

## MINUTES

### NEW YORK STATE RACING AND WAGERING SPECIAL BOARD

#### MEETING OF SEPTEMBER 20, 2000

*Updated October 25, 2000*

A meeting of the New York State Racing and Wagering Board was held on Wednesday, September 20, 2000 at 11:30 a.m. at the Racing & Wagering Board's Albany Office located at 1 Watervliet Avenue Extension, Albany, New York.

The meeting was called to order at 11:40 a.m.

**In Attendance Were:**

Michael J. Hoblock, Jr., Chairman

Joseph Neglia, Member

Cheryl Buley, Member

Ed Martin, Executive Director

Nicole Thuillez, Secretary to the Board

Robert Feuerstein, General Counsel

Tom Casaregola, Director of Audits and Investigations

Joe Lynch, Chief of Racing Operations

**Also in Attendance Were:**

Dianne Landor, NYSR&WB

Nicole Robilotto, NYSR&WB

Stacy Walker, NYSR&WB

Maureen McGrath, NYSR&WB

Bruce Samboy, NYSR&WB

A. J. Maunz, NYSR&WB

Erin O'Donovan, NYSR&WB

Charles Coppola, Coppola, Ryan, McHugh

Rob Raylman, Coppola, Ryan, McHugh

Bill Moore, Turning Stone Casino Resort

Kevin O'Toole, Turning Stone Casino Resort

Mark Mancini, Turning Stone Casino Resort

Bill Crowell, Hinman Straub

**OPEN COMMENT PERIOD: No comments were made.**

A. The Board approved the minutes of the Board meeting held on August 9, 2000 with the exception of item B-11. This item was subsequently amended by item D-13 of the Board meeting of September 20, 2000.

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

**1. SARATOGA HARNESS REQUEST TO IMPORT SIMULCASTS FROM VARIOUS OUTLETS IN 2000**

For entry into the minutes, on August 9, 2000, approval was granted for the request by Saratoga Harness to import the simulcast signals from the thoroughbred racetracks known as Great Lakes Downs in Michigan and from Prescott Downs in Arizona.

These imported simulcasts are available to be utilized under "bridge" conditions. Races from "bridge tracks" may be imported and wagered upon from the close of wagering on the final afternoon New York State thoroughbred race (taking into account both NYRA and Finger Lakes) until 7:30 p.m. (Racing Law - Section

1017-a). No simulcast race with an advertised post time past the 7:30 p.m. Eastern hour may be imported.

\* For entry into the minutes, on August 14, 2000, approval was granted for the request by Saratoga Harness for approval of the agreement with the Ontario Jockey Club, operator of Woodbine International Racecourse and Mohawk Raceway in Ontario.

This approval allows the import of harness simulcasts from Woodbine, effective immediately and from Mohawk Raceway when it resumes its year 2000 racing season on August 31<sup>st</sup>.

Both Ontario Jockey Club-owned harness racetrack simulcasts may be utilized whenever in accordance with the Racing Law.

\* For entry into the minutes, on August 29, 2000, approval was granted for the request by Saratoga Harness to amend their plan of operation to allow the import of harness simulcasts from Garden State Park in New Jersey, a contiguous state.

Approval is granted for the entire year 2000 Garden State Park harness meeting, scheduled to conclude on December 16th.

\* For entry into the minutes, on September 15, 2000, approval was granted for the request by Saratoga Harness to amend their plan of operation to allow the import of thoroughbred simulcasts from Colonial Downs, Kentucky Downs at Turfway Park, Oak Tree at Santa Anita and harness simulcasts from the Delaware County Fair in Ohio.

## **2. CAPITAL OTB REQUEST TO SIMULCAST FROM BALLY'S OCEAN DOWNS**

For entry into the minutes, on August 14, 2000, approval was granted for the request by Capital District Regional OTB to import the simulcast harness racing programs from Bally's Ocean Downs in Maryland. This simulcast may be imported and wagering conducted whenever in accordance with the Racing Law.

