

NEW YORK STATE
GAMING COMMISSION MEETING

MINUTES

MEETING of MAY 26, 2015

NEW YORK, NEW YORK

A meeting of the N.Y.S. Gaming Commission was conducted in Brooklyn, New York.

1. Call to Order

The meeting was called to order at 12:31 p.m. by Executive Director Robert Williams. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In attendance were Commissioners John Crotty, Peter Moschetti, John Poklemba, Barry Sample and Todd Snyder.

In the absence of Chairman Mark Gearan, Commissioner Crotty was unanimously elected presiding officer.

2. Consideration of the Minutes from April 27, 2015

The Commission considered previously circulated draft minutes of the meeting conducted on April 27, 2015. The minutes were accepted as circulated.

3. Report of Executive Director

Executive Director Robert Williams provided an update on the past and upcoming problem gambling forums; the Belmont Stakes Racing Festival; a forthcoming retired racehorse event; and the status of gaming regulations.

4. Rulemaking

a. SCG-28-14-00006-E, Rules Pertaining to Gaming Facility Request for Application and Gaming Facility License Application (Re-Adoption)

The Commission considered re-adoption of emergency rules prescribing both forms for the Request for Applications to Develop and Operate a Gaming Facility and several forms necessary to consider and process Applications for Gaming Facility Licenses.

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

b. Proposed Rulemaking for New Numbers and Win-4 Lottery Games Wagers (9 NYCRR §§ 5009.2 and 5010.2)

The Commission considered a draft regulation allowing for the introduction of specifications for the Lottery Division's existing Numbers and Win-4 draw games to allow what is to be called the "Close Enough" wager. Commissioner Snyder noted a discrepancy between the cover memorandum and the proposed rule and inquired what material was under consideration. Commission Counsel Edmund Burns advised that only the text of the proposed rule was being considered for vote.

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

5. Adjudication

- a. In the Matter of Graham Lewis. 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 reject Mr. Lewis's request to reopen his adjudicatory proceeding to consider new information.
- b. In the Matter of First Choice Food Market #046847. 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 that the agent's license suspension be upheld until license revocation is finalized.

6. Racing Fan Advisory Council Presentation. The Racing Fan Advisory Council presented its Annual Report. The Council's Chairman, Patrick M. Connors and members Michael Amo, Allan Carter, Michael Mills and Kelly Young all participated in discussing their findings and recommendations which included topics such as steward transparency, the lessons of the 2014 Belmont Stakes and Council participation in racing facility physical plant changes.

Following the presentation, Presiding Officer Crotty request a status update on a previously discussed steward reporting initiative. Commission Racing Division Acting Director Ronald Ochrym outlined the initiative, wherein the

Commission will weekly publish information on claims, rulings, inquiries, objections, injuries, number of starters, pari-mutuel handle, and types of racing. Mr. Ochrym advised that while commencing only with NYRA racetracks, the initiative will gradually expand to all racetracks in the state, both standardbred and thoroughbred. He further announced that the inaugural material would be immediately made available.

7. New Business/Old Business

No new or old business was presented.

8. Scheduling of Next Meeting

Following discussion, it was determined that next scheduled meeting date, June 22th, was likely problematic to many. Presiding Officer Crotty requested each commissioner work through Ms. Buckley to determine an appropriate next meeting date.

9. Adjournment

The meeting was adjourned at 1:09 p.m.

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