

## MINUTES

### NEW YORK STATE RACING AND WAGERING BOARD

#### MEETING OF SEPTEMBER 27, 2002

A meeting of the New York State Racing and Wagering Board was held on Friday, September 27, 2002 at 10:00 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 10:07 a.m.

#### In Attendance Were:

Michael J. Hoblock, Jr., Chairman

Cheryl Buley, Member

Ed Martin, Executive Director

Sheila Osterhout, Secretary to the Board

Robert Feuerstein, General Counsel

Thomas Casaregola, Director of Audits & Investigations

Joe Lynch, Chief of Racing Operations

#### Also in Attendance Were:

Dianne Landor, NYSR&WB

Stacy Clifford, NYSR&WB

Bruce Samboy, NYSR&WB

Bill Heller, Thoroughbred Times

Thomas Cholakis, Capital OTB

Charles Coppola, Coppola, Ryan & McHugh

Jason Wheatley, NYS Senate

Bill Crowell, NYRA

OPEN COMMENT PERIOD: No comments were made.

A. The Board approved the minutes of the Board meeting held on August 14, 2002.

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

**1. VERNON DOWNS REQUEST TO SIMULCAST VARIOUS LOCATIONS IN 2002**

For entry into the minutes, on August 20, 2002, approval was granted for the request by Vernon Downs to amend its plan of operation enabling the import of the year 2002 simulcasts from The Delaware County Fair in Ohio and the Grand Circuit meeting at The Red Mile in Lexington, Kentucky.

**2. YONKERS RACEWAY REQUEST TO OFFER SUPERFECTA WAGERING – YONKERS TROT**

For entry into the minutes, on August 20, 2002, approval was granted for the request by Yonkers Raceway to amend its plan of operation enabling a second Superfecta wager on the Yonkers Trot stakes race on Saturday, August 24, 2002.

At least seven betting interests must go postward in the Yonkers Trot stakes race to maintain Superfecta wagering.

**3. YONKERS RACEWAY REQUEST FOR VARIOUS SIMULCAST LOCATIONS FOR 2002**

For entry into the minutes, on August 20, 2002, approval was granted for the request by Yonkers Raceway to amend its simulcast plan of operation enabling the exportation of simulcasts to Northville Downs in Michigan.

This approval is valid throughout the year 2002.

#### 4. FINGER LAKES REQUEST TO SIMULCAST VARIOUS LOCATIONS IN 2002

For entry into the minutes, on August 23, 2002, approval was granted for the request by Finger Lakes to amend its simulcast plan of operation enabling the addition of a Greenwood Racing, Inc. subsidiary known as The Racing Channel, Inc. and its wagering component Oneclickbetting, effective immediately.

This Board approval is contingent on strict adherence to contract condition SIXTEENTH – no rebates to patrons; and Appendix A – No phone or computer interactive wagering allowed from New York State residents.

\* For entry into the minutes, on September 5, 2002, approval was granted for the request by Finger Lakes to amend its simulcast plan of operation enabling the export of the Finger Lakes simulcast signal to Turfway Park in Florence, Kentucky.

This approval is given under the Board' s policy of all New York State simulcast licensees filing all export contracts with in-state, contiguous state or new entities.

#### 5. MONTICELLO RACEWAY REQUEST FOR VARIOUS SIMULCAST LOCATIONS FOR 2002

For entry into the minutes, on August 23, 2002, approval was granted for the request by Monticello Raceway to amend its simulcast plan of operation enabling the import of the year 2002 simulcasts from The Delaware County Fair in Ohio.

\* For entry into the minutes, on August 26, 2002, approval was granted for the request by Monticello Raceway to amend its simulcast plan of operation enabling the import of the year 2002 simulcasts from the Grand Circuit meeting at The Red Mile in Lexington, Kentucky.

This simulcast may be utilized whenever in accordance with the current Racing Law.

\* For entry into the minutes, on August 28, 2002, approval was granted for the request by Monticello Raceway to amend its plan of operation enabling the import of simulcasts from Turfway Park, a thoroughbred racetrack in Kentucky.

This approval is valid through December 31, 2002. This simulcast signal may be imported whenever permitted under the Racing Law.

