

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

\* \* \* \* \*

PUBLIC MEETING

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BEFORE: GREGORY C. FAJT, CHAIRMAN

James B. Ginty; Raymond S. Angeli; Jeffrey  
W. Coy; Kenneth T. McCabe; Gary A. Sojka;  
Kenneth Trujillo;

David Barasch, Deputy Secretary of the  
Department of Revenue, Representative;  
Michael Dillon, representing Russell  
Redding, Secretary of Agriculture

HEARING: Thursday, April 29, 2010  
12:56 P.M.

LOCATION: Pennsylvania Gaming Control Board  
North Office Building  
401 North Street, Hearing Room 1  
Harrisburg, PA 17120

WITNESSES: Kevin O'Toole, Susan Hensel, Claire Yantis

Reporter: Jennifer T. Alves

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A P P E A R A N C E S

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I N D E X

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CHAIRMAN:

Next we'd like to have a Foxwoods update and on that I'd like to call our Office of Enforcement Counsel (OEC) to provide that update and also ask that the Foxwoods' representatives come forward, please?

BRIEF RECESS

CHAIRMAN:

If I could bring the meeting to order again? Thank you. By way of background the Board on March 3rd, 2010 issued an Order setting today as the day the Board was to receive an update on Foxwoods' compliance with the Board's Order of September 1, 2009, which required submissions related to this project including financing documents and artists renderings. As reported in the media there have apparently been quite a few developments since our April 7th, meeting. So I would like to --- what I'd like to do today is call upon our OEC to give us a status report and their perspective. Cyrus, could you please proceed?

ATTORNEY PITRE:

Well, as you all know the documents and the renderings that we received previously from

1 Philadelphia Entertainment and Development Partners  
2 (PEDP) were contemplated through a transaction with  
3 Wynn Resorts Limited. Since that time Wynn Resorts  
4 Limited unilaterally removed themselves and terminated  
5 all agreements with PEDP. On Monday the 26th, we  
6 received an update from PEDP, as of I believe it was  
7 last week we've been in heavy contact and negotiations  
8 with PEDP and we've entered into a Consent Agreement  
9 for the Board's review and a decision from the Board  
10 with regard to that Consent Agreement. This morning  
11 we received an executed Consent Agreement from PEDP.  
12 Subsequent to that we executed our signature on that  
13 Consent Agreement. I delivered ten copies to Chief  
14 Counsel Doug Sherman this morning before the meeting  
15 today. I believe the Board has been given copies of  
16 that Consent Agreement and that's basically where we  
17 stand. I believe PEDP would like to require that the  
18 Consent Agreement remain confidential at this point,  
19 but it's there for the Board's consideration.

20 CHAIRMAN:

21 Mr. Jacoby, is that your intent on the  
22 confidentiality?

23 ATTORNEY JACOBY:

24 I'm sorry. Mr. Chairman, I didn't hear  
25 you?

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CHAIRMAN:

I said is it your intent --- first of all, do you agree with the representations by Enforcement Counsel? Put your microphone on and please state your name?

ATTORNEY JACOBY:

My name is Fred Jacoby. I'm with Cozen O'Connor. I'm co-counsel for PEDP Foxwoods and I'm here with my co-counsel Robert Graci from Eckert Seamans. In response to your question, I do agree with the statements made by Mr. Pitre. We had in the agreement itself provided for confidentiality between BIE and PEDP. We also filed this morning a motion seeking confidentiality, not so much of the entire agreement and that's the bit of the difficulty, there's only certain portions of the agreement we believe should be confidential, but because the motion is not confidential we couldn't articulate in the motion the portions we wanted confidential.

Primarily they appear in paragraphs three and four of the Consent Agreement and we believe that they should be confidential and we realize the desire of the Board for transparency and the inquiries from whomever, whether it's the politicians or the press or whatever. We are very concerned that if that

1 information was made public it would severely handicap  
2 our ability to identify and negotiate with investors  
3 and sources of financing and funding because I think  
4 it would give them a bit of an upper hand and a  
5 competitive advantage in doing so.

6           We agreed in this document to provide  
7 regular updates with the Board --- strike that, with  
8 BIE. I'd like to hope that BIE would tell you that we  
9 have worked aggressively since the decision on April  
10 8th by Mr. Wynn to terminate the agreements  
11 unilaterally to try to find a solution and to move  
12 forward. I met with Chief Counsel and I met with Mr.  
13 Pitre the following week immediately and we tried to  
14 come up with a solution, which culminated this Consent  
15 Agreement.

16           We believe that it's a fair and  
17 reasonable approach to the situation. We realize that  
18 from the Board's standpoint and perhaps from the  
19 standpoint of others we've had a lot of time, I can  
20 only assure you that when you think about what we went  
21 through from the period from November when we really  
22 started negotiating extensively with Wynn to the term  
23 sheet on February 16th, which was then amended by Wynn  
24 and then to the definitive documents on March 31st,  
25 and then the unilateral withdrawal.



1                   We have worked 24/7 in an effort to right  
2 the ills that you had a concern about and why you  
3 penalized us, our commitment, our attention, things  
4 like that and I think if you confer with your own  
5 counsel and you confer with BIE they will tell you  
6 that we have been more than attentive and responsive  
7 in this effort. We're not here to talk about why Mr.  
8 Wynn made his decision and that's for another day  
9 perhaps. We're here only to tell you that we really  
10 did get sandbagged, we had submitted substantial  
11 documents, we've submitted the renderings, we've  
12 spoken with the Philadelphia --- on April, I guess it  
13 would be April 5th, about the documents, the drawing,  
14 the timeline before we submitted them to you on the  
15 6th.

16                   I mean, in my mind and I'm not being  
17 immodest, I think we've been more than attentive in  
18 trying to right your concerns about our activities,  
19 our motivations and our capabilities. We believe that  
20 the Consent Agreement is a fair approach to that  
21 solution. We are currently in extensive conversations  
22 with three potential sources of investment and  
23 financing, in addition to three others we're trying to  
24 be disciplined with the process.

25                   Believe it or not, there's some positive

1 to be gained from the Wynn experience and that is it  
2 created a high level of efficiency within the  
3 organization regarding divisions of labor. It helped  
4 us to identify the strengths and weaknesses of where  
5 we stood with respect to dealing with investors. It  
6 helped us in negotiating these mammoth documents and  
7 understanding what disclosures are necessary and what  
8 the risks are and what things our clients have to  
9 assume as part of the deal. We're before this Board  
10 to ask you to accept the Consent Agreement and to  
11 accept the recommendation of Mr. Pitre and his folks  
12 and Dale as well.

13 I signed this thing last night around  
14 10:30, we were working a great deal on this and we  
15 hope you'll understand and appreciate the effort we're  
16 making. We're trying to get back in your good graces  
17 and have you have faith in us that we can deliver what  
18 we promised to deliver and what we did. Thank you.

