

**MINUTES OF THE
BOARD MEETING
OF AUGUST 14, 1996**

A Special Meeting of the New York State Racing and Wagering Board was held on Friday, July 26, 1996, at the Board office located at 1 Empire State Plaza, Suite 1201, Albany, New York 12223.

IN ATTENDANCE WERE:

Jerry Bilinski, DVM, Chairman
Joseph P. Neglia, Member (via telephone conference call)
Bennett Liebman, Member
Donna M. Ross, Secretary to the Board
Robert A. Feuerstein, General Counsel
Arthur Schechter, Chief of Audits & Investigations (via telephone conference call)

ALSO IN ATTENDANCE WERE:

Tom Precious, Albany Times Union/Blood Horse
Steve Bochnak, New York Thoroughbred Horsemen's Assn.
Jamie-Ann Keith, Coppola Ryan McHugh (did not sign-in)

"MINUTES"
BOARD MEETING HELD IN ALBANY, NEW YORK
WEDNESDAY, AUGUST 14, 1996
N.Y.S. RACING & WAGERING BOARD

A. THE BOARD APPROVED THE MINUTES OF THE BOARD MEETING HELD IN ALBANY, NEW YORK ON AUGUST 14, 1996.

B. THE BOARD ACKNOWLEDGED THE FOLLOWING ITEMS PREVIOUSLY APPROVED, DENIED OR DEFERRED BY THE CHAIRMAN

1. YONKERS RACEWAY REQUEST TO AMEND ITS RACING SCHEDULE

For entry into the minutes, the Chairman approved on June 10, 1996, the request by Yonkers Raceway to amend its racing schedule, effective June 10, 1996, to race the following days until further notice:

Mondays, Tuesdays, Thursdays, Fridays and Saturdays

The Board also approved a change in post time to 8:00pm.

2. EXTENSION OF AN APPRENTICE JOCKEY ALLOWANCE FOR LISA DELLI-PAOLI

For entry into the minutes, the Chairman approved on June 13, 1996 the request by Carmine Donofrio, Alternate State Steward at the New York Racing Association tracks to extend the apprentice allowance for Jockey Lisa Delli Paoli for 19 days due to the mutuel's strike and inclement weather.

3. MONTICELLO RACEWAY REQUEST TO AMEND ITS 1996 HARNESS RACING SCHEDULE

For entry into the minutes, the Chairman approved on June 18, 1996 the request by Monticello Raceway to amend its 1996 harness racing schedule for the month of July as follows:

ADD: Monday, July 1st, 8th and 15th
Tuesday, July 3rd, 19th, 17th, 24th and 31st

4. MONTICELLO RACEWAY REQUEST TO OFFER A DRIVER'S INCENTIVE PROGRAM

For entry into the minutes, the Chairman approved on June 18, 1996 the request by Monticello Raceway to offer a driver's incentive program, as per the provisions of Board rule 4118.3 Racing Inducements.

5. **MONTICELLO RACEWAY REQUEST TO OFFER FREE ADMISSION**
For entry into the minutes, the Chairman approved on June 18, 1996 the request by Monticello Raceway to offer free admission to its patrons until further notice.
6. **WESTERN REGIONAL OFF-TRACK BETTING CORPORATION REQUEST TO EXTEND AGREEMENT**
For entry into the minutes, the Chairman approved on June 25, 1996 the request by Western Regional OTB to extend from December 1, 1996 through November 30, 1998 its agreement with Pat & Bunny, Inc., concessionaire at the Newark OTB enhanced simulcast branch.
7. **YONKERS RACEWAY REQUEST TO OFFER TRIPLE NIGHT**
For entry into the minutes, the Chairman approved on July 1, 1996 the request by the Yonkers Raceway to offer an all triple night on Monday, July 1 and July 8, 1996.
8. **CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION REQUEST TO AMEND ITS SIMULCAST PLAN OF OPERATION**
For entry into the minutes, the Chairman approved on July 1, 1996 the CDROTB request to amend its Simulcast Plan of Operation to restructure Malone branch facilities and include Mr. John M. Parent as the concessionaire. The approval for Mr. Parent was conditioned upon a satisfactory return of his fingerprint cards.
9. **FINGER LAKES RACING ASSOCIATION REQUEST TO SIMULCAST ITS SIGNAL**
For entry into the minutes, the Chairman approved on July 1, 1996 the request by the Finger Lakes Racing Association to simulcast its signal to Lakes Region Greyhound Park for its 1996 racing season.
10. **YONKERS RACEWAY TO CHANGE FIRST RACE POST TIME**
For entry into the minutes, the Chairman approved on July 2, 1996 the request by the Yonkers Raceway to change its first race post time to 7:40pm beginning July 6, 1996. The Board also approved a promotional proposal to giveaway souvenir mugs, as well as admission coupons which patrons obtained in the Gannett Suburban Newspaper.
11. **BUFFALO RACEWAY TO CONDUCT "ALL TRIFECTA"**
For entry into the minutes, the Chairman approved on July 3, 1996 the request by the Buffalo Raceway to conduct an "All Trifecta" card on Saturday, July 6, 1996.
12. **FINGER LAKES RACING ASSOCIATION INC. SIMULCAST AGREEMENT**
For entry into the minutes, the Chairman approved on July 3, 1996 the request by the Finger Lakes Racing Association to simulcast its 1996 Finger Lakes Breeders' Cup to be run on July 4, 1996.

