

## MINUTES

### NEW YORK STATE RACING AND WAGERING BOARD

#### MEETING OF SEPTEMBER 23, 1999

A meeting of the New York State Racing and Wagering Board was held on Thursday, September 23, 1999 at 1:00 p.m. at the Racing & Wagering Board's New York City Office located at 1 Penn Plaza, 7<sup>th</sup> Floor, New York, New York.

The meeting was called to order at 1:05 p.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

Nicole Robilotto, NYSR&WB

John Aiello, NY Council of Charitable Organizations

Jim Perrato, NY Council of Charitable Organizations

Justice Cheney, Vernon Downs

Clyde Hirt, Sports Eye

Heather Bennett, The Bennett Firm, LLC

John Russo, NYRA

Frank Zoll

**OPEN COMMENT PERIOD:** John Aiello the Executive Director of the New York Council of Charitable Organizations (NYCCO) gave a brief background of the not-for-profit organization. Mr. Aiello wanted to take this opportunity to first thank the Chairman for meeting with him and his staff back in 1998 and considering his request to establish a fixed minimum admission fee of \$1.00 per bingo card. He also wanted to thank all those that made the increased admission rule change possible and reported that every group that participated in their NYC survey reported increases in their net sums raised. On behalf of all those religious, charitable, non-profit and volunteer groups throughout the State of New York, Mr. Aiello again thanked the Board for all their attention and action.

Frank Zoll spoke regarding payments to OTB and stated the surcharge OTB's charge to customers is contrary to the law. Mr. Zoll believes that the OTB's should be abiding by the same standards as the tracks. Mr. Feuerstein stated the rule Mr. Zoll is referring to is superseded by the law and that the proper interpretation of the law is what the OTB's follow.

**A. The Board approved the minutes of the Board meetings held on August 12, 1999 and September 10, 1999**

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

**1. NYRA REQUEST TO OFFER MYSTERY MUTUEL VOUCHER ON 9/11/99**

For entry into the minutes, on August 13, 1999, approval was granted for the request by NYRA, dated August 7, 1999, to issue approximately 50,000 wagering vouchers good for one day only at Belmont Park on Saturday, September 11, 1999.

From noon to 1:00 p.m. at Gate Six at Belmont Park on Saturday, September 11th, 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.

**2. NYRA REQUEST TO OFFER PICK-6 POOL FROM DEL MAR**

For entry into the minutes, on August 13, 1999, approval was granted for the request by NYRA for their on-track and telephone customers to wager into the

special one and one-half million dollar guaranteed pick-six pari-mutuel pool at Del Mar Race Course on Saturday, August 29, 1999.

In addition, there will be no other wagering on the final two races comprising the final two legs of this special pick-six, as the two races have post times after 7:30 p.m.

**3. SARATOGA HARNESS REQUEST TO SIMULCAST GARDEN STATE PARK**

For entry into the minutes, on August 13, 1999, approval was granted for the request by Saratoga Harness for the import of the harness simulcasts from Garden State Park in New Jersey, a contiguous state. The approval is granted for the entire 1999 Garden State Park harness meeting, scheduled to conclude on December 18, 1999.

**4. YONKERS RACEWAY REQUEST TO EXPORT SIMULCAST TO HIPPODROME de MONTREAL**

For entry into the minutes, on August 13, 1999, approval was granted for the request by Yonkers Raceway to export their simulcast of "The Yonkers Trot" on Saturday August 28, 1999 to the Hippodrome de Montreal.

Half of the revenue received as the result of this simulcast will go into the purse account of the horsemen of Yonkers Raceway.

**5. CAPITAL OTB REQUEST TO OFFER MYSTERY BET VOUCHER PROMOTION**

For entry into the minutes, on August 13, 1999, approval was granted for the request by Capital OTB, dated August 9, 1999, to distribute, by mail, various denominations of mystery bet vouchers. It is understood that one \$1,000 voucher; ten \$100 vouchers; one hundred \$10 vouchers and 4,889 vouchers of the \$2 variety will be distributed. The value of these mystery vouchers may be determined at any Capital OTB branch, E-Z Bet location or at the teletheater.

These vouchers may be redeemed on one day only, Saturday, September 4, 1999.

**6. NASSAU OTB REQUEST TO SIMULCAST FROM BAY MEADOWS**

For entry into the minutes, on August 13, 1999, approval was granted for the request by Nassau OTB, dated August 11, 1999, to simulcast the 1999 Fall thoroughbred meeting from Bay Meadows Racetrack in California. The Bay Meadows Racetrack simulcasts begin on September 3rd and concludes on November 14, 1999.