This approval further extends to the Catskill, Nassau, Suffolk and Western Regional Off-Track Betting Corporation.

## **3. YONKERS RACEWAY REQUEST TO SIMULCAST FROM POMPANO PARK**

For entry into the minutes, on August 16, 2000, approval was granted for the request by Yonkers Raceway to import the remaining year 2000 harness simulcasts from Pompano Park in Florida.

This simulcast is permitted whenever applicable under the Racing Law and no more than five out-of-state harness simulcasts are permitted on any one date of the year.

This approval is effective immediately.

4. **FINGER LAKES REQUEST TO CANCEL RACING AND ADD NEW DATES**

For entry into the minutes, on August 21, 2000, approval was granted for the request by Finger Lakes to revise the year 2000 racing schedule to conduct no racing on Wednesday, September 6<sup>th</sup> and newly scheduled racing programs on Friday, December 1<sup>st</sup> and Saturday, December 2, 2000.

5. **NYRA REQUEST TO OFFER FANTASY CHALLENGE AT BELMONT**

For entry into the minutes, on August 21, 2000, approval was granted for the request for the New York Racing Association's Belmont Park Fall Championship 2000 Fantasy Challenge game to be conducted via the official NYRA website.

This fantasy contest will be conducted per all rules submitted to the Board with the Fall Belmont Fantasy Challenge game application.

Also approved is a blanket approval for future online Fantasy Challenge contests, provided **no changes** are made to the official rules and regulations.

6. **VERNON DOWNS REQUEST TO CHANGE MATINEES**

Request by Vernon Downs to cancel the nine scheduled and previously approved Saturday matinee racing dates at Vernon Downs during the Fall months of the year 2000, beginning on September 16<sup>th</sup>.

Also approved was the scheduling of ten matinee programs each Wednesday beginning on September 6<sup>th</sup> and continuing through November 8<sup>th</sup>, with a first post time of 1:05 p.m.

The understanding of the Board is that Vernon Downs, in the year 2000, will have scheduled for racing a total of 97 separate race cards. This is seven less than the originally approved 104 programs on the initial Vernon Downs year 2000 schedule.

7. **FINGER LAKES STEWARD REQUEST FOR EXTENSION OF APPRENTICE JOCKEY ALLOWANCE - PEREZ**

For entry into the minutes, on August 24, 2000, approval was granted for the request by Finger Lakes Steward for an extension of the apprentice allowance of jockey Nilo Perez for 89 days. Mr. Perez' date of record for the expiration of his apprenticeship allowance is now December 15, 2000.

8. **NYRA REQUEST FOR NEW LOCATION - HIPODROMO QUINTO CENTENARIO**

For entry into the minutes, on August 24, 2000, approval was granted for the request by NYRA for the addition of the Galapagos, S.A. corporation's Hipodromo Quinto Centenario Number 61 in Santo Domingo, in the Dominican Republic as a simulcast recipient.

Approval is effective immediately.

**9. NYRA REQUEST FOR PROMOTIONS AT AQUEDUCT**

For entry into the minutes, on August 25, 2000, approval was granted for the request by NYRA, dated August 21, 2000, for three promotions:

- Conduct a handicapping tournament on Saturday, October 28<sup>th</sup> and Sunday, October 29, 2000.
- Conduct a promotion, with distribution via direct mail to names on the Aqueduct mailing list, of \$2.00 daily double coupons valid on Saturday, November 4, 2000 only.
- Conduct a promotion, with distribution via direct mail to names on the Aqueduct mailing list, of mystery amount vouchers valid on Friday, November 24<sup>th</sup> only.

**10. NYRA REQUEST TO SEND SIMULCAST TO CATSKILL OTB**

For entry into the minutes, on August 29, 2000, approval was granted for the request by NYRA for the change in the plan of operation relative to a new four year simulcast contract between Catskill OTB and the New York Racing Association (NYRA).

