

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

\* \* \* \* \*

PUBLIC MEETING

\* \* \* \* \*

BEFORE: WILLIAM H. RYAN, JR., CHAIRMAN  
Gregory C. Fajt, James B. Ginty, Annmarie  
Kaiser, Keith R. McCall, Anthony C.  
Moscato, Gary A. Sojka, members;  
Christopher Craig, Representing Robert M.  
McCord, Robert Coyne, Representing  
Secretary to Department of Revenue Daniel  
P. Meuser, Matthew Meals, Representing  
Secretary of Agriculture George Greig

HEARING: Tuesday, January 29, 2013

LOCATION: Strawberry Square Complex  
Second Floor  
Harrisburg, PA 17101

WITNESSES: None

Reporter: Jennifer T. Alves

Any reproduction of this transcript is prohibited  
without authorization by the certifying agency.

## A P P E A R A N C E S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## OFFICE OF CHIEF COUNSEL

R. DOUGLAS SHERMAN, ESQUIRE

Chief Counsel

SUSAN YOCUM, ESQUIRE

Assistant Chief Counsel

STEVEN S. COOK, ESQUIRE

Deputy Chief Counsel

ALLISON CASSEL, ESQUIRE

Assistant Chief Counsel

## OFFICE OF ENFORCEMENT COUNSEL

CYRUS PITRE, ESQUIRE

Chief Enforcement Counsel

JAMES ARMSTRONG, ESQUIRE

Assistant Enforcement Counsel

CASSANDRA FENSTERMAKER, ESQUIRE

Assistant Enforcement Counsel

PA Gaming Control Board

P.O. Box 69060

Harrisburg, PA 17106-9060

Counsel for the Pennsylvania Gaming Control Board

I N D E X

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

OPENING REMARKS

By Chairman Ryan

4

PRESENTATION

By Ms. Yantis

5 - 6

DISCUSSION AMONG PARTIES

7 - 17

PRESENTATION

By Attorney Yocum

17 - 20

DISCUSSION AMONG PARTIES

20 - 24

PRESENTATION

By Attorney Cassel

24 - 25

By Attorney Sherman

26 - 28

DISCUSSION AMONG PARTIES

28 - 29

PRESENTATION

By Attorney Cook

29 - 36

By Ms. Hensel

37 - 48

By Attorney Armstrong

49 - 51

By Attorney Fenstermaker

52 - 60

CLOSING REMARKS

By Chairman Ryan

61

## P R O C E E D I N G S

1

2

3

CHAIRMAN:

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

MS. KAISER:

19

20

21

22

MR. MCCALL:

23

24

CHAIRMAN:

25

All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 Opposed? Motion carries. Next Claire  
4 Yantis, our Human Resource Director. Claire.

5 MS. YANTIS:

6 Good afternoon, Chairman and members of  
7 the Board. The Office of Human Resources has two  
8 motions for your consideration today. First we have  
9 one new hire for consideration, Mr. Sean Fitzgerald  
10 has been selected for the position of Casino  
11 Compliance Representative at Parx Casino. Mr.  
12 Fitzgerald has completed the PGCB interview process,  
13 background investigation and drug screening and is  
14 being recommended for hire by Director of Casino  
15 Compliance, Jerry Stoll. Unless you have any  
16 questions I ask that the Board consider a motion to  
17 hire Mr. Fitzgerald as indicated.

18 CHAIRMAN:

19 Any questions or comments of the Board?  
20 Ex Officio members? May I have a motion?

21 MR. MCCALL:

22 Mr. Chairman, I move that the Board  
23 approve the applicant as proposed by the Director of  
24 Human Resources.

25 CHAIRMAN:

1 Second?

2 MR. MOSCATO:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 Opposed? Motion carries.

9 MS. YANTIS:

10 Second we have a new policy for your  
11 consideration. In advance of this meeting the Office  
12 of Human Resources has provided you with a draft, PGCB  
13 policy, policy number 418 PGCB Internship Program,  
14 which outlines and formalizes expectations regarding  
15 the evaluation and selection of PGCB interns. I would  
16 be happy to entertain any questions regarding proposed  
17 policy 418.

18 CHAIRMAN:

19 Any questions, comments from the Board?

20 I certainly do. First of all, as a preliminary this  
21 is an intern program for paid interns in the summer;  
22 is that correct, Claire?

23 MS. YANTIS:

24 Correct. It would be about an eight  
25 week program for paid internships across Bureaus.

1                   CHAIRMAN:

2                   And we don't have such a program now and  
3 have not had since the inception of the Board; is that  
4 correct?

5                   MS. YANTIS:

6                   Correct. Not formalized.

7                   CHAIRMAN:

8                   Any comments?

9                   MR. SOJKA:

10                  I would comment on this. I've had a  
11 long, long history with interns because I'm a  
12 university person. Internships are extremely popular  
13 in a university environment. Students are extremely  
14 anxious to get them. They're a good way for students  
15 to learn and it's a nice way sometimes to get support  
16 in the summer. I've seen internship problems be  
17 tremendously successful and sometimes substantially  
18 less so, and there is a direct correlation between the  
19 degree of planning, forethought, oversight and  
20 management with the success of an internship.

21                  They work well when they're thoroughly  
22 planned, when all parties fully buy in, when there's  
23 regular oversight and someone takes clear  
24 responsibility for the functioning of the total  
25 program. When this idea first came up I think with no

1 criticism it was a casual idea. It was one that had  
2 some appeal and we began to deal with this. And I  
3 think what we've done is build a substantial amount of  
4 structure, potential oversight and management that  
5 would favor such an internship being successful if we  
6 had it I think a great deal of credit goes to Claire  
7 Yantis who worked out the first proposal about how  
8 this would work.

9           But I think we also treated this as a  
10 kind of model process because Claire sent it forward.  
11 The personnel committee, the Board looked at it. We  
12 decided to give it a serious reworking and I know I  
13 spent substantial hours reworking Claire's document,  
14 sending it back to her, she incorporated changes. We  
15 then sent it forward again to the whole Board and  
16 asked for input. Specifically we got very good input  
17 I think from Commissioner Moscato who thought  
18 carefully about this and hopefully Claire has been  
19 able to --- and we responded back and forth by e-mail  
20 and I think Claire wrote that into the situation.

21           As a result of all this I think we have  
22 the best proposal for an internship that we're likely  
23 to be able to produce. That's not a problem for me.  
24 Now comes the problem and I think you have to look at  
25 an internship and look at all the moving parts. And



1 there are three. There's the institution that  
2 provides the interns, the college or university, there  
3 is the intern him or herself and there is the host  
4 institution. All three I think need to be on board  
5 and see the clear benefits for the program to work  
6 effectively.

7           The program we're putting in front of us  
8 today --- the program that is in front of us today, I  
9 think is okay from the point of view of colleges and  
10 universities. They have nothing to lose and I think  
11 if they send the students off to us into a program of  
12 that kind they can have reasonable confidence that in  
13 the time spent even though they're not given credit  
14 they can assume that when a student comes back, not  
15 only will the student have been paid, the student will  
16 have had a meaningful experience. I think the  
17 students would benefit clearly from this because they  
18 would get some compensation.