The approval extends to Suffolk Regional OTB as well. The Bay Meadows, generally a "bridge" simulcast signal, may be imported whenever permitted under the Racing Law.

**7. NEW YORK CITY OTB SIMULCAST FROM HARRINGTON RACEWAY**

For entry into the minutes, on August 13, 1999, approval was granted for the request by New York City OTB to import the harness simulcast signal from Harrington Raceway in Delaware. The simulcast signal may be imported and used whenever permitted under the Racing Law. The simulcast may not be used by downstate OTBs before 6:00 p.m. without a letter of permission on file with the Board from the New York Racing Association - Racing Law -Sec. 1016(2) if Harrington Raceway is considering an earlier post (before 6:00 p.m. for the upcoming meeting).

Although the contract reads that this agreement may automatically continue after May 1, 2000, this approval is for the entire 1999 Harrington Raceway race meeting only. New letters of permission from the Delaware Standardbred Owners Association and the Delaware Harness Commission need to be filed with the Board for further approval after the conclusion of the 1999 Harrington Raceway race meeting.

The approval extends to the importation of simulcast signals from Harrington Raceway for Capital, Catskill and Western Regional OTBs.

**8. FINGER LAKES REQUEST TO OFFER TRIFECTA WAGERING – BEGINNING 8/20/99**

For entry into the minutes, on August 25, 1999, approval was granted for the request by Finger Lakes Racing Association to have triple (trifecta) wagering on the fifth and seventh races of every racing program on all qualified races; a qualified race being one that has six or more starters going postward.

This approval is effective immediately.

**9. FINGER LAKES REQUEST TO EXPORT TO PENN NATIONAL RACE COURSE**

For entry into the minutes, on August 25, 1999, approval was granted for the request by Finger Lakes Racing Association to export simulcasts to Penn National Race Course in Pennsylvania. The Finger Lakes simulcasts will also go to other racetracks under the ownership of the Penn National Corporation, including the racetracks of Pocono Downs in Pennsylvania and the Charles Town Races in West Virginia. Included among the satellites of Penn National and Pocono Downs

are off-track facilities in the communities of Chambersburg, York, Johnstown, Reading, Lancaster, Williamsport, Lehigh, Erie, Hazelton and Carbondale.

The approval is effective immediately.

**10. MONTICELLO RACEWAY REQUEST FOR UPCOMING 1999 CALENDAR YEAR**

For entry into the minutes, on August 25, 1999, approval was granted for the request by Monticello Raceway to export simulcasts to Penn National Race Course in Pennsylvania. It is understood that the Monticello Raceway simulcasts will also go to other racetracks under the ownership of Penn National, including the racetracks of Pocono Downs in Pennsylvania and the Charles Town Races in West Virginia. Included among the satellites of Penn National and Pocono Downs are off-track facilities in the communities of Chambersburg, York, Johnstown, Reading, Lancaster, Williamsport, Lehigh, Erie, Hazelton and Carbondale.

The approval is effective immediately.

**11. MONTICELLO RACEWAY REQUEST TO CHANGE POST TIMES IN SEPTEMBER**

For entry into the minutes, on August 25, 1999, approval was granted for the request by Monticello Raceway to move the Wednesday first post time on September 1st to 1:05 p.m. and on Wednesday, September 8th to 3:30 p.m.

Additionally, the Board approved dropping scheduled racing programs on the Wednesdays of September 15th, 22nd and 29th and adding the Saturdays of September 4th, 18th & 25th.

Also granted is approval for the request to offer free admission to Monticello Raceway on all Mondays in September of 1999.

**12. MONTICELLO RACEWAY REQUEST TO ADD A RACE OF SPECIAL INTEREST**

For entry into the minutes, on August 25, 1999, approval was granted for the request by Monticello Raceway for the simulcast of The Cane Pace, a harness stakes race on Saturday afternoon, September 4, 1999. This race originates from Freehold Raceway in New Jersey.

The Cane Pace has been designated as a special event under Section 1007 (6)(a) of the Racing Law.

**13. NYRA REQUEST TO SIMULCAST DESIGNATED RACES OF SPECIAL INTEREST**

For entry into the minutes, on August 25, 1999, approval was granted for the request by NYRA, dated August 23, 1999, to designate the following as races of special interest:

<u>Date</u>	<u>Race</u>	<u>Track</u>
09/19/99	Woodbine (Atto) Mile (I)	Woodbine
09/25/99	River Cities Breeders' Cup Stakes	Louisiana Downs
10/02/99	Super Derby XX (I)	Louisiana Downs
10/17/99	Canadian International (I)	Woodbine
11/13/99	Red Stripe Superstakes (I)	Caymanas Park, Jamaica

**14. VERNON DOWNS REQUEST TO SIMULCAST HAWTHORNE RACE COURSE**

For entry into the minutes, on August 25, 1999, approval was granted for the request by Vernon Downs for the importation of the simulcast signal from Hawthorne Race Course in Illinois into Vernon Downs whenever permitted under the Racing Law.

