



PENNSYLVANIA GAMING CONTROL BOARD

Meeting of the Board

October 10, 2012

Minutes

A meeting of the Pennsylvania Gaming Control Board was held at the Office of Hearings and Appeals, Strawberry Square Complex, 2nd Floor, Harrisburg. The meeting began immediately following the public hearings.

Members in attendance were:

William H. Ryan, Jr., Chairman
Gregory C. Fajt
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

PA Gaming Control Board Staff who appeared officially before the Board:

Claire Yantis – Personnel Matters
David Rhen – Budget, Revenue and Expenditures
R. Douglas Sherman – Petition(s)
Steve Cook – Withdrawals, Report and Recommendations
Susan Hensel – Licensing Matters
Cyrus Pitre – Enforcement Actions
Enforcement Counsel: Michael Roland, Melissa Powers, Dustin Miller, Cassandra Fenstermaker, Beth Manifesto and Jeffrey Hoeflich

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

PUBLIC HEARING

The Sands Bethworks Gaming, LLC hearing was held on their Petition for Relief from the PGCB's Order Dated February 4, 2009, requiring Monthly Financial Suitability Task Force Meetings.

OATH OF OFFICE

The Honorable Deborah E. Curcillo and her daughter, Olivia, administered the Oath of Office to the newest member of the Board, Annmarie Kaiser.

ANNOUNCEMENTS

By way of announcements, the Board held an Executive Session on October 9th. The purpose of the Executive Session was to discuss personnel matters, pending litigation, and to conduct quasi-judicial deliberations relating to matters being considered by the Board on October 10th.

HUMAN RESOURCES

PGCB MOTION NO. 2012-780 HR / David Tepper

Motion Made: Board Member Kaiser
Seconded: Board Member Moscato

Resolved, the Board hereby approved the hiring of David Tepper as a Law Clerk in the Office of Enforcement Counsel.

Board Decision: Passed by unanimous vote.

OFFICE OF FINANCIAL MANAGEMENT
PGCB MOTION NO. 2012-781 OFM / Budget

Motion Made: Board Member Sojka
Seconded: Board Member Fajt

Resolved, the Board hereby approved the PGCB 2013-14 Budget Request.

Board Decision: Passed by unanimous vote.

David Rhen, Budget Manager, updated the board on revenue and expenditures for the period ending September 30, 2012.

OFFICE OF CHIEF COUNSEL
PGCB MOTION NO. 2012-782 OCC – Petition / Sands Bethworks Gaming, LLC

Motion Made: Board Member Ginty
Seconded: Board Member Kaiser

Resolved, the Board hereby approved the Sands Bethworks Gaming, LLC's Petition for Relief from the PGCB's Order Dated February 4, 2009, requiring Monthly Financial Suitability Task Force Meetings.

OHA Docket #: 2833-2012
Board Decision: Passed by unanimous vote.

PGCB MOTION NO. 2012-783 OCC – Petition / Western Money Systems

Motion Made: Board Member Kaiser
Seconded: Board Member McCall

Resolved, the Board hereby approved Western Money Systems and Global Cash Access' Petition for Reassignment of License.

OHA Docket #: 2835-2012
Board Decision: Passed by unanimous vote.

PGCB MOTION NO. 2012-784 OCC – Petition / Chance R. Hartman

Motion Made: Board Member McCall
Seconded: Board Member Moscato

Resolved, the Board hereby approved the Office of Enforcement Counsel's Petition to place Chance R. Hartman on the PGCB's Involuntary Exclusion List for a period of at least one year. Mr. Hartman may petition the Board to be removed from the list but only after one year has expired.

OHA Docket #: 2780-2012
Board Decision: Passed by unanimous vote.

PGCB MOTION NO. 2012-785 OCC – Withdrawals/Surrenders

Motion Made: Board Member Moscato
Seconded: Board Member Sojka

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

- Robert W. Crowder, Jr. Licensing No. 5543-3; PGCB Doc No. 2830-2012
- Joseph Lepouski Licensing No. 65960; PGCB Doc No. 2654-2012

Board Decision: Passed by unanimous vote.

PGCB MOTION NO. 2012-786 OCC / Vincent Harris

Motion Made: Board Member Sojka
Seconded: Board Member Fajt

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and denied Vincent Harris's Gaming Employee Permit Application.

OHA Docket #: 2805-2012
Board Decision: Passed by unanimous vote.

PGCB MOTION NO. 2012-787 OCC / Joseph Moser

Motion Made: Board Member Fajt
Seconded: Board Member Ginty

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and approved Joseph R. Moser's Gaming Employee Permit Application.

OHA Docket #: 2738-2012
Board Decision: Passed by unanimous vote.

PGCB MOTION NO. 2012-788 OCC / Linh Tan

Motion Made: Board Member Ginty
Seconded: Board Member Kaiser

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and denied Linh Tan's Gaming Employee Permit Application.

OHA Docket #: 2667-2012

Board Decision: Passed by unanimous vote.

