

>> FIVE MEMBERS HAVING BEEN
CONFIRMED AFFORDS THE MISSION AN
ABILITY TO ESTABLISH FORUM AND
TRANSACTION BUSINESS.

THIS PRESENT MEETING OF THE
COMMISSION IS NOW CALLED TO
ORDER.

SECRETARY WILL YOU PLEASE CALL
THE ROLL?

PLEASE HAVE THE RECORD REFLECT
THAT WE ENABLE TRANSACTION OF
BUSINESS.

GIVEN THE ACTION OF A DESIGNATED
CHAIR WOULD A MEMBER LIKE TO
SELECT A MEMBER FOR THE PURPOSE
OF PRESIDING OVER TODAY'S
MEETING?

>> I NOMINATE PETER.

>> SECOND.

>> I ACCEPT.

>> THANK YOU.

CONSIDERATION MINUTES FOR
MEETINGS.

IS THAT WHERE WE ARE?

>> YES.

THE MINUTES OF MEETING CONDUCTED
ON FEBRUARY 29th, 2016 HAVE BEEN
PROVIDED TO THE MEMBERS IN
ADVANCE.

AT THIS TIME I'D LIKE TO ASK IF
THERE'S ANY EDITS CORRECTIONS OR
AMENDMENTS.

HEARING NONE, MADAM SECRETARY
PLEASE LET THE RECORD REFLECT
THE MINUTES WERE ACCEPTED.

>> NEXT ITEM IS A REPORT OF THE
EXECUTIVE DIRECTOR.

I'LL BE BRIEF.

THIS AFTERNOON I'D LIKE TO
PROVIDE AN OVERVIEW REGARDING
DEVELOPMENT STATUS AND DISCUSS
THE NASSAU COUNTY REPLACEMENT
DEVELOPMENT AND HIGHLIGHT THE
LOTTERY'S PHYSICAL YEAR RESULTS.

SINCE OUR LAST MEETING, THE
RESORT AND CASINO HAS REBRANDED.

FOR OUR PURPOSES, DELAGO HAS
DEFINED TWO STAGES OF
CONSTRUCTION.

THE INITIAL STAGE OF

CONSTRUCTION INCLUDES THE CASINO, EVENT CENTER, ALL RESTAURANTS HOUSED WITHIN THE CASINO OF THE THEN CENTER BUILDING THE PARKING GARAGE AND THE HOTEL SHOWER.

THE FINAL CONSTRUCTION INCLUDES THE INTERIOR HOTEL BUILD OUT. THEY REPORT THAT THEY ARE ON SCHEDULE AND ARE 32% COMPLETE WITH THE INITIAL STAGE OF CONSTRUCTION.

THE FINAL STAGE OF CONSTRUCTION IS SCHEDULED TO START BEFORE THE END OF 2016 AND THEY REPORT THAT THE PROJECT IS SCHEDULED TO BE SUBSTANTIALLY COMPLETED IN JANUARY OF 2017.

AS TO SOME SPECIFICS OF THEIR CONSTRUCTION ALL STEEL WORK HAS BEEN COMPLETED.

THE BUILDING WILL BE WEATHER TIGHT BEFORE JUNE 1st THEY WILL COMPLETE UNDERGROUND UTILITY INSTALLATION THIS MONTH AND IT

WILL BE INSTALLED LATER THIS

MONTH AS WELL.

HOTEL FOUNDATION WORK STARTED IN

LATE MARCH AND FOUNDATION WORK ON

THE PARKING GARAGE WILL START

AROUND JUNE 1st WITH CONCRETE

DELIVERY ANTICIPATED IN AUGUST.

AND THE PROJECT PRODUCED 150,000

CONSTRUCTION HOURS.

THEY REPORT THEY ARE PROGRESSING

ON SCHEDULE AS WELL.

IN GENERAL THEIR PROJECT IS IN

TWO PHASES.

PHASE ONE IS THE LOW RISE

BUILDING AND CONSISTS OF THE

CASINO AND BACK OF HOUSE OFFICES

AND WAREHOUSE EVENT CENTER AND

GARAGE.

PHASE TWO IS THE HOTEL BUILDING

FOR PHASE TWO IT WAS 75%

COMPLETE ALSO STARTED ON

ROOFING, FIREPROOFING, FRAMING

AND DRYWALL, PLUMBING AND

ELECTRICAL.

