



Chairman

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PENNSYLVANIA GAMING CONTROL BOARD
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HARRISBURG, PENNSYLVANIA
17106-9060

Commissioners
GREGORY C. FAJT
JAMES B. GINTY
ANNMARIE KAISER
KEITH R. MCCALL
JOHN J. McNALLY, III
ANTHONY C. MOSCATO

Ex-Officio Members
GEORGE GREIG
ROBERT MCCORD
DANIEL MEUSER

BOARD ACTION - MINUTES
WEDNESDAY, MARCH 13, 2013 - 10:00 a.m.
STRAWBERRY SQUARE COMPLEX, 2ND FLOOR, HARRISBURG

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
Annmarie Kaiser
Keith R. McCall
John J. McNally, III
Anthony C. Moscato

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

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

Kevin O'Toole – Executive Director's Report
Susan Yocum - Regulations
Allison Cassel – Local Law Enforcement Grant(s)
R. Douglas Sherman – Petition(s)
Steve Cook – Withdrawals, Report and Recommendations
Susan Hensel – Licensing Matters
Cyrus Pitre – Enforcement Actions
Enforcement Counsel: Cassandra Fenstermaker, Dustin Miller, Michael Roland, Barry Creany and Glen Stuart
Witnesses: Tom Varner, Kevin Hayes, Michael Fabias, Frank DiGiancomo, Daniel Shulty and Samantha Stewart, Lynne Hughes, Fred Kraus, Robert DeSalvio and Marie Jones

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

OATH OF OFFICE

John J. McNally, III was sworn in by the Honorable Bernard Coates. Also present were wife, Ginger, brother, Steve and Commissioner McNally's three children; J.J., Meghan and Joe.

PUBLIC HEARING

PGCB MOTION NO. 2013-68 OCC

Motions: 1st–Board Member Fajt / 2nd–Board Member Ginty

The Board approved the two requests of Greenwood Gaming and Entertainment, Inc.'s Petitions to intervene in Valley Forge's Petition be consolidated for the purpose of Hearing and Consideration..

Board Decision: Passed by unanimous vote

The following hearings were held prior to the regularly scheduled board meeting.

- Greenwood Gaming and Entertainment, Inc. – Petition to Intervene in Valley Forge's Petition for Approval of Revised Annual Dining Club Membership

- Greenwood Gaming and Entertainment Inc. – Petition to Intervene in Valley Forge’s Petition for Approval of Corporate / Group Discount Program
- Wynn PA – Petition for a Board Order permitting the Filing of an Institutional Investor Notice of Ownership Form in Lieu of a Principal Entity Application by Waddell & Reed Financial, Inc.

ANNOUNCEMENTS

The Board held an Executive Session on March 12th. 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 March 13, 2013.

MINUTES/TRANSCRIPT

On a motion by Commissioner Ginty, seconded by Commissioner Kaiser, the minutes and transcripts of the February 20, 2013 meeting were unanimously approved.

EXECUTIVE DIRECTOR’S REPORT

Kevin O’Toole welcomed John McNally to the Board. Mr. O’Toole reported on the successful relocation of our Western Regional Office to Foster Plaza, Building #10, in the Borough of Green Tree. He stated that the relocation occurred last week with the assistance of a number of state-approved vendors, including Supply Source Office Interiors who moved and re-installed all office furniture, Berkshire Security Systems who installed and tested the lock systems which secure the office and Verizon and Black Box Network Services who cabled and tested all computer and telephone networks.

The Borough of Green Tree issued us a “Certificate of Occupancy” on Monday, March 11th and all of our BIE personnel in that region are now reporting to their new office. Mr. O’Toole suggested that staff visit the location the next time they are in the Pittsburgh area.

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2013-69 OCC

Motions: 1st–Board Member Kaiser / 2nd–Board Member McCall

The Board adopted Proposed Regulation #125-169.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-70 OCC

Motions: 1st–Board Member McCall / 2nd–Board Member McNally

The Board approved the Local Law Enforcement Grant Award for Montgomery County District Attorney’s Office in the amount of \$250,000.

Board Decision: Passed by unanimous vote

PGCB - TABLED

The Board tabled Greenwood Gaming and Entertainment, Inc.’s Petitions (*Intervene in VF’s Petition for approval of revised annual dining club membership and Petition for approval of Corporate/Group Discount Program*). The matter will be voted on at a later date.

Docket Numbers: 3059-2013 and 3060-2013

PGCB MOTION NO. 2013-71 OCC

Motions: 1st–Board Member Moscato / 2nd–Board Member Fajt

The Board granted Wynn PA’s Petition Permitting the Filing of an Institutional Investor Notice of Ownership Form in Lieu of a Principal Entity Application by Waddell & Reed Financial, Inc.

