to Valley Forge and to Chief Counsel's
2 office and have a basic agreement on those conditions,
3 and we will ask that Chief Counsel submit those to the
4 Board before a final order is issued.

5 CHAIRMAN:

6 Thank you. Any other comments from you,
7 Mr. Hayes?

8 ATTORNEY HAYES:

9 No, Chairman. My understanding of the
10 conditions that are basically involved, that we comply
11 with all of our --- the conditions which we signed as
12 part of our statement of conditions, and we would, you
13 know, obtain the requisite approvals from the Board
14 with regard to table game certificate and that we
15 would obtain all necessary approvals from the local
16 municipality.

17 CHAIRMAN:

18 Okay.

19 ATTORNEY DALE MILLER:

20 Well, I don't really want to read all the
21 conditions, but one of them, as long as we're on it
22 --- one of them is going to require Valley Forge to
23 produce within 30 days of the order a timeline of the
24 scheduled construction of the proposed facility. Now,
25 they've stated that they anticipate having it open

1 sometime in the spring of 2012, and we'd like them to
2 provide a more detailed timeline and schedule so that
3 we can safely monitor that construction and can ensure
4 that it goes according to plan.

5 ATTORNEY HAYES:

6 And we do not oppose that condition at
7 all.

8 CHAIRMAN:

9 Okay. Thank you. With that we will
10 conclude this matter. Thank you very much.

11 * * * * *

12 HEARING CONCLUDED AT 11:20 A.M.

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CERTIFICATE

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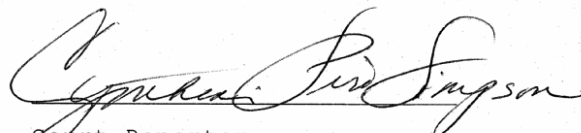
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I hereby certify that the foregoing
proceedings, hearing held before Chairman Fajt, was
reported by me on 04/28/2011 and that I Cynthia Piro
Simpson read this transcript and that I attest that
this transcript is a true and accurate record of the
proceeding.


Court Reporter