

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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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

HEARING: Wednesday June 22, 2016, 10:03 a.m.

LOCATION: Pennsylvania Gaming Control Board
Strawberry Square Complex, 2nd Floor
Harrisburg, PA 17101

WITNESSES: Peter Marinari, Gerald Fretz
Reporter: Corey Elizabeth Summers

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By Attorney Miller

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By Attorney Schroeder

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By Attorney Miller

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By Attorney Stuart

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By Attorney Crohe

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By Attorney Ferrell

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By Attorney Adams

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CHAIRMAN:

Good morning, everyone. I'm David Barasch, Chairman of the Pennsylvania Gaming Control Board. Before we begin, I repeat my longstanding request that people silence their cell phone or electronic devices. With us today is Fred Strathmeyer, representing Russell Redding, Secretary of Agriculture; Jennifer Langan, representing Tim Reese, State Treasurer, and Bob Coyne, representing Revenue Secretary, Eileen McNulty. Thank you all for coming.

A quorum of the Board being present, I would call this meeting to order. First order of business, the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

The Board held an Executive Session yesterday, June 21st, for the purpose of discussing personnel matters, and to conduct quasi-judicial relations relating to matters before the Board today. Additionally, I would announce that within the next day or two the Board will be issuing a supplemental adjudication relative to the Category 2 Slots License

1 at Stadium Casino, LLC. As I'm sure most of the
2 people in the room are aware, the Supreme Court
3 remanded this case to the Board on two issues. Those
4 issues are addressed in our supplemental adjudication,
5 which will be promulgated in the next couple of days.
6 Next, we have a motion to approve the minutes of the
7 April 27th meeting.

8 MR. RYAN:

9 Mr. Chairman, I move that the Board
10 approve the minutes of the transcript of the April 27,
11 2016 meeting.

12 MR. WOODS:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 AYES RESPOND

17 CHAIRMAN:

18 All opposed? Motion is adopted. Kevin?

19 MR. O'TOOLE:

20 Good morning, Chairman Barasch, members
21 of the Board. For the Executive Director's report
22 this morning we're going to have a presentation by the
23 Pennsylvania Harness Horsemen's Association regarding
24 their retirement savings plan. We have two
25 representatives here today from PHHA, Executive

1 Director Peter Marinari and counsel, Jeanne Bakker.
2 And our Director of Racetrack Operations, Kevin Kile,
3 will give a brief introduction to the matter. Kevin?

4 CHAIRMAN:

5 Well, if we could, before we proceed,
6 anyone who's going to be testifying --- speaking
7 today, other than attorneys, should stand and identify
8 themselves to be sworn by the court reporter.

9 MR. MARINARI:

10 Peter Marinari, Pennsylvania Harness
11 Horsemen's Association.

12 CHAIRMAN:

13 Would you spell the name, please?

14 MR. MARINARI:

15 Sure, M-A-R-I-N-A-R-I.

16 -----
17 PETER MARINARI, HAVING FIRST BEEN DULY SWORN,
18 TESTIFIED AS FOLLOWS:

19 -----
20 CHAIRMAN:

21 Who else is speaking who is not an
22 attorney? No one? Okay.

23 MR. KILE:

24 Good morning, Chairmen, members of the
25 Board. The Pennsylvania Harness Horsemen's

1 Association or PHHA has requested approval of
2 amendments to the retirement savings plan. Under
3 Section 1406 of the Act, approximately four percent of
4 funding received from the Pennsylvania Racehorse
5 Development Fund is required to be used to fund health
6 insurance and pension benefits for members of the
7 Horsemen's organizations and their families in
8 accordance with the rules and eligibility requirements
9 of each organization.

10 So Subsection F of Section 1406 of the
11 Act requires that all health and pension benefit
12 contracts be approved by the Board. And the PHHA's
13 initial plan was approved on November 8th, 2007. The
14 PHHA represents horse owners, trainers and others that
15 race at Harrah's Philadelphia and the Downs at Mohegan
16 Sun Pocono. Representatives from the PHHA are present
17 today and would like to address the amendments to
18 their retirement savings plan with the Board. Peter?

19 MR. MARINARI:

20 Good morning, ladies and gentlemen,
21 members of the Board. Can I have the first slide,
22 please? Thank you very much. Okay. The first slide
23 is a brief overview of the PHHA, when we were founded.
24 I won't repeat what Kevin said. I'll just mention
25 that the PHHA is governed by an 11 member Board of

1 Directors, elected to staggered four year terms every
2 two years by the membership. And it just goes on then
3 to detail the makeup of the Board.

4 The second slide is regarding our
5 pension plan, the reason for the pension plan and the
6 date that the pension plan came into existence. Slide
7 number three details those who are eligible to
8 participate in the PHHA pension plan. The individual
9 must be a member of our association, and the
10 individual must be either a driver or a trainer who
11 competes at one of the two racetracks we represent.

12 The next slide is the eligibility of the
13 benefits. Basically it details what constitutes that
14 eligibility. Eligibility is based on the number of
15 starts. We race 150 race days per year at Harrah's
16 Philadelphia and this year 136 days at Pocono Downs.
17 It's a cumulative basis. These earn on a cumulative
18 basis. So it encompasses both racetracks. So this
19 just details definition of a race day and how we
20 establish our point system.

21 The following slide is the --- details
22 how a trainer would earn points to be able to qualify
23 for the pension. And the slide after that does the
24 same for drivers. A vesting process is included and
25 it's necessary to be able to withdraw pension

1 benefits. This slide details how one vests. It also
2 goes into detail that at the end of 2015 there was 634
3 members of the Pennsylvania Harness Horsemen's
4 Association, of which 361 participated in the
5 retirement plan, 66 drivers and 295 trainers. As of
6 the end of last year, of those participating in the
7 pension plan, 35 drivers and 114 trainers are
8 currently vested.

9 The next slide is an actual overview of
10 the amendments that we are asking the Board to
11 approve. The first amendment is to the qualified
12 start provision of the pension plan. And I'll read
13 this one since this is for your consideration.

14 The Board of Trustees of the Association
15 wishes to amend the pension plan to provide for a
16 nondiscriminatory procedure for review and approval of
17 any mid-year change of the designated trainer or
18 driver of a horse as entered in the official racing
19 program or Judge's booklet for a race. The goal of
20 this amendment is to protect the pension plan and its
21 participants from abusive or deceptive practices by
22 trainers or drivers seeking to earn qualified starts
23 during a racing season.

24 By way of example, this amendment is
25 intended to prevent individuals from falsely

1 identifying themselves as a trainer or driver in an
2 official racing program and thereby falsely earning a
3 qualified start.

4 Proceeding, the amendment provides that
5 all trainers and drivers must obtain approval from the
6 committee of any mid-year change of the trainer or
7 driver or horse entered in an official racing program
8 or Judge's booklet for a race. To obtain approval,
9 the current trainer or driver and the proposed new
10 trainer or driver must submit a written application to
11 the committee requesting approval of the change. The
12 amendment also provides that the committee has sole
13 discretionary authority to approve or disapprove any
14 such requests.

15 Finally, the amendment provides that any
16 failure by a driver or trainer to comply with the
17 rules and procedures established by the committee for
18 obtaining such approval shall result in action by the
19 committee, including denial of an applications for a
20 mid-year --- yes, for a mid --- excuse me, proposed
21 mid-year change, loss of earned qualified starts,
22 and/or forfeiture of some or all of a participant's
23 account, as determined within the sole discretion of
24 the committee. That's amendment number one.

25 Amendment number two, the Board of

1 Trustees of the PHHA also wishes ---. Oh, sorry. The
2 Board of Trustees of the PHHA also wishes to amend the
3 pension plan to provide for a limited distribution of
4 a participant's vested benefit where the participant
5 has attained age 55 as of June 1, 2016. Currently the
6 pension plan provides for distribution of a
7 participant's account, one, upon retirement, on or
8 after age 62; two, upon death; three, if a participant
9 suffers a total disability, and four, if a fully
10 vested participant has not performed active service
11 for ten years.

12 The committee has received numerous
13 requests by vested participants who are younger than
14 age 62 to receive their account balance earlier than
15 62. The committee would like to accommodate these
16 requests in a limited manner. As a result, the
17 proposed amendment provides that vested participants
18 who have attained age 55 as of June 1, 2016 may
19 request distribution of their account.

20 Eleven (11) percent of drivers, a total
21 of 7; and 22 percent of trainers, a total of 65, could
22 take advantage of this limited opportunity to receive
23 an early distribution of their vested account balance.
24 Please note this early distribution option is purely
25 voluntary. No participant will be required to take an

1 early distribution.

2 Then the PowerPoint goes on to detail
3 the funding, the fact that --- the jockey obligations,
4 number one. The health benefits are number two and
5 the pension account is number three. It also details
6 how we transfer funds, the third-party administrator
7 for the funds, et cetera.

8 And the pertinent part here ---. I'm
9 sorry, this slide. The pertinent part here is the
10 final paragraph which says, in 2015 PHHA received
11 \$3,615,149.67 for health and pension benefits to its
12 eligible members. From these funds, pension
13 disbursements of \$462,500 will be distributed to
14 eligible drivers and \$1,712,500 to eligible trainers,
15 for a total pension payment for 2015 of \$2,175,000.
16 Health costs in 2015 were \$688,275.82. Sixty (60)
17 percent of available health and pension funds will be
18 paid into eligible members' pension accounts and 19
19 percent was paid for members' health insurance.

20 And finally, while Act 71 mandates 85
21 percent of funds received from the Race Horse
22 Development Fund for the purpose of members' health
23 and pension benefits be paid for their health and
24 pension plans, the Pennsylvania Harness Horsemen's
25 Association expends a hundred percent of those funds

1 for health and pension plans. We don't withdraw any
2 administrative costs.

3 CHAIRMAN:

4 Are there any further comments here
5 before I open this up for questions? Are there any
6 questions or comments from the Board?

7 MR. WOODS:

8 Two. I noticed that two of the tracks
9 are listed, but Meadows is not. So, they're in a
10 different pension plan, obviously?

11 MR. KILE:

12 The Meadows is represented by the MSOA,
13 the Meadows Standardbred Owners Association. So, they
14 have a totally independent pension plan from ours.

15 MR. WOODS:

16 Can I ask the Department of Agriculture
17 a question? Under the new formation of the Horse and
18 Harness Racing Commission under one Commission, this
19 presentation, didn't present it to them in any way,
20 shape or form. Do you have any requirement to review
21 it?

22 MR. STRATHMEYER:

23 No. To my knowledge, no. Executive
24 Deputy Mike Smith was part of the Executive Session,
25 so he did --- and he's privy to this presentation.

1 And that's to the best of my knowledge. Currently I'm
2 Acting Director for Harness Racing. I'm assuming that
3 position. So, it has not been brought to my attention
4 until yesterday, when it was brought to my attention.
5 But to my knowledge, a new Act does not require that
6 we are involved.

7 CHAIRMAN:

8 Speak into the mic.

9 MR. STRATHMEYER:

10 I'm sorry, to my knowledge it doesn't
11 require ---. The Act does not require that we ---
12 I'm sorry, the Agriculture Commission actually be
13 involved in this conversation, to my knowledge.

14 MR. KILE:

15 I would concur with that.

16 CHAIRMAN:

17 Go ahead.

18 MR. MCCALL:

19 Okay. Just one question. The early
20 distribution that you're providing, is there any
21 penalty to the person who opts for the early
22 distribution of his vested contributions?

23 MR. KILE:

24 Do you mean, would he receive a lesser
25 extent than what he had earned?

1 MR. MCCALL:

2 Well, the State system, there's two
3 retirement ages, 60 or 62. If I'm 55, the retirement
4 age is 62, seven years difference, you're penalized
5 two percent a year, 2.5 percent, depending on what the
6 multiplier is, against your pension for that early
7 withdrawal. Is there any type of pension reduction or
8 penalty for the early withdrawal?

9 MR. KILE:

10 There is not a penalty for an early
11 withdrawal.

12 ATTORNEY BAKKER:

13 If I may answer that. The distribution
14 is a lump-sum distribution of the account balance,
15 whatever the balance is on the day of the
16 distribution.

17 MR. MCCALL:

18 So, it would not be the monthly benefit?

19 MR. KILE:

20 It's more like a 401(k).

21 ATTORNEY BAKKER:

22 That's correct.

23 MR. MCCALL:

24 Okay. I got you.

25 CHAIRMAN:

1 A good question.

2 MR. MOSCATO:

3 Thank you, Mr. Chairman. You mentioned
4 that to participate in this plan you have to be a
5 member of the Association. And then you set out so
6 many races. Is there a dues structure to be a member
7 of the Association?