\* For entry into the minutes, on September 13, 2002, approval was granted for the request by

Monticello Raceway to amend its plan of operation enabling the import of simulcasts from the thoroughbred racetrack in Kentucky known as Kentucky Downs.

This imported simulcast signal may be used whenever permitted under the Racing Law.

\* For entry into the minutes, on September 19, 2002, approval was granted for the request by Monticello Raceway to amend its plan of operation enabling the acceptance of harness simulcasts from Northville Downs in Michigan and of thoroughbred simulcasts from Keeneland Race Course in Kentucky. These approvals are effective immediately.

These simulcast signals may be utilized whenever applicable under current Racing Law.

\* For entry into the minutes, on September 19, 2002, approval was granted for the request by Monticello Raceway to amend its plan of operation enabling the import of simulcasts from the Fall harness meeting at Colonial Downs in Virginia.

All out-of-state simulcast signals may be utilized whenever applicable under the current Racing Law.

#### 6. NYRA REQUEST TO AMEND RACE DATES IN SEPTEMBER

For entry into the minutes, on August 23, 2002, approval was granted for the request by NYRA to change racing dates in September 2002.

Approved as cancelled is the scheduled program of Wednesday, September 11th and added the program of Monday, September 9th.

#### 7. NEW YORK CITY OTB REQUEST TO DESIGNATE RACES AS “ SPECIAL EVENTS”

For entry into the minutes, on August 23, 2002, approval was granted for the request by New York City OTB to amend its simulcast plan of operation in relation to Board designated “ special events” . Specifically approved are the three graded stakes races of September 14th at Turfway Park in Kentucky known as the Kentucky Cup Classic, The Turfway Breeders Cup and the Kentucky Cup Sprint.

Also approved for “ special event” status is the requested Melbourne Cup from Flemington Racecourse in Melbourne, Australia that is available on the evening of Monday, November 4th in the Eastern United States.

#### 8. NEW YORK CITY OTB REQUEST TO SIMULCAST THE MEADOWLANDS

For entry into the minutes, on August 23, 2002, approval was granted for the request by New York City OTB to amend its simulcast plan of operation enabling the import of the year 2002 thoroughbred simulcast signals from The Meadowlands in New Jersey whenever applicable under current Racing Law.

This approval, good through the life of the submitted contract, extends to all six regional New York State Off-Track Betting Corporations.

#### 9. NEW YORK CITY OTB REQUEST TO SIMULCAST THE RED MILE

For entry into the minutes, on August 23, 2002, approval was granted for the request by New York City OTB to amend its simulcast plan of operation enabling the import of the year 2002 thoroughbred simulcast signals from The Red Mile in Lexington, Kentucky whenever applicable under current Racing Law.

This approval, good through the life of the submitted contract, extends to all six regional New York State Off-Track Betting Corporations.

#### 10. SARATOGA HARNESS REQUEST TO SIMULCAST VARIOUS LOCATIONS IN 2002

For entry into the minutes, on August 26, 2002, approval was granted for the request by Saratoga Harness to amend its simulcast plan of operation enabling the import of simulcasts from the year 2002 California Fairs that conduct pari-mutuel racing.

Approved were the fairs at Stockton, Pleasonton, Vallejo, Santa Rosa, San Mateo, Ferndale, Sacramento and Fresno.

Also approved is the year 2002 Breeders' Cup Future Wagers from Arlington Park Racecourse. These imported simulcast signals may be used whenever permitted under the Racing Law.

\* For entry into the minutes, on September 19, 2002, approval was granted for the request by Saratoga Harness to amend their simulcast plan of operation enabling the import of simulcasts from Batavia Downs, an in-state harness track; the Delaware County Fair and the Little Brown Jug, an Ohio harness meeting; Pompano Park, a harness racetrack in Florida; The Red Mile, a Kentucky harness track; Kentucky Downs, a Kentucky thoroughbred track; the Oak Tree at Santa Anita meet, a California thoroughbred track and Turfway Park, a thoroughbred racetrack in Kentucky. All simulcasts may be utilized during its year 2002 racing meetings whenever applicable within the Racing Law.

