

**MINUTES OF THE
BOARD MEETING
OF NOVEMBER 29, 1995**

A Meeting of the New York State Racing and Wagering Board was held on Wednesday, November 29, 1995, at the Board offices located at 120 Broadway, 13th Floor, New York, New York 10271.

IN ATTENDANCE WERE:

Jerry Bilinski, DVM, Chairman
Joseph P. Neglia, Member
Bennett Liebman, Member
Donna M. Ross, Secretary to the Board
James Gallagher, Special Assistant to Chairman
Robert A. Feuerstein, Chief Counsel
Frank Massimo, Manager of Licsening
Arthur Schechter, Chief of Audits and Investigation

"MINUTES"
BOARD MEETING HELD IN ALBANY ON
THURSDAY, NOVEMBER 29, 1995 - 9:30 A.M.
N.Y.S. RACING & WAGERING BOARD

**A. THE BOARD APPROVED THE MINUTES OF BOARD MEETING
HELD IN ALBANY ON TUESDAY, October 10, 1995**

B. ITEMS PREVIOUSLY APPROVED BY THE CHAIRMAN

1. **MONTICELLO RACEWAY - LICENSE AMENDMENT**

For entry into the minutes, the Chairman's prior approval of request by Monticello Raceway for permission to amend their racing schedule as follows:

Add: Wednesdays, October 11, 18 and 25, 1995

(Post Time 7:30 p.m.)

2. **YONKERS RACEWAY - LICENSE AMENDMENT**

For entry into the minutes, the Chairman's prior approval of request by Yonkers Raceway for permission to amend its racing schedule to cancel Wednesdays, October 11, 18 and 25, 1995 racing programs due to a shortage of horses.

3. **CAPITAL OTB TO CONDUCT A PROMOTION AT ITS
SIMULCAST THEATER EVERY TUESDAY NIGHT BEGINNING
OCTOBER 10, 1995**

For entry into the minutes, the Chairman's prior approval of request by Capital District Regional Off-Track Betting Corporation for permission to conduct a promotion at its Simulcast Theater every Tuesday night beginning October 10, 1995 as follows:

"Senior Singles Nite Out" - Admission Charge - \$3.00

ten (10) free one dollar (\$1.00) vouchers given away.

4. **NYRA - AMENDMENT TO RACING SCHEDULE**

For entry into the minutes, the Chairman's prior approval of request by the New York Racing Association, Inc. for permission to amend its 1995 racing schedule beginning Monday, November 1, 1995 through Sunday, December 31, 1995, five days racing (dark Mondays and Tuesdays) with the exception of Tuesday, November 7th open closed Wednesday, November 8th; closed Sunday, December 24th. Post times will be 12:30 p.m. with the exception of Thanksgiving Day, Thursday, November 23, 1995 which will be 11:00 a.m.

5. **VERNON DOWNS - LICENSE AMENDMENT**
For entry into the minutes, the Chairman's prior approval of request by Vernon Downs for permission to amend their racing schedule as follows:
Add: Thursdays, November 2, 9 and 16, 1995.
(Post Time 7:30 p.m.)
6. **BATAVIA DOWNS - REQUEST FOR ALL TRIFECTA CARD**
For entry into the minutes, the Chairman's prior approval of request by Batavia Downs Raceway for permission to offer Trifecta wagering on all twelve races on Sunday, October 21, 1995 (closing night of meet).
7. **EXTENSION OF AN APPRENTICE JOCKEY ALLOWANCE**
For entry into the minutes, the Chairman's prior approval of request of the Stewards at the New York Racing Association, Inc. request an extension of Louis Belmonte's jockey allowance for twenty-six (26) days due to a facial injury. As a result of his injury, Mr. Belmonte did not ride from September 15, 1995 to October 10, 1995. His extension was due to expire on October 17, 1995. The new extension date will be November 12, 1995.
8. **MONTICELLO RACEWAY - LICENSE AMENDMENT**
For entry into the minutes, the Chairman's prior approval of request by Monticello Raceway for permission to amend its Sunday Matinee's post time to 1:05 p.m. to be effective Sunday, October 29, 1995.
9. **NYRA - RULE WAIVERS FOR BREEDERS' CUP CHAMPIONSHIP DAY ON SATURDAY, 10/28/95**
For entry into the minutes, the Chairman's prior approval of request by the New York Racing Association, Inc. for permission to waive the following rules for the day's event:
 1. Final distribution of the regular Pick Six on 10/27/95, in accordance with Board Rule 4011.23(3);
 2. Final distribution for Breeders' Cup Championship Day Pick Seven on 10/28/95, in accordance with Board Rule 4011.23(e);
 3. Limit each of the Pick Seven races on 10/28/95 to a maximum of twelve (12) betting interests.
10. **NYCOTB TO CONDUCT PROMOTIONAL ACTIVITIES TO BE RUN IN CONJUNCTION WITH THE 1995 BREEDERS' CUP - SATURDAY, 10/28/95 AT BELMONT**
For entry into the minutes, the Chairman's prior approval of request by New York City Off-Track Betting Corporation (NYCOTBC) for permission of two (2) promotional activities to be conducted in its branches starting Wednesday, October 25, 1995. The promotions are:

