



## PENNSYLVANIA GAMING CONTROL BOARD

### Meeting of the Board October 21, 2009 Minutes

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A meeting of the Pennsylvania Gaming Control Board was held on October 21, 2009 in the State Museum Auditorium, Harrisburg, PA. The meeting began at 10:00 a.m.

***Members in attendance were:***

Gregory C. Fajt, Chairman  
Raymond S. Angeli  
Jeffrey W. Coy  
James B. Ginty  
Kenneth T. McCabe  
Sanford Rivers  
Gary A. Sojka

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

Frank Jurbala representing Honorable Russell Redding, Acting Secretary of Agriculture  
Keith Welks representing Honorable Robert McCord, State Treasurer  
David Barasch representing Honorable Stephen Stetler, Secretary of Revenue

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

Kevin O'Toole – Executive Director Report  
David Rhen – revenue and expenditures  
Doug Sherman – petitions, report and recommendations  
Susan Hensel – licensing matters  
Cyrus Pitre – enforcement actions  
Dustin Miller – enforcement actions  
Michael Roland – enforcement actions  
Marsha Sajer, Esquire, representing Keystone Redevelopment Partners  
Robert A. Graci, Esquire, representing Foxwoods  
Victor P. Stabile, Esquire, representing Harrah's Chester Downs Management Co., LLC  
Renee Colbert, Esquire, representing W.G. Tomko  
Robert DeSalvio, President & CEO, Sands Bethworks

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

### **ANNOUNCEMENTS**

Chairman Fajt announced that the Board held an Executive session on October 20, 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.

Chairman Fajt also announced that the PGCB would be holding a hearing on Thursday, November 12<sup>th</sup> to gather evidence, including public comment on the renewal of the Category 1 Slot Machine Operator's License of Mountainview Thoroughbred Racing Association.

### **MINUTES AND TRANSCRIPTS**

On a motion by Board Member Angeli, seconded by Board Member Coy, the minutes and transcript of the September 16, 2009 meeting were unanimously approved.

### **EXECUTIVE DIRECTOR'S REPORT**

Mr. Kevin O'Toole, Executive Director, formally announced the appointment of R. Douglas Sherman, Esquire as the Board's Chief Counsel. Mr. O'Toole commented that Doug, as Deputy Chief Counsel and Acting Chief Counsel has provided the Board with years of sound, thoughtful and learned legal advice on numerous matters including litigation. Doug's ongoing commitment to the role and function of the Pennsylvania Gaming Control Board is commendable. The following motion was passed.

#### **PGCB MOTION NO. 2009-267 EXE – Appointment of Douglas Sherman**

Motion Made: Board Member Coy  
Seconded: Board Member McCabe

Resolved, the Board hereby appoints Douglas Sherman, Esquire, to be the agency's Chief Counsel.

Board Decision: Passed by unanimous vote

### **FINANCIAL MANAGEMENT**

David Rhen, Budget Manager, provided a financial update to the board which reflected results through September, 2009.

### **OFFICE OF CHIEF COUNSEL**

#### **PGCB MOTION NO. 2009-268 OCC – Keystone Redevelopment Partners Petition**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby denied the Petition of Keystone Redevelopment Partners to Re-open and for Related Relief.

Docket Number: 43035  
Board Decision: Passed by unanimous vote

#### **PGCB MOTION NO. 2009-269 OCC – Sands Bethworks, LLC Petition**

Motion Made: Board Member McCabe  
Seconded: Board Member Rivers

Resolved, the Board hereby grants the Petition of Sands Bethworks, LLC for Additional Slot Machines, Approval of Reconfiguration of the Gaming Floor and to Protect Confidential Information

Docket Number: 44087 and 44088  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-270 OCC – Report and Recommendation / Frank Burbules**

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 Hearing and Appeals to continue the Emergency Suspension of Frank Burbules' Non-Gaming Employee Registration.

Docket Number: 43851  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-271 OCC – Report and Recommendation / Dominic Scicchitano**

Motion Made: Board Member Sojka  
Seconded Board Member Angeli

Resolved, the Board hereby issues an Order adopting the Report and Recommendation of the Office of Hearing and Appeals and revoked the Non-Gaming Employee Registration of Dominic Scicchitano.

Docket Number: 1046-2009  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-272 OCC – Report and Recommendation / Michael King, Jr.**

Motion Made: Board Member Angeli  
Seconded Board Member Coy

Resolved, the Board hereby issues an Order adopting the Report and Recommendation of the Office of Hearing and Appeals and denied the Application of Michael King (Jr.) for a Gaming Employee Permit.

