

**NEW YORK STATE  
GAMING COMMISSION**

**MINUTES**

**MEETING of SEPTEMBER 25, 2017**

**NEW YORK, NEW YORK**

A meeting of the Commission was conducted in New York, New York. A video-conference location was also maintained in Schenectady, New York.

**1. Call to Order**

Acting Executive Director Ronald Ochrym called the meeting to order at 1:07 p.m. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In attendance in New York were Chairman Barry Sample and Commissioners John Crotty, Peter Moschetti, John Poklemba, and Gerald Skurnik.

**2. Consideration of the Minutes from June 26, 2017**

The Commission considered previously circulated draft minutes of the meeting conducted on June 26, 2017. The minutes were accepted as circulated.

**3. Report of the Acting Executive Director**

Acting Executive Director Ochrym provided a brief report on the status of the Resorts World Catskill casino development and the Sire Stakes Championship Races and International Trot that will take place on October 14 at Yonkers Raceway.

**4. Rulemaking**

**a. ADOPTION: Mega Millions Amendments [9 NYCRR §§ 5007.1, 5007.2, 5007.4 and 5007.7]**

The Commission considered a proposal to adopt a change to the Mega Millions game matrix.

ON A MOTION BY: Commissioner Poklemba  
APPROVED: 5-0

**b. PROPOSAL: Treatment of Thoroughbred Horses Before a Race [9 NYCRR Part 4043.13]**

The Commission considered a proposed rule which would allow such treatment of horses until 24 hours before post time of a horse's race, rather than 24 hours before the start of the race program.

ON A MOTION BY: Commissioner Skurnik  
APPROVED: 5-0

**5. Adjudications**

**a. In the Matter of Jeffrey Bagley.**

The Commission, having considered this matter at a meeting conducted pursuant to the judicial or quasi-judicial proceedings exemption of N.Y. Public Officers Law § 108.1, announced that it had agreed, on a 5-0 vote, to accept the Hearing Officer's Report and Recommendation.

**b. In the Matter of Betty Cieszynski**

The Commission, having considered this matter at a meeting conducted pursuant to the judicial or quasi-judicial proceedings exemption of N.Y. Public Officers Law § 108.1, announced that it had agreed, on a 5-0 vote, to accept the Hearing Officer's Report and Recommendation.

**c. In the Matter of Kimberly Morales**

The Commission, having considered this matter at a meeting conducted pursuant to the judicial or quasi-judicial proceedings exemption of N.Y. Public Officers Law § 108.1, announced that it had agreed, on a 5-0 vote, to accept the Hearing Officer's Report and Recommendation.

**d. In the Matter of Lolita Shivmangal**

The Commission, having considered this matter at a meeting conducted pursuant to the judicial or quasi-judicial proceedings exemption of N.Y. Public Officers Law § 108.1, announced that it had agreed, on a 5-0 vote, to accept the Hearing Officer's Report and Recommendation.

e. **In the Matter of Michael J. Sinclair**

The Commission, having considered this matter at a meeting conducted pursuant to the judicial or quasi-judicial proceedings exemption of N.Y. Public Officers Law § 108.1, announced that it had agreed, on a 6-0 vote, to accept the Hearing Officer's Report and Recommendation.

f. **In the Matter of Stephen S. Foster**

The Commission, having considered this matter at a meeting conducted pursuant to the judicial or quasi-judicial proceedings exemption of N.Y. Public Officers Law § 108.1, announced that it had agreed, on a 5-0 vote, to modify the Hearing Officer's Report with respect to penalty, determining to impose a license revocation and an inability to reapply for a period of ten years and sustain the recommended fine.

g. **In the Matter of James Iselin**

The Commission, having considered this matter at a meeting conducted pursuant to the judicial or quasi-judicial proceedings exemption of N.Y. Public Officers Law § 108.1, announced that it had agreed, on a 5-0 vote, to accept the Hearing Officer's Report and Recommendation.

h. **In the Matter of Bryan Whitley**

The Commission, having considered this matter at a meeting conducted pursuant to the judicial or quasi-judicial proceedings exemption of N.Y. Public Officers Law § 108.1, announced that it had agreed, on a 5-0 vote, to accept the Hearing Officer's Report and Recommendation.

6. **New Business/Old Business**

a. **Old Business**

No old business was offered for discussion.

b. **New Business**

No new business was offered for discussion.

**7. Scheduling of Next Meeting**

No specific date for the next Commission meeting was set, although Commissioners were requested to check on availability for October 23rd.

**8. Adjournment**

The meeting was adjourned at 1:27 p.m.

**###**