

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

* * * * *

PUBLIC MEETING

* * * * *

BEFORE: DAVID M. BARASCH, CHAIRMAN
Gregory C. Fajt; Richard G. Jewell; Keith
R. McCall; Anthony C. Moscato; William H.
Ryan, Jr.; David W. Woods; Members
Fred Strathmeyer, Jr., representing Russell
Redding, Secretary of Agriculture
Jennifer Langan, representing Timothy
Reese, State Treasurer
Robert P. Coyne, representing Eileen H.
McNulty, Secretary of Revenue
MEETING: Wednesday, February 10, 2016, 10:01 a.m.
LOCATION: Bureau of Hearings and Appeals
Strawberry Square Complex
Suite 261
Harrisburg, PA 17106
WITNESSES: Brian DiMattia, Frank Quigley

Reporter: Samantha Bruer

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

STEPHEN S. COOK, ESQUIRE

Deputy Chief Counsel

SUSAN YOCUM, ESQUIRE

Assistant Chief Counsel

OFFICE OF ENFORCEMENT COUNSEL

CYRUS PITRE, ESQUIRE

Chief Enforcement Counsel

DUSTIN MILLER, ESQUIRE

Assistant Enforcement Counsel

DAVID TEPPER, ESQUIRE

Assistant Enforcement Counsel

JOHN CROHE, ESQUIRE

Assistant Enforcement Counsel

KIM ADAMS, ESQUIRE

Assistant Enforcement Counsel

GLEN STUART, ESQUIRE

Assistant Enforcement Counsel

BENJAMIN FERRELL, ESQUIRE

Assistant Enforcement Counsel

1 A P P E A R A N C E S (Cont.)

2

3 MICHAEL ROLAND, ESQUIRE

4 Assistant Enforcement Counsel

5 PA Gaming Control Board

6 P.O. Box 69060

7 Harrisburg, PA 17106-9060

8 Counsel for the Pennsylvania Gaming Control Board

9

10 MARK S. STEWART, ESQUIRE

11 Eckert, Seamans, Cherin & Mellott, LLC

12 213 Market Street

13 8th Floor

14 Harrisburg, PA 17101

15 Counsel for Greenwood Gaming

16

17 THOMAS C. BONNER, ESQUIRE

18 BRYAN SCHROEDER, ESQUIRE

19 Greenwood Gaming Services Company

20 2999 Street Road

21 P.O Box 1000

22 Bensalem, PA 19020

23 Counsel for Greenwood Gaming

24

25

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

A P P E A R A N C E S (Cont.)

MICHAEL SKLAR, ESQUIRE

Levine, Staller, Sklar, Chan, Brown & Donnelly, P.A.

3030 Atlantic Avenue

Atlantic City, NJ 08401

Counsel for Mount Airy #1, LLC

ALSO PRESENT:

LIZ LANZA, Director, Office of Compulsive and Problem
Gambling

I N D E X

1		
2		
3	OPENING REMARKS	
4	By Chairman Barasch	7
5	PRESENTATION	
6	By Mr. O'Toole	7 - 13
7	By Ms. Lanza	14 - 17
8	By Attorney Sherman	18
9	By Attorney Yocum	18
10	By Attorney Sherman	19 - 24
11	By Attorney Cook	24 - 30
12	<u>WITNESS:</u> Brian Dimattia	
13	TESTIMONY	
14	By Mr. Dimattia	30 - 31
15	PRESENTATION	
16	By Attorney Cook	32 - 41
17	By Ms. Hensel	41 - 48
18	By Attorney Miller	48 - 51
19	By Attorney Schroeder	51 - 53
20	By Attorney Tepper	53 - 54
21	By Attorney Sklar	55 - 56
22	By Attorney Crohe	57 - 58
23	<u>WITNESS:</u> Frank Quigley	
24	TESTIMONY	
25	By Mr. Quigley	59 - 60

I N D E X (Cont.)

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

PRESENTATION

By Attorney Adams	61 - 63
By Attorney Stuart	64 - 65
By Attorney Ferrell	66
By Attorney Roland	67 - 74

CLOSING REMARKS

By Chairman Barasch	74 - 75
---------------------	---------

P R O C E E D I N G 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

CHAIRMAN:

Good morning. I'm David Barasch,
Chairman of the Pennsylvania Gaming Control Board.
Before we begin, I'd ask everybody to turn off their
cell phones or put them on silent. With us today is
Fred Strathmeyer for Russell Redding from the
Department of Agriculture, Jennifer Langan
representing Tim Reese from the State Treasurer's
Office and Bob Coyne representing Eileen McNulty from
the Revenue Department.

A quorum of the Board is present, and as
such, I'll call today's meeting to order. The first
order of business, I'd ask everybody to stand for the
Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

Before we proceed to the heart of the
agenda, Kevin, if you would come forward, please?

MR. O'TOOLE:

Good morning, Chairman Barasch. Good
morning, members of the Board. Director Claire Yantis
of our Office of Human Resources and I are very
pleased to continue the process of recognizing

1 employees who have reached the milestone of ten years
2 of service with our agency. We appreciate their
3 loyalty, and we appreciate their commitment to do the
4 very important work of our Agency.

5 So, today, we have a total of 27
6 employees who have reached that milestone, and 14 of
7 them were able to make it in to Harrisburg. And we're
8 going to do it in two groups. The first group is a
9 group of nine, and the second group is a group of
10 five. Michael, would you like to come up here? And
11 the first nine will all get in a row here.

12 So, what these nine individuals have in
13 common, other than working for the Pennsylvania Gaming
14 Control Board, is the fact that they all started on
15 the same day, January 21st, 2006. It was a very busy
16 day for a very small Office of Human Resources, and
17 all nine of these individuals, as well as several in
18 the second group, started as Bureau of Investigation
19 and Enforcement (BIE) Investigators. So, I know it's
20 probably just the answer to a trivia question.

21 But we've recently went over 64,000
22 applications received in Pennsylvania through our
23 casino industry. And these nine, as well as the other
24 five, really got us off to a great start on doing
25 those backgrounds in a very competent and thorough

1 way. So, we're going to start with Michael Rosenberry
2 and Michelle Ceo. They were both hired as
3 investigators in BIE.

4 Today, they are our two Deputy Directors
5 in the BIE. Michelle oversees the Investigative
6 Intake Unit in the Eastern Regional Office, and
7 Michael oversees the Central and Western Regional
8 Offices. Congratulations, Michael, and
9 congratulations, Michele. Next, we have Kathy Colfer.
10 Kathy was hired as an Investigator in the BIE. She
11 was assigned to the Eastern Regional Office, and she
12 continues in that capacity today. Congratulations.

13 MS. COLFER:

14 Thanks.

15 MR. O'TOOLE:

16 And Joe Morace. Joe also is an
17 Investigator with BIE. He was also assigned to the
18 Eastern Regional Office, and he is working in that
19 capacity today, as well. Joe, congratulations, and
20 thank you for your work. Bill Gavigan is our next
21 Investigator in the Eastern Region of our BIE. Bill,
22 thank you for your work, and congratulations.

23 MR. GAVIGAN:

24 Thank you.

25 MR. O'TOOLE:

1 Jay Berthelson. He began his employment
2 in January of 2006 as an Investigator in the BIE.
3 Jay, for one reason or another, decided to take the
4 opportunity to work with Bureau of Casino and
5 Compliance, and he is today a Senior Supervisor
6 stationed here in Harrisburg. Jay, congratulations,
7 and thank you.

8 MR. BERTHELSON:

9 Yep.

10 MR. O'TOOLE:

11 Donna Kibbie is our next honoree. Donna
12 began her employment as an Investigator with BIE in
13 Conshohocken, our Eastern Region. And she was
14 promoted to Supervisor of Investigations, and that is
15 her position today. Congratulations, Donna. Thank
16 you. Richard O'Neil. He began as a Senior Financial
17 Investigator in BIE, and in 2010, he was promoted to
18 the Supervisor of that very important unit. Richard,
19 thank you very much for your service.

20 And Joe Bott. Excuse me, Joe, I
21 identified you as a BIE Agent from the beginning. No,
22 Joe is not a BIE Agent, but he helped process all of
23 these other BIE Agents and gave them the training that
24 was very valuable in the beginning. So, Joe is,
25 today, an HR Specialist in the Office of Human

1 Resources. Congratulations, and thank you for your
2 work, Joe. So, if we can give this nine a hand of
3 applause?

4 Thank you very much. And now, we have
5 our second group of honorees. Okay. Terrific. So,
6 our first honoree in this group is Chelsea Wilson.
7 Chelsea was hired as an Administrative Assistant in
8 our Office of Human Resources, and since September of
9 2011, she has been an HR Analyst. Chelsea, thank you
10 very much for your service. Congratulations.