8 MR. KILE:

9 I'm sorry?

10 MR. MOSCATO:

11 Is there a dues structure?

12 MR. KILE:

13 There is a \$40 per year membership fee.

14 MR. MOSCATO:

15 Very reasonable. And you should also be
16 commended for not taking any administrative costs.

17 MR. KILE:

18 Thank you.

19 MR. MOSCATO:

20 You're welcome.

21 CHAIRMAN:

22 Commissioner Ryan, do you have any
23 questions?

24 MR. RYAN:

25 No.

1 MR. FAJT:

2 Thank you, Mr. Chairman. I have a
3 couple of questions. If I understand the second
4 amendment, the retirement age is not being lowered to
5 55; is that right? I thought you said that a
6 distribution would be allowed on a limited basis, I
7 think those were your words, at age 55; is that
8 correct?

9 MR. KILE:

10 Yes.

11 MR. FAJT:

12 So the retirement age stays at 62?

13 MR. KILE:

14 Correct.

15 MR. FAJT:

16 And what are those limited basis that
17 you are allowing that distribution?

18 MR. KILE:

19 If the person --- correct me if I'm
20 wrong. If the person is --- attains age 55 by
21 June 1st of this year. So, anybody who is vested ---.
22 There would be two requirements. They would have to
23 already be vested and they would have to be 55 by
24 June 1st.

25 MR. FAJT:

1 Okay. And I know we don't, you know,
2 necessarily have to be big brother to the world. But
3 obviously you had members come to you and say, you
4 know, as you mentioned it, that I would like this
5 vested benefit at age 55 instead of waiting to 62. Do
6 you worry at all that that money's going to be
7 squandered and not available? You know, and
8 obviously, people are living longer and retirement age
9 and Social Security distribution ages, you know, are
10 going north, not south. And yet your plan is lowering
11 that availability of a distribution from 62 to 55. I
12 mean, do you worry at all that that might not be a
13 good thing, and that this money will be squandered and
14 not available for retirement, which was the original
15 intent of the plan?

16 MR. KILE:

17 To be honest, I don't have that concern.

18 MR. FAJT:

19 Okay. And my last question is, because
20 of the allowable distribution at 55 now, is there any
21 impact on the actuarial soundness of the plan going
22 forward, so that this drain of money is coming out
23 earlier than originally anticipated? Is there any
24 issue with the actuarial side of it? I'm assuming
25 this is a defined benefit plan?

1 ATTORNEY BAKKER:

2 It's sort of a hybrid between a defined
3 benefit plan and a defined contribution plan.

4 MR. FAJT:

5 Okay.

6 ATTORNEY BAKKER:

7 It is not a defined benefit plan in the
8 concept of the type of plan you're referring to, where
9 a monthly benefit comes out and that monthly benefit
10 is calculated or defined ---

11 MR. FAJT:

12 Uh-huh (yes).

13 ATTORNEY BAKKER:

14 --- by a particular formula that could
15 be based on years of service or final average pay.
16 The benefit is determined by the amount of money that
17 is in the account. And the amount of money that is in
18 the account is determined by --- in two ways, by
19 annually, the money gets contributed to the account,
20 based on the amount of qualified starts, which
21 translates into some amount of points.

22 The most points that a participant can
23 earn in a year is a whole point. So, they might have
24 a quarter-point, a half-point, three-quarters of a
25 point or a whole point. And amounts based on the

1 available revenue in a given year, that available
2 revenue is then divvied up among the participants,
3 according to the amount of points they have earned for
4 that year. And that gets put into their book entry
5 account. And that is one way how their benefit grows.

6 The other way that their benefit grows
7 is by investment earnings. The money is pulled, for
8 purposes of investment, and the earnings are then
9 divvied up each year by the third-party
10 administrator, ---

11 MR. FAJT:

12 Staffordshire.

13 ATTORNEY BAKKER:

14 --- Staffordshire, and the third-party
15 administrator then provides a spreadsheet to the
16 Association and they basically prepare their numbers
17 to make sure they agree. And then the earnings are
18 then divvied up among the participants' existing
19 accounts. And that is how the account balance grows.
20 So, in terms of actuarial soundness, actuarial
21 soundness is not really a variable here because of the
22 way the account grows.

23 MR. FAJT:

24 Got you. So, it's not generally a
25 defined benefit plan.

1 ATTORNEY BAKKER:

2 Yes.

3 MR. FAJT:

4 Okay. Thank you.

5 CHAIRMAN:

6 I've got a question. You say about the
7 withdrawals, a certain class of people after the age
8 of 55. Does that mean that a person that decides to
9 do that is no longer an active --- active in the
10 industry? This is basically an early retirement for
11 the people who are pulling money out or portions of
12 their money out at age 55?

13 MR. KILE:

14 What would happen would be they're still
15 welcome to participate in racing. This doesn't affect
16 their participation in racing. It would eliminate
17 them from continuing within the plan, however.

18 CHAIRMAN:

19 Okay. Thank you, very much. Any other
20 questions from the Board? May I have a motion?

21 MR. WOODS:

22 Mr. Chairman, I move that the Board
23 issue an order to approve the amendment to the
24 Pennsylvania Harness Horsemen's Association retirement
25 savings plan as presented.

1 MR. FAJT:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 AYES RESPOND

6 CHAIRMAN:

7 All opposed? Motion is adopted. Thank
8 you. Does Human Resources have anything at this point
9 or are we skipping over Players' presentation?
10 Nothing?

11 MS. YANTIS:

12 No.

13 CHAIRMAN:

14 Claire, a presentation, nothing?

15 MS. YANTIS:

16 No.

17 CHAIRMAN:

18 Office of Chief Counsel (OCC), Doug
19 Sherman?

20 ATTORNEY SHERMAN:

21 Good morning, Chairman and members of
22 the Board. Today we have two petitions on the agenda.
23 Each is to be decided on the documents of record as
24 they are both uncontested. For each of the matters
25 the Board has, in advance of this meeting, been

1 provided with petitions, OEC's response and any
2 evidentiary materials which have been filed as a part
3 of the record.

4 The first petition before the Board
5 today pertains to Samantha Fly's request to be removed
6 from the Involuntary Exclusion List. I do note that
7 Ms. Fly is present in the audience. And if there are
8 any questions, I presume that she would be more than
9 happy to come forward to answer them.

10 On August 18th, 2012 the OEC filed a
11 complaint to place Samantha Fly on the Board's
12 Exclusion List, alleging that she was 19 years old and
13 gained access to the Sands gaming floor, and as a
14 result was issued summary citations for that access.

15 On June 5th, 2013 the Board placed Ms.
16 Fly on the Exclusion List until at least her 22nd
17 birthday, at which time she would be permitted to
18 apply for the removal from the list. April 2016 the
19 Board received Ms. Fly's request, seeking removal from
20 the Exclusion List. The OEC does not object to that
21 removal, and as such the matter is ready for the
22 Board's disposition.

23 CHAIRMAN:

24 Are there any questions or comments from
25 the Board on this matter? May I have a motion?

1 MR. MCCALL:

2 Mr. Chairman, I move that the Board
3 issue an order to grant Samantha Fly's petition as
4 described by the OCC.

5 MR. MOSCATO:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 AYES RESPOND

10 CHAIRMAN:

11 All opposed? The motion is adopted.

12 ATTORNEY SHERMAN:

13 The second petition before the Board
14 today relates to Kyle Reed's petition for removal from
15 the Involuntary Exclusion List. By way of background,
16 on November 19th, 2014 Mr. Reed, who was under the age
17 of 21 at the time, gained entrance to the Sands
18 Casino. He had been escorted by Sands' security to a
19 restaurant located within the facility. However,
20 after his meal he walked past security and onto the
21 gaming floor, where he wagered at a slot machine
22 before he was noticed and removed.

23 Mr. Reed was thereafter charged with
24 underage gaming and subsequently pled guilty to that
25 offense. As a result of the incident, the Office of

1 Enforcement Counsel (OEC) filed a petition requesting
2 his placement on the Exclusion List. Mr. Reed did not
3 respond and the Board issued an Order on
4 November 19th, 2014 placing him on the Exclusion List
5 for at least one year from the date of the Order.

6 It's now been over a year since his
7 placement on the list and Mr. Reed is requesting to be
8 removed from the Exclusion List. OEC has not objected
9 to the request, and as such, it's ready for the
10 Board's consideration.

11 CHAIRMAN:

12 Any questions or comments from the
13 Board? May I have a motion?

14 MR. MOSCATO:

15 Mr. Chairman, I move that the Board
16 issue an order to grant Kyle Reed's petition as
17 described by the OEC.

18 MR. RYAN:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 AYES RESPOND

23 CHAIRMAN:

24 All opposed? Next?

25 ATTORNEY SHERMAN:

1 Next presenting Withdrawals and Reports
2 and Recommendations is going to Deputy Chief Counsel
3 Steve Cook.

4 CHAIRMAN:

5 Just for the record, I never got to
6 that. The motion is adopted.

7 ATTORNEY COOK:

8 Good morning. The Board has received
9 several unopposed petitions to withdraw applications
10 or surrender the credentials of the following
11 individuals, Alan T. Eland, Scott D. Schweinfurth,
12 Deron J. Hunsberger, Robert M. Pickus and Michael
13 Carlotti. The OEC has no objection to any of these
14 petitions. As a result if the Board were to grant
15 same, they would be doing so without prejudice. And
16 the matters are now ripe for the Board's
17 consideration.

18 CHAIRMAN:

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

21 MR. RYAN:

22 Mr. Chairman, I move that the Board
23 issued orders to grant the Withdrawals and Surrenders
24 as described by the OEC.

25 MR. WOODS:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 AYES RESPOND

5 CHAIRMAN:

6 All opposed? The motion is adopted.

7 ATTORNEY COOK:

8 Next before the Board for consideration
9 are six Reports and Recommendation received from the
10 Office of Hearings and Appeals (OHA). With each case
11 the Report and Recommendation, as well as the complete
12 evidentiary record, have been provided to the Board in
13 advance of today's meeting.

14 And additionally in each case the person
15 that's the subject to the Report and Recommendation
16 has been notified that the matter will be taken up
17 today and that they can come forward to briefly
18 address the Board. If any of these persons are
19 present and wish to come forward, they should do so
20 when their matter is called. Melissa Brown is the
21 first Report and Recommendation. On December ---.

22 CHAIRMAN:

23 Steve, before you proceed, just for the
24 record, just note that Commissioner Jewell is
25 participating. That's the voice you're hearing, long

1 distance in this deliberation, so you do have a full
2 seven member Board participating today. Proceed.

3 ATTORNEY COOK:

4 On December 10th, 2015 Ms. Brown
5 submitted a Non-Gaming Employee application, seeking
6 work as a beverage server at the SugarHouse Casino.
7 In January of 2016 the OEC issued a Notice of
8 Recommendation of Denial based upon Ms. Brown's
9 criminal history. Specifically in 2012 Ms. Brown was
10 convicted of forgery and theft by deception after
11 having forged a prescription for oxycodone.

12 A hearing in this matter was held on
13 April 5th, 2016. Both the OEC and Ms. Brown attended
14 the hearing and provided evidence. Ms. Brown did not
15 dispute a criminal record at that time, admitting that
16 her conduct was wrong, that she served two years of
17 probation, which she has successfully completed. And
18 that she has been employed now for over four years in
19 the food and beverage service industry, as well as has
20 become the mother of now a three-year-old child.

21 She also admitted --- submitted into
22 evidence several letters attesting to her good
23 character. Those letters were written by her current
24 employer as well as a former Chester City Councilman,
25 an attorney and a couple of other individuals.

1 Relative to her specific criminal
2 conduct, Ms. Brown testified that she did not secure
3 the drugs in question for her own use, but rather for
4 a person with whom she was in an abusive relationship
5 at the time. And after hearing all of the evidence,
6 the Report and Recommendation issued by the Hearing
7 Officer recommends that Ms. Brown's Non-Gaming
8 Registration application be approved given the
9 totality of evidence as presented. And that is the
10 recommendation before the Board today.

11 CHAIRMAN:

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

14 MR. WOODS:

15 Mr. Chairman, I move that the Board
16 adopt the Report and Recommendation issued by the OHA,
17 regarding Melissa Brown's application for Non-Gaming
18 Employee Registration as described by the OCC.

19 MR. FAJT:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 AYES RESPOND

24 CHAIRMAN:

25 All opposed? Motion is adopted.

1 ATTORNEY COOK:

2 William Gerrity's Report and
3 Recommendation is the next matter before the Board.
4 Mr. Gerrity holds a Gaming Employee Permit and has
5 worked as a security officer at Mohegan Sun Casino.
6 However, he no long works for that facility or any
7 other Pennsylvania casino, but he does continue to
8 hold his Gaming Permit.

9 On October 30th, 2015 the OEC filed a
10 complaint to revoke Mr. Gerrity's Gaming Permit. The
11 complaint alleges that on September 3rd, 2015 this
12 individual was charged with theft by unlawful taking,
13 receiving stolen property and possession of drug
14 paraphernalia.