1. "Pick the Winners and Be A Winner"

Patrons over 18 years old must complete an entry form and pick the winner of each of the 7 Breeders' Cup races. All entries must be received at its headquarters by 10/27/95. There is no charge to enter. The three (3) prizes are listed in NYCOTBC's letter.

2. "Bet by Phone with Advance Wagering"

NYCOTBC will offer two (2) wagers to patrons when he/she opens a new NYCOTBC telephone account on Wednesday, 10/23/95, Thursday, 10/26/95 and Friday, 10/27/95. These wagers will only be valid for advanced wagers made on 10/27/95 using the new telephone accounts for Breeders' Cup races only.

11. NASSAU OTB TO AMEND ITS SIMULCAST PLAN OF OPERATION TO RELOCATE ITS OCEANSIDE OTB SIMULCAST BRANCH TO A STRIP MALL APPROXIMATELY 100 FEET SOUTH OF THE PRESENT LOCATION

For entry into the minutes, the Chairman's prior approval of request by Nassau Regional Off-Track Betting Corporation for permission to amend its Simulcast Plan of Operation to relocate its existing Oceanside branch to a commercial strip mall approximately 100 feet south of the present location conditioned upon receipt of the fire inspection conducted by the Nassau County Fire Marshall's Office.

12. NYRA - LIST OF THOROUGHBRED RACES OF SPECIAL INTEREST FOR 1995, PURSUANT TO SECTION 905-A OF THE RACING, PARI-MUTUEL WAGERING AND BREEDING LAW

For entry into the minutes, the Chairman's prior approval of request by the New York Racing Association, Inc. for permission to offer simulcast wagering of the Tropical Turf Handicap from Calder Race Course on Saturday, November 25, 1995.

13. CAPITAL OTB TO OFFER FREE ADMISSION TO GOLDEN HORSESHOE MEMBERS AND ISSUE ONE HUNDRED FREE BET VOUCHERS ON THE EVENING OF 10/26/95 AT ITS SIMULCAST THEATER

For entry into the minutes, the Chairman's prior approval of request by Capital District Regional Off-Track Betting Corporation for permission to offer free admission to Golden Horseshoe Members who wear Halloween costumes on the evening of October 26, 1995 and, in addition, to issue a possible total of one hundred (100) free bet vouchers.

14. CAPITAL OTB TO SIMULCAST THE BOWE/HOLYFIELD BOXING MATCH INTO THE ALBANY TELETHEATER, 711 CENTRAL AVENUE ON SATURDAY, 11/4/95

For entry into the minutes, the Chairman's prior approval of request by Capital District Regional Off-Track Betting Corporation for permission to simulcast the Bowe/Holyfield boxing match into the Albany Teletheater, 711 Central Avenue, Albany, New York on Saturday, November 4, 1995.

15. **CAPITAL OTB TO AMEND ITS PLAN OF OPERATION TO REPLACE THE CONCESSIONAIRE AT ITS GLOVERSVILLE OTB SIMULCAST BRANCH WITH MERRY E. HALL AND JOANN RUSSELL**

For entry into the minutes, the Chairman's prior approval of request by Capital District Regional Off-Track Betting Corporation for permission to amend its Simulcast Plan of Operation to replace the Gloversville concessionaire with Merry E. Hall and Joann Russell. This approval is conditioned upon a satisfactory return of Ms. Hall's and Ms. Russell's fingerprint cards.

