



**MINUTES  
NEW YORK STATE RACING AND WAGERING BOARD  
MEETING OF JULY 22, 2010**

**A meeting of the New York State Racing and Wagering Board was held on Thursday, July 22, 2010 at 11:00 a.m. at the Racing & Wagering Board's Schenectady Office located at 1 Broadway Center, Suite 600, Schenectady, New York.**

**The meeting was called to order at 11:13 a.m.**

**In Attendance Were:**

John D. Sabini, Chairman  
Daniel D. Hogan, Member  
Charles J. Diamond, Member  
Ronald G. Ochrym, Executive Director  
Robert Feuerstein, General Counsel  
Joseph Lynch, Director of Racing Operations  
Thomas Casaregola, Director of Audits & Investigations  
Gail Pronti, Secretary to the Board

**Also in Attendance Were:**

Kenneth Council, Director of Administration  
Joseph Mahoney, NYSR&WB  
Mark Stuart, NYSR&WB  
William Sekellick, NYSR&WB  
Kristen Buckley, NYSR&WB  
Vivian Davis, NYSR&WB  
John Googas, NYSR&WB  
James Crane, Crane Consulting Group  
Brent Carter

**OPEN COMMENT PERIOD:**

Began: 11:03 a.m.

Brent Carter addressed the Board in reference to his 1976 appeal of the suspension of his NY trainer/driver license and presented the Board with an appeal. He asked that the Board address his 1976 appeal as he believes he was wrongfully suspended.

Ended: 11:13 a.m.

A. The Board approved the minutes of the Board meeting held on June 23, 2010.

**B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR**

1. **BUFFALO RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On June 24, 2010, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Delaware Racing Association, Delaware through November 6, 2010.
2. On June 29, 2010, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from The Meadows, Pennsylvania through December 31, 2010.
3. On July 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Ellis Park, Kentucky from July 10 through September 6, 2010.
4. **BUFFALO RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2010**  
On June 29, 2010, the New York State Racing and Wagering Board approved the Buffalo Trotting Association, Inc. request to simulcast its standardbred racing programs for wagering purposes for the year 2010 in relation to Saratogabets.com, associated with the previously approved simulcasts to Saratoga Gaming & Raceway.
5. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO CONDUCT LIVE BANKROLL/SEMINAR**  
On June 16, 2010, the New York State Racing and Wagering Board approved the June 16, 2010 application by the Capital District Regional Off-Track Betting Corporation to conduct a “Live Bankroll/Seminar” contest.

6. **CAPITAL DISTRICT REGIONAL OTB – CLOSURE OF SCHUYLER BRANCH – HERKIMER COUNTY**  
On June 16, 2010, the New York State Racing and Wagering Board approved the May 26, 2010 application by the Capital District Regional Off-Track Betting Corporation to amend its plan of operation to reflect the closure of the Schuyler branch located at 2102 State Route 5 in Schuyler, NY effective close of business on June 30, 2010.
7. **CAPITAL DISTRICT REGIONAL OTB – JULY 2010 PROMOTIONS**  
On June 29, 2010, the New York State Racing and Wagering Board approved the June 23, 2010 application by the Capital District Regional Off-Track Betting Corporation to conduct the July 10 Appreciation Day at the Plattsburgh branch and the Giant Jackpot Contest on July 24, 2010.
8. **CAPITAL DISTRICT REGIONAL OTB – PROMOTIONS FOR 2010 SARATOGA RACE COURSE SEASON**  
On July 8, 2010, the New York State Racing and Wagering Board approved the July 6, 2010 Capital District Regional Off-Track Betting Corporation application to conduct the specified promotions during the 2010 Saratoga Race Course season.
9. **CAPITAL DISTRICT, CATSKILL, NASSAU, SUFFOLK AND WESTERN REGIONAL OTBS – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On June 15, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of the Capital, Catskill, Nassau, Suffolk and Western Regional off-track betting corporations authorizing the simulcast for wagering purposes of races from NJSEA (Monmouth Park), New Jersey through June 28, 2010.  
  