15 Specifically, while police were
16 responding to a report of a domestic disturbance at
17 Mr. Gerrity's residence, they were informed by an
18 individual involved in the dispute that Mr. Gerrity
19 had in his possession stolen items from a storage room
20 in the apartment building in which he lived, as well
21 as stolen packages intended to be delivered to other
22 building tenants, drugs and drug paraphernalia. Mr.
23 Gerrity consented to a search of his apartment, which
24 confirmed the allegations that were made by the other
25 individual.

1 Ultimately, on October 23rd, 2015 Mr.
2 Gerrity pled guilty to theft and possession of drug
3 paraphernalia. A hearing in this matter was held on
4 March 1st, 2016. Despite receiving proper notice, Mr.
5 Gerrity did not attend that hearing. As a result, the
6 only evidence put into the record was that of
7 Enforcement Counsel, which corroborated the facts I
8 just stated. And after hearing all of that evidence,
9 the Hearing Officer issued a Report and
10 Recommendation, recommending that Mr. Gerrity's Gaming
11 Permit be revoked. And that is the recommendation
12 before the Board.

13 CHAIRMAN:

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

16 MR. FAJT:

17 Mr. Chairman, I move that the Board
18 adopt the Report and Recommendation issued by the OHA
19 regarding the revocation of William Gerrity's Gaming
20 Employee Occupation Permit as described by the OCC.

21 MR. MCCALL:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 AYES RESPOND

1 CHAIRMAN:

2 All opposed? The motion's adopted.

3 ATTORNEY COOK:

4 Lamont Jackson's Report and
5 Recommendation is next before the Board today. On
6 November 6th, 2015 Mr. Jackson submitted a Non-Gaming
7 Employee application seeking work as an Environmental
8 Services Heavy Porter at the SugarHouse Casino. In
9 January of 2016 the OEC issued a Notice of
10 Recommendation of Denial of this application, based
11 upon Mr. Jackson's criminal history, which included
12 numerous theft-related offenses.

13 Mr. Jackson's most recent conviction
14 occurred in 2005. Specifically at that time he pled
15 guilty to receiving stolen property and was
16 incarcerated for approximately nine-and-a-half years.
17 Based on that conviction and his prior criminal
18 history, ultimately he was released from prison onto
19 parole, which he remains in 2015.

20 A hearing in this matter was held on
21 April 7th, 2016. Both Enforcement Counsel and Mr.
22 Jackson appeared at the hearing and offered evidence.
23 Mr. Jackson testified, acknowledging his criminal
24 history, but noting that he has participated in
25 various work-training programs while in prison, and

1 provided documentation confirming his participation
2 and completion of all those programs.

3 After he was released from prison and
4 placed on parole, Mr. Jackson joined the Center for
5 Employment Opportunity in Philadelphia, where he
6 participated in life-skills education. In fact, he
7 now mentors others at the Center by helping young
8 offenders being released from prison and sometimes
9 juvenile facilities. Mr. Jackson is also, at this
10 point in time, heavily involved with other community
11 activities and his church and is presently maintaining
12 a sober lifestyle.

13 Finally, it's worth noting that Mr.
14 Jackson is, at present, employed by SugarHouse in a
15 noncredentialed position back of house, in the
16 kitchen. And, in fact, on March 31st SugarHouse
17 itself wrote a letter of recommendation citing Mr.
18 Jackson's strong performance in that facility and the
19 fact that he's been an outstanding employee. And as a
20 result, SugarHouse is backing this license as well.

21 So, with all that evidence being heard,
22 the Report and Recommendation issued by the Hearing
23 Officer recommended that Mr. Jackson's Non-Gaming
24 Employee application be approved; and that he has
25 shown strong evidence of rehabilitation since his

1 release from prison.

2 CHAIRMAN:

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

5 MR. MCCALL:

6 Mr. Chairman, I move that the Board
7 adopt the Report and Recommendation issued by the OHA
8 regarding Lamont Jackson's application for Non-Gaming
9 Employee registration as described by the OCC.

10 MR. MOSCATO:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 AYES RESPOND

15 CHAIRMAN:

16 All opposed? Motion is adopted.

17 ATTORNEY COOK:

18 Next Report and Recommendation before
19 the Board pertains to Marlon Merjos. On December
20 17th, 2015 the OEC filed a petition to place Mr.
21 Merjos on the Exclusion List after it was found that
22 on August 2nd, 2015, while only 20 years old, he
23 gained access to and gamed at Mohegan Sun at Pocono
24 Downs Casino.

25 When asked for identification, Mr.

1 Merjos at least once provided false identification
2 while on the gaming floor. And while on the gaming
3 floor he also played 17 hands of Blackjack. As a
4 result of these actions, Mr. Merjos was charged with
5 and pleaded guilty to unlawful wagering.

6 He did request a hearing, participated
7 in the hearing, testified, essentially, that he
8 thought the legal age for gaming was 18.
9 Unfortunately he did not have a good explanation for
10 why he presented a false ID indicating that he was
11 over 21. As a result of that evidence, the Hearing
12 Officer found him not to be credible and recommends
13 that, in fact, he be placed on the list for a period
14 of at least one year, at which time he could petition
15 for removal from the list.

16 CHAIRMAN:

17 Questions or comments from the Board?
18 May I have a motion?

19 MR. MOSCATO:

20 Mr. Chairman, I move that the Board
21 adopt the Report and Recommendation issued by the OHA
22 regarding Marlon Jake Merjos's placement on the
23 Involuntary Exclusion List as described by the OCC,
24 and that Mr. Merjos be placed on the Exclusion List
25 for at least one year, at which time he may petition

1 this Board to be removed from the list.

2 MR. RYAN:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 AYES RESPOND

7 CHAIRMAN:

8 All opposed? The motion's adopted.

9 ATTORNEY COOK:

10 The next matter before the Board is the
11 Report and Recommendation pertaining to James Platts.
12 On October 22nd, 2015 the OEC filed a complaint
13 requesting that Mr. Platts be placed on the Board's
14 Exclusion List for leaving his four-year-old
15 unattended in his vehicle in the parking garage at
16 Harrah's Casino while he gamed.

17 A hearing in this matter was held on
18 January 7th, 2016. The OEC and Mr. Platts appeared at
19 the hearing offering evidence. Mr. Platts testified
20 that prior going to the casino he dropped off his
21 girlfriend and her children at home. It's noteworthy
22 that the couple had seven children. And unbeknownst
23 to Mr. Platts, a four-year-old --- one of his
24 four-year-old children had fallen asleep in the back
25 of his passenger van.

1 Mr. Platts' girlfriend also testified at
2 the hearing and provided documentary evidence to
3 corroborate her testimony, that soon after Mr. Platts
4 left for the casino, she recognized that one of the
5 children were missing. She attempted to call Mr.
6 Platts on his cell phone. The cell phone rang at
7 their apartment because it was left behind. She,
8 thereafter, subsequently tried to or did call Harrah's
9 five times, so that they could track him down on the
10 floor. That didn't happen.

11 Ultimately, she thereafter called the
12 Chester Police, who responded. Sure enough, the child
13 was found sleeping in the back of the car.

14 After hearing this evidence, the Report
15 and Recommendation issued by the Hearing Officer found
16 that while Mr. Platts did not knowingly leave his
17 four-year-old in the car, he nevertheless --- the
18 Hearing Officer nevertheless recommended that he be
19 placed on the list for at least one year. And that is
20 the recommendation before the Board.

21 CHAIRMAN:

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

24 MR. RYAN:

25 Mr. Chairman, I move that the Board

1 reject the Report and Recommendation issued by the OHA
2 regarding James Platts' placement on the Involuntary
3 Exclusion List as described by the OCC, and that Mr.
4 Platts not be placed on the Exclusion List.

5 MR. WOODS:

6 Second.

7 CHAIRMAN:

8 Thank you. All in favor?

9 AYES RESPOND

10 CHAIRMAN:

11 All opposed? Motion is adopted.

12 ATTORNEY COOK:

13 The final Report and Recommendation
14 before the Board pertains to Andrew Micali. In
15 February of 2009 Mr. Micali pleaded guilty to charges
16 resulting from his part in an illegal sports-betting
17 ring operating out of the Borgata Casino in Atlantic
18 City.

19 In 2010 New Jersey placed Mr. Micali on
20 that jurisdiction's Exclusion List for five years. He
21 was also placed on the Delaware State Lottery's
22 Exclusion List. As a result of this gambling-related
23 criminal conviction, the fact that Mr. Micali was
24 known to frequent Pennsylvania casinos, the OEC filed
25 a complaint to place him on the Board's Involuntary

1 Exclusion List.

2 Before the Board took that matter up,
3 however, the OEC and Mr. Micali reached a Consent
4 Agreement, which the Board subsequently approved,
5 placing Mr. Micali on the Exclusion List for three
6 years, at which time he could petition for removal
7 from the list.

8 He subsequently did petition for removal
9 from the list after that three years ran. At the
10 hearing, OEC continued to object to his removal from
11 the list. A hearing on his request was held on
12 March 15th, 2016. Mr. Micali provided evidence that
13 he has had no further run-ins with law enforcement
14 since his placement onto the list. And he also
15 testified that he has separated himself from the other
16 participants in the sports-betting ring.

17 The Report and Recommendation
18 subsequently issued by the Hearing Officer recommends
19 that Mr. Micali be removed from the Involuntary
20 Exclusion List. And that is the recommendation before
21 the Board. It is worth noting that this individual
22 has also sought and been removed from the New Jersey
23 list, having served his five-year ban in that
24 jurisdiction.

25 CHAIRMAN:

1 Questions or comments from the Board?

2 May I have a motion?

3 MR. WOODS:

4 Mr. Chairman, I move that the Board
5 adopt the Report and Recommendation issued by the OHA
6 regarding Andrew Micali's petition to be removed from
7 the PGCB Involuntary Exclusion List as described by
8 the OCC.

9 MR. FAJT:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 AYES RESPOND

14 CHAIRMAN:

15 All opposed? Motion's adopted.

16 ATTORNEY SHERMAN:

17 And that concludes all matters of the
18 OCC.

19 CHAIRMAN:

20 Thank you, Doug. Next, we have Ms. Sue
21 Hensel, Director of Bureau of Licensing.

22 MS. HENSEL:

23 Thank you, Chairman Barasch and members
24 of the Board. Before the Board today will be two
25 Junket Enterprise License Applicants, as well as 934

1 Principal, Key Gaming and Non-Gaming Employee
2 applicants. In addition, there will be a
3 consideration of 21 Gaming Service Provider
4 Applicants.

5 The first matter for your consideration
6 is the approval of a Gaming Junket Enterprise License
7 for Chi Ho Leung. The Junket Enterprise is a sole
8 proprietorship based in Connecticut and conducts
9 business in Pennsylvania and Connecticut. The Bureau
10 of Investigations and Enforcement (BIE) has completed
11 its investigation of this company and the Bureau of
12 Licensing has provided you with a Background
13 Investigation and Suitability Report. I have provided
14 you with a draft Order and ask that the Board consider
15 the approval of a license for Chi Ho Leung.

16 CHAIRMAN:

17 Any comments from Enforcement Counsel?

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. FAJT:

24 Mr. Chairman, I move that the Board
25 approve the Gaming Junket Enterprise License of Chi Ho

1 Leung, as described by the Bureau of Licensing.

2 MR. MCCALL:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 AYES RESPOND

7 CHAIRMAN:

8 All opposed? Motion's adopted.

9 MS. HENSEL:

10 Next for your consideration is the
11 approval of a Gaming Junket Enterprise License for
12 Lion Gaming and Travel Group, LLC. The Junket
13 Enterprise is a limited liability company based in New
14 Jersey and conducts business in Pennsylvania, the
15 Bahamas, Louisiana, Nevada and New Jersey.

16 The BIE has completed its investigation
17 of this company and the Bureau of Licensing has
18 provided you with a Background Investigation and
19 Suitability Report. I have provided you with a draft
20 Order and ask that the Board consider the approval of
21 a license for Lion Gaming and Travel Group, LLC.

22 CHAIRMAN:

23 Comments from Enforcement Counsel?

24 ATTORNEY PITRE:

25 Enforcement Counsel has no objection.

1 CHAIRMAN:
2 Comments from the Board? Questions?
3 May I have a motion?

4 MR. MCCALL:
5 Mr. Chairman, I move that the Board
6 approve the Gaming Junket Enterprise License of Lion
7 Gaming and Travel Group, LLC, as described by the
8 Bureau of Licensing.

9 MR. MOSCATO:
10 Second.

11 CHAIRMAN:
12 All in favor?

13 AYES RESPOND

14 CHAIRMAN:
15 All opposed? Motion's adopted.

16 MS. HENSEL:
17 Also for your consideration is the
18 approval of Principal and Key Employee Licenses.
19 Prior to this meeting, the Bureau of Licensing
20 provided you with a proposed Order for two Principal
21 and two Key Employee Licenses. I ask that the Board
22 consider the Order, approving these licenses.

