

MINUTES

NEW YORK STATE RACING AND WAGERING BOARD

MEETING OF OCTOBER 21, 1999

A meeting of the New York State Racing and Wagering Board was held on Thursday, October 21, 1999 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 11:30 a.m.

In Attendance Were:

Michael J. Hoblock, Jr., Chairman

Joseph Neglia, Member

Bennett Liebman, Member

Stephanie L. Donato, Secretary to the Board

Robert Feuerstein, General Counsel

Tom Casaregola, Acting Director of Audits and Investigations

Joe Lynch, NYSR&WB

Also in Attendance Were:

Mark Stewart, NYSR&WB

Dianne Landor, NYSR&WB

Nicole Thuiellez

Nicole Robilotto, NYSR&WB

Jim Kellogg, NYSR&WB

Daryll Messner, NYSR&WB

Dan Wray, New York City OTB

Kris Thompson, Troy Record

Jim Ryan, Coppola & Ryan

Heather Bennett, The Bennett Firm

Ira Block, New York City OTB

Steven Bochnak, NYTHA

Bill Heller, Thoroughbred Times

Tom Precious, Blood-Horse

Mike Kane, Gazette

OPEN COMMENT PERIOD: No comments were made.

A . The Board approved the minutes of the Board meeting held on September 23, 1999.

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

CAPTIONED BELOW AND ON FILE IN THE SECRETARY'S OFFICE.

1. BUFFALO RACEWAY REQUEST TO SIMULCAST FROM THE DELAWARE COUNTY FAIR AND OAK TREE

For entry into the minutes, on September 22, 1999, approval was granted for the request by Buffalo Raceway to import simulcasts from the Delaware County Fair in Ohio and from the Oak Tree at Santa Anita race meeting.

The Delaware approval is effective immediately. The Oak Tree at Santa Anita approval is effective on or after September 29th and this simulcast may be accepted whenever permitted under the current Racing Law.

2. CAPITAL OTB REQUEST TO ADD THE LITTLE BROWN JUG AS A RACE OF SPECIAL INTEREST

For entry into the minutes, on September 22, 1999, approval was granted for the request by Capital OTB to approve the simulcast contract between Capital OTB and the Delaware County Fair in Ohio. The approval encompasses all harness racing at the fairgrounds for the September 19th through September 23rd timeframe, including all Grand Circuit races, The Little Brown Jug and the Jugette.

3. BUFFALO RACEWAY REQUEST TO SIMULCAST THE RED MILE, KENTUCKY DOWNS, ETC.

Request by Buffalo Raceway to import simulcasts for the purpose of wagering from the harness track known as The Red Mile in Lexington, Kentucky.

Also approved were the importation of thoroughbred simulcasts from Kentucky Downs, Suffolk Downs in Massachusetts and Turfway Park in Kentucky. The Turfway Park approval is through October 8, 1999, the end of the fall Turfway Park race meeting. This is the date stipulated in the letter of permission from the Kentucky Racing Commission.

All simulcasts may be taken immediately and only when permitted under the Racing Law.

4. SARATOGA HARNESS REQUEST TO ADD RACING DATE - 10/26/99

For entry into the minutes, on September 28, 1999, approval was granted for the request by Saratoga Harness for the addition of one race card to the 1999 Saratoga Equine Sports Center's calendar of harness racing dates. The additional card will be raced on Tuesday, October 26th with a first post time of 7:40 p.m.

5. VERNON DOWNS REQUEST TO SIMULCAST FROM THE RED MILE

For entry into the minutes, on September 28, 1999, approval was granted for the request by Vernon Downs to import The Red Mile (Kentucky) simulcast signal on and after September 29, 1999.

No more than five out-of-state harness simulcast signals may be accepted on any one date. Vernon Downs will discontinue the Windsor Raceway simulcast signal import on September 29th and the Hazel Park simulcast signal import on September 30th. This accommodates the import of The Red Mile simulcast signal on each of the aforementioned dates.

