



PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board June 21, 2010 Minutes

A meeting of the Pennsylvania Gaming Control Board was held on June 21, 2010 at the PUC Keystone Building, Hearing Room 1, Harrisburg, PA. The meeting began at approximately 1:00 p.m.

Members in attendance were:

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

Ex-officio Member/Designee in attendance:

David Barasch, Deputy Secretary of the Department of Revenue
Jorge Augusto, representing Russell Redding, Secretary of Agriculture

Individuals who appeared officially before the Board:

Kevin O'Toole – Executive Directors Report
Richard Sandusky – Regulations
Susan Yocum – Regulations
R. Douglas Sherman – Petitions
Steve Cook – Withdrawals, Report and Recommendations
Sean Hannon – Licensing Matters
Cyrus Pitre – Consent Agreement, Revocations

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 earlier today and just prior to today's public meeting. The purpose of the executive session earlier today was to discuss personnel matters, pending litigation, and to conduct quasi-judicial deliberations relating to matters pending before the Board. The purpose of the executive session prior to the public meeting was to deliberate the Holding Acquisition Petition that was the subject of the June 21 public hearing.

Chairman Fajt announced the resignation of Richard Sandusky, Director of Regulatory Review, and Nan Horner, Director of Compulsive and Problem Gambling. The Chairman stated that Richard has

been with the Board since the early days and has been one of the most vital players in the day-to-day operations of, not only the Board, but of all of Pennsylvania's casinos. He commented that it was Richard's responsibility to draft all of the regulations which impact both the Board and the gaming industry and then, once drafted, to take them through the promulgation process. The Chairman thanked Mr. Sandusky and presented him with a resolution.

PGCB RESOLUTION – 2010 –3 OCC / RICHARD SANDUSKY
Adopted 6/21/10

WHEREAS, Richard Sandusky was hired on April 7th, 2006 by the Pennsylvania Gaming Control Board as the Director of Regulatory Review; and

WHEREAS, Richard Sandusky was tasked with building a thorough and comprehensive code of regulations for the Pennsylvania Gaming Control Board to oversee the creation of the agency, and the regulation of the nascent gaming industry in Pennsylvania; and

WHEREAS, Richard Sandusky has over the course of four years overseen the promulgation of nearly sixty sets of temporary regulations and guided thirty-nine separate rulemakings through the Independent Regulatory Review process; and

WHEREAS, no other agency of the Commonwealth has accomplished a task of the scope and magnitude which Richard Sandusky has guided in recent history; and

WHEREAS, Richard Sandusky has steadfastly endeavored to enact a set of regulations serving as a model in the gaming industry to assure the integrity of the regulation of gaming and to propel Pennsylvania as a leader in the gaming industry; be it

RESOLVED that the Pennsylvania Gaming Control Board proudly recognizes Richard Sandusky for his exemplary record of service and congratulates Richard on his retirement from the Pennsylvania Gaming Control Board and wishes him the very best in all his future endeavors.

The Chairman remarked that Nan was unable to attend today's meeting so the Board will present her Resolution at another time. The Chairman stated that he wanted to publicly recognize Nan, and thank her for all of her efforts in the years she has been with the Board. He commented that anyone who attends the PGCB Board meetings on a regular basis knows; we take issues of underage gaming and compulsive gaming quite seriously. The Chairman said that because the Board takes these matters so seriously, it was always good to know that Nan was out there, in the trenches, dealing with these issues on a day-to-day basis. Her hard work and gaming expertise, particularly in the area of problem gaming, will be sorely missed.

PGCB RESOLUTION-2010-4-CPG – NANETTE HORNER
Adopted 6/21/10

WHEREAS, In July 2005, Nanette Horner was hired as one of the first employees of the Pennsylvania Gaming Control Board; and

WHEREAS, In September 2006, Nanette Horner was selected to become the first Director of the Office of Compulsive and Problem Gambling. In this position, Nanette Horner established the processes for regulatory requirements to increase awareness and develop strategies for the prevention and treatment of compulsive and problem gaming; and

WHEREAS, Nanette Horner has worked tirelessly toward the establishment and implementation of a nationally recognized voluntary self-exclusion program that has benefited countless citizens of Pennsylvania; and

WHEREAS, the development of the Pennsylvania Gaming Control Board's commitment to insure responsible gambling practices during Nanette Horner's tenure as Director of the Office of Compulsive and Problem Gambling is a matter of which the full Board is both proud and appreciative; be it

RESOLVED that the Pennsylvania Gaming Control Board proudly recognizes Nanette Horner for her exemplary record of leadership and congratulates Nanette on her service to the Pennsylvania Gaming Control Board and wishes her the very best in all her future endeavors.