19 CHAIRMAN:

20 Thank you. We will take your Motion of  
21 Confidentiality under advisement. I'm now going to  
22 break for Executive Session, we have the two matters  
23 on table games certificate before us and also your  
24 motion and as well as the Consent Agreement. My  
25 estimate is --- 45 minutes sound pretty good to you

1 guys, 45 minutes? We'll be back at 1:45 and we'll  
2 take up these matters at that point. Thank you.

3 SHORT BREAK TAKEN

4 CHAIRMAN:

5 We'll now commence with our regularly  
6 scheduled public meeting. The first order of business  
7 is old business and announcements and the first matter  
8 that is on the docket is PEDP. The Board has now  
9 reviewed the Consent Agreement supplied earlier today  
10 and related thereto, may I have a motion?

11 MR. MCCABE:

12 Yes, Mr. Chair, before I make the motion  
13 I'd like to make a statement. I believe that the  
14 proposed extension and the proposed conditions of the  
15 Consent Agreement as presented are not acceptable to  
16 the Board and are not in the public interest  
17 therefore, Mr. Chair, I move that the Board reject the  
18 Consent Agreement reached between PEDP and the OEC  
19 submitted to the Board earlier today.

20 CHAIRMAN:

21 May I have a second?

22 MR. COY:

23 I second the motion.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 Opposed? Motion passes. Before we moved  
4 on I'd like to note that we have rejected the Consent  
5 Agreement submitted earlier today without prejudice  
6 and if OEC and Foxwoods have continued discussions  
7 they should update the Board accordingly. The Board  
8 has also had an opportunity to review and discuss  
9 Foxwoods' Motion to Protect Confidential Information  
10 filed earlier today, is there a motion on that matter?

11 MR. SOJKA:

12 Yes, Mr. Chairman, I move that PEDP's  
13 Motion to Protect Confidential Information that was  
14 filed earlier today be denied.

15 CHAIRMAN:

16 Is there a second?

17 MR. ANGELI:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 Opposed? Motion passes. Lastly, related  
24 to this matter one more item, in our March 3rd order  
25 we kept in effect the per diem sanction of \$2,000 per

1 day for Foxwoods' failure to comply with the Board  
2 Order dated September 1, 2009. Foxwoods had paid that  
3 sanction through March 3, 2010, by my calculation  
4 today is day 57 of additional days that have passed  
5 since March 3rd, so an additional amount of \$114,000  
6 is now due. Related to that may I have a motion?

7 MR. COY:

8 Mr. Chairman, I move the Board order that  
9 the \$2,000 per day civil penalty previously imposed by  
10 the Board upon PEDP remain in effect and that the  
11 amount due and outstanding through today of \$114,000  
12 be paid within five business days from today.

13 CHAIRMAN:

14 Is there a second?

15 MR. SOJKA:

16 Second.

17 CHAIRMAN:

18 All those in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? The motion passes. Moving on  
22 by way of announcements, the Board held an Executive  
23 Session on April 28th, and again just prior to this  
24 meeting in accordance with the Sunshine Act. The  
25 purpose of the Executive Session held yesterday was to

1 discuss personnel matters, pending litigation, and to  
2 conduct quasi judicial deliberations relating to  
3 matters pending before the Board. Today's Executive  
4 Session was held to conduct quasi judicial  
5 deliberations relative to the two hearings held  
6 earlier today and also the matter that we just  
7 discussed on Foxwoods.

8 I'd also like to announce the  
9 Pennsylvania Gaming Control Board will continue to  
10 hold additional table games related public hearings, a  
11 list of all public input hearings held and any future  
12 table games hearings are available in hard copy form  
13 in the rear of the conference room or you can log on  
14 to our website at [www.pgcb.state.pa.us](http://www.pgcb.state.pa.us).

15 Having made all of the announcements our  
16 next item of business is approval of the minutes and  
17 transcript of the March 16th, Board meeting. May I  
18 have a motion?

19 MR. ANGELI:

20 Mr. Chairman, I move that the Board  
21 approve the minutes and the transcript of the March  
22 16th, 2010 meeting.

23 MR. COY:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 Opposed? Motion passes. Moving on to  
5 new business, Kevin O'Toole our Executive Director  
6 will now provide his report. Welcome, Kevin.

7 MR. O'TOOLE:

8 Good afternoon, Chairman, members of the  
9 Board. I would like to just give a brief update on  
10 the Board's activities in preparing for the  
11 implementation of table games. As the Chairman just  
12 recently mentioned most of the public input hearings  
13 have occurred and I'd like to thank all of the Board  
14 members for being so generous with their time and  
15 their efforts in attending those public input  
16 hearings.

17 Also as we heard this morning from  
18 Meadows and Presque Isle all of the properties are  
19 actively engaged in their dealer training, that  
20 process is moving forward rapidly and I think  
21 everyone's doing an excellent job in that regard.  
22 Also it's important to note that most of the  
23 properties do have construction and remodeling  
24 projects, so they are in the midst of that dislocation  
25 and there's a lot of temporary separations between

1 certain areas. It's somewhat inconvenient to the  
2 public right now, but I think that they're all very  
3 patient waiting to see the new gaming floors as they  
4 become designed for table game areas.

5           Also with respect to training for  
6 regulatory personnel we have an expert in games  
7 integrity and games protection and that process will  
8 begin the week of May the 17th. Also we've begun with  
9 most of the properties of various equipment approvals,  
10 because there is a time component to ordering some of  
11 that equipment, in particular gaming chips, so that  
12 effort is being coordinated by our Bureau of Gaming  
13 Operations. If you have any questions at this time  
14 I'd certainly be glad to answer them for you.

15           CHAIRMAN:

16           Any questions from the Board? Okay.  
17 Thank you very much, Kevin.

18           MR. O'TOOLE:

19           You're welcome.

20           CHAIRMAN:

21           Next up is Claire Yantis our Human  
22 Resources Director. Welcome, Claire.

23           MS. YANTIS:

24           Good afternoon, Chairman and Board  
25 members. We have before you today a motion to



1 consider the hiring of several individuals. First  
2 Mark Buterbaugh has been selected for the position of  
3 Assistant Enforcement Counsel in the OEC and is  
4 recommended for hire by Chief Enforcement Counsel  
5 Cyrus Pitre. Next, Shelia Burgess Walls has been  
6 selected for the position of Investigator in the  
7 Eastern Regional Office of the Bureau of  
8 Investigations and Enforcement (BIE) and is  
9 recommended for hire by Deputy Director of  
10 Investigations and Enforcement Paul Morrow.

11                   Finally, Director of Casino Compliance  
12 Jerry Stoole has recommended the hiring of the  
13 following individuals for Casino Compliance  
14 Representative positions. David Quinn for Harrah's,  
15 Michael Camm and Michael Donati for Parx, Tom Horvath  
16 for Mohegan Sun, Scott Matincheck for Penn National  
17 and Christopher Celia for the Sands. All eight  
18 individuals have completed the PGCB interview process,  
19 background investigation and drug screening and such I  
20 ask that you consider a motion to hire them as  
21 indicated?