23 CHAIRMAN:
24 Questions or comments from Enforcement
25 Counsel?

1 ATTORNEY PITRE:
2 Enforcement Counsel has no objections.
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 approve the issuance of Principal and Key Employee
9 Licenses as described by the Bureau of Licensing.
10 MR. RYAN:
11 Second.
12 CHAIRMAN:
13 All in favor?
14 AYES RESPOND
15 CHAIRMAN:
16 All opposed? Motion's adopted.
17 MS. HENSEL:
18 There are also Temporary, Principal and
19 Key Employee Licenses. Prior to this meeting, the
20 Bureau of Licensing provided you with an Order
21 regarding the issuance of temporary licenses for three
22 Principal and 11 Key employees. I ask that the Board
23 consider the Order approving the licenses.
24 CHAIRMAN:
25 Enforcement Counsel?

1 ATTORNEY PITRE:

2 Enforcement Counsel has no objection.

3 CHAIRMAN:

4 Questions or comments from the Board?

5 May I have a motion?

6 MR. RYAN:

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

11 MR. WOODS:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 AYES RESPOND

16 CHAIRMAN:

17 All opposed? The motion's adopted.

18 MS. HENSEL:

19 Next there are Gaming Permits and
20 Non-Gaming Registrations. Prior to this meeting, the
21 Bureau of Licensing provided you with a list of 664
22 individuals to whom the Bureau has granted temporary
23 or full occupation permits, and 220 individuals to
24 whom the Bureau has granted registrations, under the
25 authority delegated to the Bureau of Licensing. I ask

1 that the Board to consider a motion approving the
2 Order.

3 CHAIRMAN:

4 Questions or comments from Enforcement
5 Counsel?

6 ATTORNEY PITRE:

7 Enforcement Counsel has no objection.

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 approve the issuance of Gaming Employee Permits and
14 Non-Gaming Employee Registrations as described by the
15 Bureau of Licensing.

16 MR. FAJT:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 AYES RESPOND

21 CHAIRMAN:

22 All opposed? The motion's adopted.

23 MS. HENSEL:

24 Also there are recommendations of denial
25 for two Gaming and three Non-Gaming Employees. In

1 each case the applicant failed to request a hearing
2 within the specified time frame. The Bureau of
3 Licensing has provided you with Orders addressing the
4 applicants. The OEC has recommended for denial. I
5 ask that the Board consider a motion approving the
6 denials.

7 CHAIRMAN:

8 Enforcement Counsel?

9 ATTORNEY PITRE:

10 Enforcement Counsel continues to request
11 denial in each instance.

12 CHAIRMAN:

13 Questions or comments from the Board?

14 May I have a motion?

15 MR. FAJT:

16 Mr. Chairman, I move that the Board deny
17 the Gaming and Non-Gaming Employee applications as
18 described by the Bureau of Licensing.

19 MR. MCCALL:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 AYES RESPOND

24 CHAIRMAN:

25 All opposed? Motion's adopted.

1 MS. HENSEL:

2 Next for your consideration are
3 Withdrawal Requests for Gaming and Non-Gaming
4 Employees. In each case a permanent registration is
5 no longer required. For today's meeting I provided
6 the Board with a list of 16 Gaming and 11 Non-Gaming
7 Employee applicant Withdrawals for approval. I ask
8 that the Board consider the Order approving this list
9 of Withdrawals.

10 CHAIRMAN:

11 Enforcement Counsel?

12 ATTORNEY PITRE:

13 Enforcement Counsel has no objections.

14 CHAIRMAN:

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

17 MR. MCCALL:

18 Mr. Chairman, I move the Board approve
19 the Withdrawals as described by the Bureau of
20 Licensing.

21 MR. MOSCATO:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 AYES RESPOND

1 CHAIRMAN:

2 All opposed? Motion's adopted.

3 MS. HENSEL:

4 In addition, we have an Order to certify
5 the following Gaming Service Providers, Development
6 Management Associates, LLC, Label Rite, Inc. and
7 Vollers Excavating & Construction, Inc. I ask that
8 the Board consider the order, approving this Gaming
9 Service Provider Applicants for Certification.

10 CHAIRMAN:

11 Enforcement Counsel?

12 ATTORNEY PITRE:

13 Enforcement Counsel has no objection.

14 CHAIRMAN:

15 Questions or comments from the Board?

16 May I have a motion?

17 MR. MOSCATO:

18 Mr. Chairman, I move that the Board
19 issue an order to approve the applications for Gaming
20 Service Provider Certification as described by the
21 Bureau of Licensing.

22 MR. RYAN:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 AYES RESPOND

2 CHAIRMAN:

3 All opposed? The motion's adopted.

4 MS. HENSEL:

5 Finally, for your consideration are
6 Gaming Service Provider Registrations. The Bureau of
7 Licensing provided you with an Order and an attached
8 list of 18 registered Gaming Service Provider
9 Applicants. I ask that the Board consider the Order,
10 registering these Gaming Service Providers.

11 CHAIRMAN:

12 Enforcement Counsel?

13 ATTORNEY PITRE:

14 Enforcement Counsel has no objections.

15 CHAIRMAN:

16 Questions or comments from the Board?

17 May I have a motion?

18 MR. RYAN:

19 Mr. Chairman, I move that the Board
20 issue an order to approve the applications for Gaming
21 Service Provider Registration as described by the
22 Bureau of Licensing.

23 MR. WOODS:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 AYES RESPOND

3 CHAIRMAN:

4 All opposed? The motion's adopted.

5 MS. HENSEL:

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

8 CHAIRMAN:

9 Thanks, Susan. Next up, OEC.

10 ATTORNEY PITRE:

11 The OEC will present 21 matters for the
12 Board's consideration today, consisting of two Consent
13 Agreements, six revocations, one suspension and 12
14 Involuntary Exclusions. The first two Consent
15 Agreements that will be presented have been negotiated
16 between the OEC and Greenwood Gaming & Entertainment,
17 Inc., doing business as Parx Casino. The matters will
18 be presented by Assistant Enforcement Counsel, Dustin
19 Miller.

20 ATTORNEY MILLER:

21 Good morning, Chairman Barasch, members
22 of the Board.

23 CHAIRMAN:

24 Before we begin, I'd like to ask anyone
25 who's going to be addressing the Board this morning

1 please stand, state and spell your name for the court
2 reporter and be sworn, please. Other than the
3 attorney, obviously.

4 MR. DOYLE:

5 Martin Doyle, M-A-R-T-I-N, D-O-Y-L-E.

6 CHAIRMAN:

7 Next?

8 MR. FRETZ:

9 Gerald Fretz, F-R-E-T-Z, Director of
10 Security at Parx Casino.

11 MR. FARANCA:

12 Anthony Faranca, F-A-R-A-N-C-A, General
13 Manager of Parx Casino. Morning, sir.

14 -----

15 WITNESSES SWORN EN MASSE

16 -----

17 CHAIRMAN:

18 Thank you. Proceed.

19 ATTORNEY MILLER:

20 Thank you. This first Consent Agreement
21 arises from an incident of underage gaming at Parx
22 Casino on December 8th, 2015. Both the Pennsylvania
23 Racehorse Development and Gaming Act and the
24 regulations promulgated under the Act prohibit a Slot
25 Machine Licensee from allowing persons under the age

1 of 21 to engage in gaming in Pennsylvania casinos. On
2 December 8th, 2015, an individual under the age of 21
3 entered Parx Casino at 9:28 p.m. The individual was
4 19 years of age at the time of this incident. The
5 individual was asked for identification by a security
6 officer when she entered the casino.

7 After reviewing the individual's
8 identification, the security officer allowed the
9 underage individual on the gaming floor. The
10 individual remained on the gaming floor of Parx Casino
11 for approximately 1 hour and 26 minutes before it was
12 ascertained that she was under the age of 21. The
13 individual had played 20 hands of blackjack while on
14 the gaming floor and consumed one alcoholic beverage.
15 The underage individual was detected when her husband
16 attempted to use her identification to obtain a cash
17 advance, which showed her to be 19 years old. The
18 underage individual was not criminally charged by
19 Pennsylvania State Police for this incident.

20 On May 17th, 2016, the parties entered
21 into a Consent Agreement to settle this outstanding
22 compliance matter. If approved, this Consent
23 Agreement will be the third penalty assessed against
24 Parx for violating the Act and Board regulations
25 pertaining to underage gaming since its last renewal

1 and its eighth overall penalty for underage gaming
2 violations.

3 The terms of the agreement include a
4 provision that Parx Casino shall reinforce existing
5 policies and provide training, guidance and
6 reinforcement to employees to minimize the opportunity
7 for a similar incident to occur in the future. And
8 also, Greenwood Gaming & Entertainment, Inc., shall
9 pay a total fine of \$15,000. Greenwood Gaming &
10 Entertainment, Inc. shall also pay a fee of \$2,500 for
11 costs incurred by the OEC, BIE and other related staff
12 which is consistent with the Board's billing policy.

13 Both the fine and costs shall be due
14 within five days of the Board's approval of this
15 Consent Agreement. Counsel for Greenwood Gaming &
16 Entertainment, Inc. is in attendance today to answer
17 any questions you may have.

18 CHAIRMAN:

19 Any comments from Greenwood Gaming at
20 this point?

21 ATTORNEY SCHROEDER:

22 Good morning, Chairman, Commissioners.
23 My name is Bryan Schroeder, S-C-H-R-O-E-D-E-R. I'm
24 the Assistant General Counsel with Parx Casino.
25 Quickly I'd like to do a set of introductions. To my

1 left and your right would be Martin Doyle, our Vice
2 President of Food and Beverage. Next to him is Gerald
3 Fretz, our Director of Security, and on the end is
4 Anthony Faranca, our General Manager.

5 Parx does not dispute any of the facts
6 stated by OEC. However, before I'd like to hand it
7 over to Director Fretz to give you some information
8 about what we've done to remedy some issues with
9 underage, I want to point out one specific fact that
10 we both agree that --- OEC and Parx in the Consent
11 Agreement. When the underage individual was in the
12 Pennsylvania State Police offices, they removed an
13 object from their back pocket. It was laminated,
14 reflected light. They then put it underneath their
15 sweater and finagled it a little bit longer at that
16 point.

17 Parx believes very strongly that was a
18 fake identification that she used to enter the
19 building. OEC's position is there's not sufficient
20 evidence of that. And from there, that's part of the
21 reason we're going to hand it over to Mr. Fretz to
22 describe some things we put in place. Jerry?

23 MR. FRETZ:

24 Good morning, Chairman, gentlemen.
25 Since that time, we've placed some physical barriers

1 to funnel the individuals to the central point of the
2 entryway. In addition to that, when we have minimal
3 manpower, we continue to funnel to the point where we
4 have it down to about a ten-foot area. We've also
5 requested additional ID scanners to be placed at each
6 entrance. Currently utilize one for the front two
7 entrances and one for the west entrance. We've
8 ordered two more. In addition to that, we've
9 increased our manpower footprinting in the lobby area
10 to reflect some of the more busier times in the
11 casino.

12 ATTORNEY SCHROEDER:

13 And that increase of hours, man hours,
14 is approximately 80 to 90 hours per week.

15 CHAIRMAN:

16 Any other comments?

17 ATTORNEY SCHROEDER:

18 No, Chairman. Any questions?

19 CHAIRMAN:

20 Any questions or comments from the
21 Board? Commissioner Fajt?

22 MR. FAJT:

23 Thank you, Mr. Chairman. Just a quick
24 question. Mr. Schroeder, approximately how many
25 guests do you have in your casino on an annual basis?

1 ATTORNEY SCHROEDER:

2 Anthony or Jerry?

3 MR. FARANCO:

4 We can see 5,000 to 10,000 on a given
5 day. Over the course of the year, millions of people
6 will come through our facility.

7 MR. FAJT:

8 Okay. Thank you.

9 CHAIRMAN:

10 Other comments from Board members? May
11 I have a motion?

12 MR. FAJT:

13 Mr. Chairman, I move that the Board
14 issue an Order to approve the Consent Agreement
15 between the OEC and Greenwood Gaming & Entertainment,
16 Inc. as described by the OEC.

17 MR. MCCALL:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 AYES RESPOND

22 CHAIRMAN:

23 All opposed? The motion's adopted.

24 ATTORNEY SCHROEDER:

25 Thank you.

1 ATTORNEY MILLER:

2 Thank you. Once again, Dustin Miller on
3 behalf of the OEC. This next Consent Agreement arises
4 from an incident whereby a patron of Parx Casino was
5 served alcohol to the point of intoxication while
6 actively gaming, in violation of Board regulations and
7 Greenwood Gaming's signed Statement of Conditions
8 regarding its approved Compulsive and Problem Gambling
9 Plan.

10 On September 19th, 2015 at approximately
11 9:20 p.m., the Parx Casino Surveillance Department
12 notified the Bureau of Casino Compliance that a patron
13 had been asked to leave the property after being
14 identified as being intoxicated. The Bureau of Casino
15 Compliance's review of the incident showed that the
16 patron was served 15 alcoholic beverages between 2:33
17 p.m. and 8:28 p.m. by three different beverage
18 servers, while she gamed at the same four card poker
19 table.

