

MINUTES

NEW YORK STATE RACING AND WAGERING BOARD

MEETING OF OCTOBER 25, 2000

A meeting of the New York State Racing and Wagering Board was held on Wednesday, October 25, 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 11:35 a.m.

In Attendance Were:

Michael J. Hoblock, Jr., Chairman

Joseph Neglia, Member

Cheryl Buley, Member

Maureen L. McGrath, 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

Heather Bennett, Bennett Firm, LLC

Bill Heller, Thoroughbred Times

Dennis Yusko, Times Union

Robert Perez

Robert Cardillo, New York OTB

Bruce Tubin, WNYHHA

Pete Signorelli, Vernon Downs

Andrew Goodell, Vernon Downs

John Signorelli, Vernon Downs

Mike Cane, Gazette Newspaper/Blood Horse

Peter O'Connell, Western OTB

Bill Crowell, Hinman, Straub, Pigors & Manning, PC

OPEN COMMENT PERIOD: Andrew Goodell spoke on behalf of Vernon Downs regarding the implementation of a telephone wagering system. Mr. Goodell gave an overview of the telephone wagering system and the contract with Greyhound Channel, LLC d/b/a US Off-Track. Mr. Goodell answered questions raised by the Board members and Counsel.

- A. The Board approved the minutes of the Board meeting held on September 20, 2000.**
- B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIRMAN.**
- 1. BUFFALO RACEWAY REQUEST TO SIMULCAST TURF PARADISE**

For entry into the minutes, on September 20, 2000, approval was granted for the request by Buffalo Raceway to amend its plan of operation enabling the import of thoroughbred simulcasts from Turf Paradise in Phoenix, Arizona.

This approval is effective immediately and this simulcast may be accepted whenever permitted under the current Racing Law.

- 2. BUFFALO RACEWAY REQUEST TO SIMULCAST THE LOS ANGELES COUNTY FAIR**

For entry into the minutes, on September 20, 2000, approval was granted for the request by Buffalo Raceway to amend their plan of operation enabling

the import of the year 2000 simulcasts from Fairplex (The Los Angeles County Fair) in California.

3. BUFFALO RACEWAY REQUEST TO SIMULCAST THE DELAWARE COUNTY FAIR

For entry into the minutes, on September 20, 2000, approval was granted for the request by Buffalo Raceway to change their plan of operation enabling the import of the year 2000 simulcasts from The Delaware County Fair in Ohio.

4. MONTICELLO RACEWAY REQUEST TO SIMULCAST THE DELAWARE COUNTY FAIR

For entry into the minutes, on September 20, 2000, approval was granted for the request by Monticello Raceway to change their plan of operation enabling the import of the year 2000 simulcasts from The Delaware County Fair in Ohio, effective immediately.

5. VERNON DOWNS REQUEST TO SIMULCAST THE DELAWARE COUNTY FAIR

For entry into the minutes, on September 20, 2000, approval was granted for the request by Vernon Downs to change their plan of operation enabling the import of the year 2000 simulcasts on Wednesday, September 20th and Thursday, September 21st from The Delaware County Fair in Ohio.

6. MONTICELLO RACEWAY REQUEST TO ADD ROLLING PICK 3 WAGERING

For entry into the minutes, on September 22, 2000, approval was granted for the request by Monticello Raceway to add "rolling pick threes", beginning with race one, to the daily Monticello Raceway racing cards. This approval is effective immediately and is good throughout the remainder of the Monticello Raceway year 2000 racing license.

Upon application for a new racing license for the year 2001, the Board requires a summary of the Monticello experience in the year 2000 with the "rolling pick three" wagers and how the wager affected the aggregate Monticello handle.

7. CAPITAL OTB REQUEST TO OFFER PROMOTION AT 5 BRANCHES

For entry into the minutes, on September 22, 2000, approval was granted for the request by Capital OTB, dated September 19, 2000, to distribute at each of their five branches (New Lebanon, Latham, Woodlawn, Bridgeport and

Amsterdam) a two-dollar voucher to the first 100 customers entering the branch on Breeders Cup Day.

The Board understands that the above promotion will be in addition to other Capital promotions on this Breeders Cup Day, including the previously approved mystery voucher mailing. The value of each mystery voucher may be determined and the voucher redeemed at any Capital OTB branch, E-Z Bet location or at the Teletheater. Also, there will be a free tee-shirt giveaway at the Teletheater to the first 300 patrons of the day on November 4th.