11 Next, we have Dorine Bolinger. Dorine
12 was hired as an Administrative Assistant, and since
13 October of 2006, very early in her career, she became
14 a Licensing Analyst in the Bureau of Licensing in the
15 Employee Permitting Unit. Dorine, congratulations.

16 MS. BOLINGER:

17 Thank you.

18 MR. O'TOOLE:

19 And thank you for your service. Our
20 next honoree is Ben Williams. Ben has been with our
21 Information Technology Office. He was hired on
22 January 28th of 2006 as a Support Specialist. He
23 continues to perform that very important function
24 today. Ben, thank you for your service.
25 Congratulations.

1 And next, we have Kathy Filbey. Kathy
2 was hired as an Administrative Assistant for the
3 Board, but since October of 2006, she has been an
4 Investigator in the BIE stationed here in the
5 Harrisburg office. Congratulations, Kathy, and thank
6 you for your service.

7 MS. FILBEY:

8 Thanks.

9 MR. O'TOOLE:

10 And our final honoree of the day is
11 Deborah Davis. Deborah was hired as an Administrative
12 Assistant to work in the Conshohocken Eastern Regional
13 Office, and she is still assigned to that office. And
14 she really keeps everybody in line, and we appreciate
15 your work very much, Deborah. Congratulations, and
16 thank you for coming today. So, if we can have a hand
17 of applause? Thank you very much, and ---

18 MS. DAVIS:

19 Thank you very much.

20 MR. O'TOOLE:

21 --- you're welcome.

22 CHAIRMAN:

23 All of you were honored today for your
24 service to the Board and Commonwealth.

25 HEARING HELD

1 CHAIRMAN:

2 Thank you for your patience. Next, we
3 have a motion to approve the minutes and transcripts
4 of the January 13th meeting. May I have such a
5 motion?

6 MR. FAJT:

7 Yes. Mr. Chairman, I move that the
8 Board approve the minutes and transcript of the
9 January 13, 2016 meeting.

10 MR. JEWELL:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? The motion is adopted.
17 Kevin, we're on to new business. If you could come
18 forward?

19 MR. O'TOOLE:

20 Mr. Chairman, members of the Board, I've
21 asked Director Liz Lanza of our Office of Compulsive
22 and Problem Gambling to give a brief presentation in a
23 resolution regarding Compulsive and Problem Gambling
24 Awareness Month. Liz?

25 MS. LANZA:

1 Thank you. Good morning, Chairman,
2 members of the Board. Before you today is a
3 resolution proclaiming March as Problem Gambling
4 Awareness Month, or PGAM. The National Council on
5 Problem Gambling created PGAM in an effort to raise
6 awareness on the perils of gambling disorders. While
7 it is recognized that around 90 percent of the
8 population can gamble responsibly, there is a
9 percentage of individuals who have developed a
10 gambling problem or at --- or are at risk of
11 developing a gambling problem in their future.

12 Many members of the public still do not
13 recognize problem gambling as an addiction. Those who
14 participate in PGAM realize the importance in
15 publicizing the signs and symptoms of problem
16 gambling. Board employees will be hosting an
17 information table inside the State Capitol during
18 several days in March to provide problem gambling
19 outreach to lawmakers, their staffs and the general
20 public.

21 Through sponsorships and registration
22 grants, the Board, along with the Pennsylvania Lottery
23 and the Pennsylvania Department of Drug and Alcohol
24 Programs, are supporters of the Council on Compulsive
25 Gambling of Pennsylvania's annual statewide conference

1 held during PGAM. By spreading the word to citizens
2 within the Commonwealth, the Board recognizes the
3 importance of identifying individuals with gambling
4 disorders and providing tools like the Board's Self-
5 Exclusion Program and treatment options to these
6 individuals and their families.

7 For more information on these tools or
8 to find local treatment providers, I urge those
9 affected to call the Council on Compulsive Gambling of
10 Pennsylvania's 24-hour help line by dialing
11 1-800-848-1880. And if the Board pleases, I will read
12 the resolution into the record.

13 CHAIRMAN:

14 Please.

15 MS. LANZA:

16 Whereas the legislative intent of the
17 Race --- Pennsylvania Race Horse Development and
18 Gaming Act recognizes in part that the public interest
19 of citizens of this Commonwealth and social --- the
20 social effect of gaming shall be taken into
21 consideration in any decision or order made pursuant
22 to the Gaming Act.

23 And whereas the Pennsylvania Gaming
24 Control Board recognized the social effect of gaming
25 when it created the Office of Compulsive and Problem

1 Gambling to conduct research, develop public outreach
2 efforts, work with the Pennsylvania Slot Machine
3 Licensees to develop and implement problem gambling
4 programs at licensed facilities, administer the PGCB's
5 Self-Exclusion Program and promote problem gambling
6 education programs in this Commonwealth.

7 And whereas the Gaming Act established a
8 special fund to be known as the Compulsive and Problem
9 Gambling Treatment Fund and required that all money in
10 the fund should be expended for programs for public
11 awareness, prevention, research, assistance and
12 treatment of gambling addictions. And whereas problem
13 gambling is a public health issue affecting
14 Pennsylvanians of all ages, races, gender and ethnic
15 backgrounds in all communities.

16 And whereas problem gambling is
17 treatable, and treatment is effective in minimizing
18 the harm to individuals, families and society as a
19 whole. And whereas numerous individuals,
20 professionals, agencies and organizations in
21 Pennsylvania have dedicated their efforts to the
22 education of the public about problem gambling and the
23 availability of and effectiveness, excuse me, of
24 treatment.

25 And whereas promoting awareness of

1 problem gambling is an opportunity to educate the
2 public and policymakers about the social and financial
3 issues related to problem gambling. And therefore,
4 the Pennsylvania Gaming Control Board hereby
5 recognizes March 2016 as Problem Gambling Awareness
6 Month. We encourage all citizens to learn more about
7 the signs of problem gambling and to help spread the
8 message about the availability of treatment.

9 CHAIRMAN:

10 Thank you. Any questions, comments from
11 the Board? May I have a motion?

12 MR. JEWELL:

13 Mr. Chairman, I move that the Board
14 approve PGCB Resolution 2016-1-CPG as described by the
15 Director of Compulsive and Problem Gambling.

16 MR. MCCALL:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 All opposed? The motion's adopted.

23 MS. LANZA:

24 Thank you.

25 CHAIRMAN:

1 Next, we have Office of Chief Counsel
2 (OCC). Doug?

3 ATTORNEY SHERMAN:

4 Good morning, Chairman and members of
5 the Board. Our first agenda item relates to a
6 Statement of Policy, which Assistant Chief Counsel
7 Susan Yocum is here to present.

8 ATTORNEY YOCUM:

9 Good morning, Chairman and members of
10 the Board. The Statement of Policy before you today
11 is Statement of Policy 125-199. This Statement of
12 Policy will add a new side wager, the blackjack match
13 progressive wager, to the game of blackjack. With
14 this wager, players win if either of their first two
15 cards dealt is an ace, and they win a progressive
16 jackpot amount if both the player and the dealer have
17 matching blackjacks. Included in this regulation are
18 the rules of play and the permissible payout odds.
19 I'd be happy to answer any questions you may have.

20 CHAIRMAN:

21 Questions from the Board? May I have a
22 motion?

23 MR. MCCALL:

24 Mr. Chairman, I move that the Board
25 adopt the Statement of Policy number 125-199 as

1 described by the OCC.

2 MR. MOSCATO:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? The motion's adopted.

9 ATTORNEY YOCUM:

10 Thank you.

11 ATTORNEY SHERMAN:

12 Today, we have one complaint filed by
13 the OEC and one Petition filed by Mount Airy on the
14 agenda. Oral argument on each of the matters was
15 heard by the Board earlier today. Additionally, as to
16 each of the matters, the Board has, in advance of this
17 meeting, been provided with the pleadings as well as
18 the stipulations filed of record.

19 The first matter for your consideration
20 pertains to a complaint by --- filed by the OEC, which
21 requests this Board to impose a civil penalty against
22 Greenwood Gaming and Entertainment, Incorporated
23 arising from OEC's contention that Greenwood failed to
24 provide timely notification of their intent to enter
25 into a proposed restructuring of debt. In lieu of an

1 evidentiary hearing, the parties entered into a joint
2 stipulation of facts, which is part of the record
3 before you.

4 Additionally, as noted, just a short
5 time ago, the Board heard argument from the parties.
6 The record is now closed and appropriate for the
7 Board's motion.