TODAY THEY REPORT THERE'S MORE

THAN 100 FULL TIME EMPLOYEES
WORKING ON THE SITE AND THE
PROJECT PRODUCED 44,552 MAN
HOURS FOR PHASE TWO THEY'RE
STILL FINALIZING THE SIGN.

THEY'RE NOW FULLY COMPLETED WITH
A MASS EXCAVATION ON SIGHT AND
COMPLETED 75% OF THE RETAINING
WALLS AND 75% OF THE FOUNDATION
AND 65% OF THE FOUNDATIONS AND
16% OF THE CONCRETE STRUCTURE
FOR THE PARKING GARAGE.

THIS MONTH THEY STARTED AND
THEIR NEXT MAJOR ADVANCEMENT IS
THE START OF THE UNDERGROUND
PLUMBING AND STORM RISERS.

AND SINCE JANUARY 2015 NEARLY
100,000 HOURS HAVE BEEN ON THE
JOB.

AS YOU'RE ALL AWARE THE RECENTLY
ENACTED STATE BUDGET ALLOWS THE
CORPORATION TO HAVE IT'S
PREVIOUSLY AUTHORIZED ALOTMENT
OF VIDEO GAMING MACHINES PLACED
AT RESULTS WORLD NEW YORK CITY

IN EXCHANGE FOR SPECIFIC
PAYMENTS.

THIS ALSO PROVIDES RESORTS WORLD
WITH A VIDEO LOTTERY CAPITAL
AWARD ALLOWANCE.

THEY'LL RECEIVE 1% OF THE NET
WIND AFTER THEY INSTALLED 400
MACHINES PURSUANT TO AN
AGREEMENT.

THIS AMOUNT RISES TO 4% AFTER
THE MAXIMUM 1,000 MACHINES HAVE
BEEN INSTALLED.

UNDER THE LAW THEY MUST APPROVE
AN AGREEMENT BETWEEN RESULTS
WORLD AND NASA.

FINALLY THEY SET RECORDS IN THIS
PHYSICAL YEAR.

OVERALL THE LOTTERY EXPERIENCED
A COMBINED TOTAL OF 9.69 BILLION
IN REVENUE AND AN OVERALL PROFIT
OF 3.3 BILLION.

REALIZED IN FISCAL YEAR 14-15.

IT ALSO INCREASED YEAR OVER YEAR
TO A RECORD 1.98 BILLION IN
FISCAL YEAR 2015, 2016 WHICH

REPRESENTS A 4.3% GROWTH.

RESORTS WORLD NEW YORK CITY AND

EMPIRE CITY AT YONKERS

EXPERIENCED THE LARGEST GROWTH.

EACH REALIZING \$30 MILLION MORE

OVER THE PREVIOUS YEAR.

3.7 AND 5.7% RESPECTIVE

INCREASE.

UPSTATE VIDEO LOTTERY GAMING

FACILITIES GREW BY A TOTAL OF 21

MILLION IN NET REVENUE

HIGHLIGHTED BY GAMING WHICH

EXPERIENCED 10.7% GROWTH OVER

THE PREVIOUS YEAR.

AND RULES AND REGULATIONS

NECESSARY TO CARRY OUT

RESPONSIBILITY AND WE HAVE THOSE

FOR CONSIDERATION TODAY.

>> THE FIRST ITEM FOR USE OF

TELEPHONES OR OTHER ELECTRONIC

COMMUNICATION DEVICES IN A

DESIGNATED AREA OF THE HARNESS

RACING PADDOCK OR RECEIVING BARN

IT WAS PUBLISHED ON FEBRUARY

17th, 2016.

THE PUBLIC COMMENT PERIOD ENDED
THIS PAST APRIL 4th AND NO
PUBLIC COMMENTS WERE RECEIVED.
STAFF RECOMMENDS ADOPTION OF
THIS AMENDMENT AS A PERMANENT
RULE.

>> DO THE COMMISSIONERS HAVE ANY
QUESTION ON THE ADOPTION OF USE
OF CELLULAR TELEPHONES?

HEARING NO QUESTIONS DO I HAVE A
MOTION TO ADOPT THESE RULES?

THE MOTION CARRIES.

>> THE SECOND ITEM IS ADOPTION
OF PROPOSED REVISIONS OF THE
CONDITIONS WAGERING RULES IN
REGARD TO THE PICK 4, PICK 5,
AND PICK 6 AND HORSE RACES.

THE PURPOSE IS TO FORMALLY ADOPT
RULES FOR THE PICK 5 POOL
WAGERING AND TO MAKE CONSISTENT
RULES FOR THE PICK 4, PICK 5,
AND PICK 6 WAGERS BY ELIMINATING
DISCREPANCIES THAT AROSE WHEN
SUCH WAGERS WERE AUTHORIZED AND
AMENDED OVER A PERIOD OF YEARS.