19           Summer jobs are not easy to get and I  
20 think we would give them a kind of tutorial structured  
21 program with substantial oversight by members of our  
22 staff who would have to devote time, energy and effort  
23 to seeing to it that the assigned tasks were done and  
24 that the students gained the benefit that they should  
25 gain. That leaves the third entity, the host

1 institution and here it's a little different. Often  
2 recipients of internships are either corporations or  
3 they're parts of state government. There's clear  
4 reasons why those benefit. Okay? Corporations really  
5 want the brain power. They want the focus of bright  
6 young minds who sometimes bring an academic slant, and  
7 there are numerous examples of corporations and  
8 businesses advancing because of the input of students  
9 as interns.

10 I think in state government it makes  
11 perfectly good sense because the state government  
12 supports educational endeavors. It supports the state  
13 universities, the Commonwealth universities, it  
14 worries about education at the high school and the  
15 secondary school level and college interns are  
16 students. And the legislature and the various offices  
17 of state government can justify what they do on the  
18 grounds of fostering education within the  
19 Commonwealth. But then you come to this agency. It's  
20 an odd one. It's a state agency on one hand, but on  
21 the other hand the resources come from the Licensees.  
22 They pay for this.

23 Today we heard several of our Licensees  
24 groping, struggling, dealing with new competition, new  
25 challenges to them. They have expenses. They have

1 expenses in personnel, expenses in facility, expenses  
2 in advertising, and marketing and so on. And one of  
3 their expenses is to pay for their regulation. Our  
4 response to that question I think from the inception  
5 of this Board has been to try to provide appropriate,  
6 appropriate regulation and to try to be as best we can  
7 efficient and cost effective. This agency finds  
8 itself right now at a moment when we are actively  
9 reducing force. We're contemplating how we will have  
10 fewer people on the payroll to do our assigned tasks  
11 for the purpose of keeping, if you will, regulation a  
12 bargain in Pennsylvania because we are charged with  
13 being efficient. That's one issue.

14 Another issue is we have personnel who  
15 have not gotten pay raises that we would like to give  
16 them and that's been an issue. And so I worry about  
17 what it means to the morale of our agency if while  
18 we're reducing force we bring in people and pay them  
19 to do jobs that we've not actually figured out that we  
20 need to have done primarily for the purpose of  
21 supporting students and educating students. It  
22 strikes me that it is somewhat outside our mission.  
23 If this was a different time, if we were a stable  
24 agency with our structure worked out and we weren't  
25 reducing force, if we had our finances all figured out

1 so that we were paying our people with raises on a  
2 regularized basis that we can all feel good about, if  
3 we saw that we had a clear educational component I  
4 think a program of the kind we have in front of us  
5 would be very good.

6 But here's my problem. I don't see this  
7 as the moment and I don't see how we can change the  
8 moment. I think we've written a very good proposal to  
9 support something that at this time we should not  
10 support. So, that's the difficult position in which I  
11 find myself.

12 MR. FAJT:

13 Thank you, Mr. Chairman. A couple of  
14 questions, Claire, just to get it on the record. How  
15 many interns do you anticipate us hiring in the coming  
16 summer?

17 MS. YANTIS:

18 The way the program and the policy is  
19 structured is that --- the first thing that's done is  
20 a steering committee of Executive Management, myself.  
21 The Executive Director would actually solicit  
22 proposals from the Bureaus to see if there would be a  
23 need for interns. From there compared to our budget,  
24 and looking at our funding and resources we would  
25 determine the number of interns. If we were to get it

1 up and running for this summer I don't anticipate it  
2 being more than one or two, possibly three, but it  
3 would be dependent on those proposals and evaluation  
4 by a steering committee of those proposals and then  
5 the funding attached to that.

6 MR. FAJT:

7 My second question, what is the rate of  
8 pay?

9 MS. YANTIS:

10 It would be \$10 an hour, so we're  
11 looking at interns working 37 and a half hour work  
12 week over an eight week period at \$10 an hour. So,  
13 you're looking at approximately \$3,800 per intern.

14 MR. FAJT:

15 Thank you very much and thank you, Gary,  
16 for your comments.

17 CHAIRMAN:

18 I suppose I should add my comments. And  
19 I have to say I agree a hundred percent with what Gary  
20 has said. I think it's important for us to recall  
21 that we don't have an intern program because we  
22 haven't felt the need to have one. And I am convinced  
23 after having spent about a year and a half with the  
24 Board that the reason is we don't need one. We don't  
25 have really productive work for interns to do. Maybe

1 I'm an old fashioned kind of guy, but the purpose of  
2 an intern is to come in in the summer, come in at a  
3 time when there are too many tasks and not enough  
4 people and get some help while at the same time  
5 learning an experience as a student, preferably for  
6 college credit, but also perhaps --- or instead of  
7 perhaps credit them for income.

8           But that's not the situation that I see  
9 with the Board. I just don't see the need. I don't  
10 know how we will keep any interns busy. I really  
11 don't. I think they would have to be --- make work  
12 projects and I agree with Gary also that the policy  
13 and procedure put together is remarkably good. I also  
14 think it requires a lot of Claire and her staff and  
15 Human Resources. It requires a lot of all of the  
16 Directors to make sure --- well, what are we going to  
17 have these interns do? And it's going to require a  
18 lot of the mentors required by the policy and  
19 procedure who have to stay on constant --- in a  
20 constant and supervisory role here.

21           That is not a need we have and the  
22 reality is that --- I think the Board understands that  
23 and I think the main thrust behind the proposal is,  
24 well, it does enable young people to learn about  
25 government. And that's a laudable goal, but given the

1 relatively small size of our agency our goal to me is  
2 just one goal and that is to regulate casinos. We are  
3 not an educational institution. It is not our job to  
4 educate young people. It is our job to regulate and  
5 to do so efficiently, as efficiently as we can. And I  
6 don't think this program, as well meaning as it is, is  
7 beneficial for our agency. I agree with Gary.

8           An individual student may find a  
9 benefit. Eight weeks, short period of time. What we  
10 do in the agency, okay, it may not be brain surgery,  
11 but it is arcane. I don't see a student learning much  
12 at all in an eight week period of time just based on  
13 what I've seen during the time I have been with the  
14 Board. So, I think that is something we should take  
15 into consideration. And finally another important  
16 point made by Gary I would underline. Whatever the  
17 funding is --- and certainly the funding could grow  
18 beyond what it may be in the beginning, but we have an  
19 obligation to pay close attention to the funding and  
20 many of our non-union management employees haven't  
21 done real well in the department of getting raises for  
22 ---. Well, this is may be the fifth year.

23           And I think we have to husband our  
24 resources. We don't have enough of them and the money  
25 spent here my view is --- could be better spent

1 rewarding those employees we do have in a way that  
2 perhaps we couldn't otherwise. So, that's my  
3 position. Again, I understand the position of those  
4 who support it. I know it's with the best of motives.  
5 I just do not think it's in the best interest of the  
6 agency. Annmarie?

7 MS. KAISER:

8 Just to reiterate some of the points  
9 that were made. I can certainly understand and  
10 appreciate the interest in providing students with  
11 educational opportunities in the workforce. However,  
12 given the current economic climate and budgetary  
13 restrictions I don't think it would be financially  
14 prudent to do it at this time. If there is a strong  
15 need demonstrated to have interns and should that need  
16 be determined, I would support looking into a program  
17 where students would get credit, but I don't think we  
18 demonstrate that need at this time.