8 CHAIRMAN:

9 Any further questions or comments from
10 the Board at this time? Can I have a motion, please?

11 MR. MOSCATO:

12 Mr. Chairman, I move that the Board
13 issue an Order to deny the OEC's complaint for
14 judgment and penalties against Greenwood Gaming and
15 Entertainment, Inc.

16 MR. RYAN:

17 Second.

18 CHAIRMAN:

19 I'd like to take a roll call on this.
20 Mr. Ryan, obviously?

21 MR. RYAN:

22 Aye.

23 CHAIRMAN:

24 Aye? Tony?

25 MR. MOSCATO:

1 Aye.

2 CHAIRMAN:

3 Greg?

4 MR. FAJT:

5 Aye.

6 MR. JEWELL:

7 Opposed.

8 CHAIRMAN:

9 Opposed? Okay.

10 MR. WOODS:

11 Aye.

12 MR. MCCALL:

13 Aye.

14 CHAIRMAN:

15 And the Chair votes opposed. Where are
16 we in terms of ---?

17 ATTORNEY SHERMAN:

18 It would be a five to two vote. Because
19 it's a disciplinary action, it's a simple majority
20 under the Act and not a qualified majority. So, the
21 motion to deny the Enforcement Action carries.

22 CHAIRMAN:

23 Thank you.

24 ATTORNEY SHERMAN:

25 Next before the Board is Mount Airy's

1 Petition to Modify its Audit Committee. Specifically,
2 Mount Airy is requesting that the Board approve an
3 amendment to its independent Audit Committee charter
4 to allow an individual with a vested ownership
5 interest in Mount Airy to sit on the Mount Airy
6 independent Audit Committee. Presently, the Board
7 requires that three to five members be on the
8 Committee and it be comprised entirely of individuals
9 unassociated with Mount Airy's ownership.

10 Excuse me. The OEC objects to the
11 request, arguing that the presence of a person with
12 ties to Mount Airy on the independent Audit Committee
13 would essentially avoid the independence. The Board
14 has heard oral argument on the Petition earlier today.
15 A stipulation of facts has been previously put into
16 the record by the parties, and this motion is ready
17 for the Board's consideration. As opposed to the last
18 one, this motion would require a qualified majority to
19 approve the Mount Airy Petition.

20 CHAIRMAN:

21 Any further questions or comments from
22 the Board? Can I have a motion, please?

23 MR. MCCALL:

24 Mr. Chairman, I move that the Board
25 issue an Order to approve the Petition of Mount Airy

1 #1, LLC to Modify its Audit Committee.

2 MR. WOODS:

3 Second.

4 CHAIRMAN:

5 Roll call. Mr. Ryan?

6 MR. RYAN:

7 No.

8 CHAIRMAN:

9 Tony?

10 MR. MOSCATO:

11 Aye.

12 MR. FAJT:

13 No.

14 MR. JEWELL:

15 No.

16 MR. WOODS:

17 No.

18 MR. MCALL:

19 Aye.

20 CHAIRMAN:

21 And the Chair votes no.

22 ATTORNEY SHERMAN:

23 So, there's no qualified majority to
24 support the Mount Airy Petition. The result would be
25 that the status quo remains without the new Audit

1 Committee member.

2 CHAIRMAN:

3 Thank you very much.

4 ATTORNEY SHERMAN:

5 Next, presenting our Reports and
6 Recommendations is Deputy Chief Counsel Steve Cook.

7 ATTORNEY COOK:

8 Good morning, I think. I'm not sure.

9 CHAIRMAN:

10 Twenty (20) more minutes.

11 ATTORNEY COOK:

12 Next before the Board are seven Reports
13 and Recommendations received from the Office of
14 Hearings and Appeals (OHA). These Reports and
15 Recommendations, along with the complete evidentiary
16 record for each matter, have been provided to the
17 Board in advance of this meeting. Additionally, each
18 person to which a Report and Recommendation pertains
19 has been notified that the Board would be taking the
20 matter up today and that he or she could come present
21 --- or come before the Board when their matter was
22 called. If any of those persons are present, I'd ask
23 them to come forward when their matter is called.

24 The first Report and Recommendation
25 before the Board stems from a request to be removed

1 from the Voluntary Self-Exclusion List. Pursuant to
2 findings of fact in the Report and Recommendation
3 issued in this matter, on February 10th, 2015, an
4 individual with the initials A.N. entered Sugarhouse
5 Casino, met with the Casino Compliance Representative
6 and requested to be placed on the Lifetime Self-
7 Exclusion List.

8 The CCR conducted the mandatory
9 interview with A.N. and completed all of the required
10 procedures. Thereafter, A.N. signed an
11 acknowledgement form selecting the Lifetime Self-
12 Exclusion option. Since placing himself on the list,
13 however, A.N. has violated the Self-Exclusion List on
14 at least one occasion at --- by gaming at the Parx
15 Casino.

16 On September 8th, 2015, A.N. filed a
17 Request for Early Removal from the Voluntary Self-
18 Exclusion List. The OEC filed an answer objecting to
19 that request, and a hearing was held on November 3rd,
20 2015. Both OEC and A.N. appeared at that hearing and
21 presented evidence. A.N. essentially testified that
22 he did not fully understand what he was doing on the
23 day he placed himself on the Lifetime Self-Exclusion
24 List and did not recall the CCR going through the
25 process of placement on the list as the Casino

1 Compliance Representative had testified.

2 In the Report and Recommendation
3 subsequently issued by the Hearing Officer in this
4 matter, the Hearing Officer found that A.N. did not
5 meet his burden. And as a result, the recommendation
6 to the Board would be that he remain on the Self-
7 Exclusion List.

8 CHAIRMAN:

9 Questions or comments from the Board?
10 May I have a motion?

11 MR. WOODS:

12 Mr. Chairman, I move that the Board
13 adopt the Report and Recommendation issued by the OHA
14 regarding A.N.'s Petition to remove --- be removed
15 from the Voluntary Exclusion List and that A.N. remain
16 on the list.

17 MR. FAJT:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 All opposed? The motion's adopted.

24 ATTORNEY COOK:

25 Excuse me. Daniel Bozzuto is the next

1 Report and Recommendation before the Board today. On
2 June 22nd, 2015, Mr. Bozzuto submitted a Gaming Permit
3 Application seeking work as a Table Games Dealer at
4 Harrah's, Philadelphia.

5 In November of 2015, the OEC issued a
6 notice recommending that the application be denied
7 given this individual is convicted in New Jersey of a
8 second degree drug-related crime in 2012, rendering
9 him ineligible to receive a permit under the Gaming
10 Act, as 15 years had not expired since his conviction
11 of what the Act would categorized as a felony. A
12 hearing was held in this matter on November 17th,
13 2015. OEC appeared, as did Mr. Bozzuto, both offering
14 evidence. Nevertheless, the Report and Recommendation
15 subsequently issued in this matter recommends that the
16 application be denied, as this individual is
17 ineligible under the Act, given his felony conviction.

18 CHAIRMAN:

19 Questions or comments from the Board?
20 May I have a motion?

21 MR. FAJT:

22 Mr. Chairman, I move that the Board
23 adopt the Report and Recommendation issued by the OHA
24 regarding Daniel Bozzuto's Application for a Gaming
25 Employee Occupation Permit as described by the OCC.

1 MR. JEWELL:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 All opposed? The motion's adopted.

8 ATTORNEY COOK:

9 The next matter before the Board is a
10 Report and Recommendation pertaining to Brian
11 DiMattia, and I believe Mr. Dimattia is here, if he'd
12 like to come forward he may. Mr. Dimattia was issued
13 a Gaming Employee Permit on June 30th, 2014, and
14 worked as a Table Games Dealer at Mohegan Sun prior to
15 his suspension by that employer on June 9th, 2015. On
16 June 25th, 2015, the OEC filed a complaint to suspend
17 Mr. Dimattia's Gaming Employee Permit.

18 The complaint alleges that on June 3rd
19 of 2015, Mr. Dimattia was intoxicated, entered into a
20 neighbor's garage, stealing a garbage can and two
21 rugs. When questioned by police, Mr. Dimattia
22 informed them that --- informed the police that he had
23 been drinking with friends on the night in question
24 and did not recall very much about what had happened.
25 Nevertheless, as a result of his conduct, he was

1 charged with burglary, trespassing, disorderly
2 conduct, public drunkenness and criminal attempt.

3 The burglary charge was later dismissed,
4 and Mr. Dimattia was allowed to enter the Lackawanna
5 County Treatment Court Program. If he successfully
6 completes that 18-month program, which includes
7 intensive drug and alcohol counseling, all of his
8 criminal charges will be dismissed. Mr. Dimattia
9 requested a hearing in this matter, and one was held
10 on November 3rd, 2015.