20 Throughout the time that the patron was
21 consuming alcohol, the patron was also actively
22 gaming. Parx's alcohol service policy guidelines
23 states that as a rule of thumb, patrons are not to be
24 served more than two alcoholic drinks per hour. This
25 rule of thumb was violated by Parx Casino beverage

1 servers on multiple occasions during the patron's
2 visit to the casino. The OEC conducted a compliance
3 conference with Parx Casino on June 24, 2015 regarding
4 seven other instances where Parx Casino patrons were
5 served alcoholic beverages by casino employees and
6 subsequently escorted out of the licensed facility for
7 signs of visible intoxication.

8 On May 12th, 2016, the parties entered
9 into a Consent Agreement to settle this outstanding
10 compliance matter. If approved, this would be the
11 second Consent Agreement entered into with Parx Casino
12 regarding an intoxicated patron. The terms of this
13 agreement shall include a provision that Greenwood
14 Gaming & Entertainment shall immediately reinforce
15 existing policies and provide training, guidance and
16 reinforcement of its employees to minimize the
17 opportunity for a similar incident to occur in the
18 future.

19 Further, Greenwood Gaming &
20 Entertainment, Inc., shall pay a total fine of \$15,000
21 and in accordance with the Board's billing policy,
22 Greenwood Gaming & Entertainment, Inc. will also pay a
23 flat fee of \$2,500 in investigative fees. The civil
24 penalty and fees shall be paid within five days of the
25 Consent Agreement being approved by the Board.

1 Once again, Counsel for Greenwood Gaming
2 & Entertainment is in attendance today to answer any
3 questions.

4 CHAIRMAN:

5 Any comments or ---?

6 ATTORNEY SCHROEDER:

7 Chairman and Commissioners, we take
8 alcohol service at Parx Casino very seriously. All of
9 our servers and bartenders are TIPS trained. They're
10 not allowed to work until they receive their
11 certification and they must have the recertification
12 done before they're able to enter the floor again to
13 service --- to serve alcohol. In addition, in this
14 situation, the two servers of the three that violated
15 our alcohol awareness policy received progressive
16 discipline.

17 And finally, in addition both Tom
18 Bonner, our General Counsel, and myself, met with OEC
19 on our alcohol policy and how we apply it in extremely
20 strict uniform application which results in a lot of
21 people being found. In this case, the policy was
22 followed filed correctly in the sense that a table
23 games dealer identified a problem, reported it to
24 their supervisor. Their supervisor notified security.
25 Security immediately came over to assess the person,

1 determined that they were intoxicated and removed them
2 from the game immediately, escorted them off the
3 floor, got them a safe ride home.

4 Any additional questions, I'll be glad
5 to answer, as will anyone at this table.

6 CHAIRMAN:

7 Any questions from my fellow Board
8 members?

9 MR. RYAN:

10 No.

11 MR. FAJT:

12 One.

13 CHAIRMAN:

14 Go ahead.

15 MR. FAJT:

16 Thank you, Mr. Chairman. Dustin, is ---
17 I think in your testimony, you stated that
18 surveillance notified our gaming office that there was
19 an intoxicated patron that was escorted off of the
20 gaming floor. Is that standard procedure for all
21 intoxicated patrons in all casinos?

22 ATTORNEY MILLER:

23 I don't know if it --- if that's the
24 procedure in all casinos, but it's been the procedure
25 at Parx Casino.

1 MR. FAJT:

2 Okay. So, once surveillance is notified
3 somebody is intoxicated, they immediately call our
4 office.

5 ATTORNEY PITRE:

6 All the casinos have some level of
7 someone who is responsible for contacting the Casino
8 Compliance Representatives in the casino when an
9 intoxicated patron is identified on the floor.

10 MR. FAJT:

11 Okay. And then you come into the scene
12 and do your investigation and then determine
13 whether ---?

14 ATTORNEY PITRE:

15 Actually, the compliance people at the
16 casino ---

17 MR. FAJT:

18 Write up their report?

19 ATTORNEY PITRE:

20 --- backtrack ---

21 MR. FAJT:

22 Okay.

23 ATTORNEY PITRE:

24 --- and determine whether or not the
25 individual was playing and how much alcohol was served

1 to that individual and so on. That report then comes
2 to us and then from there, we take it.

3 MR. FAJT:

4 And this is --- I'm going to
5 editorialize here. I am personally very concerned
6 with the recent passage of the law that allows casinos
7 now to serve alcohol for a fee, 24 hours a day, 7 days
8 a week. And I will just --- I'm not picking on you,
9 but you're here, just send a, you know, a shot across
10 the bow to all the casinos, and I know they monitor
11 these hearings, that this is going to become a much
12 bigger issue. People are going to leave bars at two
13 o'clock, leave nightclubs, they're going to want to
14 continue to drink and the place of preference is going
15 to be your house. And this is going to be, I suspect,
16 a bigger problem down the road. So, I know you have
17 procedures in place, that's great, but just kind of a
18 message, request, whatever you want to call it, to
19 really be on the lookout.

20 Obviously, these fines are --- you know,
21 come out of your bottom line, and I think they're
22 going to increase because people are going to come
23 into your facility after two o'clock.

24 ATTORNEY PITRE:

25 I can say --- not that I defend the

1 industry, but I can say that every casino has
2 employees, through their Compulsive and Problem
3 Gambling Plan, to detect or to attempt to detect
4 individuals that come into the casino already
5 intoxicated and they've been pretty successful at
6 that.

7 MR. FAJT:

8 Good.

9 ATTORNEY PITRE:

10 So from that standpoint, I just think
11 it's a matter of being vigilant --- more vigilant
12 after two o'clock.

13 MR. FAJT:

14 Thank you. Thank you.

15 CHAIRMAN:

16 Any questions or comments ---?

17 ATTORNEY SCHROEDER:

18 Commissioner Fajt, just to piggyback
19 onto that. We do keep track of our numbers and
20 approximately, I would think, about 30 --- we've
21 stopped about 30 percent of the people from entering
22 --- from appear --- appearing visibly intoxicated and
23 get them out of our building before you enter it.

24 MR. RYAN:

25 I'm sorry, 30 percent?

1 ATTORNEY SCHROEDER:

2 People that we've identified as
3 intoxicated. So it's probably --- so you're looking
4 at maybe 10 to 20 --- 10 to 20 people we stop a month
5 approximately and turn them around the door.

6 CHAIRMAN:

7 Are there other questions from the Board
8 members because I have one?

9 MR. RYAN:

10 No.

11 CHAIRMAN:

12 I'm not even sure who to address this
13 to, so I'll try your general manager, but whoever's
14 the right person. Maybe I didn't follow this. This
15 individual was playing at one poker table during this
16 time period. Is that what I heard?

17 ATTORNEY SCHROEDER:

18 Yes.

19 CHAIRMAN:

20 What responsibility do the --- does the
21 dealer or dealers that would have been working during
22 that time period have, not so much about whether the
23 person appears to be intoxicated, but being aware that
24 the person has received 15 drinks? I'm trying to draw
25 a distinction between the signs of visible

1 intoxication --- and I understand you rotate dealers.
2 I understand there's a lot of other things that come
3 in here. But it would seem to me 15 drinks being
4 served to a patron at the table, whether they're
5 showing signs of intoxication or not, unless you guys
6 are watering the drinks an awful lot, that person is
7 drunk.

8 And I want to understand what
9 responsibility or what training prior to somebody
10 keeling over dead drunk, a dealer at the table or some
11 other security people would be aware of just sheer the
12 number of drinks that are being served. I'm not sure
13 who's the best person to answer that.

14 MR. FARANCA:

15 You're absolutely right about the
16 rotation of the dealers, it does create some
17 challenges. But it's absolutely everybody's
18 responsibility in the facility to be on the lookout
19 for people that are intoxicated. The rotation of the
20 dealers and them going on breaks, there could have
21 been different dealers throughout the time that the
22 person was there, which does make it more difficult to
23 quantify the total number of drinks that that
24 individual has received.

25 So, you point out a good point. It's a

1 good point. And we have to be extra diligent in the
2 training of all of our employees and reinforce these
3 --- the things that they look for in the TIPS
4 training.

5 CHAIRMAN:

6 Well, let me just follow this for
7 another minute, because --- really I'm not trying to
8 single you guys out. I agree with Commissioner Fajt.
9 With 24 hours of alcohol now becoming available, these
10 incidents are likely to become more common and it's
11 going to put all of us here and in the industry in a
12 position of having to be more vigilant.

13 MR. FARANCA:

14 Well, in regards to the 24 ---.

15 CHAIRMAN:

16 Let me explain the question so you can,
17 the best that you can, try to answer it. If there's a
18 dealer working at a table and he's been dealing for
19 half hour or an hour and he knows that a woman or a
20 man has had three drinks, when he goes off on rotation
21 and a new person shows up, does he say, by the way,
22 patron number three over there has already had three
23 drinks or four drinks. Is that something that would
24 happen during a rotation?

25 ATTORNEY SCHROEDER:

1 Before Anthony addresses that, I do ---
2 I want to point out one --- I don't want to say
3 conflicting, but a tension that exists. And part of
4 the tension is our dealers and supervisors are trained
5 to protect the game and the assets of the game to make
6 sure the rules are followed, that no one is cheating.

7 CHAIRMAN:

8 Right.

9 ATTORNEY SCHROEDER:

10 They also should be concerned about
11 alcohol service. We emphasize they are watching the
12 gaming, watching the hands being dealt, watching the
13 people with their chips because quite frankly, there
14 is a lot of cheating that goes on. We emphasize that
15 when they're dealing a game, they are to protect the
16 assets, protect the table and protect the rules. And
17 the supervisor also does that. It does not mean that
18 it's not also the responsibility to follow the drink,
19 but there is a tension that exists between the
20 responsibilities while they're on the table right
21 there dealing it, as well as a supervisor who's
22 overseeing three or four tables at a time.

23 But to your question, I'll defer to
24 Anthony to answer your specific question. I just
25 wanted to point that out, because --- as you're

1 talking about it, it came to mind.

2 CHAIRMAN:

3 Just so you're clear, I'm not trying to
4 single out the dealer. Is there somebody else who
5 would be observing if it's not the dealer?

6 ATTORNEY SCHROEDER:

7 That is --- go ahead.

8 MR. FARANCA:

9 We would want our dealers to tell their
10 supervisor if they notice someone's had multiple
11 drinks, absolutely. So, if they're going off the game
12 for a break, I would hope that they would tell their
13 supervisor, listen, for the incoming dealer just know
14 that that this person had so many drinks. And we want
15 to be as diligent as we can possibly be.

16 CHAIRMAN:

17 But is there a policy in place that
18 requires that sort of activity to occur when there's a
19 shift change or somebody goes on break?

20 MR. FARANCA:

21 The policy would be governed by our TIPS
22 training, which is predominantly looking for signs of
23 intoxication. If they see someone that is looking
24 intoxicated in any way or they've noticed someone
25 that's had multiple drinks over a certain period of

1 time, they should notify their supervisor.

2 CHAIRMAN:

3 Okay. Thank you.

4 MR. FARANCA:

5 Absolutely.

6 CHAIRMAN:

7 Thank you. Any questions? Thank you.

8 MS. LANGAN:

9 Wasn't it the dealer that reported this
10 to their supervisor?

11 ATTORNEY SCHROEDER:

12 Yes. So, I was going to suggest that
13 Martin Doyle is our Vice President of Food and
14 Beverage. He can speak to the service part of it, the
15 cocktail servers as well. Not just --- and he can
16 speak to the dealers. So, I think if Martin can talk
17 about the training that the servers get as well as
18 their responsibilities, that will be helpful, I think,
19 for the Board.

20 MR. DOYLE:

21 Sure. I mean, the servers --- every
22 beverage server is preshifted before service. And we
23 always talk about responsible alcohol service. We
24 always talk about exactly what to look for and what
25 the policies and procedures should be afterwards if

1 there is somebody, you know, deemed to be slightly
2 intoxicated, whether we slow them off, back them off
3 or cut them off. So, the policy is that they would go
4 to one of the beverage shift managers, who in turn
5 would go to the table game supervisor. So, then we
6 would keep an eye on that person --- you know, that
7 particular person.

8 CHAIRMAN:

9 Do you have more on that?

10 MS. LANGAN:

11 No, no, no. I was just pointing out
12 that in this case --- I took a while, but the table
13 games guy kind of came in.

14 CHAIRMAN:

15 Well, that prompts another question.
16 The same question I had about the dealers, I assume
17 similarly, your servers are rotating in and out. This
18 took place over several hours. If whoever's the
19 server goes off shift, does she tell her supervisor,
20 by the way on table 16, I've served that guy five
21 drinks?