Approval was also provided for this simulcast through December 31, 2010 conditioned upon:
  1. Issuance of consent by the New Jersey Thoroughbred Horsemen’s Association, Inc. for the simulcasting for the relevant period; and
  2. Filing of the New Jersey Thoroughbred Horsemen’s Association, Inc. consent with the Board prior to the start of the relevant period.
10. On June 29, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of the Capital, Catskill, Nassau, Suffolk and Western Regional off-track betting corporations authorizing the simulcast for wagering purposes of races from Del Mar Thoroughbred Club, California from July 21 through September 8, 2010.
11. On July 9, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of the Capital, Catskill, Nassau, Suffolk and Western Regional off-track betting corporations authorizing the simulcast for wagering purposes of races from Ellis Park, Kentucky from July 10 through September 6, 2010.

12. **FINGER LAKES RACETRACK – JULY 2010 PROMOTIONS**

On June 29, 2010, the New York State Racing and Wagering Board approved the June 25, 2010 Finger Lakes Racetrack request to conduct the \$2,500.00 Finger Lakes Handicapping Challenge on the Saturdays of July 24, August 14, and September 11, 2010.

13. **FINGER LAKES RACETRACK – REQUEST FOR NEW RACING OFFICIAL - MORAN**

On July 1, 2010 pursuant to Board Rule 4005.1, the New York State Racing and Wagering Board approved the June 4, 2010 Finger Lakes Racetrack request to employ William E. Moran as a racing official (Placing Judge) for the 2010 Finger Lakes Racing Association meet.

14. **FINGER LAKES RACETRACK – EXTENSION OF JOCKEY APPRENTICESHIP – GARCIA (SANCHEZ)**

On July 8, 2010, the New York State Racing and Wagering Board approved an extension for the weight allowance of apprentice jockey Luis A. Garcia (Sanchez) for an additional forty (40) days due to an injury incurred while riding.

Luis A. Garcia (Sanchez) was approved to ride with a five-pound allowance until August 31, 2010 unless he rides his fortieth winner prior to August 31. In such event, the allowance will cease as of the fortieth winner.

15. **FINGER LAKES RACETRACK – IMPORT OF VARIOUS LOCATIONS IN 2010**

On June 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from NJSEA (Monmouth Park), New Jersey through June 28, 2010.

Approval was also provided for this simulcast through December 31, 2010 conditioned upon:

1. Issuance of consent by the New Jersey Thoroughbred Horsemen's Association, Inc. for the simulcasting for the relevant period; and
2. Filing of the New Jersey Thoroughbred Horsemen's Association, Inc. consent with the Board prior to the start of the relevant period.

16. **MONTICELLO RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2010**

On June 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from NJSEA (Monmouth Park), New Jersey through June 28, 2010.

Approval was also provided for this simulcast through December 31, 2010 conditioned upon:

1. Issuance of consent by the New Jersey Thoroughbred Horsemen's Association, Inc. for the simulcasting for the relevant period; and
  2. Filing of the New Jersey Thoroughbred Horsemen's Association, Inc. consent with the Board prior to the start of the relevant period.
17. On June 29, 2010, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Indiana Downs (Harness Meet), Indiana from July 23 through November 9, 2010.
18. On July 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway Mgmt, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Batavia Downs, New York from July 26 through December 4, 2010.
19. **NASSAU REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On June 29, 2010, the New York State Racing and Wagering Board approved an amendment to the Nassau Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from:
1. Finger Lakes Racing Association, Inc., New York through December 4, 2010
  2. Monticello Raceway through December 31, 2010.
20. On June 29, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of Nassau Regional Off-Track Betting Corporation, Capital District Off-Track Betting Corporation, Catskill Regional Off-Track Betting Corporation, Suffolk Regional Off-Track Betting Corporation and Western Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Delta Downs (Quarter Horse Meet), Louisiana through July 10, 2010.
21. On June 29, 2010, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Nassau Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Yonkers Raceway, New York through December 31, 2010.
22. On July 8, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of Nassau Regional Off-Track Betting Corporation and Suffolk Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Northfield Park, Ohio through December 29, 2010.
23. On July 8, 2010, the New York State Racing and Wagering Board approved an amendment to the Nassau Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Saratoga Harness Racing Inc., New York through December 12, 2010.

