



## PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board

December 20, 2011

Minutes

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A meeting of the Pennsylvania Gaming Control Board was held at the Office of Hearings and Appeals, Strawberry Square Complex, 2<sup>nd</sup> Floor, Harrisburg. The meeting began immediately following the public hearings.

***Members in attendance were:***

William H. Ryan, Jr., Chairman  
Gregory C. Fajt  
James B. Ginty  
Keith R. McCall  
Anthony C. Moscato  
Gary A. Sojka  
Kenneth Trujillo

***Ex-Officio members in attendance were:***

Robert Coyne, Designee, Department of Revenue  
Christopher Craig, Designee, State Treasurer's Office  
Matthew Meals, Designee, Department of Agriculture

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

Kevin O'Toole – Executive Directors Report  
Kevin Kile – Racetrack Gaming  
Claire Yantis – Personnel Matters  
David Rhen – Revenue and Expenditures  
Susan Yocum – Regulations  
R. Douglas Sherman – Petitions  
Steve Cook – Report and Recommendations  
Susan Hensel – Licensing Matters  
Cyrus Pitre – Enforcement Actions  
Cassandra Fenstermaker – Enforcement Actions  
Alexandra Sacavage – Enforcement Actions  
Dustin Miller – Enforcement Actions  
Joseph Joselson, Report and Recommendation  
Robert Chorba, Atlantic City Coin & Slot Services Co.

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

### **PUBLIC HEARING**

A public hearing was held as follows:

- Sands Bethworks Gaming – Petition Requesting Approval of the Reconfiguration of the Gaming Floor Under OP-12 and a Confidentiality Motion

## **ANNOUNCEMENTS**

Chairman Ryan reported that the Board held an Executive Session yesterday for the purpose of discussing personnel matters, pending litigation and to conduct quasi-judicial deliberations relating to matters being considered by the Board today. Additionally, a second Executive Session was held prior to the public meeting. The purpose of that Executive Session was to deliberate items heard earlier today.

## **MINUTES**

On a motion by Commissioner McCall, seconded by Commissioner Moscato, the minutes and transcript of the November 22, 2011 meeting were approved by a unanimous vote.

## **EXECUTIVE DIRECTOR'S REPORT**

Kevin O'Toole introduced Kevin Kile, Director of Racetrack Gaming to present his report on the American Graded Stakes Committee. Kevin provided an update regarding the recent achievements made by several racetracks in Pennsylvania. He reported that 2 of Pennsylvania's racetracks have recently been recognized by the American Graded Stakes Committee as having some of the best races in the country in terms of the quality of the horses competing in those races, clearly indicating the success and accomplishments of our Category 1 licensees in terms of their commitment to improving their racing product since gaming commenced.

Highlights of his report indicate that the Graded Stakes Committee, based out of Lexington Kentucky, their goal is to provide owners and breeders of Thoroughbred horses a guide to the quality of thoroughbred bloodstock by identifying those races in the United States that have attracted the highest quality competition. The Committee meets annually to evaluate and affirm the quality of these races, and issues its collective opinion in the form of ranked Grades: Grade I, Grade II, and Grade III, with Grade I being the highest. Horses winning these graded races are considered superior racing stock, and the breeding stock producing them as superior breeding stock.

There were over 40,000 thoroughbred races in 2011, and the Cotillion Stakes at Parx Casino and Racetrack has achieved Grade I status making this race one of about 100 Grade I races in the country, joining the ranks of races such as the Kentucky Derby, Preakness, and Belmont. This is the first stakes race in the history of Pennsylvania racing to achieve Grade I status since the grading process began in the early 1970s. Parx also has five other races that have achieved Grade II and Grade III status. This year, The Master Stakes at Presque Isle Downs and Casino was also awarded Grade II status, which is significant because it was achieved in a very short period of time.

He concluded his report stating that the achievements made by these racetracks indicate the continuous improvement of the racing product in Pennsylvania, and it clearly shows that all of our Category 1 licensees have the ability to enhance their racing product, with these accomplishments being great examples.

## **HUMAN RESOURCES**

### **PGCB MOTION NO. 2011-437 HR – New Hire**

Motion Made: Board Member Moscato  
Seconded: Board Member Sojka

Resolved, the Board hereby approved the hiring of Allison Singer as a Casino Compliance Representative at the Rivers Casino.