19 CHAIRMAN:

20 Anyone else? Tony?

21 MR. MOSCATO:

22 Mr. Chairman, I would ask at this point  
23 that we table this.

24 MR. GINTY:

25 Second.



1                   CHAIRMAN:

2                   There is a motion that we table it. All  
3 in favor?

4 ALL SAY AYE

5                   CHAIRMAN:

6                   Opposed? Motion carries. Thank you  
7 all. Thank you, Claire. Good morning, Doug.

8                   ATTORNEY SHERMAN:

9                   Good afternoon. Chairman and members of  
10 the Board, our first agenda item relates to Proposed  
11 Regulation, which Assistant Chief Counsel, Susan  
12 Yocum, is here to present.

13                   ATTORNEY YOCUM:

14                   Good afternoon Chairman, members of the  
15 Board.

16                   CHAIRMAN:

17                   Susan, how are you?

18                   ATTORNEY YOCUM:

19                   I'm good. How are you today? I have  
20 one proposed rulemaking for your consideration today.  
21 It's 125-168. To provide some context on this  
22 rulemaking, once we finally finalized all of our table  
23 gaming regulations we created working groups amongst  
24 agency staff from the various Bureaus to determine ---  
25 to do a comprehensive look at our existing regulations

1 to determine where amendments would be prudent to  
2 make. 125-168 is a product of those collective  
3 evaluations. It addresses revisions on chapters in  
4 subparts G, which is Minority and Women's Business  
5 Enterprises, I which is compulsive and problem  
6 gambling and J, which is exclusion of persons.

7           The amendments to Minority and Women  
8 Business Enterprises are essentially technical in  
9 nature. The Bureau that oversees the verification of  
10 the minority and women owned businesses was amended  
11 and additionally we amended our regulations to conform  
12 to the statute regarding reviews versus audits of  
13 reports of compliance for diversity. With respect to  
14 the Office of Compulsive and Problem Gambling we've  
15 amended the double signature requirements for  
16 individuals who've requested to come off the voluntary  
17 self-exclusion list upon their --- upon the expiration  
18 of their term of exclusion.

19           We've also added a removal mechanism for  
20 individuals on lifetime exclusion. It's a very narrow  
21 mechanism in which they can come off the list if they  
22 voluntarily excluded to be on it for a lifetime. They  
23 would have to petition the Board, but they may not do  
24 so for a period of ten years following their signing  
25 to be on lifetime exclusion. They also have to

1 demonstrate to the Board that there's good cause as to  
2 why their name should be removed from the voluntary  
3 self-exclusion list. This amendment will also allow  
4 the Office of Compulsive and Problem Gambling to  
5 establish an alternative location for individuals  
6 requesting to be removed from the voluntary  
7 self-exclusion list other than our Harrisburg office,  
8 our regional offices, which are located in Harrisburg,  
9 Scranton, Conshohocken and Pittsburgh.

10                   There was an issue of travel,  
11 specifically, you know, people from Erie having to  
12 travel all the way to Pittsburgh to sign off to come  
13 off of the list once their term of exclusion was over.  
14 Our Director of Office of Compulsive and Problem  
15 Gambling will be creating criteria regarding when an  
16 alternative location assigned to come off would be ---  
17 could be utilized.

18                   Lastly, we are transitioning four  
19 statements of policy into --- for the regulatory  
20 review process. Two of the statements of policy have  
21 been in existence for years and should be transitioned  
22 through the regulation process. There are provisions  
23 on advertising requirements and the allowance for  
24 limited --- the disclosure of limited demographic  
25 information regarding persons on the voluntary

1 self-exclusion list. Both of those provisions will be  
2 moved into the regulations on compulsive problem  
3 gambling.

4 We also are converting a statement  
5 policy on the Conditional Licensure Gaming Junket  
6 Enterprises you approved at the last meeting as well  
7 as amending the requirement that two individuals sign  
8 for jackpot credit meter payoffs. I'd be happy to  
9 answer questions you may have.

10 CHAIRMAN:

11 Questions, comments from the Board? Ex  
12 Officio members? May I have a motion?

13 MR. MCCALL:

14 Mr. Chairman, I move that the Board  
15 adopt the Proposed Regulation number 125-168 as  
16 described by the Office of Chief Counsel (OCC) and  
17 that the regulation be posted to the Board's website.

18 MR. SOJKA:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 Opposed? The motion carries.

25 MR. GINTY:

1 Mr. Chairman?

2 CHAIRMAN:

3 Oh, I'm sorry. I apologize.

4 MR. GINTY:

5 Would you indulge me a few moments to  
6 make a statement?

7 CHAIRMAN:

8 You take as much time as you want to,  
9 Mr. Ginty.

10 MR. GINTY:

11 I support the majority of the proposed  
12 regulation, but I do not support that portion of the  
13 regulation that those who have placed themselves on  
14 the lifetime exclusion list have to wait ten years  
15 before they can petition the Board for removal from  
16 the list. I have, in other cases that have come  
17 before the Board, taken issue particularly with the  
18 lifetime exclusion provision of our regulation.

19 In my view the procedures we utilize in  
20 placing people particularly on the lifetime exclusion  
21 list are inadequate to ensure fairness to the  
22 individual and quite frankly any modicum of what one  
23 would consider due process, particularly for a  
24 lifetime deprivation of the right or privilege to  
25 enter a casino. As far as I'm aware the process

1 utilized here would not be accepted in any other  
2 context. I would note that the exclusion has  
3 extraterritorial effect because casinos will apply the  
4 exclusion in all of their casinos both nationally and  
5 worldwide.

6 I would also note that to my knowledge  
7 in no other context is an individual denied an  
8 opportunity to petition to have a restriction removed  
9 including cases where one may have lost his license  
10 because of a drunk driving conviction, manslaughter or  
11 what have you. The right to petition in my view is  
12 just inherent in the rights and privileges of the  
13 country. Now, I recognize that in adopting the ten  
14 year provision here that, you know, the proposed  
15 regulation makes some progress in permitting somebody  
16 to remove themselves from the list. But in my view I  
17 still think ten years is too long and I particularly  
18 still have issues with the process that exists.

19 I would favor a shorter period and a  
20 change in our procedures that would permit an  
21 individual some period of reflection before placing  
22 himself or herself on the lifetime exclusion list.  
23 One should not be required to suffer a lifetime  
24 exclusion based on what might well be a momentary  
25 compulsion. Now, I do not for a minute --- in making

1 the statement I do not for a minute diminish the need  
2 for this Board to address problem gambling. And in  
3 fact, I think the Board has done an admirable job in  
4 addressing the issue of problem gambling, but we  
5 should not in any event let our exuberance in  
6 addressing the problem of gambling tread on what I  
7 consider basic fairness and a fundamental right to due  
8 process in petition. That's my statement.

9 CHAIRMAN:

10 Thank you, Jim. Any comment?

11 MS. KAISER:

12 I have a comment. I'm probably at the  
13 other end of the spectrum where I have concerns about  
14 making any changes to the lifetime exclusion, but I  
15 thought that the ten years was a very reasonable  
16 approach to give someone a time period and for them to  
17 come to the Board and explain why they should be taken  
18 off the list. So, I thought it was a more reasonable  
19 compromise and I just wanted to thank the staff for  
20 their excellent work.

21 CHAIRMAN:

22 Anyone else? Okay. I think what we can  
23 say is that the motion passes, however, the record  
24 should note the descent by Mr. Ginty with respect to  
25 the issue of the removal time. Is that accurate, Jim?

1                   MR. GINTY:

2                   That's accurate.

3                   CHAIRMAN:

4                   Okay. Thank you very much.

5                   MR. FAJT:

6                   Mr. Chairman, I'd just like to note if  
7 it's appropriate that we have looking from the  
8 audience Mr. Ginty on the left and our esteemed  
9 colleague on the right. So, thank you Annmarie.