16. **CAPITAL OTB TO AMEND ITS SIMULCAST PLAN OF OPERATION TO RELOCATE ITS SENECA TURNPIKE BRANCH TO 1899 GENESEE STREET, UTICA, TRANSFER TO THE SIMULCAST LICENSE AND APPOINT LAWARD, INC. (JUDITH GALIMO, STEPHEN AWARD, JOHN AWARD AND FRANK LABELLA) AS CONCESSIONAIRES**

For entry into the minutes, the Chairman's prior approval of request by the Capital District Regional Off-Track Betting Corporation for permission to amend its Simulcast Plan of Operation to: 1) amend its Simulcast Plan of Operation to relocate its Seneca Turnpike branch to 1899 Genesee Street, Utica and transfers its Simulcast License and 2) appoint Laward, Inc. (Judith Galimo, Stephen Award, John Award and Frank Labelle) as concessionaires. This approval is conditioned upon a satisfactory return of their individual fingerprint cards.

17. **CAPITAL OTB TO CONDUCT A HANDICAPPING TOURNAMENT AT SPECIFIC BRANCH LOCATIONS FROM 11/1/95 TO 12/15/95 AT AQUEDUCT RACETRACK**

For entry into the minutes, the Chairman's prior approval of request by Capital District Regional Off-Track Betting Corporation for permission to conduct a Handicapping Tournament to be held at fourteen branch locations plus the simulcast theater on various dates from November 1 to December 15, 1995 using Aqueduct Racetrack.

18. **CAPITAL OTB TO AMEND ITS PLAN OF OPERATION TO REPLACE THE CONCESSIONAIRE AT ITS NEW LEBANON BRANCH WITH KIMBERLY A. QUINN**

For entry into the minutes, the Chairman's prior approval of request by Capital District Regional Off-Track Betting Corporation for permission to amend its Simulcast Plan of Operation to replace the New Lebanon concessionaire with Kimberly A. Quinn. This approval is conditioned upon a satisfactory return of Ms. Quinn's fingerprint cards.

19. **MONTICELLO RACEWAY - LICENSE AMENDMENT**

For entry into the minutes, the Chairman's prior approval of request by Monticello Raceway for permission to amend its racing schedule as follows:

Add: Wednesdays, November 8, 15 and 29, 1995

20. **MONTICELLO RACEWAY - LICENSE AMENDMENT**

For entry into the minutes, the Chairman's prior approval of request by Monticello Raceway for permission to amend its racing schedule as follows:

Delete: Election Day, Tuesday, November 7, 1995

Add: Monday, November 6, 1995

21. **CAPITAL OTB TO CONDUCT FOUR (4) SEPARATE FINGER LAKES RACETRACK PICK THE WINNERS CONTESTS ON THE NEXT FOUR (4) TUESDAYS, 11/14, 11/21 AND 11/28, 1995 AND 12/5/95**

For entry into the minutes, the Chairman's prior approval of request by Capital District Regional Off-Track Betting Corporation for permission to conduct four (4) separate Pick the Winners at Finger Lakes Racetrack contests to be conducted at the Teletheater on the next four (4) Tuesdays, November 14, 21 and 28, 1995 and December 5, 1995. This approval is given with the proviso that the contest is made available to non-paying attendees.

22. **EXTENSION OF AN APPRENTICE JOCKEY ALLOWANCE FOR PATRICIA GRANA**

For entry into the minutes, the Chairman's prior approval of request by the Stewards at the New York Racing Association, Inc. request an extension of Patricia Grana's apprentice jockey allowance for 203 days due to an injury which occurred on April 7, 1995. Her apprenticeship, which was to expire on November 1, 1995, will now be extended to May 22, 1996.

23. **EXTENSION OF AN APPRENTICE JOCKEY ALLOWANCE FOR LUIS A. BELMONTE**

For entry into the minutes, the Chairman's prior approval of request by the Stewards at the New York Racing Association, Inc. request an extension of Luis A. Belmonte's apprentice jockey allowance for one (1) day due to inclement weather on October 21, 1995. His extension was due to expire on November 12, 1995. The new extension date will be November 13, 1995.

24. **CAPITAL OTB TO SIMULCAST THE MEADOWLANDS FROM 11/25/95 THROUGH 12/9/95**

For entry into the minutes, the Chairman's prior approval of request by Capital District Regional Off-Track Betting Corporation for permission to simulcast nighttime thoroughbred racing from The Meadowlands during the period of November 25 through December 9, 1995.

