



# PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board

June 28, 2011

Minutes

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A meeting of the Pennsylvania Gaming Control Board was held at the State Museum Auditorium, Harrisburg. The meeting began at approximately 10:00 a.m.

***Members in attendance were:***

Gregory C. Fajt, Chairman  
Raymond S. Angeli  
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 Director  
David Rhen – Agency Revenue and Expenditures  
Allison Cassel – Loan Repayment  
Susan Yocum – Regulations  
R. Douglas Sherman – Petitions  
Neil Hittinger – Report and Recommendations  
Susan Hensel – Licensing Matters  
Cyrus Pitre – Enforcement Actions  
Dale Miller – Enforcement Actions  
Dustin Miller – Enforcement Actions  
Beth Manifesto – Enforcement Actions  
Michael Roland – Enforcement Actions

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

## **PUBLIC HEARING**

A Public Hearing was held regarding Greenwood Gaming & Entertainment, Inc's (Parx Casino) Petition for Designation of area to Conduct Poker Tournament.

## **ANNOUNCEMENTS**

Chairman Fajt announced that the Board held an Executive Session yesterday for the purpose of discussing personnel matters, pending litigation, the leasing of real property and to conduct quasi-judicial deliberations relating to matters being considered by the Board today.

**MINUTES / TRANSCRIPT**

On a motion by Commissioner Trujillo, seconded by Commissioner Sojka, the board unanimously approved the May 25 and June 8, 2011 meeting minutes and transcripts.

**EXECUTIVE DIRECTORS REPORT**

**PGCB MOTION NO. 2011-230 – EXE – Office Space / OHA**

Motion Made: Board Member Sojka  
Seconded: Board Member Moscato

Resolved, the Board hereby authorizes the Executive Director to enter into a lease with Strawberry Square Associates relative to the relocation of the Board's Office of Hearings and Appeals.

Board Decision: Passed by unanimous vote

Following the Board's approval on office space, Mr. O'Toole stated that the 4<sup>th</sup> Annual Benchmark Report which provides the most current statistics on the very positive impact that slot machine revenue has had on the horse racing and horse breeding industries within the Commonwealth of Pennsylvania. He reported that the Benchmark Report provides a 5-year analysis of how the Race Horse Development Fund has been used to increase purses, to enhance Pennsylvania-bred horse racing, and to provide health and pension benefits to the employees and the members of the various Horsemen's Associations within Pennsylvania. He also acknowledged the outstanding work of Kevin Kile, Director of Racetrack Operations. Kevin coordinates the Board's efforts to insure that progress continues toward fulfilling the Gaming Act's intent to provide tangible benefits to all constituencies within the horse racing industry. He further stated that the Benchmark Report is available to the public and can be accessed from the Board's website directly on our Home Page in the lower right-hand corner.

**OFFICE OF FINANCIAL MANAGEMENT**

David Rhen provided a report on revenue and expenditures through May 2011.

**OFFICE OF CHIEF COUNSEL**

**PGCB MOTION NO. 2011- 231 OCC – Legal Contracts**

Motion Made: Board Member Moscato  
Seconded: Board Member McCall

Resolved, the Board hereby ratified legal contracts described by Chief Counsel.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 232 OCC – Loan Repayment**

Motion Made: Board Member McCall

Seconded: Board Member Ginty

Resolved, the Board hereby approved a Hybrid Option for the Loan Repayment by the Slot Machine Licensees.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 233 REG – Proposed Regulation # 125-155**

Motion Made: Board Member Ginty

Seconded: Board Member Angeli

Resolved, the Board hereby adopted Proposed Regulation # 125-155 and established a comment period of 30 days; and directs that the regulation be posted on the Board's website.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 234 OCC – Petition / Greenwood Gaming & Entertainment, Inc.**

Motion Made: Board Member Angeli

Seconded: Board Member Trujillo

Resolved, the Board hereby approved the Petition of Greenwood Gaming & Entertainment, Inc. for the designation of area to conduct a Poker Tournament. The Board delegated authority to the Executive Director to approve any changes to the tournaments between the date of the Order and the completion of the tournaments described in the Petition to occur during the month of August 2011.