PGCB MOTION NO. 2012-789 OCC / David Walls

Motion Made: Board Member Kaiser
Seconded: Board Member McCall

Resolved, the Board hereby adopted the Report and Recommendation issued by the Office of Hearings and Appeals and approved David Walls' Non-Gaming Employee Registration Application.

OHA Docket #: 2772-2012
Board Decision: Passed by unanimous vote.

PGCB MOTION NO. 2012-790 OCC – Emergency Suspension / Nichol Repko-Moschini

Motion Made: Board Member Fajt
Seconded: Board Member Ginty

Resolved, the Board hereby approved the continuation of the Temporary Emergency Suspension of Nichol Repko-Moschini's Gaming Employee Permit. The matter was remanded to the Office of Hearings and Appeals to promptly conduct a hearing to determine the validity of the Temporary Emergency Order of Suspension and to issue a Report and Recommendation regarding same.

OHA Docket #: 2870-2012
Board Decision: Passed by unanimous vote.

BUREAU OF LICENSING

PGCB MOTION NO. 2012-791 LIC – Renewal

Motion Made: Board Member McCall
Seconded: Board Member Moscato

Resolved, the Board hereby approved the renewal of Advanced Gaming Associates, LLC's Slot Machine Supplier License.

Board Decision: Passed by unanimous vote.

PGCB MOTION NO. 2012-792 LIC – Temporary Principal and Key Employee Credentials

Motion Made: Board Member Moscato
Seconded: Board Member Sojka

Resolved, the Board hereby approved the issuance of 2 Temporary Principal and 17 Key Employee Credentials.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-793- LIC – Gaming Permits & Non-Gaming Employee Registrations

Motion Made: Board Member Sojka

Seconded: Board Member Fajt

Resolved, the Board hereby approved the issuance of 549 (46 full G2 employees; 188 initial; 75 renewals; 240 Temporary G2 employees) Gaming Employee Permits and 103 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-794 LIC – Denial

Motion Made: Board Member Fajt

Seconded: Board Member Ginty

Resolved, the Board hereby approved the Application denials as follows:

GAMING EMPLOYEES

- Michael Trant – Docket #46625
- Joseph Lepouski – Docket #65960
- John Matarazzo – Docket #60841

NON-GAMING EMPLOYEES

- Sean Ellis – Docket #70901
- Genet McCullen – Docket #68282

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-795 LIC – Withdrawals

Motion Made: Board Member Ginty

Seconded: Board Member Kaiser

Resolved, the Board approved the withdrawal of the 2 Key Employee and 42 G2 Employee Licenses, 56 Gaming Employee and 1 Temporary Gaming Employee Permits and 22 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-796 LIC – GSP Certification

Motion Made: Board Member Kaiser

Seconded: Board Member McCall

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

CERTIFIED GAMING SERVICE PROVIDERS

- Altel Systems, Inc.
- HornerCom, Inc.
- J.L. Turner Company

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-797 LIC – GSP Registration

Motion Made: Board Member McCall

Seconded: Board Member Moscato

Resolved, the Board approved the Gaming Service Provider Registrations as follows:

REGISTERED GAMING SERVICE PROVIDERS

- Breakaway Technologies, Inc.
- Brintons U.S. Axminster, Inc.
- Chrin Hauling, Inc., DBA: Charles Chrin Companies
- Clean & Polish Building Solutions Delaware Valley, LLC
- Eastern Sign Tech, LLC
- Edwards Business Machines, Inc., DBA: Edwards Business Systems
- Janitors Supply Company, Inc.
- Marino Construction Works, Inc.
- Matt Glantz
- Phillips Office Products, Inc., DBA: The Phillips Group
- Promogroup, LLC
- Watts Industries, Inc.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-798 LIC – GSP Registration

Motion Made: Board Member Moscato

Seconded: Board Member Sojka

Resolved, the Board approved the abandonment of Gaming Service Provider Application for Golden Rock Entertainment & Travel, Inc.

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL

PGCB MOTION NO. 2012-799 OEC – Consent Agreement / Greenwood Gaming

Motion Made: Board Member Sojka

Seconded: Board Member Fajt

Resolved, the Board hereby approved Consent Agreement between the Office of Enforcement Counsel and Greenwood Gaming & Entertainment, Inc. Greenwood Gaming shall pay a civil penalty in the amount of ten thousand dollars (\$10,000) for failing to abide by the terms of its signed Statement of Conditions and failure to comply with its approved Compulsive and Problem Gambling Plan by allowing an intoxicated patron to continue to gamble after the patron's intoxication was apparent. In addition, Greenwood Gaming shall pay an additional twenty-five hundred (\$2,500) for costs incurred by the Office of Enforcement Counsel, Bureau of Investigations and other related staff in connection with this matter. Both fines are to be paid within five business days from the date of the Board's Order.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-800 OEC – Consent Agreement / IGT