6. YONKERS RACEWAY REQUEST TO SUSPEND WEDNESDAY RACING AND RESUME IN NOVEMBER

For entry into the minutes, on September 28, 1999, approval was granted for the request by Yonkers Raceway to discontinue the presentation of live racing on four

consecutive Wednesdays in October. The affected dates are October 6th, 13th, 20th and 27th.

Live Wednesday race programs will again be presented beginning on November 3rd.

7. CAPITAL OTB REQUEST FOR A CHANGE IN VENDORS

For entry into the minutes, on September 28, 1999, approval was granted for the request by Capital OTB, dated September 27, 1999, to institute the use of a Fleet Bank merchant service terminal at Capital OTB Headquarters.

This terminal will enable established customers to replenish their existing telephone accounts. No new accounts may be opened using this system and in no instance may a credit card be directly used for placing any type of wager.

8. NASSAU OTB REQUEST TO SIMULCAST FROM TURF PARADISE & THISTLEDOWN RACING CLUB

For entry into the minutes, on September 28, 1999, approval was granted for the request by Nassau OTB, dated September 13, 1999, to import the simulcast signals from both Thistledown Racetrack in Ohio and from Turf paradise in Arizona. These simulcasts may be imported whenever permitted under the Racing Law.

The approval extends to Suffolk Regional OTB.

9. BUFFALO RACEWAY REQUEST TO CONDUCT HANDICAPPING CONTEST DURING OCTOBER 1999

For entry into the minutes, on September 28, 1999, approval was granted for the request by Buffalo Raceway to conduct a handicapping tournament during the month of October 1999. The qualifying rounds will be held on the successive Fridays of October 15th and October 22nd. The final will be on Friday, October 29th.

In accordance with Section 908 of the Racing Law, all entrance fee money generated will be distributed as part of the prize packages. Furthermore, at least 50% of the races used for this contest will be New York State races.

10. MONTICELLO RACEWAY REQUEST TO ADD RACING DATE AND CHANGE POST TIME

For entry into the minutes, on September 29, 1999, approval was granted for the request by Monticello Raceway to move the Wednesday first post time to 1:05 p.m. during the month of October in 1999.

Also approved was the addition of one more racing program on Saturday, October 2nd. The post time for this Saturday will be 1:05 p.m.

Whenever permitted under the Racing Law, all OTB's and ITW's may display the Monticello Raceway simulcast picture.

The final request concerned offering free admission on Mondays. With the repeal of Section 301 (2)(a) of the Racing Law, no longer is it required that New York State racetracks need to apply for approval of any admission price changes.

11. MONTICELLO RACEWAY REQUEST FOR NEW TOTE SYSTEM

For entry into the minutes, on September 29, 1999, approval was granted for the request by Monticello Raceway for the utilization of the new Autotote Pari-Mutuel system pursuant to Section 313 of the Racing Law. This approval is effective immediately.

12. REQUEST FOR AN EXTENSION OF AN APPRENTICESHIP - INOSCENCIO DIEGO

For entry into the minutes, on September 29, 1999, approval was granted to extend the apprenticeship of Inoscencio Diego for an additional fifty-two (52) days. Mr. Diego lost this time due to an injury from April 18, 1999 through June 5, 1999.

The original date of the expiration of his ability to claim the five-pound apprentice allowance was October 19, 1999. His ability to claim the five-pound apprentice allowance has now been extended. The new expiration date will be December 10, 1999. During this extended time period, Inoscencio Diego will be eligible to claim his five-pound apprentice allowance in all overnight races (other than stakes or handicaps).

13. NYRA REQUEST FOR PROMOTIONAL EVENTS AT AQUEDUCT

For entry into the minutes, on September 29, 1999, approval was granted for the request by NYRA, dated September 24, 1999, to issue approximately 50,000 two-dollar daily double coupons redeemable at Aqueduct Racetrack on Breeder's Cup Day on Saturday, November 6, 1999. These coupons may be redeemed for a two-dollar wager on either of the two daily doubles offered on live Aqueduct Racetrack races on this date.