Docket Number: 1024-2009  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-273 OCC – Report and Recommendation / Ellen White**

Motion Made: Board Member Coy  
Seconded Board Member Ginty

Resolved, the Board hereby issues an Order adopting the Report and Recommendation of the Office of Hearing and Appeals and denied Ellen White's Application for a Gaming Employee Permit.

Docket Number: 43919  
Board Decision: Passed by unanimous vote

## **BUREAU OF LICENSING**

### **PGCB MOTION NO. 2009-274 LIC – License Renewal / Chester Downs and Marina, LLC**

Motion Made: Board Member McCabe  
Seconded Board Member Rivers

Resolved, the Board hereby issues an Order granting the Application for License Renewal of Chester Downs and Marina, LLC's Category 1 Slot Machine Operator License.

Board Decision: Passed by unanimous vote

### **PGCB MOTION NO. 2009-275 LIC – License Renewal / Harrah's Chester Downs Management Company, LLC**

Motion Made: Board Member McCabe  
Seconded Board Member Rivers

Resolved, the Board hereby issues an Order granting the Application for License Renewal of Harrah's Chester Downs Management Company, LLC

Board Decision: Passed by unanimous vote

### **PGCB MOTION NO. 2009-276 LIC – Principal and Key Employee Licenses**

Motion Made: Board Member Rivers  
Seconded Board Member Sojka

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

#### **Chester Downs and Marina, LLC**

##### Key Employee Initial Licensure

- **Mary Ann Porvaznik**, Marketing Operations Supervisor, Docket #7465-3
- **Michele Hennigan**, Slot Shift Supervisor, Docket #15566-3

##### Key Employee Renewal

- **Normand Mullan**, Director of Internal Audit for Harrah's Operating Co., Inc, Docket #15347-2

#### **Presque Isle Downs, Inc.**

##### Principal Initial Licensure

- **Steven Michael Billick**, Director for MTR Gaming Group, Inc. , Docket #35811-1
- **Robert Farrell Griffin**, President & Chief Executive Officer of MTR Gaming Group, Inc., Docket #1666-2

##### Key Employee Initial Licensure

- **Carl J. Zalewski**, Operations Supervisor, Docket #27059-3
- **Andrew Marshall Dick**, Lead Surveillance Supervisor, Docket #29273-3

##### Key Employee Renewal

- **Roseane L. Paligo**, Internal Audit Manager, Docket #8802-2

- **Adam Terrance Craven**, Senior Slot Shift Manager, Docket #20919-3
- **Scott Christopher Campbell**, Cage Supervisor, Docket #16232-3
- **Shayne L. Morrow**, Count Room Manager, Docket #8407-2

**Holdings Acquisition Co., LP**

Key Employee Initial Licensure

- **Edward Fasulo**, Vice President and General Manager, Docket #24180-1

**Sands Bethworks Gaming, LLC**

Key Employee Initial Licensure

- **Michael Trageser**, Director of Marketing Services, Docket #25274-1
- **David Neil Terry**, Director of Surveillance, Docket #36004-1

Key Employee Renewal

- **Holly Eicher**, Vice President and General Counsel, Docket #17333-2
- **Kathleen McCracken**, Vice President of Casino Marketing, Docket #18341-2

Principal Initial Licensure

- **Dr. Miriam O. Adelson**, 24.099% Owner of Las Vegas Sands Corporation and a Trustee and Beneficiary of the Sheldon G. Adelson 2005 Family Trust, Docket #1902-2
- **Daniel Eitnier**, Director of Surveillance for the Venetian Resort Hotel Casino, Dkt #17476-1

Principal Waiver

- **George P. Koo**, Outside Director Las Vegas Sands Corporation, Docket #29053-1

**Valley Forge Convention Center Partners, LP**

Principal Initial Licensure

- **VF Colonial GP, LLC**, Docket #35068-1

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-277 LIC – Temporary Key Employee Licenses**

Motion Made: Board Member Sojka  
Seconded: Board Member Angel

Resolved, the Board hereby approves the issuance of 55 Temporary Key Employee Licenses.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-278 LIC – Issuance of Gaming and Non-Gaming Permits and Registrations**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby approves the Order issuing 179 Gaming Employee Permits, including 60 renewals, and 131 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