10                  ATTORNEY YOCUM:

11                  Thank you.

12                  ATTORNEY SHERMAN:

13                  Our next agenda item is a Local Law  
14 Enforcement Grant, which Assistant Chief Counsel,  
15 Allison Cassel is here to present.

16                  ATTORNEY CASSEL:

17                  Good afternoon.

18                  CHAIRMAN:

19                  Good afternoon, Allison.

20                  ATTORNEY CASSEL:

21                  Mr. Chairman and members of the Board, I  
22 have one application for a Local Law Enforcement Grant  
23 for you today. The Philadelphia District Attorney's  
24 office has applied for a grant totaling \$250,000. The  
25 District Attorney's office was previously approved for



1 a Local Law Enforcement Grant in 2008 and 2011. As  
2 you know, this grant is being sought pursuant to the  
3 Gaming Act, which provides for the funding of local  
4 law enforcement agencies to be used for the  
5 investigation and enforcement of illegal gambling in  
6 the Commonwealth.

7 The application has been reviewed by  
8 appropriate staff and has been determined to be in  
9 compliance with the grant program and is recommended  
10 for approval.

11 CHAIRMAN:

12 Any questions or comments from the  
13 Board, Ex Officio members? May I have a motion?

14 MR. GINTY:

15 Mr. Chairman, I move that the Board  
16 approve the Local Law Enforcement Grant as presented  
17 by the OCC.

18 MS. KAISER:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 Opposed? The motion carries. Thank  
25 you, Allison.

1                   ATTORNEY SHERMAN:

2                   Today the Board has two Petitions before  
3 it for consideration. Each of the matters was heard  
4 earlier today during public hearing. In addition the  
5 Petitions, the responses of the Office of Enforcement  
6 Counsel (OEC) including proposed conditions on any  
7 approvals of the petitions and any other evidentiary  
8 matters have been provided to the Board in advance of  
9 this meeting. The first matter coming before the  
10 Board is that of Mount Airy Casino. And this is the  
11 Petition for the Approval of a Casino Floor  
12 Reconfiguration, which has the effect of reducing the  
13 number of slot machines by 200 on the casino floor.

14                   If the Board is inclined to grant the  
15 relief the OEC has requested the approval be subject  
16 to eight conditions, which were outlined in their  
17 Answer provided to the Board. Additionally both Mount  
18 Airy and the OEC have requested that the exhibits to  
19 their petitions be maintained as confidential. The  
20 record is closed and will be ready for the Board's  
21 consideration. For the record, the OCC I would  
22 recommend that the matter esteemed confidential be  
23 kept that way.

24                   CHAIRMAN:

25                   Okay. Thank you, Doug. Any questions

1 or comments from the Board? Ex Officio members? May  
2 I have a motion?

3 MR. FAJT:

4 Mr. Chairman, I move that the Board  
5 issue an Order to approve Mount Airy #1, LLC's  
6 petition as described by the OCC. I further move that  
7 the Board approve Mount Airy's and Enforcement  
8 Counsel's request to maintain exhibits to their  
9 pleadings as confidential.

10 MR. GINTY:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed? The motion carries.

17 ATTORNEY SHERMAN:

18 The second petition is Presque Isle  
19 Downs' Petition to Reduce the Number of Slot Machines  
20 and Table Games as was also heard earlier today.  
21 Presque Isle is requesting to reduce the number of  
22 machines by 311 and also to remove seven banked table  
23 games from its floor. As Mount Airy, Presque Isle has  
24 made the request due to today's economic conditions  
25 influenced primarily because of increased competition

1 in the Ohio area.

2 If approved the OEC has proposed 11  
3 conditions to be placed on Presque Isle, all of which  
4 were, again, outlined in a --- in the Answer and  
5 records provided to the Board in advance of this  
6 meeting. Again, the OCC would believe it appropriate  
7 to treat the exhibits to the pleading as confidential  
8 as also requested by Presque Isle. That would also go  
9 to the financial investigation unit analysis attached  
10 to the OEC's Answer. The record is closed. The  
11 matter is now ready for the Board's consideration.

12 CHAIRMAN:

13 Questions or comments from the Board?  
14 Ex Officio members? May I have a motion?

15 MR. GINTY:

16 Mr. Chairman, I'd move that the Board  
17 issue an Order to prove Presque Isle Down's petition  
18 as described by the OCC and I guess I need to make a  
19 motion in terms of protecting confidentiality.

20 ATTORNEY SHERMAN:

21 Make it clear on the record that it  
22 would be appropriate, yes.

23 MR. GINTY:

24 Do I have to do that by motion or just  
25 ---? And I further move that the Board order the

1 exhibits to the pleadings filed in this matter be  
2 maintained as confidential.

3 CHAIRMAN:

4 Second?

5 MS. KAISER:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 Opposed? The motion carries. Thanks,  
12 Doug.

13 ATTORNEY SHERMAN:

14 Next presenting Withdrawals and Reports  
15 and Recommendations is Deputy Chief Counsel, Steve  
16 Cook.

17 ATTORNEY COOK:

18 Hello. The Board has received eight  
19 unopposed Petitions to Withdraw the Applications of  
20 Individuals or Businesses. The persons and entities  
21 subject to these Petitions are as follows, and I'll  
22 note for the benefit of the court reporter that I'll  
23 provide her a listing of the spellings. The persons  
24 and businesses this applies to are Jeffrey E.  
25 Hartmann, InterTech Computer Products, Inc., Pendum,

1 LLC, Michael Fries, Jerome Smith. Eric M. Turner,  
2 Lindenmeyr Munroe and Moses Tawil. The OEC has no  
3 objections to these withdrawals as such if the Board  
4 were inclined to grant same and in doing so without  
5 prejudice.

6 CHAIRMAN:

7 Questions, comments from the Board? Ex  
8 Officio members? May I have a motion?

9 MS. KAISER:

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

13 MR. MCCALL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 Opposed? The motion carries.

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). I would  
24 note for the record that the Reports and  
25 Recommendations as well as the entire evidentiary

1 record have been provided to the Board in advance of  
2 this meeting. And additionally each person has been  
3 notified that the Board will be taking up their matter  
4 today and if they would like they could come to the  
5 Board meeting and briefly make a presentation to the  
6 Board.

7                   If any of these people are present I'd  
8 ask that they come forward when their name's  
9 announced. The first Report and Recommendation  
10 pertains to Christopher Bowman. Mr. Bowman submitted  
11 an application for a Gaming Employee Permit on March  
12 26th, 2012 seeking work as a table games dealer at the  
13 SugarHouse Casino. Mr. Bowman indicated on his  
14 application that he had never been charged with a  
15 crime and that he had never defaulted on a financial  
16 obligation. However, it was subsequently discovered  
17 during BIE's investigation Mr. Bowman, in fact, had  
18 these --- at least one criminal conviction. Also  
19 failed to file certain federal tax returns with the  
20 Internal Revenue Service and also had an outstanding  
21 financial judgment relating to a student loan upon  
22 which he defaulted. On October 9th, 2012 the OEC  
23 Counsel issued a Notice of Recommendation of Denial  
24 for these reasons. Mr. Bowman received that notice  
25 and requested a hearing. A hearing was subsequently

1 scheduled, however, he failed to attend and the  
2 hearing was conducted in his absence. After OEC and  
3 BIE put on evidence supporting all of the allegations  
4 made a Report and Recommendation was issued  
5 recommending that Mr. Bowman's application be denied.  
6 And that is the recommendation before the Board.

