

PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board August 18, 2011 Minutes

A meeting of the Pennsylvania Gaming Control Board was held at the North Office Building, Hearing Room 1, 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 (via teleconference)

Ex-Officio members in attendance were:

Robert Coyne, Designee, Department of Revenue Jennifer Lang, Representing the State Treasurer's Office Matthew Meals, Designee, Department of Agriculture

Individuals who appeared officially before the Board:

Kevin O'Toole – Executive Director's Report

Claire Yantis – Personnel Matter

David Rhen – Agency Revenue and Expenditures

Stacey Knavel – Local Law Enforcement Grants

Susan Yocum – Regulations

R. Douglas Sherman – Petitions

Steve Cook – Report and Recommendations

Susan Hensel – Licensing Matters

Cyrus Pitre – Enforcement Actions

Dale Miller– Enforcement Actions

Dustin Miller – Enforcement Actions

Cassandra Fenstermaker – Enforcement Actions

Billie Jo Matelevich-Hoang – Enforcement Actions

Eugene Creany – Enforcement Actions

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

PUBLIC HEARINGS

Public Hearings were held as follows:

Greenwood Gaming and Entertainment, Inc. (Parx Casino) – Informational Hearing regarding Children in Vehicles

- Washington Trotting Association (Meadows Racetrack & Casino) Category 1 Slot Machine License Renewal
- Harrah's Chester Casino & Racetrack Petition for a Board Order Permitting the Offering of Senior Secured Notes

ANNOUNCEMENTS

Chairman Fajt reported that the Board held an Executive Session on August 17th for the purpose of discussing personnel matters, pending litigation and to conduct quasi-judicial deliberations relating to matters being considered by the Board on August 18, 2011. A second Executive Session was held just prior to our reconvening the August 18th public meeting. The purpose of that Executive Session was to deliberate on the WTA renewal and Harrah's Chester's petition heard earlier on August 18th.

MINUTES / TRANSCRIPT

On a motion by Commissioner Angeli, seconded by Commissioner Sojka, the board unanimously approved the June 28, 2011 meeting minutes and transcript.

EXECUTIVE DIRECTOR'S REPORT

PGCB MOTION NO. 2011-284 – EXE – Office Space / Western Regional Office

Motion Made: Board Member McCall Seconded: Board Member Moscato

Executive Director, Kevin O'Toole reported that PGCB's Western Regional Office is currently located in downtown Pittsburgh and that lease for space will soon expire. Mr. O'Toole asked that the board make a motion to initiate the process of securing office space by advertising the Board's interest in receiving solicitations for office space in Allegheny County. He stated that advertisements will be placed in the Pittsburgh Post-Gazette, the Pittsburgh Tribune Review, and on the Board's website. He additionally requested that the Board engage the services of a broker in the Pittsburgh area who is approved by the Department of General Services Bureau of Real Estate to provide these services to Commonwealth

Resolved, the Board hereby authorizes the Executive Director to solicit office space for the Western Regional Office.

Board Decision: Passed by unanimous vote

HUMAN RESOURCES

PGCB MOTION NO. 2011-285 HR - New Hire

Motion Made: Board Member Sojka Seconded: Board Member Angeli

Resolved, the Board hereby approved the hiring of Donald Brink, BIE Investigator in Central Office.

Board Decision: Passed by unanimous vote

OFFICE OF FINANCIAL MANAGEMENT

David Rhen provided a report on revenue and expenditures.

PGCB MOTION NO. 2011-286 OFM - Local Law Enforcement Grants

Motion Made: Board Member Ginty Seconded: Board Member McCall

Resolved, the Board hereby approved the Local Law Enforcement Grants for Montgomery District Attorney's Office in the amount of \$150,000 and the Philadelphia Police Department in the amount of \$98,935.60.

Board Decision: Passed by unanimous vote

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2011- 287 REG - Temporary Regulation # 125-158

Motion Made: Board Member Ginty Seconded: Board Member McCall

Resolved, the Board hereby adopted Temporary Regulation 125-158. The Regulation shall be posted on the Board's website.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 288 OCC - Petition / Chester Downs - Tabled

Motion Made: Board Member McCall Seconded: Board Member Moscato

Resolved, the Board, tabled the Chester Downs and Marina, LLC's (Harrah's) Petition for a Board Order Permitting the Offering of Senior Secured Notes. Office of Enforcement Counsel together with Chester Downs will create a redacted copy of documents for public review.

