



## PENNSYLVANIA GAMING CONTROL BOARD

### Meeting of the Board November 13, 2008 Minutes

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A meeting of the Pennsylvania Gaming Control Board was held on November 13, 2008 in the Public Utility Commission – Keystone Building, Hearing Room 1, Harrisburg, PA. The meeting began at 12:30 p.m.

***Members in attendance were:***

Mary DiGiacomo Colins, Chairman  
Raymond S. Angeli  
Jeffrey W. Coy  
James B. Ginty  
Kenneth T. McCabe  
Sanford Rivers  
Gary A. Sojka

***Ex-officio Members in attendance:***

Keith Welks, ex officio designee of Honorable Robin Wiessmann, State Treasurer  
Stacie Amsler attending on behalf of Honorable Thomas Wolf, Secretary of Revenue

***Individuals who appeared officially before the Board:***

Frank Donaghue – agency update  
Eileen McNulty – agency financial report, new hires, executive search  
Doug Sherman – employee withdrawals  
Steve Cook – report and recommendations  
Susan Hensel – licensing matters  
Cyrus Pitre – consent agreements, revocations and suspensions  
Dustin Miller – consent agreements, revocations and suspensions  
Kathleen Higgins – revocations and suspensions  
Marie Jones, Esquire – WTA Petition, WMS Gaming Inc., consent agreement  
Kevin Hayes, Esquire – Joe Petry, report and recommendation  
Mark Stewart, Esquire – Bally Gaming, consent agreement  
Marianne Oliver, Esquire – International Union of Operation Engineers Local 95  
Petition  
Jermaine Walker – applicant, report and recommendation

A quorum of the Board being present, Chairman Colins called the meeting to order.

## **ANNOUNCEMENTS**

Chairman Colins announced that the Board held an Executive session prior to the meeting to discuss personnel issues, privileged and confidential Agency business, to consult with Counsel and other professional advisors to the Board concerning any current litigation.

## **EXECUTIVE DIRECTOR'S REPORT**

Frank Donaghue, Acting Executive Director, provided an update on the seven (7) casinos currently in operation and the revenues generated for the Commonwealth of Pennsylvania.

## **CHIEF FINANCIAL OFFICER AND ADMINISTRATION**

### **PGCB MOTION NO. 2008-249 HR – Employment – 11/13/08**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

#### New Hires:

Joseph Dougherty, BIE East, Investigator  
Rudolph Braxton, BIE East, Investigator  
Ronald Zabroski, Penn National, Casino Compliance Representative

Resolved, the Board hereby approves the hiring of the above candidates for employment.

Board Decision: Passed by unanimous vote

### **PGCB MOTION NO. 2008-250 CFO – RFP for Executive Search Services – 11/13/08**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

Resolved, the Board hereby approves the issuance of Request for Proposals seeking Executive Search Services on an ongoing basis.

Board Decision: Passed by unanimous vote

## **OFFICE OF CHIEF COUNSEL**

### **PGCB MOTION NO. 2008-251 OCC – Washington Trotting Association Petition – 11/13/08**

Motion Made: Board Member McCabe  
Seconded: Board Member Coy

Resolved, the Board hereby issues an Order approving the Washington Trotting Association Petition seeking Determination that the iTrack System is not a Slot Computer System.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-252 OCC – Washington Trotting Association Petition**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby issues an Order to deny the Washington Trotting Association Petition for approval of an Agreement with Sprung Instant Structure.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-253 OCC – Mount Airy #1, LLC Petition**

Motion Made: Board Member Coy  
Seconded: Board Member Ginty

Resolved, the Board hereby issues an Order to approve the Mount Airy #1, LLC Petition to Amend its Gaming Floor Plan.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-254 OCC – International Union of Operating Engineers Local 95 Training Fund Petition**