22 MR. DOYLE:

23 They've been absolutely trying to do
24 that. Whether it happens 100 percent of the time or
25 not is --- because most of the time, people don't stay

1 put at a certain --- at a single table, that they
2 bounce around also. So, in this situation, the person
3 did stay at the table, they should have been doing a
4 little better.

5 CHAIRMAN:

6 Okay. Thank you. Any other questions?

7 MR. RYAN:

8 No.

9 CHAIRMAN:

10 I appreciate it. May I have a motion?

11 MR. MCCALL:

12 Mr. Chairman, I move the Board issue an
13 Order to approve the Consent Agreement between the OEC
14 and Greenwood Gaming & Entertainment, Inc. as
15 described by the OEC.

16 MR. MOSCATO:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 AYES RESPOND

21 CHAIRMAN:

22 All opposed? The motion's adopted.

23 ATTORNEY SCHROEDER:

24 Thank you.

25 ATTORNEY PITRE:

1 The next seven matters on the agenda
2 consist of enforcement actions in which the OEC has
3 filed complaints seeking the revocation of five Gaming
4 Permits and one Non-Gaming Registration, as well as
5 the suspension of one Non-Gaming Registrations issued
6 to individuals by the Board.

7 Each complaint has been filed with the
8 Board's OHA and properly served upon the individual
9 named in the complaint. The individual named in each
10 complaint failed to respond within 30 days as required
11 by Board regulation. As a result, the OEC filed a
12 Request for default judgment and properly served the
13 same upon each individual. Thereby, all facts in each
14 complaint are deemed admitted.

15 All filed documents have been provided
16 to the Board and the matters are presently ripe for
17 Board consideration. In each instance, we'll read a
18 brief summation and request the appropriate Board
19 action.

20 ATTORNEY MILLER:

21 All right. Once again, Dustin Miller on
22 behalf of the OEC. The next matter today is the
23 request for revocation involving Mackendy Calixte.
24 Mr. Calixte was employed as a security officer at Parx
25 Casino and permitted as a Gaming Employee. The OEC

1 filed enforcement complaint to revoke Mr. Calixte's
2 Gaming Employee Permit due to his felony conviction
3 for burglary and criminal trespass on November 13th,
4 2015. At this time, the OEC would ask the Board to
5 consider the revocation of Mackendy Calixte's Gaming
6 Employee Permit.

7 CHAIRMAN:

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

10 MR. MOSCATO:

11 Mr. Chairman, I move that the Board
12 issue an Order to approve the revocation of Mackendy
13 Calixte's Gaming Employee Occupation Permit as
14 described by the OEC.

15 MR. RYAN:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 AYES RESPOND

20 CHAIRMAN:

21 All opposed? The motion's adopted.

22 ATTORNEY MILLER:

23 The next matter is a request for
24 revocation involving Johany Rivera-Aponte. Ms.
25 Rivera-Aponte was employed as a Table Games Dealer at

1 Parx Casino and also permitted as a Gaming Employee.
2 The OEC filed an enforcement complaint to revoke Ms.
3 Rivera-Aponte's Gaming Employee Permit after she came
4 to work on September 17, 2015 in an intoxicated state
5 and made numerous errors while dealing cards at a four
6 card poker table, resulting in Parx Casino losing \$170
7 over the course of 38 minutes before Ms. Rivera-Aponte
8 was relieved of her duties.

9 Ms. Rivera-Aponte was terminated from
10 Parx Casino on or about October 21st, 2015 for failing
11 to show up for work and is not currently employed at
12 any Pennsylvania casino facility. At this time, the
13 OEC would ask the Board to consider the revocation of
14 Johany Rivera-Aponte's Gaming Employee Permit.

15 CHAIRMAN:

16 Questions or comments from the Board?
17 May I have a motion?

18 MR. RYAN:

19 Mr. Chairman, I move that the Board
20 issue an Order to approve the revocation of Johany
21 Rivera-Aponte's Gaming Employee Occupation Permit as
22 described by the OEC.

23 MR. WOODS:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 AYES RESPOND

3 CHAIRMAN:

4 All opposed? The motion's adopted.

5 ATTORNEY STUART:

6 Thank you. Glenn Stuart for the OEC,
7 S-T-U-A-R-T. Next for the Board's consideration is
8 the revocation of Hoa Van Nguyen's Gaming Employee
9 Permit. While working as a dealer at Harrah's
10 Philadelphia, Mr. Nguyen, paid out several losing
11 wagers to a patron who had not won the hand.

12 Mr. Nguyen paid out these losing wagers
13 to the same patron over a three-day period. In total,
14 Mr. Nguyen paid out over \$3,000 in losing wagers,
15 which he should have retained as the dealer. As such,
16 the OEC requests the Board revoke the Gaming Employee
17 Permit of Hoa Van Nguyen.

18 CHAIRMAN:

19 Questions or comments from the Board?

20 May I have a motion?

21 MR. WOODS:

22 Mr. Chairman, I move that the Board
23 issue an Order to approve the revocation of Hoa Van
24 Nguyen's Gaming Employee Occupation Permit as
25 described by the OEC.

1 MR. FAJT:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 AYES RESPOND

6 CHAIRMAN:

7 All opposed? The motion is adopted.

8 ATTORNEY CROHE:

9 Morning Chairman, members of the Board.
10 John Crohe, C-R-O-H-E, for the OEC. The next matter
11 is a request to consider the suspension of Charles
12 Inquartano's Gaming Permit. In January of 2016, Mr.
13 Inquartano was charged with three drug related
14 offenses after swerving into oncoming traffic while
15 operating his vehicle, failing a sobriety test and
16 being found with narcotics and drug paraphernalia in
17 his vehicle. Mr. Inquartano is currently awaiting a
18 formal arraignment. OEC now requests that the Board
19 suspend the Gaming Permit held by Mr. Inquartano.

20 CHAIRMAN:

21 Questions or comments from the Board?

22 May I have a motion?

23 MR. FAJT:

24 Mr. Chairman, I move that the Board
25 issue an Order to approve the suspension of Charles

1 Inquartano's Gaming Employee Occupation Permit as
2 described by the OEC.

3 MR. MCCALL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 AYES RESPOND

8 CHAIRMAN:

9 All opposed? The motion's adopted.

10 ATTORNEY FERRELL:

11 Good morning, Chairman, members of the
12 Board. Benjamin Ferrell, F-E-R-R-E-L-L. The next
13 matter here for consideration is revocation of Nelson
14 Wynder's Non-Gaming Employee Registration. On June
15 13th, 2015, Mr. Wynder was arrested and charged with
16 possession of a controlled substance after Mr. Wynder
17 was found in possession of five bags of marijuana
18 while working on a shift in SugarHouse Casino. At
19 this time, OEC would request that the Board revoke
20 Nelson Wynder's Non-Gaming Employee Registration.

21 CHAIRMAN:

22 Questions or comments from the Board?

23 May I have a motion?

24 MR. MOSCATO:

25 Mr. Chairman, I move that the Board

1 issue an Order to approve the revocation of Nelson
2 Wynder's Non-Gaming Employee Registration as described
3 by the OEC.

4 MR. RYAN:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 AYES RESPOND

9 CHAIRMAN:

10 All opposed? The motion's adopted.

11 ATTORNEY ADAMS:

12 Mr. Chairman, members of the Board,
13 morning. Kim Adams for the OEC. The next matter for
14 the Board's consideration is the revocation of Jeremy
15 Anesetti's Gaming Employee Permit. Mr. Anesetti was
16 charged with various criminal offenses, including
17 possession with intent to deliver and theft charges.
18 All of his criminal charges are still pending. The
19 OEC is requesting that Mr. Anesetti's Gaming Employee
20 Permit be revoked at this time.

21 CHAIRMAN:

22 Questions or comments from the Board?

23 May I have a motion?

24 MR. RYAN:

25 Mr. Chairman, I move that the Board

1 issue an Order to approve the revocation of Jeremy
2 Anesetti's Gaming Employee Occupation Permit as
3 described by the OEC.

4 MR. WOODS:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 AYES RESPOND

9 CHAIRMAN:

10 All opposed? The motion's adopted.

11 ATTORNEY ADAMS:

12 The next item for the Board's
13 consideration is the revocation of James Benczkowski's
14 Gaming Employee Permit. While employed as a slot
15 supervisor at Mohegan Sun Pocono, Mr. Benczkowski
16 stole approximately \$26,000 from the casino. He was
17 criminally charged and his charges are still pending.
18 At this time, the OEC is requesting the Board revoke
19 Mr. Benczkowski's Gaming Employee Permit.

20 CHAIRMAN:

21 Questions or comments from the Board?

22 MR. WOODS:

23 Just one question, Mr. Chairman. I'm
24 interested in the facts of this case in that the
25 counting machine, there didn't seem to be a, how do I

1 put it, a true-up between the auditing of the machine
2 and the, you know, internal Auditing Department at the
3 casino. Is any discussion going on with the casino on
4 this matter?

5 ATTORNEY PITRE:

6 We do have a pending investigation into
7 this matter and several other matters that have
8 occurred over time at --- particularly at Mohegan.
9 So, if you take everything into context, you figure
10 this individual by our calculations was stealing about
11 \$146 over 179 days. Okay. So, this individual ---
12 there were 494 days in total that this was going on.
13 He worked for approximately 355 of those 494 and he
14 stole on 179 of the total --- of those days. If you
15 average it out across the slot machines, it comes to
16 about \$.06 cents a day per slot machine.

17 So that's looking for a needle in a
18 haystack, assuming that you know a needle is there.
19 So that the revenue --- the audit of that would have
20 to look for a variance and take into account the
21 different variables that go on every day. So I'm not
22 going to say it's impossible to catch, but you have to
23 --- it has to --- you have to notice a consistent
24 patten over time. Because the individual could sign
25 off on the slip without anybody verifying and because

1 it was such a low amount that he was signing off,
2 until somebody would have noticed something, like they
3 did in this case, and then hindsight be 20/20 going
4 back and tracking, it's a little difficult on a
5 day-to-day basis to look for something that you know
6 may or may not exist. So yeah, there are some
7 discussions, there is an investigation. There's also
8 --- you know, we're going to look at what we can do to
9 ensure that we work with the casinos to detect these
10 matters quicker.

11 But in the grand scheme of things, when
12 you consider that Mohegan Sun is bringing in somewhere
13 in the neighborhood an average GTR during this period,
14 \$590,000 --- over \$590,000 per month --- per day, and
15 this individual is taking \$146 per day. It's one of
16 those things when a variance --- you look at the
17 variance and say okay, that's within the normal scheme
18 of things. You know, that variance --- the ebb and
19 flow is not out of sorts. So, it's a lot harder than
20 it appears. We know it goes on and so the important
21 thing is when we catch individuals, that we prosecute
22 them and that we do everything in our power to ensure
23 that the casino --- we're working with the casinos to
24 prevent something like this from happening.

25 MR. WOODS:

1 From your recitation of the facts and
2 the calculations you just gave me, I have every
3 confidence you're involved in this up to your elbows.
4 So, ---.

5 ATTORNEY PITRE:

6 Yeah, we're knee deep in it right now.

7 MR. WOODS:

8 It would just seem to me however, that
9 internal auditing at the casino with the slips of
10 paper that are signed off and handed in, specifically
11 go back to an event at a machine specific or at some
12 sort of directed point and ---.

13 ATTORNEY PITRE:

14 Right. So, you have to take the balance
15 from the main cage ---

16 MR. WOODS:

17 Correct.

18 ATTORNEY PITRE:

19 --- and then look at the slips from each
20 slot machine. Okay? And then balance out that slot
21 machine. Now, for whatever reason, you got --- you
22 have other variables that come into play too. Is a
23 slot machine set a certain percentage way above the
24 theoretical payout where you expect certain things to
25 occur and that's within that normal variance of that

1 particular slot machine?

2 But I mean, it would take somebody
3 consistently, going through this every day and making
4 sure everything balances out. When it doesn't balance
5 out, go and pull the play from that machine and see
6 what happened and see who signed what, when and where.
7 And like I said, he spread it out over time, so he
8 didn't do it every day he showed up for work.
9 So, ---.

10 MR. WOODS:

11 But \$26,000 is a lot of money.

12 ATTORNEY PITRE:

13 It's a lot of money. It's a lot of
14 money for one individual. In my opinion, he should
15 have gotten caught earlier. I would have thought,
16 within 90 days, something like that, you looking back
17 and then determining whether or not something is out
18 of sorts. But you know, you put people in certain
19 positions to do certain jobs and you hope they do
20 those jobs.

21 In the end, where somebody's motivated
22 to do the wrong thing, where there's a will, there's a
23 way, but eventually, they do get caught because they
24 get comfortable and they do it over and over and over
25 again. This is one of the situations where I think it

1 went on a little too long before getting caught.