**11. NYRA REQUEST TO DESIGNATE RACES OF SPECIAL INTEREST**

For entry into the minutes, on August 29, 2000, approval was granted for the request by NYRA to designate certain out-of-state stakes races during the months of September, October and November as "special events" as specified under section 905-a of the Racing Law.

Approved by the Board are the Atto Mile on September 10th and the Canadian International on October 15th emanating from Woodbine International Racecourse in Ontario; the Super Derby XXI on September 30th from Louisiana Downs and the Red Stripe Superstakes on November 11th from Caymanas Park in Jamaica.

**12. NASSAU OTB REQUEST TO SIMULCAST FROM BAY MEADOWS**

For entry into the minutes, on August 29, 2000, approval was granted for the request by Nassau OTB, dated August 7, 2000, to simulcast the initial thoroughbred meeting from Bay Meadows Racetrack in California. Simulcasts

from the Bay Meadows Racetrack begin on September 1st and conclude on November 12th.

This agreement approval extends to Suffolk Regional OTB. The Bay Meadows simulcasts, generally a "bridge" simulcast signal, may be imported whenever permitted under the Racing Law.

**13. NEW YORK CITY OTB REQUEST TO SIMULCAST PENN NATIONAL RACE COURSE**

For entry into the minutes, on August 29, 2000, approval was granted for the request by New York City OTB for the change in their plan of operation with the agreement to import the simulcast signal from Penn National in Pennsylvania whenever permitted under the Racing Law.

A reminder that with Penn National beginning its Sunday programs at 5:00 p.m., this simulcast may begin only upon the conclusion of the last in-state thoroughbred race from Finger Lakes or the operating NYRA racetrack, whichever is later.

This approval further extends to the Capital, Catskill, Western, Nassau and Suffolk Regional Off-Track Betting Corporations.

**14. MONTICELLO RACEWAY REQUEST FOR SIMULCASTS FOR YEAR 2000**

For entry into the minutes, on August 30, 2000, approval was granted for the request by Monticello Raceway to amend their plan of operation regarding simulcasts, enabling Monticello Raceway to import the simulcast signals and conduct wagering on the year 2000 Fairplex Park and Bay Meadows race meetings from California. The scheduled Fairplex race dates are September 14th through October 1st, while the Bay Meadows race dates are September 1st through November 12th.

The simulcasts of the above named racing programs will be utilized as imported simulcasts only as permitted under the Racing Law.

\* For entry into the minutes, on September 1, 2000, approval was granted for the request by Monticello Raceway to amend their plan of operation enabling the import of simulcasts from Louisiana Downs. This approval is valid through the end of the 2000 Louisiana Downs race meeting, scheduled to conclude on November 12, 2000.

These simulcasts may be imported whenever permitted under the Racing Law.

\* For entry into the minutes, on September 11, 2000, approval was granted for the request by Monticello Raceway to amend their plan of operation enabling the import of simulcast

thoroughbred racing programs from Colonial Downs in New Kent, Virginia throughout the year 2000 live Colonial Downs race meeting.

**15. NASSAU OTB REQUEST TO SIMULCAST COLONIAL DOWNS**

For entry into the minutes, on September 1, 2000, approval was granted for the request by Nassau OTB to import simulcast thoroughbred racing programs from Colonial Downs in New Kent, Virginia throughout the year 2000 live Colonial Downs race meeting.

This approval extends to Suffolk Regional OTB.

**16. NEW YORK CITY OTB REQUEST TO DESIGNATE RACES OF SPECIAL INTERESTS**

For entry into the minutes, on September 1, 2000, approval was granted for the request by New York City OTB to designate as thoroughbred "Special Events", in compliance with Section 905-a of the Racing Law, the following Turfway Park stakes races:

- Saturday - September 16<sup>th</sup> - the Kentucky Breeders Cup (Turfway Park)
- Saturday - September 16<sup>th</sup> - The Kentucky Classic (Turfway Park)
- Saturday - September 16<sup>th</sup> - The Kentucky Sprint Championship (Turfway Park)
- Sunday - September 17<sup>th</sup> - The West Virginia Breeders Classic XIV (Charles Town Races)

**17. BUFFALO RACEWAY REQUEST TO CANCEL LIVE RACING ON THURSDAYS**

For entry into the minutes, on September 11, 2000, approval was granted for the request by Buffalo Raceway to cancel thirteen scheduled Thursday race programs in the year 2000. The initial cancellation will occur on Thursday, September 14<sup>th</sup>.

