



PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board

March 25, 2009

Minutes

A meeting of the Pennsylvania Gaming Control Board was held on March 25, 2009 in the PUC-Keystone Building, Hearing Room 1, Harrisburg, PA. The meeting began at 9:30 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:

David Barasch representing Honorable Stephen Stetler, Secretary of Revenue

Individuals who appeared officially before the Board:

Frank Donaghue – opening remarks
Eileen McNulty – personnel matters
David Rhen – agency financial report
Richard Sandusky – regulations
Doug Sherman – petitions, employee withdrawals
Steve Cook – report and recommendations, suspensions
Sean Hannon – licensing matters
Cyrus Pitre – revocations and suspensions
Mike Roland – revocations and suspensions
Dale Miller – consent agreement
Artis Simmons, Jr. – Arts Landscaping and Supply
Thomas Bonner, Chief Counsel, Philadelphia Park Casino
Gerald Fretz, Director of Security, Philadelphia Park Casino

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 March 24, 2009 to discuss personnel issues, to conduct quasi-judicial deliberations relating to matters pending before the Board and to consult with counsel regarding privileged and confidential agency business.

TRANSCRIPT/MINUTES

On a motion by Board Member Sojka, seconded by Board Member Angeli, the minutes and transcript of the February 3 and February 20, 2009 meetings were unanimously approved.

EXECUTIVE DIRECTOR'S REPORT

Frank Donaghue, Acting Executive Director provided an update on revenue trends at Commonwealth casinos. Mr. Donaghue compared Pennsylvania casinos to other gaming jurisdictions. He explained that on a monthly basis, "Michael Pollock's Gaming Industry Observer East Coast Slots Report" compares performance at slot facilities from Maine to Florida. The report compares "daily win per unit," meaning the average amount of money each machine in a facility takes in (wins) per day. Pennsylvania casinos have consistently over the past year been at the top of this list. The latest reporting period continued this trend with Pennsylvania's seven casinos all ranking in the top 20 with Philadelphia Park, The Meadows, Harrah's Chester and Hollywood Casino at Penn National holding down the top four places with wins per day all topping over \$300 and Philadelphia Park almost topping \$400. The only other facility on the east coast to have over \$300 wins per unit was Mohegan Sun in Connecticut. The report indicates that all of the facilities in Pennsylvania are experiencing high amounts of play.

Additionally, when comparing year over year gross terminal revenue to other gaming jurisdictions, Pennsylvania also stands out. In January 2009, comparing figures from the same period one year ago, Pennsylvania saw a 23 percent increase in revenue whereas New Jersey, West Virginia, Nevada and Illinois all experienced 9 percent or more decreases in revenue.

Mr. Donaghue stated that Pennsylvania's gaming market continues to stand out as one of the few gaming jurisdictions in the nation continuing to expand.

Mr. Donaghue stated that preparations are in full swing for the opening of the new Meadows Facility. An invitation only testing period is scheduled for April 13th and, if everything is in order and if this Board gives the approval, opening will take place on April 15th. The opening team is on site checking and rechecking every aspect of the facility to ensure that it and the employees of the facility will be in regulatory compliance and ready to receive the public. Reports from the opening team indicate that everything is progressing smoothly and that they do not anticipate any major problems. They are currently working closely with staff from the Pennsylvania State Police, the Department of Revenue and G-Tech to coordinate efforts. As of today there are 1,900 slot machines on the floor with 200 to 250 machines being installed per day. With an anticipated 3,071 machines installed prior to the test session. There are currently 1,000 security cameras in operation. It is anticipated that the facility will open with a little over 3,000 slot machines.

In closing, Mr. Donaghue stated that representatives from both Sugarhouse Casino and Foxwoods Casino will discuss the status of their respective projects at the Board's April 8, 2009 meeting.

CHIEF FINANCIAL OFFICER

An update on the agency's revenue and expenditures was provided.