The approval for the Pompano Park contract is through December 31, 2002 only. Should Saratoga Harness desire to continue with the Pompano Park simulcast into 2003 and through the life of the agreement (scheduled to expire on June 30, 2003), new letters of permission from the representative Pompano Park horsemen's organization and from the Florida Commission must be filed with Board for this simulcast to continue.

\* For entry into the minutes, on September 20, 2002, approval was granted for the request by Saratoga Harness to amend its simulcast plan of operation enabling the import of simulcasts from Suffolk Downs through the end of their year 2002 race meeting and from the Fall 2002 Keeneland Race Course meeting. All simulcasts may be utilized during their year 2002 racing meetings whenever applicable within the Racing Law.

## 11. NASSAU OTB REQUEST FOR VARIOUS SIMULCAST LOCATIONS FOR 2002

For entry into the minutes, on August 26, 2002, approval was granted for the request by Nassau OTB to amend its simulcast plan of operation enabling the import of thoroughbred racing programs from Fairplex in Los Angeles, California throughout the year 2002 live Fairplex race meeting.

This approval extends to Suffolk Regional OTB as well.

\*For entry into the minutes, on August 28, 2002, approval was granted for the request by Nassau Regional OTB, dated August 7, 2002, to amend its simulcast plan of operation enabling the import of simulcasts from Remington Park in Oklahoma during its 2002 racing meeting.

This approval to import the Remington Park simulcast also applies to Suffolk Regional OTB. These simulcasts may be imported and utilized for wagering whenever in accordance with the Racing Law.

\* For entry into the minutes, on September 5, 2002, approval was granted for the request by Nassau Regional OTB to amend its simulcast plan of operation enabling the import of the simulcast from The Red Mile in Lexington, Kentucky during their 2002 Fall Grand Circuit meeting that began on September 2nd and concludes on October 5th.

This approval to import The Red Mile simulcasts also applies to Suffolk Regional OTB. The Red Mile simulcasts may be imported and utilized for wagering whenever in accordance with the Racing Law.

\* For entry into the minutes, on September 16, 2002, approval was granted for the request by Nassau Regional OTB, dated August 29, 2002, to amend its simulcast plan of operation enabling the import of thoroughbred simulcasts from Kentucky Downs in Kentucky for their 2002 ten-day race meeting.

The approval to import the Kentucky Downs simulcast further applies to Suffolk Regional OTB. All simulcasts may be imported and utilized for wagering whenever in accordance with the Racing Law.

## 12. NEW YORK CITY OTB REQUEST FOR ADDENDUM TO EXISTING CONTRACT – ARLINGTON PARK

For entry into the minutes, on August 28, 2002, approval was granted for the request by New York City OTB to amend its plan of operation by virtue of an addendum to an existing contract with Arlington Park (Illinois) enabling the handling of the Breeders' Cup future wagers during the time periods of August 30th through September 2nd and from September 20th through September 22nd.

This approval also extends to the Capital District Regional OTB.

13. WESTERN OTB REQUEST TO CANCEL LIVE RACING DATE – BATAVIA DOWNS

For entry into the minutes, on August 29, 2002, approval was granted for the request by Western OTB/Batavia Downs to cancel the previously approved date of racing for Thursday, September 5, 2002.

14. BUFFALO RACEWAY REQUEST FOR VARIOUS SIMULCAST LOCATIONS FOR 2002

For entry into the minutes, on September 5, 2002, approval was granted for the request by Buffalo Raceway to amend its simulcast plan of operation enabling the import of the year 2002 simulcasts from the Fall Grand Circuit meeting at The Red Mile in Lexington, Kentucky.

15. NYRA REQUEST TO DESIGNATE RACES AS “ SPECIAL” EVENT”

For entry into the minutes, on September 5, 2002, approval was granted for the request by NYRA to designate as a special event, the Red Stripe Superstakes from Caymanas Park in Jamaica on November 9, 2002.

16. WESTERN OTB REQUEST TO SIMULCAST DELAWARE COUNTY FAIR – BATAVIA DOWNS

For entry into the minutes, on September 5, 2002, approval was granted for the request by Western OTB/Batavia Downs to amend their simulcast plan of operation enabling the import of the year 2002 simulcasts from The Delaware County Fair in Ohio.