**18. VERNON DOWNS REQUEST TO SIMULCAST GARDEN STATE PARK, DELAWARE COUNTY FAIR & LOUISIANA DOWNS, ETC.**

For entry into the minutes, on September 11, 2000, approval was granted for the request by Vernon Downs to change their plan of operation enabling the import of the year 2000 harness simulcasts from Garden State Park in New Jersey.

This simulcast is permitted whenever applicable under the Racing Law.

\* For entry into the minutes, on September 13, 2000, approval was granted for the request by Vernon Downs to change their plan of operation enabling the import of simulcasts from Louisiana Downs.

This approval is valid through the end of the 2000 Louisiana Downs race meeting scheduled to conclude on November 12, 2000. These simulcasts may be imported whenever permitted under the Racing Law.

19. **NASSAU OTB REQUEST TO SIMULCAST FAIRPLEX PARK**

For entry into the minutes, on September 12, 2000, approval was granted for the request by Nassau OTB to import simulcast thoroughbred racing programs from Fairplex in Los Angeles, California throughout the year 2000 live Fairplex race meeting.

This approval also extends to Suffolk Regional OTB as well.

20. **NASSAU OTB REQUEST TO SIMULCAST TURF PARADISE**

For entry into the minutes, on September 12, 2000, approval was granted for the request by Nassau OTB to amend its plan of operation enabling the import of simulcast thoroughbred racing programs from Turf Paradise in Phoenix, Arizona throughout the year 2000-2001 live Turf Paradise race meeting.

This approval extends to Suffolk Regional OTB as well.

21. **MONTICELLO RACEWAY REQUEST TO OFFER PROMOTIONS**

For entry into the minutes, on September 13, 2000, approval was granted for the request by Monticello Raceway to conduct two non-wagering media races.

One race will be contested on Sunday, September 17<sup>th</sup> and the second will be contested on Sunday, October 1, 2000.

All contestants will be "seasoned" media drivers that will compete using jog carts and will not carry whips.

22. **CAPITAL OTB REQUEST TO RELOCATE BRANCH - HUDSON**

For entry into the minutes, on September 13, 2000, approval was granted for the request by Capital OTB to relocate the branch located within the Greenport Plaza in Hudson to a new location within the Fairview Plaza at 65 Maple Avenue in Hudson.

Before opening this relocated branch at 65 Maple Avenue, the temporary certificate of occupancy must be filed with the Board. (See F-item)

23. **WESTERN OTB REQUEST TO OFFER PROMOTIONS**



For entry into the minutes, on September 13, 2000, approval was granted for the request by Western OTB to offer a direct mail voucher promotion scheduled for 10,000 homes in the Watkins Glen area. A prize in the amount of two hundred and fifty dollars (\$250.00) will be awarded, by drawing, to one customer on a specific Saturday. In addition, there is no monetary cost to the customer to enter this drawing.

Also approved was the Western OTB Dial-A-Bet promotion by which customers signing up for a new Dial-A-Bet account during this promotion receive an additional ten dollars (\$10.00) credited to their new phone account.

Further approved was the handicapping contest to be hosted at the Phoenix branch on Sunday, October 1, 2000. There is no entry fee to enter this contest and that a majority of the races used for contest purposes are "in-state races" complying with Section 908 of the Racing Law.

This approval is effective immediately.

24. **SARATOGA HARNESS REQUEST TO CHANGE RACE DAYS**

For entry into the minutes, on September 14, 2000, approval was granted for the request by Saratoga Harness to amend their plan of operation enabling the cancellation of two previously approved dates of Tuesday, October 24<sup>th</sup> and Tuesday, October 31<sup>st</sup>.