IF YOU RECOLLECT IN AUGUST 2013,
THEY REQUESTED APPROVAL FOR PICK
5 WAGER ASKING THAT THE
COMMISSION UTILIZE RULE 4011.28
AND ON A BASIS AND EXAMINING THE
EFFECT ON THE HANDLE OF THE PICK
6 WAGER THEY PROPOSED THE RULE
MAKING ON SEPTEMBER 24th, 2015
AND DRAFTING THE PICK 5 RULES
THE COMMISSION STAFF ALSO WORKED
TO STANDARDIZE AND CONFORM EACH
OF THE PICK FOUR THEY SUBMITTED
A COMMENT SUPPORTING THE
ADOPTION OF THE RULES AND
REQUESTING THAT THE CHANGES BE
ON JULY 22nd AND PREPARE FOR THE
RULE CHANGES STAFF RECOMMENDS
THEY ADOPT THE PROPOSED RULE
MAKING EFFECTIVE JULY 22nd,
2016.

>> ANY QUESTIONS ON THE ADOPTION
OF PICK 4, PICK 5, AND PICK 6
RULES?

>> NO COMMENT IN THE NEGATIVE.

>> THERE WERE NOT.

>> NOTHING NEGATIVE.

>> ANYTHING ELSE?

>> NO.

>> MAY I THEN HAVE A MOTION TO

ADOPT THESE RULES?

>> SO MOVED.

>> SECOND.

>> ANY DISCUSSION ON THE MOTION?

HEARING NONE, ALL IN FAVOR?

>> AYE.

>> ANY OPPOSED?

MOTION CARRIES.

>> PRODUCT AND OPERATION OF

GAMING AND RULES FOR COME HER

HER SHL CASINO LICENSES.

IT ADDRESSES THE FOLLOWING

TOPICS.

GAMING LICENSES AND ASSISTANT OF

ADMINISTRATIVE AND ACCOUNTING

PROCEDURES FOR THE CONDUCT AND

OPERATION OF GAMING.

REQUIREMENTS FOR HOURS OF

OPERATION.

MINIMUM AGE PARTICIPATION AND

ACCESS.

RETENTION OF REALTY,
CONSTRUCTION, MAINTENANCE AND
BUSINESS RECORDS.

SUBMISSION OF A GAMING FACILITY,
LICENSEE AND EMERGENCY ACTION
PLAN.

REQUIREMENTS FOR THE AWARD OF AN
OPERATION CERTIFICATE TO
COMMENCE GAMING OPERATIONS.

PROCEDURES AND REQUIREMENTS FOR
CONTROL, FACIAL RECOGNITION AND
LICENSE PLATE RECOGNITION AND
LIMITATIONS ON CERTAIN FINANCIAL
TRANSACTIONS.

THEY WERE CIRCULATED AND THE
RECOMMENDED APPLICANT TO SOLICIT
THREE COMMENTS.

MANY COMMENTS AND SUGGESTIONS
WERE INCORPORATED INTO THE RULE
IN FRONT OF YOU IF YOU'LL NOTE
THIS MORNING WE CIRCULATED A NEW
VERSION OF THE RULE WHICH JUST
CONTAINED SOME STYLISTIC
CHANGES.

IT IS THIS DOCUMENT THAT WAS

CIRCULATED THIS MORNING WITH THE
STYLISTIC CHANGES THAT YOU WILL
BE VOTING UPON.

STAFF RECOMMENDS THAT THE
COMMISSION AUTHORIZE THE
PROPOSAL OF THIS RULE MAKING.

>> DO ANY OF THE COMMISSIONERS
HAVE ANY QUESTION ON THE PROPOSE
OF THE CASINO CONDUCT AND
OPERATION OF GAMING RULES?

HEARING NONE MAY I HAVE A MOTION
TO PROPOSE THESE RULES?

>> SO MOVED.

>> SECOND.

>> SECOND.

>> ANY DISCUSSION ON THE MOTION?

>> HEARING NONE, ALL IN FAVOR.

>> AYE.

>> OPPOSED.

>> THE MOTION CARRIES.

>> AS ITEM 4-D FOR COMMISSION
CONSIDERATION IS PROPOSAL OF THE
SURVEILLANCE RULES FOR
COMMERCIAL CASINO LICENSE SEES.
IT ADDRESSES THE FOLLOWING

TOPICS.