25. **CAPITAL OTB CONDUCT HARNESS HANDICAPPING CONTESTS AT ITS TELEHEATER LOCATED AT 711 CENTRAL AVENUE, ALBANY, NEW YORK**

For entry into the minutes, the Chairman's prior approval of request by Capital District Regional Off-Track Betting Corporation (CDROTBC) for approval of proposed rules and prize structure for harness handicapping contests to be conducted at its Teletheater located at 711 Central Avenue, Albany, New York. The rules seem acceptable.

Approval is given with the understanding that CDROTBC will continue to request approval for these contests on a case by case basis.

26. **FINGER LAKES - LICENSE AMENDMENT**

For entry into the minutes, the Chairman's prior approval of request by Finger Lakes Racetrack for permission to add Friday, November 24, 1995 and Friday, December 1, 1995 to their racing schedule due to a steady horse population.

C. ITEMS APPROVED BY THE BOARD

1. **NYRA - NEVADA PARI-MUTUEL BOOK CONTRACT**

The Board approved a request by the New York Racing Association, Inc. (NYRA) for the Las Vegas Dissemination Company, Inc. to continue simulcasting NYRA races from November 1 through December 31, 1995 (Aqueduct Meet) to the Nevada Pari-Mutuel Race Books with certain conditions.

2. **CAPITAL OTB TO AMEND ITS PLAN OF OPERATION TO APPOINT MR. JOHN H. PARMETER AS A MEMBER OF ITS BOARD OF DIRECTORS REPRESENTING FRANKLIN COUNTY**

The Board approved a request by the Capital District Regional Off-Track Betting Corporation to amend its Plan of Operation to appoint John H. Parmeter as a member of its Board of Directors representing Franklin County. This approval is conditioned upon a satisfactory return of his fingerprint cards.

3. **CONSIDERATION FOR REINSTATEMENT- ROY G. BROWN**

The Board approved a request by Dominick Bologna to reinstate harness trainer/driver Roy G. Brown, who was summarily suspended on August 22, 1995 for violation of the Board's Human Drug Rule. The Board approved this request subject Mr. Brown's consent to and compliance with the Board's standard conditions for reinstatement.

D. FOR BOARD DETERMINATION

1. **HEARING OFFICER REPORT/IN THE MATTER OF JOSEPH KRAJCZEWSKI**

The Board approved the appeal of Harness trainer Joseph Krajczewski to reduce the 90 day suspension imposed on July 31, 1994, because the horse Easy Going Yankee, raced at Monticello Raceway while the drug hydroxypropazine was present in its system, which was administered in violation of Board rules 4120.2(3) and 4120.4. However, the Board differed as to what penalty should be imposed.

2. **BUFFALO RACEWAY - CAPITAL IMPROVEMENTS**

The Board approved the request by Buffalo Raceway for permission to withdraw \$48,374.70 from the Capital Improvement Fund for the following items:

Flooring - Clubhouse rear entry and stairs	\$15,000.00
Road sealing and parking lot drainage	14,923.70
Used tractor, loader and backhoe	7,000.00
Roofing and gutters - camera lookout (Bazaar Bldg)	4,650.00
Video / Audio Equipment	2,414.00
Computer and Printer - Horsemen's Bookkeeper	<u>3,637.70</u>
	<u>\$48,374.00</u>

Copies of the vendor invoices and draft copies of the checks in payment accompany the application. This approval is subject to a later audit and physical inspection.

3. **SARATOGA RACEWAY - CAPITAL IMPROVEMENTS FOR ADVERTISING AND PROMOTION EXPENDITURES**

The Board approved the request by Saratoga Harness Racing, Inc. for permission to withdraw \$38,470.95 from the Capital Improvement fund for 1995 advertising and promotion expenditures. Copies of the vendor billings and drafts of the checks in payment accompany the application. The total vendor billings is \$40,220.05. However, the request is limited to the amount available in the Capital Improvement Fund as of September 30, 1995, which is \$38,470.95 - an amount equal to one half of 1% of the 1995 Capital Improvement Fund commissions from on-track betting. The expenditures submitted represent payments for television, radio and newspaper advertising plus advertising agency production fees. Based on the purse notices already submitted covering racing up to September 16, 1995, there appeared to be sufficient accumulation in the Capital Improvement Fund from 1995 on-track racing to pay the present request. It is likely that additional requests for advertising and promotion expenditures will be submitted by the close of 1995 racing.