13. **NEW YORK RACING ASSOCIATION, INC. TO OFFER FREE GRANDSTAND ADMISSION**

For entry into the minutes, the Chairman approved on July 8, 1996 the request for the NYRA to offer free grandstand admission or \$2.00 off clubhouse admission on Monday, July 22, 1996 at Belmont park Racetrack.

14. **YONKERS RACEWAY TO SIMULCAST THE MEADOWLANDS PACE, THE COURAGEOUS LADY AND TO TELEVISE THE SHEPPARD PACE ON ESPN 2**

For entry into the minutes, the Chairman approved on July 12, 1996 the request by Yonkers Raceway to simulcast the Meadowlands Pace from the Meadowlands and the Courageous Lady from Northfield Park on Saturday, July 13, 1996. Yonkers Raceway also is authorized to have the Sheppard Pace televised on ESPN 2 on July 13, 1996 to promote the American Harness Championship Series in conjunction with the above-cited races, pursuant to Board rule 401.13.

15. **NEW YORK RACING ASSOCIATION, INC. TO ADD RACES OF SPECIAL INTEREST**

For entry into the minutes, the Chairman approved on July 12, 1996 the request by the NYRA to add the following races of special interest:

7/13	Citation Challenge	Arlington
7/27	Salvatore Mile	Monmouth
8/18	Gardenia	Ellis Park
8/31	Isle of Capri of Alabama Derby	Louisiana Downs

16. **CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION TO CONDUCT A HANDICAPPING CONTEST**

For entry into the minutes, the Chairman approved on July 15, 1996 the request by CDROTB to conduct a handicapping contest called "Make Money on Mondays" at its Albany Tele-Theater Clubhouse starting Monday, July 29th through Monday, September 2, 1996.

17. **STEWARDS REQUEST TO EXTEND APPRENTICE ALLOWANCE OF JOCKEY JOSE TREJO**

For entry into the minutes, the Chairman approved on July 15, 1996 the request by Stewards to extend the apprentice allowance of jockey Jose Trejo for 17 days, due to an on-track injury and the cancellation of 13 races. His apprentice allowance will now expire on August 27, 1996.

18. **NEW YORK CITY OFF-TRACK BETTING CORPORATION TO AMEND ITS SIMULCAST PLAN OF OPERATION**

For entry into the minutes, the Chairman approved on July 17, 1996 the request by the New York City OTB to amend its Simulcast Plan of Operation to offer free admission beginning July 11 and ending Thursday, July 25, 1996 to any of its three simulcast theaters for those patrons who have telephone betting accounts and bet in excess of \$10,000 per month.

19. **CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION TO AMEND ITS SIMULCAST PLAN OF OPERATION**

For entry into the minutes, the Chairman approved on July 18, 1996 the request by CDROTB to amend its Simulcast Plan of Operation to transfer the simulcast license at the 102 West Service Road Branch to a new enhanced telebranch located at 15 Church Street, Champlain, New York and to appoint Mr. Robert Gooley as Concessionaire. These approvals were based upon the receipt of a Certificate of Occupancy and the satisfactory return of Mr. Gooley's fingerprint cards.