Also approved, to be distributed, is approximately 50,000 wagering vouchers good one day only at Aqueduct Racetrack on Friday, November 26, 1999. It is understood that from 11:30 a.m. to 12:30 p.m. at Gate Four at Aqueduct Racetrack on Friday, November 26th, a patron with a mystery voucher may be escorted to and from designated windows to redeem that voucher, and do so

without paying admission or parking fees. Furthermore, should anyone desire a list of winners, it may be obtained from NYRA by mail request including a self-addressed stamped envelope.

14. SARATOGA HARNESS REQUEST TO IMPORT/EXPORT SIMULCASTS

For entry into the minutes, on September 29, 1999, approval was granted for the request by Saratoga Harness to import the thoroughbred simulcast from Keeneland Racecourse in Kentucky beginning October 9th and continuing through October 30, 1999.

Also approved was the request to accept the simulcast signal from the thoroughbred race meeting at Colonial Downs in Virginia, Suffolk Downs in Massachusetts and Delaware Park in Delaware, effective immediately. The Oak Tree meeting at Santa Anita in California is also approved from September 29th through November 8th. All simulcasts may be accepted and wagering conducted whenever permitted under the Racing Law.

The request to export the Saratoga Equine Sports Center harness signal to Thistledown Racetrack in Ohio has also been approved through December 31, 1999.

15. NYC OTB REQUEST TO SIMULCAST THREE RACES AT LONGCHAMPS RACECOURSE

For entry into the minutes, on September 29, 1999, approval was granted for the request by New York City OTB, dated September 28, 1999, to simulcast races from Longchamps Racecourse in France on Sunday morning, October 3, 1999. Under Section 1017-a of the Racing Law, all simulcasts must end before the first regularly scheduled thoroughbred race program in New York State commences on October 3rd. Belmont Park is currently scheduled to begin at 1:00 p.m.

This approval extends to all other regional OTB corporations in New York State should they choose to simulcast such races. Since no regional tracks of any of the six NYS Regional OTB's are in operation during this morning timeframe on October 3rd, these three Longchamps Racecourse races may be received by any OTB simulcast branches located within Special Betting Districts, also in compliance with Section 1017-a of the Racing Law.

16. NYRA REQUEST TO SIMULCAST RACES OF SPECIAL INTEREST

For entry into the minutes, on October 5, 1999, approval was granted for the request by NYRA to add as designated special events, the Hawthorne Gold Cup on Saturday, October 9th and the Hawthorne Derby on Sunday, October 10th. Both races will be a part of the "initial twelve" special events that are taxed at the

rate of two percent on regular wagers, three percent on multiple wagers and seven percent on all exotic and super-exotic wagers.

In accordance with Section 905-a of the Racing Law, forty-seven (47) special events may be designated by the Board each calendar year. There are now three slots remaining among the initial twelve and just one slot remaining among the subsequent thirty-five. The Red Stripe Superstakes occupies position forty-six.

17. VERNON DOWNS REQUEST TO SIMULCAST MOHAWK RACEWAY AND SUFFOLK DOWNS

For entry into the minutes, on October 5, 1999, approval was granted for the request by Vernon Downs to import and take wagering on the simulcast signals from the Ontario Jockey Club operated harness track of Mohawk Raceway and from the thoroughbred racetrack of Suffolk Downs in Massachusetts. Both signals may be imported whenever in compliance with the Racing Law.

The Racing Law permits no more than five out-of-state harness track imports on any given day.

18. SUFFOLK OTB REQUEST TO OFFER COMPLIMENTARY BEVERAGE ON 10/08/99

For entry into the minutes, on October 5, 1999, approval was granted for the request by Suffolk OTB to offer a coupon redeemable with a \$2 admission to Tel-A-Race for a complimentary first drink. This will occur on Friday, October 8, 1999 from 4:30 p.m. until 6:00 p.m.

19. BUFFALO RACEWAY REQUEST TO IMPORT KEENELAND RACE COURSE

For entry into the minutes, on October 7, 1999, approval was granted for the request by Buffalo Raceway to import simulcasts from the Fall 1999 meeting at Keeneland Race Course, a thoroughbred racetrack in Kentucky. This simulcast may be utilized whenever permitted under the Racing Law.