7 CHAIRMAN:

8 Questions or comments for the Board? Ex  
9 Officio members? May I have a motion?

10 MR. MCCALL:

11 Mr. Chairman, I move that the Board  
12 adopt the Report and Recommendation of the OHA  
13 regarding the Gaming Employee Permit of Christopher  
14 Bowman as described by the OEC.

15 CHAIRMAN:

16 Second?

17 MR. MOSCATO:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 Opposed? Motion carries.

24 ATTORNEY COOK:

25 The next Report and Recommendation



1 pertains to John Carns. Mr. Carns was issued a Gaming  
2 Employee Registration --- I'm sorry, a Non-Gaming  
3 Employee Registration on May 5th, 2012 ---. Oh,  
4 excuse me. It was Gaming Employee Permit. May 5,  
5 2012. And was employed as a Table Games Dealer at the  
6 Meadows Racetrack and Casino. On August 10, 2012 the  
7 Bureau of Casino and Compliance became aware that Mr.  
8 Carns had been arrested and charged with one felony  
9 count of endangering the welfare of children and one  
10 felony count of aggravated assault.

11 He was also charged with several  
12 misdemeanor offenses including recklessly endangering  
13 another person, endangering the welfare of children  
14 and two summary offenses. These charges stem from an  
15 incident in which it was alleged that Mr. Carns  
16 pointed a weapon at an off duty Sheriff's Deputy while  
17 Mr. Carns was in the company of a child. Generally it  
18 was alleged to be road rage type situation. While  
19 some of these charges have been dropped at least one  
20 of the felony remains pending. Mr. Carns is scheduled  
21 for trial in March 11, 2012 (sic).

22 Upon the request of the OEC the  
23 Executive Director issued an emergency suspension of  
24 Mr. Carns' Gaming Permit on November 5th. On November  
25 8th the Board referred the matter to the OHA to

1 conduct an evidentiary hearing on the validity of the  
2 emergency suspension. That hearing was then held on  
3 November 19th and while both Mr. Carns and the OEC  
4 appeared to present testimony, Mr. Carns basically  
5 alleged only that he was innocent until proven guilty,  
6 but did not really say anything to the underlying  
7 factual allegations. As a result of Mr. Carns'  
8 failure to refute the allegations in the felony charge  
9 --- at least one felony charge remaining pending the  
10 Report and Recommendation was issued recommending that  
11 the emergency suspension remain in place. That's the  
12 recommendation before the Board and OCC would support  
13 that.

14 CHAIRMAN:

15 Any questions or comments from the  
16 Board? Ex Officio members? May I have a motion?

17 MR. MOSCATO:

18 Mr. Chairman, I move that the Board  
19 adopt the Report and Recommendation of the OHA  
20 regarding John Donald Carns Gaming Employee Permit as  
21 described by the OCC.

22 MR. FAJT:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 Opposed? The motion carries.

4 ATTORNEY COOK:

5 And final Report and Recommendation  
6 before the Board today pertains to Erickson Urtecho.  
7 On August 7th, 2012 the OEC filed a complaint  
8 requesting that Mr. Urtecho be placed on the Board's  
9 Exclusion List for cheating. Specifically while  
10 playing Texas Hold'Em Poker at the Parx Casino Mr.  
11 Urtecho removed a \$25 chip from a \$100 bet on a losing  
12 hand. Subsequently the dealer and other players at  
13 the table confronted Mr. Urtecho. He conceded that  
14 he, in fact, took the \$25 chip and paid it back into  
15 the pot.

16 A hearing was requested by Mr. Urtecho  
17 and it was held on October 16th, 2012. Although he  
18 was properly served, Mr. Urtecho didn't attend that  
19 hearing and OEC commenced the hearing before the  
20 Hearing Officer in his absence. At the hearing  
21 evidence of the cheating incident was put into the  
22 record as well as information about Mr. Urtecho having  
23 several criminal convictions in New Jersey, one of  
24 which is for underage gaming. And also information  
25 that he was placed on the New Jersey Exclusion List in

1 2009. Upon receipt of all this information the  
2 Hearing Officer issued a Report and Recommendation  
3 adopting --- approving OEC's recommendation that this  
4 gentleman be placed on the Exclusion List and that is  
5 the recommendation before the Board.

6 CHAIRMAN:

7 Any questions or comments from the  
8 Board? Ex Officio members? May I have a motion?

9 MR. FAJT:

10 Mr. Chairman, I move that the Board  
11 adopt the Report and Recommendation regarding the  
12 petition to place Erickson Urtecho on a PGCB  
13 Involuntary Exclusion List as described by the OCC.

14 MR. GINTY:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed? The motion carries.

21 ATTORNEY SHERMAN:

22 Thank you. That concludes all the  
23 matters from the OCC.

24 CHAIRMAN:

25 Thank you both. Next will be Susan

1 Hensel, Director of Licensing. Good afternoon, Susan.

2 MS. HENSEL:

3 Thank you, Chairman Ryan and members of  
4 the Board. Before the Board today will be motions  
5 regarding one Manufacturer Applicant, one Manufacturer  
6 Designee Applicant and one Supplier Applicant as well  
7 as 436 Principal Key Gaming and Non-Gaming Employees.  
8 In addition there will be the consideration of 14  
9 Gaming Service Provider Applicants.

10 The first matter for your consideration  
11 is the issuance of Conditional Manufacturer Licenses.  
12 Angel Playing Cards Manufacturing Company Limited is  
13 the maker of playing cards and is an applicant for a  
14 Conditional Manufacturer License. It is headquartered  
15 in Japan. Angel Playing Cards USA, Inc. plans to sell  
16 Angel Playing Cards and is an applicant for a  
17 Manufacturer Designee License. It is headquartered in  
18 Washington State. Pursuant to the Board's regulations  
19 the Board may issue a Conditional Table Game  
20 Manufacturer or Manufacturer Designee License provided  
21 the applicant submits a completed application, is  
22 licensed in good standing in a gaming jurisdiction  
23 whose manufacture standards are recognized by the  
24 PGCB, submits a written statement from a facility  
25 indicating the facility may do business with the

1 company, passes a preliminary criminal history  
2 investigation and pays the licensing fee prior to  
3 being licensed.

4           The Bureau of Licensing has provided you  
5 with preliminary background investigation and  
6 suitability reports for those applicants and the  
7 reports indicate that these criteria has been  
8 satisfied for these companies. Should the Board  
9 approve Angel Playing Cards Manufacturing Company  
10 Limited's license the company has asked that the Board  
11 allow it to pay a reduced licensing fee of \$10,000  
12 rather than the full \$50,000 licensing fee.

13           Under the Gaming Act the Board may  
14 modify the licensing fee for a Table Game Manufacturer  
15 if it determines that the fee will unreasonably limit  
16 table game devices or associated equipment.  
17 Consistent with this provision of the Act the Bureau  
18 of Licensing has adopted a policy regarding a reduced  
19 licensing fee. Under the policy a reduction of the  
20 licensing fee to \$10,000 is warranted if there are  
21 between one and ten manufacturers of a product and the  
22 anticipated sales are between \$100,000 and \$250,000  
23 over a 12 month period. Angel Playing Cards  
24 Manufacturing Company Limited is one of several  
25 manufacturers of playing cards and it anticipates that

1 its projected average yearly gross sales will be  
2 between \$100,000 and \$250,000. The Bureau of  
3 Licensing therefore recommends that the Board grant  
4 the request for a \$10,000 licensing fee.