20. **CATSKILL REGIONAL OFF-TRACK BETTING CORPORATION TO AMEND ITS SIMULCAST PLAN OF OPERATION AND TRANSFER ITS SIMULCAST LICENSE FROM THE MT. FUJI TELEBRANCH TO THE SUFFERN BRANCH, UPGRADE ITS STATUS TO AN "ENHANCED TELEBRANCH" AND APPROVE MR. DANIEL WITHERS AS CONCESSIONAIRE**

For entry into the minutes, the Chairman approved on July 18, 1996 the request by Catskill OTB the following:

- 1) transfer the simulcast licenses from the Mt. Fuji telebranch to a separate space at its Suffern branch;
- 2) upgrade the Suffern OTB branch to an "Enhanced Telebranch"; and
- 3) appoint Daniel Withers as Concessionaire.

This approval was conditioned upon the receipt of a Certificate of Occupancy and the satisfactory return of Mr. Wither's fingerprint cards.

21. **YONKERS RACEWAY REQUEST TO HAVE FREE DRAWINGS FOR METS AND YANKEE TICKETS, 27" TELEVISION AND TEE-SHIRTS**

For entry into the minutes, the Chairman deferred on July 10, 1996 the request by Yonkers Raceway to offer free drawings for Mets and Yankee tickets, a 27" television set, WFAN tee-shirts and free admission coupons to be obtained from the Gannett Newspaper.

22. **CATSKILL REGIONAL OFF-TRACK BETTING CORPORATION TO AMEND ITS SIMULCAST PLAN OF OPERATION**

For entry into the minutes, the Chairman approved on July 18, 1996 the request of Catskill OTB to amend its Simulcast Plan of Operation to relocate the simulcast branch in Fishkill to the Plant Depot Plaza in the Town of Wappinger, NY. This approval was conditioned upon the receipt of a Certificate of Occupancy.

23. **YONKERS RACEWAY TO CANCEL RACING**

For entry into the minutes, the Chairman approved on July 18, 1996 the request by Yonkers Raceway to cancel racing on Tuesday, July 16, 1996 in order to move the finish line further down the stretch to accommodate a mile and one sixteenth races except for stakes races. Yonkers Raceway was granted approval to utilize the new judges stand at its new location in the clubhouse on an interim basis for the next 60 days pending modifications to the structure. Notification to this office must be made at least two weeks prior to September 15, 1996 with regard to continued approval.

24. **NATIONAL STEEPLECHASE AND HUNT ASSOCIATION APPLICATION FOR A LICENSE**

For entry into the minutes, the Chairman approved on July 18, 1996 the request by the National Steeplechase and Hunt Association application for a license to conduct a non pari-mutuel wagering steeplechase meet on Sunday, July 21, 1996 at Saratoga Race Track in Saratoga Springs, New York, pursuant to Section 207 of the New York State Racing, Pari-Mutuel Wagering and Breeding Law.

25. **YONKERS RACEWAY TO SIMULCAST ITS RACES TO SEABROOK GREYHOUND PARK**

For entry into the minutes, the Chairman approved on July 22, 1996 the request by Yonkers Raceway to simulcast its races to Seabrook Greyhound Park on Mondays, Tuesdays, Fridays and Saturdays beginning Monday, July 22, 1996.

26. **NEW YORK RACING ASSOCIATION INC. TO CHANGE ITS 1996 ROSTER OF RACING OFFICIALS**

For entry into the minutes, the Chairman approved on July 22, 1996 the request by the NYRA to change its 1996 roster of racing officials for the Saratoga race meet. The changes were as follows:

- 1) Howard Battle as Racing Secretary and Handicapper, and
- 2) Ben B. Huffman as Assistant Racing Secretary, Handicapper, Placing and Patrol Judge.

This approval is in accordance with Board rule 4005.1.

27. **MONTICELLO RACEWAY TO AMEND ITS 1996 RACING LICENSE**

For entry into the minutes, the Chairman approved on July 22, 1996 the request by Monticello Raceway to amend its 1996 racing license by adding Wednesday, August 7, 14, 21 and 28 with a post time of 7:35p.m.

28. **NEW YORK RACING ASSOCIATION INC. TO CONDUCT PROMOTIONS**

For entry into the minutes, the Chairman approved on July 24, 1996 the request by the NYRA to conduct "certain media and retail promotions" which include free grandstand admission coupons on designated weekdays during the course of the 34-day meet.