Board Decision: Passed by unanimous vote

**OFFICE OF FINANCIAL MANAGEMENT**

David Rhen, Budget Manager provided a monthly update on Agency revenue and expenditures.

**OFFICE OF CHIEF COUNSEL**

**PGCB MOTION NO. 2011- 438 REG – Temporary Regulation # 125-161**

Motion Made: Board Member Sojka  
Seconded: Board Member Trujillo

Resolved, the Board hereby adopted the Temporary Regulation #125-161. The Regulation shall be posted on the Board's website.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 439 OCC – Petition**

Motion Made: Board Member Trujillo  
Seconded: Board Member Fajt

Resolved, the Board hereby approved the Petition of Valley Forge Convention Center Partners and Greenwood Gaming and Entertainment, Inc.'s Petition for Reconsideration, and an amended Adjudication and Order will be issued.

Docket Number: 2419-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 440 OCC – Petition**

Motion Made: Board Member Moscato  
Seconded: Board Member Sojka

Resolved, the Board hereby approved the Petition of Sands Bethworks Gaming for Reconfiguration of the Gaming Floor Under OP-12 and also approved Exhibit F as Confidential.

Docket Number: 2430-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 441 OCC – Withdrawals**

Motion Made: Board Member Ginty  
Seconded: Board Member McCall

Resolved, the Board approved the withdrawals or surrenders of Manufacturer, Principal and Key Employee Applications, or Licenses, as well as Gaming Service Provider Registrations or Certifications as follows:

- ✓ Nicholas DeNaples (w/prejudice) Licensing No. 31031-2 PGCB Doc. No. 2417-2011
- ✓ Gene Belletiere Licensing No. 59770 PGCB Doc. No. 2356-2011

Board Decision: Passed by unanimous vote.

**PGCB MOTION NO. 2011- 442 OCC – Report and Recommendation / Richard Bartman**

Motion Made: Board Member McCall  
Seconded: Board Member Moscato

Resolved, the Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals with the recommendation that the Gaming Employee Permit of Richard Bartman be suspended pending resolution of his criminal charges.

Docket Number: 2220-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 443 OCC - Report and Recommendation / Cynthia Hannon**

Motion Made: Board Member Moscato  
Seconded: Board Member Sojka

Resolved, the Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals and denied the Gaming Employee Permit of Cynthia Hannon.

Docket Number: 2140-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 444 OCC – Report and Recommendation / Joseph Joselson**

Motion Made: Board Member Sojka  
Seconded: Board Member Trujillo

Resolved, the Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals, with modifications, and withdrew the Gaming Employee Permit Application of Joseph Joselson.

Docket Number: 2092-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 445 OCC – Report and Recommendation / APG International, Inc.**

Motion Made: Board Member Trujillo  
Seconded: Board Member Fajt

Resolved, the Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals in Part and APG International, Inc. shall be allowed to have its application withdrawn without prejudice upon payment of \$2,960.51 in investigative fees. Said fees shall be payable within thirty (30) days of this Order.

Docket Number: 1939-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 446 OCC – Report and Recommendation / B.A.L**

Motion Made: Board Member Fajt  
Seconded: Board Member McCall

Resolved, the Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals and denied BAL's Petition for Removal from the Voluntary Self Exclusion List.

Docket Number: 2259-2011  
Board Decision: 6 – Yes, Ginty – No (opposed denial)

**PGCB MOTION NO. 2011- 447 OCC – Emergency Suspension / William Moore**

Motion Made: Board Member McCall  
Seconded: Board Member Trujillo

Resolved, the Board hereby extended the Emergency Suspension of William Moore's Gaming Employee Permit and that the matter is referred to the Office of Hearings and Appeals for a hearing to determine the Validity of the Emergency Suspension Order. (OHA #2471-2011)

Docket Number: 2471-2011  
Board Decision: Passed by unanimous vote

**BUREAU OF LICENSING**

**PGCB MOTION NO. 2011-448 LIC**

Motion Made: Board Member Ginty  
Seconded: Board Member McCall

Resolved, the Board hereby approved the renewal of Konami Gaming, Inc.'s Slot Machine and Table Games Manufacturer License.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-449 LIC**

Motion Made: Board Member McCall  
Seconded: Board Member Moscato

Resolved, the Board hereby approved Aristocrat Technologies, Inc.'s Table Games Manufacturer License.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-450 LIC**