Docket Number: 2166-2011

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 289 OCC - Petition / Parx (Intervene)

Motion Made: Board Member Sojka Seconded: Board Member Angeli

Resolved, the Board granted Granted the Petition of Parx Casino to Intervene in Valley Forge's Petition for Revised Plan for Controlling Access to the Gaming Floor.

Docket Number: 2208-2011

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 290 OCC - Withdrawals

Motion Made: Board Member Angeli Seconded: Board Member Ginty

Resolved, the Board approved the withdrawals or surrenders of Manufacturer, Principal and Key Employee Applications, or Licenses, as well as Gaming Service Provider Registrations or Certifications as follows:

Laurence Huiner	Licensing No. 35604;	PGCB Doc No. 2074-2011
James G. Kelly	Licensing No. 20032;	PGCB Doc No. 2052-2011
Edward J. Myers	Licensing No. 20035;	PGCB Doc No. 2053-2011
Albert Liu	Licensing No. 44094-1;	PGCB Doc No. 2078-2011
Albert Liu	Licensing No. 44094-2;	PGCB Doc No. 2079-2011
Jennifer M. Miller	Licensing No. 28803;	PGCB Doc No. 2104-2011
Jeffrey S. Molitor	Licensing No. 61909;	PGCB Doc No. 2075-2011
Peter Murphy	Licensing No. 43929;	PGCB Doc No. 2097-2011
Sally Pitkin	Licensing No. 1212-4;	PGCB Doc No. 2084-2011
Arjan Schaapman	Licensing No. 24979;	PGCB Doc No. 2105-2011
Adriaan Coppens	Licensing No. 24978;	PGCB Doc No. 2106-2011
Thomas Sturgeon	Licensing No. 58922;	PGCB Doc No. 2068-2011
UNICCO Service Company	Licensing No. 5159;	PGCB Doc No. 1953-2011
Jason Bruce Guyot	Licensing No. 35264;	PGCB Doc No. 2127-2011
Kimmel & Associates	Licensing No. 3684;	PGCB Doc No. 2077-2011
York Street Studio, Inc.	Licensing No. 4672;	PGCB Doc No. 2125-2011
Eugene Guerin	Licensing No. 56807;	PGCB Doc No. 2156-2011
Richard S. Scheetz	Licensing No. 42005;	PGCB Doc No. 2148-2011
Ian Timmis	Licensing No. 57110;	PGCB Doc No. 2130-2011

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 291 OCC - Report and Recommendation / Raul Factura

Motion Made: Board Member Ginty Seconded: Board Member McCall

Resolved, the Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals and approved the Gaming Employee Permit Application of Raul Factura.

Docket Number: 2069-2011

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 292 OCC - Report and Recommendation / C.Y.

Motion Made: Board Member McCall Seconded: Board Member Moscato

Resolved, the Board hereby adopted the Report and Recommendation of the Office of Hearings and Appeals and denied the request for CY's Removal from the Voluntary Self-Exclusion List.

Docket Number: 1860-2011

Board Decision: Passed by 6-1 vote (Ginty rejected)

PGCB MOTION NO. 2011- 293 OCC – Temporary Emergency Suspension / Dominique Singleton

Motion Made: Board Member Moscato Seconded: Board Member Sojka

Resolved, The Board orders to extend the Temporary Emergency Order of Suspension of Dominique Singleton's Non-Gaming Employee Registration and that the matter be referred to the Office of Hearings and Appeals for a hearing to determine the Validity of the Emergency Suspension.

Docket Number: 2219-2011

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011- 294 OCC - Temporary Emergency Suspension / Jeffrey Yu

Motion Made: Board Member Sojka Seconded: Board Member Angeli

Resolved, The Board orders to extend the Temporary Emergency Order of Suspension of Jeffrey Yu's Gaming Employee Occupation Permit and that the matter be referred to the Office of Hearings and Appeals for a hearing to determine the Validity of the Emergency Suspension Order.

Docket Number: 2233-2011

Board Decision: Passed by unanimous vote

BUREAU OF LICENSING

PGCB MOTION NO. 2011-295 LIC - License Renewal / WTA

Motion Made: Board Member Angeli Seconded: Board Member Ginty

Resolved, the Board approved the renewal of Washington Trotting Association's (Meadows Racetrack & Casino) Category 1 Slot Machine License

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-296 LIC – Principal and Key Employee Licenses

Motion Made: Board Member Ginty Seconded: Board Member McCall

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

Chester Downs and Marina, LLC

Principals Initial Licensure

[✓] Lynn C. Swann, Director, Caesars Entertainment, Inc. – Docket #30837-2

Key Employee Initial Licensure

✓ Helmut Littlejohn, Count Room Lead – Docket #43193-1

Downs Racing, LP

Principal Initial Licensure

✓ Kathleen Regan-Pyne, Corresponding Secretary of the Management Board – Docket #44306-1