2 MR. WOODS:

3 Would the OEC be notifying other casinos
4 of what occurred here and recommending that they look
5 into their policies to see if they're able ---

6 ATTORNEY PITRE:

7 Well, it's ---.

8 MR. WOODS:

9 --- to determine a pattern or some sort
10 of internal audit process to ensure that this doesn't
11 happen at the other casinos?

12 ATTORNEY PITRE:

13 Yeah, I don't even think it would be up
14 --- it would be us because the Casino Compliance
15 Representatives at each casino, they talk to each
16 other. The surveillance, the security at each casino,
17 those directors, they speak to each other. So, they
18 know when something is going on and they'll say, look,
19 this is what happened at our casino and they --- that
20 word gets around pretty quickly.

21 But like I said, it's --- sometimes it's
22 like looking for a needle in a haystack and you're
23 looking for an employee that may or may not be doing
24 something on any given day. Until you see that
25 pattern and until you go back and look at your books,

1 sometimes, it takes a little longer to catch. But
2 yes, to answer your question.

3 MR. WOODS:

4 Thank you.

5 MR. MCCALL:

6 I'd like to follow up. I'd like to
7 follow up a little bit, Cyrus. You said 179 events;
8 correct?

9 ATTORNEY PITRE:

10 Right.

11 MR. MCCALL:

12 The way we first read through the
13 materials, it was the money reader that failed in one
14 of the machines. The lady put in a \$20 and it didn't
15 register, so he filled out the form to give her the
16 \$20?

17 ATTORNEY PITRE:

18 Right.

19 MR. MCCALL:

20 Now, are all 179 of those incidents,
21 occurrences where the money reader failed or was this
22 just a guy forging a form to get the money? Because
23 we had a concern that --- why are all these machines
24 --- why are all the money readers on these machines
25 failing? Because that's money that goes to the

1 central computer that GTECH would see. That now, all
2 of a sudden, if we have 179 incidents where these
3 machines aren't reading those dollars, that's tax
4 revenue that's not coming to the Commonwealth and
5 there's 179 --- well, I don't know, if it's one
6 machine or 179 different machines that aren't reading
7 these dollar bills, or is this guy actually forging
8 paperwork, making up that the machine's not reading,
9 you know, the dollar bill or the \$20 bill that's going
10 into the machine. You understand what I'm saying?

11 ATTORNEY PITRE:

12 Yeah, I understand what you're saying.
13 We were looking at whether or not he was targeting
14 only machines that had bill validator problems or is
15 he just writing up slips whenever he felt like. If I
16 had to speculate, I would say he was targeting
17 machines that had a problem. So, unless a machine
18 that maybe he knew would --- would not --- was
19 registering a high amount of play and, you know, ---
20 or a high amount of jackpots or lack thereof. And if
21 the bill validator doesn't read a person's bill, okay,
22 so then you have a slot person come over there to
23 verify it. Okay. The meter readings are still ---
24 are not affected by that bill not being read
25 correctly. So, Commonwealth would get our money

1 because we get our money off the top. Who loses money
2 in this instance is that casino, who then --- he
3 writes up this slip and then he walks over to the cage
4 and says, hey, I need \$100. He gets \$100 from the
5 casino, he goes back, gives the person \$20 and he
6 pockets the other \$80.

7 We get our money off the top from the
8 readings within the casino --- within the slot
9 machine. That's not to say we're not --- we don't
10 care because we want our casinos --- we don't want our
11 casinos to fail. So, by him taking this money from
12 the casino, it's putting the casino in a financial,
13 you know, parlay, --- a financial --- causing a
14 financial problem for the casino. So, I'm
15 speculating.

16 So, our investigation, part of that is
17 to see did the Commonwealth lose any money. The other
18 part of that is to ensure that okay, if this --- if
19 there's a way that an internal control fix or
20 something, some kind of fix that could occur to where
21 they should have been auditing more frequently or
22 auditing from the standpoint of their machines,
23 because their machine is failing too often, that
24 should send a red flag.

25 MR. WOODS:

1 Well, true, but the machine ---.

2 ATTORNEY PITRE:

3 But I mean, we've got 2,300 --- over
4 2,300 machines across the floor, and one fails today
5 and another one across the floor fails two days later
6 and he's writing up a slip, it's all a matter of
7 looking for a pattern and seeing something consistent.
8 Like I said, this was over a 494-day period that this
9 was done.

10 MR. MCCALL:

11 I mean, I know there's enough accounting
12 to worry about it. You know, it seems simple enough
13 in my mind, and it may be much more difficult to
14 reconcile that machine. If there's a lot of slips at
15 these casinos, there should be a red flag even on the
16 casino's end that if you have all these slips coming
17 through where you're paying out money because the
18 machine's not reading, it would be fairly simple to
19 reconcile that to the machine because you're going to
20 have X amount of dollars in that machine where, you
21 know, the variance of that \$20 or \$100 or whatever it
22 is, is going to show up with the amount of money
23 that's actually in the machine as opposed to what was
24 read by that machine.

25 ATTORNEY PITRE:

1 You're absolutely correct. And I think
2 that the average win per day per machine was \$253
3 during that period, okay, of time. So, if he takes
4 \$146 --- and that's to say whether or not he was doing
5 it for only one machine. He might have been doing it
6 \$100 here for this machine and then tomorrow or two
7 days later, do \$20 for another machine.

8 The important thing to remember is that
9 if --- I mean, we can put something in place that
10 would say okay, for every time you do a slip,
11 somebody's got to verify. But that would bring the
12 casino operations at such a halt and put us at such a
13 competitive disadvantage that we'd do more harm than
14 good in that situation.

15 MR. MCCALL:

16 It's not worth 20 bucks?

17 ATTORNEY PITRE:

18 Yeah. So, ---.

19 MR. MCCALL:

20 But if it's \$26,000, it's worth \$26,000.

21 ATTORNEY PITRE:

22 \$26,000 over 494 days. I mean, you take
23 into consideration of what --- I think --- I forget,
24 it was --- I mean, what Mohegan takes in. But if you
25 look at it from a --- like on a monthly --- a per day

1 basis and you make \$590,000 versus \$146. So I mean,
2 this is not anything new to the industry. This goes
3 on. We know it goes on.

4 MR. MCCALL:

5 Thank you.

6 CHAIRMAN:

7 Other questions from the Board members?

8 MR. RYAN:

9 If I can, Mr. Chairman. Cyrus, to a lay
10 person, these are very sophisticated machines. Does
11 it surprise you that if --- what this individual was
12 doing was just taking advantage of problems with
13 machines, does it surprise you that there would be
14 that many bad readings by bill counters in a slot
15 machine?

16 ATTORNEY PITRE:

17 Well, see, Commissioner Ryan, I don't
18 want to --- it's easy to sit in hindsight and say, oh,
19 you should have caught this. But when you're in the
20 thick of it and people are running all over the place
21 and you have machines that are --- you know, that may
22 have a problem here or there, you know, in the grand
23 scheme of things, no, it doesn't surprise me. But
24 that's one of the things we want to look at to see,
25 okay, is there some --- was there some inordinate

1 amount of bill validator breakdowns going on. And if
2 so, why?

3 But if across the industry, if its
4 average for this day happening, I mean --- I mean, it
5 looks bad on paper because this one individual got
6 away with \$26,000. But if you take a casino's daily
7 operations with everything that goes on in this
8 casino, I'm not going to say that it's virtually
9 impossible to catch anybody because nothing is
10 impossible. But it's a matter of determining the
11 pattern of your employees and a pattern of the
12 individual. This individual, we later found out or
13 the State Police found out, he did it because he was
14 hooked on Vicodin, and he was purchasing --- using the
15 money to purchase Vicodin. So it's about knowing your
16 employees. And there were enough people in the casino
17 that knew about this and should have said hey, he's
18 hooked on something. But it's a matter of knowing
19 your employees and knowing their patterns, knowing
20 their behaviors, and then following through and saying
21 to people in accounting, the people in surveillance,
22 the people in security, hey, keep an eye on this guy
23 and let me know if you see anything suspicious.
24 So, ---

25 MR. RYAN:

1 Thank you.

2 ATTORNEY PITRE:

3 --- one of the things we're going to
4 look at is in the grand scheme of things, did it make
5 sense for those breakdowns to occur.

6 MR. RYAN:

7 Thank you.

8 CHAIRMAN:

9 I have a couple of questions. Cyrus,
10 coming from a white collar background myself, I've
11 prosecuted cases involving bank embezzlements where
12 people were stealing four or five cents out of 100,000
13 accounts. And of course, no one's ever going to
14 notice; right? So I understand that if you spread it
15 out and do it small, you'll get away for a long time.
16 But you know, I'm relatively new here. Have we had
17 other actionable cases in time that you've been here
18 involving similar crimes, whether it's \$26,000 or
19 \$5,000?

20 ATTORNEY PITRE:

21 Yeah, we've had --- I mean, but it's ---
22 there are always different schemes to everything.
23 Usually it's with the comp. I mean, I know the Board
24 has done a number of cases with free play involved and
25 comps. They find ways to manipulate that.

1 CHAIRMAN:

2 But have you seen one like this before?
3 Have we ever done one of these before?

4 ATTORNEY PITRE:

5 Not to my knowledge that I can recall.
6 I would say that this is our first big one of this
7 status. We've had people steal \$100 here, \$100 there.

8 CHAIRMAN:

9 Oh, sure.

10 ATTORNEY PITRE:

11 But for this amount of time --- so
12 that's what concerns me about this, that he was able
13 to do it for so long.

14 CHAIRMAN:

15 Here's a question and now I'm not sure
16 it's for you, because I think you've said that you
17 don't think it's the OEC's appropriate responsibility
18 in any formal way to educate other parts --- maybe I'm
19 putting words in your mouth, other parts of the
20 agency. I guess my question is for you, Kevin. When
21 we find an event like this, what systems internally do
22 we have in this agency to make sure, whether it's
23 \$26,000 or --- when we find a pattern, how do we know
24 that Jerry Stoll's people, whatever, are aware of what
25 happened in this one casino, that they can start to

1 look for patterns elsewhere? Do we have any kind of
2 internal systems that --- it's one thing to say, you
3 know, CCRs talk to each other. That's nice. But if
4 they don't happen to talk and --- how do we know that
5 what happens in one casino puts other casinos on
6 notice?

7 MR. O'TOOLE:

8 Chairman, the coordination is between
9 Jerry Stoll's unit and Cyrus' unit and the Assistant
10 Enforcement Counsel here at the table. When that
11 report of the arrest came through, then that arrest
12 --- if you read the report, it discloses as much of a
13 scheme as they know, and then at that point, it is the
14 BCC's responsibility to look at what facilitated that
15 criminal activity. Was there a breakdown in controls?
16 Where were the red flags that should have been
17 identified by casino personnel?

18 And I know that that process has
19 occurred and that's what's before OEC now in the
20 investigative stage. Which, if there is a failure of
21 the casino to detect this event earlier, then there's
22 an accountability on the casino as well and there
23 could be an enforcement action from the
24 subsequent ---.

25 CHAIRMAN:

1 But in terms of our own internal systems
2 to make sure this kind of information gets into the
3 hands across 12 casinos, you know, with our people
4 being aware of this, I'm troubled by the idea of ---.
5 And I don't want to try to put words in anybody's
6 mouth here, but it's kind of like a word of mouth sort
7 of thing. And you have to depend upon people just by
8 talking to each other as opposed to having any kind of
9 formal notification process in place to make sure that
10 when a particular scam shows up in one casino ---.

11 ATTORNEY PITRE:

12 And I don't know, it's not as simple as
13 a word of mouth. I mean, the report is there.

14 CHAIRMAN:

15 Yeah.

16 ATTORNEY PITRE:

17 Jerry Stoll informs his people, look we
18 had this occur here, this is the report number. We
19 can all pull the report. State Police, I mean, they
20 have their reports which we --- they give us access to
21 when they're done with their criminal investigation.
22 And they provide those reports to other State Police
23 personnel within the casinos. So it's not like, you
24 know, this situation or these schemes are flying
25 beneath the radar without somebody in Presque Isle not

1 knowing what occurred at Mohegan Sun. No, that's not
2 the impression at all.

3 CHAIRMAN:

4 Okay. But I guess what I'd like,
5 then ---. And I don't want you to put you more on the
6 spot at the moment. I wouldn't mind if you would look
7 into this and be able to tell the Board in Executive
8 Session some of this. I'm not so sure we would want
9 to certainly air it in a public setting, wouldn't want
10 to tip off the criminals, as to exactly what our
11 internal systems are, to make sure that evidence like
12 this is spread among our enforcement people and the
13 people on the ground in the casino, as opposed to
14 asking you to tell me what we're doing right now.

15 MR. O'TOOLE:

16 Certainly.

17 CHAIRMAN:

18 Okay. Thank you. I'm not sure where we
19 are. I guess we have ---. I guess I just need a
20 motion then.

21 MR. WOODS:

22 Mr. Chairman, ---

23 CHAIRMAN:

24 Yes.

25 MR. WOODS:

1 --- I move that the Board issue an order
2 to approve the revocation of James Benczkowski's
3 Gaming Employee Occupational Permit as described by
4 the OEC.