22                   CHAIRMAN:

23                   Any questions from the Board, if not can  
24 I have a motion, please?

25                   MR. COY:

1                   Yes, Mr. Chairman, I move the Board  
2 approve the applicants as proposed on the condition  
3 that all applicants have completed the necessary  
4 background investigations and drug testing?

5                   MR. GINTY:

6                   Second.

7                   CHAIRMAN:

8                   All in favor?

9 ALL SAY AYE

10                  CHAIRMAN:

11                  Opposed? Motion passes. Thank you,  
12 Claire. Next up we'll hear from our budget office,  
13 Stacey Knavel. Welcome, Stacey.

14                  MS. KNAVEL:

15                  Thank you. Good afternoon, Mr. Chairman,  
16 members of the Board. Today's report includes results  
17 through the end of March. Total expenditures through  
18 this period were \$20,416,478, by category, personnel  
19 expenditures total \$16,750,952 and operating  
20 expenditures total \$3 million --- I'm sorry, excuse me  
21 \$3,665,526. For the year the largest operating  
22 expenditures by category are rentals and leases,  
23 \$1,570,023. Services \$632,423. Other operating  
24 expenditures \$521,941 and telecommunications \$392,306.

25                  For the month of March expenditures

1 totaled \$2,377,617.06 including personnel expenditures  
2 of \$1,340,168 and operating expenditures of \$577,449.  
3 The largest operating expenditures for the month were  
4 \$159,373 for rental and uses of real estate vehicles  
5 and office equipment. \$145,063 for other operating  
6 expenditures and \$96,217 for services.

7 CHAIRMAN:

8 Thank you. Any questions or comments?

9 MR. MCCABE:

10 I have a question, not on the budget, but  
11 on the law enforcement grants. Have the applications  
12 been posted on our website yet?

13 MS. KNAVEL:

14 It is has not, there have been some  
15 meetings with the DA's association and we're in the  
16 process of finalizing the grant application and  
17 guidelines.

18 MR. MCCABE:

19 Do you have any anticipated date that  
20 they'll be on the website?

21 MS. KNAVEL:

22 We'd like to post those within the next  
23 couple of weeks and we shall let you know.

24 MR. MCCABE:

25 Thanks.

1                   MS. KNAVEL:

2                   Thank you.

3                   CHAIRMAN:

4                   Any other questions? Thank you, Stacey.  
5 Next up is our Chief Counsel, Doug Sherman. Welcome,  
6 Doug.

7                   ATTORNEY SHERMAN:

8                   Good afternoon, Chairman, members of the  
9 Board. Our first agenda matter relates to temporary  
10 regulations, which Director of Regulatory Review  
11 Richard Sandusky will address.

12                   MR. SANDUSKY:

13                   Good afternoon. We have two regulations  
14 for Board consideration today. The first is  
15 Regulation # 125-117, which is the first part of what  
16 will be a fairly large chapter on internal controls.  
17 In this rule making we have set forth the process that  
18 will be used by the Board to review internal control  
19 filings from the certificate holders. We have  
20 established the gaming day, which will be from 6:00  
21 a.m. to 5:59:59 consistent with what it is for slot  
22 machines. We've added some additional surveillance  
23 requirements for that department related to the  
24 operation of table games. The regulations will also  
25 require that certificate holders submit a jobs

1 compendium, which includes the organization charts and  
2 job descriptions for each position related to table  
3 games. And finally it sets forth minimum staffing  
4 requirements for the operation and supervision of  
5 table games. If the Board has any questions on this  
6 temporary regulation I'd be happy to respond and if  
7 not, we'd ask for a motion for adoption.

8 CHAIRMAN:

9 Thank you, Richard. Any questions on  
10 that? If not, can I have a motion ,please?

11 MR. GINTY:

12 Mr. Chairman, I move that the Board adopt  
13 Temporary Regulation # 125-117, that the Board  
14 establish a public comment period of 30 days for this  
15 temporary regulation and that the temporary regulation  
16 be posted on the Board's website?

17 CHAIRMAN:

18 Second?

19 MR. MCCABE:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? Motion passes.

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MR. SANDUSKY:

The second regulation that we have for Board consideration is Regulation # 125-118, this has to do with electronic gaming tables. More specifically it contains standards in the requirements for electronic wagering systems, electronic gaming tables, and fully automated electronic gaming tables. Also in an effort to keep pace with technology we have added a particular section on what is a fully automated roulette game that has recently been introduced and is now being used in Nevada. If the Board has any questions on these regulations I'd be happy to respond and if not, we'd ask for a motion for adoption?

CHAIRMAN:

Any questions from the Board, if not can I have a motion, please?

MR. MCCABE:

Yes, Mr. Chair, I move that the Board adopt Temporary Regulation # 125-118, that the Board establish a public comment period of 30 days for this temporary regulation and that the temporary regulation be posted on the Board's website.

CHAIRMAN:

Second?

1                   MR. SOJKA:

2                   Second.

3                   CHAIRMAN:

4                   All in favor?

5 ALL SAY AYE

6                   CHAIRMAN:

7                   Opposed? Motion passes. Thank you,

8 Richard.

9                   MR. SANDUSKY:

10                  Thank you.

11                  CHAIRMAN:

12                  Next, Doug?

13                  ATTORNEY SHERMAN:

14                  Today the Board has four petitions before  
15 it for consideration. Two of these matters were heard  
16 by the Board earlier today during public hearings and  
17 that specifically is Presque Isle Downs and Washington  
18 Trotting Association's Petitions for Approval of  
19 Authorization to Conduct Table Games and Issuance of a  
20 Table Games Operations Certificate.

21                  Should the Board approve either or both  
22 of these petitions it will not be authorizing the  
23 Licensee's to commence the operation of table games at  
24 this time, nor will it be adopting the specific  
25 proposal contained in the appendices to the petition

1 for a table game operations certificate. Rather the  
2 Board will be approving the issuance of a certificate  
3 which is just the first step for the Licensee to move  
4 toward operation. Prior to operations being permitted  
5 the Licensee must also obtain a number of other  
6 approvals from this Board including of its internal  
7 controls, staffing levels, training programs, and they  
8 must also satisfy all Board regulatory requirements as  
9 well as any conditions placed on the Licensee as a  
10 requisite to commencing operation.

11           The other two petitions which will be  
12 presented are matters, which have been filed in the  
13 normal course. Both matters are being considered from  
14 the documentary records and those records have been  
15 presented to the Board in advance of this meeting.  
16 The first petition before the Board is that of Presque  
17 Isle Down's and it's their Petition to Conduct Table  
18 Games and for Issuance of the Table Games Certificate.  
19 The OEC has not objected to the granting of the  
20 petition subject to no fewer than 23 conditions which  
21 are outlined in their answer.