29. **BUFFALO RACEWAY TO CONDUCT "ALL TRIFECTA"**
For entry into the minutes, the Chairman approved on July 25, 1996 the request by Buffalo Raceway to conduct an "All Trifecta" card on Saturday, July 27, 1996.
30. **BATAVIA DOWNS TO OFFER TRIFECTA WAGERING**
For entry into the minutes, the Chairman approved on July 26, 1996 the request by Batavia Downs to offer trifecta wagering on each Friday night of its Summer-Fall meet to keep in sequence with the betting format at Buffalo Raceway. The Board also approved the request to offer all trifecta wagering on each of the five Mondays and the same in the fifth race each night of the meet.
31. **NEW YORK CITY OFF-TRACK BETTING CORPORATION TO CONDUCT A PROMOTIONAL CONTEST**
For entry into the minutes, the Chairman approved on July 25, 1996 the request by New York City OTB to conduct a promotional contest with the New York Post Newspaper during the Saratoga Race Track Meeting beginning Wednesday, July 31 through Monday, September 1, 1996.
32. **YONKERS RACEWAY TO SIMULCAST RACES TO BATAVIA DOWNS**
For entry into the minutes, the Chairman approved on July 30, 1996 the request by Yonkers Raceway to simulcast its races on Mondays to Batavia Downs beginning August 5, 1996.
33. **NEW YORK RACING ASSOCIATION INC. TO OFFER ADDITIONAL TRIFECTAS**
For entry into the minutes, the Chairman approved on July 30, 1996 the request by the NYRA to offer additional trifectas on Thursday, August 1st and 22nd to be placed in the 7th race.
34. **NEW YORK CITY OFF-TRACK BETTING CORPORATION TO CONDUCT A PROMOTIONAL CONTEST**
For entry into the minutes, the Chairman approved on August 2, 1996 the request by New York City OTB to conduct a promotional contest with the New York Post Newspaper during the Saratoga Race Track meet. This approval is conditioned upon receipt of the New York State Department of State sweepstakes registration number when issued.
35. **YONKERS RACEWAY TO SIMULCAST ITS RACES TO COLONIAL DOWNS**
For entry into the minutes, the Chairman approved on August 7, 1996 the request by Yonkers Raceway to simulcast its races to Colonial Downs on a daily basis beginning August 5, 1996 until further notice. Approval also was granted to amend Yonkers' contract with Pompano Park to simulcast its races on Thursdays through Saturdays beginning August 15 through September 28, 1996.

36. **NEW YORK CITY OFF-TRACK BETTING CORPORATION TO RELOCATE ITS TELEBRANCH**

For entry into the minutes, the Chairman approved on August 8, 1996 the request by New York City OTB to relocate its telebranch from 30-17 Stratton Street to 31-35 Downing Street, Flushing, New York, and transfer the existing simulcast license from Stratton Street to Downing Street on or about August 15, 1996. This approval is conditioned upon the receipt of a Certificate of Occupancy.

37. **YONKERS RACEWAY TO SIMULCAST ITS RACES TO APPALACHIAN RACING INC.**

For entry into the minutes, the Chairman approved on August 8, 1996 the request by Yonkers Raceway to simulcast its races to Appalachian Racing, Inc. beginning August 15 through September 10, 1996.

C. ITEMS APPROVED, DENIED OR DEFERRED BY THE BOARD

1. **MID-STATE RACEWAY, INC. REQUEST TO AMEND VERNON DOWNS SCHEDULE**

For entry into the minutes, the Board approved on July 2, 1996 the Mid-State Raceway, Inc. request to amend its Vernon Downs racing schedule to eliminate twenty two (22) assigned dates as follows:

- Wednesdays beginning July 17 through the end of August;
- Thursdays beginning September 26 through the end of the season; and
- to close on Saturday, October 26, 1996.

2. **NEW YORK RACING ASSOCIATION - NEVADA PARI-MUTUEL CONTRACT**

For entry into the minutes, the Board approved on July 9, 1996 the NYRA contract with the several Nevada Pari-Mutuel Racebooks subject to conditions which will apply to the disseminator (Las Vegas Disseminator Company, Inc.).

3. **MATTER OF WALTER P. MCCLOSKEY, SR.**

For entry into the minutes, the Board approved on July 29, 1996 the Hearing Officer's recommendation in the matter of Walter P. McCloskey, Sr.

4. **NEW YORK RACING ASSOCIATION INC. APPLICATION FOR A SIMULCAST FACILITY AND SIMULCAST PLAN OF OPERATION**

For entry into the minutes, the Board approved on July 29, 1996 the NYRA application for a simulcast facility license and a Simulcast Plan of Operation for Aqueduct Racetrack during the Saratoga meet from July 26, 1996 to September 2, 1996, daily except Tuesdays.