PGCB MOTION NO. 2009-65 HR – Employment

Motion Made: Board Member Rivers
Seconded: Board Member Coy

New Hires:

Justin Swogger, Technical Field Representative, Gaming Laboratory, Western Region

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

Board Decision: Passed by unanimous vote

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2009-66 REG – Proposed Regulation No. 125-102

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby adopts the Proposed Regulation No. 125-102 and that the Proposed Regulation be posted to the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-67 OCC – Sprung Instant Structure Petition

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

Resolved, the Board hereby grants, with conditions, the Petition submitted by Sprung Instant Structure (SIS) seeking removal from the Prohibited Vendors List, OHA Docket No. 42967. Conditions Ordered are:

SIS must pay \$28,000 to have its investigation complete, unpaid application fee and costs incurred by the Bureau of Investigations to date.

SIS must also pay a \$5,000 civil penalty fee.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-68 OCC – Washington Trotting Association Petition

Motion Made: Board Member McCabe
Seconded: Board Member Rivers

Resolved, the Board hereby grants, with conditions, the Washington Trotting Association Petition to permit in excess of 3,000 Slot Machines Available to Play in Phase I of its permanent facility, approval of Gaming Floor Plans for Permanent Facility and Gaming Floor Plans for Temporary Facility during the transition to its Permanent Facility, OHA Docket No. 42970

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-69 OCC –Petition to Withdrawal Applications

Motion Made: Board Member Rivers
Seconded: Board Member Sojka

Resolved, the Board hereby approves the Orders regarding the withdrawal or surrender of Principal and Key Employee Applications, or Licenses, as well as Vendor Registrations or Certification, without prejudice, as follows:

Simon Ashley	PGCB Doc No. 43173
Certegy Gaming Services, Inc.	PGCB Doc No. 43124
William Emery	PGCB Doc No. 43197
Sean Evans	PGCB Doc No. 43200
Phillip Mason	PGCB Doc No. 42626
John McCloskey	PGCB Doc No. 41945
Ricardo H. Y. Watanabe	PGCB Doc No. 43068
Shafer Commercial Seating, Inc.	PGCB Doc No. 43145
William Lincoln Wilson	PGCB Doc No. 43098
John Wolford	PGCB Doc No. 43074
Ronald D. Zoromski	PGCB Doc No. 43066

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-70 OCC – Denial of Gaming Employee Permit of Robert Earnest

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 and continue the suspension Robert Earnest's Gaming Employee Permit, OHA Docket Number 43225.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-71 OCC – Denial of Gaming Employee Permit for Nicole Freeman

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 and deny the Gaming Employee Permit for Nicole Freeman, OHA Docket No. 43120.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-72 OCC – Denial of Exceptions for Lawrence Terry

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

Resolved, the Board hereby issues an Order to deny the Exceptions filed by Lawrence Terry, OHA Docket Number 42951.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-73 OCC – Denial of Key Employee License for Lawrence Terry

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby issues an Order to adopt the Report and Recommendation of the Office of Hearings and Appeals to deny the Key Employee License of Lawrence Terry.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-74 OCC – Bencardino Excavating Vendor License

Motion Made: Board Member Ginty
Seconded: Board Member Coy

Resolved, the Board hereby issues an Order to remand the matter of a Vendor License for Bencardino Excavating, OHA Docket Number 43224, to the Office of Hearings and Appeals to allow the Hearing Officer to fully elaborate upon character evidence supportive of his conclusion and to open the record to receive additional evidence.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-75 OCC – Penns Landing Supply Company Vendor Certification

Motion Made: Board Member Ginty
Seconded: Board Member Angeli

Resolved, the Board hereby issues an Order to adopt the Report and Recommendation of the Office of Hearings and Appeals and issue a Vendor Certification to Penns Landing Supply Company d/b/a Wyatt, Inc., OHA Docket Number 43168.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-76 OCC – Rescind Order for Esequiel Torro

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby rescinds the February 20, 2009 Order regarding Esequiel Torro, OHA Docket Number 29716.

