



## PENNSYLVANIA GAMING CONTROL BOARD

### Meeting of the Board June 3, 2009 Minutes

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A meeting of the Pennsylvania Gaming Control Board was held on June 3, 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:***

David Barasch representing Honorable Stephen Stetler, Secretary of Revenue

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

Frank Donaghue – opening remarks & introduction of new Executive Director  
Kevin O'Toole – opening remarks  
Claire Yantis – personnel matters  
Troy Beaverson - regulations  
Doug Sherman – petitions  
Steve Cook – withdrawals, report and recommendations  
Susan Hensel – licensing matters  
Cyrus Pitre – enforcement issues  
Katie Higgins – revocations  
Melissa Powers – revocations  
Dr. Anthony Ceddia – Mount Airy #1, LLC update  
Michael Sklar, Esquire – representing Mount Airy #1, LLC  
Marsha A. Sajer, Esquire – representing Autovalet Systems, LLC

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

### **OATH OF OFFICE**

The Honorable Max Baer, Supreme Court Justice, administered the Oath of Office to the Pennsylvania Gaming Control Board Chairman, Gregory C. Fajt.

## **ANNOUNCEMENTS**

Chairman Fajt announced that the Board held an Executive session on June 2, 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.

## **MINUTES AND TRANSCRIPTS**

On a motion by Board Member Angeli, seconded by Board Member Coy, the minutes and transcripts of the April 8 and April 22 meetings were unanimously approved.

## **EXECUTIVE DIRECTOR'S REPORT**

Mr. Kevin O'Toole congratulated the Chairman on his appointment and noted that he looked forward to working with the board and intended, as the new Executive Director, to work tirelessly to fulfill the mandates of the Gaming Act.

Mr. O'Toole thanked Frank Donaghue for his willingness to assume the Executive Directors position over the past year. He commented that the agency did not skip a beat under his leadership.

Mr. O'Toole provided a quick update on the opening of the Sands Casino Resort Bethlehem in Northampton County. He noted that on May 22nd the Sands Casino Resort Bethlehem opened their new facility, a 103,000-square-foot casino with 3,000 slot machines which they expect to expand to 132,000-square-feet and 5,000 slot machines by the end of the year. The state-of-the-art casino employs over 900 individuals...most of them Pennsylvania residents...and offers restaurants with views of the gaming floor. He congratulated the successful opening to the opening team which includes the gaming operations, the gaming lab, casino compliance, licensing, information technology and legal counsel...along with the cooperative work of Sands staff. He also thanked and commended Commissioners Coy, Sojka and Ginty for their oversight of the test session and opening. In addition to PGCB and Sands staff, he noted that the cooperation and assistance of the Pennsylvania State Police, the Department of Revenue, and the staff from GTech lead to the successful opening.

## **HUMAN RESOURCES**

### **PGCB MOTION NO. 2009-137 HR – Employment**

Motion Made: Board Member Coy  
Seconded: Board Member Ginty

#### **New Hires:**

Kathryn Smith, Executive Secretary to the Chairman  
Jennifer Courtney King, Casino Compliance Representative - The Meadows  
Mark Dinse, Electronics Engineer - Gaming Laboratory Operations  
Matthew Belella, Statistician - Gaming Laboratory Operations

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

Board Decision: Passed by unanimous vote

**OFFICE OF CHIEF COUNSEL**

**PGCB MOTION NO. 2009-138 REG – Proposed Regulation of 125-104**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby adopts the Proposed Regulation No. 125-104 and that the Board establish a public comment period of 30 days; and that the proposed regulation is posted on the Board's website.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-139 REG – Final-form Regulation of 125-96**

Motion Made: Board Member McCabe  
Seconded: Board Member Rivers

Resolved, the Board hereby adopts the Final-form Regulation No. 125-96 and that the Final-form Regulation be posted on the Board's website.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-140 OCC – Autovalet Systems LLC Petition**

Motion Made: Board Member Rivers  
Seconded: Board Member Angeli

Resolved, the Board hereby approves the Order granting the removal of Autovalet Systems, LLC from the Prohibited Vendors List, however, Autovalet shall pay a civil penalty in the amount of \$1,500. OHA Docket No. 22399

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-141 OCC – Downs Racing Petition**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby approves the Order granting the Downs Racing, L.P. Petition for Approval of Service Level Agreement with Mohegan Tribal Gaming Authority and approves the Petition based on the agreed upon Stipulation between Downs Racing and the Office of Enforcement Counsel. OHA Docket No. 43368

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-142 OCC – Mount Airy #1 LLC Petition – Vacate February 5, 2008 Order Suspending Louis DeNaples Principal License**

Motion Made: Board Member Coy  
Seconded: Board Member Ginty

Resolved, the Board hereby approves the Order granting the Mount Airy #1 LLC Petition vacating the Board's February 5, 2008 Order which suspended the Principal License of Louis DeNaples and installed a trustee to oversee the operations of Mount Airy #1 LLC, shall be amended, with conditions, pending the Board's consideration of the Amended Petition of Mount Airy #1 LLC for Approval of a Corporate Restructuring. OHA Docket No. 43480

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-143 OCC – Mountainview Thoroughbred Racing Association's Petition**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby approves the Order granting the Mountainview Thoroughbred Racing Association's (Penn National) Petition, with conditions, for Additional Slot Machines on the Gaming Floor. OHA Docket No. 43495

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-144 OCC – Withdrawal or Surrender of Applications**

Motion Made: Board Member McCabe  
Seconded: Board Member Rivers

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:

Chris Anderson	Licensing No. 26963;	PGCB Doc No. 43516
Mark Hoppe	Licensing No. 25284;	PGCB Doc No. 43509
Albert T. Keyack	Licensing No. 26246;	PGCB Doc No. 43476
Gina Ladocsi	Licensing No. 30831;	PGCB Doc No. 43518
John Lorenty	Licensing No. 29661;	PGCB Doc No. 43446
Chad Mummert	Licensing No. 4355;	PGCB Doc No. 43519
Markus Stenzer	Licensing No. 21801;	PGCB Doc No. 43478

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-145 OCC – Report and Recommendation, Tri-State HVAC Equipment, LLP**

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 approve the Vendor Certification, with the following conditions:

- The matter is returned to the Bureau of Investigations and Enforcement (BIE) to permit Tri State HVAC Equipment a final opportunity to supply the information requested by BIE within thirty (30) days of the date of this order.
- TriState’s failure to comply within the Board-designated time period will result in a denial of its application, with prejudice.
- Should TriState provide all requested information within the Board-designated time period. BIE must complete its investigation and make an appropriate recommendation.
- TriState shall remain in “intent to deny” status, unable to work with any slot machine licensee, until such time as BIE notifies the Bureau of Licensing that is has received all the required information.

Board Decision: Passed by unanimous vote

**BUREAU OF LICENSING**

**PGCB MOTION NO. 2009-146 LIC – Manufacturer License Renewal of IGT**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby approves the Order renewing the Manufacturer License for IGT.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-147 LIC – Manufacturer License Renewal of Spielo Manufacturing ULC**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby approves the Order renewing the Manufacturer License for Spielo Manufacturing ULC.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-148 LIC – Supplier License Renewal of KGM Gaming, LLC**

Motion Made: Board Member Coy  
Seconded: Board Member Ginty

Resolved, the Board hereby approves the Order renewing the Supplier License for KGM Gaming, LLC.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-149 LIC – Temporary Key Employee Licenses**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby approves the Order issuing 79 Temporary Key Employee Licenses.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-150 LIC – Gaming and Non-Gaming Permits and Registrations**

Motion Made: Board Member McCabe  
Seconded: Board Member Rivers

Resolved, the Board hereby approves the Order issuing 521 Gaming Employee Permits, including 214 renewals, and 692 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-151 LIC – Denial of Non-Gaming Employee Registrations**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

Resolved, the Board hereby approves the Orders denying Non-Gaming Employee Registrations for the following applicants:

<u>BOL Dbase</u>	<u>Docket #</u>	<u>Applicant</u>
37767	G1014575	Kenneth Rivers
16293	N1004584	Karen Stockman
16479	N1004776	Miyaah Lee
16644	N1004947	Gerald Vaughan

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-152 LIC – Abandonment of Gaming and Non-Gaming Permits and Registrations**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby issued an Order approving the abandonment of 214 (71 Gaming and 143 Non-Gaming) Permits and Registrations.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-153 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:

Abate Irwin, Inc.  
Bean, Inc.  
C. Abbonizio Contractors, Inc.  
Chispanic Enterprises, Inc.  
Innovative Glazing Systems, Inc.  
Metz Concepts, LLC  
Multiscope, Inc.  
Prestige Packing, Inc.  
Rockland Bakery, Incorporated

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-154 LIC – Vendor Registrations**

Motion Made: Board Member Coy  
Seconded: Board Member Ginty

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

Advance Transportation Company, Inc.  
Ambius, Inc.  
Berto Enterprises, Inc., DBA: Western Technical Services  
Charles Dectis Painting, Inc.  
Crescent Lodge, Inc.  
Dagostino Electronic Services, Inc.  
Giant Floor and Wall Covering Company, Inc., DBA: Giant Floor  
Hensler Communications Consultants, LP, DBA: HC Global  
J.A.S. Bakery, Inc., DBA: Original South Philly Bakery  
J.P. Lilley & Son, Inc., DBA: JP Lilley  
Lentz Milling Company  
Maines Paper & Food Service, Inc.

Metropolis Manufacturing, Inc., DBA: Vaughan Benz  
Oliver Sprinkler Co., Inc. d/b/a Oliver Alarm Systems  
Southside Serendipity  
Steel City Motorcycle Company, LP, DBA: Steel City Harley-Davidson  
Ulster Carpet Mills (North America), Inc.  
UniFirst Corporation  
Walters Services, Inc., DBA: Walters Septic Service  
Wheeling Linen Service, Inc.  
Winter Equipment Corporation

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-155 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:

A & H Equipment Company  
OCE Imagistics, Inc.  
OP Ventures  
Pyro-Stop  
Reactor Watches, LP

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-156 LIC – Vendor Application Denial**

Motion Made: Board Member McCabe  
Seconded: Board Member Rivers

Resolved, the Board hereby issues an Order denying the Vendor Application of Dekolink Americas, Inc.

Board Decision: Passed by unanimous vote

**OFFICE OF ENFORCEMENT COUNSEL**

**PGCB MOTION NO. 2009-157 OEC – Revocation of Non-Gaming Employee Registration for Tiffanie Nelson**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

Resolved, the Board hereby approves the Order to revoke the Non-Gaming Employee Registration for Tiffanie Nelson, Docket No. 43423.



Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-158 OEC – Revocation of Non-Gaming Employee Registration for Danielle Raub**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby approves the Order to revoke the Non-Gaming Employee Registration for Danielle Raub, OHA Docket No. 43364.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-159 OEC – Revocation of Non-Gaming Employee Registration for Adam Sundberg**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby approves the Order to revoke the Non-Gaming Employee Registration for Adam Sunberg, OHA Docket No. 43316.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-160 OEC – Revocation of Gaming Employee Permit for Amanda Raymond**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby approves the Order to revoke the Gaming Employee Permit for Amanda Raymond, OHA Docket No. 43336

Board Decision: Passed by unanimous vote

**ADJOURNMENT**

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