Key Employees Initial Licensure

- ✓ Bryan Olowiany, Security Shift Manager Docket #18452-4
- ✓ Ronald Chrzan, Internal Audit Manager Docket #4424-5
- ✓ Jeffrey Walker, Vice President of Table Games Docket #44407-1

<u>Key Employees Renewal</u>

- ✓ Michael Stiefel, Surveillance Supervisor Docket #23336-3
- ✓ Anthony McGowan, Chief Financial Officer Docket #7129-3
- ✓ Kawel B. Laubach, VP of Administration Docket #1283-3
- ✓ Tammer Tucker, Cage Supervisor Docket #4232-3
- ✓ Kalenna Honeywell, Cage Supervisor Docket #28780-3
- ✓ Brian Reynolds, Director of Operational Accounting Docket #1290-3
- ✓ Thomas Brannigan, Cage Shift Manager Docket #3924-3

Greenwood Gaming and Entertainment, Inc.

Key Employee Initial Licensure

✓ Joshua D. Hofbauer, Player Services Shift Manager – Docket #30675-3

Key Employee Renewal

✓ David Ziegler, Director of Facilities & Construction – Docket #25181-4

Mountainview Thoroughbred Racing Association

Key Employees Renewal

- ✓ Craig Gunkel, Security Training Manager Docket #24269-2
- ✓ Gretchen Garrity, Internal Audit Manager Docket #25621-2
- ✓ Chy Stewart, Slot Services Manager Docket #24348-3
- ✓ Jared Strouphauer, Senior Surveillance Agent Docket #30653-4

Presque Isle Downs, Inc.

Key Employee Renewal

✓ David Bates, Security Shift Manager – Docket #20920-3

Washington Trotting Association, Inc.

Key Employees Initial Licensure

- ✓ Peggy Lou Battistella, Assistant Security Shift Supervisor Docket #17181-4
- ✓ John Schussler, Assistant Security Shift Supervisor Docket #30023-3 ✓ Mark J. Peters, Slot Shift Lead Docket #17880-3
- ✓ Timothy E. Bedillion, Shift Lead Floor Person Docket #30968-3
- ✓ Rose Anne Eger, Players Club Supervisor Docket #18030-3

Key Employee Renewal

✓ Kery L. Chase, Surveillance Shift Manager – Docket #17195-3

Holdings Acquisition Co., LP

Principal Initial Licensure

✓ David G. Patent, Chief Operating Officer of Rush Street Gaming, LLC – Docket #23248-3

Key Employees Initial Licensure

- ✓ Timothy R. Mura, Slot Shift Manager Docket #27535-4
- ✓ Timothy L. Pugh, Director of Information Technology Docket #3344-3
- ✓ Lisa N. Smart, Gaming Controller Docket #37963-2
- ✓ David Davison, Players Club Supervisor Docket #41069-2
- ✓ Mark K. Wolz, Surveillance Supervisor Docket #40251-1
- ✓ William J. Stepien, Security Supervisor Docket #26339-4

- ✓ Michael D. O'Brien, Slot Shift Manager Docket #40750-2
- ✓ William C. Winkelried, Director of Finance Docket #39758-1

Mount Airy #1, LLC

Key Employees Initial Licensure

- ✓ James Tuthill, Executive Director of Casino Operations Docket #43038-1
- ✓ Michael Jordan, Cage Shift Manager Docket #39149-2

Key Employees Renewal

- ✓ Eric Talipan, Supervisor Slot Technician Docket #29012-5
- ✓ Shontae Vallejo, Cage Shift Manager Docket #29309-4
- ✓ Mark Williams, Video Surveillance Manager Docket #30348-4
- ✓ Henry Burke, Director of Finance Docket #28080-2
- ✓ Andrew Barth, Executive Director of Operational Accounting Docket #26008-2
- ✓ Amy Ferrara, Cage Shift Manager Docket #28126-5
- ✓ Gerard Coggins, Slot Shift Manager Docket #29794-4

Sands Bethworks Gaming, LLC

Key Employees Renewal

- ✓ Michele Trageser, Vice President of Human Resources Docket #22674-2
- ✓ Mark Starrett, Vice President of Operations Docket #28600-2
- ✓ Robert DeSalvio, President Docket #8431-3

SugarHouse HSP Gaming, LP

Principal Initial Licensure

✓ David G. Patent, Chief Operating Officer of Rush Street Gaming, LLC – Docket #23248-2

