

## New York State Gaming Commission

### Minutes

#### Meeting of September 17, 2019

A meeting of the Commission was conducted in New York, New York.

#### 1. Call to Order and Establishment of Quorum

Executive Director Robert Williams called the meeting to order at 4:12 p.m. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In attendance were Chairman Barry Sample and Commissioners John Crotty, John Poklemba and Jerry Skurnik.

#### 2. Consideration of Minutes for Meeting of July 22, 2019

The Commission considered previously circulated draft minutes of the meeting conducted on July 22, 2019. The minutes were accepted as circulated.

#### 3. Rulemaking

- a. **PROPOSAL: Rider Licensing, Health and Safety Package.** The Commission considered the proposal of rules relative to rider licensing, health and safety.

ON A MOTION BY: Commissioner Skurnik

APPROVED: 4-0

Chairman Sample noted that he had been informed that had Commissioners Moschetti and Snyder been present, they would have voted in favor of rule proposal.

- b. **PROPOSAL: Unqualified Horses.** The Commission considered proposed amendments to rules governing the qualification of horses for harness racing.

ON A MOTION BY: Commissioner Crotty

APPROVED: 4-0

Chairman Sample noted that he had been informed that had Commissioners Moschetti and Snyder been present, they would have

voted in favor of rule proposal.

- c. **PROPOSAL: Triple Wager in Harness Racing.** The Commission considered proposed amendments to rules governing the triple wager rule in harness racing.

ON A MOTION BY: Commissioner Skurnik

APPROVED: 4-0

Chairman Sample noted that he had been informed that had Commissioners Moschetti and Snyder been present, they would have voted in favor of rule proposal.

- d. **PROPOSAL: Jackpot Super High Five Wager in Harness Racing.** The Commission considered the proposal of a new wager for harness racing to be called the Jackpot Super High Five.

ON A MOTION BY: Commissioner Crotty

APPROVED: 4-0

Chairman Sample noted that he had been informed that had Commissioners Moschetti and Snyder been present, they would have voted in favor of rule proposal.

- e. **PROPOSAL: Pick-Six Jackpot Pools in Harness Racing.** The Commission considered the proposal of a new wager for harness racing to be called the jackpot or rainbow wager.

ON A MOTION BY: Commissioner Poklemba

APPROVED: 4-0

Chairman Sample noted that he had been informed that had Commissioners Moschetti and Snyder been present, they would have voted in favor of rule proposal.

- f. **PROPOSAL: Consensus Rulemaking Package.** The Commission considered the proposal of technical consensus rulemaking amendments will delete an obsolete, erroneous and redundant statement and add a new definitional term for use within both Thoroughbred and Standardbred racing.

ON A MOTION BY: Commissioner Skurnik

APPROVED: 4-0

Chairman Sample noted that he had been informed that had Commissioners Moschetti and Snyder been present, they would have voted in favor of rule proposal.

#### 4. **Adjudication**

##### a. **In the Matter of Dominique Long**

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 conclusion of the hearing officer that the gaming registration should be granted and modified the hearing officer report with respect to the statutory interpretation underlying the decision.

5. **Consideration of Employment Restriction Waiver.** The Commission unanimously found that there were no other qualified candidates with the desired experience for the position of State Steward and thusly waived for good cause the pre-employment restrictions for Braulio Baeza, Jr. to be employed in such position.

APPROVED ON A ROLL CALL: 4-0

Chairman Sample noted that Commissioners Moschetti and Snyder indicated that had they been present, they would have voted in favor of granting such waiver.

#### 6. **Old Business/New Business**

##### a. **Old Business**

No new business was discussed.

##### b. **New Business**

No new business was presented

#### 7. **Adjournment**

Prior to adjournment, Chairman Sample recognized the recent passing of Robert A. Liebers, who served as a Commission hearing officer. Sample noted that Liebers was an accomplished personal injury and general litigation attorney who practiced in Jamestown, New York and ably handled some of the Commission's most challenging hearings. Sample stated that Liebers had

served with great dedication and distinction and extended the Commission's most sincere condolences to his daughters Britalena and Christine and sons Andrew and David.

No next meeting was set before adjourning at 4:32 p.m.

**# # #**