



Guidance Regarding the Conduct of Public Hearings by Community Advisory Committees

August 4, 2025

Introduction:

Pursuant to Racing, Pari-mutuel Wagering and Breeding Law (PML) § 1321-d(3), a Community Advisory Committee (Committee) is a public body established to review responses to the Request For Applications under its jurisdiction. PML § 1321-d(3)(ix) states: “each committee shall review, solicit public comments and written submissions of such comments, and hold public hearings.”

What is a Public Hearing?

A public meeting and a public hearing are not the same. A public meeting is a forum for a Committee to transaction business, while a public hearing provides an opportunity for members of the public to voice their opinions on a subject before a deliberative body.

While certain parameters may be established for speakers, such as a time limit and or prohibition of signage, the intent of a public hearing is to allow as many interested individuals as possible to share their opinions and have such opinions documented as part of the deliberative body’s record.

In addition, members of the public are invited to submit comments via email or standard mail reflecting their sentiment toward the applicable project.

Guidance Purpose and Source Material:

This purpose of this guidance is three-fold:

1. Statutory Obligation. Committees must conduct no less than two public hearings pursuant to PML § 1321-d(3)(e)(ix). There is no limitation on the maximum number to be conducted. Each Committee’s activities, including hearings, are subject to the N.Y.S. Open Meetings Law per PML § 1321-d(3)(c).
2. Practical Obligation. Hearing directly from members of the community in an open forum will help advise Committee members on the community’s view of the project. Committee members, as representatives of their communities, can consider such comments in making their determination on whether to advance their respective Application to the Gaming Facility Location Board for evaluation.
3. Logistical Obligation. Hearings must be conducted in a manner to allow for maximum participation and access from the community. The Commission’s Consultant will effectuate the conduct of hearings for each Committee at venues and times of the Committee’s choosing.

The primary source material for this Guidance includes:

1. [PML § 1321-d\(3\)](#)
2. [N.Y.S. Open Meetings Law](#)
3. The Gaming Facility Location Board's public comment events and comment submission processes held in 2014 and 2015:
 - a. [2014 Gaming Facility Location Board Public Comment Events](#). The Gaming Facility Location Board held three day-long public comment events in September 2014, when 16 Applicants were competing for four commercial casino licenses in three regions of Upstate New York. One event was held in each region to gauge public input on all 16 proposals, totaling 34 consecutive hours of public comment. The events were standing-room-only for the majority of each day and featured impassioned testimony from members of the public. [Collectively, the Board heard more than 400 individual comments regarding the project.](#)
 - b. [2015 Gaming Facility Location Board Public Comment Event](#). The Board convened a similar public comment event in Binghamton on September 18, 2015 from 10 a.m. to 2 p.m. regarding the Tioga Downs casino proposal, which was the lone applicant. The Board heard from 50 individual speakers at the public comment event.
 - c. [Electronic and Mailed Comments](#). In addition to the public comment events, the Gaming Facility Location Board received more than 15,000 pieces of unique communications in 2014 and 2015 relating to the siting of casinos in the form of emails, written correspondence, post cards, petitions, social media messages, organized campaigns, etc. All such communications were preserved and catalogued for the Gaming Facility Location Board's review and consideration.

Note:

The remainder of this guidance consists of [Operational Considerations](#) and a [Draft Public Hearing Notice](#).

[Operational Considerations](#) are functionally what each Committee should consider relative to their public hearings or what each Committee needs to ensure at each selected location.

The [Draft Public Hearing Notice](#) is language the Commission believes appropriate, given the agency's historical casino development public hearings.

Important:

Committees are independent bodies that do not report to the N.Y.S. Gaming Commission or the Gaming Facility Location Board. The measures in this guidance are for each Committee's individual consideration. Accordingly, each Committee may employ, amend, adopt, adapt, and/or disregard any portion or all of this guidance as they see fit.

Committee members seeking guidance or advice on their role should consult with their Appointing Authorities.