Under no circumstances may any Hawthorne Race Course race, slated to begin after 7:30 p.m. Eastern time, be imported for wagering and simulcast.

**15. YONKERS RACEWAY REQUEST TO ISSUE DIGITAL DECODER**

For entry into the minutes, on August 25, 1999, approval was granted for the request by Yonkers Raceway, dated August 9, 1999, to issue an IRD (digital)

decoder to Richard J. Kulle of Los Altos Hills, California. Mr. Kulle is a licensed New York State owner in 1999 that races harness horses at Yonkers Raceway.

**16. NASSAU OTB REQUEST TO SIMULCAST FROM FAIRPLEX PARK**

For entry into the minutes, on August 25, 1999, approval was granted for the request by Nassau OTB, dated August 17, 1999, to import the simulcast signal and conduct wagering on the 1999 Fairplex Park race meeting in California. This race is scheduled to begin on September 9th and conclude on September 26, 1999.

These racing programs will be utilized as imported simulcasts only as permitted under the Racing Law.

The approval extends to Suffolk Regional OTB and is for the entire Fairplex Park meeting.

**17. MONTICELLO RACEWAY REQUEST TO EXPORT SIMULCAST TO THE RACING NETWORK**

For entry into the minutes, on August 30, 1999, approval was granted for the request by Monticello Raceway, dated May 15, 1999, to export the Monticello Raceway simulcast signal to The Racing Network (TRN), effective immediately.

The 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 is to occur in the future, this approval is rescinded.

**18. NYRA AGREEMENT WITH ODS TECHNOLOGIES, L.P.**

For entry into the minutes, on August 30, 1999, approval was granted **for the video signal only** as part of the NYRA-ODST, L.P. (TVG) contract, dated April 23, 1999. This approval is granted with the understanding that no wagering through ODST/TVG will occur using NYRA races.

The NYS Racing and Wagering Board is also receptive to application for simulcast contract approval with other companies (i.e. TRN [USA], TRN [Canada], TrackPower, etc.) should the New York Racing Association desire to make available it's exported video simulcast to such new entities.

**19. VERNON DOWNS REQUEST TO EXPORT SIMULCAST TO THE RACING NETWORK**

For entry into the minutes, on August 30, 1999, approval was granted for the request by Vernon, dated June 16, 1999, to export the Vernon Downs simulcast signal to The Racing Network (TRN), effective immediately.

The 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 is to occur in the future, this approval is rescinded.

**20. YONKERS RACEWAY REQUEST TO EXPORT SIMULCAST TO THE RACING NETWORK**

For entry into the minutes, on August 30, 1999, approval was granted for the request by Yonkers Raceway, dated June 3, 1999, to export the Yonkers Raceway simulcast signal to The Racing Network (TRN), effective immediately.

The 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 is to occur in the future, this approval is rescinded.

**21. NASSAU OTB REQUEST TO SIMULCAST FROM COLONIAL DOWNS**

For entry into the minutes, on August 30, 1999, approval was granted for the request by Nassau OTB for approval of the contract allowing the import of the simulcast signal from the Fall thoroughbred race meeting from the Colonial Downs Racetrack in Virginia. The simulcast import may take place whenever permitted under the Racing Law.

The approval is effective with the 1999 opening day at the Colonial Downs thoroughbred meeting and extends to the Suffolk Regional Off-Track Betting Corporation.

**22. BUFFALO RACEWAY REQUEST TO SIMULCAST FROM TURF PARADISE**

For entry into the minutes, on September 1, 1999, approval was granted for the request by Buffalo Raceway to import simulcasts from Turf Paradise in Arizona whenever permitted under the Racing Law. This approval is valid beginning on opening day, October 2, 1999 and continues through May 7, 2000.

**23. FINGER LAKES REQUEST TO ADD RACING DATES IN DECEMBER**

For entry into the minutes, September 1, 1999, approval was granted for the request by Finger Lakes Racing Association to amend their track license to add eight additional racing dates to the 1999 schedule. Approved were the 1999 December dates of the 4th, 5th, 6th, 7th, 11th, 12th, 13th and 14th.



At the Board meeting, the Board was advised that we are in receipt of a letter, dated September 22, 1999, from the counsel to the Finger Lakes HBPA opposing the extension of live racing dates until December 14, 1999.