EXECUTIVE DIRECTORS REPORT

Kevin O'Toole personally and publicly expressed his appreciation to two of PGCB's outstanding employees, Richard Sandusky and Nanette Horner, for their contributions to the growth and success of the Pennsylvania Gaming Control Board over the past four years. Mr. O'Toole stated that both Richard and Nanette will be leaving the Gaming Control Board by the end of June and they will be greatly missed at our agency. Nanette Horner has directed the Office of Compulsive and Problem Gambling since September 2006 and she has elevated that Office to the point where it is nationally recognized as one of the most progressive and effective compulsive and problem gambling units within any casino regulatory agency. Richard Sandusky's expertise in the crafting of regulations is truly at the top of his profession. His affect on the Gaming Control Board and the casino industry in Pennsylvania through his work with the Regulatory Review Unit will be felt for many years to come. In closing, Mr. O'Toole stated that he and PGCB staff wished Richard and Nanette much success in their future endeavors.

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2010-227 REG – Temporary Regulation #125-126

Motion Made: Board Member Sojka
Seconded: Board Member Ginty

Resolved, the Board hereby adopts Temporary Regulation #125-126 and establishes a comment period of 30 days; and directs that the Temporary Regulation be posted on the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-228 REG – Final Omitted Regulation #125-127

Motion Made: Board Member Coy
Seconded: Board Member Angeli

Resolved, the Board hereby adopts Final Omitted Regulation #125-127 and directs that the Regulation be posted on the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-229 OCC – Petition / Mountainview Thoroughbred Racing Assoc.

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby grants Mountainview Thoroughbred Racing Association's (Hollywood Casino) Petition to Possess Slot Machines, subject to 13 conditions, at its Corporate Headquarters.

Docket Number: 1447-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-230 OCC – Petition / Holdings Acquisition

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby grants Holdings Acquisition Co., LP's Petition for Approval of a Revised Gaming Floor Plan and to maintain Confidentiality.

Docket Number: 1374-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-231 OCC – Petition / Chester Downs

Motion Made: Board Member Angeli
Seconded: Board Member Ginty

Resolved, the Board hereby grants the Chester Down's Petition for Approval to Modify the Gaming Floor.

Docket Number: 1478-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-232 OCC – Withdrawals / Surrenders

Motion Made: Board Member Ginty
Seconded: Board Member Sojka

Resolved, the Board hereby grants the withdrawal or surrender of Principal and Key Employee Applications, or Licenses, as well as Gaming Service Provider Registrations or Certifications as follows:

- ✓ Stroehmann Bakeries P.A., LL Licensing No. 3100; PGCB Doc No. 1403-2010
Gaming Service Provider Registration without prejudice
- ✓ Ampac Security Products Licensing No. 8376; PGCB Doc No. 1444-2010
Gaming Service Provider Registration without prejudice

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-233 OCC – Report and Recommendation / Anthony Incollingo

Motion Made: Board Member Sojka
Seconded: Board Member Angeli

Resolved the Board hereby tabled the matter of Anthony Incollingo's Non-Gaming Employee Registration.

Docket Number; 1151-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-234 OCC – Report and Recommendation / Nash Ian Keppley

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and denied the Non-Gaming Employee Registration of Nash Ian Keppley.

Docket Number; 1366-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-235 OCC – Report and Recommendation / Clark Kern

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and directed that the Emergency Suspension of Clark Kern's Non-Gaming Employee Registration remain in full force and effect until further order of the Board.

Docket Number; 1368-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-236 OCC – Report and Recommendation / Nickolas Passineau

Motion Made: Board Member Ginty
Seconded: Board Member Sojka

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and dissolved the Emergency Suspension of Nickolas Passineau's Non-Gaming Employee Registration.

Docket Number; 1395-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-237 OCC – Report and Recommendation / Steve Scancella

Motion Made: Board Member Sojka
Seconded: Board Member Angeli

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and revoked, for a period of five (5) years, the Non-Gaming Employee Registration of Steve Scancellia.

Docket Number: 1245-2010
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-238 OCC – Report and Recommendation / C.A.C

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and denied the Petition of C.A.C for removal from List of Self-Excluded Persons.