5 MR. FAJT:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 AYES RESPOND

10 CHAIRMAN:

11 All opposed? The motion is adopted.

12 ATTORNEY PITRE:

13 The remaining 12 matters on the agenda
14 consist of enforcement actions in which the OEC has
15 filed petitions seeking the involuntary exclusion of
16 individuals whose presence in a licensed facility are
17 inimical to the interests of the Commonwealth or
18 licensed gaming therein.

19 In each instance the Petition for
20 Exclusion has been filed with the Board's OHA and
21 properly serviced upon the individual named in the
22 petition. The individual named in each petition
23 failed to respond within 30 days, as required by Board
24 regulation. As a result, the OEC filed a Request for
25 Default Judgment in each instance and properly served

1 the same upon each named individual.

2 Thereby, all the facts in each petition
3 are deemed admitted. All filed documents have been
4 provided to the Board, and the matters are presently
5 ripe for the Board's consideration. Once again, we'll
6 read a brief summation of the facts and request the
7 appropriate Board action.

8 ATTORNEY ADAMS:

9 The next matter for the Board's
10 consideration is the placement of James Benczkowski on
11 the Board's Involuntary Excluded Persons List. While
12 employed as a Slot Supervisor, Mr. Benczkowski stole
13 approximately \$26,000 from Mohegan Sun Pocono. He was
14 criminally charged and his charges are still pending.
15 At this time the OEC is requesting that Mr.
16 Benczkowski be placed on the Board's Excluded Persons
17 List.

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 issue an order to approve the addition of James
24 Benczkowski to the PGCB Involuntary Exclusion List as
25 described by the OEC.

1 MR. MCCALL:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 AYES RESPOND

6 CHAIRMAN:

7 All opposed? The motion is adopted.

8 ATTORNEY ADAMS:

9 The next matter for the Board's
10 consideration is the placement of David Cyphers on the
11 Board's Involuntary Excluded Persons List. While as a
12 guest at Mohegan Sun Pocono, Mr. Cyphers gained access
13 to the back of the house area, attempted to help other
14 guests at a Players' Club booth. Mr. Cyphers was
15 criminally charged and the charges have been resolved.
16 At this time the OEC requests Mr. Cyphers be placed on
17 the Excluded Persons List.

18 CHAIRMAN:

19 Questions or comments from the Board?

20 May I have a motion?

21 MR. MCCALL:

22 Mr. Chairman, I move that the Board
23 issue an order to approve the addition of David
24 Cyphers to the Pennsylvania Gaming Control Board
25 Involuntary Exclusion List as described by the OEC.

1 MR. MOSCATO:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 AYES RESPOND

6 CHAIRMAN:

7 All opposed? The motion is adopted.

8 ATTORNEY ADAMS:

9 Next matter for the Board's
10 consideration is the placement of Thomas Johnson on
11 the Board's Involuntary Excluded Persons List. While
12 as a guest at Mohegan Sun Pocono, Mr. Johnson stole a
13 jackpot in the amount of approximately \$2,000 that
14 belonged to another patron. Mr. Johnson was
15 criminally charged and those charges are still
16 pending. At this time the OEC is requesting Mr.
17 Johnson be placed on the Excluded Persons List.

18 CHAIRMAN:

19 Questions or comments from the Board?

20 May I have a motion?

21 MR. MOSCATO:

22 Mr. Chairman, I move that the Board
23 issue an order to approve the addition of Thomas
24 Johnson to the PGCB Involuntary Exclusion List as
25 described by the OEC.

1 MR. RYAN:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 AYES RESPOND

6 CHAIRMAN:

7 All opposed? The motion is adopted.

8 ATTORNEY ADAMS:

9 The next item for the Board's
10 consideration is the placement of Darius Petrovici on
11 the Board's Involuntary Excluded Persons List. While
12 as a guest at Mohegan Sun Pocono, Mr. Petrovici
13 engaged in combative behavior with various security
14 officers and actually struck two of the officers. Mr.
15 Petrovici was criminally charged and his charges are
16 still pending. At this time the OEC is requesting Mr.
17 Petrovici be placed on the Excluded Persons List.

18 CHAIRMAN:

19 Questions or comments from the Board?

20 May I have a motion?

21 MR. RYAN:

22 Mr. Chairman, I move that the Board
23 issue an order to approve the addition of Darius
24 Petrovici to the PGCB Involuntary Exclusion List as
25 described by the OEC.

1 MR. WOODS:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 AYES RESPOND

6 CHAIRMAN:

7 All opposed? The motion is adopted.

8 ATTORNEY ADAMS:

9 The next matter for the Board's
10 consideration is the placement of Charles Scalamonti
11 on the Board's Involuntary Excluded Persons List.
12 While as a guest at Mohegan Sun Pocono, Mr. Scalamonti
13 stole another patron's wallet and various items from
14 within his wallet. Mr. Scalamonti pled guilty to
15 theft charges. At this time the OEC is requesting Mr.
16 Scalamonti be placed on the Excluded Persons List.

17 CHAIRMAN:

18 Questions or comments from the Board?

19 May I have a motion?

20 MR. WOODS:

21 Mr. Chairman, I move that the Board
22 issue an order to approve the admission of Charles
23 Scalamonti to the PGCB Involuntary Exclusion List as
24 described by the OEC.

25 MR. FAJT:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 AYES RESPOND

5 CHAIRMAN:

6 All opposed? The motion is adopted.

7 ATTORNEY MILLER:

8 The next matter today is requests for
9 placement on the Board's Excluded Persons List,
10 involving MD Mollah. The OEC filed a petition to
11 place Mr. Mollah on the Exclusion List for leaving a
12 six-year-child and a 12-year-old child in his vehicle
13 while he went inside Parx Casino and played slot
14 machines on September 27th, 2015. Based upon the
15 foregoing, the OEC asks that the Board place MD Mollah
16 on the Board's Excluded Persons List.

17 CHAIRMAN:

18 Any questions or comments from the
19 Board? May I have a motion?

20 MR. MOSCATO:

21 Mr. Chairman, is MD a first name?

22 ATTORNEY MILLER:

23 Yes.

24 MR. MOSCATO:

25 Interesting. Thank you.

1 CHAIRMAN:

2 May I have a motion?

3 MR. FAJT:

4 Mr. Chairman, I move that the Board
5 issue an order to approve the addition of MD Mollah to
6 the PGCB Involuntary Exclusion List as described by
7 the OEC. I further move that Mr. Mollah's name be
8 removed from the Exclusion List after one year.

9 MR. MCCALL:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 AYES RESPOND

14 CHAIRMAN:

15 All opposed? The motion is adopted.

16 ATTORNEY STUART:

17 Next for the Board's consideration is
18 the placement of Tommy Frye, Jr. on the Involuntary
19 Exclusion List. Mr. Frye was caught stealing \$100 in
20 chips from another patron and capping a \$10 bet while
21 patronizing Harrah's Philadelphia Casino. As such,
22 the OEC requests the Board place Tommy Frye, Jr. on
23 the Involuntary Exclusion List.

24 CHAIRMAN:

25 Questions or comments from the Board?

1 May I have a motion?

2 MR. MCCALL:

3 Mr. Chairman, I move that the Board
4 issue an order to approve the admission of Tommy Frye,
5 Jr. to the Pennsylvania Gaming Control Board
6 Involuntary Exclusion List as described by the OEC.

7 MR. MOSCATO:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 AYES RESPOND

12 CHAIRMAN:

13 All opposed? The motion is adopted.

14 ATTORNEY STUART:

15 Next for the Board's consideration is
16 the placement of Hoa Van Nguyen on the Involuntary
17 Exclusion List. Mr. Nguyen paid out several losing
18 wagers to a patron who had not won the hand, while
19 dealing poker at Harrah's Philadelphia Casino. Mr.
20 Nguyen paid out these losing wagers to the same patron
21 over a three-day period. In total Mr. Nguyen paid
22 over \$3,000, which should have been retained by the
23 dealer. As such, the OEC requests the Board place Hoa
24 Van Nguyen on the Involuntary Exclusion List.

25 CHAIRMAN:

1 Questions or comments from the Board?

2 May I have a motion?

3 MR. MOSCATO:

4 Mr. Chairman, I move that the Board
5 issue an order to approve the addition of Hoa Van
6 Nguyen to the PGCB Involuntary Exclusion List as
7 described by the OEC.

8 MR. RYAN:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 AYES RESPOND

13 CHAIRMAN:

14 All opposed? The motion is adopted.

15 ATTORNEY STUART:

16 And next for the Board's consideration
17 is the placement of Tuyet Nguyen on the Involuntary
18 Exclusion List. Ms. Nguyen collected losing wagers
19 which should not have been paid out to her while she
20 wagered at Harrah's Philadelphia Casino. Ms. Nguyen's
21 actions occurred over a three-day period and she
22 collected over \$3,000 to which she was not entitled.
23 As such, the OEC request that the Board place Tuyet
24 Nguyen on the Involuntary Exclusion List.

25 CHAIRMAN:

1 Questions or comments from the Board?

2 May I have a motion?

3 MR. RYAN:

4 Mr. Chairman, I move that the Board
5 issue an order to approve the addition of Tuyet Nguyen
6 to the PGCB Involuntary Exclusion List as described by
7 the OEC.

8 MR. WOODS:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 AYES RESPOND

13 CHAIRMAN:

14 All opposed? The motion is adopted.

15 ATTORNEY FERRELL:

16 The next matter for your consideration
17 is the placement of Miguel Fields on the Board's
18 Involuntary Exclusion List. On February 22nd, 2016
19 Mr. Fields capped 11 wagers and pinched three wagers
20 while playing Ultimate Texas Hold'em at SugarHouse
21 Casino. At this time, OEC would request that the
22 Board place Miguel Fields on the Board's Involuntary
23 Exclusion List.

24 CHAIRMAN:

25 Questions or comments from the Board?

1 May I have a motion?

2 MR. WOODS:

3 Mr. Chairman, I move that the Board
4 issue an order to approve the addition of Miguel
5 Fields to the PGCB Involuntary Exclusion List as
6 described by the OEC.

7 MR. FAJT:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 AYES RESPOND

12 CHAIRMAN:

13 All opposed? The motion is adopted.

14 ATTORNEY CROHE:

15 The next matter before the Board is a
16 request to place Jason Thompson on the Board's
17 Excluded Persons List. Mr. Thompson illegally posted
18 several bets while gaming at Hollywood Casino and was
19 charged with knowingly, by trick or fraud, winning or
20 reducing a loss. The status of the charge listed is
21 not final and the OEC now requests that the Board add
22 Jason Thompson to the Board's Excluded Persons 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 Jason
4 Thompson on 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 AYES RESPOND

11 CHAIRMAN:

12 All opposed? The motion is adopted.

13 ATTORNEY CROHE:

14 The next matter before the Board is a
15 request to place Alicia Witmer on the Board's Excluded
16 Persons List. Ms. Witmer used another individual's
17 Players' Club account number to make 76 transactions
18 totaling \$2,998.75 without the individual's knowledge
19 or consent while employed by Hollywood Casino as a
20 server at the Skybox Sports Bar. Ms. Witmer did not
21 hold or did not require to be licensed by the Board.
22 The OEC now requests to add Alicia Witmer to the
23 Board's Excluded Persons List.

24 CHAIRMAN:

25 Questions or comments from the Board?

1 May I have a motion?

2 MR. MOSCATO:

3 You sure can. Mr. Chairman, I move that
4 the Board issue an order to approve the addition of
5 Alicia Witmer to the PGCB Involuntary Exclusion List
6 as described by the OEC.

7 MR. RYAN:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 AYES RESPOND

12 CHAIRMAN:

13 All opposed? The motion is adopted.

14 ATTORNEY PITRE:

15 That concludes our business.

16 CHAIRMAN:

17 Thank you, very much. That concludes
18 the business of the OEC. Thank you. Next we have a
19 public comment period scheduled. As I understand it,
20 we don't have anybody who's preregistered today to
21 come forward and speak. Is there anybody in the
22 audience who wishes to make a comment --- make public
23 comments to the Board?

24 Okay. That concludes today's meeting.
25 Our next scheduled public session will be held on

1 July 13th, a Wednesday, to begin at ten o'clock in the
2 morning. Are there any final comments, editorials,
3 jokes, whatever from members of the Board or Ex
4 Officios? May I have a motion to adjourn the meeting?

5 MR. RYAN:

6 So moved.

7 MR. WOODS:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 AYES RESPOND

12 CHAIRMAN:

13 All opposed? The motion is adopted.

14 Aloha.

15

16 * * * * *

17 PUBLIC MEETING CONCLUDED AT 11:46 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, meeting held before Chairman Barasch was reported by me on 6/22/16 and that I, Corey Elizabeth Summers, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

Corey Elizabeth Summers
Court Reporter

Corey Elizabeth Summers