Docket Number: 2061-2011

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-235 OCC – Withdrawal**

Motion Made: Board Member Sojka

Seconded: Board Member Moscato

Resolved, the Board hereby approved the withdrawal of the Gaming Service Provider Certification application of A & H Equipment, without prejudice.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 236 OCC – Report and Recommendation / Steven Kawejsza**

Motion Made: Board Member Moscato

Seconded: Board Member McCall

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and denied the Gaming Employee Permit Application of Steven Kawejsza.

Docket Number: 1943-2011

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 237 OCC – Report and Recommendation / Margaret Sajez**

Motion Made: Board Member McCall  
Seconded: Board Member Ginty

Resolved, the Board hereby rejects the Report and Recommendation issued by the Office of Hearings and Appeals regarding the Gaming Employee Permit of Margaret Sajez. The Board finds that the crimes to which Margaret Sajez plead guilty to on April 14, 2011 form a sufficient basis to continue the suspension of her Non-Gaming Employee Registration issued by the Executive Director on January 13, 2011. The suspension shall remain in full force and effect until further order of the Board.

Docket Number: 1840-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 238 OCC – Emergency Suspension / Gerald McNeil**

Motion Made: Board Member Ginty  
Seconded: Board Member Angeli

Resolved, the Board hereby remanded the Emergency Suspension of Gerald McNeil's Non-Gaming Employee Registration to the Office of Hearings and Appeals to conduct a hearing to determine the validity of the Temporary Emergency Order of Suspension and to issue a Report and Recommendation. The Temporary Emergency Suspension of Mr. McNeil's Non-Gaming Employee Registration will remain in effect until otherwise ordered by this Board for the reasons stated in the Office of Enforcement Counsel's Request for an Emergency Suspension.

Docket Number: 2133-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011- 239 OCC – Emergency Suspension / Tony Tran**

Motion Made: Board Member Angeli  
Seconded: Board Member Trujillo

Resolved, the Board hereby remanded the Emergency Suspension of Tony Tran's Gaming Employee Permit to the Office of Hearings and Appeals to conduct a hearing to determine the validity of the Temporary Emergency Order of Suspension and to issue a Report and Recommendation. The Temporary Emergency Suspension of Mr. Tran's Gaming Employee Permit will remain in effect until otherwise ordered by this Board for the reasons stated in the Office of Enforcement Counsel's Request for an Emergency Suspension.

Docket Number: 2138-2011  
Board Decision: Passed by unanimous vote

**BUREAU OF LICENSING**

**PGCB MOTION NO. 2011-240 LIC – Key Employee**

Motion Made: Board Member Trujillo  
Seconded: Board Member Sojka

Resolved, the Board hereby approved the following Key Employee Licenses:

✓ **Downs Racing, LP**

Initial Licensure

David C. Parfrey, Director of Finance – Docket #4545-5

✓ **Greenwood Gaming and Entertainment, Inc.**

Initial Licensure

Ari Mizrachi, Director of Table Games – Docket #48765-1

Judson J. Boyer, Director of Slot Operations – Docket #49474-1

Pablo F. Dishman, Assistant General Manager – Docket #16679-3

Renewal

Darlene Monzo, Vice President of Marketing – Docket #5271-3

Bryan P. Schroeder, Associate General Counsel & Director of Compliance – Docket #27819-2

Gary Prestage, IT Director – Docket #1393-3

✓ **Mountainview Thoroughbred Racing Association**

Initial Licensure

Anthony P. Casdia, Assistant General Manager – Docket #48045-1

Zachary C. Zarnoch, Compliance Manager – Docket #45284-3

Murdo A. Montgomery, Director of Surveillance – Docket #47168-1

Renewal

Stephanie Dunkerley, Surveillance Supervisor – Docket #23976-2

✓ **Presque Isle Downs, Inc.**

Initial Licensure

Erick Friedman, Director of Information Technology – Docket #45381-1

Kevin J. Ryan, Director of Table Games – Docket #45567-1

Renewal

Richard A. O'Leary, Technical Shift Manager – Docket #20917-3

Stephen P. Wagner, Drop/Count Team Supervisor – Docket #20976-3

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-241 LIC – Temporary Principal and Key Employee Credentials**