5 I have provided you with draft orders  
6 and ask that the Board consider the approval of these  
7 licenses separately beginning first with Angel Playing  
8 Cards Manufacturing Company Limited as well as its  
9 request for a reduced licensing fee.

10 CHAIRMAN:

11 Okay. With respect to Angel Playing  
12 Cards Limited's license any comments from Enforcement  
13 Counsel?

14 ATTORNEY PITRE:

15 Enforcement Counsel has no objection.

16 CHAIRMAN:

17 Any questions or comments from the  
18 Board? Ex Officio members? May I have a motion?

19 MR. GINTY:

20 Mr. Chairman, I move that the Board  
21 approve the conditional Table Games Manufacturer  
22 License of Angel Playing Card as described by the  
23 Bureau of Licensing.

24 CHAIRMAN:

25 Second?

1                   MS. KAISER:

2                   Second.

3                   CHAIRMAN:

4                   All in favor?

5 ALL SAY AYE

6                   CHAIRMAN:

7                   Opposed? The motion carries.

8                   MS. HENSEL:

9                   And next would be the Manufacturer  
10 Designee License for Angel Playing Cards USA, Inc.

11                   CHAIRMAN:

12                   Any comments from Enforcement Counsel?

13                   ATTORNEY PITRE:

14                   Enforcement Counsel has no objection.

15                   CHAIRMAN:

16                   Questions or comments from the Board?

17 Ex Officio members? May I have a motion?

18                   MS. KAISER:

19                   Mr. Chairman, I move that the Board  
20 approve the Conditional Table Games Manufacturer  
21 Designee License for Angel Playing Cards USA, Inc. as  
22 described by the Bureau of Licensing.

23                   MR. MCCALL:

24                   Second.

25                   CHAIRMAN:



1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 Opposed? The motion carries.

5 MS. HENSEL:

6 Next is a Supplier Application for  
7 Keystone Gaming Technologies, Inc. is being  
8 recommended for abandonment. This company filed an  
9 application with the Board, but failed to cure  
10 deficiencies after being given notice and an  
11 opportunity to resolve those deficiencies. The Board  
12 has the authority to declare an application abandoned  
13 if the applicant fails to complete the application  
14 process. A company whose application is abandoned is  
15 free to reapply at any time. I ask that the Board  
16 consider the order declaring Keystone Gaming  
17 Technologies, Inc.'s application abandoned.

18 CHAIRMAN:

19 Any comments from Enforcement Counsel?

20 ATTORNEY PITRE:

21 Enforcement Counsel has no objection.

22 CHAIRMAN:

23 Any questions or comments from the  
24 Board? Ex Officio members? May I have a motion?

25 MR. MCCALL:

1                   Mr. Chairman, I move for the Board  
2 approve the abandonment of Keystone Gaming  
3 Technologies Inc.'s Supplier Application described by  
4 the Bureau of Licensing.

5                   CHAIRMAN:

6                   Second?

7                   MR. MOSCATO:

8                   Second.

9                   CHAIRMAN:

10                  All in favor?

11 ALL SAY AYE

12                  CHAIRMAN:

13                  Opposed? The motion carries.

14                  MS. HENSEL:

15                  Also for your consideration is the  
16 approval of Principal and Key Employee Licenses.  
17 Prior to this meeting the Bureau of Licensing provided  
18 you with a Proposed Order for two Principle and eight  
19 Key Employee Licenses for Category 1, Category 2 and  
20 supplier licensees. I ask that the Board consider the  
21 order approving these licenses.

22                  CHAIRMAN:

23                  Any comments from Enforcement Counsel?

24                  ATTORNEY PITRE:

25                  Enforcement Counsel has no objection.

1                   CHAIRMAN:

2                   Any questions or comments from the  
3 Board? Ex Officio members? May I have a motion?

4                   MR. MOSCATO:

5                   Mr. Chairman, I move that the Board  
6 approve the issuance of Principal and Key Employee  
7 Licenses as described by the Bureau of Licensing.

8                   MR. SOJKA:

9                   Second.

10                  CHAIRMAN:

11                  All in favor?

12 ALL SAY AYE

13                  CHAIRMAN:

14                  Opposed? The motion carries.

15                  MS. HENSEL:

16                  Next for your consideration are  
17 Temporary Principal and Key Employee Licenses. Prior  
18 to this meeting the Bureau of Licensing provided you  
19 with an order regarding the issuance of Temporary  
20 Licenses for two Principals and five Key Employees. I  
21 ask that the Board consider the Order approving these  
22 licenses.

23                  CHAIRMAN:

24                  Any comments from Enforcement Counsel?

25                  ATTORNEY PITRE:

1 Enforcement Counsel has no objection.

2 CHAIRMAN:

3 Any questions or comments from the  
4 Board? Ex Officio members? May I have a motion?

5 MR. SOJKA:

6 Mr. Chairman, I move that the Board  
7 approve the issuance of Temporary Principal and Key  
8 Employee credentials as described by the Bureau of  
9 Licensing.

10 MR. FAJT:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed? The motion carries.

17 MS. HENSEL:

18 In addition are Gaming Permits and  
19 Non-Gaming Registrations. Prior to this meeting the  
20 Bureau of Licensing provided you with a list of 343  
21 individuals to whom the Bureau has granted Temporary  
22 or Full Occupation Permits and 67 individuals to whom  
23 the Bureau has granted registrations under the  
24 authority delegated to the Bureau of Licensing. I ask  
25 that the Board consider a motion approving the Order.

1                   CHAIRMAN:

2                   Any comments from Enforcement Counsel?

3                   ATTORNEY PITRE:

4                   Enforcement Counsel has no objection.

5                   CHAIRMAN:

6                   Any questions or comments from the  
7 Board? Ex Officio members? May I have a motion?

8                   MR. FAJT:

9                   Mr. Chairman, I move that the Board  
10 approve the issuance of Gaming Employee Permits and  
11 Non-Gaming Employee Registrations as described by the  
12 Bureau of Licensing.

13                   MR. GINTY:

14                   Second.

15                   CHAIRMAN:

16                   All in favor?

17 ALL SAY AYE

18                   CHAIRMAN:

19                   Opposed? The motion carries.

20                   MS. HENSEL:

21                   We also have for your consideration  
22 withdrawal requests for Gaming and Non-Gaming  
23 Employees. In each case the permit or registration is  
24 no longer required. For today's meeting I have  
25 provided the Board with a list of seven Gaming and two

1 Non-Gaming Employee Withdrawals for approval and I ask  
2 that the Board consider the Order approving those  
3 withdrawals.

4 CHAIRMAN:

5 Any comments from Enforcement Counsel?

6 ATTORNEY PITRE:

7 Enforcement Counsel has no objection.

8 CHAIRMAN:

9 Any questions or comments from the  
10 Board? Ex Officio members? May I have a motion?

11 MR. GINTY:

12 Mr. Chairman, I move that the Board  
13 approve the withdrawals as described by the Bureau of  
14 Licensing.

15 CHAIRMAN:

16 Second?

17 MS. KAISER:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 Opposed? The motion carries.

24 MS. HENSEL:

25 In addition we have an Order to certify

1 the following Gaming Service Providers, City Center  
2 Wholesale, LLC, Skyliner Travel and Tour Bus  
3 Corporation and the Grove Media, LLC. I ask that the  
4 Board consider the Order approving these Gaming  
5 Service Providers for Certification.