11 Both the OEC and Mr. Dimattia appeared
12 at the hearing, offering evidence. Mr. Dimattia
13 testified that this incident occurred during a bad
14 period of his life and that he was complying with the
15 Lackawanna County Drug Treatment Court requirements.
16 And in fact, he had begun treatment even before entry
17 into that program and had been sober for five months
18 to that date. Subsequent to the hearing, a Report and
19 Recommendation was issued recommending that Mr. ---
20 well, that ---.

21 Excuse me. While Mr. Dimattia did show
22 remorse and rehabilitative efforts, that the Hearing
23 Officer recommended that his permit remain suspended
24 until at least completion of the Lackawanna County
25 Drug Treatment Court Program. That is the

1 recommendation before the Board. As indicated, Mr.
2 Dimattia is present at that table --- at the table.

3 CHAIRMAN:

4 Mr. Dimattia, will you please stand and
5 be sworn in by the court reporter?

6 -----

7 BRIAN DIMATTIA, HAVING FIRST BEEN DULY SWORN,
8 TESTIFIED AS FOLLOWS:

9 -----

10 CHAIRMAN:

11 Thank you. This is your opportunity to
12 express your views on this matter.

13 A. Good afternoon. I came here --- you know, thank
14 you for the opportunity to be here today. I sit here,
15 you know, a humble man. I made mistakes. I have
16 taken full responsibility for my mistakes from day
17 one. I've been given a second chance by the courts of
18 Pennsylvania to fix my wrongs and continue on a better
19 path with my life. And for that, I'm very grateful
20 for. I'm eight months sober this month. I continue
21 in my recovery every day, which is going to be a
22 lifelong process for me and all recovering alcoholics
23 and drug addicts in this country.

24 I began with a second chance to reconnect with
25 God. I have him back in my life the way I was brought

1 up as a Catholic. I'd just ask today, please, for a
2 second chance, a second chance to return to a job that
3 I do care very much about, I'd like to make a career
4 out of. And thank you very much.

5 CHAIRMAN:

6 Anybody have any questions for Mr.
7 Dimattia? Are you currently employed?

8 A. I'm currently still employed by Mohegan Sun, just
9 so you know.

10 CHAIRMAN:

11 Oh, so you ---?

12 A. I'm currently suspended.

13 CHAIRMAN:

14 You're suspended?

15 A. Yes, sir.

16 CHAIRMAN:

17 And it's your understanding that if this
18 --- if we put you in this position that you would then
19 begin to get hours, or not?

20 A. Yes, they're currently waiting for the response
21 from today to when I'd be able to come back there.

22 CHAIRMAN:

23 Thank you.

24 A. Thank you, sir.

25 CHAIRMAN:

1 Is there a motion?

2 MR. JEWELL:

3 Mr. Chairman, I move that the Board
4 reject the Report and Recommendation issued by the OHA
5 regarding the suspension of Brian Dimattia's Gaming
6 Employee Occupation Permit, and that Mr. Dimattia be
7 able to retain a valid permit, given his strong
8 rehabilitation efforts.

9 MR. MCCALL:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 All opposed? The motion's adopted, and
16 good luck to you.

17 A. Thank you. Thank you very much.

18 ATTORNEY COOK:

19 Shanne Krasnavage is the next Report and
20 Recommendation before the Board today. On August
21 13th, 2015, Ms. Krasnavage submitted an Application
22 for a Gaming Employee Permit seeking work as a cage
23 cashier at the Mohegan Sun Casino at Pocono Downs.
24 Ms. Krasnavage disclosed her criminal --- disclosed
25 the criminal history on the application. Based upon

1 that disclosure, the OEC issued a Notice of
2 Recommendation of Denial of her application.

3 And a hearing in this matter was held on
4 October 8th, 2015, with both OEC and Ms. Krasnavage
5 appearing. As determined by the Hearing Officer in
6 the Report and Recommendation, the facts underlying
7 Ms. Krasnavage's conviction are as follows. She was
8 arrested and charged on September 9th, 2014, with
9 discharging a firearm into an occupied structure,
10 recklessly endangering another person and disorderly
11 conduct.

12 These charges were the result of an
13 incident where she and her eight-year-old daughter
14 were threatened at their home by a woman Ms.
15 Krasnavage's then boyfriend was also seeing.

16 Specifically, the woman came to Ms.
17 Krasnavage's home with a knife, showing it to both
18 this woman and her daughter, demanding that Ms.
19 Krasnavage fight her. Ms. Krasnavage, as a result of
20 this conduct, put her daughter in her bedroom,
21 retrieved a shotgun that was given to her by her
22 grandfather, came outside and fired one shot into her
23 own vehicle in an attempt to scare the woman away.
24 Subsequently, the police came and arrested Ms.
25 Krasnavage on the charges I disclosed earlier.

1 Ms. Krasnavage, at the hearing, did not
2 dispute her criminal record and testified that she did
3 not intend to hurt the woman, but simply to scare her
4 and to protect her daughter. She also testified that
5 this was the only time she had any involvement with
6 law enforcement, which I believe OEC confirmed. She
7 also testified that prior to her seeking employment
8 with the casino, she had a 16-year unblemished
9 employment history, both as the Assistant Manager of a
10 card store and as a bank teller.

11 Subsequently, the Report and
12 Recommendation issued in this matter recommends that
13 Ms. Krasnavage's Application for a Gaming Permit be
14 granted, given the circumstances underlying her
15 arrest. And that is the recommendation before the
16 Board.

17 CHAIRMAN:

18 Questions or comments from the Board?
19 Do I have a motion?

20 MR. MCCALL:

21 Mr. Chairman, I move that the Board
22 adopt the Report and Recommendation issued by the OHA
23 regarding Shanne Krasnavage's Application for a Gaming
24 Employee Occupation Permit, and if --- that Ms.
25 Krasnavage be issued a Permit.

1 MR. MOSCATO:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 All opposed? The motion's adopted.

8 ATTORNEY COOK:

9 The next matter before the Board is a
10 Report and Recommendation pertaining to Matthew
11 McDermott. Mr. McDermott was issued a Non-Gaming
12 Employee Registration on March 3rd, 2015, and worked
13 as a cook at the Sugarhouse Casino. On August 18th,
14 2015, the OEC filed a complaint to revoke Mr.
15 McDermott's Non-Gaming Registration after learning
16 that on July --- I'm sorry, June 9th, 2015, he was
17 arrested and charged with several criminal offenses
18 pertaining to the possession of child pornography.

19 A hearing in this matter was held on
20 October 14th. Despite receiving notice, Mr. McDermott
21 did not attend that hearing, and it was held in his
22 absence. The OEC put evidence into the record
23 indicating that he was, in fact, charged with these
24 crimes and in fact was convicted. Thereafter, a
25 Report and Recommendation was issued recommending that

1 his Non-Gaming Permit be revoked based upon the
2 criminal conduct. And that's the recommendation
3 before the Board.

4 CHAIRMAN:

5 Questions or comments from the Board?
6 May I have a motion?

7 MR. MOSCATO:

8 Mr. Chairman, I move that the Board
9 adopt the Report and Recommendation issued by the OHA
10 regarding the revocation of Matthew McDermott's Non-
11 Gaming Employee Registration as described by the OCC.

12 MR. RYAN:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 All opposed? The motion's adopted.

19 ATTORNEY COOK:

20 Shelton Scott is the next Report and
21 Recommendation before the Board today. On August
22 20th, 2015, the OEC filed a complaint to place Mr.
23 Shot --- or Scott, excuse me, on the Exclusion List,
24 alleging that on August 7th, 2015, he attempted to
25 take a chip from a patron sitting next to him while

1 playing poker at the Rivers Casino. Upon being
2 confronted by the dealer, Mr. Scott returned the chip
3 and was allowed to continue play.

4 However, later, a Casino Compliance
5 Supervisor reported that Mr. Scott made an all in
6 wager while playing poker, but in fact withheld chips
7 in his hand, sneaking them off the table and after the
8 hand ended, proceeded to put the chips back on the
9 table and attempt to play the next hand, which of
10 course violates the rules of the game. Mr. Scott
11 answered the complaint admitting his actions, stating
12 that he was intoxicated as --- and that was the excuse
13 for his conduct.

14 He did not, however, appear at the
15 hearing that was held in this matter on November 12th,
16 2015. As a result of the evidence put into the record
17 at that hearing by OEC, the Report and Recommendation
18 issued recommends that Mr. Scott be placed on the
19 Board's Exclusion List. And that's the recommendation
20 before the Board.

21 CHAIRMAN:

22 Questions or comments? May I have a
23 motion?

24 MR. WOODS:

25 Mr. Chairman, I move that the Board

1 adopt the Report and Recommendation issued by the OHA
2 regarding the placement of Shelton Scott on the PGCB
3 Involuntary Exclusion List as described by the OCC.