22           Those conditions generally breakdown into  
23 two categories, items which must be satisfied prior to  
24 the commencement of table game operations and the  
25 second category being those which must be complied



1 with --- during the actual operations. In addition  
2 Presque Isle has filed with their petition a motion to  
3 keep certain information in that table game  
4 application confidential, OEC has not objected to that  
5 confidentiality.

6 Based upon the record the presentation  
7 that's been made today and the lack of objection by  
8 OEC we recommend that the Board consider a motion  
9 granting both the table game certificate and the  
10 confidentiality of the specified information. Thank  
11 you.

12 CHAIRMAN:

13 Any questions or comments from the Board?  
14 If not, can I have a motion, please?

15 MR. SOJKA:

16 Yes, Mr. Chairman, I move that the Board  
17 grant the petition of Presque Isle Downs as just  
18 described by the Office of Chief Counsel (OCC).

19 CHAIRMAN:

20 Second?

21 MR. TRUJILLO:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

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CHAIRMAN:

Opposed? Motion passes.

ATTORNEY SHERMAN:

Also related to the Presque Isle Petition for Table Games, which now has been approved Presque Isle has a second petition before the Board in which they are requesting the Approval of an Expansion to the Gaming Floor. Specifically and as they did touch on earlier today during their hearing they're seeking to convert some existing patio space and other area into a new expanded gaming floor. As they testified it will result in a renovated buffet comparable to the existing buffet area, some increased seating, improved pari-mutuel area and with greater seating capacity and access to the track and paddock areas. They anticipate adding more machines and slot machines into that area and expanding the gaming floor to over 61,000 feet. The OEC has not objected to that petition to expand the gaming area provided certain conditions are met, those conditions have been provided to the Board in advance of this meeting and we recommend that it would be appropriate to consider a motion to grant this petition as well.

CHAIRMAN:

Any questions or comments from the Board?

1 If not, could I have a motion, please?

2 MR. SOJKA:

3 Yes, Mr. Chairman, I would also move that  
4 the Board grant the Petition of Presque Isle Downs for  
5 approval of its construction plans and expansion of  
6 the gaming floor as described by the OCC.

7 CHAIRMAN:

8 Second?

9 MR. TRUJILLO:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 Opposed? Motion passes.

16 ATTORNEY SHERMAN:

17 The next matter before the Board is  
18 Washington Trotting Association's Petition to Conduct  
19 Table Games and for the Issuance of a Table Game  
20 Operation Certificate. This matter also was heard by  
21 the Board earlier today during the public hearing and  
22 as with Presque Isle's Table Games Petition discussed  
23 earlier the OEC does not oppose the granting of the  
24 petition provided that WTA abide by the conditions,  
25 which I believe are about 30 in the number attached to

1 OEC's answer. The conditions are very similar to  
2 those, which have been imposed on Presque Isle and on  
3 other operators granted Table Games Operation  
4 Certificates prior to today.

5 Washington Trotting has also made a  
6 request with their petition to maintain  
7 confidentiality of certain appendices within their  
8 table game petition. Again, OEC has not objected to  
9 that request, nor does the OCC. That matter is now  
10 ready for the Board's consideration.

11 CHAIRMAN:

12 Thank you. Any questions or comments  
13 from the Board? If not, could I have a motion?

14 MR. TRUJILLO:

15 Mr. Chairman, I believe that the Board  
16 grant the Petition of Washington Trotting Association  
17 as described by the OCC.

18 MR. ANGELI:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 Opposed? Motion passes.

25 ATTORNEY SHERMAN:

1           The final motion --- or I'm sorry, the  
2 final petition before the Board today is that of  
3 Michael Finer Meats --- Michael's Finer Meats Petition  
4 to be removed from the list of prohibited vendors.  
5 Michael's Finer Meats, Incorporated had applied for  
6 Vendor Registration in July of 2007. In February of  
7 2008 Michael's Finer Meats, LLC purchased Michael's  
8 Finer Meats, Incorporated. During the acquisition the  
9 prior applicant had not responded to requests from  
10 Board staff for additional information regarding its  
11 application for Vendor Registration.

12           The transfer, the sale of that property  
13 and restructuring has now occurred, the new owners now  
14 wish to be able to provide food products to some of  
15 our Licensees in Pennsylvania and related thereto  
16 Michael's Finer Meats, LLC is requesting that the  
17 Board remove Michael's Finer Meats, Incorporated from  
18 the Prohibited Vendor List so that the new limited  
19 liability company may file a new application to be a  
20 Gaming Service Provider. The OEC has no objection to  
21 the current petition provided that Michael's Finer  
22 Meats, LLC files a new application, cooperates in all  
23 respects with the background investigation, pays any  
24 outstanding balance owed to the Board relating to  
25 Michael's Finer Meats, Incorporated previous to that

1 application investigation and pays the civil penalty  
2 in the amount of \$1,500. As represented in the  
3 documentation submitted to the Board, the petitioner  
4 has agreed to those conditions and based on that we  
5 would recommend that the Board consider a motion to  
6 approve.

7 CHAIRMAN:

8 Any questions or comments from the Board?  
9 If not, could I have a motion?

10 MR. ANGELI:

11 Mr. Chairman, I move that the Board grant  
12 the Petition of Michael's Finer Meats as described by  
13 the OCC.

14 MR. COY:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed? Motion passes.

21 ATTORNEY SHERMAN:

22 Next presenting withdrawals and Reports  
23 and Recommendations is Deputy Chief Counsel Steve  
24 Cook.

25 ATTORNEY COOK:

1 Good afternoon.

2 CHAIRMAN:

3 Welcome, Steve.

4 ATTORNEY COOK:

5 The Board has received nine unopposed  
6 petitions to withdraw applications, which include 15  
7 individuals, trusts or businesses. The parties  
8 subject to these petitions are as follows, Gerhard H.  
9 Burda, Anthony F. Ceddia, the Grantor Trust of Anne  
10 DeNaples, the Grantor Trust of Dominica DeNaples, the  
11 Grantor Trust of Donna Dileo, the Grantor Trust of  
12 Lisa DeNaples, the Grantor Trust of Louis D. DeNaples,  
13 Jr., the Grantor Trust of Margaret Mary Glodzik, the  
14 Trust for the benefit of the Children of Nicholas  
15 DeNaples, Anthony Ciorciari, Timothy Richards, Eric  
16 Vetter, International Business Machines Corporation,  
17 Dale Hambleton and IDetect, Inc. I would note that  
18 the withdrawal for Doctor Ceddia, Anthony Ceddia who  
19 is the trustee who was licensed as the trustee for  
20 Mount Airy and the various trusts that are related to  
21 the DeNaples family were formed, not formed, but  
22 previously submitted applications when there was a  
23 contemplated transfer of ownership several years ago  
24 to these trusts, that didn't transpire, therefore  
25 these trusts are not in any way implicated in the

1 present ownership structure of Mount Airy, so their  
2 withdrawals are not objected to. In fact, none of  
3 these withdrawals are objected to by the OCC,  
4 therefore we would recommend they be approved without  
5 prejudice.