The initial cancellation results in the addition of a racing program on the very next evening, Wednesday, October 25<sup>th</sup>. The first post time of the Wednesday, October 25<sup>th</sup> program will be 7:40 p.m.

The second cancellation of Tuesday, October 31<sup>st</sup> brings about the addition of a live racing program on Saturday, October 28<sup>th</sup>.

The final week of October at the Saratoga Equine Sports Center will now consist of live harness racing programs on October 23<sup>rd</sup>, 25<sup>th</sup>, 27<sup>th</sup>, 28<sup>th</sup> and the 30<sup>th</sup>.

25. **CAPITAL OTB REQUEST TO SIMULCAST DELAWARE FAIRGROUNDS**

For entry into the minutes, on September 14, 2000, approval was granted for the request by Capital OTB to simulcast the Delaware County Fair in Ohio.

This approval encompasses all harness racing at the fairgrounds for the September 17<sup>th</sup> through September 21<sup>st</sup> timeframe, including all Grand Circuit races, The Little Brown Jug and The Jugette.

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

**1. IN THE MATTER OF GEORGE KLEIMAN**

For entry into the minutes, on August 21, 2000, the Board summarily suspended the harness owner and general services license of George Kleiman for refusing to let investigators conduct an inspection of his vehicle on August 18, 2000 on the grounds of Yonkers Raceway in violation of Board Rules 4120.6(d), 4119.7(a) (5) and 4119.9(a).

**2. FINGER LAKES REQUEST TO ADD SUPERFECTA WAGERING TO 6<sup>TH</sup> RACE**

For entry into the minutes, on August 21, 2000, the Board granted approval for the request by Finger Lakes to continue, for the remainder of the year 2000 racing season, to conduct "superfecta wagering" on its fifth race daily. This is in addition to the previously approved superfecta on its last race.

**3. NYRA REQUEST FOR ADDITIONAL ANNEXATION OF PROPERTIES FOR SARATOGA MEET**

For entry into the minutes, on August 21, 2000, the Board granted approval for the request by NYRA for two additional properties for the purpose of the administration of furosemide on off-NYRA premise property for the year 2000 Saratoga race meeting.

The two additional properties are known as the Saratoga Off-Track Stables, Inc. and the Childs Barn, both located on Gridley Street.

**4. IN THE MATTER OF NORTHERN JEWEL**

For entry into the minutes, on September 13, 2000, the Board approved Hearing Officer Brittell's recommendation that the decision of the Judges at Saratoga Raceway not to disqualify NORTHERN JEWEL from the 4<sup>th</sup> race on July 21, 2000 in violation of Rules 4117.2(c) and 4117.17(a) be reversed. NORTHERN JEWEL be disqualified and the purse and Sire Stakes points be redistributed.

**5. IN THE MATTER OF MANUEL F. TORRES**

For entry into the minutes, on September 13, 2000, the Board summarily suspended the thoroughbred jockey license of Manuel Torres for failure to attend and participate in his present substance abuse program in violation of Board Rule 4042.5 and the Consent to Conditions for Reinstatement, dated July 28, 2000.

**6. IN THE MATTER OF DAVID J. GEORGE**

For entry into the minutes, on September 19, 2000, the Board summarily suspended the thoroughbred groom license of David J. George. Mr. George failed to provide a urine sample when directed to do so at Finger Lakes Race Track, in violation of Board Rule 9(E) NYCRR Section 4042.5 and his Consent to Conditions for Reinstatement, dated July 23, 1993. His conditional status was based on his positive test for cocaine and Valium at Finger Lakes Racetrack on November 6, 1992, for which the Board revoked his license on January 22, 1993.