Docket Number: 2995-2013

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-72 OCC

Motions: 1st–Board Member Fajt / 2nd–Board Member Ginty

The Board approved the withdrawal or surrender of Manufacturer, Principal and Key Employee Applications, or Licenses, m as well as Gaming Service Provider Registrations, Certification or Qualifications as follows:

- HR Philadelphia Manager, LLC Licensing No. 73527; PGCB Doc No. 3028-2013
- Moses Tawill Licensing No. 62551-3; PGCB Doc No. 3014-2013
- Jack Robert MacIlvain Licensing No. 2872-2; PGCB Doc No. 3007-2013
- Kevin Biglin Licensing No. 5254-2; PGCB Doc No. 2981-2013
- Elgee-Savar, Inc. Licensing No. 20094; PGCB Doc No. 1746-2010

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| • Frank Koupiaris | Licensing No. 56997-3; | PGCB Doc No. 2876-2012 |
| • Thomas M. McEvoy | Licensing No. 15181; | PGCB Doc No. 2987-2013 |
| • Melvin D. Pullen | Licensing No. 64508; | PGCB Doc No. 2986-2013 |
| • Jeffrey D. Smith | Licensing No. 39759; | PGCB Doc No. 2985-2013 |
| • John Romano | Licensing No. 8532; | PGCB Doc No. 2983-2013 |
- Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-73 OCC

Motions: 1st–Board Member Ginty / 2nd–Board Member Kaiser

The Board approved the Report and Recommendation issued by the Office of Hearings and Appeals and revoked Ryan Hodder’s Gaming Employee Permit.

Docket Number: 2803-2012

Board Decision: Passed by unanimous vote

BUREAU OF LICENSING

PGCB MOTION NO. 2013-74 BOL

Motions: 1st–Board Member Kaiser / 2nd–Board Member McCall

The Board approved the Gaming Service Provider Qualifications as follows:

Paragon Wholesale Foods Corporation

Initial Qualification

- **Joshua W. Bellin**, Beneficiary of The Joshua W. Bellin Trust which is a 16.86% owner – Docket #68343
- **David L. Bellin**, Beneficiary of The David L. Bellin Trust which is a 16.86% owner – Docket #68342

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-75 BOL

Motions: 1st–Board Member McCall / 2nd–Board Member McNally

The Board approved the issuance of one Temporary Principal and 16 Key Employee Licenses.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-76 BOL

Motions: 1st–Board Member McNally / 2nd–Board Member Moscato

The Board approved the issuance of 281 (32 full G2 employees; 79 initial; 99 renewals; 71 Temporary G2 employees) Gaming Employee Permits and 69 Non-Gaming Employee Registrations.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-77 BOL

Motions: 1st–Board Member Moscato / 2nd–Board Member Fajt

The Board approved the withdrawal of Key Employee Applications, Gaming Employee Permits and Non-Gaming Employee Registrations as follows:

Kathryn Bush (NG), Brittany Harvis (NG), Jesse Lane (G), Quan Tu (G), Jonathan Barreto (G), Jered Calabro (G), Frank Chalow (G), Nickson Gilles (NG), Tiffany Durett (G2), Michael Patterson (G2), Anthony Lalomio (G), Victor Vilela (NG), Rick Collinson (G2), Leona Smalley (NG), Thomas Biscardi (G) and Katie Ottersen (G2).

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-78 BOL

Motions: 1st–Board Member Fajt / 2nd–Board Member Ginty

The Board approved the Gaming Service Provider Certifications as follows:

CERTIFIED GAMING SERVICE PROVIDERS

- Chopstick Asian Cuisine, Inc.
- Guthrie Glass and Mirror, Inc. (Renewal)
- Knepper Press Corporation
- Luen Fong Food and Produce, Inc.
- Martik Brothers, Inc.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-79 BOL

Motions: 1st–Board Member Ginty / 2nd–Board Member Kaiser

The Board approved the Gaming Service Provider Registrations as follows:

REGISTERED GAMING SERVICE PROVIDERS

- Adirondack Scenic, Inc., DBA: Adirondack Studios
- All Star Premium Products, Inc., DBA: All Star Incentive Marketing
- Avalotis Corporation
- Brandenburg Industrial Service Company
- Business Records Management, LLC, DBA: BRM
- Cummins-Allison Corp.
- Dan Taylor Interiors, Inc., DBA: DTI, Inc.
- Debo Moving and Storage, Inc.
- Five Thousand Forms, Inc., DBA: GiveMeFive
- LSN, Inc dba: Nordquist Sign
- Metro Decorators, Inc., DBA: Metro Design Center
- Stitch Wizards, Inc.

Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL

PGCB MOTION NO. 2013-80 OEC – Atlantic City Coin and Slot Service Company, Inc.