20. FINGER LAKES REQUEST TO CANCEL RACING ON 10/15/99

For entry into the minutes, on October 7, 1999, approval was granted for the request by Finger Lakes Racing Association for an amendment to the Finger Lakes Racing Association track license to cancel racing on Friday, October 15, 1999.

This cancellation will alleviate a pending entry shortage caused by the original schedule of six consecutive racing programs, a single rest day, then a stretch of five consecutive racing programs.

21. MONTICELLO RACEWAY REQUESTS FOR UPCOMING 1999 CALENDAR YEAR

For entry into the minutes, on October 7, 1999, approval was granted for the request by Monticello Raceway to accept harness simulcasts from Northville Downs in Michigan and The Red Mile in Kentucky as well as thoroughbred simulcasts from Keeneland Race Course in Kentucky. These approvals are effective immediately.

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

22. REQUEST TO EXTEND APPRENTICESHIP - ARIEL SMITH

For entry into the minutes, on October 7, 1999, approval was granted to extend the apprenticeship of Ariel Smith for an additional twenty-nine (29) days. Mr. Smith lost this time due to an injury from August 13, 1999 through September 2, 1999.

The date for Mr. Smith's return, as cited in the release signed by Dr. Robert A. Cheney of the Capital Regional Orthopedic Associates, is September 2, 1999. At this time the Saratoga thoroughbred meet was still in progress. There is no medical explanation as to why Mr. Smith, although released to ride after September 2nd, did not resume until the opening of Belmont Park on September 10th. Therefore, the seven days of September 3rd through September 9th are denied paring this request in total to twenty-nine (29) days.

The original date of the expiration of his ability to claim the five-pound apprentice allowance was November 12, 1999. His ability to claim the five-pound apprentice allowance has now been extended. His new expiration date will now be December 11, 1999. During this extended time period, Ariel Smith will be eligible to claim his five-pound apprentice allowance in all overnight races (other than stakes or handicaps).

23. YONKERS RACEWAY REQUEST TO EXPORT SIMULCAST TO BIRMINGHAM GREYHOUND TRACK

For entry into the minutes, on October 7, 1999, approval was granted for the request by Yonkers Raceway for the export of the simulcast signal from Yonkers Raceway to the Birmingham Greyhound Track in Alabama and its ITW's during the remainder of the 1999 Yonkers Raceway racing season.

The approval is effective immediately.

24. CAPITAL OTB REQUEST TO SIMULCAST FROM HOOSIER PARK

For entry into the minutes, on October 7, 1999, approval was granted for the request by Capital OTB to amend the simulcast contract between New York City OTB (of which Capital OTB is a party) and the Indiana thoroughbred racetrack of Hoosier Park. This approval is valid for the entire 1999 Hoosier

Park thoroughbred season that is scheduled to end on December 5, 1999. This simulcast signal may be used whenever applicable under the Racing Law.

The federally required letters of permission issued by the Indiana Racing Commission and the Indiana Division of the Horsemen's Benevolent and Protective Association apply solely to Capital District Regional OTB.

25. NEW YORK CITY OTB REQUEST TO SIMULCAST FROM THE AUSTRALIAN JOCKEY CLUB

For entry into the minutes, on October 7, 1999, approval was granted for the request by New York City OTB for an addendum to paragraph nineteen (expiration date) of the current valid contract that the New York City Off-Track Betting Corporation has with Wyvern International concerning the importation of simulcast signals of horseracing from Australia.

26. BUFFALO RACEWAY REQUEST TO EXPORT TO THE RACING NETWORK

For entry into the minutes, on October 12, 1999, approval was granted for the request, dated October 7, 1999, to export the Buffalo Raceway simulcast signal to The Racing Network (TRN), effective immediately.

This approval is valid as long as TRN remains a distributor of the simulcast signal and does not take wagering directly through TRN. If such a TRN wagering aspect happens in the future, this approval is rescinded.