**7. IN THE MATTER OF RUSSELL A. MCKEEVER**

For entry into the minutes, on September 19, 2000, the Board summarily suspended the thoroughbred groom license of Russell A. McKeever. Mr. McKeever admitted to using marijuana in the week preceding September 17, 2000, and also failed to provide a urine sample when directed to do so at Finger Lakes Race Track, in violation of violation of Board Rule 9(E) NYCRR Section 4042.5 and his Consent to Conditions for Reinstatement, dated July 18, 1997. His conditional status was based on his suspension by the Board on May 30, 1997 for having tested positive twice for the drug marijuana at Finger Lakes Race Track on July 22, 1994 and May 13, 1997.

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

**1. IN THE MATTER OF JOSEPH GUARINO**

The Board approved the recommendation of Hearing Officer Brittell that the imposition of a \$100 fine by the Presiding Judge at Yonkers Raceway for scratching a horse from the first race on June 17, 2000 without permission of the Presiding Judge, in violation of Board Rule 4111.13, be upheld.

**2. IN THE MATTER OF TERRY HUTCHINSON**

The Board approved Hearing Officer Brittell's recommendation that the suspension of Mr. Hutchinson's thoroughbred groom license be continued based upon a violation at Finger Lakes on July 17, 2000 of Board Rule 4042.4 and the Consent to Conditions for Relicensing, with the ability to apply for relicensing based upon satisfaction of a substance abuse program and the provision of non-positive samples.

**3. IN THE MATTER OF JOHN MONGEON**

The Board approved Hearing Officer Brittell's recommendation that the decision of the Judges at Monticello Raceway, which disqualified the horse WOLF'S MACABIE in the 10<sup>th</sup> race on August 1, 2000 for failure to observe the Breaking Rule 4117.10(a)(3) and placed the horse 4<sup>th</sup>, be affirmed.

**4. TURNING STONE CASINO - FOOD & BEVERAGE APPRENTICESHIP PROGRAM**

The Board approved the request by the Turning Stone Casino Resort and the Oneida Indian Nation of New York Gaming Commission to permit the certification of individuals under the age of eighteen to participate in the Turning Stone Casino Resort Food and Beverage Apprenticeship Program designed to offer training to local high school juniors and seniors who seek to learn about restaurant operations within a casino-resort environment.

**5. FINGER LAKES REQUEST TO WITHDRAW FROM CIF - \$629,460.40**

The Board approved the request by Finger Lakes to withdraw \$629,460.40 from their Capital Improvement Fund for reimbursement of capital improvement purchases and improvements.

**Patron Services & Areas (68%)**

Stairwell Remodeling Project	\$213,111.00
(2) Betting Carrels	143,349.71
Painting (Main Building)	48,652.90
Concessions Stands Renovations	12,231.06
Concessions Stand Equipment	3,213.26
Sanitary Containers	2,178.31
(20) 27" Televisions	<u>6,933.60</u>
<b>Total Patron Services &amp; Areas</b>	<b><u>\$429,669.84</u></b>

**Backstretch, Barns & Racing Strip (29%)**

Oval Strip Resurfaced	\$165,082.59
Gas line - Barn Area	9,530.23
Electrical Pole	2,609.88

Electric Cable - Backside	1,606.01
Tower for Conditioner	1,221.08
Float Conversions	1,041.90
Barn Roof	989.75
Drag Plate	979.05
Fire Hose - Barn Area	<u>753.28</u>
<b>Total Backstretch, Barns &amp; Racing Strip</b>	<b><u>\$183,813.77</u></b>

**General & Administrative (3%)**

Radio Equipment (For Security)	\$ 6,443.86
Lawn Tractor	4,920.93
Air Compressor	1,770.85
Cabinet Saw	1,600.00
Floor Drill & Welder	<u>1,241.15</u>
<b>Total General &amp; Administrative</b>	<b><u>\$15,976.79</u></b>

**Total Approved Application** **\$629,460.40**

**6. MONTICELLO RACEWAY REQUEST TO WITHDRAW FROM CIF - \$70,947.02**

The Board approved the request by Monticello Raceway to withdraw \$70,947.02 from their Capital Improvement Fund for reimbursement of capital improvement purchases and improvements.