17. NEW YORK CITY OTB REQUEST TO SIMULCAST THE DOWNS AT ALBUQUERQUE

For entry into the minutes, on September 10, 2002, approval was granted for the request by New York City OTB to amend its simulcast plan of operation enabling the import of thoroughbred simulcasts from The Downs at Albuquerque in New Mexico.

This approval is good throughout the remainder of the calendar year 2002. Should the regional off-track betting corporations continue on this contract into 2003, new federally required letters of permission from the New Mexico Racing Commission and from the New Mexico Horsemen’ s Association allowing this inter-state simulcast, must be filed with the Board.

18. CAPITAL OTB REQUEST TO CLOSE BRANCH – MALONE

For entry into the minutes, on September 13, 2002, approval was granted for the request by Capital OTB for the closing of the Franklin County off-track betting facility located in Malone.

19. CAPITAL OTB REQUEST TO CLOSE BRANCH - STONY CREEK

For entry into the minutes, on September 13, 2002, approval was granted for the request by Capital OTB for the closing of the Warren County off-track betting facility located at the Thousand Acres Resort in Stony Creek.

## 20. CAPITAL OTB REQUEST TO E-Z BET LOCATIONS - TANNERSVILLE & DANDEMORA

For entry into the minutes, on September 17, 2002, approval was granted for the request by Capital OTB to close two E-Z Bet branches.

Included is the Greene County off-track betting facility located at PJ Larkins in Tannersville and Ruthie' s At The Gate located in Dannemora in Clinton County.

## 21. YONKERS RACEWAY REQUEST TO DESIGNATE RACES AS “ SPECIAL EVENTS”

For entry into the minutes, on September 19, 2002, approval was granted for the request by Yonkers Raceway for designation of the afternoon harness Grand Circuit racing programs from The Red Mile in Lexington, Kentucky as special events under Sections 1007(6)(a) and 523(7) of the Racing Law.

## 22. CAPITAL OTB REQUEST TO CONDUCT HANDICAPPING CONTEST

For entry into the minutes, on September 19, 2002, approval was granted for the request by Capital OTB , dated September 12, 2002, to distribute five (5) one hundred dollar (\$100) betting vouchers at the October 23rd Breeder' s Cup seminar in the Capital Room of the Albany Teletheater. No one in attendance at the Albany Teletheater that evening may be excluded from participation in the drawings for the winning vouchers.

Also approved is the ability to conduct a “ paid-in” handicapping contest at the Albany teletheater on November 16th and 17th per all submitted rules. Section 908 of the Racing Law stipulates that at least half of the races used in an approved handicap contest must emanate from a New York State racetrack.

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

### 1. IN THE MATTER OF DAVID WILLIAMS

For entry into the minutes, on September 25, 2002, approval was granted for the summary suspension of David Williams who is licensed by the Racing and Wagering Board ("Board") as an assistant trainer and has been since 2001, after having been licensed primarily as a groom since 1989. His current license is valid through April 4, 2003.

On September 15, 2002, he was administered a drug test by the Board at Finger Lakes Race Track. LabCorp advised the Board on September 23, 2002, that his test was positive for cannabinoid (marijuana).

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

### 1. IN THE MATTER OF NELLIE A. DRIVER

The Board approved the recommendation of Hearing Officer Baller to revoke Ms. Driver' s harness groom license based upon the finding that she violated Section 309(2) of the Racing, Pari-Mutuel Wagering and Breeding Law and Board Rule 4119.11, following the report of a positive result for the drug cocaine, which resulted from a sample collected from the licensee on July 15, 2002 at Yonkers Raceway.

### 2. IN THE MATTER OF STEVEN GREEN

The Board adopted the findings of fact and conclusions of law, except as to the recommendation of Hearing Officer Baller to increase the penalty imposed by the Presiding Judge at Buffalo Raceway on January 26, 2002 of a 15-month suspension. The Board ordered that the decision of the Presiding Judge at Buffalo Raceway, that Steven P. Green violated Title 9(E) NYCRR §4120.3, §4119.3, §4119.9, in that he possessed a cattle prod on the grounds of Buffalo Raceway, in violation of §4120.3, that he intentionally made a physical attack on a Board investigator in violation of §4119.3, and that Mr. Green' s conduct constitutes conduct detrimental to the best interests of racing and by its nature is corrupt and injurious to the character of the turf, in violation of Board Rule 9(E) NYCRR §4119.9 be affirmed, and ordered a character fitness review prior to relicensing, focusing on Mr. Green' s conduct during this suspension period.