24. On July 8, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of Nassau Regional Off-Track Betting Corporation and Suffolk Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Buffalo Trotting Association, Inc., New York through July 25, 2010.
25. On July 8, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of Nassau Regional Off-Track Betting Corporation and Suffolk Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Maywood Park, Illinois through December 31, 2010.
26. On July 8, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of Nassau Regional Off-Track Betting Corporation, Capital District Off-Track Betting Corporation, Catskill Regional Off-Track Betting Corporation, Suffolk Regional Off-Track Betting Corporation and Western Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Emerald Downs, Washington through September 26, 2010.
27. On July 8, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of Nassau Regional Off-Track Betting Corporation, Capital District Off-Track Betting Corporation, Catskill Regional Off-Track Betting Corporation, Suffolk Regional Off-Track Betting Corporation and Western Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Indiana Downs (Harness Meet), Indiana from July 23 through November 9, 2010.
28. On July 9, 2010, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Nassau Regional Off-Track Betting Corporation to Capital District Off-Track Betting Corporation, Catskill Regional Off-Track Betting Corporation, Suffolk Regional Off-Track Betting Corporation and Western Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Western Fair Raceway, Ontario, Canada during the year 2010.
29. On July 9, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of Nassau Regional Off-Track Betting Corporation, Capital District Off-Track Betting Corporation, Catskill Regional Off-Track Betting Corporation, Suffolk Regional Off-Track Betting Corporation and Western Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Windsor Raceway, Ontario, Canada during the year 2010.

30. **NEW YORK CITY OTB – CLOSURE OF BRANCH NO. 110 - NEW YORK, NY**

On June 15, 2010, the New York State Racing and Wagering Board approved an amendment to the New York City Off-Track Betting Corporation plan of operation to reflect the closure of branch #110 located at 1318 Second Avenue effective close of business on Sunday, June 13, 2010.

31. **NEW YORK CITY OTB – REQUEST TO AMEND SIMULCAST AGREEMENT WITH TRACKNET**

On June 18, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of each New York State off-track betting corporation to reflect the Amendment to the Term Sheet between all New York State off-track betting corporations and TrackNet Media Group, LLC, as submitted to the Board on June 8, 2010. The Amendment is effective through December 31, 2011.

32. **NEW YORK CITY OTB – IMPORT OF VARIOUS LOCATIONS IN 2010**

On June 15, 2010, the New York State Racing and Wagering Board approved an amendment to the plan of operation of New York City Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from NJSEA (Monmouth Park), New Jersey through June 28, 2010.

Approval was also provided for this simulcast through December 31, 2010 conditioned upon:

1. Issuance of consent by the New Jersey Thoroughbred Horsemen's Association, Inc. for the simulcasting for the relevant period; and
2. Filing of the New Jersey Thoroughbred Horsemen's Association, Inc. consent with the Board prior to the start of the relevant period.

33. On June 29, 2010, the New York State Racing and Wagering Board approved an amendment to the plan of operation of New York City Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Del Mar Thoroughbred Club, California from July 21 through September 8, 2010.

34. On July 9, 2010, the New York State Racing and Wagering Board approved an amendment to the plan of operation of New York City Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Ellis Park, Kentucky from July 10 through September 6, 2010.

35. **NYRA – REQUEST TO OFFER GUARANTEED WAGERING POOL**

On June 24, 2010, the New York State Racing and Wagering Board approved the New York Racing Association's July 17, 2010 request to offer minimum pools as follows: (1) a guaranteed one million (\$1,000,000.00) dollar all graded stakes "pick four" on Travers Day, Saturday, August 28, 2010; (2) a guaranteed five hundred thousand (\$500,000.00) dollar "late pick four" on all Saturdays from July 24 through September 4 with the exception of August 28, 2010; and (3) a guaranteed one hundred thousand (\$100,000.00) dollar "pick six" on Thursdays from July 29 through September 2, 2010.