D. FOR BOARD DETERMINATION

1. **NEW YORK CITY OFF-TRACK BETTING CORPORATION TO AMEND ITS PLAN OF OPERATION**

The Board approved the New York City OTB request to amend its Plan of Operation to appoint the following new officers to the corporation:

Mark Benson - Senior Vice President of Communications & Marketing
Harry Rodriguez - Vice President of Telecommunications

2. **MATTER OF DISQUALIFICATION OF BALDOYLE**

The Board approved Hearing Officer Liebman's recommendation in the matter of the disqualification of Baldoyle from second place to seventh place for violation of Board Rule 4117.10 (Breaking Horses) during the fourth race at Yonkers Raceway on September 16, 1996. Hearing Officer Liebman abstained from voting.

3. **MATTER OF EDUARDO CHAPMAN**

The Board approved Hearing Officer Liebman's recommendation in the matter of Eduardo Chapman that a summary suspension be sustained and Chapman's license be revoked. Hearing Officer Liebman abstained from voting.

4. **SARATOGA RACEWAY APPLICATION FOR A 1996-97 SIMULCAST FACILITY LICENSE**

The Board unanimously approved Saratoga Harness Racing, Inc. application for a 1996-97 Simulcast Facility License for Saratoga Raceway together with its Simulcast Plan of Operation for track-to-track simulcasting of races from July 1, 1996 through and inclusive of June 30, 1997.

5. **BATAVIA DOWNS APPLICATION FOR A 1996-97 SIMULCAST FACILITY LICENSE**

The Board unanimously approved the Genesee Monroe Racing Association, Inc. request for a 1996-97 Simulcast Facility License for Batavia Downs, together with the Simulcast Plan of Operation for track-to-track simulcasting. However, the license is limited through October 19, 1996 only, since the simulcast facility license is contingent upon the racetrack license.

6. **VERNON DOWNS APPLICATION FOR A 1996-97 SIMULCAST FACILITY LICENSE**

The Board unanimously approved the Mid-State Raceway, Inc. application for a 1996-97 Simulcast Facility License for Vernon Downs together with its Simulcast Plan of Operation for track-to-track simulcasting of races from July 1, 1996 through and inclusive of June 30, 1997.

7. **BUFFALO RACEWAY APPLICATION FOR A 1996-97 SIMULCAST FACILITY LICENSE**

The Board unanimously approved the Buffalo Trotting Association, Inc. application for a 1996-97 Simulcast Facility License for Buffalo Raceway together with its Simulcast Plan of Operation for track-to-track simulcasting of races from July 1, 1996 through and inclusive of June 30, 1997.

8. **FINGER LAKES RACE TRACK APPLICATION FOR A 1996-97 SIMULCAST FACILITY LICENSE**

The Board unanimously approved Finger Lakes Racing Association, Inc. application for a 1996-97 Simulcast Facility License for Finger Lakes Race Track together with its Simulcast Plan of Operation for track-to-track simulcasting of races from July 1, 1996 through and inclusive of June 30, 1997.

9. **MONTICELLO RACEWAY APPLICATION FOR A 1996-97 SIMULCAST FACILITY LICENSE**

The Board unanimously approved the Monticello Raceway application for a 1996-97 Simulcast Facility License together with its Simulcast Plan of Operation for track-to-track simulcasting of races from July 1, 1996 through and inclusive of June 30, 1997.

10. **YONKERS RACEWAY - APPLICATION FOR A 1996-97 SIMULCAST FACILITY LICENSE TOGETHER WITH ITS SIMULCAST PLAN OF OPERATION FOR TRACK-TO-TRACK SIMULCASTING**

The Board unanimously approved Yonkers Raceway application for a 1996-97 Simulcast Facility License together with its Simulcast Plan of Operation for track-to-track simulcasting for the period July 1, 1996 through and inclusive of June 30, 1997. Upon receipt Yonkers will forward the letter from the City of Yonkers advising that they are in compliance with local ordinances.

11. **WESTERN REGIONAL OFF-TRACK BETTING CORPORATION APPLICATION FOR FORTY-SIX (46) SIMULCAST FACILITY LICENSE (INCLUDING ONE SIMULCAST THEATER)**

The Board unanimously approved the Western Regional OTB Simulcast Plan of Operation for 1996-97 and its application for forty-six (46) simulcast facility licenses (including one simulcast theater).