Valley Forge Convention Center Partners, LP

Principals Initial Licensure

- ✓ Pennsylvania Regional Center, L.P. V., Lender to Valley Forge Colonial L.P. Dkt #44749-1
- ✓ CanAm Enterprises, L.L.C., Operating company of CanAm Pennsylvania Regional Center, L.L.C. Docket #57644-1
- ✓ CanAm PA GP V, L.L.C., General partner and 1% owner of Pennsylvania Regional Center, L.P. V Docket #48068-1
- ✓ CanAm Pennsylvania Regional Center, L.L.C.,* Initial Limited Partner of Pennsylvania Regional Center, L.P. V Docket #48069-1
- ✓ Tommy Rosenfeld Manager and 100% owner of CanAm PA GP V, L.L.C., 100% owner of CanAm Pennsylvania Regional Center, L.L.C. and 99.99% owner of CanAm Enterprises, LLC Docket #47753-1

Principals Renewal

- ✓ Valley Forge Convention Center Partners, GP, LLC 0.7% owner and General Partner of Valley Forge Docket #19430-2
- ✓ Valley Forge Colonial, GP, LLC –General Partner of Valley Forge Colonial, LP–Dkt #35068-2
- ✓ Valley Forge Colonial, LP subsidiary of Valley Forge Docket #19433-2
- ✓ Ira M. Lubert, Chairman & Chief Executive Officer of Valley Forge; 36.036% owner of Valley Forge and 52.02% owner of Valley Forge Convention Center Partners, GP Dkt #19436-4
- ✓ Jonathan M. Lubert, Vice Chairman and 13.860 % of Valley Forge and 19.98% owner of Valley Forge Convention Center Partners, GP Docket #19438-2
- ✓ Michael J. Heller, Secretary and 12.474% owner of Valley Forge and 18% owner of Valley Forge Convention Center Partners, GP, L.L.C. Docket #19441-2
- ✓ Kenneth K. Kochenour, Chief Operating Officer and 3.465% owner of Valley Forge and 5.0% owner of Valley Forge Convention Center Partners, GP, L.L.C. Docket #19443-3
- ✓ Barbara L. Evans, Treasurer and 3.465% owner of Valley Forge and 5.0% owner of Valley Forge Convention Center Partners, GP, L.L.C Docket #19448-2

Atlantic City Coin and Slot Service Company, Inc.

Key Employee Initial Licensure

✓ Anthony Sicari, Regional Sales Manager – Docket #39594-1

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-297 LIC - Temporary Principal and Key Employee Credentials

Motion Made: Board Member McCall Seconded: Board Member Moscato

Resolved, the Board approved the issuance of 1 Temporary Principal and 20 Key Employee Credentials. (Interested parties may request a copy of the board order which contains the casino and employee names by emailing dappel@pa.gov.)

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-298 LIC – Gaming & Non-Gaming Employee Permits and Registrations

Motion Made: Board Member Moscato Seconded: Board Member Sojka

Resolved, the Board approved the issuance of 656 (343 initial; 229 temporary G2 employees; 84 full G2) Gaming Employee Permits and 147 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).

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-299 LIC – Denials

Motion Made: Board Member Sojka Seconded: Board Member Angeli

Resolved, the Board approved the denial of 6 Gaming Employee Permit and 3 Gaming Service Provider Applications

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-300 LIC - Withdrawals

Motion Made: Board Member Angeli Seconded: Board Member Ginty

Resolved, the Board approved the withdrawal of 22 G2 employees; 21 Gaming Employee Permits and 4 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).

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-301 LIC – Gaming Service Provider Certification

Motion Made: Board Member McCall Seconded: Board Member Moscato

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

CERTIFIED GAMING SERVICE PROVIDERS

- ✓ Allied Communications, LLC
- ✓ Bluestone Communications, Inc.

- ✓ Cahill Controls, Inc.
- ✓ EIC P/O Holdings Corp; DBA: EIC Insulation
- ✓ Emtec, Inc.
- ✓ Franco Associates, L.P.
- ✓ Hatzel & Buehler, Inc.
- ✓ High Concrete Group, LLC
- ✓ Hranec Sheet Metal, Inc.
- ✓ Infinium Software, Inc.
- ✓ Killian Digital, LLC
- ✓ Kirby Electric, Inc.
- ✓ LPCiminelli, Inc.
- ✓ Meco Constructors, Inc.
- ✓ Shaw Contract Flooring Services, Inc., d/b/a Spectra Contract Flooring
- ✓ South Jersey Energy Company

