



PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board

April 11, 2012

Minutes

A meeting of the Pennsylvania Gaming Control Board was held at the Office of Hearings and Appeals, Strawberry Square Complex, 2nd 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 (via teleconference)
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, Representative, Department of Agriculture

Individuals who appeared officially before the Board:

Kevin O'Toole – Executive Director Report
David Rhen – Budget Update
Claire Yantis – Personnel Matters
Susan Yocum - Regulations
R. Douglas Sherman – Petitions
Steve Cook – Withdrawals, Report and Recommendations
Susan Hensel – Licensing Matters
Cyrus Pitre – Enforcement Actions
Cassandra Fenstermaker – Enforcement Actions
Dustin Miller – Enforcement Actions

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

Public hearings were held as follows:

- Downs Racing – Petition for Ratification of Internal Controls Amendment – Gift Certificate Program
- Chip and Chair Massage Therapy – Issuance of Vendor Registration

ANNOUNCEMENTS

Chairman Ryan reported that the Board held an Executive Session on April 10th for the purpose of discussing personnel matters, pending litigation and to conduct quasi-judicial deliberations relating to matters being considered by the Board on April 11th. A second Executive Session was held on April 11th following the public hearings.

MINUTES/TRANSCRIPT

On a motion by Commissioner Fajt, seconded by Commissioner Ginty, the minutes and transcript of the February 29, 2012 meeting were approved.

EXECUTIVE DIRECTOR'S REPORT

Kevin O'Toole reported on the opening of the first Category 3 casino in Pennsylvania that occurred on March 31, 2012 when Valley Forge Casino Resort opened following two 6-hour test periods. He stated that the opening team, led by Jeanne Ort-Motto, Jerry Stoll, Michael Cruz and John Sentell, worked diligently in the final weeks before the opening to assist the Valley Forge management team. The opening team assistance was to ensure that all aspects of the casino facility and the casino workforce met the regulatory requirements to open to the public.

Mr. O'Toole further stated that the Bureau of Investigations and Enforcement and the Bureau of Licensing also deserve much credit for their efforts in getting over 900 employees properly credentialed to work at Valley Forge Casino. He further commented that the test periods proved to be important as all casino-related computer systems were tested, employee training was evaluated and table game dealers were closely observed.

In closing he offered his thanks to Chairman Ryan, Commissioner Fajt and Commissioner Ginty for participating in the Valley Forge opening as the delegated members of the Board who reviewed the results of the test periods and gave final approval to Valley Forge to begin operations.

HUMAN RESOURCES

PGCB MOTION NO. 2012- 583 HR – Personnel, New Hire

Motion Made: Board Member Ginty
Seconded: Board Member Sojka

Resolved, the Board hereby authorized the hiring of Robert Burnett as a Casino Compliance Representative at the Parx Casino.

Board Decision: Passed by unanimous vote

OFFICE OF FINANCIAL MANAGEMENT

David Rhen, Budget Manager, provided an update on revenue and expenditures.

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2012- 584 OCC – Regulation

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby adopted Final-form Regulation #125-161.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012- 585 OCC – Travel Policy

Motion Made: Board Member Trujillo
Seconded: Board Member Fajt

Resolved, the Board approved the PGCB's Travel Expenses and Approval Policy and Procedure (No. 407).

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012- 586 OCC – Automotive Policy

Motion Made: Board Member Fajt
Seconded: Board Member Ginty

Resolved, the Board approved the PGCB’s Automotive Policy and Procedure (No. 408).

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012- 587 OCC – Petition

Motion Made: Board Member Ginty
Seconded: Board Member McCall

Resolved, the Board hereby approved the Petition of Downs Racing for Ratification of Internal Controls Amendment with the following conditions: First, that any gift card or gift certificate program explicitly require that the purchaser and recipient be different people; Second, that the maximum value of a gift card or gift certificate purchased using a credit card but redeemable for cash shall be \$200; third, that a person can only redeem a maximum of \$200 in cash per month in gift cards and gift certificates purchased using a credit card and, finally, that a gift card or gift certificate purchased using a credit card cannot be redeemed for cash until 24 hours after the purchase. All redemptions for cash must take place at the casino cage.

Docket Numer: 2605-2012
Board Decision: Passed 6-Yes, Trujillo-No

PGCB MOTION NO. 2012- 588 OCC – Petition

Motion Made: Board Member McCall
Seconded: Board Member Sojka

Resolved, the Board hereby denied Maple Direct Inc.’s Petition for Removal from the Prohibited Vendors List. The Board directed that this matter be remanded to the Office of Hearings and Appeals for a full Evidentiary Hearing. Chairman Ryan and Commissioner Ginty noted that they would approve Petition, however majority denies the petition.