12. **CATSKILL REGIONAL OFF-TRACK BETTING CORPORATION APPLICATION FOR A 1996-97 SIMULCAST FACILITY LICENSE AND ITS APPLICATION FOR TWENTY-FOUR (24) SIMULCAST FACILITY LICENSES**

The Board unanimously approved the Catskill Regional OTB Simulcast Plan of Operation for 1996-97 and its application for twenty-four (24) simulcast facility licenses and one (1) simulcast theater.

However, the Board denied the CROTBC request to apply the 1995-96 fee of \$500.00 paid for the Waverly and Norwich branches to the 1996-97 license year because there currently is no provision for this practice in statute.

13. **CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION APPLICATION FOR A 1996-97 SIMULCAST FACILITY AND ITS APPLICATION FOR FIFTY (50) SIMULCAST FACILITY LICENSES (INCLUDING ONE SIMULCAST THEATER)**

The Board unanimously approved Capital District Regional OTB Simulcast Plan of Operation for 1996-97 and its application for fifty (50) simulcast facility license (including one simulcast theater).

14. **NASSAU REGIONAL OFF-TRACK BETTING CORPORATION APPLICATION FOR A 1996-97 SIMULCAST FACILITY LICENSE AND ITS APPLICATION FOR FOURTEEN (14) SIMULCAST FACILITY LICENSE**

The Board unanimously approved the Nassau OTB Regional Simulcast Plan of Operation for 1996-97 and its application for fourteen (14) simulcast facility licenses.

15. **NEW YORK CITY OFF-TRACK BETTING CORPORATION APPLICATION FOR A 1996-97 SIMULCAST FACILITY LICENSE AND ITS APPLICATION FOR SEVENTY-TWO (72) SIMULCAST FACILITY LICENSES (INCLUDING THREE SIMULCAST THEATERS)**

The Board unanimously approved New York City OTB Simulcast Plan of Operation for 1996-97 and its application for seventy-two (72) simulcast facility licenses (including three simulcast theaters).

16. **SUFFOLK REGIONAL OFF-TRACK BETTING CORPORATION TO AMEND ITS PLAN OF OPERATION FOR 1996-97 AND APPROVE ITS APPLICATION FOR THIRTEEN (13) SIMULCAST FACILITY LICENSES**

The Board unanimously approved the Suffolk Regional OTB Simulcast Plan of Operation for 1996-97 and its application for thirteen (13) simulcast facility licenses.

17. **FINGER LAKES RACE TRACK CAPITAL IMPROVEMENTS**

The Board unanimously approved the Finger Lakes Race Track request to withdraw \$168,210.20 from the capital improvement fund. The balance of the fund as of April 29 is indicated at \$1,424,143. The following projects or items were included in the application:

Barn roofs - 5 barns, 2 dorms	\$102,000.00
Clay floors in 1216 stalls	28,525.30
Upper grandstand theater seating area	15,953.60
Elevator upgrade	6,958.51
Computer and printer-group sales office	4,480.65
Mailing machine-replaces leased machine	2,974.60
Closed circuit TV system additions	3,812.41
Swing gates for loading dock	1,200.00
Furnace for sport service office	749.76
3 Motorola communications radios	790.73
Backup tape system-for computers	764.64
Total	<u>\$168,210.20</u>

A 77 seat TV viewing area was installed in the upper grandstand area. In addition two TV viewing areas were installed for standing customers. The freight and passenger elevators, approximately 30 years old, were upgraded by Otis Elevators. The group sales office received a third computer, and a laser printer in place of sharing the printer in the publicity office.

18. **FINGER LAKES RACE TRACK CAPITAL IMPROVEMENTS**

The Board unanimously approved the Finger Lakes Race Track request to withdraw \$67,227.49 from the capital improvement fund for the following:

Barns 19 and 20 - sidewalls, windows and gutters	\$50,365.00
Closed circuit TV - monitors and amplifiers	6,989.07
John Deere tractor mower	5,320.04
Overhead door - maintenance shop	1,412.40
Replace damaged wall barn 10	1,225.00
Two chairs for HBPA office	641.98
Three washing machines jockey room	1,274.00
Total	<u>\$67,277.49</u>

