

**New York State  
Gaming Commission**

**Minutes**

**Meeting of March 27, 2023**

A meeting of the Commission was conducted in New York, New York and Schenectady, New York. Two-way audio and video communications were maintained between locations for the duration of the meeting.

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

Executive Director Robert Williams called the meeting to order at 1:24 p.m. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In physical attendance in Manhattan were Chairman Brian O'Dwyer, and Members John Crotty, and Jerry Skurnik. In physical attendance in Schenectady was Member Peter Moschetti.

**2. Consideration of Minutes for Meeting of February 27, 2023**

The Commission considered previously circulated draft minutes of the meeting conducted on February 27, 2023. The minutes were accepted as circulated.

**3. Report of the Executive Director**

The Executive Director presented an update on the gaming aspects of the Governor's Executive Budget, outlining the responses of the N.Y.S. Senate and N.Y.S. Assembly. The Director also announced the Horse Racing Safety and Integrity Authority Anti-Doping & Medication Program had been implemented. Authority vendor, the Horseracing Integrity and Welfare Unit, will be undertaking the responsibility for the biologic sampling of horses competing in thoroughbred racing in New York, as well as out-of-competition testing for horses eligible to compete. HIWU and HISA will also be undertaking the testing of the samples, evaluation of results, and investigation and prosecution of transgressions.

Chairman O'Dwyer and Commissioner Crotty both raised concern that the levels of testing would be maintained by HISA and requested staff provide information regarding the levels of historic Commission testing and the expectation of testing to be undertaken by the Horseracing Integrity and Welfare Unit.

**4. RE-PROPOSAL: SGC-29-22-00010, Interactive Fantasy Sports**

- A. The Commission considered re-proposal of rules to regulate Interactive fantasy sports.

ON A MOTION BY: Commissioner Crotty  
APPROVED: 4-0

**5. Adjudications**

**A. In the Matter of Timothy P. Murphy**

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 4-0 vote to adopt the Hearing Officer's findings of fact and conclusions of law, but imposing only a fine of \$350.00 and suspending collection of the fine for one year, with the fine nullified so long as the licensee committed no other violations of Commission rules within such year.

**B. In the Matter of 135 East 3rd Food Mart 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 4-0 vote to adopt the Hearing Officer's findings of fact, conclusions of law and recommendation of license revocation.

**6. New & Old Business**

**A. New Business**

Chairman O'Dwyer noted that as Chairman of both the N.Y.S. Thoroughbred Breeding and Development Fund and Agriculture and N.Y.S. Horse Breeding Development Fund he was aware that Catskill Regional Off-Track Betting Corporation owed substantial monies to both and was in the process of securing outside counsel to protect the rights of each Fund.

**B. Old Business.**

No old business was presented.

**7. Adjournment**

The meeting was adjourned at 1:46 p.m.

###