### 3. IN THE MATTER OF CARMINE IORIO

The Board approved Hearing Officer Baller' s recommendation that the Board rescind the disqualification and reinstate " We' ll See Ya" as the winner of the July 21, 2001 eighth race at Finger Lakes Race Track. The disqualification was based upon Rule 4043.5 and followed the reported presence of the drug mepivacaine in the post-race sample of " We' ll See Ya" .

### 4. IN THE MATTER OF MICHAEL DICKINSON

The Board reopened and remanded the matter to the Hearing Officer to make additional findings of fact and conclusions without additional testimony, for the following limited purposes:

1. that all submission be noted and categorized as accepted into evidence and/or not accepted into evidence; and
2. that the analysis of the evidence admitted, include findings pertaining to all of the evidence admitted;
3. that findings be made with respect to respondent' s "defense" concerning the issue of sampling protocol; and

4. that the purported "newly discovered evidence" referenced in the September 24, 2002 letter of Karen A. Murphy be addressed.

This matter arose from the appeal of the decision of the State Steward at Belmont Park that trainer Michael Dickinson violated 9(E) NYCRR §4043.2 and 4043.4, in that an excess of the drug furosemide was administered on June 30, 2001 at Belmont Park.

#### 5. NOTICE OF ADOPTION – ELECTRONIC BINGO AID

The Board adopted the text of the previously published proposal to amend Title 9E NYCRR 5800.1(n) and Part 5823. These amendments concern the use and distribution of electronic bingo aids used by bingo players to track numbers on bingo cards, and will ensure the distribution and use of electronic bingo aids and the net proceeds derived from their sale are consistent with the prohibitions against commercialization of bingo (Section 435 of the Executive Law).

#### 6. BINGO/GAMES OF CHANCE RECOMMENDATION OF RULE MAKING TO AMEND VARIOUS RULES TO PERMIT FORMS TO BE PRESCRIBED BY THE BOARD WITHOUT NECESSITY FOR FORMAL RULE-MAKING ON EACH OCCASION

The Board proposed the amendments to enumerated bingo and games of chance rules in order to facilitate changes, as and when needed, to existing forms used in the regulation of bingo and games of chance.

#### 7. FINGER LAKES REQUEST TO WITHDRAW FROM CIF - \$170,251.10

The Board approved the request by Finger Lakes Racing Association, Inc., dated July 23, 2002, to withdraw \$170,251.10 from their Capital Improvement Fund for capital improvement expenditures.

Backstretch & Barns (50%)

Rebuild Clocker' s Stand \$ 4,900.13

Rebuild Barn 4 & 9 Exteriors 79,600.00

Total Backstretch \$84,500.13

Other (50%)

Replace roof for elevator shaft \$ 950.00

Remodel customer service gift shop 11,862.12

Renovate Female Jockey Room 833.58

Steam Capsule – Female Jockey Room 2,388.93

(2) Replace washing machines –

Male Jockey Room 576.72

Renovations Publicity Office 747.48

(2) Digital Duplicators for In-house

production of Live Racing Program 66,702.90

(2) Air Conditioners for Male Jockey

Room and Program Room 954.11

(7) New Folding Tables for upper

grandstand seating area 735.13

Total Other \$85,750.97

Total Approved \$170,251.10

#### 8. FINGER LAKES REQUEST TO WITHDRAW FROM CIF - \$25,922.21

The Board approved the request by Finger Lakes Racing Association, Inc. dated July 23, 2002 to withdraw \$170,251.10 from its Capital Improvement Fund for capital improvement expenditures.

