

**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.

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