Motion Made: Board Member Angeli  
Seconded: Board Member Ginty

Resolved, the Board hereby issues an Order to approve the Petition for Use of Slot Machines by International Union of Operating Engineers Local 95 Training Fund.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-255 OCC – Employee Withdrawal of Applications**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

Resolved, the Board hereby issues Orders approving the withdrawal without prejudice, of the following applications:

Leonard DeAngelo	Licensing No. 1336;	PGCB Doc No. 42360
John Dombrowski	Licensing No. 21805	PGCB Doc No. 42487
Wendy Kasche	Licensing No. 1407;	PGCB Doc No. 42372
Louis Nicastro	Licensing No. 1125;	PGCB Doc No. 42529
Paul Oneile	Licensing No. 1193;	PGCB Doc No. 42530
Timothy John Parrott	Licensing No. 1957;	PGCB Doc No. 42394
Stephanie Sammons	Licensing No. 25241;	PGCB Doc No. 42538
Alan Steelman	Licensing No. 1225;	PGCB Doc No. 42530
Jon P. Wade	Licensing No. 4233-3;	PGCB Doc No. 42398
Jon P. Wade	Licensing No. 4233-2;	PGCB Doc No. 42378
Cyberview Technology, Inc.	Licensing No. 2230;	PGCB Doc No. 42085

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Jean Marie Gatto	Licensing No. 2210;	PGCB Doc No. 42086
Seamus McGill	Licensing No. 1123;	PGCB Doc No. 42087
Sylvia Linard	Licensing No. 2220;	PGCB Doc No. 42088
Mark Anthony Nanovich	Licensing No. 2221;	PGCB Doc No. 42089
Sir Michael John Wilkes	Licensing No. 2200;	PGCB Doc No. 42090
Larry Jean Woolf	Licensing No. 2223-1;	PGCB Doc No. 42091
Pierre Jean Louis Maurice Beney	Licensing No. 2383;	PGCB Doc No. 42092
Charles Todd Elsasser	Licensing No. 2415;	PGCB Doc No. 42093
Lehman Brothers International	Licensing No. 20560;	PGCB Doc No. 42094
Societe Generale Asset Mgmt	Licensing No. 20561;	PGCB Doc No. 42095
Northam Investments, LLC	Licensing No. 2235;	PGCB Doc No. 42096
Yanchep Investments, LLC	Licensing No. 2233;	PGCB Doc No. 42097
PDS Gaming Corporation	Licensing No. 26457;	PGCB Doc No. 42370
The Finley Family Trust	Licensing No. 26861;	PGCB Doc No. 42364
PDS Holding Co., Inc.	Licensing No. 2246;	PGCB Doc No. 42363
Johan Finley	Licensing No. 2256;	PGCB Doc No. 42365
Peter Douglas Cleary	Licensing No. 2270;	PGCB Doc No. 42366
Lona Mae Finley	Licensing No. 2273;	PGCB Doc No. 42367
Jess M. Ravich	Licensing No. 26463;	PGCB Doc No. 42366
Richard John Laman, Sr.	Licensing No. 26860;	PGCB Doc No. 42369

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-256 OCC – Denial of Gaming Employee Permit for Joe Petry**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby issues an Order to reject the Report and Recommendation of the Office of Hearings and Appeals and deny the Gaming Employee Permit for Joe Petry, OHA Docket No. 42210.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-257 OCC – Extension of Emergency Suspension for Nicole Besic**

Motion Made: Board Member McCabe  
Seconded: Board Member Rivers

Resolved, the Board hereby issues an Order to adopt the Report and Recommendation of the Office of Hearings and Appeals to extend the Emergency Suspension of the Non-Gaming Employee Registration for Nicole Besic, OHA Docket No. 42532

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-258 OCC – Denial of Non-Gaming Employee Registration for Douglas Trayham**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby issues an Order to adopt the Report and Recommendation of the Office of Hearings and Appeals to deny the Non-Gaming Employee Registration for Douglas Trayham, OHA Docket No. 42379.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-259 OCC – Denial of Non-Gaming Employee Registration for Jermaine Walker**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby issues an Order to adopt the Report and Recommendation of the Office of Hearings and Appeals to deny the Non-Gaming Employee Registration for Jermaine Walker, OHA Docket No. 42512.