**Backstretch, Barns & Oval Racing Strip**

Road Paving Barn Area	\$46,275.00
Lasix Barn Repairs	6,740.01

New Fence by Lasix Barn	5,050.00
Barn Stall (Lumber )	3,871.56
Paddock Building	3,795.98
Pylons (For Main Track)	1,365.48
Surveyor Main track	700.00
Water Heaters	632.75
Plumbing Repairs (Groom' s Building )	<u>472.79</u>
<b>Total – Backstretch</b>	

**Other**

Lawn Mowers	<u>\$2,043.45</u>
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<b>Total Application</b>	<b><u>\$ 70,947.02</u></b>
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**7. NYRA REQUEST FOR APPROVAL OF INDEPENDENT AUDITOR**

The Board deferred the request by NYRA to engage Ernst & Young LLP as their independent auditor for the year 2000. Members Neglia and Buley delegated to the Chairman the power to approve this item when the appropriate information is received.

**8. VERNON DOWNS REQUEST TO WITHDRAW FROM CIF - \$101,959.68  
(revised from \$94,682.65)**

The Board approved the request by Vernon Downs to withdraw \$101,959.68 from their Capital Improvement Fund for reimbursement of capital improvement purchases and improvements. This amends a July 18, 2000 application letter requesting approval to withdraw \$94,682.65.

**Backstretch, Barns and Racing Oval (43 %)**

Rebuilding of Horsemen' s Building	\$36,374.04
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Parking lot for Nothin Fancy Cafe and  
Trailer Park roadway and drainage improvements 7,306.09

**Sub-Total**

**General & Administrative (30 %)**

1996 Jeep Cherokee for Security \$11,000.00  
Computers & Software 7,119.27  
Marketing Office Renovations 1,572.64  
(2) Golf Carts for Maintenance 1,444.50  
Fuse Box Installation - Main Power Pole 595.42  
(1) Ferris 61" Deck Mower 6,671.45  
Caterpillar 48" Ditch Bucket (Back hoe Attachment) 1,498.00  
(3) Weed Trimmers- 2 hand held and 1 push model 943.92

**Sub-Total** **\$30,845.20**

**Patron Services & Areas (27 %)**

(5) Televisions (Large Screen) \$10,250.64  
Walkway to Clubhouse Improvements 8,413.69  
Grandstand Improvements 1,802.30  
Amtote Wiring for Portable Bet-Mate 4,500.00  
(2) Custom Portable Teller Tables 1,296.00  
Air Purifier 664.72  
Modulator (For Simulcasting) 507.00

**Sub-Total**

**Total Application** **\$101,959.68**

**9. YONKERS RACEWAY REQUEST TO EXTEND PAST 72 HOUR PURSE DISTRIBUTION RULE - 4118.1(b)**

The Board approved a waiver of Rule 4118.1(b) concerning the distribution of purse checks within a seventy-two (72) hour timeframe after a race at Yonkers Raceway is made official. This is effective throughout the remainder of the year 2000.

Beginning in the year 2001, this matter should be included in the year 2001 track license application.

**10. YONKERS RACEWAY REQUEST TO WITHDRAW FROM CIF - \$100,000**

The Board approved the request by Yonkers Raceway to withdraw \$100,000 from the Capital Improvement Fund for expenses previously approved by the Board related to the demolition of the Grandstand and the relocation of racing related services to the Clubhouse.

**11. CAPITAL OTB REQUEST TO ADD E-Z BET LOCATION - KEESEVILLE**

The Board denied the Capital District Regional OTB request, dated December 21, 1999, to amend its plan of operation to conduct wagering and display simulcasts at the Keeseville Bowling Center, Inc. located in Keeseville (Essex County). This was a request originally submitted on October 7, 1999 and subsequently withdrawn on November 24, 1999.

The Board determined that David W. LaFountain, the owner-operator of the Keeseville Bowling Center, Inc. has on two occasions been charged with violations of the Alcoholic Beverage Control Law relating to the promotion of illegal gambling. Among the charges were promoting illegal gambling, possession of an illegal gambling device, promoting "football betting sheets" and promoting "NASCAR betting pools".