8. NEW YORK CITY OTB REQUEST TO SIMULCAST LONGCHAMPS RACECOURSE

For entry into the minutes, on September 22, 2000, approval was granted for the request by New York City OTB for an amendment to the New York City OTB - Arlington International Racecourse agreement of June 16, 2000. This amendment to the original agreement between New York City Off-Track Betting Corporation was made on behalf of itself and all other New York State Regional Off-Track Betting Corporations.

The amendment provides for the import of the simulcast signal and the ability to take wagering on races from Longchamps Racecourse in France on the Prix de l'Arc de Triomphe and the Prix de Candran on Sunday, October 1, 2000.

9. FINGER LAKES REQUEST TO CANCEL RACING IN OCTOBER

For entry into the minutes, on September 28, 2000, approval was granted for the request by Finger Lakes for an amendment of its racing license to cancel all of the scheduled Sunday programs in October 2000 and the program scheduled for Wednesday, October 11, 2000.

Also approved by the Board is the request to simulcast NYRA and two out-of-state tracks on Sundays, Wednesdays and Thursdays starting October 1st through the beginning of the winter simulcasting.

10. VERNON DOWNS REQUEST TO SIMULCAST GARDEN STATE PARK, DELAWARE COUNTY FAIR, THE RED MILE & LOUISIANA DOWNS

For entry into the minutes, on September 28, 2000, approval was granted for the request by Vernon Downs for an amendment to their plan of operation enabling the import of simulcasts from The Red Mile in Lexington, Kentucky.

This approval is valid from September 27, 2000 through October 6, 2000, the year 2000 race meet at The Red Mile. These simulcasts may be imported whenever permitted under the Racing Law.

11. NEW YORK CITY OTB REQUEST TO CLOSE BRANCH - 74-11 BROADWAY, QUEENS

For entry into the minutes, on September 28, 2000, approval was granted for the request by New York City OTB for the closing of the 74-11 Broadway branch located in Queens, New York. The nearest facility, 62-17 Roosevelt Avenue, also in Queens, will assume the operational characteristics of 74-11 Broadway branch by becoming a night simulcast facility as well as conducting Friday night post midnight racing.

Also approved is the coupon promotion to be offered to customers at the 74-11 Broadway branch during the last days of business to promote customers to wager at the 62-17 Roosevelt Avenue branch.

12. GENESEE VALLEY HUNT CLUB REQUEST TO CONDUCT STEEPLECHASE AND HUNT RACES

For entry into the minutes, on September 28, 2000, approval was granted for the request by the Genesee Valley Hunt Club to conduct a one-day non pari-mutuel program of steeplechase and hunt races on Saturday, October 14, 2000 in accordance with Section 207 of the Racing, Pari-Mutuel Wagering and Breeding Law.

These races will take place at the racecourse located on Nations Road in Geneseo, NY. The Board has approved William Welch to be the steward in charge of racing.

13. NASSAU OTB REQUEST FOR AN ADDENDUM TO CONTRACT WITH ONTARIO JOCKEY CLUB

For entry into the minutes, on September 29, 2000, approval was granted for the request by Nassau OTB, dated September 21, 2000, to amend their plan of operation to include an addendum to the original contract between the Ontario Jockey Club and Nassau Regional Off-Track Betting Corporation to simulcast thoroughbred racing from Woodbine Race Track for the remainder of the year 2000 meet.

This approval is effective immediately and whenever permitted by current Racing Law. This approval also extends to Suffolk OTB.

14. NASSAU OTB REQUEST TO SIMULCAST HAWTHORNE RACE COURSE

For entry into the minutes, on September 29, 2000, approval was granted for the request by Nassau OTB, dated September 27, 2000, to amend its plan of operation enabling the import of simulcast thoroughbred racing programs from Hawthorne Race Course in Stickney, Illinois effective October 1, 2000 through December 31, 2000, whenever permitted by current Racing Law.

This approval also extends to Suffolk OTB.

15. BUFFALO RACEWAY REQUEST TO SIMULCAST KEENELAND RACE COURSE

For entry into the minutes, on October 4, 2000, approval was granted for the request by Buffalo Raceway for an amendment to their simulcast plan of operation enabling the import of thoroughbred simulcasts from Keeneland in Kentucky.

