

## New York State Gaming Commission

### Minutes

#### Meeting of April 29, 2019

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

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

Acting Executive Director Robert Williams called the meeting to order at 1:12 p.m. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In attendance were Chairman Barry Sample and Commissioners John Crotty, Peter Moschetti, John Poklemba and Jerry Skurnik.

#### 2. **Consideration of Minutes for Meeting of March 25, 2019**

The Commission considered previously circulated draft minutes of the meeting conducted on March 25, 2019. The minutes were accepted as circulated.

#### 3. **Rulemaking**

##### a. **ADOPTION: SGC-01-19-00002-P, Treatment of Thoroughbred Horses with Ultrasound or Electro/Medical Equipment Before a Race**

The Commission considered the adoption of a proposed rulemaking to allow the treatment of Thoroughbred racehorses with ultrasonic, diathermy or other electro/medical equipment treatments until 24 hours before the scheduled post time of a horse's race.

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

##### b. **ADOPTION: SGC-01-19-00017-P, Jockey safety helmets and vests**

The Commission considered the adoption of a proposed rulemaking to update the requirements for helmets and safety vests worn by persons loading horses into the starting gate or while mounted on any horse while on the grounds of a Thoroughbred racetracks.

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

**c. ADOPTION: SGC-40-18-00006, Amendment of multiple medication violation penalty enhancement rule**

The Commission considered the adoption of proposal that would amend the Commission's rules regarding multiple medication penalties to conform to the national model rule standard.

ON A MOTION BY: Commissioner Crotty

APPROVED: 3-2, Commissioners Sample and Moschetti in the negative

**4. Gaming Facility License Amendments**

**a. LAGO RESORT & CASINO, LLC doing business as del Lago Resort & Casino**

The Commission considered a petition by Lago Resort & Casino, LLC doing business as del Lago Resort & Casino to reduce the number of their operational slot and table assets below the minimum detailed within Exhibit 1 of their Gaming Facility License and to conform their Operating Certificate to such amendment.

ON A MOTION BY: Commissioner Skurnik

APPROVED: 5-0

**5. Adjudications**

**a. In the Matter of Corey Eulin**

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 and Recommendation, agreeing with the recommendation that the applicant's license denial be upheld, and sustaining the dismissed ground regarding non-disclosure.

**b. In the Matter of Ben R. Mondello**

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 sustain the Hearing Officer's Report and Recommendation that the applicant's registration denial be upheld.

c. **In the Matter of Zaara Convenience Deli & Grocery, Inc.**

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 sustain the Hearing Officer's Report and Recommendation that the applicant's registration denial be upheld.

6. **Old Business/New Business**

a. **Old Business**

1. **Purse-to-Price Rule Implementation.**

The Commission heard from staff regarding the results of the Thoroughbred claiming-price rule through the close of the Aqueduct Winter Meet. Commission Equine Medical Director Scott Palmer will be making a more refined, analytical presentation at the next meeting.

2. **Santa Anita Park Developments.**

The Commissioner heard from staff regarding the proposals advanced by The Stronach Group for Santa Anita Park and Golden Gate Park and about the recent initiative a coalition of Thoroughbred racing associations and organizations to phasing out the use of Lasix on two-year olds beginning in 2020 and eliminating the use of Lasix in stakes races at their tracks beginning in 2021.

Commissioners requested staff conduct a survey of relevant industry participants such as breeders' organizations, horsemen organizations, owners' groups, racetrack management and practicing veterinarians representing both breeds to gauge support for a rule change that would be consistent with the coalition's initiative.

b. **New Business**

No new business was presented

7. **Adjournment**

Prior to adjournment, Chairman Sample recognized the recent passing of George Karam, the Commission's Presiding Judge at Yonkers Raceway, noting that Karam was a longtime standardbred horseman who had a passion for

harness racing. The Chairman advised that Karam had served with great dedication and distinction and extended the Commission's most sincere condolences to his wife Joy and his son Brandon.

No next meeting was set before adjourning at 1:43 p.m.

**# # #**