Motion Made: Board Member Moscato

Seconded: Board Member Sojka

Resolved, the Board hereby approved TCS John Huxley America, Inc.'s Table Games Manufacturer License.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-451 LIC**

Motion Made: Board Member Sojka  
Seconded: Board Member Trujillo

Resolved, the Board hereby approved TCS John Huxley Europe, Inc.'s Table Games Manufacturer License.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-452 LIC**

Motion Made: Board Member Fajt  
Seconded: Board Member Ginty

Resolved, the Board hereby approved Red Mansion, LLC's Gaming Junket Enterprise license.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-453 LIC**

Motion Made: Board Member Ginty  
Seconded: Board Member McCall

Resolved, the Board hereby approved Soteria Watkins' Gaming Junket Enterprise license.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-454 LIC – Principal and Key Employee Licenses**

Motion Made: Board Member McCall  
Seconded: Board Member Moscato

Resolved, the Board hereby approved the issuance of the following Principal and Key Employee Licenses:

**Sands Bethworks Gaming, LLC**

Principal Initial Licensure

✓ **Jeffery Howard Schwartz**, Director/Audit Committee-Las Vegas Sands Corporation – Docket #39729-1

Key Employee Renewal Licensure

✓ **Denise M. Galloway**, Director of Casino Cage – Docket #20481-2

**SugarHouse HSP Gaming, LP**

Key Employee Initial Licensure

✓ **Patricia Tuck**, Vice President of Human Resources – Docket #39699-2

**Bally Gaming, Inc.**

Principal Initial Licensure

- **Derik J. Mooberry**, Senior Vice President of Products and Operations – Dkt #42619-1

Key Employee Initial Licensure

- ✓ **Robert J. Parente**, Vice President Managing Director of Canada Division – Dkt #2259-4

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-455 LIC – Temporary Principal and Key Employee Credentials**

Motion Made: Board Member Moscato

Seconded: Board Member Sojka

Resolved, the Board hereby approved issuance of Temporary Principal and Key Employee Credentials as follows:

**Chester Downs and Marina, LLC**

- ✓ Michael Manzi – Docket #62398-1
- ✓ Van Q Chau – Docket #59435-2

**Greenwood Gaming and Entertainment, Inc.**

- ✓ John J. Kirk – Docket #62615-1

**Mountainview Thoroughbred Racing Association**

- ✓ Joelle Elizabeth Shearin – Docket #62485-1

**Presque Isle Downs, Inc.**

- ✓ Rita D. Smith – Docket #4884-3
- ✓ Thomas William Moore – Docket #3219-3

**Holdings Acquisition Co, L.P.**

- ✓ John Robert Boyle – Docket #46130-2
- ✓ Todd David Watkins – Docket #65970-1

**Sugarhouse HSP Gaming, LP**

- ✓ Jesse Eugene Schell – Docket #20978-3

**Valley Forge Convention Center Partners, L.P.**

- ✓ William Francis Mikus – Docket #65746-1

**Ainsworth Game Technology Limited**

- ✓ John Fredric Glaser – Docket #17593-3

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-456 LIC – Gaming & Non-Gaming Employee Permits and Registrations**

Motion Made: Board Member Sojka

Seconded: Board Member Trujillo

Resolved, the Board hereby approved the issuance of 258 (69 initial; 66 temporary G2 employees; 123 full G2) Gaming Employee Permits and 44 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-457 LIC – Withdrawals**

Motion Made: Board Member Trujillo  
Seconded: Board Member Fajt

Resolved, the Board hereby approved the withdrawal of 18 G2 Employee, 18 Gaming Employee and 6 Non-Gaming Employee Applications.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-458 LIC – GSP Certification**

Motion Made: Board Member Fajt  
Seconded: Board Member Ginty

Resolved, the Board hereby approved the Gaming Service Provider Certifications as follows:

**CERTIFIED GAMING SERVICE PROVIDERS**

- ✓ Bertino & Associates, Inc.
- ✓ KLWR, Inc.
- ✓ Philip F. Bogatin, Inc.
- ✓ Print Art, Inc.
- ✓ Sealect Wholesale Seafood

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-458 LIC – GSP Registration**

