



## PENNSYLVANIA GAMING CONTROL BOARD

### Meeting of the Board December 2, 2008 Minutes

---

A meeting of the Pennsylvania Gaming Control Board was held on December 2, 2008 in the North Office Building, Hearing Room 1, Harrisburg, PA. The meeting began at 11:00 a.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 Stephen Stetler, Secretary of Revenue

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

Frank Donaghue – agency update  
Eileen McNulty – new hires  
Stacey Knavel – local law enforcement grants  
Richard Sandusky - regulations  
Doug Sherman – petitions, employee withdrawals  
Steve Cook – report and recommendations  
Susan Hensel – licensing matters  
Sean Hannon – licensing matters  
Paul Mauro – BIE, licensing matters  
Cyrus Pitre – consent agreements  
Dale Miller – consent agreement  
Dustin Miller – consent agreement  
Tom Bonner – Greenwood Gaming and Entertainment, Inc.  
Robert Orlando – TDN Money Systems

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 on December 1 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**

Acting Executive Director, Frank Donaghue, provided an update of revenue trends at Pennsylvania slots casinos and reported that he will continue to provide revenue numbers not only at public meetings, but through the Agency's web site. Mr. Donaghue reported that the Pennsylvania casino market is still maturing and, because of that, it is believed to be too early to draw any concrete conclusions from the figures reported.

A number of factors affecting revenue figures in Pennsylvania are due to its unique position as a start up gaming industry which would not affect other gaming jurisdictions. These factors are keeping Pennsylvania's revenue figures steady...and even growing, contrary to what is being reported in more mature jurisdictions. The growth figures Mr. Donaghue referred to are comparing the facilities operating in November of 2007 to the same ones operating in November 2008. In this case, it would be six casinos.

In comparing November of last year and November of this year, Gross Terminal Revenue from slot gaming increases 12.9% or \$101.6 million last year compared to \$114.7 million this year. This year's number was produced with an average of 14,276 slot machines, about 1,570 more than were operating in November of last year.

Mr. Donaghue also noted that the creation and public posting of the Board's Vision and Mission Statements on our web site were created by reaching out across our agency, and the outcome effectively provides the PGCB with high-level guidance on where we are heading in our role of regulating legalized gaming in Pennsylvania.

### **The Vision Statement is as follows:**

*The goal of the Pennsylvania Gaming Control Board is to be the premier gaming regulator in the United States, maintaining and enhancing public trust with honesty, integrity and credibility.*

### **The Mission Statement is as follows:**

*The Pennsylvania Gaming Control Board, guided by the Gaming Act and supported by a dedicated professional staff, will protect the interest of the public by ensuring the integrity of legalized gaming through the strict enforcement of the law and regulations, the licensing of qualified individuals and entities, and fulfilling the objectives of limited gaming in the Commonwealth to deliver a significant source of revenue, assist the horse racing industry, provide broad economic opportunities and enhance tourism.*

## **PGCB RESOLUTION NO. 2008-6 BIE – David Kwait Resolution**

Motion Made: Board Member McCabe  
Seconded: Board Member Coy

- WHEREAS*, David Kwait was hired by the Pennsylvania Gaming Control Board on July 11, 2005; and
- WHEREAS*, David Kwait was hired as the Board's first Director for the Bureau of Investigations and Enforcement; and
- WHEREAS*, David Kwait built an investigative protocol resulting in suitability investigations of thousands of applicants; and
- WHEREAS*, David Kwait supervised 125 employees in the Bureau of Investigations and Enforcement; and
- WHEREAS*, David Kwait supervised and directed over 19,000 investigations of individuals and companies; and
- WHEREAS*, David Kwait was instrumental in the opening, to date, of seven (7) casinos in the Commonwealth of Pennsylvania; and
- WHEREAS*, David Kwait focused his time and attention to maintaining the integrity in gaming in the Commonwealth of Pennsylvania while keeping the safety of the citizens of the Commonwealth as his top priority; be it
- RESOLVED* that the Pennsylvania Gaming Control Board proudly recognizes David Kwait for his exemplary record of service and leadership and congratulates David Kwait on his retirement from the Pennsylvania Gaming Control Board and wishes him the very best in all his future