OHA Docket #: 2571-2012
Board Decision: Passed by 5-Yes, 2-No (Ryan and Ginty)

PGCB MOTION NO. 2012- 589 OCC – Petition

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby denied Vision Solutions, Inc.’s Petition for Removal from the Prohibited Vendors List. The Board directed that this matter be remanded to the Office of Hearings and Appeals for a full Evidentiary Hearing. Chairman Ryan and Commissioner Ginty noted that they would approve Petition, however majority denies the petition.

OHA Docket #: 2407-2011
Board Decision: Passed by 5-Yes, 2 No (Ryan and Ginty)

PGCB MOTION NO. 2012- 590 OCC – Petition / Revocation

Motion Made: Board Member Trujillo
Seconded: Board Member Fajt

Resolved, the Board hereby approved the Revocation of Kathryn Chorney’s Gaming Employee Permit.

OHA Docket #: 2445-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012- 591 OCC – Withdrawals

Motion Made: Board Member Fajt
Seconded: Board Member Ginty

Approved the withdrawal or surrender of Manufacturer, Principal and Key Employee Applications, or Licenses, as well as Gaming Service Provider Registrations or Certifications as follow:

- Jacques P. Andre Licensing No. 1080; PGCB Doc No. 2565-2012
- James Campbell Licensing No. 36482; PGCB Doc No. 2529-2012
- David Maginsky Licensing No. 37456; PGCB Doc No. 2531-2012
- Phillip Theodore Licensing No. 36481; PGCB Doc No. 2530-2012
- Paltronics, Inc. Licensing No. 5841; PGCB Doc No. 2399-2011

Board Decision: Passed by unanimous vote.

PGCB MOTION NO. 2012-592 OCC – William Moore

Motion Made: Board Member Ginty
Seconded: Board Member McCall

Resolved, the Board approved the Report and Recommendation of the Office of Hearings and Appeals and order that the Emergency Suspension of William Moore’s Gaming Employee Permit continue.

OHA Docket #: 2471-2011
Board Decision: Passed by unanimous vote.

PGCB MOTION NO. 2012-593 OCC – Jason Hannon

Motion Made: Board Member Trujillo
Seconded: Board Member Fajt

Resolved, that Commissioner Sojka moved that the Board reject the Report and Recommendation of the Office of Hearings and Appeals to place Jason Hannon on the PGCB’s Exclusion List be dismissed. The motion failed as it did not receive a second.

Commissioner Trujillo offered a second motion requesting that the Board adopt the Report and Recommendation of the Office of Hearings and Appeals regarding the Office of Enforcement Counsel’s

Petition and placed Jason Hannon on the PGCB Exclusion List. Jason Hannon may request removal from the Exclusion List after a period of one year.

OHA Docket #: 2508-2012
Board Decision: 6-Yes, Commissioner Sojka abstained from voting.

PGCB MOTION NO. 2012-594 OCC – Miguel Rivera

Motion Made: Board Member Fajt
Seconded: Board Member Ginty

Resolved, the Board hereby approved the Report and Recommendation of the Office of Hearings and Appeals regarding the Office of Enforcement Counsel’s Petition and placed Miguel Rivera on the PGCB Exclusion List.

OHA Docket #: 2165-2011
Board Decision: Passed by unanimous vote.

BUREAU OF LICENSING

PGCB MOTION NO. 2012-595 LIC

Motion Made: Board Member Ginty
Seconded: Board Member McCall

Resolved, the Board hereby approved the Gaming Junket Enterprise License of Chi Ho Leung’s.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-596 LIC – Principal and Key Employee Licenses

Motion Made: Board Member McCall
Seconded: Board Member Sojka

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

Chester Downs and Marina, LLC

Principal Initial Licensure

- **David B. Sambur**, Director, Caesars Entertainment Corporation, parent company of Chester Downs & Marina, LLC – Docket #58722-1

Key Employees Initial Licensure

- **Joel D. Freedman**, Director of Marketing – Docket #63376-1
- **Michael Manzi**, Internal Audit Manager – Docket #62398-1

Key Employee Renewal

- **Katie M. Tyler**, Surveillance Officer – Docket #20969-4

Valley Forge Convention Center Partners, LP

Key Employee Initial Licensure

- **Alexis Figueras**, Vice President of Finance – Docket #63677-1

Aristocrat Technologies, Inc.