36. **NYRA – EXTENSION OF JOCKEY APPRENTICESHIP - ANGEL E. SERPA**  
On July 8, 2010, the New York State Racing and Wagering Board approved an extension of the weight allowance for apprentice jockey Angel E. Serpa for an additional nine (9) days until July 25, 2010 due to an injury and seven days of cancellation due to inclement weather.
37. **NYRA – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On June 15, 2010, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from the California Authority of Fairs, California from June 16 through October 17, 2010.
38. On July 8, 2010, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from:
1. Canterbury Park, Minnesota (Claiming Crown Day) on July 24, 2010
  2. Del Mar Thoroughbred Club, California from July 21 through September 8, 2010.
39. On July 9, 2010, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Ellis Park, Kentucky from July 10 through September 6, 2010.
40. **NYRA – EXPORT TO VARIOUS LOCATIONS IN 2010**  
On July 8, 2010, the New York State Racing and Wagering Board approved The New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes to Del Mar Thoroughbred Club (with thirty nine [39] secondary sites), California from July 21 through September 8, 2010.
41. On July 8, 2010, the New York State Racing and Wagering Board approved the New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes for the year 2010 to the additional secondary site, Coeur d' Alene Casino, Maine, associated with the previously approved simulcasts to Lewiston Raceways, Inc., Maine.
42. On July 8, 2010, the New York State Racing and Wagering Board approved The New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes to Ellis Park (with eleven [11] secondary sites), Kentucky through September 6, 2010.
43. On July 8, 2010, the New York State Racing and Wagering Board approved The New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes to Saratoga Gaming & Raceway, New York from July 23 through September 6, 2010.



44. **SARATOGA HARNESS – REQUEST TO OFFER TRACK MYSTERY VOUCHER PROMOTION**  
On June 29, 2010, the New York State Racing and Wagering Board approved the June 22, 2010 request of Saratoga Gaming and Raceway to conduct a mystery voucher promotion on August 14, 2010 as a part of the “Back to the Track” promotion.
45. **SARATOGA HARNESS – REQUEST TO DISPLAY REPLAYS ON HNBYS WEBSITE**  
On July 8, 2010, the New York State Racing and Wagering Board approved the request of Saratoga Gaming and Raceway to provide official race replays to the Harness Horse Breeders of New York through December 31, 2010 only for the specific purposes set forth in the agreement dated May 26, 2010.
46. **SARATOGA HARNESS – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On June 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from NJSEA (Monmouth Park), New Jersey through June 28, 2010.
- Approval was also provided for this simulcast through December 31, 2010 conditioned upon:
1. Issuance of consent by the New Jersey Thoroughbred Horsemen’s Association, Inc. for the simulcasting for the relevant period; and
  2. Filing of the New Jersey Thoroughbred Horsemen’s Association, Inc. consent with the Board prior to the start of the relevant period.
47. On June 29, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from:
1. Indiana Downs (Harness Meet), Indiana from July 23 through November 9, 2010
  2. Los Alamitos Quarter Horse Racing Assoc., California through December 19, 2010
  3. Wyvern International, Ltd., d.b.a. Australian Racing, Australia via the auspices of Woodbine Entertainment Group through December 31, 2010.
48. On July 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Ellis Park, Kentucky from July 10 through September 6, 2010.

49. **SUFFOLK REGIONAL OTB – REQUEST TO OFFER GRAND OPENING PROMOTION AT VINCENZO’S QWIK BET**  
On June 29, 2010, the New York State Racing and Wagering Board approved the July 23, 2010 Suffolk Regional Off-Track Betting Corporations request to hold a grand opening promotion at their new Qwik Bet branch located within Vincenzo’s on Friday, July 9, 2010 between the hours of 4:00 p.m. and 7:00 p.m.
50. **TIOGA DOWNS – REQUEST TO OFFER PICK 6 WAGER ON SUNDAYS**  
On June 11, 2010, the New York State Racing and Wagering Board approved the May 26, 2010 Tioga Downs request to conduct a Pick-Six wager (with a guaranteed \$6,000 pool and 21% takeout rate) on Sunday live racing cards only throughout the remainder of the 2010 racing season.
51. **TIOGA DOWNS – REQUEST TO CONDUCT 2010 DRIVERS’ COMPETITION**  
On June 15, 2010, the New York State Racing and Wagering Board approved the Tioga Downs request dated June 3, 2010 to conduct the Fourth Annual Drivers’ Championship on August 1, 2010.
52. **TIOGA DOWNS – REQUEST TO OFFER 2010 MYSTERY VOUCHER GIVEAWAY ON CLOSING NIGHT**  
On July 8, 2010, the New York State Racing and Wagering Board approved the June 29, 2010 American Racing-Tioga Downs, Inc. request to conduct the Tioga Downs 2010 Mystery Voucher Giveaway on closing night, Saturday, September 11, 2010.
53. **TIOGA DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On June 16, 2010, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Colonial Downs L.P. (Thoroughbred Meet), Virginia through July 21, 2010.
54. On June 16, 2010, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from NJSEA (Monmouth Park), New Jersey through June 28, 2010.
- Approval was also provided for this simulcast through December 31, 2010 conditioned upon:
1. Issuance of consent by the New Jersey Thoroughbred Horsemen’s Association, Inc. for the simulcasting for the relevant period; and
  2. Filing of the New Jersey Thoroughbred Horsemen’s Association, Inc. consent with the Board prior to the start of the relevant period.
55. **TIOGA DOWNS – EXPORT TO VARIOUS LOCATIONS IN 2010**  
On July 8, 2010, the New York State Racing and Wagering Board approved the Tioga Downs request to simulcast its standardbred racing programs for wagering purposes for the year 2010 to saratogabets.com, associated with Saratoga Gaming & Raceway.