Board Decision: Passed by unanimous vote

BUREAU OF LICENSING

PGCB MOTION NO. 2009-77 LIC – Manufacturer License Renewal of Konami Gaming, Inc.

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby approves the Order renewing the manufacturer license for Konami Gaming, Inc.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-78 LIC – Manufacturer License Renewal of Shuffle Master, Inc.

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby approves the Order renewing the manufacturer license for Shuffle Master, Inc.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-79 LIC –Key Employee Licenses

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby approves the Order issuing the Key Employee Licenses as follows:

Nancy Castellano, Security Shift Supervisor
David Kou-Hsien Kam, Lead Surveillance Agent Lead
Timothy John Lowry, Senior Corporate Counsel, Harrah's Operating Company, Inc.
J'anai Campbell, Cashier Supervisor
Daniel John Rohrer, Materials Manager
Blake Arthur Warren, IT Support Specialist III
Michael Edward Rodriguez, Internal Audit Manager
Gregory Saville, Count Room Manager
Michael John Vinci, Vice President of Finance
Kenneth Harry Rambo, Jr., Cashier Shift Manager
Marvin Terry Fox, Vice President of Marketing
Christopher Lee Riess, Income Control Manager
Vicki Lynn Guveiyian, Director of Electronic Gaming and Regulatory Affairs for Harrah's Operating Company, Inc.
Shonette Shakira Harrison, Vice President of Casino Marketing
Curtis H. Lane, Jr., Regulatory Compliance Manager

Christopher Charles Milano, Slot Shift Manager
Nancy Lynne Hughes, Vice President of Legal Affairs & Chief Legal Officer
Diane Denise Claymier, Cage Manager
Richard D. Knight, General Manager/President
Jennifer A. See, Director of Marketing
Kevin Michael Salo, Slot Shift Manager
Jeffrey Pleta, Director of Facilities
Douglas Kaminski, Director of Internal Audits
Timothy Michael Timko, Director of Surveillance
Michael Gregory Graninger, General Manager

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-80 LIC – Temporary Key Employee Licenses

Motion Made: Board Member Ginty
Seconded: Board Member McCabe

Resolved, the Board hereby approves the issuance of 86 Temporary Key Employee Licenses.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-81 LIC – Gaming and Non-Gaming Permits and Registrations

Motion Made: Board Member McCabe
Seconded: Board Member Rivers

Resolved, the Board hereby approves an Order issuing 541 Gaming Employee Permits, including 328 renewals, and 169 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-82 LIC – Denial of Gaming and Non-Gaming Employee Licenses

Motion Made: Board Member Rivers
Seconded: Board Member Sojka

Resolved, the Board hereby approves the Orders denying the Gaming and Non-Gaming Employee Permits and Registrations as listed below:

<u>BOL Dbase</u>	<u>Docket # SLOTSLink</u>	<u>Applicant</u>
35215	G1013331	Knoverie Fox
35775	G1013593	John Dwyer
35796	G1013604	Kimberly Rideout
20628	G1007016	Virgo Kidd
30891	N1012960	Ronald Knoll, Jr.
30681	N1012804	Nicole Moody
35846	N1013644	Arthur Gatewood

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-83 LIC – Withdrawal of Applications for Gaming Permits and Non-Gaming Registrations

Motion Made: Board Member Sojka
Seconded: Board Member Angeli

Resolved, the Board hereby approves an Order to approve the withdrawal of 34 Applications for 21 Gaming and 13 Non-Gaming Permits and Registrations.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-84 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:

AT Chadwick Co., Inc.
Bailey/Phoenix Joint Venture
BDR Management, LLC
C. Caramanico and Sons, Inc.
CB Flooring, LLC
Core-Mark Midcontinent, Inc.
Debo Moving and Storage, Inc.
East Coast Restaurants, Inc.
EP Donnelly, Inc.
Four Leaf, Inc.
Hopson Specialty Systems, LLC
HT Lyons, Inc.
IB Dickinson & Son, Inc.
James J. Gory Mechanical Contracting, Inc.
Johnson Controls, Inc.
LPCiminelli Mount Airy, LP
LVE, Inc.
Martino Tile, Inc.
Metro Decorators, Inc.
R. Grossman and Associates, Inc.
The Newton Group
The William Ryan Group, Inc.
United Testing of PA, Inc.
Velvet Marketing, LLC

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-85 LIC – Applications for Vendor Registration

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby approves an Order approving the applications for Vendor Registration as follows:

Abbonizio Transfer, Inc.
Abco Fire Protection, Inc.
Access Ability, Inc.
Ace Lightning Protection, Inc.
Advanced Hydraulic Systems, Inc., DBA: Advanced Enviro Systems
Allegheny Installations Company, Inc.
Ann S. Davis, DBA: Recognition Products
Azcar USA, Inc.
B & G Restaurant Supply, Inc.
BBDO West
Bell Home Furnishings, Inc.
BestMark, Inc.
C & S Sales, Inc.
C3 Presents, LLC
Caskey Printing, Inc.
CDW Direct, LLC
Chair Choice
Chermaks Service, Inc.
Commercial Custom Seating and Upholstery, Inc.
Crossley Axminster, Inc.
Devmont Contracting, Inc.
Diehl Paving, Inc.
FNT Enterprises, LLC
Gebrüder Hepp, Subsidiary of proHeq GmbH, DBA, Hepp Germany
Gengler-Lowney Laser Works, Inc.
Gilchrist & Soames, Inc.
Golden Glo Carpet Cleaners, Inc., DBA:Golden Glo Technical Maintenance, DBA:GG Janitorial
GR8 Signs, Inc., DBA: FASTSIGNS
Harbor Furniture Manufacturing, Inc., DBA: Table Topics
Judd Brown Designs, Inc., DBA: JBD
Laura Craig Galleries, Inc.
N & L Transportation, Inc.
Pac-Van, Inc.
Skylake Gallery
Tamarind II, Inc.
Target Office Products, Inc.
The Strategy Group, Inc.
Triton Chandelier, Inc.
Tuleya Pile & Foundations Company, Inc.
United Restaurant Equipment, Inc.
WBS Hockey, LP, DBA: Wilkes-Barre/Scranton Penguins

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-86 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:

Bunzl Midatlantic, LLC
Color by Pergament, LLC
Dimensions Data North America, Inc.
Dunmore Roofing & Supply Co., Inc.
Shoreline Food Service Co., Inc.
Watson Wyatt & Company
Western Architectural Services, Inc.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2009-87 LIC – Denial of Vendor Application

Motion Made: Board Member McCabe
Seconded: Board Member Rivers

Resolved, the Board hereby issues an Order denying the Vendor Application for JCTC, Incorporated.

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL

PGCB MOTION NO 2009-88 OEC – Arts Landscaping & Supply Consent Agreement

Motion Made: Board Member Rivers
Seconded: Board Member Sojka

Resolved, the Board hereby approves the Consent Agreement between the Bureau of Investigations and Enforcement and Arts Landscaping & Supply, OHA Docket Number 4790, regarding the issuance of a Vendor Certification.

Board Decision: Passed by unanimous vote

PGCB MOTION NO 2009-89 OEC – Greenwood Gaming and Entertainment, Inc. Consent Agreement

Motion Made: Board Member Sojka
Seconded: Board Member Angeli

Resolved, the Board hereby approves the Consent Agreement between the Bureau of Investigations and Enforcement and Greenwood Gaming and Entertainment, Inc., OHA Docket Number 42413, and shall within five (5) days of the Order pay a civil penalty in the amount of \$24,000.

Board Decision: Passed by unanimous vote

ADJOURNMENT

There being no further business before the Board, Board Member Rivers moved that the meeting be adjourned and Board Member McCabe seconded the motion.