Board Decision: Passed by unanimous vote

**BUREAU OF LICENSING**

**PGCB MOTION NO. 2008-260 LIC – Manufacturer License for Paltronics, Inc.**

Motion Made: Board Member Coy  
Seconded: Board Member Ginty

Resolved, the Board hereby issues an Order approving the issuance of a Manufacturer License for Paltronics, Inc.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-261 LIC – Issuance of Key Employee Licenses**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby issues an Order approving the issuance of Key Employee Licenses as follows:

Ernest Clyde Charles, Vice President of Information Technology  
Melissa Fehlinger, Cage Shift Supervisor  
Charles Scott Torman, Operations Controller  
Brian M. Pauley, Technical Shift Manager  
Sherry Salisbury, Cage Supervisor  
Jill M. Eden, Lead Slot Supervisor  
Ronald A. Rossi, Security Supervisor  
William Paul Lutz, Drop and Count Supervisor  
Charles R. Sawhill, Drop and Count Lead  
Robert William Dunn, Security Shift Manager  
Alannah J. Taylor, Slots Shift Manager  
Sarah J. Witzberger, Slots Floor Lead / Manager

Michael Keelon, Manager of Compliance  
James Henderson, Surveillance Shift Manager  
Karen E. Nickens, Assistant Security Supervisor  
Walter Alrutz, Jr., Director of Security

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-262 LIC – Gaming and Non-Gaming Permits and Registrations**

Motion Made: Board Member McCabe  
Seconded: Board Member Rivers

Resolved, the Board hereby issues Orders approving the issuance of 229 Gaming Employee Permits and 300 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-263 LIC – Denial of Gaming and Non-Gaming Employee Permits and Registrations**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

Resolved, the Board hereby issues Orders approving the denial of Gaming and Non-Gaming Employee Permits and Registrations as follows:

<u>BOL Dbase</u>	<u>Docket #</u>	<u>SLOTSLink</u>	<u>Applicant</u>
28204	G1011205		Desiree Sanders
29498	G1012131		Donna Derenick
30126	N1012555		Alberto Gonzalez
30163	N1012589		Jayne Larkin
30233	N1012601		Gary Crawford
30732	N1012850		Michael Gledhill
27477	N1011576		James Dougherty
27907	N1011154		Crystal Chestnut

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-264 LIC – Withdrawal of Applications**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby issues an Order to withdrawal 106 Gaming and 175 Non-Gaming Permits and Registration applications.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-265 LIC – Vendor Certifications**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby issues an Order approving the applications for Vendor Certification as follows:

KHS&S Contractors of NJ, Inc.  
Philip Rosenau Company, Inc.  
Purchasing Management International, LP  
Re:Source New Jersey, Inc.  
Sooo Special, Inc.  
Stewart-Amos Steel, Inc.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-266 LIC – Vendor Registration**

Motion Made: Board Member Coy  
Seconded: Board Member Ginty

Resolved, the Board hereby issues an Order approving the applications for Vendor Registrations as follows:

4028546 Canada, Inc.  
Acuity Specialty Products Group, Inc., DBA: ZEP Manufacturing Company  
American Plate Glass, Inc.  
Americhem International, Inc.  
Atlantic Fire Equipment Company, Inc.  
B and D Ventures, LLC  
Bentley Price Associates, Inc.  
Canadian Time Systems, Inc.  
Casino Data Imaging, Inc.  
Central Lewmar, LLC, DBA: Whiteman Tower  
Chef Works, Inc.  
Chevrolet 21, Inc.  
Clean Textiles Systems L.P., DBA: Clean Care  
Comdata Stored Value Solutions, Inc.  
Dan Lepore and Sons Company  
Dee's Gourmet Cheesecakes  
Dell Marketing, LP  
Express Entertainment Group, Inc.  
Graphic Controls, LLC  
Happ Controls, Inc.  
Innovative Technology and Security, LLC  
J & H Excavating Company  
J & J Leasing & Rentals, Inc. DBA: J & J Luxury Transportation  
Keil Woodworking, Inc.