27. VERNON DOWNS REQUEST TO REPLACE/AMEND SIMULCAST SCHEDULE

For entry into the minutes, on October 12, 1999, approval was granted for the request by Vernon Downs to import and take wagering on the simulcast signals from the harness tracks of Pompano Park in Florida and Harrington Raceway in Delaware. Both signals may be imported whenever in compliance with the Racing Law.

It should be noted that the Racing Law permits no more than five out-of-state harness track imports on any given day.

28. VERNON DOWNS REQUEST TO RUN PROMOTION ON CLOSING NIGHT - 10/16/99

For entry into the minutes, on October 12, 1999, approval was granted for the request by Vernon Downs for the closing night promotions on Saturday, October 16, 1999.

The rights for a voucher for wagering money in the amount of two hundred fifty dollars (\$250.00) will be awarded by random drawing to one customer after each of the initial seven races on the final night's racing card.

29. SUFFOLK OTB REQUEST TO TRANSFER LOCATION OF RIVERHEAD BRANCH

For entry into the minutes, on October 12, 1999, approval was granted for the request by Suffolk OTB for the transfer of the current simulcast license afforded the Suffolk Regional OTB branch located at 1180 Old Country Road in Riverhead to a new location at 1051 Old Country Road, also in Riverhead.

To be filed with the Board before this branch is opened, is a copy of a "temporary" certificate of occupancy. To be filed with the Board within thirty days after 1051 Old Country Road is opened for business, is a copy of the approved Town of Riverhead certificate of occupancy.

30. FINGER LAKES REQUEST TO AMEND LIVE RACING IN NOVEMBER AND DECEMBER

For entry into the minutes, on October 15, 1999, approval was granted for the request by Finger Lakes to amend the Finger Lakes Racing Association track license to shift previously scheduled Sunday racing programs to Friday effective on Friday, November 5th.

It is understood that this approved change, the Sundays in November of the 7th, 14th, 21st, and 28th, along with the December Sundays of the 5th and 12th will now be "dark" days. The live racing programs on Fridays will now be the November dates of the 5th, 12th, 19th and 26th and in December on the 3rd and 10th.

31. YONKERS RACEWAY REQUEST TO CANCEL "SHOW" WAGERING ON TWO RACES

For entry into the minutes, on October 15, 1999, approval was granted for the request by Yonkers Raceway to cancel SHOW wagering on the third and sixth races on the Monday evening racing program of October 18, 1999.

32. NASSAU OTB REQUEST TO IMPORT CALDER RACE COURSE

For entry into the minutes, on October 15, 1999, approval was granted for the request by Nassau Regional OTB to simulcast the 1999-2000 thoroughbred

meeting from Calder Race Course in Florida known as "the Tropical Park at Calder" meet. The Calder Race Course simulcasts begin on November 3, 1999 and conclude on January 2, 2000.

The approval extends to Suffolk Regional OTB as well. The Calder Race Course simulcasts may be imported whenever permitted under the Racing Law.

33. SUFFOLK OTB REQUEST TO EXTEND COMPLIMENTARY BEVERAGE PROMOTION

For entry into the minutes, on October 15, 1999, approval was granted for the request by Suffolk Regional OTB to offer a coupon redeemable with a \$2 admission to Tel-A-Race for a complimentary first drink.

This will occur on Fridays from 4:30 p.m. until 6:00 p.m. throughout the remainder of 1999.

34. SUFFOLK OTB REQUEST TO CHANGE VENDORS

For entry into the minutes, on October 15, 1999, approval was granted for the request by Suffolk Regional OTB, dated October 13, 1999, to institute the use of a Bank of America merchant service terminal at Suffolk District Regional OTB headquarters.

This terminal will enable established customers to replenish their existing telephone accounts. No new accounts may be opened using this system and in no instance may a credit card be directly used for placing any type of wager.