This approval is effective immediately and this simulcast may be accepted whenever permitted under the Racing Law during the Fall year 2000 Keeneland meeting that concludes on October 28th.

16. MONTICELLO RACEWAY REQUEST FOR SIMULCASTS FOR YEAR 2000

For entry into the minutes, on October 4, 2000, approval was granted for the request by Monticello Raceway to amend the plan of operation regarding simulcasts enabling Monticello Raceway to import the simulcast signals and conduct wagering on the year 2000 Oak Tree at Santa Anita (California), Keeneland (Kentucky) and Hawthorne (Illinois) thoroughbred race meetings.

The scheduled Oak Tree at Santa Anita race dates are October 4th through November 6th, the Keeneland Race Course race dates are October 7th through October 28th, while the Hawthorne race dates are October 4th through December 31st.

Additionally, an amendment to the plan of operation was approved enabling the import of the harness simulcasts from Northville Downs in Michigan, beginning on October 16th and continuing through December 30, 2000.

It is understood that the simulcasts of the above named racing programs will be utilized as imported simulcasts only as permitted under the Racing Law.

17. SARATOGA HARNESS REQUEST TO SIMULCAST FROM VARIOUS OUTLETS IN 2000

For entry into the minutes, on October 4, 2000, approval was granted for the request by Saratoga Harness to amend their plan of operation with the approval of the Breeder's Cup agreement enabling the simulcast of the year

2000 edition of the Breeder's Cup Championship Day from Churchill Downs on Saturday, November 4th.

18. YONKERS RACEWAY REQUEST TO SIMULCAST LEBANON RACEWAY

For entry into the minutes, on October 4, 2000, approval was granted for the request by Yonkers Raceway to import simulcasts from Lebanon Raceway in Ohio. This approval extends throughout the remainder of the year 2000 racing season at Lebanon Raceway, scheduled to end on December 30th.

19. NEW YORK CITY OTB REQUEST TO AMEND CONTRACT WITH ONTARIO JOCKEY CLUB

For entry into the minutes, on October 4, 2000, approval was granted for the request by New York City OTB for an amendment to a currently valid agreement between the New York City Off-Track Betting Corporation and the Ontario Jockey Club.

The Ontario Jockey Club will provide simulcasts to New York City OTB of the thoroughbred races emanating from the Woodbine International Racecourse on Thursday, October 5, 2000.

20. VERNON DOWNS REQUEST TO SIMULCAST KEENELAND RACE COURSE

For entry into the minutes, on October 6, 2000, approved was granted for the request by Vernon Downs to amend their simulcast plan of operation enabling the import of thoroughbred simulcasts from Keeneland in Kentucky.

This approval is effective immediately and this simulcast may be accepted whenever permitted under the current Racing Law during the Fall year 2000 Keeneland meeting that concludes on October 28th.

21. NEW YORK CITY OTB REQUEST TO CLOSE MINI-BRANCH - BROOKLYN

For entry into the minutes, on October 11, 2000, approval was granted for the request by New York City OTB to amend their plan of operation involving the closure of a mini-branch located within the Brooklyn, New York restaurant at 3752 Nostrand Avenue known as Winners Sports Bar and Grill.

22. VERNON DOWNS REQUEST TO CANCEL LIVE RACING FOR REMAINING WEDNESDAYS

For entry into the minutes, on October 13, 2000, approval was granted for the request by Vernon Downs to amend their plan of operation by canceling

the four remaining Wednesday matinee racing programs previously approved for the year 2000 racing season.

Purse money already allocated to the four Wednesdays will be added to the remaining races on other year 2000 Vernon Downs race programs.

23. NEW YORK CITY OTB REQUEST FOR SPECIAL EVENTS RACE - MELBOURNE CUP

For entry into the minutes, on October 13, 2000, approval was granted for the request by New York City OTB to designate as a thoroughbred "Special Event", in compliance with Section 905-a of the Racing Law, the Melbourne Cup on Monday night, November 6th, Australia's premier thoroughbred race from the Flemington Race Course in Australia.