4 MR. FAJT:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 All opposed? The motion's adopted.

11 ATTORNEY COOK:

12 The final Report and Recommendation
13 before the Board today pertains to Christopher Sierra.
14 On April 23rd, 2013, Mr. Sierra was issued a Gaming
15 Employee Occupation Permit to work as a security
16 officer at Mount Airy. Mr. Sierra is not currently
17 employed at Mount Airy or any other casino in the
18 Commonwealth. However, he still holds his Gaming
19 Permit.

20 On August 21st, 2015, the OEC filed a
21 complaint to suspend Mr. Sierra's Gaming Permit after
22 learning that, on July 27th, 2015, he was arrested and
23 charged with several criminal offenses, including
24 felonies relating to a domestic dispute with his wife.
25 A hearing in this matter was held on October 20th,

1 2015, with both the OEC and Mr. Sierra appearing and
2 offering evidence.

3 Mr. Sierra testified as to facts of the
4 domestic incident, which differed substantially from
5 the Affidavit of Probable Cause which was put into the
6 record by the OEC. That affidavit alleges that he
7 threatened his wife and others with a firearm.
8 Subsequent to the hearing, a Report and Recommendation
9 was issued by the Hearing Officer recommending Mr.
10 Sierra's Gaming Permit be suspended pending resolution
11 of his criminal charges, given he was, at that time,
12 charged with at least one felony.

13 Public records now show, however, that
14 Mr. Sierra's felony charges were --- was withdrawn on
15 November 2015. The remaining misdemeanor charges
16 remain, however, and the matter is scheduled for trial
17 next month during March of 2016. The charges continue
18 --- which Mr. Sierra continues to face are simple
19 assault involving a firearm, recklessly --- reckless
20 endangerment and terroristic threats. The matter's
21 now ripe for the Board's consideration.

22 Although the Hearing Officer based his
23 recommendation for suspension on Mr. Sierra's Permit
24 --- or I'm sorry, Mr. Sierra facing a pending felony
25 charge which no longer exists, the OCC believes the

1 underlying facts alleged in the Affidavit of Probable
2 Cause will, nevertheless, support an ongoing
3 suspension. And we would make that recommendation to
4 the Board.

5 CHAIRMAN:

6 Thank you. Questions or comments from
7 the Board? May I have a motion?

8 MR. FAJT:

9 Mr. Chairman, I move that the Board
10 adopt the Report and Recommendation issued by the OHA
11 regarding the suspension of Christopher Sierra's
12 Gaming Employee Occupation Permit, in part, and that
13 Mr. Sierra's Occupation Permit be suspended until at
14 least disposition of his criminal charges as described
15 by the OCC.

16 CHAIRMAN:

17 All in favor?

18 MR. JEWELL:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 All opposed? The motion's adopted.

25 ATTORNEY COOK:

1 And that concludes the matters of the
2 OCC.

3 CHAIRMAN:

4 Thank you. Hi, Susan. Office of
5 Licensing?

6 MS. HENSEL:

7 Thank you, Chairman Barasch and members
8 of the Board. Before the Board today will be motions
9 regarding 629 Principal Key Gaming and Non-Gaming
10 Employees. In addition, there will be the
11 consideration of 12 Gaming Service Provider
12 Applicants. The first matter for your consideration
13 is the approval of Principal and Key Employee
14 Licenses.

15 Prior to this meeting, the Bureau of
16 Licensing provided you with a proposed Order for 4
17 Principal and 12 Key Employee Licenses. I ask that
18 the Board consider the Order approving the Licenses.

19 ATTORNEY PITRE:

20 No objection.

21 CHAIRMAN:

22 Questions or comments from the Board?
23 May I have a motion?

24 MR. JEWELL:

25 Mr. Chairman, I move that the Board

1 approve the issuance of Principal and Key Employee
2 Licenses as described by the Bureau of Licensing.

3 MR. MCCALL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion's adopted.

10 MS. HENSEL:

11 Also for your consideration are
12 Temporary Key Employee Licenses. Prior to this
13 meeting, the Bureau of Licensing provided you with an
14 Order regarding the issuance of temporary licenses for
15 12 Key Employees. I ask that the Board consider an
16 Order approving the Licenses.

17 ATTORNEY PITRE:

18 Enforcement Counsel has no objection.

19 CHAIRMAN:

20 Questions or comments from the Board?

21 May I have a motion?

22 MR. MCCALL:

23 Mr. Chairman, I move that the Board
24 approve the issuance of Temporary Principal and Key
25 Employee Credentials as described by the Bureau of

1 Licensing.

2 MR. MOSCATO:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? The motion's adopted.

9 MS. HENSEL:

10 There are also Gaming Permits and Non-
11 Gaming Registrations. Prior to this meeting, the
12 Bureau of Licensing provided you with a list of 442
13 individuals to whom the Bureau has granted temporary
14 or full occupation permits and 139 individuals to whom
15 the Bureau has granted Registrations under the
16 authority delegated to the Bureau of Licensing. I ask
17 that the Board consider a motion approving the Order.

18 ATTORNEY PITRE:

19 Enforcement Counsel has no objection.

20 CHAIRMAN:

21 Questions or comments from the Board?

22 May I have a motion?

23 MR. MOSCATO:

24 Mr. Chairman, I move that the Board
25 approve the issuance of Gaming Employee Permits and

1 Non-Gaming Employee Registrations as described by the
2 Bureau of Licensing.

3 MR. RYAN:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion's adopted.

10 MS. HENSEL:

11 Next, there are recommendations of
12 Denial for four Gaming and two Non-Gaming Employee
13 Applicants. In each case, the Applicant failed to
14 request a hearing within the specified time frame.
15 The Bureau of Licensing has provided you with Orders
16 addressing the Applicants who the OEC has recommended
17 for Denial. I ask that the Board consider a motion
18 approving the Denials.

19 ATTORNEY PITRE:

20 Enforcement Counsel continues to request
21 Denial in each instance.

22 CHAIRMAN:

23 Questions or comments from the Board?

24 May I have a motion?

25 MR. RYAN:

1 Mr. Chairman, I move that the Board deny
2 the Gaming and Non-Gaming Employee Applications as
3 described by the Bureau of Licensing.

4 MR. WOODS:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 All opposed? The motion's adopted.

11 MS. HENSEL:

12 Also for your consideration are
13 Withdrawal Requests for Key and Gaming Employees. In
14 each case, the license or permit is no longer
15 required. For today's meeting, I have provided the
16 Board with a list of 1 Key and 13 Gaming Employee
17 Withdrawals for approval. I ask that the Board
18 consider the Orders approving the list of Withdrawals.

19 ATTORNEY PITRE:

20 Enforcement Counsel has no objection.

21 CHAIRMAN:

22 Questions or comments from the Board?

23 May I have a motion?

24 MR. WOODS:

25 Mr. Chairman, I move that the Board

1 approve the Withdrawals as described by the Bureau of
2 Licensing.

3 MR. FAJT:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion's adopted.

10 MS. HENSEL:

11 Next, we have an Order to certify the
12 following Gaming Service Providers, Aria Solutions,
13 Inc., CPC Bucks County, LLC, Jani-King of Pittsburgh,
14 Inc., JRMSPD, LLC, doing business as Johnny Rockets,
15 R.A. Kennedy and Sons, Inc., and Wing Lee Grocery,
16 Limited. I ask that the Board consider the Order
17 approving these Gaming Service Providers for
18 Certification.

19 ATTORNEY PITRE:

20 Enforcement Counsel has no objection.

21 CHAIRMAN:

22 Questions or comments from the Board?

23 May I have a motion?

24 MR. FAJT:

25 Mr. Chairman, I move that the Board

1 issue an Order to approve the applications of Gaming
2 Service Provider Certification as described by the
3 Bureau of Licensing.

4 MR. JEWELL:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 All opposed? The motion's adopted.

11 MS. HENSEL:

12 Finally for your consideration are
13 Gaming Service Provider Registrations. The Bureau of
14 Licensing provided you with an Order and an attached
15 list of six Registered Gaming Service Provider
16 Applicants. I ask that the Board consider the Order
17 registering these Gaming Service Providers.