6 CHAIRMAN:

7 Any questions from the Board? Could I  
8 have a motion, please?

9 MR. COY:

10 Mr. Chairman, I move the Board issue  
11 Orders to approve with the withdrawals or surrenders  
12 as described by the OCC.

13 MR. GINTY:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 Opposed? Motion passes.

20 ATTORNEY COOK:

21 Next before the Board for consideration  
22 are three Reports and Recommendations received from  
23 the Office of Hearings and Appeals (OHA) relative to  
24 one Gaming Permit and two Non-Gaming Registrations.  
25 These Reports and Recommendations along with the



1 evidentiary records for each hearing have been  
2 provided to the Board in advance of this meeting.

3           Additionally in each case the person  
4 involved has been notified that the Board is  
5 considering their Report and Recommendation today and  
6 that they have the right to be present to briefly  
7 address the Board. If any of these persons are  
8 present I would ask that they come forward when their  
9 name is announced.

10           The first reported recommendation  
11 involves Santos Rosado. Santos Rosado was issued a  
12 Gaming Employee Permit on May 13th, 2009 and as a  
13 Player's Club Representative at the Sands Bethworks  
14 Casino. On February 23, 2010 the Bureau of Casino  
15 Compliance was notified by the Pennsylvania State  
16 Police's Gaming Enforcement Office that Mr. Rosado had  
17 been charged with numerous criminal offenses. Mr.  
18 Rosado is alleged to have conspired with another  
19 individual to steal money from Sands. He is alleged  
20 to have duplicated 18 player's club cards with altered  
21 PIN numbers and those contained a total of \$1,839 in  
22 downloadable promotional play. Mr. Rosado  
23 subsequently gave these cards to a co-conspirator as  
24 per the affidavit of probable cause and the  
25 co-conspirator played with them and then cashed out a

1 total of \$1,439.

2                   As a result of these charges OEC filed a  
3 request for Emergency Suspension of Mr. Rosado's  
4 Gaming Employee Permit. The Order was signed by the  
5 Executive Director on February 24th, 2010. On March  
6 3rd, 2010 the Board referred this matter to the OHA to  
7 conduct a full evidentiary hearing on the validity of  
8 the Emergency Suspension. A hearing in this matter  
9 was held on March 11th, and OEC provided testimony and  
10 exhibits. Despite receiving notice Mr. Rosado did not  
11 attend the hearing.

12                   As a result of the March 11, hearing the  
13 Hearing Officer issued a Report and Recommendation,  
14 which concluded that due to the pending charges and  
15 his failure to refute the evidence presented by OEC  
16 that Mr. Rosado's suspension should be continued. The  
17 OCC concurs in this result and would ask for a motion  
18 to consider same.

19                   CHAIRMAN:

20                   Any questions or comments from the Board?  
21 Could I have a motion?

22                   MR. MCCABE:

23                   Mr. Chair, I'd move that the Board issue  
24 Order to adopt the Report and Recommendation of the  
25 OHA regarding the suspension of the Gaming Employee

1 Permit of Santos Rosado as described by the OCC.

2 CHAIRMAN:

3 Second?

4 MR. SOJKA:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 Opposed? Motion passes.

11 ATTORNEY COOK:

12 Next before the Board for consideration  
13 is a Report and Recommendation pertaining to Donald  
14 Vannucci. On November 19th, 2009 Mr. Vannucci  
15 submitted an application to be a Non-Gaming Employee  
16 specifically a food and beverage server at the Parx  
17 Casino. In his application Mr. Vannucci disclosed a  
18 criminal history. Notwithstanding this full  
19 disclosure the OEC issued a Notice of Recommendation  
20 of Denial based upon the nature and recency of Mr.  
21 Vannucci's criminal charges and convictions, which  
22 included convictions within the last ten years for  
23 criminal trespass, simple assault, theft by deception,  
24 and felony possession of contraband.

25 Mr. Vannucci requested a hearing to

1 contest the recommendation for denial and he appeared  
2 at the hearing, which was held on January 6th, 2010.  
3 At that point he testified that he had completed  
4 outpatient drug therapy, a community orientation and  
5 reintegration program and has maintained consistent  
6 employment since his most recent release from prison.

7                   Notwithstanding Mr. Vannucci's testimony,  
8 the Hearing Officer's Report and Recommendation  
9 recommends that Mr. Vannucci's Non-Gaming Employee  
10 Registration Application be denied as he failed to  
11 prove at this time that he possesses the requisite  
12 good character, honesty and integrity. The OCC  
13 concurs in this recommendation and would place the  
14 same before the Board.

15                   CHAIRMAN:

16                   Thank you. Any questions or comments  
17 from the Board? Can I have a motion, please?

18                   MR. SOJKA:

19                   Yes, Mr. Chairman, I move that the Board  
20 issue an Order to adopt the Report and Recommendation  
21 of the OHA regarding the Non-Gaming Employee  
22 Registration of Donald Vannucci as described by the  
23 OCC.

24                   CHAIRMAN:

25                   Do I have a second?

1                   MR. TRUJILLO:

2                   Second.

3                   CHAIRMAN:

4                   All in favor?

5 ALL SAY AYE

6                   CHAIRMAN:

7                   Opposed? Motion passes.

8                   ATTORNEY COOK:

9                   The last Report and Recommendation before  
10 the Board pertains to Michael Wismer, who submitted a  
11 Non-Gaming Employee Registration Application on  
12 January 11, 2010 seeking to work as a line cook at  
13 Parx Casino. In his application Mr. Wismer disclosed  
14 a May 2007 arrest and guilty plea for crimes under the  
15 Controlled Substances Act, however he failed to  
16 disclose a pending --- the drug related charges  
17 related to an August 1st, 2009 arrest to which he  
18 subsequently pleaded guilty on February 3rd, 2010.

19                   Mr. Wismer requested a hearing which was  
20 held on March 4, 2010, he testified that he did not  
21 disclose the 2009 charges since those charges were  
22 only pending at the time of this application. After  
23 hearing all of the evidence presented the Hearing  
24 Officer issued a Report and Recommendation  
25 recommending Mr. Wismer's Non-Gaming Employee

1 Application be denied as he failed to prove again at  
2 this time that he possessed the requisite good  
3 character, honesty and integrity. The OCC concurs in  
4 that opinion and would place the same before the Board  
5 for consideration.

6 CHAIRMAN:

7 Thank you. Any questions from the Board?  
8 Can I have a motion, please?

9 MR. TRUJILLO:

10 Mr. Chairman, I move that the Board issue  
11 an Order to adopt the Report and Recommendation of the  
12 OHA with regard to the Non-Gaming Employee  
13 Registration of Michael Wismer as discussed by the  
14 OCC.