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-302 LIC – Gaming Service Provider Registration

Motion Made: Board Member Moscato Seconded: Board Member Sojka

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

REGISTERED GAMING SERVICE PROVIDERS

- ✓ A&H Equipment Company
- ✓ Arts Quest
- ✓ Corporate Investigations, Inc.
- ✓ Devon Electric, Inc.
- ✓ Mayfield Site Contractors, Inc.
- ✓ Printmark Industries Incorporated
- ✓ SEMM, LLC, DBA: Special Events Tent & Party Rental
- ✓ Standard Textile Company Inc.
- ✓ Steelite International USA, Inc.
- ✓ Sterling Limousine
- ✓ The M & L Supply Company

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-303 LIC - Additions to Prohibited Gaming Service Provider List

Motion Made: Board Member Sojka Seconded: Board Member Angeli

Resolved, the Board hereby approved the additions of Gaming Service Providers to the Prohibited Gaming Service Provider List as follows:

PROHIBITED GSP LIST

- ✓ Belle Mead Hot Glass, LLC
- ✓ How-Clean Enterprises, Inc.
- ✓ JOSK, LLC
- ✓ Parks Moving and Storage, Inc.
- ✓ Penn Records Systems, Inc.

- ✓ Sherry Amos and Associates, Inc.
- ✓ Shred-It USA, Inc.
- ✓ Sirna & Sons, Inc.
- ✓ Themeing Solutions, Inc.
- ✓ WD Partners, Inc.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-304 LIC - Abandoned Gaming Service Provider Applications

Motion Made: Board Member Angeli Seconded: Board Member Ginty

Resolved, the Board hereby approved the Abandoned Gaming Service Provider Applications as follows: **ABANDONED GSP APPLICATIONS**

- ✓ Bergie, Inc., DBA: Royal Office Products Inc.
- ✓ PAL Promotions, Inc.
- ✓ Security Products International, Inc.

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL

PGCB MOTION NO. 2011-305 OEC -Consent Agreement

Motion Made: Board Member Ginty Seconded: Board Member McCall

Resolved, the Board approved the Consent Agreement between the Office of Enforcement Counsel and Greenwood Gaming & Entertainment, Inc. for two self excluded persons gaming at Parx Casino. Greenwood Gaming & Entertainment shall pay a civil penalty in the amount of \$15,000.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-306 OEC -Consent Agreement / Hollywood Casino

Motion Made: Board Member Sojka Seconded: Board Member Angeli

Resolved, the Board approved the Consent Agreement between the Office of Enforcement Counsel and Tommy Rosenfeld for making political contributions. Mr. Rosenfeld will pay a civil penalty in the amount of \$15,000.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-307 OEC – Revocation / Joseph E. Gasparovic, Jr.

Motion Made: Board Member Angeli Seconded: Board Member Ginty

Resolved, the Board hereby revoked the Gaming Employee Permit of Joseph E. Gasparovic, Jr.

Docket Number: 2103-2010

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-308 OEC -PGCB Exclusion List/Matthew Eisenberg

Motion Made: Board Member McCall Seconded: Board Member Moscato

Resolved, the Board hereby approved the request of the Office of Enforcement Counsel to add Matthew Eisenberg to the Pennsylvania Gaming Control Board's Exclusion List. Mr. Eisenberg may not request removal for a period of five (5) years.

Docket Number: 2006-2011

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-309 OEC -PGCB Exclusion List/Aaron Harris

Motion Made: Board Member Moscato Seconded: Board Member Sojka

Resolved, the Board hereby approved the request of the Office of Enforcement Counsel to add Aaron Harris to the Pennsylvania Gaming Control Board's Exclusion List. Mr. Harris may not request removal for a period of five (5) years.

Docket Number: 1917-2011

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-310 OEC -PGCB Exclusion List/ Steven Min

Motion Made: Board Member Sojka Seconded: Board Member Angeli

Resolved, the Board hereby approved the request of the Office of Enforcement Counsel to add Steven Min to the Pennsylvania Gaming Control Board's Exclusion List. Mr. Min may not request removal for a period of five (5) years.

Docket Number: 1992-2011

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2011-311 OEC -PGCB Exclusion List / David Silvestri

Motion Made: Board Member Angeli Seconded: Board Member Ginty

Resolved, the Board hereby approved the request of the Office of Enforcement Counsel to add David Silvestri to the Pennsylvania Gaming Control Board's Exclusion List. Mr. Silvestri may not request removal for a period of five (5) years.

Docket Number: 2095-2011

Board Decision: Passed by unanimous vote

ADJOURNMENT

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