Kirshenbaum Bond & Partners, LLC  
M.W. Linder Printing Corporation  
Mary Isabella Adams  
Micros P.O.S., Inc.  
Mike and Rob, Inc., DBA: South Fayette Sunoco  
Motorworld GM, Inc.  
National Business Research Institute, Inc., DBA: NBRI, Inc.  
Phatso's Bakery, LLC  
Phillips Office Products, Inc., DBA: The Phillips Group  
Plum Contracting, Inc.  
Precision Door Company, Inc.  
Premium Blend Gift Company  
R.E. Yates Electric, Inc.  
Redmond Schwartz Design, Inc.  
Robert's Oxygen Company, Inc.  
Russ Berrie U.S. Gift, Inc.  
Russell Reid Waste Hauling and Disposal Service Company, Inc.  
Samian Sales, LLC  
Shared Technologies  
SYSCO Food Services of Philadelphia, LLC  
The Home City Ice Company, DBA: Home City Ice  
Theta Works, DBA: Design Works  
Tom Hesser Chevrolet, Inc.  
TRI-BIZ, LLC, DBA: Tech Results  
Victory Security Agency, Inc.  
William A. Fraser, Inc., DBA: Fraser Advanced Information Systems  
William Rosenstein & Sons Company  
World Wide Concessions, Inc.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-267 LIC – Prohibited Vendor List**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby issues Orders approving the additional vendors to the Prohibited Vendor List as follows:

Elite Audio, LLC  
Fire Farm Incorporated  
Ganz USA, LLC  
NetVersant-Philadelphia, Inc.  
Slabb Corp.

Board Decision: Passed by unanimous vote

**OFFICE OF ENFORCEMENT COUNSEL**

**PGCB MOTION NO 2008-268 OEC – WMS Gaming, Inc. Consent Agreement**

Motion Made: Board Member McCabe  
Seconded: Board Member Rivers

Resolved, the Board hereby approves the Consent Agreement between the Bureau of Investigation and Enforcement and WMS Gaming, Inc., National Amusements, Inc. and Sumner Redstone. In accordance with the terms of the Consent Agreement, policies shall be immediately instituted to provide training, guidance, and reinforcement to their employees to minimize the late filing of applications. National Amusements, Inc. and Sumner Redstone shall pay \$7,800.00 to the Pennsylvania Gaming Control Board, which represents a fine of \$200.00 per day for each day the applications were filed late.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO 2008-269 OEC – Bally Gaming Consent Agreement**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

Resolved, the Board hereby approves the Consent Agreement between the Bureau of Investigation and Enforcement and Bally Gaming. In accordance with the terms of the Consent Agreement, Bally Gaming policies shall be immediately instituted to provide training, guidance, and reinforcement to their employees to minimize the late filing of applications. Bally Gaming shall pay a total of \$8,200.00 to the Pennsylvania Gaming Control Board, which represents a fine of \$200.00 per day for each day the application was late.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-270 OEC – Revocation of Non-Gaming Employee Registration for Margaret Formica**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby issues an Order to revoke the Non-Gaming Employee Registration for Margaret Formica, OHA Docket No. 42338.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-271 OEC – Revocation of Non-Gaming Employee Registration for Lesly Malebranche**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby issues an Order to revoke the Non-Gaming Employee Registration for Lesly Malebranche, OHA Docket No. 42165.

Board Decision:        Passed by unanimous vote

**ADJOURNMENT**

There being no further business before the Board, Commissioner Angeli motioned to adjourn, Commissioner Coy seconded the motion.