

**New York State Gaming Commission Minutes
Meeting of January 26, 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 1:09 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 202.89. The audio components of the meeting were recorded for transcription, as required.

2. Consideration of Minutes for Meeting of November 30, 2020

The Commission considered previously circulated draft minutes of the meeting conducted on November 30, 2020. The minutes were accepted as circulated.

3. Rulemaking

a. SGC-40-20-00001-P, To Expressly Permit Veterinary Technicians to Practice in Horse Racing Veterinary Technicians

The Commission considered adoption of a rule to explicitly authorize the supervised use of veterinarian technicians for collection of biologic samples.

ON A MOTION BY: Commissioner Crotty

APPROVED: 5-0

b. SGC-44-20-00012-P, Allowing Licensed Lottery Courier Services to Purchase and Deliver Lottery Tickets to Customers

The Commission considered adoption of a rule authorizing the inclusion of instant tickets within the existing lottery courier regulations.

ON A MOTION BY: Commissioner Skurnik

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 order the Hearing Officer re-consider the matter given the withdrawal of the charge alleging promotion of illegal gambling.

b. In the Matter of New Windsor Station, 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 of license revocation.

c. In the Matter of Sam F. Acri

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 3-2 vote to adopt the Hearing Officer's findings of fact, conclusions of law and recommendation that his license be granted. Chairman Sample and Commissioner Poklemba voted in the negative.

5. New/Old Business

a. Old Business

Use of the Crop. Chairman Sample noted that Members had recently received a new memorandum from Equine Medical Director Scott Palmer and suggested all review the document and be prepared to discuss the crop use issue during the next meeting.

b. New Business

No new business was presented.

6. Adjournment

Prior to adjourning, Chairman Sample recognized the passing of longtime Division of the Lottery employee Bruce Hall.

The meeting was adjourned at 1:32 p.m.

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