Docket Number: 1301-2010
Board Decision: Passed by unanimous vote

BUREAU OF LICENSING

PGCB MOTION NO. 2010-239 LIC – Table Games Manufacturer License

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby approved the Table Games Manufacturer License for Aristocrat Technologies, Incorporated.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-240 LIC – Table Games Manufacturer License

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby approved the Table Games Manufacturer License for Bally Gaming, Incorporated.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-241 LIC – Table Games Manufacturer License

Motion Made: Board Member Ginty
Seconded: Board Member Sojka

Resolved, the Board hereby approved the Table Games Manufacturer License for Konami Gaming, Incorporated.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-242 LIC – Key Employee Licenses

Motion Made: Board Member Sojka
Seconded: Board Member Angeli

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

Chester Downs and Marina, LLC

Key Employee Initial Licensure

✓ **Dennis Carr**, Cage Supervisor – Docket #36256-2

Key Employee Renewal

✓ **Michael Toland**, Cage Shift Manager – Docket #25828-2

Downs Racing, LP

Key Employee Renewal

✓ **Mark Angelo**, Slot Shift Manager – Docket #20960-3

Presque Isle Downs, Inc.

Key Employees Initial Licensure

✓ **Karl Lewis**, Surveillance Supervisor – Docket #15892-3

✓ **Mariana Skonieczka**, Players Club Manager – Docket #15862-3

Key Employees Renewal

✓ **Stuart Hoffman**, Drop/Count Team Supervisor – Docket #20974-3

✓ **Daniel Cuic**, Manager of Slot Operations – Docket #20586-3

✓ **Mark Vommaro**, Security Supervisor – Docket #23160-3

Washington Trotting Association, Inc.

Key Employee Initial Licensure

✓ **Jennifer Siller**, Cage Shift Supervisor – Docket #28825-2

Key Employee Renewal

✓ **Karen Nickens**, Assistant Security Supervisor – Docket #17851-2

Mount Airy #1, LLC

Key Employee Initial Licensure

✓ **Michelle Rivera**, Dual Rate Cage Shift Manager – Docket #22766-5

MicroFirst Associates, Inc

Key Employee Initial Licensure

✓ **Ryan Randazzo**, Director of Customer Service – Docket #4702-2

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-243 LIC – Temporary Principal and Key Employee Credentials

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby approved the issuance of 11 Temporary Key Employee Credentials.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-244 LIC – Issuance of Gaming and Non-Gaming Permits and Registrations

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby approves the Order issuing 888 (805 initial; 83 renewals) Gaming Employee Permits and 117 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-245 LIC –Denial of Non-Gaming Employee Registrations

Motion Made: Board Member Ginty
Seconded: Board Member Sojka

Resolved, the Board hereby denied the following Non-Gaming Employee Registrations:

<u>Docket #</u>	<u>Applicant</u>
44097	John Ford, Jr.
44501	Mark Fitzpatrick
45652	Philip Clavier

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-246 LIC – Withdrawal of Key Employee Applications

Motion Made: Board Member Sojka
Seconded: Board Member Angeli

Resolved, the Board hereby issued Orders approving 3 Key Employee Application Withdrawals.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-247 LIC – Gaming Service Provider Certification

Motion Made: Board Member Angeli
Seconded: Board Member Coy

Resolved, the Board hereby issues an Order approving Gaming Service Provider Certifications as follows:

- ✓ Cromedy Doyle Advantage, Inc.
- ✓ Primo No. 1 in Produce, Inc.
- ✓ T. Frank McCall's, Inc.
- ✓ WPCS International Incorporated – Lakewood Operations

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2010-248 LIC – Gaming Service Provider Registration

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby issues an Order approving the Gaming Service Provider Registration of ACG Apparel, Incorporated

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL

PGCB MOTION NO. 2010-249 OEC – Holdings Acquisition Co., L.P.

Motion Made: Board Member Coy
Seconded: Board Member Ginty

Resolved, the Board hereby approved the Order finding Holdings Acquisition Co., L.P.'s Debt Restructuring satisfactory, however, this Order should not be misconstrued as Board approval or disapproval for any outstanding licensing issues associated with Holdings Acquisition's debt restructuring.

Board Decision: Passed by unanimous vote

ADJOURNMENT

On a motion by Board Member Ginty, and seconded by Board Member Sojka, the meeting was adjourned.

I HEREBY CERTIFY THAT THESE MINUTES WERE APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AT A PUBLIC MEETING ON THE 29th DAY OF JULY, 2010.

Mickey Kane, Board Secretary