

**New York State Gaming Commission Minutes
Meeting of February 28, 2022**

A meeting of the Commission was conducted in conformity with Chapter 1 of the Laws of 2022. The meeting was conducted by conference call, provided the public to listen and such meeting was recorded and will be transcribed.

1. Call to Order and Establishment of Quorum

Executive Director Robert Williams called the meeting to order at 1:05 p.m. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In attendance were Chairman Barry Sample, and Members John Crotty, Peter Moschetti, John Poklemba, Christopher Riaño and Jerry Skurnik. At the request of Chairman Sample, Commissioner Moschetti acted as Presiding Officer.

2. Consideration of Minutes for Meeting of November 8, 2021

The Commission considered previously circulated draft minutes of the meeting conducted on November 8, 2021. The minutes were accepted as circulated.

3. Rulemaking

A. ADOPTION: SGC-37-21-00017-P, Discretion to Require a Thoroughbred Jockey to Serve a Suspension for a Riding Violation at Track Where the Violation Occurred

The Commission considered adoption of regulations to establish discretion to require a Thoroughbred jockey to serve a suspension for a riding violation at the same track at which the violation occurred.

ON A MOTION BY: Commissioner Riaño
APPROVED: 6-0

B. PROPOSAL: Jockey agent qualification standardization

The Commission considered a proposal to amend to the regulation governing licensing requirements for a jockey's agent.

ON A MOTION BY: Commissioner Skurnik
APPROVED: 6-0

C. PROPOSAL: Pick-5 Thoroughbred

The Commission considered a proposal to amend the current Thoroughbred Pick-5 rule.

ON A MOTION BY: Commissioner Riaño
APPROVED: 6-0

D. PROPOSAL: Pick-4 Thoroughbred and Standardbred Carryover

The Commission considered a proposal to amend the current thoroughbred and standardbred Pick 4 rules regarding consolation pools and carryovers.

ON A MOTION BY: Commissioner Skurnik
APPROVED: 6-0

E. PROPOSAL: Jockey equipment weigh change

The Commission considered a proposal to amend the jockey equipment weighing rule in thoroughbred racing.

ON A MOTION BY: Commissioner Riaño
APPROVED: 6-0

F. PROPOSAL: Standardization for racing license hearing requests and service methods

The Commission considered a proposal to establish a standard time period for requesting a hearing on horse racing license determinations, set forth acceptable service methods for the Commission, and set forth the duty of licensees to keep addresses updated for the Commission.

ON A MOTION BY: Commissioner Riaño
APPROVED: 6-0

G. PROPOSAL: Jockey Coupling

The Commission considered a proposal to amend regulations governing mandatory coupling of entries in Thoroughbred racing.

ON A MOTION BY: Commissioner Sample
APPROVED: 6-0

4. Adjudications

A. In the Matter of Eternal Deli 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 determined upon a 6-0 vote to adopt the Hearing Officer's findings of fact, conclusions of law and recommendation of license revocation.

B. In the Matter of Richard Banca

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 determined upon a 6-0 vote to adopt the Hearing Officer's findings of fact, conclusions of law and recommendation of license refusal.

C. In the Matter of Amira Chichakly

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 determined upon a 6-0 vote to adopt the Hearing Officer's findings of fact, conclusions of law and recommendation of the imposition of a \$2,000 fine.

D. In the Matter of Timothy Masters

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 determined upon a 5-0 vote, with Commissioner Crotty abstaining, to adopt the Hearing Officer's findings of fact, conclusions of law and recommendation of imposition of a \$250 fine.

5. New/Old Business

Neither new nor old business was presented.

6. Adjournment

The meeting was adjourned at 1:28 p.m.