SUBMISSION OF A GAMING FACILITY

AND SURVEILLANCE PLAN OF

OPERATION.

REQUIREMENTS FOR THE

SURVEILLANCE DEPARTMENT

INCLUDING LOCATION AND EQUIPMENT

AND MONITORING OF CERTAIN AREAS

AND ACTIVITIES.

DEPARTMENT EMPLOYEE TRAINING AND

RESTRICTIONS AND THE RETENTION

OF RECORDS IT WAS CIRCULATED AND

THE RECOMMENDED APPLICANT TO

SOLICIT COMMENTS.

MANY HAVE BEEN INCORPORATED

WITHIN THE RULE IN FRONT OF YOU.

AS WITH THE LAST RULE THIS

MORNING WE CIRCULATED A NEW

VERSION WHICH INCLUDES SOME

STYLISTIC CHANGES.

IT IS THIS VERSION WITH THE

STYLISTIC CHANGES THAT YOU WILL

BE VOTING UPON TODAY.

STAFF RECOMMENDS THAT THE

COMMISSION AUTHORIZE THE

PROPOSAL OF THESE -- THIS RULE
MAKING.

ANY DISCUSSION ON THE MOTION?

HEARING NONE, ALL IN FAVOR?

ANY OPPOSED?

THE MOTION CARRIES.

>> AS ITEM 4-E FOR COMMISSION

CONSIDERATION IS A PROPOSED

AMENDMENT TO STANDARD CLAIMING

RULES TO PERMIT A CLAIMANT TO

VOID A CLAIM WHEN SAMPLES

COLLECTED TEST POSITIVE FOR DRUG

ADMINISTRATION WITH THE RECENT

OPTION OF REGULATORY THRESHOLDS

WHICH PROVIDE ALL SAMPLES ON

RACE DAY EVEN BEFORE THE RACE

THE RULES SHOULD BE UPDATED TO

CONTEMPLATE POSITIVES FROM

SAMPLES COLLECTED BEFORE A RACE

AS WELL AS AFTER.

ADDITIONALLY THE RULE MAKING

WOULD CONFIRM THE STANDARD BRED

RULE TO THE THOROUGHBRED RULE

WHICH PERMITS A CLAIMANT TO VOID

IT ON THE POSITIVE WHEN THE

POSITIVE DRUG TEST RESULT IS
REVEALED ONLY AFTER THE CLAIMING
RACE.
STAFF RECOMMENDS THE COMMISSION
AUTHORIZE THE PROPOSAL OF THIS
RULE MAKING.

>> ANY QUESTIONS ON THE PROPOSAL
OF VOIDABLE CLAIMS RULES?

>> HEARING NONE MAY I HAVE A
MOTION TO PROPOSE THESE RULES?
SECOND.

THE MOTION CARRIES.

>> NEXT WE HAVE AJUDICATIONS.

THE NEXT ITEM IS THE
AJUDICATION.

THERE'S TWO OFFICER REPORTS FOR
CONSIDERATION TODAY.

WILL YOU PLEASE OUTLINE THE
FIRST CASE.

>> CERTAINLY, ON JANUARY 18th,
2012, THE RACING AND WAGERING
BOARD ISSUED AN ORDER TO SHOW
CAUSE WHY HE SHOULD NOT BE FINED
AND BARRED FROM PARTICIPATING
AND RACING IN NEW YORK.

>> HE TRAINED HORSES IN NEW YORK
WITHOUT A LICENSE AND WAS
RESPONSIBLE FOR THE HORSE
MARTHA'S MANDATE ON MAY 10th,
2015.

TO SETTLE THE MATTER.

THE NEWLY ASSIGNED HEARING
OFFICER IS ON THE BASIS OF THE
2012 RECORD.

THE HEARING OFFICER SUBMITTED A
REPORT TO THE COMMISSION
SECRETARY DATED NOVEMBER 22nd,
2016.

THE HEARING OFFICER FOUND THAT
THEY ESTABLISHED IT AND
RECOMMENDED THAT HE BE FINED
\$5,000 AND BE BARRED FOR
APPLYING FOR ANY DURING A PERIOD
OF ONE YEAR FROM THE DATE OF THE
COMMISSION DECISION.

THE COMMISSION FIRST CONSIDERED
THIS MATTER AT THE JANUARY 2016
MEETING CONDUCTED PURSUANT TO
THE JUDICIAL OR QUASI JUDICIAL
PROCEEDINGS EXCEPTION AND

DETERMINED TO REMAND THE CASE TO
THE HEARING OFFICER TO CONSIDER
THE RECORD IN LIGHT OF THE
APPROPRIATE STANDARD.