6 CHAIRMAN:

7 Any comments from Enforcement Counsel?

8 ATTORNEY PITRE:

9 Enforcement Counsel has no objection.

10 CHAIRMAN:

11 Any questions or comments from the  
12 Board? Ex Officio members? May I have a motion?

13 MS. KAISER:

14 Mr. Chairman, I move that the Board  
15 issue an order to approve the application for Gaming  
16 Service Providers Certification as described by the  
17 Bureau of Licensing.

18 MR. MCCALL:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 Opposed? The motion carries.

25 MS. HENSEL:

1                   Finally we have an Order regarding  
2 Gaming Service Provider Registrations. The Bureau of  
3 Licensing provided you with an Order and an attached  
4 list of 11 registered Gaming Service Provider  
5 Applicants. I ask that the Board consider a motion  
6 approving the Order registering these Gaming Service  
7 Providers.

8                   CHAIRMAN:

9                   Any comments from Enforcement Counsel?

10                  ATTORNEY PITRE:

11                  Enforcement Counsel has no objection.

12                  CHAIRMAN:

13                  Any questions or comments from the  
14 Board? Ex Officio members? May I have a motion?

15                  MR. MCCALL:

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

20                  CHAIRMAN:

21                  Second?

22                  MR. MOSCATO:

23                  Second.

24                  CHAIRMAN:

25                  All in favor?



1 ALL SAY AYE

2 CHAIRMAN:

3 Opposed? The motion carries.

4 MS. HENSEL:

5 That concludes the matters of the Bureau  
6 of Licensing.

7 CHAIRMAN:

8 Thank you, Susan. Mr. Pitre?

9 ATTORNEY PITRE:

10 Good afternoon, Chairman, members of the  
11 Board. We have six matters for the Board's  
12 consideration this afternoon. They consist of four  
13 revocations and two involuntary exclusions. Mr. James  
14 Armstrong will present the first revocation matter for  
15 the Board's consideration.

16 CHAIRMAN:

17 Good afternoon, Jim.

18 ATTORNEY ARMSTRONG:

19 Good afternoon, Chairman, Commissioners.  
20 Before you is the Motion to Consider Revocation of  
21 Edward Robinson's Gaming Permit. On July 11th of 2012  
22 the OEC filed a revocation complaint with the Board  
23 against Mr. Robinson. The basis for the complaint was  
24 Mr. Robinson being investigated by the Pennsylvania  
25 State Police at SugarHouse Casino on February 12th of

1 2012 for the theft of gaming chips at SugarHouse  
2 Casino while he was employed there as a security  
3 officer.

4                   Commissioners, on February 12th at 11:50  
5 p.m. a SugarHouse Casino patron identified as Tiffany  
6 Roland stole \$1,175 in gaming chips from another  
7 patron by grabbing the victim's chips off of a Black  
8 Jack table and fleeing the casino. As Ms. Roland fled  
9 the casino she dropped some of the chips. Mr.  
10 Robinson was employed as a SugarHouse Casino security  
11 officer and after receiving an alert of the theft  
12 proceeded in his role and went out to the casino  
13 parking lot, apprehending her in the parking lot. The  
14 police and SugarHouse personnel only recovered \$550 in  
15 gaming chips from Ms. Roland. Surveillance evidence  
16 showed that Mr. Robinson picked up several chips  
17 dropped by Ms. Roland while he was pursuing her.

18                   Mr. Robinson did not return the chips he  
19 recovered. When confronted the next day about not  
20 returning the chips Mr. Robinson admitted to picking  
21 up some chips valued at \$25 each and that they were at  
22 his home. He agreed to return them the following day.  
23 Mr. Robinson returned some chips, two \$25 chips on  
24 February 14th and gave the SugarHouse security  
25 department a written statement admitting that he stole

1 two \$25 gaming chips. Mr. Robinson was not charged  
2 criminally with the theft, but he was terminated from  
3 SugarHouse Casino for his conduct. \$575 in gaming  
4 chips were never recovered for the victim.

5           Commissioners, Mr. Robinson was properly  
6 served by regular and certified mail with the  
7 revocation complaint. Mr. Robinson did not request a  
8 hearing regarding the complaint. Mr. Robinson was  
9 also properly served by the OEC's request for this  
10 default --- this judgment upon default and has  
11 responded to it in any way. Based on the following  
12 information we ask that you revoke his credential at  
13 this time. Thank you. Glad to answer any questions  
14 you may have.

15           CHAIRMAN:

16           Is Edward Robinson in the hearing room?  
17 Any questions or comments from the Board? Ex Officio  
18 members? May I have a motion?

19           MR. MOSCATO:

20           Mr. Chairman, I move that the Board  
21 issue an Order to approve the Revocation of Edward  
22 Robinson's Gaming Employee Permit as described by the  
23 OEC.

24           MR. SOJKA:

25           Second.

1                   CHAIRMAN:

2                   All in favor?

3 ALL SAY AYE

4                   CHAIRMAN:

5                   Opposed? The motion carries.

6                   ATTORNEY ARMSTRONG:

7                   Thank you.

8                   CHAIRMAN:

9                   Thank you, Jim.

10                  ATTORNEY PITRE:

11                  The next five matters will be presented  
12 by Assistant Enforcement Counsel, Cassandra  
13 Fenstermaker.

14                  ATTORNEY FENSTERMAKER:

15                  Good afternoon, Chairman, members of the  
16 Board. I'm Cassandra Fenstermaker. That's,  
17 F-E-N-S-T-E-R-M-A-K-E-R. The first matter I have for  
18 your consideration today is the revocation of William  
19 Ainsworth's Gaming Employee Permit. On December 3rd,  
20 2012 the OEC filed a complaint for revocation against  
21 William Ainsworth who was issued a Gaming Employee  
22 Permit and was employed as a security officer at  
23 Rivers Casino. On or about November 20th, 2012 Mr.  
24 Ainsworth pled guilty to more than 70 felonies related  
25 to illegal contact with minors and child pornography.

1 He was not employed by the Rivers at the time of his  
2 arrest. The Enforcement Complaint was served on Mr.  
3 Ainsworth by first class and certified mail. He did  
4 not respond to the complaint within 30 days and  
5 therefore pursuant to Board regulations all facts  
6 alleged in the complaint are deemed admitted.

7 The OEC filed a request for default  
8 judgment on January 3rd, 2013 and at this time  
9 requests that Mr. Ainsworth's Gaming Employee Permit  
10 be revoked.

11 CHAIRMAN:

12 Is William Ainsworth in the hearing  
13 room? Any questions or comments from the Board? Ex  
14 Officio members? May I have a motion?

15 MR. SOJKA:

16 Yes. Mr. Chairman, I move that the  
17 Board issue an Order to approve the revocation of  
18 William Ainsworth's Gaming Employee Permit as  
19 described by the OEC.

20 MR. FAJT:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1                   Opposed? The motion carries.

2                   ATTORNEY FENSTERMAKER:

3                   The next matter I have is with respect  
4 to Gerald McNeil. On November 5th, 2012 the OEC filed  
5 a Complaint for Revocation against Gerald McNeil who  
6 was issued a Non-Gaming Employee Registration and who  
7 was previously employed as an EVS Attendant at  
8 SugarHouse. On or about June 15th, 2011 while Mr.  
9 McNeil was still employed at SugarHouse BIE was  
10 notified by the Pennsylvania State Police that Mr.  
11 McNeil was arrested and charged with several felonies  
12 related to illegal contact with minors.

