



## PENNSYLVANIA GAMING CONTROL BOARD

### Meeting of the Board September 23, 2009 Minutes

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A meeting of the Pennsylvania Gaming Control Board was held on September 23, 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 Dennis Wolff, Secretary of Agriculture  
Keith Welks representing Honorable Robert M. 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 – agency financial update  
Richard Sandusky – regulations  
Doug Sherman – petitions  
Steve Cook – withdrawals, report and recommendations  
Susan Hensel – licensing matters  
Cyrus Pitre – enforcement issues  
Dustin Miller – enforcement actions – revocations  
Gregory Rubino – public comment

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 September 22<sup>nd</sup> and prior to the start of today's meeting 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.

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**MINUTES AND TRANSCRIPTS**

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

**EXECUTIVE DIRECTOR'S REPORT**

Mr. Kevin O'Toole, Executive Director, reported that slot machine revenue in the Commonwealth of Pennsylvania rose 19.8 percent for the month of August 2009 over the prior year's figures for the same month. Even with the recognition that there are two new casinos in Pennsylvania during August 2009, these figures reflect that Pennsylvania properties are attracting new customers. Mr. O'Toole stated that with the 2009/2010 budget recently agreed to in principle by the House and the Senate, it appears that table games will become another way for Pennsylvania casinos to market and attract new customers. Mr. O'Toole further commented that the staff for the Board will continue to work hard to ensure that Pennsylvania gains the benefits of expanded gaming activities while at the same time providing proper regulatory oversight needed to insure the integrity of all forms of legalized gaming at Pennsylvania casinos.

**REGULATIONS**

**PGCB MOTION NO. 2009-231 REG – Proposed Regulation of 125-106**

Motion Made: Board Member Rivers  
Seconded: Board Member McCabe

Resolved, the Board hereby adopts the Proposed Regulation No. 125-106 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. 2009-232 REG – Final-form Regulation of 125-104**

Motion Made: Board Member McCabe  
Seconded: Board Member Ginty

Resolved, the Board hereby adopts the Final-form Regulation No. 125-104 and that the Final-form Regulation be posted on the Board's website.

Board Decision: Passed by unanimous vote

**OFFICE OF CHIEF COUNSEL**

**PGCB MOTION NO. 2009-233 – Mount Airy #1 LLC Petition**

Motion Made: Board Member Angeli  
Seconded: Board Member Ginty

Resolved, the Board hereby grants Mount Airy #1 LLC's Petitions for Approval of Corporate Restructuring and to vacate, with conditions, the Board's 2/5/08 and 6/3/09 Orders.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-234 – KGM Gaming Consent Agreement**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

Resolved, the Board hereby tables the Consent Agreement allowing KGM Gaming to display Slot Machines in Gaming Showroom.

Docket Number: 40360  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-235 – RLC Electronics Systems, Inc Settlement Agreement**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby approves the Settlement Agreement allowing RLC Electronics Systems, Inc. to possess Slot Machines.

Docket Number: 43298  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-236 OCC – Withdrawal or Surrender of Applications, Licenses, Vendor Registrations or Certifications**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby issues Orders approving the Withdrawal or Surrender of Principal and Key Employee Applications, or Licenses, as well as Vendor Registrations or Certifications, without prejudice, as follows:

Anthony Cruz	Licensing No. 38929;	PGCB Doc No. 43910
Leo Foster	Licensing No. 24134;	PGCB Doc No. 43911
David Steven Keene	Licensing No. 35708;	PGCB Doc No. 43907
Richard A. Marone, Trustee	Licensing No. 36253;	PGCB Doc No. 43888
Menchey Music Service, Inc.	Licensing No. 37909;	PGCB Doc No. 43908
Harmon Resources, LLC	Licensing No. 3242;	PGCB Doc No. 43653
Coreen Ann Sawdon	Licensing No. 27443;	PGCB Doc No. 43966

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-237 OCC – Report and Recommendation / Todd Aldrich**

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 that the Gaming Employee Permit of Todd Aldrich remains suspended.

Docket Number: 43756  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-238 OCC – Report and Recommendation / Gregory Richards**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

Resolved, the Board hereby issues an Order adopting the Report and Recommendation of the Office of Hearings and Appeals and denies the Non-Gaming Employee Registration of Gregory Richards.

Docket Number: 38988  
Board Decision: Passed by unanimous vote

**BUREAU OF LICENSING**

**PGCB MOTION NO. 2009-239 LIC – Slot Machine License Renewal**

Motion Made: Board Member McCabe  
Seconded: Board Member Rivers

Resolved, the Board hereby grants the Renewal Application of Downs Racing, LP's Category 1 Slot Machine License.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-240 LIC – Supplier License Renewal**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby approves the Order renewing Modern Gaming Pennsylvania, LLC's Supplier License.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-241 LIC – Issuance of Principal & Key Employee Licenses**

Motion Made: Board Member Angeli  
Seconded: Board Member Rivers

Resolved, the Board hereby issues and Order to approve the issuance of 3 Principal and 2 Key Employee Licenses as follows:

- ✓ **Chester Downs and Marina, LLC**  
Key Employee Initial Licensure  
**Cynthia Ann Leach**, Count Room Supervisor, Docket #30606
  