Motion Made: Board Member Fajt

Seconded: Board Member Ginty

Resolved, the Board hereby approved the Consent Agreement between the Office of Enforcement Counsel and International Game Technology (IGT) regarding the incorrect set-up of four progressive slot machines. IGT shall pay a civil penalty in the amount of five thousand (\$5,000) and an additional two thousand five hundred dollars (\$2,500) for the costs incurred by the Office of Enforcement Counsel, Bureau of Investigations and other related staff in connection with this matter. The fines are due ten days from the date of the Board's Order.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-801 OEC – Consent Agreement / Downs Racing, LP

Motion Made: Board Member Ginty
Seconded: Board Member Kaiser

Resolved, the Board hereby approved, in part, the Consent Agreement between the Office of Enforcement Counsel and Downs Racing, LP (Mohegan Sun). Down's Racing shall pay only investigative costs of two thousand five hundred dollars (\$2,500) for failure to receive Board approval for the renewal of a Service Level Agreement. Downs Racing was relieved from its obligation to pay the civil penalty in the amount of three thousand dollars (\$3,000). The fines are due ten days from the date of the Board's Order.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-802 OEC – Consent Agreement / DEQ Systems

Motion Made: Board Member Kaiser
Seconded: Board Member McCall

Resolved, the Board hereby approved the Consent Agreement between the Office of Enforcement Counsel and DEQ Systems. DEQ Systems shall pay a civil penalty in the amount of eighteen thousand dollars (\$18,000) for the distribution of the EZ Trak Systems for use prior to receipt of its Conditional Manufacturer's License. In addition, DEQ Systems shall pay two thousand five hundred dollars (\$2,500) for the costs incurred by the Office of Enforcement Counsel, Bureau of Investigations and other related staff in connection with this matter. The fines are due within five business days of the Board's Order.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-803 OEC – Consent Agreement / US Playing Card Co.

Motion Made: Board Member McCall
Seconded: Board Member Moscato

Resolved, the Board hereby approved the Consent Agreement between the Office of Enforcement Counsel and United States Playing Card Co. US Playing Card Co shall pay a civil penalty in the amount of ten thousand dollars (\$10,000) for the statutory and regulatory violations based on its contractual relationship with DEQ Systems. In addition, DEQ Systems shall pay two thousand five hundred dollars (\$2,500) for the costs incurred by the Office of Enforcement Counsel, Bureau of Investigations and other related staff in connection with this matter. The fines are due within five business days of the Board's Order.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-804 OEC – Consent Agreement / Greenwood Gaming

Motion Made: Board Member Moscato
Seconded: Board Member Sojka

Resolved, the Board hereby approved Consent Agreement between the Office of Enforcement Counsel and Greenwood Gaming & Entertainment, Inc. Greenwood Gaming shall pay a civil penalty in the amount of twelve thousand dollars (\$12,000) for unauthorized use of equipment from an unlicensed manufacturer, DEQ Systems. Greenwood Gaming shall pay two thousand five hundred dollars (\$2,500) for the costs incurred by the Office of Enforcement Counsel, Bureau of Investigations and other related staff in connection with this matter. The fines are due within five business days of the Board's Order.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-805 OEC – Revocation / Jason McGarrigle

Motion Made: Board Member Sojka
Seconded: Board Member Fajt

Resolved, the Board hereby revoked Jason McGarrigle's Gaming Employee Permit.
OHA Docket #: 2786-2012
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-806 OEC – Revocation / Christopher Smith

Motion Made: Board Member Fajt
Seconded: Board Member Ginty

Resolved, the Board hereby revoked Christopher Smith's Non-Gaming Registration

OHA Docket #: 2782-2012
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-807 OEC – Revocation / James Titus

Motion Made: Board Member Ginty
Seconded: Board Member Kaiser

Resolved, the Board hereby revoked James Titus' Gaming Employee Permit.

OHA Docket #: 2776-2012
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-808 OEC –PGCB Exclusion List / Iris Cruz

Motion Made: Board Member Kaiser
Seconded: Board Member McCall

Resolved, the Board hereby approved the placement of Iris Cruz on the PGCB Involuntary Exclusion List. Ms. Cruz may petition the Board for removal after her 22nd Birthday, August 1, 2014.

OHA Docket #: 2796-2012
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-809 OEC –PGCB Exclusion List / Juanisha Flood

Motion Made: Board Member McCall
Seconded: Board Member Moscato

Resolved, the Board hereby approved the placement of Juanisha Flood on the PGCB Involuntary Exclusion List. Ms. Flood may petition the Board for removal after one year.

OHA Docket #: 2795-2012
Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2012-810 OEC –PGCB Exclusion List / Nakia Jones

Motion Made: Board Member Moscato
Seconded: Board Member Sojka

Resolved, the Board hereby approved the placement of Nakia Jones on the PGCB Involuntary Exclusion List.

OHA Docket #: 2787-2012
Board Decision: Passed by unanimous vote

ADJOURNMENT

On a motion by Commissioner Sojka, seconded by Commissioner Fajt the meeting was adjourned.

I HEREBY CERTIFY THAT THESE MINUTES WERE APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AT A PUBLIC MEETING ON THE 20th DAY OF **NOVEMBER**, 2012.

Secretary Mickey Kane, Board