Board Decision: Passed by unanimous vote

### **CHIEF FINANCIAL OFFICER AND ADMINISTRATION**

#### **PGCB MOTION NO. 2008-272 HR – Employment**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

#### **New Hires:**

Luke Rodgers, Casino Compliance Representative, Mohegan Sun  
Michael Roland, Assistant Chief Enforcement Counsel, PGCB Harrisburg  
Vickie Schreiner, Clerical Support/Messenger, PGCB Harrisburg  
Linda Schramm, administrative Assistant, West Region BIE

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

Board Decision: Passed by unanimous vote

#### **PGCB MOTION NO. 2008-273 CFO – Local Law Enforcement Grant**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

Resolved, the Board hereby approves the 2009-10 Local Law Enforcement Grant as follows:

Philadelphia District Attorney's Office (\$250,000.00)

Board Decision: Passed by unanimous vote

**OFFICE OF CHIEF COUNSEL**

**PGCB MOTION NO. 2008-274 REG – Final-form Regulation No. 125-86**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby adopts the Final-form Regulation No. 125-86 amending Chapter 441a; and directs that the amendments be posted to the Board's website and published in the Pennsylvania Bulletin.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-275 OCC – Tishman Construction Corporation of PA Petition**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby approves the Petition submitted by Tishman Construction Corporation of PA for withdrawal of Application for Vendor Certification, OHA Docket No.42211

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-276 OCC – Tishman Construction Corporation of PA Petition**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby approves the Petition submitted by Tishman Construction Corporation of PA seeking a Protective Order.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-277 OCC – Principal and Key Employee Withdrawal of Applications**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

Resolved, the Board hereby issues Orders approving the withdrawal of Principal and Key Employee applications as follows:

Miguel Aferez           Licensing No. 25430;   PGCB Doc No. 42605  
Michael Cibroski       Licensing No. 25172   PGCB Doc No. 42606

---

Edward Ellson	Licensing No. 21760;	PGCB Doc No. 42531
Patricia L. Irvin	Licensing No. 29066;	PGCB Doc No. 42551
Carol Malmstedt	Licensing No. 1981;	PGCB Doc No. 42561
Shigeo Niwa	Licensing No. 1175;	PGCB Doc No. 42533
Bryan Strawser	Licensing No. 24252;	PGCB Doc No. 42608
John Troia	Licensing No. 24244;	PGCB Doc No. 42609
Brandon Yetter	Licensing No. 25171;	PGCB Doc No. 42610

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-278 OCC – Denial of Non-Gaming Employee Registration for Jason Canty**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby issues an Order rejecting the Report and Recommendation of the Office of Hearings and Appeals and denies the Non-Gaming Employee Registration for Jason Canty, OHA Docket No. 42553.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-279 OCC – Continuation of Emergency Suspension for Allen Gartei**

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 continue the Emergency Suspension of Non-Gaming Employee Registration for Allen Gartei, OHA Docket No. 42543.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-280 OCC – Denial of Non-Gaming Employee Registration for Debra London**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

Resolved, the Board hereby issues an Order adopting the Report and Recommendation of the Office of Hearings and Appeals to deny the Non-Gaming Employee Registration for Debra London, OHA Docket No. 42612.

Board Decision: Passed by unanimous vote

**BUREAU OF LICENSING**

**PGCB MOTION NO. 2008-281 LIC – Issuance of Key Employee Licenses**

Motion Made: Board Member Sojka

Seconded: Board Member Angeli

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

**Chester Downs and Marina, LLC**

Michael Toland, Cage Supervisor

**Downs Racing, LP**

Robert T. Zbyszeski, Cage Cashier Supervisor  
Guy A. Llewellyn, III, Director of Surveillance  
Brian P. Reynolds, Director of Operational Accounting  
Thomas Michael Brannigan, Jr., Cage Shift Manager