- ✓ **Holdings Acquisition Co., LP**  
Key Employee Initial Licensure  
**Robert G. Fitzpatrick**, Vice President of Finance, Docket #28344
  
- ✓ **Aristocrat Technologies, Inc.**  
Principal Initial Licensure  
**Nicholas Khin**, President and Chief Executive Officer of the Americas, Docket #24977
  
- ✓ **Aruze Corporation**  
Principals Initial Licensure  
**Hideki Nakagome**, Outside Director, Docket #30374  
**Masamori Iwabuchi**, Outside Director, Docket #30030

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-242 LIC – Temporary Key Employee Licenses**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

Resolved, the Board hereby issues and Order to approve the issuance of 112 Temporary Key Employee Licenses.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-243 LIC – Gaming and Non-Gaming Permits and Registrations**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby approves the Order issuing 225 Gaming Employee Permits, including 134 renewals, and 153 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-244 LIC – Denial of Gaming and Non-Gaming Permits and Registrations**

Motion Made: Board Member Angeli  
Seconded: Board Member Coy

Resolved, the Board hereby approves the Order denying the Gaming Permits and Non-Gaming Registrations for the following applicants:

<u>BOL Dbase</u>	<u>Docket #</u> <u>SLOTSLink</u>	<u>Applicant</u>
39800	G1016033	Patrick Quinn
40806	G1016778	DeAndre Jones
40453	G1016516	Lauren Jenkins
40716	G1016710	Colleen Dausch
41483	G1017358	Clinton Buchanan
41366	N1017241	Michelle Matter
39120	N1015561	William Daleandro
40110	N1016240	Howard Gordon

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-245 LIC – Withdrawal 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 withdrawal of 27 Gaming Employee Permits and 15 Non-Gaming Registrations.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-246 LIC – Vendor Certifications**

Motion Made: Board Member Ginty  
Seconded: Board Member McCabe

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

- ✓ ARI Products, Inc.
- ✓ Century Security Services, Inc.
- ✓ Herman Goldner Company, Inc.
- ✓ Hoey Consulting, LLC
- ✓ Sam Cohen & Sons, Inc.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-247 LIC – Vendor Registration**

Motion Made: Board Member McCabe  
Seconded: Board Member Rivers

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

- ✓ AHB Foods, Classic Cake

- ✓ All Purpose Cleaning Service, Inc.
- ✓ AM Group, Inc.
- ✓ Baumgardner Floor Covering, Ltd., DBA: BFC, Ltd.
- ✓ Blue Mountain Equipment Rental Corporation
- ✓ Brainstorm Logistics, LLC
- ✓ Carol Philp, Inc., DBA: CPI Creative
- ✓ Creations Galore Conv. & Ad Specialty Items, Inc., DBA: Creations Galore
- ✓ Creative Visions Multimedia Services, LLC, DBA: Creative Visions
- ✓ Crown Equipment Corporation, DBA: Crown Lift Trucks
- ✓ Dataworks, Inc.
- ✓ E. Frank Hopkins Company, Inc.
- ✓ Grand Cru Coffees, LLC
- ✓ IntegriTec, Inc.
- ✓ Kospiah Excavating, Inc.
- ✓ Lighting Fixture & Supply Company, Inc.
- ✓ LWK Corp. DBA: Drexelbrook Catering
- ✓ M/A - Com, Inc.
- ✓ Martin's Draperies & Interiors, Ltd., DBA: Martin's Interior Design Studio
- ✓ Michael Blose Signs
- ✓ Mikohn Signs and Graphics, LLC, DBA: Mikohn
- ✓ Palace Laundry, Inc., DBA: Linens of the Week
- ✓ Paragon Wholesale Foods Corp., DBA: Paragon Monteverde
- ✓ Pengate Handling Systems, Inc.
- ✓ Philip F. Bogatin, Inc.
- ✓ Pittsburgh Transportation Group Charter Services, Inc.
- ✓ PKF Consulting, Inc.
- ✓ Scott Advertising Specialists
- ✓ ServIT, Incorporated
- ✓ Specialized Security Response, Inc.
- ✓ Success Seminars, DBA: Select Sales
- ✓ Swarovski North America, Ltd.
- ✓ Tuscan/Lehigh Dairies, Inc.
- ✓ Uniserv Associates, Inc., DBA: Uniserv Advertising
- ✓ Wedco, Inc., DBA: Weiss Provision Company
- ✓ Zambelli Fireworks Manufacturing Company, DBA: Zambelli Firework Internationale
- ✓ Zones, Inc.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2009-248 LIC – Vendor Application Denial**

Motion Made: Board Member Rivers  
Seconded: Board Member Sojka

Resolved, the Board hereby issues an Order denying the Vendor Application of Yates Sign Company, Inc.

Board Decision: Passed by unanimous vote

**OFFICE OF ENFORCEMENT COUNSEL**

**PGCB MOTION NO. 2009-249 OEC – Revocation of Non-Gaming Employee Registration for Barton Bickle-Goodman**

Motion Made: Board Member Sojka  
Seconded: Board Member Angeli

Resolved, the Board hereby approves the Order to revoke the Non-Gaming Employee Registration for Barton Bickle-Goodman.

Docket Number: 43804  
Board Decision: Passed by unanimous vote

**ADJOURNMENT**

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