Motion Made: Board Member Sojka

Seconded: Board Member Moscato

Resolved, the Board approved the issuance of 1 Temporary Principal and 31 Temporary Key Employees Credentials. *(Interested parties may request a copy of the board order which contains the casino and employee names by emailing [dappel@pa.gov](mailto:dappel@pa.gov)).*

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-242 LIC – Gaming & Non-Gaming Employee Permits and Registrations**

Motion Made: Board Member Moscato

Seconded: Board Member McCall

Resolved, the Board approved the issuance of 305 (139 initial; 133 temporary G2; 33 full G2) Gaming Employee Permits and 139 Non-Gaming Employee Registrations. *Interested parties may request a copy of the board order which contains the casino and employee names by emailing [dappel@pa.gov](mailto:dappel@pa.gov).*

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-243 LIC – Withdrawals**

Motion Made: Board Member McCall  
Seconded: Board Member Ginty

Resolved, the Board approved the withdrawal of 4 Key Employees, 25 G2 employees, 24 Gaming Employee Permits, 1 Tournament Dealer and 10 Non-Gaming Employee Applications. *Interested parties may request a copy of the board order which contains the casino and employee names by emailing [dappel@pa.gov](mailto:dappel@pa.gov).*

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-244 LIC – Gaming Service Provider Certification**

Motion Made: Board Member Ginty  
Seconded: Board Member Angeli

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

**CERTIFIED GAMING SERVICE PROVIDERS**

Autovalet Systems USA, L.L.C.  
Betty & Joe's – Mohegan Sun, L.L.C.  
Center Stage Entertainment  
Cornerstone Building Solutions, Inc.  
Cost of Wisconsin, Inc.  
Devine Brothers, Inc.  
Dynamite Disc Jockeys, Inc.  
Horizon Media, Inc.  
Pennsylvania Paper & Supply Company, Incorp.  
PSX, Inc.  
S&H Construction Co., Inc.  
Schindler Elevator Corporation  
Sysco Central Pennsylvania, LLC

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-245 LIC – Gaming Service Provider Registration**

Motion Made: Board Member Angeli  
Seconded: Board Member Trujillo

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

**REGISTERED GAMING SERVICE PROVIDERS**

Amcom Software, Inc., DBA: XTEND  
Applewood Enterprises, Inc.  
Atlas Carpet Mills, Inc.  
Centex Environments, Inc.

Chao Peng Foods Co., Inc. DBA: Rising Tide Restaurants  
E & G Services, Inc.  
Garda CL Atlantic, Inc.  
H. A. Steen Industries, Inc.  
Mariani & Richards, Inc.  
Nelbud Services Group  
NoUVIR Lighting Corporation  
Sungard Availability Services, LP  
The Weeks - Lerman Group, LLC

Board Decision: Passed by unanimous vote

**OFFICE OF ENFORCEMENT COUNSEL**

**PGCB MOTION NO. 2011-246 OEC –Consent Agreement**

Motion Made: Board Member Trujillo  
Seconded: Board Member Sojka

Resolved, the Board hereby approved the Consent Agreement to withdraw with prejudice Vendor Certification, with conditions, between the Office of Enforcement Counsel and Trumbull Corporation.

Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-247 OEC –PGCB Exclusion List**

Motion Made: Board Member Moscato  
Seconded: Board Member McCall

Resolved, the Board hereby approved the request of the Office of Enforcement Counsel to add Hoang Le Pham to the Pennsylvania Gaming Control Board's Exclusion List.

Docket Number: 1993-2011  
Board Decision: Passed by unanimous vote

**PGCB MOTION NO. 2011-248 OEC –PGCB Exclusion List**

Motion Made: Board Member Sojka  
Seconded: Board Member Moscato

Resolved, the Board hereby approved the request of the Office of Enforcement Counsel to add Tan Duy Truong to the Pennsylvania Gaming Control Board's Exclusion List.

Docket Number: 1790-2011  
Board Decision: Passed by unanimous vote

**PUBLIC COMMENT**

Public Comment was presented by Paul Boni.

**ADJOURNMENT**

On a motion by Commissioner McCall, seconded by Commissioner Ginty, the meeting was adjourned.