13                   The OEC requested an emergency  
14 suspension of Mr. McNeil's license on June 16th, 2011,  
15 which has been in place ever since. On September  
16 14th, 2012 Mr. McNeil pled guilty to criminal use of a  
17 communication facility and child pornography. The  
18 Enforcement Complaint was served on Mr. McNeil by  
19 first class mail. He did not respond to the complaint  
20 within 30 days and therefore pursuant to Board  
21 regulations all facts alleged in the complaint are  
22 deemed admitted. The OEC filed a request for default  
23 judgment on December 18th, 2012 and at this time  
24 requests that Mr. McNeil's Non-Gaming Employee  
25 Registration be revoked.

1                   CHAIRMAN:

2                   Is Gerald McNeil in the hearing room?  
3 Any questions, comments from the Board? Ex Officio  
4 members? May I have a motion?

5                   MR. FAJT:

6                   Mr. Chairman, I move that the Board  
7 issue an Order to approve the revocation of Gerald  
8 McNeil's Non-Gaming Employee Registration as described  
9 by the OEC.

10                  MR. GINTY:

11                  Second.

12                  CHAIRMAN:

13                  All in favor?

14 ALL SAY AYE

15                  CHAIRMAN:

16                  Opposed? The motion carries.

17                  ATTORNEY FENSTERMAKER:

18                  The next three petitions that I have for  
19 your consideration are all related, so if it's okay  
20 with you I'm going to give a brief synopsis and then  
21 go through the details of each petition individually.

22                  CHAIRMAN:

23                  That's perfectly fine with us.

24                  ATTORNEY FENSTERMAKER:

25                  Thank you. Joseph Candidi was issued a

1 Gaming Employee Permit and was employed as a Slot Host  
2 at Harrah's. Mr. Candidi is alleged to have engaged  
3 in two activities that in the OEC's opinion warrants  
4 the revocation of his license and his exclusion from  
5 Commonwealth casinos. First, he was keeping tips that  
6 were supposed to, according to Harrah's internal  
7 controls, be shared with other slot hosts. Second, he  
8 was collecting already redeemed free slot play coupons  
9 that he found lying throughout the facility and was  
10 then issuing generic Reel rewards, and reel is  
11 spelled, R-E-E-L, to a patron Kerline Aslam in that  
12 same amount.

13 Ms. Aslam redeemed more than \$10,000 in  
14 generic Reel rewards that according to Harrah's she  
15 was not entitled to based on her level of play. Mr.  
16 Candidi was charged with two counts of theft by  
17 deception and Ms. Aslam was charged with theft by  
18 unlawful taking, theft by deception, receiving stolen  
19 property and associated conspiracy charges. They are  
20 both awaiting trial on the pending theft related  
21 charges. So, with respect to Joseph Candidi's  
22 revocation on October 3, 2012 the OEC filed a  
23 Complaint of Revocation against Joseph Candidi.

24 The Enforcement Complaint was sent to  
25 Mr. Candidi by first class and certified mail. He did



1 not respond to the complaint within 30 days and  
2 therefore pursuant to Board regulations all facts  
3 alleged deemed in the complaint are admitted. The OEC  
4 filed a request for default judgment on January 8th,  
5 2013 and at this time requests that Joseph Candidi's  
6 Gaming Employee Permit be revoked.

7 CHAIRMAN:

8 And is Joseph Candidi in the hearing  
9 room? Any questions or comments from the Board?

10 MR. SOJKA:

11 I have one. This business of not  
12 putting money in a tote jar that's obviously bad  
13 workplace behavior. You're cheating your fellow  
14 employees, but don't --- isn't there a tax calculated  
15 on that as well? And so isn't he by keeping that not  
16 just stiffing his colleagues, he's clearly breaking  
17 the law when he does that.

18 ATTORNEY PITRE:

19 He's stiffing the Commonwealth and the  
20 federal government also, yes. That's correct.

21 CHAIRMAN:

22 Okay. Any questions Ex Officio members?  
23 May I have a motion?

24 MR. GINTY:

25 Mr. Chairman, I move that the Board

1 issue an Order to Approve the Revocation of Joseph  
2 Candidi's Gaming Employee Permit as described by the  
3 OEC.

4 CHAIRMAN:

5 Second?

6 MS. KAISER:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 Opposed? The motion carries.

13 ATTORNEY FENSTERMAKER:

14 With respect to Kerline Aslam. On  
15 October 3rd, 2012 the OEC filed an Exclusion Petition  
16 against Kerline Aslam. The Petition was sent to Ms.  
17 Aslam by both first class and certified mail, she did  
18 not respond in the filing in any way, and therefore  
19 pursuant to Board regulations all facts alleged in the  
20 complaint are deemed admitted. The OEC filed a  
21 request for default judgment on January 8th, 2012 and  
22 at this time asks that Kerline Aslam be placed on the  
23 Board's Excluded Persons List.

24 CHAIRMAN:

25 Is Kerline Aslam in the hearing room?

1 Questions or comments from the Board? Ex Officio  
2 members? May I have a motion?

3 MS. KAISER:

4 Mr. Chairman, I move that the Board  
5 issue an Order to Approve the addition of Kerline  
6 Aslam to the Pennsylvania Gaming Control Board's  
7 Involuntary Exclusion List as described by the OEC.

8 MR. MCCALL:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed? The motion carries.

15 ATTORNEY FENSTERMAKER:

16 And finally for your consideration  
17 Joseph Candidi's exclusion on October 3rd, 2012 the  
18 OEC filed an Exclusion Petition against Joseph  
19 Candidi. The Petition was sent to Mr. Candidi by both  
20 first class and certified mail. He did not respond to  
21 the filing in any way and therefore pursuant to Board  
22 regulations all facts alleged in the complaint are  
23 deemed admitted.

24 The OEC filed a request for default  
25 judgment on January 8th, 2013 and at this time

1 requests that Joseph Candidi be placed on the Board's  
2 Exclusion List.

3 CHAIRMAN:

4 Questions or comments from the Board?  
5 Ex Officio members? May I have a motion?

6 MR. MCCALL:

7 Mr. Chairman, I move that the Board  
8 issue an Order to approve the addition of Joseph  
9 Candidi to the Pennsylvania Gaming Control Board  
10 Involuntary Exclusion List as described by the OEC.

11 CHAIRMAN:

12 Second?

13 MR. MOSCATO:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 Opposed? The motion carries.

20 ATTORNEY FENSTERMAKER:

21 Thank you.

22 ATTORNEY PITRE:

23 Thank you.

24 CHAIRMAN:

25 Thank you, Cassandra.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

ATTORNEY PITRE:

That concludes our business. Thank you.

CHAIRMAN:

Thank you, Cyrus. Ladies and gentlemen,  
that concludes today's meeting. The next scheduled  
public meeting will be on February 20th in this room.  
The meeting will begin at 10:00 a.m. Any final  
comments? May I have a motion to adjourn?

MR. MOSCATO:

So moved.

MR. SOJKA:

Second.

CHAIRMAN:

Meeting's adjourned. Thank you all.  
Appreciate it.

\* \* \* \* \*

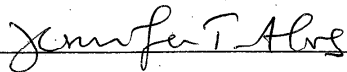
MEETING CONCLUDED AT 1:13 P.M.

\* \* \* \* \*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE

I hereby certify that the foregoing proceedings, meeting held before Chairman Ryan was reported by me on 1/29/2013 and that I Jennifer T. Alves read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

  
\_\_\_\_\_  
Court Reporter