C. ITEMS PREVIOUSLY APPROVED, DENIED OR DEFERRED BY THE BOARD, CAPTIONED BELOW AND ON FILE IN THE SECRETARY'S OFFICE.

1. WESTERN OTB REQUEST FOR ROLLOVER OF BOND ANTICIPATION NOTES (BANS)

On September 28, 1999, the Board approved the request by Western OTB for the approval of rollover financing for the issuance of renewal Bond Anticipation Notes (BANS) pursuant to Section 508 (2) of the Racing, Pari-Mutuel Wagering and Breeding Law.

2. THE MATTER OF ROLANDO AGOSTO

On October 1, 1999, the Board summarily suspended Rolando Agosto's racing license upon a finding that the public health, safety and welfare imperatively required this emergency action. Agosto's current drug positive constitutes a

violation of Board Rule 4042.4(a) and (c) and the Consent to Conditions for Relicensing.

3. READOPTION OF GAMES OF CHANCE RULES - PART 5600

On October 4, 1999, the Board readopted the amendments to Board Rules 5600.1 et seq. and 5814.6 et seq.

4. VERNON DOWNS PURCHASE OF STOCK - J. SIGNORELLI

On October 15, 1999, the Board approved the request by Vernon Downs for the purchase, by Mr. John Signorelli, of 68,833 shares of Mid-State Raceway, Inc. stock as described in the Confidential Private Placement Memorandum, dated April 23, 1999.

The Board reserves the right to implement the following:

- a) a possible charge to Mr. Signorelli for the cost of the Board's investigation;
- b) a possible fine on Mr. Signorelli for any initial misrepresentations, and/or;
- c) the possible imposition of an independent private sector inspector general at Vernon Downs.

D. ITEMS TO BE APPROVED, DENIED OR DEFERRED BY THE BOARD, CAPTIONED BELOW AND ON FILE IN THE SECRETARY'S OFFICE.

1. IN THE MATTER OF ADRIAN H. BARRON

The Board approved Hearing Officer Donato's recommendation that the ten-day suspension for careless riding in the second race on June 6, 1999 at Finger Lakes Race Track, in violation of Board Rule 4035.2, be affirmed.

2. IN THE MATTER OF BINGO CITY

The Board ordered that the commercial lessor's license issued to Bingo Palace, Inc be forfeited and shall be revoked effective following the conclusion of the final bingo occasion conducted at Bingo City on Sunday, October 24, 1999, or 12:01 a.m. Monday, October 25, 1999, whichever is sooner.

3. IN THE MATTER OF JUAN ROHENA

The Board approved Hearing Officer Donato's recommendation that the Board affirm the decision of the State Steward to impose a \$200 fine for misuse of the whip during the sixth race on May 7, 1999 at Finger Lakes Race Track, in violation of Board Rule 4035.9.

4. IN THE MATTER OF MARK FORD

The Board approved Hearing Officer Donato's recommendation that Mr. Ford be found guilty, but that the \$100 fine by the Presiding Judge at Yonkers Raceway because a horse trained by Mr. Ford and scheduled to compete in the 2nd race on July 7, 1999 was late to the paddock should, be dismissed due to extenuating circumstances.

5. FINGER LAKES REQUEST TO WITHDRAW FROM CIF - \$52,641.44

The Board approved the request by Finger Lakes, dated September 14, 1999, to withdraw \$52,641.44 from their Capital Improvement Fund for reimbursement of various advertising and promotional expenditures incurred by the track in 1998.

The approved Finger Lakes CIF request consists of:

Television ads \$19,417.55

Radio Ads 16,153.29

Newspaper Ads 16,137.02

Design & Production of Program cover 933.58

Total \$52,641.44

6. REQUEST TO ALLOW THE USE OF "EQUINE NASAL STRIPS"

The Board approved the use of "equine nasal strips" on a trial basis beginning on opening day at Aqueduct on Wednesday, October 27, 1999. Horsemen competing at NYRA may use these "nasal strips" through December 31, 1999.

During this trial period, disclosure shall be made to the public both on and off-track of horses using these equine nasal strips. Both nasal strips "on and off" must be reported. Horsemen desiring to use these nasal strips must declare their use "on or off" at time of entry.