On each occasion, the State Liquor Authority imposed a five-day license suspension. Also, in 1996 a \$1,000.00 fine was imposed while in the year 2000, a \$1,500 fine was imposed.

**12. WESTERN OTB REQUEST FOR BOND ANTICIPATION NOTES (BANS)**

The Board approved the request by Western OTB for the issuance of the following Bond Anticipation Notes (BANS) pursuant to Section 508 (1) and (2) of the New York Racing, Pari-Mutuel Wagering and Breeding Law:



- One-Year BAN note in the amount of \$1,443,000 to pay the cost of renovating certain real property located in the Town of Amherst, Erie County, New York.
- Renewal of the \$1,027,200 balance of a one year BAN note (\$1,712,000 original principal) issued by Western OTB on September 30, 1998 for the construction of the Phoenix branch office located in the Town of Schroepel, Oswego County. The Board has previously approved the original issuance (September 28, 1998) of this note as well as a one - year renewal (September 28, 1999).
- Renewal of the \$1,600,000 balance of a one year BAN note (\$3,288,000 original principal) issued by Western OTB on September 30, 1998 for the acquisition and renovation of Batavia Downs located in the City/Town of Batavia, Genesee County. The Board had previously approved the original issuance (September 28, 1999) of this note as well as a one - year renewal (September 28, 1999).

**13. FINGER LAKES REQUEST FOR ADDITION OF ROSTER RACING OFFICIALS - MARTINEZ**

The Board denied the request by Finger Lakes for the appointment of Carmen Martinez to the position of alternate placing judge pursuant to Board Rule 4004.1.

It has been determined that licensee Carmen Martinez recently became Carmen Martinez-Colon, the wife of a year 2000 licensed jockey that has competed and is eligible to compete at Finger Lakes Racetrack. In the performance of some required duties as a racing official, it would not be in the public interest to have a currently licensed jockey's spouse performing such duties.

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

**1. NYTHA FINANCIAL REPORTS FOR 2000 BELMONT SPRING**

**MEET - 08/00-33-E**

Financial statement for the 2000 Belmont Spring meet in accordance with Rule 4003.51.

**2. STANDARDBRED OWNER'S ASSOCIATION APPLICATION TO CONDUCT LAS VEGAS NIGHT AT YONKERS RACEWAY - 08/00-21-E**

The event would be held in the "Good Time Room". The Raceway is privately owned and therefore is not an authorized location for games of chance to be held. The SOA does have a field office on the track but that is not where the games will be held.

**3. CAPITAL OTB SUMMONS WITH NOTICE - ST. PETER - 08/00-32-E**

Summons with Notice filed by Donna L. St. Peter, p/n/g of Ann St. Peter, for injuries sustained due to the negligence and recklessness arising out of an incident that occurred on August 24, 1999 in the Scoreboard Lounge at the Teleplex Racing Center on Central Avenue in Albany.

**4. CAPITAL OTB SUMMONS & COMPLAINT - WOLFERSEDER - 09/00-12-E**

Summons & Complaint filed by Jack Wolferseder who was terminated as an independent contractor performing expert analysis for the thoroughbred industry. Mr. Wolferseder claims that he was subjected to retaliation and a hostile and intimidating work environment and was caused to suffer emotional, psychological and mental harm, etc. He seeks \$100,000,000 in damages.

**5. NEW YORK CITY OTB MONTHLY BOARD MEETING - 09/00-18-E**

The New York City Off-Track Betting Corporation held it's monthly Board of Directors meeting on August 3, 2000. Audits and Investigation discussed issues pertaining to NYC OTB.

**6. SUFFOLK OTB MONTHLY BOARD MEETING - 09/00-14-E**

The Suffolk Regional Off-Track Betting Corporation held it's monthly Board of Directors meeting at the Tele-A-Race branch in Hauppauge on August 3, 2000. Jim Kellogg and Mike DeMarco attended the meeting.

**The meeting was adjourned at 12:30 p.m.**