

NEW YORK STATE
GAMING COMMISSION

MINUTES

MEETING of APRIL 25, 2016

BETHEL, NEW YORK

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

1. Call to Order

Executive Director Robert Williams called the meeting to order at 12:32 p.m. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In attendance were Commissioners John Crotty, Peter Moschetti, John Poklemba, Barry Sample and Todd Snyder. Commissioner Moschetti was unanimously elected as presiding officer for the meeting.

2. Consideration of the Minutes from February 29, 2016

The Commission considered previously circulated draft minutes of the meeting conducted on February 29, 2016. The minutes were accepted as circulated.

3. Report of the Executive Director

Executive Director Williams provided a brief report on construction status of the three commercial casino licensees. Williams also discussed certain legislation and the results of the Division of the Lottery's recently closed fiscal year.

4. Rulemaking

a. Adoption: SGC-07-16-00001-P, Use of Cellular Telephones in Harness Paddocks (9 NYCRR § 4104.14)

The Commission considered adoption of proposed rule regarding the use of cellular telephones or other electronic communication devices in a designated area of a harness racing paddock or receiving barn.

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

b. Adoption: SGC-07-16-00011-P, Pick-Four, Pick-Five and Pick-Six Pools (9 NYCRR §§ 4011.23, 4011.24, 4011.25 and 4011.26)

The Commission considered adoption of proposed revisions to pari-mutuel wagering rules regarding the pick-four, pick-five and pick-six pools on thoroughbred horse races to be effective July 22, 2016.

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

c. Proposal: Commercial Casino Conduct and Operation of Gaming

The Commission considered proposal of rules addressing certain conduct and operation at commercial casino gambling facilities.

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

d. Proposal: Commercial Casino Surveillance

The Commission considered proposal of rules addressing surveillance at commercial casino gambling facilities.

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

e. Proposal: Voidable Claims in Standardbred Racing

The Commission considered a proposal to amend Standardbred claiming rules to permit a claimant to void a claim when samples collected the day of the claiming race test positive for an impermissible drug administration.

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

5. Adjudications

a. In the Matter of Jerome Palumbo

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 recommendation that Mr. Palumbo be fined \$5,000 and be barred from applying for any New York racing license for a period of one year from the date of the Commission's decision. The Commission determined that Mr. Palumbo be excluded from all New York racetracks as a licensee, participant and patron for a period of five years and fined \$10,000.

b. In the Matter of Stop & Shop Deli

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 recommendation.

6. Old Business/New Business

No old or new business was offered for discussion.

7. Scheduling of Next Meeting

It was announced that the next meeting date would be May 23, 2016.

8. Adjournment

The meeting was adjourned at 12:55 p.m.

###