

**NEW YORK STATE
GAMING COMMISSION**

MINUTES

MEETING of JANUARY 22, 2018

NEW YORK, NEW YORK

A meeting of the Commission was conducted in New York, New York. A videoconference location was also maintained in Schenectady, New York.

1. Call to Order

Acting Executive Director Ronald Ochrym called the meeting to order at 1:33 p.m. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In attendance in New York were Chairman Barry Sample and Commissioners John Crotty, John Poklemba, Gerald Skurnik and Todd Snyder. In attendance in Schenectady was Commissioner Peter Moschetti.

2. Consideration of the Minutes from November 27, 2017

The Commission considered previously circulated draft minutes of the meeting conducted on November 27, 2017. The minutes were accepted as circulated.

3. Report of the Acting Executive Director

Acting Executive Director Ochrym provided a brief report on the development status of both Resorts World Catskills and the Oneida Nation's Point Place Casino.

4. Rulemaking

a. ADOPTION: Anti-Stacking of NSAIDs, Add Diclofenac and Delete Meclofenamic Acid From 48-Hour NSAIDs, SGC-45-16-00004-RP

The Commission considered adoption of a revised proposed rulemaking in regard to additional time restrictions on the use of non-steroidal anti-inflammatory drugs before horse races.

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

b. PROPOSAL: Voiding Claims of Lame Thoroughbred Horses [9 NYCRR Part 4038.5 and 4038.17]

The Commission considered a proposal to allow a claimant to void a claim of a Thoroughbred horse that is discovered to have become lame or experienced epistaxis due to exercise induced pulmonary hemorrhage in a claiming race.

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

5. Adjudications

a. In the Matter of Andy Hernandez.

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 Hearing Officer's Report and Recommendation that the licensee's seven-day suspension be upheld.

b. In the Matter of Jorge L. Melendez.

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 reject the Hearing Officer's Report and Recommendation that the licensee be suspended for the remainder of his license period, unless and until he participates in treatment and/or counseling satisfactory to the Commission.

c. In the Matter of William Mott.

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 Hearing Officer's Report and Recommendation that the penalties assessed for the improper administration of flunixin be upheld, but that the penalties for the improper administration of furosemide be dismissed.

6. New Business/Old Business

a. Old Business

No old business was offered for discussion.

b. New Business

No new business was offered for discussion.

7. Scheduling of Next Meeting

No specific date for the next Commission meeting was set, although Commissioners generally requested consideration of a February date.

8. Adjournment

Prior to adjournment, Chairman Sample requested executive session for the sole purpose of consideration of the employment history of a particular person. Upon return from such session, the Chairman announced that no votes to expend public money were undertaken and the meeting was adjourned at 2:02 p.m.

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