Backstretch & Barns (95%)

Water Truck \$24,610.00

Other (5%)

Air Conditioner Jockey Room \$748.99

(2) Laser Printers 563.22

Total Other \$1,312.21

Total Recommended Approval \$25,922.21

#### 9. CAPITAL OTB REQUEST TO ADD E-Z BET LOCATION - COHOES

The Board approved the request by Capital District OTB, dated July 11, 2002, to conduct wagering and display simulcasts at the Pub Laurent, Cohoes (Albany County) located at 201

Columbia Street. It is understood that at this new E-Z Bet location, all wagering is self-service and initiated using a winning ticket or voucher only. The amount limit in the issuance of any voucher to a customer at any one time will be five hundred dollars (\$500).

In addition, it is expected that Capital OTB, using its own and audit employees, will inspect the Pub Laurent E-Z Bet facility and certify that all rules and laws concerning the conduct of wagering in New York State, are being followed. A copy of the results of all Capital security checks involving E-Z Bet locations must be filed with the Board in a timely manner.

Additionally, the Secretary to the Board must be immediately notified in writing should a change in any operating procedure become effective at this approved E-Z Bet facility.

Approval is conditioned upon receipt, prior to operations, of local approval pursuant to Section 1003(2)(f) of the Racing, Pari-Mutuel Wagering and Breeding Law.

#### 10. CAPITAL OTB REQUEST TO ADD E-Z BET LOCATION - MALONE

The Board approved the request by Capital District OTB, dated July 11, 2002, to conduct wagering and display simulcasts at the Lucky Strike Lanes, Malone, New York (Franklin County) located at 36 Woodard Street. It is understood that at this new E-Z Bet location, all wagering is self-service and initiated using a winning ticket or voucher only. The amount limit in the issuance of any voucher to a customer at any one time will be five hundred dollars (\$500).

In addition, it is expected that Capital OTB, using its own and audit employees, will inspect the Lucky Strike Lanes E-Z Bet facility and certify that all rules and laws concerning the conduct of wagering in New York State, are being followed. A copy of the results of all Capital security checks involving E-Z Bet locations must be filed with the Board in a timely manner.

Additionally, the Secretary to the Board must be immediately notified in writing should a change in any operating procedure become effective at this approved E-Z Bet facility.

Approval is conditioned upon receipt, prior to operations, of local approval pursuant to Section 1003(2)(f) of the Racing, Pari-Mutuel Wagering and Breeding Law.

#### 11. NEW YORK CITY OTB REQUEST TO AMEND PLAN OF OPERATION - NICHOLSON

The Board approved the appointment of Mr. Ted G. Nicholson as the new Executive Vice-President for Business Development at the New York City Off-Track Betting Corporation.

#### 12. NEW YORK CITY OTB REQUEST FOR AGREEMENT WITH ROBERTS COMMUNICATIONS NETWORK, INC.

The Board approved the request by New York City OTB to amend its plan of operation enabling the use of the Roberts Communication Network's "frame relay" system of transmission of wagering data in the place of the older Digipath Digital Service (DSSII) lines and dial-up line.

This approval is effective immediately.

#### 13. NEW YORK CITY OTB REQUEST TO EXTEND CONTRACT WITH AMTOTE

The Board approved the request by New York City OTB to amend its plan of operation with the approval of the contract with Amtote International, Inc. for a period of three years from October 24, 2002 through December 31, 2005.

#### 14. WESTERN OTB REQUEST TO INSTALL SELF-VENDING WAGERING TERMINAL - BATAVIA

The Board approved the request by Western OTB/Batavia Downs to amend its plan of operation enabling the placement of a pari-mutuel machine in the driver' s lounge within the paddock of the racetrack.

Upon request of the Board, video records of users of this machine during live harness hours and pari-mutuel records from this same machine must be made available to the Board or its representative. This approval is effective immediately.

#### 15. WESTERN OTB REQUEST FOR BUILDING RENOVATIONS - BATAVIA

The Board issued a permit in accordance with Section 322 of the New York State Racing, Pari-Mutuel Wagering and Breeding Law for the following renovations at Batavia Downs racetrack:

- Selected demolition, disposal, and repairs of the Grandstand Building
- Civil and Architectural repairs of Paddock Facility and Barns
- HVAC repairs of Paddock and Officials building, estimated
- Construction of new mechanical building and grandstand renovations
- Roofing of main building, Grandstand and Mechanical Building addition
- Renovation of Grandstand Ceiling

The renovations at Batavia Downs are on going and any additional building permits approved by the City of Batavia will be submitted to the Board in accordance with Section 322.