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**PGCB MOTION NO. 2009-279 LIC – Denial of Gaming and Non-Gaming Permits and Registrations**

Motion Made: Board Member Coy  
Seconded: Board Member Ginty

Resolved, the Board hereby issues an Order approving the Gaming Employee Permits (1) and Non-Gaming Employee Registrations (2) denials, as follows:

<b>Docket #</b>		
<b><u>BOL Dbase</u></b>	<b><u>SLOTSLink</u></b>	<b><u>Applicant</u></b>
41474	G1017349	Cheryl Suber
42041	N1017695	Damian Preston, Sr.
41621	N1017444	Lisa Arroyo

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-280 LIC – Withdrawal of Gaming and Non-Gaming Permits and Registrations**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby issues an Order approving the withdrawal of 11 Gaming Employee Permits and 15 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-281 LIC – Vendor Certifications**

Motion Made: Board Member McCabe  
Seconded: Board Member Rivers

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

- Contract Cleaners
- GC Zarnas
- O&M Multi-Trade, Inc.
- Pocono Produce Company, Inc.
- SA Comunale Company, Inc.
- Sirna & Sons, Inc.
- Turner Construction Company

**PGCB MOTION NO. 2009-282 LIC – Vendor Registration**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

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

- Advanced Door Service, Inc., DBA: ADS
- Albert Elovitz, Inc., DBA: AIM Gifts
- Atlantic Film Services, LLC
- B.C. Stone, Inc.
- Bieber & Associates, Inc., DBA: Professional Security Services
- Brill Hygienic Products, Inc.
- Carpe Diem Information Technology, Inc., DBA: Carpe Diem Gaming
- Classic Truck Associates, DBA: Power Pak Beverage
- Construction Specialties, Inc.
- CPC Bucks County, LLC, DBA: Chickie's & Pete's
- D & G Equipment and Supply, Inc., DBA: McGee Uniform & Supply
- D.H. Bertenthal & Sons, Inc.
- Dash International
- DCL Slot Consulting, LLC
- Diocesan Mailing System, Inc., DBA: Direct Mail Service and Press, Inc., DBA: DMS
- Ferguson Enterprises, Inc.
- Fiberdyne Labs, Inc.
- Fresh Paint Art Advisors, Inc.
- Heartland Food Products, Inc.
- Intec Systems, Inc., DBA: Computer Tech
- Interstate Outdoor Advertising, LP
- J.B. Kreider Company, Inc., DBA: Kreider Printing
- La Torre Communications
- Little Athens, Inc., DBA: Little Athens of Sewickley
- Lustra Line, Inc., DBA: Warren Associates
- Maffei Associates, Inc., DBA: Maffei Strayer Furnishings
- MJK Associates
- Nestle Waters North America, Inc.
- One Point, Inc.
- Paper Products Company, Inc.
- Party Rental, Ltd.
- Pennsylvania Macaroni Company
- Pittsburgh Bagel Factory, Inc., DBA: The Bagel Factory & Bread Market
- Premium Programmers, Inc., DBA: Mak Marketing
- Progressive Engraving Corporation
- Resource Partnership, Inc.
- Ricoh Americas Corporation, DBA: Ricoh Business Solutions
- S. Vitale Pyrotechnic Industries, DBA: Pyrotecnico
- Structural Services, Inc.
- Travaglini Enterprises, Inc., DBA: Quality Inn & Suites and Super 8
- W & K Steel, LLC
- Washington Ford Company, DBA: Washington Ford, Inc.
- Western Architectural Services, LLC
- Young & Rubicam, Inc.

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**PGCB MOTION NO. 2009-283 LIC – Vendor Application Denials**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby issues an Order approving the denial of Vendor Applications as follows:

- Capital Sign Company, Inc.
- Aerotech Mechanical Contractors, Inc.

**PGCB MOTION NO. 2009-284 LIC – Prohibited Vendors List**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby approves an Order adding vendors to the Prohibited Vendors List as follows:

- Emerson Network Power, Liebert Services, Inc.

Board Decision: Passed by unanimous vote

**OFFICE OF ENFORCEMENT COUNSEL**

**PGCB MOTION NO. 2009-285 OEC – W.G. Tomko Consent Agreement**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby approves the Consent Agreement between the Office of Enforcement Counsel and W.G. Tomko.

Board Decision: Passed by unanimous vote

**ADJOURNMENT**

On a motion by Board Member Rivers, seconded by Board Member McCabe, the meeting was adjourned.