

MINUTES
SPECIAL BOARD MEETING
JANUARY 8, 1998

A meeting of the New York State Racing and Wagering Board was held on Thursday, January 8, 1998 in the Executive Office located at 1 Empire State Plaza, Suite 1201, Albany, NY 12223.

IN ATTENDANCE WERE:

Michael J. Hoblock, Jr., Chairman
Joseph Neglia, Member
Bennett Liebman, Member
Stephanie Donato, Secretary to the Board
Edward Martin, Executive Director
Robert Feuerstein, Counsel
James Gallagher, Director of Racing Operations
John Signor, Director of Audits and Investigations.

ALSO IN ATTENDANCE:

Steven Richman, NYC – OTB Corp.
Brian Nearing, Daily Gazette
Steve Nelson, The Record
Mark McGuire, Times Union
J. Keith, Cappola, Ryan & McHugh
Marc Violette, Ottaway News
C. Tramonteau, NYS Senate
Mark Seren, Capital OTB
Judy Sanders, WRGB
Kyle Hughes, Gannett News
Mike Perrin, Albany County Executive, Mike Breslin
Cheryl Contento, Albany County Executive, Mike Breslin
Monica Mahaffey, WNYT-TV
Dan Levy, WTEN-TV
Heather Bennett, Senator Larkin's office
Charlotte Johnson, Senator Larkin's office
Christine Breen, Associated Press
Mike Cunningham, Legislative Gazette

**MINUTES
NEW YORK STATE RACING AND WAGERING BOARD
SPECIAL BOARD MEETING OF JANUARY 8, 1998**

D ITEMS APPROVED, DENIED OR DEFERRED BY THE BOARD

1. SARATOGA RACEWAY REQUEST FOR WITHDRAWAL FROM THE CAPITAL IMPROVEMENT FUND

The Board approved the withdrawal of \$9,888.45 by Saratoga Raceway from their Capital Improvement Fund for two items which had been deferred at a prior Board meeting held on December 18, 1997, pending receipt of additional documentation for the following:

1992 Ford Ranger	\$7,252.50
5-B&W Televisions & 2 Modulators	<u>2,635.95</u>
TOTAL	\$9,888.45

2. FINGER LAKES CAPITAL IMPROVEMENT FUND REQUEST

The Board conditionally approved the withdrawal of \$8,579.27 from the Capital Improvement Fund for the items listed below. These items, which had been deferred at a prior Board meeting held on December 18, 1997, were pending awaiting receipt of a copy of the corporate policy, wherein only two signatures are required for expenditures of less than \$1,000. Also needed was a copy of a letter from the Security Department to the Board, delineating that the parking gate control bid went to the second lowest bidder because the lowest bidder did not include installation. A more detailed submission of the additional documentation will be required.

Statues for Paddock and Painting	\$ 570.22
Printer for Racing Office - Serial #JPHK025641	613.11
Park Gate Control	<u>7,395.94</u>
Total withdrawal	\$8,579.27

3. YONKERS RACEWAY CAPITAL IMPROVEMENT FUND REQUEST

The Board approved the request by Yonkers Raceway to withdraw \$14,936.33 from the Capital Improvement fund for advertising and promotion costs. This sum represents the computation of fifty per cent of the one per cent earned from specified on-track handle for the period January 1, 1997 through and inclusive of Septemebr 30, 1997.

4. BUFFALO TROTTING ASSOCIATION, INC. 1998 TRACK LICENSE APPLICATION

The Board approved the Buffalo Trotting Association Inc.'s track license application and formally allocated racing dates to Buffalo Raceway beginning January 30, 1998 through and inclusive of August 1, 1998. The Board will act on

the remaining dates requested following a determination on Batavia Downs' 1998 license.

5. **MID-STATE RACEWAY – 1998 TRACK LICENSE APPLICATION**

The Board approved Mid-State Raceway's 1998 track license application to conduct pari-mutuel harness racing at Vernon Downs through February 15, 1998 only for the dates specified within its amended request dated January 6, 1998, based upon submission of the following documentation:

1. A financial audit certifying that Vernon Downs is a "going concern" by February 15, 1998.
2. Material to support Vernon Downs contention that it is "uneconomical or impractical" to conduct the required number of dates to avail it to the low tax rates provided in Section 318(5)(b)(i).
3. A status report on the purse account. Have all purses, specifically, the last four days of the meet been paid in 1997?
4. A status report on the contract with the Central New York Harness Horsemen's Association for the continuation of simulcasting.
5. The filing of New York State Racing and Wagering Board occupational Licenses and the submission of fingerprint cards for the new Officers and Directors of Mid-State Raceway, Inc.

6. **GENESEE MONROE RACING ASSOCIATION, INC. 1998 TRACK LICENSE APPLICATION**

The Board conditionally approved the Genesee Monroe Racing Association, Inc.'s 1998 track license to conduct pari-mutuel harness racing at Batavia Downs through January 25, 1998 only based upon the submission of the following documentation:

1. A financial audit certifying that Genesee Monroe Racing Association, Inc. is a "going concern" by January 25, 1998.
2. An explanation as to why Batavia Downs cannot meet the statutory requirements set forth in Section 307 of the Racing Law and apply for 75 of the dates raced in 1985 or 1986 (whichever had fewer).
3. A letter explaining why it is "uneconomical or impractical" to race the required number of dates specified in Section 318 (5)(b)(i).

No race dates were assigned.

7. **CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION REQUEST TO AMEND THEIR PLAN OF OPERATION**

The Board approved the request by Capital District Regional Off-Track Betting Corporation to amend their plan of operation to appoint Marcel C. Webb as a member of its Board of Directors representing Franklin County. Mr. Webb is replacing John Parmeter.

This approval is conditioned upon a satisfactory return of Mr. Webb's federal fingerprint cards.

The meeting was adjourned at 1:00 p.m.