24. WESTERN OTB REQUEST FOR PROMOTIONS

For entry into the minutes, on October 23, 2000, approval was granted for the request by Western OTB to offer promotions as follows:

- **Conduct a series of ten drawings, for a total of 150 lottery tickets, on Veteran's Day at each of the Western branches.**
- **Conduct a random drawing from among all Dial-A-Bet customers the weekend of November 17th for five certificates each good for redemption at any major supermarket for a Butterball turkey.**
- **Conduct a random drawing at all Western OTB branches on Saturday, November 18th awarding winners a certificate for redemption at any major supermarket for a Butterball turkey. There will be five certificates awarded at the larger branches and two certificates awarded at the smaller branches.**

25. WESTERN OTB REQUEST TO SIMULCAST FROM NORTHVILLE RACING CORP.

For entry into the minutes, on October 23, 2000, approval was granted for the request by Western OTB to change their plan of operation enabling the import of simulcasts from the harness raceway known as Northville Downs in Michigan. This approval further extends to the Capital, Catskill, Nassau and Suffolk Regional Off-Track Betting corporations.

The required Federal letters of permission from the Michigan Racing Commission and horsemen are on file with the Board *but* extend through December 31, 2000 only. To continue importing simulcasts in the year 2001 from Northville Downs, new letters of permission from the Michigan Racing Commission and the Michigan Harness Horsemen's Association must be filed with the Board.

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

1. WESTERN OTB CERTIFICATION OF BOARD OF DIRECTORS

For entry into the minutes, on September 22, 2000, the request by Western OTB for a certification reflecting that the appointment of each of the current Board of Directors by their respective municipalities has been approved by the New York State Racing and Wagering Board, pursuant to Section 502(6) of the Racing, Pari-Mutuel Wagering and Breeding Law. The following members have been so approved by the Board:

Participating Municipality	Board Representative
City of Buffalo	Daniel J. Carnevale
Cattaraugus County	James K. Johnston
Cayuga County	Joseph Mastroianni
Chautauqua County	Roger E. Ruckman
Erie County	Gregory L. Davis, Esq.
Genesee County	Richard E. Siebert
Livingston County	Robert J. Kane, Esq.(Chairman)
Monroe County	Eugene C. Mazzola
Niagara County	Richard P. Winter
Orleans County	George E. Herring, Jr.
Oswego County	Edward J. Sohoski
City of Rochester	T. Andrew Brown, Esq.
Schuyler County	Philip C. Smith
Seneca County	James L. Stevers
Steuben County Chairman)	Charles D. Henderson(Vice-

Wayne County

Joseph Gallo

Wyoming County

William T. Bruyere

**2. NYRA REQUEST TO AMEND APPLICATION FOR EASEMENT AT
AQUEDUCT**

For entry into the minutes, on October 5, 2000, approval was granted for the request by NYRA for an amendment to grant an easement (pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 209-a) on Tax Lot 12 of Tax Block 11561 located near Aqueduct Race Track and not Tax Lot 8 as originally requested and approved on February 17, 2000. The approval granted on February 17, 2000 is rescinded.

The easement will be granted to a local builder for the installation of water and sewer lines beneath the surface of Tax Lot 12, on the terms that NYRA is receiving no monetary compensation other than minimal legal consideration.

3. IN THE MATTER OF GEORGE KLEIMAN

For entry into the minutes, on October 5, 2000, the Board approved Hearing Officer Hoblock's recommendation that Kleiman be found to have violated Board Rules 4120.6(d) and 4119.7(a) (5) and 4119.9(a) by his refusal to allow inspection of his automobile at Yonkers Raceway on August 18, 2000 and that his harness racing license be suspended for ninety (90) days, with the final forty-five (45) days suspended on the condition that Kleiman not violate a Board rule during the period of the stayed suspension.

4. IN THE MATTER OF WILLIAM D. YORTON, JR.

For entry into the minutes, on October 5, 2000, the Board summarily suspended William D. Yorton, Jr.'s thoroughbred groom license for failing to submit a urine sample for testing, following an official request, in violation of Board Rule 4042.5 and the Consent to Conditions for Relicensing, dated April 27, 1999. His prior human substance abuse related licensing history includes an October 10, 1997 cocaine positive followed by a surrender of license and reinstatement upon conditions, and an August 25, 1998 failure to submit a sample. The 1998 failure to submit resulted in the denial of his 1998 license application (M.O.75-98).

The suspension will remain in effect pending further disposition by the Board after a hearing.