18 ATTORNEY PITRE:

19 Enforcement Counsel has no objection.

20 CHAIRMAN:

21 Questions or comments from the Board?

22 May I have a motion?

23 MR. JEWELL:

24 Mr. Chairman, I move that the Board
25 issue an Order to approve the applications for Gaming

1 Service Provider Registration as described by the
2 Bureau of Licensing.

3 MR. MCCALL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion's adopted.

10 MS. HENSEL:

11 That concludes the Bureau of Licensing's
12 matters.

13 CHAIRMAN:

14 Thank you, Susan. OEC?

15 ATTORNEY PITRE:

16 Mr. Chairman and members of the Board,
17 today we have 13 matters for the Board's consideration
18 consisting of 3 Consent Agreements, 2 suspensions, and
19 8 Involuntary Exclusions. The first matter on the
20 agenda is a Consent Agreement between the OEC and
21 Greenwood Gaming and Entertainment, Inc. I see Mr.
22 Schroeder is present. Dustin Miller will present the
23 matter on behalf of the OEC.

24 ATTORNEY MILLER:

25 Good afternoon. At this time, the OEC

1 has a Consent Agreement prepared for the Board's
2 approval. The Consent Agreement is between the OEC
3 and Greenwood Gaming and Entertainment, Inc. This
4 Consent Agreement arises from two incidents whereby
5 individuals on the Board's Self-Exclusion List entered
6 Parx Casino and received cash advances in violation of
7 the regulations, Parx's approved Compulsive and
8 Problem Gambling Plan, and a prior agreement made
9 between the OEC and Parx Casino.

10 March 25th, 2015, an individual on the
11 Board's Self-Exclusion List was found gaming at a slot
12 machine inside Parx Casino after she hit a jackpot and
13 her identity was discovered while processing the
14 jackpot. A surveillance review of the self-excluded
15 individual's conduct inside Parx Casino revealed that
16 the individual had earlier sought and received a cash
17 advance at the race book simulcast cage window. The
18 self-excluded individual provided her driver's license
19 and a credit card to process the cash advance. At no
20 time did the cashier check the Self-Exclusion List to
21 determine if the patron was on the list. The self-
22 excluded individual gamed at four different slot
23 machines for a period of 97 minutes.

24 On July 9th, 2015, an individual on the
25 Board's Self-Exclusion List entered Parx Casino and

1 went to the race book simulcast cage window to seek a
2 cash advance. The self-excluded patron provided the
3 cashier with her driver's license and credit card.
4 The cashier did not identify the patron as being on
5 the Self-Exclusion List and provided the cash advance.
6 The patron gamed in a Spanish 21 table game for 39
7 minutes before returning to the race book simulcast
8 cage window and attempting to procure another cash
9 advance. However, this time, a different cashier
10 checked to see if the patron was on the Self-Exclusion
11 List.

12 After discovering the patron's name on
13 the list, the cashier contacted Parx security, the
14 Pennsylvania State Police and the Bureau of Casino
15 Compliance personnel to the ---. They called them to
16 the area. The patron was charged with criminal
17 trespass for being inside the casino while being on
18 the Board's Self-Exclusion List. On December 8th,
19 2015, the parties entered into a Consent Agreement to
20 settle these outstanding compliance matters.

21 The Board approved Consent Agreements on
22 December 10th, 2014 and September 2nd, 2015, between
23 the OEC and Greenwood relating to prohibited email
24 contact with self-excluded patrons. The terms of this
25 agreement include a provision that Greenwood Gaming

1 and Entertainment, Inc. shall reinforce existing
2 policies to minimize the opportunity for similar
3 incidents to occur in the future.

4 Further, Greenwood Gaming and
5 Entertainment, Inc. shall pay a total fine of \$10,000,
6 and in accordance with the Board's billing policy,
7 Greenwood Gaming and Entertainment, Inc. will pay a
8 flat fee of \$2,500 in investigative fees. These fines
9 and fees shall be paid within five days of the Consent
10 Agreement being approved by the Board.

11 Counsel for Greenwood Gaming and
12 Entertainment is in attendance today to answer any
13 questions you may have. Otherwise, the OEC asks that
14 the Board entertain a motion to approve the Consent
15 Agreement.

16 CHAIRMAN:

17 Thank you. Any comments on behalf of
18 Greenwood?

19 ATTORNEY SCHROEDER:

20 Good afternoon, Chairman and
21 Commissioners. My name is Bryan Schroeder,
22 S-C-H-R-O-E-D-E-R. I'm the Assistant General Counsel
23 at Parx Casino. I'll be very brief. I just want to
24 add three pieces of information for the record. The
25 first is that both incidents were self-reported by

1 Parx staff. The second is we have a robust,
2 responsible gaming training program and procedures for
3 our cashiers and simulcast cashiers.

4 Finally, these two instances were
5 aberrations of our normal protocol. The two employees
6 that failed to check the Self-Exclusion List were
7 suspended for one week, have subsequently been
8 terminated for unrelated matters and are no longer
9 employed by Parx.

10 And the final piece of information is
11 during calendar year 2015, there were 26 Self-
12 Exclusion persons who were identified and caught by
13 our self --- our simulcast cashiers and reported to
14 Pennsylvania State Police and Casino Compliance. So,
15 these were two that did get by, but 26 were caught and
16 identified.

17 CHAIRMAN:

18 Thank you.

19 ATTORNEY SCHROEDER:

20 And we'd be glad to answer any questions
21 that you may have.

22 CHAIRMAN:

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

25 MR. MCCALL:

1 Mr. Chairman, I move that the Board
2 issue an Order to approve the Consent Agreement
3 between the OEC and Greenwood Gaming and
4 Entertainment, Inc. as described by the OEC.

5 MR. MOSCATO:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 All opposed? The motion's adopted.

12 Thank you.

13 ATTORNEY SCHROEDER:

14 Thank you.

15 ATTORNEY MILLER:

16 Thank you.

17 ATTORNEY PITRE:

18 The next Consent Agreement that we have
19 on the agenda for today is an agreement between the
20 OEC and Mount Airy #1, LLC. Assistant Enforcement
21 Counsel David Tepper will present the matter for the
22 Board's consideration. I see Mr. Sklar is here on
23 behalf of Mount Airy today.

24 ATTORNEY TEPPER:

25 Good afternoon, Chairman Barasch, member

1 of the Board. This proposed Consent Agreement
2 involves Mount Airy utilizing unapproved roulette
3 chips. Mount Airy placed non-value roulette chip
4 series FNG into service without Board approval in
5 February of 2011, and chip set series I into service
6 without Board approval in February 2014. These
7 unapproved chip sets were discovered during a Bureau
8 of Gaming Operations audit.

9 And once brought to Mount Airy's
10 attention, Mount Airy submitted for and received
11 approval for all three chip sets in February of 2015.
12 At this time, the OEC requests that the Board approve
13 the Consent Agreement between these parties. The
14 terms of the settlement include that within five days
15 of the Board's Order, Mount Airy shall pay a civil
16 penalty of \$15,000 for the violations described.

17 And also, within five days of the
18 Board's Order approving this Consent Agreement, Mount
19 Airy shall pay the Board \$2,500 for costs incurred by
20 OEC, BIE and related Board staff in connection with
21 this matter. And if you have any questions, both
22 myself and Mount --- representatives from Mount Airy
23 will be glad to answer them.

24 CHAIRMAN:

25 Mr. Sklar, are you going to be the only

1 person speaking on behalf of Mount Airy today?

2 ATTORNEY SKLAR:

3 I have Dennis Asselta, who's the
4 Director of Table Games, with me.

5 CHAIRMAN:

6 Just for the record, then, if there's a
7 chance that you're going to be speaking, if you'd
8 stand and be sworn in, please?

9 -----

10 DENNIS ASSELTA, CALLED AND SWORN.

11 -----

12 CHAIRMAN:

13 Thank you.

14 ATTORNEY SKLAR:

15 Just concurrently, a recitation of the
16 facts from Mr. Tepper --- just a couple other
17 additional facts, just so the Board's aware. The on-
18 site CCRs were notified when the chip sets were
19 delivered to Mount Airy. They were present when the
20 chip sets were open and inspected. The chip sets in
21 question are identical to the chip sets that had been
22 previously approved.

23 The only difference is the letters had
24 changed in the chip sets that are the subject of this
25 Consent Agreement and in the monthly and quarterly

1 impressment reports that Mount Airy files with the
2 Board. The chip sets in question were listed on
3 there, but the --- Mount Airy did not --- we did not
4 seek the approval as required under the regulation.
5 We're available to answer any questions that the Board
6 may have.

7 CHAIRMAN:

8 Thank you. Comments from the Board?
9 Questions? May I have a motion?

10 MR. MOSCATO:

11 Mr. Chairman, I move that the Board
12 issue an Order to approve the Consent Agreement
13 between the OEC and Mount Airy #1, LLC as described by
14 the OEC.

15 MR. RYAN:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? The motion's adopted.
22 Thank you very much for coming.