Motions: 1st–Board Member Kaiser / 2nd–Board Member McCall

The Board approved the Consent Agreement between Atlantic City Coin and Slot Service Company, Inc. and the Office of Enforcement Counsel for failure to submit audited financial statements for 2011. Atlantic City Coin and Slot Service's renewal application shall be withdrawn without prejudice upon the condition that AC Coin and Slot shall not apply for any type of license, certification or registration in Pennsylvania for a period of two years. All business with any Pennsylvania Licensee shall cease within 60 days of the Board's Order. AC Coin and Slot may request an extension in writing to the Office of Enforcement Counsel. AC Coin and Slot shall pay \$2,500 in costs.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-81 OEC - Chester Downs and Marina, LLC

Motions: 1st–Board Member McCall / 2nd–Board Member McNally

The Board approved the Consent Agreement between Chester Downs and Marina, LLC and the Office of Enforcement Counsel for underage gaming. Chester Downs shall pay a civil penalty, within five days of the Board's Order, in the amount of \$12,000 and \$2,500 for costs incurred by OEC, Bureau of Investigations and Enforcement and other related staff in connection with this matter.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-82 OEC – Chester Downs and Marina, LLC

Motions: 1st–Board Member McNally / 2nd–Board Member Moscato

The Board approved the Consent Agreement between Chester Downs and Marina, LLC and the Office of Enforcement Counsel for failure to implement Operational Plan 16 within the specified time. Chester Downs shall pay a civil penalty, within five days of the Board's Order, in the amount of \$34,500 and \$2,500 for costs incurred by OEC, Bureau of Investigations and Enforcement and other related staff in connection with this matter.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-83 OEC – Angelo Lutz, Jr.

Motions: 1st–Board Member Moscato / 2nd–Board Member Fajt

The Board approved the Consent Agreement between Mr. Angelo Lutz, Jr. and the Office of Enforcement Counsel regarding Mr. Lutz's placement on the PGCB Involuntary Exclusion List. The parties agreed to Mr. Lutz's placement on the Exclusion List for a period of no less than three (3) years. Mr. Lutz may not petition the board for early removal.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-84 OEC – Sands Bethworks Gaming, LLC

Motions: 1st–Board Member Fajt / 2nd–Board Member Ginty

The Board approved the Consent Agreement between Sands Bethworks Gaming, LLC and the Office of Enforcement Counsel for underage gaming violations. Sands Bethworks Gaming, LLC shall pay a civil penalty in the amount of \$68,000 and 2,500 for costs incurred by OEC, Bureau of Investigations and Enforcement and other related staff in connection with this matter.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-85 OEC – Sands Bethworks Gaming, LLC

Motions: 1st–Board Member Ginty / 2nd–Board Member Kaiser

The Board approved the Consent Agreement between Sands Bethworks Gaming, LLC and the Office of Enforcement Counsel for conducting business with a Prohibited Gaming Service Provider. Sands Bethworks Gaming, LLC shall pay a civil penalty in the amount of \$7,500 and 2,500 for costs incurred by OEC, Bureau of Investigations and Enforcement and other related staff in connection with this matter.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-86 OEC – Valley Forge Casino Resort

Motions: 1st–Board Member Kaiser / 2nd–Board Member McCall

The Board approved the Consent Agreement between Valley Forge Casino Resort and the Office of Enforcement Counsel for allowing a self-excluded person to obtain a player's club card, gain access to gaming floor and game and collet winnings. Valley Forge Casino Resort shall pay a civil penalty in the amount of \$5,000 and 2,500 for costs incurred by OEC, Bureau of Investigations and Enforcement and other related staff in connection with this matter.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-87 OEC - Washington Trotting Association

Motions: 1st–Board Member McCall / 2nd–Board Member McNally

The Board approved the Consent Agreement between Washington Trotting Association and the Office of Enforcement Counsel for violation of regulations. Washington Trotting Association shall pay a civil penalty in the amount of \$30,000 and 2,500 for costs incurred by OEC, Bureau of Investigations and Enforcement and other related staff in connection with this matter.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-88 OEC

Motions: 1st–Board Member McNally / 2nd–Board Member Moscato

The Board approved the placement of Si Jia Liu on the PGCB Involuntary Exclusion List.

Docket Number: 2945-2012

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2013-89 OEC

Motions: 1st–Board Member Moscato / 2nd–Board Member Fajt

The Board approved the placement of Dwayne Small on the PGCB Involuntary Exclusion List.

Docket Number: 3011-2012

Board Decision: Passed by unanimous vote

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

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

I HEREBY CERTIFY THAT THESE MINUTES WERE APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AT A PUBLIC MEETING ON THE 24th DAY OF APRIL, 2013.

Mickey Kane, Board Secretary