15 MR. ANGELI:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? Motion passes.

22 ATTORNEY COOK:

23 Next for the Board's consideration is an  
24 Emergency Suspension. Nickolas Passineau was issued a  
25 Non-Gaming Employee Registration on January 4th, 2010

1 and was employed as an EVS attendant at the Parx  
2 Casino. On March 18th, 2010 Mr. Passineau was  
3 arrested and charged with one count each of the  
4 following, tampering with evidence, hindering  
5 apprehension, knowingly or intentionally possessing a  
6 controlled substance, manufacturing, delivering or  
7 possessing with intent to distribute a controlled  
8 substance and possession of marijuana.

9 As a result of these charges the OEC  
10 filed a request for an Emergency Order of Suspension  
11 of Mr. Passineau's Non-Gaming Employee Registration.  
12 The order was signed by the executive director on  
13 April 14th, 2010.

14 Board regulations now require that a  
15 temporary emergency order be presented to the Board  
16 for a full evidentiary hearing or in the alternative  
17 assignment to the OHA to conduct such a hearing and  
18 issue a Report and Recommendation. In this case the  
19 OCC recommends that the matter be referred to the OHA  
20 for a full evidentiary hearing and that in the interim  
21 that the Emergency Order remain in effect.

22 CHAIRMAN:

23 Any questions from the Board?

24 If not, can I have a motion, please?

25 MR. ANGELI:

1           Mr. Chairman, I move that the Board issue  
2 an Order to extend the Emergency Suspension for  
3 Nickolas Passineau Non-Gaming Employee Registration  
4 and the matter be referred to the OHA for a hearing to  
5 determine the validity of the Emergency Suspension  
6 order.

7                   MR. COY:

8                   Second.

9                   CHAIRMAN:

10                  All in favor?

11 ALL SAY AYE

12                  CHAIRMAN:

13                  Opposed? Motion passes.

14                  ATTORNEY SHERMAN:

15                  And that concludes the matters of the  
16 OCC.

17                  CHAIRMAN:

18                  Thanks, Doug. Thank you, Steve. Next up  
19 is Susan Hensel, our Director of Licensing. Welcome,  
20 Susan.

21                  MS. HENSEL:

22                  Thank you, Chairman Fajt, and members of  
23 the Board. The first matter for your consideration is  
24 the renewal of the Manufacturer License for  
25 Paltronics, Inc. The BIE has completed its



1 investigation and the Bureau of Licensing has provided  
2 you with a renewal background investigation and  
3 suitability report for this Licensee.

4           No issues were identified by either the  
5 BIE or Licensing that would preclude the renewal of  
6 Paltronics, Inc.'s License. I have provided you with  
7 a draft order and ask that the Board consider the  
8 renewal of this license.

9           CHAIRMAN:

10           Any questions or comments from  
11 Enforcement Counsel?

12           ATTORNEY PITRE:

13           No objection.

14           CHAIRMAN:

15           Any questions or comments from the Board?  
16 Can I have a motion, please?

17           MR. COY:

18           Mr. Chairman, I move the Board approve  
19 the Order renewing Paltronics, Incorporated's  
20 Manufacturer Licenses as described by the Bureau of  
21 Licensing.

22           CHAIRMAN:

23           Second?

24           MR. GINTY:

25           Second.

1                   CHAIRMAN:  
2                   All in favor?

3 ALL SAY AYE

4                   CHAIRMAN:  
5                   Opposed? Motion passes.

6                   MS. HENSEL:

7                   Next is the consideration of Conditional  
8 Table Game Manufacturer Licenses. The applicants for  
9 licensure are GPI Mexicana, Gaming Partners  
10 International USA, Inc., which is an applicant for a  
11 Manufacturer's Designee License, TCS John Huxley  
12 America, Inc., and TSC John Huxley Europe Limited.

13                   Pursuant to the Board's regulations the  
14 Board may issue a Conditional Table Games Device  
15 Manufacturer or Manufacturer Designee License provided  
16 the applicant submits a completed application, is  
17 licensed in good standing in a gaming jurisdiction,  
18 whose manufacturer standards are recognized by the  
19 PGCB, submits a written statement from a facility  
20 indicating the facility may do business with the  
21 company, passes a preliminary criminal history  
22 investigation, and pays the licensing fee prior to  
23 license issuance.

24                   The Bureau of Licensing has provided you  
25 with a preliminary background investigation and

1 suitability report for each of these applicants. No  
2 issues were identified by either the BIE or licensing  
3 that would preclude approving the Conditional  
4 Licenses. I have provided you with draft Orders and  
5 ask that the Board consider the approval of these  
6 licenses separately beginning with GPI Mexicana.

7 CHAIRMAN:

8 Any questions from Enforcement Counsel?

9 ATTORNEY PITRE:

10 No objection.

11 CHAIRMAN:

12 Questions from the Board?

13 MR. TRUJILLO:

14 One, I assume Cinco DeMayo has nothing to  
15 do with the timing of this request; right?

16 MS. HENSEL:

17 I would have no comment on that,  
18 Commissioner.

19 CHAIRMAN:

20 Could I have a motion, please?

21 MR. GINTY:

22 I'm not going to touch that one. Mr.  
23 Chairman, I move that the Board approve the  
24 Conditional Table Games Manufacturer License for GPI  
25 Mexicana, S-A-D-E-C-V, as described by the Bureau of

1 Licensing.

2 CHAIRMAN:

3 Second?

4 MR. ANGELI:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 Opposed? Motion passes. Next, Susan?

11 MS. HENSEL:

12 Next would be Gaming Partners

13 International USA, Inc.

14 CHAIRMAN:

15 Cyrus, any comments?

16 ATTORNEY PITRE:

17 No.

18 CHAIRMAN:

19 Comments from the Board? Can I have a  
20 motion, please?

21 MR. MCCABE:

22 Yes, Mr. Chair, I move that the Board  
23 approve the Conditional Table Game Manufacturers  
24 Designee License for Gaming Partners International  
25 USA, Inc., as described by the Bureau of Licensing.

1                   CHAIRMAN:  
2                   Second?  
3                   MR. SOJKA:  
4                   Second.  
5                   CHAIRMAN:  
6                   All in favor?  
7 ALL SAY AYE  
8                   CHAIRMAN:  
9                   Opposed? Motion passes.  
10                  MS. HENSEL:  
11                  Next is TCS John Huxley America, Inc.  
12                  ATTORNEY PITRE:  
13                  No objection.  
14                  CHAIRMAN:  
15                  Thank you. Questions from the Board?  
16 Could I have a motion, please?  
17                  MR. SOJKA:  
18                  So moved.  
19                  MR. TRUJILLO:  
20                  Second.  
21                  CHAIRMAN:  
22                  All in favor?  
23 ALL SAY AYE  
24                  CHAIRMAN:  
25                  Opposed? Motion passes.