Motion Made: Board Member Moscato  
Seconded: Board Member McCall

Resolved, the Board hereby approved the Gaming Service Provider Registrations as follows:

**REGISTERED GAMING SERVICE PROVIDERS**

- ✓ A One Bus, Inc.
- ✓ Amoroso's Baking Company
- ✓ CIRCA, Inc., DBA: CIRCA Jewels
- ✓ Giles & Ransome, Inc.
- ✓ Horizon Information Services Incorporated
- ✓ Isgro Pastries, Inc.
- ✓ J. Marcus Wholesalers, Inc.
- ✓ Micro Strategies Inc.
- ✓ NEXT LEVEL Partners, LLC, DBA: NLP
- ✓ Penncora Productions, Inc.
- ✓ Pennsylvania Lawn & Landscape, LLC
- ✓ Video Visions, Inc.
- ✓ Westland Giftware, Inc.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-459 LIC – GSP Denial**

Motion Made: Board Member McCall  
Seconded: Board Member Moscato

Resolved, the Board hereby denied the Gaming Service Provider Application of Lasvit, Inc .

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-460 LIC – Prohibited GSP List**

Motion Made: Board Member Moscato  
Seconded: Board Member Sojka

Resolved, the Board hereby approved the additions to the Prohibited Gaming Service Provider List as follows:

- ✓ Kaeser & Blair, Inc.
- ✓ Robert Ganter Contractors, Inc.
- ✓ Tri-State Sealants, Inc.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-461 LIC – GSP Applications Abandoned**

Motion Made: Board Member Sojka  
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the Abandonment of Gaming Service Provider applications as follows:

- ✓ Classic Truck Associates, DBA: Power Pak Beverage
- ✓ MGF, Inc. d/b/a Mariani's Gourmet Foods
- ✓ RK Millwork Installations, LLC
- ✓ SkyCon Corporation, Inc.

Board Decision: Passed by unanimous vote

**OFFICE OF ENFORCEMENT COUNSEL**

**PGCB MOTION NO. 2011-462 OEC –Consent Agreement / Presque Isle Downs**

Motion Made: Board Member Trujillo  
Seconded: Board Member Fajt

Resolved, the Board hereby approved the Consent Agreement between the Office of Enforcement Counsel and Presque Isle Downs for failure to upgrade revoked software. Presque Isle Downs was fined \$5,000

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-463 OEC –Consent Agreement / Atlantic City Coin**

Motion Made: Board Member Fajt  
Seconded: Board Member Ginty

Resolved, the Board hereby rejected the Consent Agreement between the Office of Enforcement Counsel and Atlantic City Coin & Slot Services Co., Inc.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-464 OEC –Consent Agreement / Chester Downs Management Co.**

Motion Made: Board Member Moscato  
Seconded: Board Member Sojka

Resolved, the Board hereby approved the Consent Agreement between the Office of Enforcement Counsel and Harrah's Chester Downs Management Company, LLC for self-exclusion violations. The violations resulted in a fine of \$10,000.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-465 OEC – Revocation**

Motion Made: Board Member Sojka  
Seconded: Board Member Trujillo

Resolved, the Board revoked Norma Jean Gray's Gaming Employee Permit.

Docket Number: 2153-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-466 OEC – Revocation**

Motion Made: Board Member Trujillo  
Seconded: Board Member Fajt

Resolved, the Board hereby revoked Allen Gartei's Non-Gaming Employee Registration.

Docket Number: 1855-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-467 OEC – Revocation**

Motion Made: Board Member Fajt  
Seconded: Board Member Ginty

Resolved, the Board hereby revoked Tada Marazas' Gaming Employee Permit.

Docket Number: 2365-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-468 OEC –PGCB Exclusion List**

Motion Made: Board Member Ginty  
Seconded: Board Member McCall

Resolved, the Board hereby approved the addition of James Ashton to the Pennsylvania Gaming Control Board's Exclusion List.

Docket Number: 2286-2011  
Board Decision: Passed by unanimous vote

**ADJOURNMENT**

Having no public comment, on a motion by Commissioner McCall, seconded by Commissioner Moscato, the meeting was adjourned.

I HEREBY CERTIFY THAT THESE MINUTES WERE APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AT A PUBLIC MEETING ON THE 18<sup>th</sup> DAY OF JANUARY, 2012.

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Mickey Kane, Board Secretary