

**New York State Gaming Commission Minutes
Meeting of March 15, 2021**

A meeting of the Commission was conducted by teleconference.

1. Call to Order and Establishment of Quorum

Executive Director Robert Williams called the meeting to order at 1:34 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. The meeting was conducted in conformity with Governor Andrew M. Cuomo's Executive Order 202.1, as extended by Executive Order 202.95. The audio components of the meeting were recorded for transcription, as required.

2. Consideration of Minutes for Meeting of January 26, 2021

The Commission considered previously circulated draft minutes of the meeting conducted on January 26, 2021. The minutes were accepted as circulated.

3. Rulemaking

a. SGC-50-20-00007-P, Contactless Payment Methods for Chances in Charitable Gaming

The Commission considered adoption of a rulemaking to explicitly enable qualified authorized organizations lawfully conducting charitable gaming to accept payment for a chance by personal check, credit card or debit card.

ON A MOTION BY: Commissioner Moschetti

APPROVED: 5-0

b. SGC-50-20-00006-P, Participation in the Management and Operation of Charitable Games of Chance

The Commission considered adoption of a rulemaking eliminating the requirement in charitable gaming that a person participating in the management or operation of games of chance be a *bona fide* member of the authorized organization or auxiliary organization for at least one year prior to the organization's license period.

ON A MOTION BY: Commissioner Skurnik

APPROVED: 5-0

c. Proposal: Frequency of Powerball Drawings

The Commission considered proposal of a rule to allow for an increase in the frequency of drawings in the Powerball game.

ON A MOTION BY: Commissioner Crotty

APPROVED: 5-0

4. Adjudications

a. In the Matter of Neal's Backyard, Inc. dba The Cliffton

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 to adopt the Hearing Officer's findings of fact, conclusions of law and recommendation of license revocation.

b. In the Matter of Michael Garafola

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 to reject the Hearing Officer's findings of fact, conclusions of law and recommendation of fine and/or license revocation.

c. In the Matter of Miguel Alejo 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 determined upon a 5-0 vote to adopt the Hearing Officer's findings of fact, conclusions of law and recommendation regarding license suspension.

d. In the Matter of Gregory Merton

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 to adopt the Hearing Officer's findings of fact, conclusions of law and recommendation regarding fine imposition.

e. In the Matter of Vermani, 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 5-0 vote to adopt the Hearing Officer's findings of fact, conclusions of law and recommendation regarding license revocation.

5. New/Old Business

a. Old Business

No old business was presented.

b. New Business

No new business was presented.

6. Adjournment

Prior to adjourning, Chairman Sample recognized the passing of Seneca Gaming Authority Chairman Michael L. John.

The meeting was adjourned at 1:50 p.m.

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