The December Board meeting is on the 16th of the month. The Board would like a consensus opinion from the three NYRA stewards on the continued use of these equine strips, including reporting any problems that resulted from their use. Included should be a recommendation to the Board whether to continue the policy of reporting to the public daily their use "on and off."

7. SYRACUSE MILE REQUEST TO WITHDRAW FROM CIF – \$16,800.00

The Board approved the request by Syracuse Mile to withdraw \$16,800.00 from their Capital Improvement Fund for reimbursement for rental of television equipment, new software for the Tote Board, and carpentry for Tote Machine.

Television Equipment Rental

Photo finish, Timer and Video Patrol Services	\$10,800.
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Purchases

Software developed by Amtote for Tote Board	5,000.
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Carpentry for Tote Machine	<u>1,000.</u>
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Total	\$16,800.
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8. CAPITAL OTB REQUEST TO ADD AN E-Z BET LOCATION IN TUPPER LAKE

The Board approved, with Member Liebman dissenting, the request by Capital District Regional OTB, dated September 4, 1999, to conduct wagering and display simulcasts at the Tupper Bowl in Tupper Lake (Franklin County). At this new EZ Bet location, all wagering is self-service and initiated using a winning ticket or voucher only. The amount limit is the issuance of any voucher to a customer at any one time will be five hundred dollars (\$500).

Capital OTB, using its own security employees, will occasionally inspect the Tupper Bowl EZ Bet and certify that all rules and laws concerning the conduct of wagering in New York State are being followed. The Board must be notified in a timely manner of any change in procedures in the operation of these approved EZ Bet facilities.

9. CAPITAL OTB REQUEST TO AMEND THE PLAN OF OPERATION

The Board approved the Capital District Regional OTB request, dated October 4, 1999, relating to amendments to the by-laws of the corporation.

Approved were **all** amendments to the by-laws of the corporation, as approved and adopted at the Capital District Regional OTB Board meeting of September 28, 1999.

10. CALIFORNIA CONCEPTS REQUEST TO APPROVE ELECTRONIC BINGO AID

The Board approved the request by California Concepts, Inc. for use of their Bingomate 2000 bingo aid.

E . ITEMS FOR BOARD INFORMATION/DISCUSSION.

1. BUFFALO RACEWAY ANNUAL DESK REVIEW - 10/99-28-E

Buffalo Trotting Association's audit report for the year ended December 31, 1998.

2. FINGER LAKES ANNUAL DESK REVIEW - 10/99-34-E

Finger Lakes Racing Association Inc.'s audit report for the year ended December 31, 1998.

3. NYS HORSE BREEDING DEVELOPMENT FUND ANNUAL DESK REVIEW - 10/99-26-E

The Agricultural & NYS Horse Breeding Development Fund's audit report for the year ended December 31, 1998.

4. SARATOGA HARNESS ANNUAL DESK REVIEW - 10/99-32-E

Saratoga Harness Racing Inc.'s audit report for the year ended December 31, 1998.

5. SYRACUSE MILE ANNUAL DESK REVIEW - 10/99-25-E

The Syracuse Mile Inc.'s audit report for the year ended December 31, 1998.

6. NYRA SPECIAL AUDIT - MUTUEL DEPARTMENT - 09/99-52-E

Ernst & Young LLP's attestation report concludes that management's assertion of there being sufficient controls to safeguard NYRA's assets, in the Mutuel Department Money Room, is fairly stated.

7. THE RACING NETWORK - 10/99-14-B(E)

The Racing Network has now been approved to take simulcasts from Buffalo, Yonkers, Vernon Downs & Monticello. There is no account wagering involved however, TRN is co-owned by Greenwood Racing, Inc., Ladbroke Racing Corp., The Ontario Jockey Club and an Irish Firm, International Investment and Underwriting, Ltd. At least three of the partners have subsidiaries currently operating and providing "account" wagering by telephone.

The Meeting was adjourned at 12:50 p.m.