**Greenwood Gaming Entertainment, Inc.**

Danielle Kathleen Bateman, Director of Player Services  
Lowell Jacobsen, Director of Slot Operations  
Jennifer Jacobsen, Director of Special Projects

**Mountainview Thoroughbred Racing Association**

Marie Louise Shadle, Cage Manager  
Chy N. Stewart, Slot Shift Manager  
Joseph M. Gainer II, Slot Shift Manager  
Ronald J. Dawkins, Senior Slot Service Supervisor  
Patrice Quirk, Slot Shift Manager  
Charles V. Dissinger, Jr., Security Shift Supervisor  
Karl B. Ikerman II, Director of Security

**Presque Isle Downs, Inc.**

Denise M. Kovacs, Slot Shift Manager  
Paul R. Ketchum, Security Supervisor  
Bobby Powell, Shift Manager of Security  
David A. Bates, Security Supervisor  
Jesse E. Schell, Supervisor of Surveillance  
William George Banister, Jr., Security Supervisor  
Daniel T. Cuic Jr., Manager of Slot Operations  
Cynthia A. Colvin, Slot Shift Manager  
Brent A. Hinz, Director of Food and Beverage  
Ryan R. Graham, Security Supervisor  
Stephen Wagner, Drop Team Supervisor  
Alan Copeland, Security Manager  
Mark S. Vommaro, Security Supervisor  
Rita DiPasquale Smith, Director of Finance  
Rhonda Gilchrist, Director of Compliance  
Rosanne Thompson, Director of Human Resources  
Thomas Moore, Director of Slot Operations

**HSP Gaming, LP**

Robert Sheldon, President

**Mount Airy #1, LLC**

Elizabeth S. Calkins, Slot Shift Manager  
Dustin Olszyk, Count Room Lead  
Andrew C. Barth, Director of Finance

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-282 LIC – Issuance of Temporary Key Employee License**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby approves the Order issuing 153 Temporary Key Employee Licenses.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-283 LIC – Prohibited Vendor List**

Motion Made: Board Member Coy  
Seconded: Board Member Ginty

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

Color-World  
Fossil Partners, L.P.  
Harbor Sales Corporation  
Innovative Hospitality Concepts  
Intelek Technologies Corporation  
Lawrence Metal Products  
Luxury Limousine Services  
LVI Environmental Services, Inc.  
Michael's Finer Meats, Inc.  
Monro Service, Inc.  
The Innovation Group  
Washington & Dowling Co. Inc.  
WB Mason, Inc.  
Xpedex

Board Decision: Passed by unanimous vote

**OFFICE OF ENFORCEMENT COUNSEL**

**PGCB MOTION NO 2008-284 OEC – Greenwood Gaming and Entertainment, Inc. Consent Agreement**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby approves the Consent Agreement between the Pennsylvania Gaming Control Board, Bureau of Investigation and Enforcement and Greenwood Gaming and Entertainment, Inc. The Consent Agreement is approved with the following terms: 1.) Greenwood shall continue policies, training and disciplinary action implemented as part of the consent agreement and shall continue to provide training, guidance and reinforcement to its employees; 2.) Greenwood shall pay a fine of \$15,000 within five days of the date of this Order; 3.) Count Three of the Amended Complaint is hereby withdrawn.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO 2008-285 OEC – TDN Money Systems, Inc. Consent Agreement**

Motion Made: Board Member McCabe  
Seconded: Board Member Rivers

Resolved, the Board hereby approves the Consent Agreement between the Pennsylvania Gaming Control Board, Bureau of Investigations and Enforcement and TDN Money System, Inc. Consistent with the terms of the Consent Agreement, TDN Money Systems, Inc., shall pay \$3,600 to recompense the delay in filing all necessary renewal applications.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2008-286 OEC – Revocation of Non-Gaming Employee Registration for Brittany Godfrey**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

Resolved, the Board hereby approves an Order revoking the Non-Employee Registration of Brittany Godfrey, OHA Docket No. 42325.

Board Decision: Passed by unanimous vote

**ADJOURNMENT**

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