56. **VERNON DOWNS – REQUEST TO CHANGE TWO RACE DATES**  
On June 24, 2010, the New York State Racing and Wagering Board approved the Vernon Downs request to cancel racing scheduled for Thursday, July 8 and Friday, August 6, 2010 and add living racing on Mondays July 12 and August 2, 2010 with post time at 1:15 p.m.
57. **VERNON DOWNS – REQUEST TO OFFER 2010 MYSTERY VOUCHER GIVEAWAY IN 2010**  
On July 8, 2010, the New York State Racing and Wagering Board approved the June 29, 2010 American Racing-Vernon Downs, Inc. request to conduct the Vernon Downs 2010 Mystery Voucher Giveaway on Saturday, September 17, 2010.
58. **VERNON DOWNS – REQUEST TO OFFER PROPANE GAS GIVEAWAY ON SEPTEMBER 17, 2010**  
On July 9, 2010, the New York State Racing and Wagering Board approved the July 8, 2010 American Racing-Vernon Downs, Inc. request to conduct a 2010 Scharman Propane-related drawing on Friday, September 17, 2010.
59. **VERNON DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On June 16, 2010, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Colonial Downs L.P. (Thoroughbred Meet), Virginia through July 21, 2010.
60. On June 16, 2010, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from NJSEA (Monmouth Park), New Jersey through June 28, 2010.
- Approval was also provided for this simulcast through December 31, 2010 conditioned upon:
1. Issuance of consent by the New Jersey Thoroughbred Horsemen’s Association, Inc. for the simulcasting for the relevant period; and
  2. Filing of the New Jersey Thoroughbred Horsemen’s Association, Inc. consent with the Board prior to the start of the relevant period.
61. **VERNON DOWNS – EXPORT TO VARIOUS LOCATIONS IN 2010**  
On July 8, 2010, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its standardbred racing programs for wagering purposes for the year 2010 to saratogabets.com, associated with Saratoga Gaming & Raceway.
62. **WESTERN REGIONAL OTB/BATAVIA DOWNS – REQUEST FOR 2010 RACING PROMOTION**  
On June 24, 2010, the New York State Racing and Wagering Board approved the Batavia Downs July 10, 2010 request (as supplemented) to conduct promotions at the Batavia Downs during the 2010 meet.

63. **WESTERN REGIONAL OTB/BATAVIA DOWNS – CHANGES TO SCHEDULE AND WAGERING FORMAT FOR 2010**

On June 30, 2010, the New York State Racing and Wagering Board approved the May 13, 2010 request of the Western Regional Off-Track Betting Corporation to implement the following in relation to the previously assigned race dates/times and the previously approved wagering menu for Batavia Downs:

- Move the nighttime post-time from 7:05 p.m. to 6:40 p.m.
- Move the scheduled event on August 12th to August 13
- Move the scheduled event on October 12th to October 11th with a 1:15 p.m. post-time
- Move the late daily double from races 9 and 10 to races 10 and 11
- Add a daily double in races 8 and 9
- Eliminate the late Pick 4 wager add a carryover Pick 6 wager on races 7 through 12.