5. IN THE MATTER OF WADE BIRNBAUM

For entry into the minutes, on October 24, 2000, the Board summarily suspended the

thoroughbred assistant trainer license of Wade Birnbaum because on October 17, 2000 he failed to submit a urine sample for testing, following an official request, in violation of Board Rule 4042.5 and the Consent to Conditions for Relicensing, dated October 30, 1998. His prior human substance abuse related licensing history includes a May 23, 1990 marijuana positive and an August 3, 1993 cocaine positive. The 1993 test resulted in the summary suspension of his license as a groom and eventual revocation by Findings and order dated October 4, 1993. He was reinstated pursuant to Consent to Conditions for Reinstatement dated October 30, 1998.

The suspension will remain in effect pending further disposition by the Board after a hearing.

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

1. IN THE MATTER OF CARLOS CAMILO (8/13/00)

The Board approved the recommendation of Hearing Officer Dranichak that the decision by the State Steward at Finger Lakes Race Track to suspend Mr. Camilo's license for 10 days for interference during the 7th race on August 13, 2000, in violation of Board Rule 4035.2 be confirmed.

2. IN THE MATTER OF CARLOS CAMILO (8/19/00)

The Board approved the recommendation of Hearing Officer Dranichak that the decision by the State Steward at Finger Lakes Race Track to suspend Mr. Camilo's license for 10 days for interference during the 3rd race on August 19, 2000, in violation of Board Rule 4035.2 be confirmed.

3. IN THE MATTER OF PEDRO CASTILLO

The Board approved the recommendation of Hearing Officer Dranichak that the decision by the State Steward at Finger Lake Race Track to suspend Mr. Castillo' s license for ten days for interference during the eighth race on July 25, 2000 at Finger Lakes Race Track, in violation of Board Rule 4035.2 be confirmed.

4. IN THE MATTER OF JOHN DAVILA, JR.

After consideration of this matter involving an appeal by jockey Davila from a 60 day suspension based on failure to use his best efforts during the 8th race

on July 28, 2000 at Finger Lakes Race Track, the Board ordered that the matter be remanded to the Hearing Officer for the purpose of taking the sworn testimony of Mr. Davila and Mr. D'Alessandro and to inform the Board of his findings in a supplemental report.

5. IN THE MATTER OF STEVEN GREEN

The Board approved the recommendation of Hearing Officer Dranichak that the decision of the judges at Buffalo Raceway, which disqualified JOINTHECELEBRATION and re-placed the horse from second to third, and suspended Mr. Green' s license for eight (8) days for violation of Board Rule 4117.17 be confirmed.

6. IN THE MATTER OF JUAN ROHENA

The Board approved the recommendation of Hearing Officer Dranichak that the suspension of Mr. Rohena' s license for fifteen (15) days for interference during the fourth race on July 18, 2000 at Finger Lakes, in violation of Board Rule 4035.2 be confirmed with modification of the penalty from fifteen (15) to ten (10) days.

7. DESIGNATION OF EMPLOYEE TO ADMINISTER OATHS AND ISSUE SUBPOENAS

The Board approved the designation of Maureen L. McGrath, Secretary to the Board, to administer oaths and issue subpoenas pursuant to Section 101(9) of the Racing, Pari-Mutuel Wagering and Breeding Law.

8. VERNON DOWNS REQUEST TO IMPLEMENT TELEPHONE WAGERING SYSTEM

The Board approved that part of the telephone wagering application, dated September 14, 2000 and amended on October 20, 2000, which requested approval for operation by Vernon Downs of the described in-house operator assisted telephone wagering system and authorization for use of a Bet-mate as described in the application.

The Board deferred action on the Vernon Downs application to utilize a telephone wagering system pursuant to a contract submitted between Mid-State Raceway and US Off-Track.

9. FINGER LAKES REQUEST FOR FURTHER CEASE AND DESIST ORDER

The Board denied the Finger Lakes Racing Association request of October 13, 2000 for issuance of a further cease and desist order concerning the acceptance by the Western Regional Off-Track Betting Corporation ("WROTB") of telephonic and other wagering within the Thoroughbred Special Betting District. This denial was not a determination on the merits of any ongoing activities by WROTB.

10. BUFFALO RACEWAY REQUEST TO WITHDRAW FROM CIF - \$134,267.07

The Board approved the request by Buffalo Raceway to withdraw \$134,267.07 from their Capital Improvement Fund for reimbursement of capital improvement purchases and improvements.