23 ATTORNEY PITRE:

24 The third Consent Agreement on the
25 agenda is an agreement between the OEC and

1 Mountainview Thoroughbred Racing Association doing
2 business as Hollywood Casino. Assistant Enforcement
3 Counsel John Crohe will present the matter for the
4 Board's Consideration. I see Mr. Quigley is back in
5 Pennsylvania and is making his first presentation
6 before the Board since his return. So, we're glad to
7 have Mr. Quigley back. And with that, I'll turn it
8 over to Mr. Crohe.

9 CHAIRMAN:

10 He's glad.

11 ATTORNEY CROHE:

12 Good afternoon, Chairman, members of the
13 Board. John Crohe, C-R-O-H-E, for the OEC. The next
14 matter on the agenda for the Board's consideration is
15 a Consent Agreement reached between Hollywood Casino
16 at Penn National Racecourse and the OEC regarding a
17 violation of the Act governing table games procedures.
18 On September 10th, 2015, Casino Compliance was
19 notified by Hollywood security that eight decks of
20 cards were left unaccounted for on the gaming floor
21 for approximately three days.

22 Hollywood security initially discovered
23 a discrepancy between the opening inventory report
24 that stated the number of decks put into play in the
25 beginning of September 5th and the number of decks

1 that were collected at the end of that day. On
2 September 9th, 2015, a table games shift manager
3 reviewed the card and dice pick-up form completed by
4 Hollywood security on September 6th and compared it to
5 the open tables for September 5th.

6 The table games shift manager traced the
7 eight deck discrepancy back to blackjack table BJ407.
8 However, the Shift Manager and the Security Shift
9 Manager assumed the error was clerical and that the
10 eight decks had actually been collected. They then
11 incorrectly modified a card and dice reconciliation
12 form, which was initially completed on September 6th.

13 Later on September 9th, a Hollywood
14 Casino security officer discovered a sealed bag
15 containing eight decks of cards underneath blackjack
16 table BJ407. The eight decks remained on the gaming
17 floor undiscovered for three days, in violation of the
18 Act and the regulations promulgated there under.
19 Furthermore, the count procedures required by the
20 regulations and the Act and Hollywood and current
21 internal controls were also violated.

22 The OEC and Hollywood Casino
23 respectfully request that this Board approve the
24 Consent Agreement and stipulations of settlement,
25 which require that Hollywood implement policy and

1 procedure to prevent similar incidents in the future,
2 that Hollywood Casino pay a civil penalty of \$7,500 as
3 well as \$2,500 for costs incurred by the Board staff
4 in connections with investigations into this matter.
5 And I am available for any questions that you may
6 have. Thank you.

7 CHAIRMAN:

8 Mr. Quigley, do you intend to speak at
9 this time?

10 MR. QUIGLEY:

11 I can, yes. I'd like to comment on it.

12 CHAIRMAN:

13 Would you please stand and be sworn?

14 -----
15 FRANK QUIGLEY, HAVING FIRST BEEN DULY SWORN, TESTIFIED
16 AS FOLLOWS:

17 -----
18 A. I would just like to say I just wanted to assure
19 you that we understand the seriousness of this. We
20 agree. This is, quite frankly, regardless of this
21 agreement, is unacceptable, and we have disciplined
22 the employees in --- that were involved. We've also
23 beefed up the process to make sure that it doesn't
24 happen again.

25 CHAIRMAN:

1 Thank you. Are there any questions or
2 comments from the Board? May I have a motion, please?

3 MR. RYAN:

4 Mr. Chairman, I move that the Board
5 issue an Order to approve the Consent Agreement
6 between the OEC and Mountainview Thoroughbred Racing
7 Association as described by the OEC.

8 MR. WOODS:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 All opposed? The motion's adopted.

15 Thanks for joining us this morning.

16 A. Thank you, sir. It's good to be back in

17 Pennsylvania. Thank you.

18 CHAIRMAN:

19 Good to see you.

20 ATTORNEY PITRE:

21 The next two matters on the agenda
22 consist of Enforcement Actions in which the OEC has
23 filed a complaint seeking the suspension of
24 Registrations that had been issued to individuals by
25 the Board. Each complaint has been properly filed

1 with the Board's OHA and properly served upon the
2 individual named in the complaint. The individual
3 named in the complaint failed to respond within 30
4 days as required by Board regulation.

5 As a result, the OEC properly served a
6 Request for Default Judgment and filed the same with
7 the OHA. Thereby, all facts in the complaint are
8 deemed admitted. All filed documents are --- have
9 been provided to the Board for its consideration, and
10 the matter is presently ripe for the Board's
11 consideration. In each instance, Assistant
12 Enforcement Counsel Kim Adams will provide a brief
13 summary of facts and request the appropriate Board
14 action.

15 ATTORNEY ADAMS:

16 Mr. Chairman and members of the Board,
17 good morning. The next matter for the Board's
18 consideration is a Suspension of Alyssa Kane's Non-
19 Gaming Employee Registration. Ms. Kane was charged in
20 one criminal docket with forgery, access device fraud
21 and identity theft, which are all felony offenses. In
22 a second criminal docket, she was charged with simple
23 assault.

24 All her charges are still pending. At
25 this time, the OEC is requesting that Ms. Kane's Non-

1 Gaming Employee Registration be suspended pending the
2 final disposition of the criminal charges.

3 CHAIRMAN:

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

6 MR. FAJT:

7 Mr. Chairman, I move that the Board
8 issue an order to approve the Suspension of Alyssa
9 Kane's Non-Gaming Employee Registration until at least
10 disposition of her pending criminal charges, at which
11 time she may petition to have the Suspension lifted.

12 MR. JEWELL:

13 Second.

14 CHAIRMAN:

15 Questions or comments from ---? I'm
16 sorry. I did that already. All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 I'm getting punchy. All opposed? The
20 motion's adopted.

21 ATTORNEY ADAMS:

22 The next matter for the Board's
23 consideration is a Suspension of Tamera Thornhill's
24 Non-Gaming Employee Registration. Ms. Thornhill was
25 charged in one criminal docket with two counts of

1 forgery, which were felony offenses. In a second
2 criminal docket, she was charged with endangering the
3 welfare of children and false identification to law
4 enforcement.

5 Ms. Thornhill's charges are still
6 pending. At this time, the OEC is requesting Ms.
7 Thornhill's Non-Gaming Employee Registration be
8 suspended pending the final disposition of the
9 criminal charges.

10 CHAIRMAN:

11 Questions or comments from the Board?
12 May I have a motion?

13 MR. JEWELL:

14 Mr. Chairman, I move that the Board
15 issue an Order to approve the Suspension of Tamera
16 Thornhill's Non-Gaming Employee Registration until at
17 least disposition of her pending criminal charges, at
18 which time she may petition to have the Suspension
19 lifted.

20 MR. MCCALL:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 All opposed? The motion's adopted.

2 ATTORNEY PITRE:

3 The remaining matters on the agenda
4 consist of Enforcement Actions in which the OEC has
5 filed Petitions seeking the involuntary exclusion of
6 individuals whose presence in the licensed facility
7 are inimical to the interests of the Commonwealth or
8 licensed gaming therein. In each instance, a Petition
9 for Exclusion has been filed with the Board's OHA and
10 properly served upon each individual named in the
11 complaint.

12 The individual named in the Petition
13 failed to respond within 30 days, as required by Board
14 regulation. As a result, the OEC has filed a Request
15 for Default Judgment in each instance and properly
16 served the same upon each individual. Thereby, all
17 facts in each Petition are deemed admitted. All filed
18 documents have been provided for the Board, and the
19 matters are presently ripe for Board consideration.
20 We will provide a brief summary of the facts in each
21 instance and request the appropriate Board action.

22 ATTORNEY STUART:

23 Thank you. Glen Stuart for the OEC.
24 That's S-T-U-A-R-T. Next for the Board's
25 consideration is the placement of Ericka Gibson-

1 Campbell on the Board's Involuntary Exclusion List.
2 On April 12th, 2015, Ms. Gibson-Campbell tried to
3 access the gaming floor at the Valley Forge Casino
4 Resort using the driver's license of another
5 individual. Ms. Gibson-Campbell was only 20 years of
6 age at the time.

7 Valley Forge security stopped Mrs.
8 Gibson-Campbell before she could access the gaming
9 floor, so Ms. Gibson-Campbell did not wager or consume
10 any alcohol while at Valley Forge. As such, the OEC
11 requests that the Board place Ericka Gibson-Campbell
12 on the Board's Involuntary Exclusion List.

13 CHAIRMAN:

14 Questions or comments from the Board?
15 May I have a motion?

16 MR. MCCALL:

17 Mr. Chairman, I move that the Board
18 issue an order to approve the addition of Ericka
19 Gibson-Campbell to the Pennsylvania Gaming Control
20 Board Involuntary Exclusion List as described by the
21 OEC. I further move that Ms. Gibson-Campbell may
22 petition to be removed from the list after one year.