64. **YONKERS RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2010**

On June 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from The Meadows, Pennsylvania through December 31, 2010.

65. On June 16, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from the California Authority of Fairs, California from June 16 through October 17, 2010.

66. **YONKERS RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2010**

On July 8, 2010, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its standardbred racing programs for wagering purposes for the year 2010 to [saratogabets.com](http://saratogabets.com), associated with the previously approved simulcasts to Saratoga Gaming & Raceway.

**C. ITEMS PREVIOUSLY APPROVED, DENIED OR DEFERRED BY THE BOARD**

1. **YONKERS RACEWAY – REQUEST FOR APPROVAL OF PEACE OFFICER**

On June 18, 2010, pursuant to Section 312 of the Racing, Pari-Mutuel Wagering and Breeding Law, the New York State Racing and Wagering Board (“Board”) approved the appointment of Jacquelynn Guadagnolo as a special policeman within and around the grounds of Yonkers Raceway.

2. **IN THE MATTER OF GARTH N. PENNINGTON - SUMMARY  
SUSPENSION**

On July 6, 2010, the New York State Racing and Wagering Board summarily suspended the harness racing groom license of Garth N. Pennington upon a finding that the public safety and welfare imperatively require this emergency action due to a positive test for the presence of prohibited substances.

3. **NEW YORK CITY OTB – APPOINTMENT OF NEW PRESIDENT AND  
CHIEF EXECUTIVE OFFICER - RAYBURN**

On July 8, 2010 the New York State Racing and Wagering Board approved an amendment to the New York City Off-Track Betting Corporation plan of operation to reflect the appointment of Gregory F. Rayburn as President and Chief Executive Officer.

4. **CAPITAL DISTRICT REGIONAL OTB – NEW OTB BRANCH AT  
CATSKILL MOUNTAIN LODGE – PALENVILLE, NY**

On July 12, 2010, the New York State Racing and Wagering Board approved an amendment to the Capital District Regional Off-Track Betting simulcast plan of operation authorizing the operation of a simulcast facility at the Catskill Mountain Lodge located at 334 Route 32A, Palenville, N.Y. (Greene County).

**D. ITEMS TO BE APPROVED, DENIED OR DEFERRED BY THE BOARD**

1. **MONTICELLO RACEWAY – 2010 TRACK & SIMULCAST LICENSE  
APPLICATIONS**

The New York State Racing and Wagering Board assigned to Monticello Raceway the race dates requested for the months of August and September of 2010 only.

2. **NEW YORK JOCKEY INJURY COMPENSATION FUND -  
CERTIFICATION OF ELECTION OF JOCKEY DIRECTOR**

Pursuant to Racing, Pari-Mutuel Wagering and Breeding Law, Section 221.2, the New York State Racing and Wagering Board certified the election of Lazaro Saumell as the seventh director of the New York Jockey Injury Compensation Fund, Inc. for the 2010 – 2012 term.

3. **NOTICE OF PROPOSED RULEMAKING – CELL PHONES IN PADDOCK  
AREA**

The New York State Racing and Wagering Board deferred action on a rulemaking proposal to amend Section 4104.11 of the Board's Harness Rules.

4. **NOTICE OF PROPOSED RULEMAKING (CONSENSUS) – MINIMUM AGE  
FOR THOROUGHBRED BETS**

The New York State Racing and Wagering Board approved the proposed rulemaking to amend Section 4009.8 of 9 New York Codes, Rules and Regulations. This rule would correct an obsolete rule and to allow persons 18 years and older to place bets on thoroughbred races, as provided in the Board rules.

5. **SARATOGA HARNESS – REQUEST TO AMEND PLAYER REWARDS PROGRAM**

The New York State Racing and Wagering Board approved the Saratoga Gaming and Raceway request to amend its Player Extra Reward Program to include a reward program for account wagering customers who wager through the SaratogaBets telephone and internet platforms. Saratoga Gaming and Raceway must inform the Board in writing of the date of implementation no later than three business days following said event.