1                   MS. HENSEL:

2                   And finally TCS John Huxley Europe  
3 Limited.

4                   ATTORNEY PITRE:

5                   No objection.

6                   CHAIRMAN:

7                   Thank you. Questions from the Board?  
8 Motion, please?

9                   MR. TRUJILLO:

10                  So moved.

11                  MR. ANGELI:

12                  Second.

13                  CHAIRMAN:

14                  All in favor?

15 ALL SAY AYE

16                  CHAIRMAN:

17                  Opposed? Motion passes.

18                  MS. HENSEL:

19                  The next matter for your consideration is  
20 the issuance of a Table Games Supplier License to TDN  
21 Money Systems. TDN Money Systems is currently  
22 licensed as a slot machine supplier. Under the Gaming  
23 Act the Board may use an abbreviated process to  
24 consider the application of an already licensed slot  
25 machine supplier provided the supplier was issued a

1 license within 36 months of submitting its table game  
2 application and provided that there have been no  
3 material changes and circumstances relating to the  
4 license.

5           As indicated in the report provided to  
6 you prior to this meeting TDN Money Systems satisfies  
7 these conditions, the OEC, BIE, Gaming Laboratory  
8 Operations and the Bureau of Licensing have indicated  
9 that they do not object to a Table Games Supplier  
10 License for this company. I have provided you with a  
11 draft Order and ask that the Board consider the  
12 approval of a Table Games Supplier License for TDN  
13 Money Systems.

14           ATTORNEY PITRE:

15           No objections.

16           CHAIRMAN:

17           Thank you. Any questions from the Board?  
18 Could I have a motion?

19           MR. ANGELI:

20           So moved.

21           MR. COY:

22           Second.

23           CHAIRMAN:

24           All in favor?

25 ALL SAY AYE

1                   CHAIRMAN:

2                   Opposed? Motion passes.

3                   MS. HENSEL:

4                   Next we have the approval of Key Employee  
5 Licenses. Prior to this meeting the Bureau of  
6 Licensing provided you with a Proposed Order for six  
7 Key Employee licenses for Downs Racing, Greenwood  
8 Gaming and Entertainment, Holdings Acquisition, Co.,  
9 and Sugarhouse HSP Gaming. I ask that the Board  
10 consider the Order approving these licenses?

11                   CHAIRMAN:

12                   Cyrus?

13                   ATTORNEY PITRE:

14                   We recommend approval.

15                   CHAIRMAN:

16                   Thank you. Questions from the Board?  
17 Could I have a motion, please?

18                   MR. COY:

19                   So moved.

20                   MR. GINTY:

21                   Second.

22                   CHAIRMAN:

23                   All in favor?

24 ALL SAY AYE

25                   CHAIRMAN:



1           Opposed? Motion passes.

2           MS. HENSEL:

3           We also have for your consideration the  
4 issuance of Temporary Principal and Key Employee  
5 Licenses. Prior to this meeting the Bureau of  
6 Licensing provided you with an Order regarding the  
7 issuance of Temporary Licenses for four Principals and  
8 27 Key Employees. I ask that the Board consider the  
9 Order approving these licenses.

10          ATTORNEY PITRE:

11          No objection.

12          CHAIRMAN:

13          Thank you. Questions from the Board?  
14 Could I have a motion, please?

15          MR. GINTY:

16          So moved.

17          MR. MCCABE:

18          Second.

19          CHAIRMAN:

20          All in favor?

21 ALL SAY AYE

22          CHAIRMAN:

23          Opposed? Motion passes.

24          MS. HENSEL:

25          Next are Gaming Permits and Non-Gaming

1 Registrations. Prior to this meeting the Bureau of  
2 Licensing provided you with a list of 95 individuals  
3 including 55 initial, three renewal, and 37 G2  
4 temporary permits who the Bureau has granted  
5 occupation permits to and 159 individuals who the  
6 Bureau has granted registrations to under the  
7 authority delegated to the Bureau of Licensing. I ask  
8 that the Board adopt a motion approving the Order.

9 ATTORNEY PITRE:

10 No objection.

11 CHAIRMAN:

12 Thank you. Questions from the Board?

13 Can I have a motion, please?

14 MR. MCCABE:

15 So moved.

16 MR. SOJKA:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 Opposed? Motion passes.

23 MS. HENSEL:

24 In addition we have recommendations of  
25 denial for two Gaming Employees. Prior to this

1 meeting the Bureau of Licensing provided you with  
2 Orders addressing these applicants who the BIE has  
3 recommended for denial. In each case the applicant  
4 failed to request a hearing within the specified time  
5 period. I ask that the Board consider the Order  
6 denying these gaming applicants.

7 ATTORNEY PITRE:

8 We support their recommendation.

9 CHAIRMAN:

10 Thank you. Questions from the Board?  
11 Can I have a motion, please?

12 MR. SOJKA:

13 Yes, Mr. Chairman, I move that the Board  
14 issue an Order to approve the denial of Gaming  
15 Employee Permits as described by the Bureau of  
16 Licensing.

17 CHAIRMAN:

18 Second?

19 MR. TRUJILLO:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? Motion passes.

1                   MS. HENSEL:

2                   We also have withdrawal requests for Key  
3 Employees, Gaming and Non-Gaming Employees. In each  
4 case the license permit or registration is no longer  
5 required due to circumstances such as the employee  
6 failing to report to work or the job offer being  
7 rescinded. For today's meeting I have provided the  
8 Board with a list of 9 Key Employees and 19 Gaming and  
9 Non-Gaming withdrawals for approval. I ask that the  
10 Board consider the Orders approving these withdrawals.

11                   ATTORNEY PITRE:

12                   No objection.

13                   CHAIRMAN:

14                   Thank you. Questions from the Board?  
15 Could I have a motion, please?

16                   MR. TRUJILLO:

17                   Mr. Chairman, I move that the Board issue  
18 an Order to approve the withdrawal of Key Employee  
19 Gaming and Non-Gaming Employee Applications as  
20 described by the Office --- by the Bureau of  
21 Licensing.

22                   MR. ANGELI:

23                   Second.

24                   CHAIRMAN:

25                   All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 Opposed? Motion passes.

4 MS. HENSEL:

5 In addition we have two orders regarding  
6 Gaming Service Providers, the first is to certify the  
7 Gaming Service Provider Swiss Dale Music, Inc. I ask  
8 that the Board consider the Order approving this  
9 Gaming Service Provider for certification.

10 ATTORNEY PITRE:

11 We recommend approval.

12 CHAIRMAN:

13 Thank you. Questions from the Board?  
14 Could I have a motion, please?

15 MR. ANGELI:

16 Mr. Chairman, I move the Board issue an  
17 Order to approve the Gaming Service Provider  
18 Certification as described by the Bureau of Licensing.