OPERATIONAL CONSIDERATIONS

Hearing Locations:

- Each hearing location must be ADA accessible and compliant.
- Committee members should recommend spaces that they believe will be appropriate venues to the Commission's Consultant.
- Locations must be of adequate size and scope to accommodate anticipated crowds.
- The proximity to the proposed project site, parking, and public transit should be a factor in location considered.
- Locations must have adequate seating and room for attendees, as well as the technology necessary to carry out the hearings (microphones, public address systems), a dais table for Committee members, podium, etc.
- Venues must have adequate internet capability to handle live webcasting of the entire hearing.
- Locations must have appropriate climate control measures, to ensure participant comfort.

Quorum/Attendance:

- Any combination of Committee members can be present at any time during a hearing, as a quorum is not required to proceed.

Duration:

- Committees must establish the duration of public hearings as they deem appropriate.
- Consideration should be given to the length of time allotted for a hearing in comparison to the number of speaking segments available. For reference, employing a three-minute time limit per speaker, without considering the time between speakers:
 - 4-hour hearing will accommodate 80 speakers
 - 8-hour hearing will accommodate 160 speakers
 - 12-hour hearing will accommodate 240 speakers

Time:

- Hearings should be scheduled for times that are conducive for the community (e.g. not just during standard working hours).

Live Webcast:

- Each hearing must be streamed live on the internet.

Speaking Segment Length:

- To ensure fairness, individual comment segments should be limited to three (3) minutes each.
- A visual counter should graphically count-down time remaining for each speaker.
- Commission Consultant Role: The Commission's Consultant will be on-hand the duration of the hearing to facilitate the event, organize speakers, and collect comments.

Applicant Presentation:

A Committee may have an applicant provide a presentation. In 2014, each applicant was required to make a presentation before the Gaming Facility Location Board and the public. The following protocols have been adapted from those events for Community Advisory Committee consideration, should a Committee wish to combine an Applicant presentation with a public hearing.

- Length. The Applicant should anticipate presenting for 45 minutes, leaving 15 minutes for questions by the Committee
- Participation. The Applicant's presentation group shall be limited to personnel qualified to competently and cogently respond to questions from the Committee and expound upon the materials presented.
- Visual aids. The Applicant may utilize posters and other visual aids, however all materials must be promptly removed or disassembled at the conclusion of the presentation.
- Decorum: The Applicant is instructed to limit their presentation to their own Application.

###

NOTICE OF PUBLIC HEARING

The **PROJECT** Community Advisory Committee has scheduled the first of two Public Hearings for the purpose of soliciting public comments on **PROJECT**, proposed for development at **LOCATION**. Comments, not to exceed three minutes in length, will be received from members of the public.

WHEN: **DATE**
TIME: **TIME to TIME**
WHERE: **LOCATION**

Registering to Speak. To accommodate participants, the first five slots of each hour will be available for reservation. To reserve a time slot, please email your name, organization (if applicable), and desired time request to **CAC EMAIL**. Reservations will be filled on a first-come, first-served basis.

The balance of time slots will be filled on a first-come, first-served basis, with registration open at the hearing location.

Group or Organization Comments. To allow diverse participation, the Committee requests interested grassroots groups, or formally constituted organizations designate a single representative to address the Committee to avoid repetition. Time permitting, additional members of such groups or organizations may address the Committee on a first-come, first-served basis.

Equipment and Visual Aids. No attendees may utilize multimedia visual aids. Informational posters and handouts are permitted. For public safety purposes, no signs or placards mounted on sticks, posts, poles or similar structures will be permitted. Non-mounted signs, placards, banners are allowed but must not disrupt or interfere with others.

Decorum. Disruptions will not be tolerated, and all attendees are expected to show respect and courtesy to attendees, commentators and Committee members. Any person making offensive, insulting, threatening, intimidating or obscene remarks, or who becomes unruly during the hearing will be requested to leave at the direction of any Committee member.

Written Comments. In addition to oral statements, the Committee will accept electronic and mailed submissions via to **CAC EMAIL**. All submissions should clearly identify the submitter's name, and affiliation, if any.

Webcast. The Public Hearing will be live-streamed and maintained at **CAC WEBSITE**.

Seating. Seating is limited, and will be available on a first-come, first-served basis. Capacity is subject to posted building code occupancy restrictions for each space.

The **LOCATION** is ADA accessible and compliant.

###