THE COMMISSION HAS CONSIDERED
THIS MATTER AT A MEETING
CONDUCTED PURSUANT TO THE
JUDICIAL PROCEEDINGS EXEMPTION
OF NEW YORK PUBLIC OFFICERS LAW
SECTION 108.1.

>> THE COMMISSION DELIBERATED
AND CONSIDERED THIS MATTER AND
DETERMINED UPON A VOTE OF 5-0 TO
MODIFY THE HEARING OFFICER'S
REPORT AND RECOMMENDATION IN THE
FOLLOWING WAY THE RESPONDENT
SHOULD BE EXCLUDED FROM ALL NEW
YORK RACETRACKS WHETHER AS A
LICENSE SEE, PARTICIPANT OR
PATRON FOR A PERIOD OF FIVE
YEARS AND HE SHOULD BE FINED THE
SUM OF \$10,000.

NEXT CASE.

THE LICENSE SUSPENSION IS
FOLLOWED ON NOVEMBER 24th, 2015.

AND BECAUSE OF MATERIAL CHANGE
AND THE FINANCIAL STABILITY AND
SECURITY OF A LICENSED BUSINESS
AND THE ACCESSIBILITY OF SUCH
BUSINESS TO THE PUBLIC.

SPECIFICALLY THE NOTICE STATED
THAT THE LAW ENFORCEMENT HAD
EXECUTED A SEARCH WARRANT AT THE
LOCATION AND SEIZED EVIDENCE.

THE CITY CODE ENFORCEMENT HAD
CLOSED THE PREMISE AND THE OWNER
OF THE LOCATION WAS ADVISED OF
HIS RIGHTS BY LAW ENFORCEMENT
AND WAS ESCORTED FROM THE
PREMISE.

THE NOTICE ALSO STATED THE
SUSPENSION WOULD BECOME A
REVOCATION UNLESS THEY REQUESTED
A HEARING.

AFTER REQUESTS BY STOP AND SHOP
DELI A HEARING WAS CONDUCTED ON
DECEMBER 29th, 2015.

THE HEARING OFFICER SUBMITTED A
REPORT TO THE COMMISSION
SECRETARY ON MARCH 14th, 2016.

THE HEARING OFFICER RECOMMENDED
THAT THE TEMPORARY SUSPENSION OF
A LICENSE CONTINUE THE MISSION
CONSIDERED THIS MATTER AT A
EXEMPTION OF NEW YORK PUBLIC
OFFICERS LAW SECTION 108.1.

>> THE COMMISSION CONSIDERED
THIS MATTER AND DETERMINED UPON
A VOTE OF 5-0 TO SUSTAIN THE
HEARING OFFICERS REPORT OF
RECOMMENDATIONS.

SO FOR OLD BUSINESS WE HAVE NO
ITEMS FOR OLD BUSINESS.

DOES ANYONE HAVE ANY OLD
BUSINESS TO CONSIDER.

HEARING NONE, HOW ABOUT NEW
BUSINESS?

WE HAVE NO ITEMS SCHEDULED AS
NEW BUSINESS.

DOES ANYONE HAVE OTHER BUSINESS
TO CONSIDER?

HEARING NONE I GUESS WE HAVE TO
SCHEDULE THE NEXT MEETING,
RIGHT?

THE NEXT MEETING OF THE

COMMISSION IS SCHEDULED FOR MAY

23rd.

PLEASE ADVISE US ABOUT YOUR

AVAILABILITY.

SO I THINK THAT'S IT.

WE'RE READY TO ADJOURN ALTHOUGH

I UNDERSTAND I HEARD WE HAVE

BEEN TOLD THAT ONE OF THE

COMMISSIONERS HAD BEEN HERE MANY

YEARS AGO.

MAYBE IN THE 60s.

>> WOULD THAT BE YOU?

>> YEAH I'M THE OLD MAN.

>> MAYBE YOU COULD TELL US ABOUT

THAT.

>> WELL LAST TIME I WAS HERE,

YOU KNOW, CRYING WANTING TO GO

HOME WANTING TO SEE MOMMY, YOU

KNOW.

>> THAT'S WHAT YOU WANT TO SHARE

WITH US?

THAT'S PROBABLY SAFE.

>> HEARING NOTHING ELSE THE

MEETING IS ADJOURNED.