19 MR. COY:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? Motion passes.

1                   MS. HENSEL:

2                   Finally, the Bureau of Licensing provided  
3 you with Orders, the approval of which would result in  
4 Court Business Systems and Magic Q Logo Products,  
5 Inc., being added to the Prohibited Gaming Service  
6 Provider List. These vendors have done business with  
7 the slot machine operator or licensee or applicant,  
8 but have failed to submit or complete applications. I  
9 ask that the Board consider the Orders adding the  
10 named Gaming Service Providers to the Prohibited  
11 Gaming Service Provider List.

12                   CHAIRMAN:

13                   Cyrus?

14                   ATTORNEY PITRE:

15                   No objection.

16                   CHAIRMAN:

17                   Thank you. Questions from the Board?  
18 Could I have a motion, please?

19                   MR. COY:

20                   So moved.

21                   CHAIRMAN:

22                   Second?

23                   MR. GINTY:

24                   Second.

25                   CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 Opposed? Motion passes.

5 MS. HENSEL:

6 That concludes the Bureau of Licensing's  
7 presentation.

8 CHAIRMAN:

9 Thank you, Susan. Next up is our Chief  
10 Enforcement Counsel, Cyrus Pitre and also I see  
11 Counselor Bonner from Greenwood Gaming is here.

12 ATTORNEY BONNER:

13 Good afternoon, Mr. Chairman and  
14 Commissioners.

15 CHAIRMAN:

16 Good afternoon.

17 ATTORNEY PITRE:

18 Dustin Miller will handle this matter for  
19 the OEC.

20 CHAIRMAN:

21 Welcome, Dustin.

22 ATTORNEY MILLER:

23 Good afternoon, Chairman Fajt and members  
24 of the Board. At this time the OEC has a Consent  
25 Agreement prepared for the Board's approval. The

1 Consent Agreement is between the OEC and Greenwood  
2 Gaming and Entertainment, Inc., doing business as Parx  
3 Casino. This Consent Agreement stems from an incident  
4 that occurred on July 3rd, 2009 when players services  
5 personnel at Philadelphia Park Casino and Race Track  
6 reactivated the player's club card of an individual on  
7 the self-excluded the list.

8           BIE's investigation of the matter  
9 revealed that the players services personnel involved  
10 in this matter were not aware that a self-excluded  
11 individual must petition for removal from the  
12 Self-Exclusion List even if their period of  
13 self-exclusion has expired and that's per Gaming  
14 Control Board Regulations. The issuance of players  
15 club services to a self-excluded individual is  
16 prohibited by PGCB regulations and also Greenwood  
17 Gaming and Entertainment's assigned Statement of  
18 Conditions. Subsequently the self-excluded individual  
19 entered the casino and gambled on at least two  
20 occasions before Philadelphia Park surveillance staff  
21 noticed an alarm alerting them that a self-excluded  
22 individual was gambling.

23           Ultimately the self-excluded individual  
24 was apprehended by Philadelphia Park security and the  
25 Pennsylvania State Police, the self-excluded



1 individual was cited for trespassing and ejected from  
2 the casino. The terms of the agreement include a  
3 provision that Greenwood Gaming and Entertainment  
4 shall institute policies and provide refresher  
5 training and reinforcement to its employees to prevent  
6 future violations of the self-excluded provisions of  
7 the regulations and also Greenwood Gaming and  
8 Entertainment shall pay a total fine of \$10,000 for  
9 the self-exclusion violation.

10                   This fine is in line with other Consent  
11 Agreements adopted by the Board for a first time  
12 violation of the self-exclusion provisions of the  
13 regulations. It's also in line with fines levied in  
14 other jurisdictions. Tom Bonner, general counsel for  
15 Greenwood Gaming and Entertainment is in attendance  
16 today to answer any questions you may have regarding  
17 this matter, otherwise it would be appropriate for the  
18 Board to entertain a motion to approve this Consent  
19 Agreement.

20                   CHAIRMAN:

21                   Thank you, Dustin. Any questions or  
22 comments from the Board? Commissioner Sojka?

23                   MR. SOJKA:

24                   Just a quickie. Just to conclude this,  
25 Mr. Bonner, could you tell us what the final situation

1 is with regard to this self-excluded person? Has this  
2 person now made the necessary application to be  
3 removed and was that person charged with trespass?

4 ATTORNEY BONNER:

5 To my knowledge, Commissioner, the  
6 individual has not made application to be removed. I  
7 do believe that the state police did charge the  
8 individual with a trespass violation. I'm not certain  
9 of that, but I do believe that he did.

10 MR. SOJKA:

11 But then in that case should this person  
12 appear again, they would be removed and charged again  
13 with trespass?

14 ATTORNEY BONNER:

15 They certainly would be, that's correct.

16 CHAIRMAN:

17 Commissioner Trujillo?

18 MR. TRUJILLO:

19 How did this come to our attention?

20 ATTORNEY MILLER:

21 The Bureau of Casino Compliance, it was  
22 self-reported by the Philadelphia Park Casino at the  
23 time. They self-reported it and then the report came  
24 to the OEC from our casino compliance staff.

25 MR. TRUJILLO:

1 Thank you.

2 CHAIRMAN:

3 Thank you. Any other questions? Could I  
4 have a motion, please?

5 MR. GINTY:

6 Chairman, I move that the Board issue an  
7 Order to approve the Consent Agreement between the OEC  
8 and Greenwood Gaming and Entertainment.

9 MR. MCCABE:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 Opposed? Motion passes. Thank you.

16 ATTORNEY BONNER:

17 Thank you, Chairman. Thank you, Board  
18 Members.

19 ATTORNEY PITRE:

20 Mr. Chairman, I just wanted to update the  
21 Board that the OEC has filed a complaint to revoke the  
22 license of PEDP, a/k/a Foxwoods. Revocation was --- a  
23 complaint was filed shortly after the Board's decision  
24 earlier on the Consent Agreement. We've served  
25 counsel for Foxwoods and we've pretty much informed

1 the public, so I didn't want you to be caught off  
2 guard by that.

3 CHAIRMAN:

4 Thank you. I do appreciate that, Cyrus.  
5 That concludes today's business. In closing, our next  
6 scheduled public meeting will be held on Thursday, May  
7 13th, here in the North Office Building, Hearing Room  
8 One. Any final comments from the Board? If not, can  
9 I have a motion to adjourn?

10 MR. MCCABE:

11 So moved.

12 MR. SOJKA:

13 Second.

14 CHAIRMAN:

15 Thank you. We're adjourned.

16

17 \* \* \* \* \*

18 MEETING CONCLUDED AT 2:34 P.M.

19 \* \* \* \* \*

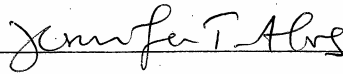
20

21 CERTIFICATE

22 I hereby certify that the foregoing  
23 proceedings, meeting held before Chairman Fajt, was  
24 reported by me on 04/29/2010 and that I Jennifer T.  
25 Alves read this transcript and that I attest that this

1 transcript is a true and accurate record of the  
2 proceeding.

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Court Reporter