23 MR. MOSCATO:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? The motion's adopted.

5 ATTORNEY FERRELL:

6 Good afternoon, Chairman and members of
7 the Board. Benjamin Ferrell, F-E-R-R-E-L-L. The next
8 matter for your consideration is that of Senyu Dong.
9 On October 17th, 2015, Senyu Dong was caught capping
10 wagers while playing blackjack at Presque Isle Downs
11 and Casino. At this time, OEC would request that the
12 Board place Senyu Dong on the Board's Involuntary
13 Exclusion List.

14 CHAIRMAN:

15 Questions or comments from the Board? A
16 motion, please?

17 MR. MOSCATO:

18 Mr. Chairman, I move that the Board
19 issue an Order to approve the addition of Senyu Dong
20 to the PGCB Involuntary Exclusion List as described by
21 the OEC.

22 MR. RYAN:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 All opposed? The motion's adopted.

4 ATTORNEY ROLAND:

5 Afternoon, Mr. Chairman, members of the
6 Board. Michael Roland, R-O-L-A-N-D, with the OEC.
7 Mr. Chairman, the next three matters actually arise
8 all from the same fact pattern. With your permission,
9 I'd ask to give that fact pattern once and then go
10 through each of the three individuals.

11 CHAIRMAN:

12 Thank you.

13 ATTORNEY ROLAND:

14 So, the first of those three matters is
15 a request to place Bryan Colucci on the Involuntary
16 Exclusion List. Mr. Colucci, age 18, used a false
17 identification to try and enter the gaming floor at
18 Sands Casino. Mr. Colucci advised that his friends,
19 Jack Rovello, age 21, and David Rovello, age 19, were
20 already inside the casino. Mr. Colucci admitted that
21 he was underage and stated that David Rovello gave him
22 the false identification to enter the casino.

23 Mr. Colucci did not game or drink
24 alcoholic beverages. David Rovello was eventually
25 located in the mall. He admitted that he entered the

1 casino with the same false identification, which
2 belonged to his brother, Jack Rovello. David Rovello
3 did not game or drink alcoholic beverages. David
4 Rovello, Jack Rovello and Bryan Colucci were all
5 permanently evicted from the Sands property.

6 Specific to Bryan Colucci, he was
7 charged with the Pennsylvania --- by the Pennsylvania
8 State Police under 4 Pa. CS 15.18, which is our Act
9 for unlawful for persons under 21 to wager. He
10 entered a guilty plea on November 16th, 2015, and the
11 matter is now before the Board to consider the
12 placement of Bryan Colucci on the Board's Involuntary
13 Exclusion List.

14 CHAIRMAN:

15 Questions or comments from the Board?
16 May I have a motion as to Mr. Colucci, please?

17 MR. RYAN:

18 Mr. Chairman, I move that the Board
19 issue an Order to approve the addition of Brian
20 Colucci to the PGCB Involuntary Exclusion List as
21 described by the OEC. I further move that Mr. Colucci
22 may not Petition for removal from the list until his
23 22nd birthday.

24 MR. WOODS:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 All opposed? The motion's adopted.

6 ATTORNEY ROLAND:

7 Next is the request to consider the
8 placement of David Rovello on the Involuntary
9 Exclusion List. Specifically, Mr. Rovello was charged
10 also by the Pennsylvania State Police with the same
11 Section, 1518, under our Act. That's persons under 21
12 on the gaming floor. He also entered a guilty plea on
13 November 23rd, 2015, and his matter is now before the
14 Board to consider his placement --- that is, David
15 Rovello --- on the Board's Involuntary Exclusion List.

16 CHAIRMAN:

17 Questions or comments from the Board?

18 May I have a motion?

19 MR. WOODS:

20 Mr. Chairman, I move that the Board
21 issue an Order to approve the addition of David
22 Rovello to the PGCB Involuntary Exclusion List as
23 described by the OEC. I further move that Mr. Rovello
24 may not petition for removal from the list until his
25 22nd birthday.

1 MR. FAJT:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 All opposed? The motion's adopted.

8 ATTORNEY ROLAND:

9 And the last of those three matters is a
10 request to place Jack Rovello on the Involuntary
11 Exclusion List. Jack Rovello was not charged by the
12 Pennsylvania State Police. However, he was
13 permanently evicted from Sands Casino, and the matter
14 is now before the Board to consider the placement of
15 Jack Rovello on the Board's Involuntary Exclusion
16 List.

17 CHAIRMAN:

18 Questions or comments from the Board?

19 May I have a motion?

20 MR. FAJT:

21 Mr. Chairman, I move that the Board
22 issue an Order to approve the addition of Jack Rovello
23 to the PGCB Involuntary Exclusion List as described by
24 the OEC. I further move that Mr. Rovello may not
25 petition for removal from the list for at least one

1 year.

2 MR. JEWELL:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? The motion's adopted.

9 ATTORNEY ROLAND:

10 Next is a request to place Fayez Dayoub
11 on the Involuntary Exclusion List. Mr. Dayoub cheated
12 or attempted to cheat by capping and pinching his bets
13 seven times while playing Texas Hold 'Em at Sands
14 Casino. He benefitted \$380 from his actions. Mr.
15 Dayoub was not criminally charged. However, he was
16 issued a permanent eviction, and the matter is now
17 before the Board to consider the placement of Fayez
18 Dayoub on the Board's Involuntary Exclusion List.

19 CHAIRMAN:

20 Questions or comments from the Board?

21 May I have a motion?

22 MR. JEWELL:

23 Mr. Chairman, I move that the Board
24 issue an Order to approve the addition of Fayez Dayoub
25 to the PGCB Involuntary Exclusion List as described by

1 the OEC.

2 MR. MCCALL:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? The motion's adopted.

9 ATTORNEY ROLAND:

10 Next is a request to place Sadiel
11 Miranda on the Involuntary Exclusion List. Mr.
12 Miranda entered the Sands Casino with his son, age 12,
13 and his daughter, age 9. He left his children in the
14 valet area due to them not being allowed on the casino
15 floor while he used the restroom. Instead of
16 returning for his children, Mr. Miranda gamed for
17 approximately 52 minutes.

18 He was issued a permanent eviction by
19 Sands security but not criminally charged, and the
20 matter is now before the Board to consider the
21 placement of Sadiel Miranda on the Board's Involuntary
22 Exclusion List.

23 CHAIRMAN:

24 Questions or comments from the Board?

25 May I have a motion?

1 MR. MCCALL:

2 Mr. Chairman, I move that the Board
3 issue an Order to approve the addition of Sadiel
4 Miranda to the Pennsylvania Gaming Control Board
5 Involuntary Exclusion List as described by the OEC.

6 MR. MOSCATO:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 All opposed? The motion's adopted.

13 ATTORNEY ROLAND:

14 And last is the request to place Sanket
15 Patel on the Involuntary Exclusion List. Mr. Patel
16 gained access to the gaming floor at Sands Casino by
17 presenting his friend's identification to security.
18 Mr. Patel was on the gaming floor for approximately 28
19 minutes. He was not observed gaming or consuming any
20 alcoholic beverages while on the property. Mr. Patel
21 was permanently evicted, and the Pennsylvania State
22 Police charged him with 1518 of our Act.

23 That's, again, unlawful persons under 21
24 on the floor. He entered a guilty plea to that
25 charge, and the matter is now before the Board to

1 consider the placement of Sanket Patel on the Board's
2 Involuntary Exclusion List.

3 CHAIRMAN:

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

6 MR. MOSCATO:

7 Mr. Chairman, I move that the Board
8 issue an Order to approve the addition of Sanket Patel
9 to the PGCB Involuntary Exclusion List as described by
10 the OEC. I further move that Mr. Patel may not
11 Petition for removal from this list for at least one
12 year.

13 MR. RYAN:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 All opposed? The motion's adopted.

20 ATTORNEY PITRE:

21 Thank you. That concludes our business.

22 CHAIRMAN:

23 Thank you. That concludes today's
24 business. Our next public meeting will be held on
25 Wednesday, March 2nd, beginning at ten o'clock in this

1 room. Any final comments from the Board? May I have
2 a motion to adjourn the meeting?

3 MR. RYAN:

4 So moved.

5 MR. WOODS:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 All opposed? The motion's adopted.

12 * * * * *

13 MEETING CONCLUDED AT 12:27 P.M.

14 * * * * *

15

16

17

18

19

20

21

22

23

24

25

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, hearing held before Chairman Barasch was reported by me on 2/10/16 and that I, Samantha Bruer, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.


Court Reporter
Samantha Bruer