19. **FINGER LAKES RACING ASSOCIATION CAPITAL IMPROVEMENTS**

The Board unanimously approved the Finger Lakes Racing Association request to withdraw \$21,038.38 for the following:

- Painting of lower grandstand ceiling	\$18,190.00
- Rebuilding Horse Ambulance Trailer	1,520.38
- Compression boots for horse breakdowns	<u>1,328.00</u>
Total	<u>\$21,038.38</u>

The grandstand area was brightened up to assist soliciting promotional party groups. The horse ambulance trailer was rebuilt by the track maintenance crew, adding six to eight years to the trailer life according to the track. The trailer costs of \$1,520.38 were for materials only. The compression boots were requested by the track veterinarian to be available for emergency uses.

20. **BUFFALO RACEWAY CAPITAL IMPROVEMENTS**

The Board reviewed the Buffalo Trotting Association and Erie County Agricultural Society request to withdraw \$14,555.07 from the capital improvement fund for:

Adding stone to racing strip	\$11,026.20
Video equipment modulators	1,729.17
Three video cassette recorders	<u>1,799.70</u>
Total	<u>\$14,555.07</u>

A total of 819.4 tons of stone screening was purchased for a cost of \$6,254.01, for which trucking charges of \$4,772.19 were also incurred. The stone was added from about August 23, 1995 to about September 11, 1995 during which time Buffalo was not racing. This work was considered maintenance rather than a capital improvement. Therefore, the Board denied the \$11,026.20 for adding the stone to the racing strip, and approved the \$3,528.87 for the video equipment.

21. **BUFFALO RACEWAY CAPITAL IMPROVEMENT**

The Board unanimously approved the Buffalo Trotting Association and Erie County Agricultural Society request to withdraw \$13,752 from the capital improvement fund for twenty-six televisions installed in the grandstand.

22. **BUFFALO RACEWAY CAPITAL IMPROVEMENT**

The Board unanimously approved the Buffalo Trotting Association and Erie County Agricultural Society request to withdraw \$12,978.73 for the following:

Barn improvements	\$12,178.73
Used car for security-83 AMC	<u>800.00</u>
Total	<u>\$12,978.73</u>

23. **BUFFALO RACEWAY CAPITAL IMPROVEMENT**

The Board unanimously approved the Buffalo Trotting Association and Erie County Agricultural Society request to withdraw \$8,350 for the following items:

Forklift equipment	\$5,000
Used 1990 Ford Taurus	2,500
New doors grandstand	<u>850</u>
Total	<u>\$8,350</u>

The Taurus was purchased from a Ford dealer. The indicated mileage is 100,791. No license or registration fees were paid.

24. **SYRACUSE MILE INC. CAPITAL IMPROVEMENT**

The Board unanimously approved Syracuse Mile Inc. request to withdraw \$27,176.24 from the capital improvement fund. The principal cost was \$24,000 for a "horsemen's bookkeeping software license" purchased from Horizon Computer System Inc. An additional \$2,054.08 was incurred for upgrading the computer, plus a new printer and a modem. Also \$1,122.16 was paid for hotel and travel expenses for two technicians who modified the computer system.

25. **NEW YORK RACING ASSOCIATION - NEVADA PARI-MUTUEL RACEBOOKS CONTRACT**

The Board unanimously approved the NYRA request for the Las Vegas Dissemination Company, Inc. to continue simulcasting NYRA races September 6 through October 20, 1996 (Belmont Park Fall meeting) and October 23 through December 29, 1996 (Aqueduct Fall/Winter meet) to the Nevada Pari-Mutuel Racebooks, on the following conditions:

The disseminator will arrange with the NYRA to have available a fax machine at the NYRA to receive an immediate fax copy of the matrix of any pool which is to be transmitted to the NYRA after its closing time pursuant to paragraph 10 of the contract; such fax copy will be independently time certified by the fax machine in the control of the NYRA to reflect that such wagering information as well be transmitted to the NYRA was, in fact, in the possession of the disseminator before the race started at the NYRA track; a copy of such fax (and time certificate) will be transmitted by the NYRA to the Board and the Nevada Gaming Control Board by the end of the day. No wagers will be merged after the start of the race unless such evidence has been received.

26. **BREAKAGE**

The Board unanimously approved the emergency adoption, along with a proposed rule making, to amend the Board's Off-Track Betting Rules to add Rule 5209.11 for the determination of breakage after the calculation of the off-track betting surcharge.