Patron Areas & Services (96%)

Road Paving	\$ 80,761.11
Computer Video Graphic System	43,650.00
Fencing	3,778.00
Tile work	<u>775.00</u>
Total: Patron Areas	<u>\$128,964.11</u>

General & Administrative (4%)

1993 Mercury Villager	\$ 4,952.96
New windows for announcer' s booth	<u>350.00</u>
Total: General & Administrative	<u>\$ 5,302.96</u>

Total Recommended Approval \$134,267.07

11. FINGER LAKES REQUEST TO WITHDRAW FROM CIF - \$35,565.76

The Board approved the request by Finger Lakes to withdraw \$35,565.76 from their Capital Improvement Fund for reimbursement of capital improvement purchases and improvements.

Backstretch & Barns (65%)

Culvert Pipes for barn area	\$ 518.31
Tack Sheds for barn area	15,301.00

Storage Shed for Horticulture	1,546.15
Portable radios for tractors	855.89
Mud Room in Jockey Room	<u>4,912.50</u>
	<u>\$23,133.85</u>
<u>Patron Services & Areas (13%)</u>	
Folding Tables	\$1,010.97
Window tint for upper grandstand	1,605.00
Cut Off Saw	885.60
Blacktop lower grandstand balcony	<u>973.81</u>
	<u>\$4,475.38</u>
<u>General & Administrative (22%)</u>	
Computer monitors and printer	\$1,083.37
Portable Radios for Security	812.99
Telephone System	<u>6,060.17</u>
	<u>\$7,956.53</u>
Total Approved Application	<u>\$35,565.76</u>

12. MONTICELLO RACEWAY REQUEST TO WITHDRAW FROM CIF - \$152,105.02

The Board approved the request by Monticello Raceway to withdraw \$152,105.02 from their Capital Improvement Fund for reimbursement of capital improvement purchases and improvements.

General & Administrative Items (3%)

A new Panasonic video editor	\$ 3,773.89
Two new calculators in the mutuels room	171.10
Two new calculators in the accounting office	155.15

A new TV in the judges room	<u>171.19</u>
Total: General Items	<u>\$ 4,271.33</u>
Backstretch Items (63%)	
Blacktop for barn roads	\$ 599.20
Equipment for gallon grader	353.49
Repairs for grader	950.00
Parts for Kubota tractor	578.26
Water tank for truck	4,500.00
New sprinkler fire panel	1,729.12
New chainsaw	385.93
Ceiling tiles for driver' s lounge	269.64
Crushed stone for roads	1,832.58
Repair of electrical wires	3,936.99
Electrical work on finish line	3,106.70
Fencing and drainage work	77,142.38
Paint for new fencing	<u>449.40</u>
Total: Backstretch	<u>\$ 95,833.69</u>
Tote system (34%)	
Approved 80% of payments	<u>\$ 52,000.00</u>
Total: Tote system	<u>\$ 52,000.00</u>
Total Recommended Approval	<u>\$152,105.02</u>

13. BATAVIA DOWNS PURSE ISSUE

After deliberation, the Board determined that the escrowed purse account funds from Batavia Downs should be disbursed in the following manner:

If a license is issued by the Board no later than June 1, 2001 for the conduct of harness racing at Batavia Downs, the escrowed monies with accrued interest shall be disbursed to the purse fund at Batavia Downs.

If such license is not issued on or before June 1, 2001, the escrowed monies with accrued interest shall be disbursed to the purse fund at Buffalo Raceway.

14. CAPITAL OTB - CLOSING OF E-Z BET LOCATION

The Board approved the request by Capital OTB to change their plan of operation and close the E-Z Bet location at the Bowl Mart Bowling Center in

Rouses Point. The location has been closed since September 13, 2000 and will not reopen.

15. CAPITAL OTB - CLOSING OF E-Z BET LOCATION

The Board approved the request by Capital OTB to change their plan of operation and close the E-Z Bet location at the South End Tavern in Troy. Operations ceased at the close of business on October 2, 2000.

E. ITEMS FOR BOARD INFORMATION/DISCUSSION

1. NYRA - 5 YEAR CAPITAL IMPROVEMENT PLAN - 10/00-04-E

Plan received on September 29, 2000.

2. NEW YORK THOROUGHBRED HORSEMEN'S ASSOCIATION, INC. (NYTHA)

- 10/00-14-E Financial reports for 2000 Saratoga meet.

Meeting was adjourned at 1:50 p.m.