4. **SARATOGA RACEWAY - CAPITAL IMPROVEMENTS**

The Board approved the request by Saratoga Harness Racing, Inc. for permission to withdraw \$55,349.81 from the Capital Improvement Fund for paving work in the backstretch. The vendor's invoice and the checks in payment cover the following paving work: horsemen's barn areas 7 and 8 - \$38,750; owner's parking lot - \$19,871; and a portion of the back stretch - \$9,963. These items total \$68,584. The track has limited its reimbursement request to \$55,349.81, the uncommitted balance of the Capital Improvement Fund as of September 10, 1995. (A separate pending request for \$38,470.96 [Item D-3 herein] for advertising and promotion expenses accounts for the balance of the \$93,820.76 in the Fund on September 30, 1995.) Additional monies are accumulating in the Fund subsequent to September 10, 1995. It is the track's prerogative to request less.

5. **BATAVIA DOWNS - CAPITAL IMPROVEMENTS FOR ADVERTISING AND PROMOTION EXPENDITURES**

Via correspondence dated September 13, 1995, request by Batavia Downs for permission to withdraw \$26,659.08 from the Capital Improvement Fund for advertising and promotion expenditures. At that time, the available monies in the Capital Improvement Fund were insufficient to cover such expenditures. Figures have been submitted recently which reflect the handles through the close of Batavia's October 21, 1995 racing meet. The portion of the Capital Improvement Fund from on-track racing totals \$34,830.65, of which \$17,415.33 (or one-half) is available for advertising and promotion expenses according to Section 319. Of the amounts requested in the application, one item alone (\$20,250 to be added to the Pat E. Provenzano Memorial Trot on August 26) more than exceeds the maximum amount available for advertising and promotion. However,

\$3,733.27 for other items listed in an earlier application have already been authorized by the Racing Board on October 23, 1995. Therefore, \$13,682.06 is the amount that may be now considered to cover the maximum amount allowed pursuant to Section 319 (\$17,415.33). The purse notices submitted to the Board identify the \$20,250 as money added to the regular purse obligations.

6. **NEW YORK JOCKEY INJURY COMPENSATION FUND INC. - THE 1996 PREMIUM FORMULA ASSESSMENT FOR WORKERS' COMPENSATION COVERAGE OF JOCKEYS AND EXERCISE RIDERS PURSUANT TO SECTION 213-a OF THE RACING PARI-MUTUEL WAGERING AND BREEDING LAW**

Mr. Richard Violette, Jr., Chairman of the New York Jockey Injury Compensation Fund (NYJICF), submits for Board approval its assessment plan for 1996, which is attached. It is similar in format to the assessment for 1995, with the following changes:

1. The initial base premium charge to Owners and Trainers is lowered from \$345 to \$270. Shippers will be assessed \$90 per start for their first three starts.

2. The percentage of purses to the NYJICF is lowered from .8% to .6%, with a cap on races with purses over \$400,000. Therefore, the maximum contribution for such a race would be \$2,400 proportionally divided among the owners who earned a share of the purse.

3. The stall fee component is also lowered:

From 12 cents to 9 cents at Finger Lakes Racetrack (FLRA). From 50 cents to 30 cents at New York Racing Association (NYRA).

With payments to coincide with actual race meetings conducted at NYRA and FLRA. The NYJICF has again selected the State Insurance Fund for coverage and will pay installments on a monthly basis.

7. **NEW YORK JOCKEY COMPENSATION AMENDMENT TO ITS BY-LAWS**

The Board approved the request by New Jockey Compensation Fund, Inc. to amend Article VIII, Section 7 of the By-Laws of said Fund, (pursuant to Section 213-a (8a) of the New York State Racing, Pari-Mutuel Wagering and Breeding Law), to permit excess funds received to remain the property of the fund or be refunded to participating owners and trainers. This amendment to the By-Laws is requested by the Fund's accountant to protect its tax exempt status in the event of an audit by the Internal Revenue service.

8. **PROPOSED RULES FOR UNCOUPLING OF HORSES TRAINED BY THE SAME TRAINER IN STAKES RACES**

The Board approved the proposed amendments would revise the Board's thoroughbred and harness coupled entry rules to create an exception to coupling requirements for stakes

aces only when horses trained by the same trainer are owned by different interests. Thoroughbred rule 4025.10(d) would be amended to provide for this exception. For thoroughbred racing, coupling is otherwise required where there is common ownership, defined as a common managing owner or a 25% commonality among non-managing owners. Harness rule 4111.15(a) would be amended to provide for this exception. For purposes of harness racing, there is no comparable definition of common ownership. Accordingly, coupling is otherwise required where there is any degree of commonality. If authorized for proposal and later adopted, these amendments will implement the Board's decision to permit uncoupling this limited circumstance. Recommendation is for approval of rule proposals.