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

1. NYRA REQUEST TO EXTEND CONTRACT WITH AUTOTOTE LTD. -

08/02-28-E

The vendor contract with NYRA' s pari-mutuel system provider, Autotote Ltd., for the provision of totalizator services during race meetings has been extended through October 31, 2004.

2. NYRA TO CONDUCT RACE MEETING AT AQUEDUCT RACETRACK - 09/02-01-E

In accordance with Section 229(1)(e) of the Racing, Pari-Mutuel Wagering and Breeding Law, NYRA has notified the Board of its intention to conduct a race meeting at Aqueduct Racetrack during the months of December, January, February, March and April in order to have the pari-mutuel tax rate authorized by Section 229(1)(a).

3. BUFFALO RACEWAY ANNUAL DESK REVIEW FOR 2001 - 08/02-36-E

Annual desk review of Buffalo Raceway' s 2001 financial statements.

4. MONTICELLO RACEWAY ANNUAL DESK REVIEW FOR 2001 - 09/02-27-E

Annual desk review of Monticello Raceway' s 2001 financial statements.

5. NYRA ANNUAL DESK REVIEW FOR 2001 - 04/02-04-E

Annual desk review of NYRA' S 2001 financial statements.

6. SARATOGA HARNESS ANNUAL DESK REVIEW FOR 2001 - 09/02-02-E

Annual desk review of Saratoga Harness' 2001 financial statements.

7. SYRACUSE MILE ANNUAL DESK REVIEW FOR 2001 - 09/02-03-E

Annual desk review of Syracuse Mile' s 2001 financial statements.

8. VERNON DOWNS REPORT OF REGULATORY REVIEW - 09/02-31-D

Staff completed a regulatory review of Mid-State Raceway, Inc. d/b/a Vernon Downs. As a result a report is being presented to the Board.

9. CAPITAL OTB ANNUAL DESK REVIEW FOR 2001 - 09/02-04-E

Annual desk review of Capital OTB' s 2001 financial statements.

10. CATSKILL OTB ANNUAL DESK REVIEW FOR 2001 - 09/02-05-E

Annual desk review of Catskill OTB' s 2001 financial statements.

11. NASSAU OTB ANNUAL DESK REVIEW FOR 2001 - 09/02-14-E

Annual desk review of Nassau OTB' s 2001 financial statements.

12. NEW YORK CITY OTB ANNUAL DESK REVIEW FOR 2001 - 09/02-06-E

Annual desk review of New York City OTB' s 2001 financial statements.

13. SUFFOLK OTB ANNUAL DESK REVIEW FOR 2001 - 09/02-23-E

Annual desk review of Suffolk OTB' s 2001 financial statements.

14. WESTERN OTB ANNUAL DESK REVIEW FOR 2001 - 08/02-29-E

Annual desk review of Western OTB' s 2001 financial statements.

15. GAMES OF CHANCE LICENSED BINGO & GAMES OF CHANCE SUPPLIERS -  
AUGUST/SEPTEMBER - 09/02-11-E

List of manufacturers/suppliers licensed for 2002, by the Charitable Gaming Unit, between August 3, 2002 – September 10, 2002.

16. GAMES OF CHANCE – BINGO REGISTRATION NUMBERS –  
AUGUST/SEPTEMBER - 09/02-13-E

List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit between August 3, 2002 - September 10, 2002.

17. GAMES OF CHANCE – BELL JAR TICKETS – AUGUST/SEPTEMBER - 09/02-12-E

List of bell jar tickets authorized/denied by the Charitable Gaming Unit between

August 3, 2002 - September 10, 2002.

18. INDIAN GAMING LICENSING STATISTICS – AUGUST 2002 - 09/02-28-E

Licensing statistics for the month of August 2002. Also included are the certifications for Turning Stone and Akwesasne.

19. LICENSING – CURRENT LICENSING COUNT - 09/02-29-E

Current licensing count as of September 18, 2002.

The meeting was adjourned at 11:02 a.m.