Principals Initial Licensure

- **Lewis G. Flock**, Non-Executive Director, Audit Committee Member, Aristocrat Leisure Limited, parent company of Aristocrat Technologies, Inc. – Docket #63416-1
- **David Craig Philip Banks**, Non-Executive Director, Audit Committee Member, Aristocrat Leisure Limited, parent company of Aristocrat Technologies, Inc. – Dkt #63359-1

IGT

Principal Initial Licensure

- **Janice D. Chaffin**, Independent Director, Audit Committee Member – Docket #58077-1

The United States Playing Card Company

Principal Initial Licensure

- **Richard T. Sansone**, Senior Vice President & Chief Accounting Officer for Jarden Corporation, the parent company of United States Playing Card Company – Dkt #46657-3

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-597 LIC – Temporary Key Employee Credentials

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the issuance of 1 Temporary Principal and 12 Temporary Key Employee Credentials.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-598- LIC – Gaming & Non-Gaming Employee Permits and Registrations

Motion Made: Board Member Trujillo
Seconded: Board Member Fajt

Resolved, the Board hereby approved the issuance of 829 (58 full G2 employees; 371 initial; 94 renewals; 306 Temporary G2 employees) Gaming Employee Permits and 287 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-599 LIC – Withdrawals

Motion Made: Board Member Fajt
Seconded: Board Member Ginty

Resolved, the Board hereby approved the withdrawal of 2 Key Employees, 22 G2 Employees, 14 Gaming and 1 Non-Gaming Employee Applications.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-600 LIC – GSP Certification

Motion Made: Board Member Ginty
Seconded: Board Member McCall

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

- Bekins A-1 Movers, Inc.
- Bekins Commercial Installations, Inc.
- DCO Operations, LLC
- PPB Energy Partners, LLC
- The Halo Group

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-601 LIC – GSP Registration

Motion Made: Board Member McCall
Seconded: Board Member Sojka

Resolved, the Board hereby approved the GSP Registration as follows:

- Chip and a Chair Massage Therapy, LLC, DBA: Chip and a Chair, CAC
- CPI Card Group
- Dietz & Watson, Inc.
- Fire Fighter Sales and Service Company
- Kettle Cuisine, LLC
- Plasma Air International, Inc.
- Software Specialists, Inc. (NeWave, Inc.)
- Titan Outdoor, LLC
- Trimar, Inc., DBA: Dolcissimo Desserts
- U.S. Plate & Mirrors, Inc., DBA: U.S. Glass & Metal, Inc.

With respect to Chip and Chair Massage Therapy, LLC’s Gaming Service Provider Registration, the Board’s approval was contingent on the following conditions: First, that the services of the company can only be provided in the poker room areas of gaming floors in Commonwealth casinos; second, that all employees performing massage services be licensed under the PA Massage Therapy Law and comply with the State Board of Massage Therapy’s regulations; and, finally, that all employees performing massage services be registered with the Board as directed by the Bureau of Licensing.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-602 LIC – GSP Prohibited List

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the addition of Sentry Mechanical, LLC to the Prohibited GSP List.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-603 LIC – GSP Application Abandonment

Motion Made: Board Member Trujillo
Seconded: Board Member Fajt

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

- John Tarr Cement Contracting
- Mariani & Richards, Inc.
- Global Pacific Construction, Inc.
- United Restaurant Equipment, Inc.

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL

PGCB MOTION NO. 2012-604 OEC – Revocation / Nicholas Cimino

Motion Made: Board Member Fajt
Seconded: Board Member Ginty

Resolved, the Board hereby approved the Consent Agreement between the Office of Enforcement Counsel and Nicholas Cimino and placed him on the PGCB's Exclusion List for a minimum of three (3) years.

OHA Docket #: 2009-2011
Board Decision: 6-Yes, Chairman Ryan recused himself, Commissioner Fajt conducted the preliminaries.

PGCB MOTION NO. 2012-605 OEC – Revocation / Jean Boucard

Motion Made: Board Member Ginty
Seconded: Board Member McCall

Resolved, the Board hereby approved the Revocation of Jean Boucard's Non-Gaming Employee Registration.

OHA Docket #: 2469-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-606 OEC – Revocation / Antoine Bell-Wright

Motion Made: Board Member McCall
Seconded: Board Member Sojka

Resolved, the Board hereby approved the Revocation of Antoine Bell-Wright's Non-Gaming Employee Registration.

OHA Docket #: 2500-2011
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-607 OEC – Revocation

Motion Made: Board Member Sojka
Seconded: Board Member Trujillo

Resolved, the Board hereby approved the Revocation of Wilder Polycarpe's Non-Gaming Employee Registration

OHA Docket #: 2516-2012
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-608 OEC –PGCB Exclusion List

Motion Made: Board Member Trujillo
Seconded: Board Member Fajt

Resolved, the Board hereby approved the addition of Betram Chapman to the Pennsylvania Gaming Control Board's Involuntary Exclusion List.

OHA Docket #: 2506-2011
Board Decision: Passed by unanimous vote

ADJOURNMENT

On a motion by Commissioner Fajt, the meeting was adjourned.

I HEREBY CERTIFY THAT THESE MINUTES WERE APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AT A PUBLIC MEETING ON THE **23rd** DAY OF **MAY**, 2012.

Mickey Kane, Board Secretary