9. **PROPOSED RULES FOR RAFFLES**

The Board tabled a discussion regarding the proposed amendments would amend various sections of the Board's games of chance rules in order to implement Chapter 550 of the Laws of 1994. Chapter 550 authorized the conduct of raffles as a game of chance. This proposal is a revised version of the previously proposed set of rules for raffles and other games. The prior set of proposed rules was allowed to expire. This version is limited to raffles only except where it is convenient to provide simple language changes relating to bell jars and merchandise wheels and bookkeeping services. It should be noted that the raffle rules requirements result from the specific language of the statute and/or the creation of raffles as a game of chance, thereby placing raffles within an existing regulatory scheme. The additional license fee for raffles is set at two percent. The proposed form GC-7R (financial statement of games of chance raffles operation) is attached to the text of the proposal.

10. **REQUEST BY WESTERN REGIONAL OFF-TRACK BETTING TO AMEND ITS SIMULCAST PLAN OF OPERATION TO RELOCATE ITS HENRIETTA OTB SIMULCAST BRANCH (LOCATED AT 2199 HENRIETTA ROAD (SUBURBAN PLAZA) TO A NEW OTB OWNED FACILITY AT 352 JEFFERSON ROAD, TOWN OF HENRIETTA (MONROE COUNTY)**

The approved the request of Western Regional Off-Track Betting Corporation (WROTBC) for an amendment to its Simulcast Plan of Operation to relocate its Henrietta OTB simulcast branch (currently located at 2199 E. Henrietta Road, Suburban Plaza) to a new OTB owned facility located at 352 Jefferson Road, Town of Henrietta (Monroe County).

WROTBC has submitted a

- a) Short Environmental Assessment Form signed by Martin Basinait, President (WROTBC)
- b) Site Plan dated September 25, 1995 approved and signed by the Town Planning Board Chairman, Director Engineering and Planning, Fire Marshall, Administrator of Public Utilities

By memorandum dated November 22, 1994, Joe Sorbello inspected the site at the time it was proposed. He recommends approval for the location. By Memorandum dated November 14, 1995, Joe Sorbello reinspected the Jefferson Road, Henrietta location and submitted a rough layout of the branch and of the site (see attached). On Monday, November 13, 1995, Mr. Tim McCarthy,

Counsel for WROTBC spoke with Jim Gallagher to inform him that the requisite approvals (fire inspection; Certificate of Occupancy and letter from an appropriate local official pursuant to Section 1003(2)(f) will be issued within the first two weeks of December 1995 to WROTBC.

11. **FINGER LAKES CAPITAL IMPROVEMENTS**

The Board approved the request of Finger Lakes Racetrack to withdraw \$70,122.98 for the following items:

Used 1976 Water truck with 500 Gallon Tank	\$41,692.51
Painting of Paddock Area	9,466.83
Chain harrow for Racing Strip Maintenance	5,192.56
Sales Tax for roll off truck (manure removal)	2,387.00
Hot water heater - backside kitchen	2,991.12
Remodel record room - backside	2,077.10
Two way radios - security	1,497.79
Signs for Admission Booths	1,218.50
Wheeled Ladder for Inside Tote Board	560.68
Four File Cabinets - Controller's Office	599.16
Chair and Accessories - For Assistant Race Secty	542.72
Air Conditioning Condenser Replacement	<u>1,195.00</u>
	<u>\$70,122.98</u>

A 1974 International Truck with 3700 gallon water capacity tank which needed frequent repairs was replaced with a used 1976 Muck Truck with 5000 gallon tank. The painting contractor's description of the work to be done also covers admissions booths, turnstile housings, and chain link fences. The intent was to improve the appearance of the paddock area. (We have been allowing major painting cost as renovations eligible for capital improvement monies). The roll-off truck used for hauling manure bins was approved March 17 and May 25, 1995 at a cost of \$34,100. The original submission did not include the sales tax of \$2,387 paid at a later date.

The request indicates a balance of \$1,308,912.56 in the Capital Improvement Fund on October 31, 1995.