This approval was conditioned upon:

- The conduct of the program in the manner requested by and outlined in correspondence of John Matarazzo dated June 14, 2010.
- The submission by Saratoga Gaming and Raceway of quarterly written reports to the Board concerning the Player Extra Reward Program. These reports shall include, but need not be limited to, reports that include the number of program participants, rewards details by category level and participation, cumulative rewards earned, amount of rewards re-wagered and cumulatively for program participants, amounts wagered by bet type by in-state and out-of-state races. Each report shall also contain analysis regarding the effect of the program on handle, net effect on income from wagering and the costs incurred as a result of program operation. These reports must be filed within two weeks after the end of each calendar quarter.
- Board access to Saratoga Gaming and Raceway Player Extra Reward Program information, including the names of program participants, and the right to audit.

6. **WESTERN REGIONAL OTB/BATAVIA DOWNS – REQUEST TO CONDUCT IN-HOME SIMULCASTING WITH TIME WARNER ROCHESTER**

The New York State Racing and Wagering Board approved the request by the Western Regional Off-Track Betting Corporation to conduct in-home simulcasting through its contract with Time Warner Entertainment Advance/Newhouse Partnership d/b/a Time Warner Cable. Approval was granted for the year 2010 dates specified in the contract.

7. **IN THE MATTER OF JORGE I. RAMOS**

The New York State Racing and Wagering Board upheld the recommendation of Hearing Officer Clemente J. Parente and both affirmed the license refusal and revoked the harness groom's license of Jorge I. Ramos based upon the finding that his experience, character and general fitness are such that his participation in racing would be inconsistent with the public interest, convenience or necessity or with the best interests of racing generally, and that he made a false statement on his license application concerning his criminal history.

8. **IN THE MATTER OF ROGER HORGAN**  
The New York State Racing and Wagering Board upheld the recommendation of Hearing Officer Clemente J. Parente and revoked the thoroughbred racing license of Roger Horgan based upon a finding that he is financially irresponsible and has violated Board rules.
9. **IN THE MATTER OF CHRISTOPHER HEENEY**  
The New York State Racing and Wagering Board upheld the recommendation of Hearing Officer Clemente J. Parente and affirmed the license refusal of Christopher Heeney based upon a finding that his experience, character and fitness are such that his participation in racing would be inconsistent with the public interest, convenience or necessity or with the best interests of racing generally, and that he made a false statement concerning his criminal history.
10. **IN THE MATTER OF GIAN CARLOS HIDALGO**  
The New York State Racing and Wagering Board upheld the recommendation of Hearing Officer Clemente J. Parente and revoked the thoroughbred racing groom's license of Gian Carlos Hidalgo based upon a finding that he possessed a hypodermic needle and was in possession of an electrical device in violation Board Rules, and that his experience, character and general fitness are such that his participation in racing would be inconsistent with the public interest, convenience or necessity or with the best interests of racing generally.
11. **IN THE MATTER OF CARL S. WILEY**  
The New York State Racing and Wagering Board upheld the recommendation of Hearing Officer Clemente J. Parente and revoked the thoroughbred racing groom's license of Carl S. Wiley based upon crimes charged and subsequent convictions, and that because of these criminal acts, his experience, character and general fitness are such that his participation in racing would be inconsistent with the public interest, convenience or necessity or with the best interests of racing generally.

**E. ITEMS FOR BOARD INFORMATION/DISCUSSION**

1. **CAPITAL DISTRICT REGIONAL OTB – PLAYER REWARDS FIRST QUARTER RESULTS**  
The reports for the Capital District Regional OTB Player Rewards first quarter results of 2010 were filed with the Board.
2. **LICENSING/CURRENT LICENSE COUNT**  
The current racing licensing counts as of June 30, 2010 since January 1, 2010 were as follows: total receipts 8,963 and total licenses 6,487 for the year 2010.
3. **GAMES OF CHANCE/BINGO REGISTRATION NUMBERS**  
List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit from June 8, 2010 thru July 2, 2010.

4. **2010 LICENSED SUPPLIERS**

List of licensed suppliers – manufacturers’ and distributors’ licenses issued for the time period of June 1, 2010 through June 30, 2010.

5. **GAMES OF CHANCE/BELL JAR TICKETS**

List of bell jar tickets authorized/denied by the Charitable Gaming Unit between June 1, 2010 and June 30, 2010.

**F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED**

None.

**The meeting adjourned at 11:39 a.m.**