The Chairman directed staff to contact Finger Lakes and stress the need to discuss this approval in light of the opposing letter.

**24. NYRA REQUEST FOR EXTENSION OF AN APPRENTICE ALLOWANCE**

For entry into the minutes, on September 1, 1999, approval was granted for the request by NYRA for an extension of the apprenticeship of Jeremy Beasley for an additional one hundred-fifty (150) days. This is the time Mr. Beasley lost due to an injury from February 24, 1999 through July 24, 1999, the later being the original date of the expiration of his ability to claim the five pound apprentice allowance.

Jeremy Beasley is eligible to resume his career on or after September 9, 1999. He will be eligible to claim his five-pound apprentice allowance in all overnight races (other than stakes or handicaps) until February 5, 2000.

**25. SARATOGA HARNESS AGREEMENT WITH ODS TECHNOLOGIES, L.P.**

For entry into the minutes, on September 3, 1999, approval was granted for the request by Saratoga Harness to approve the contract with ODST, L.P. The approval was granted for the **export of the video signal only** as part of the Saratoga Harness-ODST, L.P. (TVG) contract, dated August 6, 1999. This approval is granted with the understanding that no wagering through ODST/TVG will occur using any Saratoga Harness (Saratoga Equine Sports Center races.

The NYS Racing and Wagering Board is also receptive to application for simulcast contract approval with other companies (i.e. TRN [USA], TRN [Canada], TrackPower, etc.) should Saratoga Harness Racing desire to make available it's exported video simulcast to such new entities.

**26. NASSAU OTB REQUEST TO SIMULCAST FROM ROCKINGHAM PARK**

For entry into the minutes, on September 3, 1999, approval was granted for the request by Nassau OTB to approve the agreement with Rockingham Park for the importation of simulcast signals whenever permitted under the Racing Law. This approval is valid through the 1999 Rockingham Park thoroughbred meeting that is scheduled to end on September 19th.

This approval extends to the Suffolk Regional Off-Track Betting Corporation.

**27. NEW YORK CITY OTB REQUEST TO SIMULCAST FROM GREAT BRITAIN**

For entry into the minutes, on September 3, 1999, approval was granted for the request by New York City OTB, dated August 31, 1999, to simulcast races from various racecourses in Great Britain, including Newmarket, Doncaster, Goodwood, Kempton Park, Chepstow and Ascot. This is an amendment to a current valid contract that has been approved through December 31, 1999.

As was stated in the original approval of this contract, the Commonwealth of Pennsylvania, Department of Agriculture, State Horse Racing Commission letter of permission specifies commingle agreement approval through December 31, 1999. The Pennsylvania Thoroughbred Horsemen's Association letter of permission is valid until December 31, 2002. To continue this contract after December 31, 1999, a new permission letter from the Pennsylvania Horse Racing Commission must be filed with the New York State Racing and Wagering Board.

Under Section 1017-a of the Racing Law, all simulcasts must end before the first scheduled thoroughbred race program in New York State commences on a daily basis.

This approval extends to all other regional OTB corporations in New York State should they choose to simulcast such races. No regional track(s) in any of the six NYS Regional OTB regions are in operation during the morning timeframe as these imported simulcast signals will be imported, the simulcasts of these races may also go into any OTB simulcast branches located within Special Betting Districts. This also is in compliance with Section 1017-a of the Racing Law.

**28. VERNON DOWNS REQUEST TO ADD BALMORAL PARK ON 9/18/99 AND SUNDAYS**

For entry into the minutes, on September 17, 1999, approval was granted for the request by Vernon Downs to add Balmoral Park to its September simulcast schedule on September 18<sup>th</sup> and Sundays starting September 19, 1999. This simulcast may be used whenever permitted under the Racing Law.

In order for Vernon to be within the statutory limit of five-out-of-state tracks, Pompano Park must be dropped from the simulcast schedule on Saturday, September 18<sup>th</sup>.

**29. NASSAU OTB REQUEST TO SIMULCAST SPECIAL EVENTS FROM WOODBINE**

For entry into the minutes, on September 17, 1999, approval was granted for the request by Nassau OTB, dated September 8, 1999, to import the simulcast of the stakes races known as "The Woodbine Mile" on September 19<sup>th</sup> and "The

Canadian International" on October 17<sup>th</sup> from the thoroughbred track, Woodbine Race Course in the Province of Ontario.

The approval extends to Suffolk Regional OTB.

**30. MONTICELLO REQUEST TO SIMULCAST FROM LOUISIANA DOWNS**

For entry into the minutes, on September 21, 1999, approval was granted for the request by Monticello Raceway to import the simulcast signal from Louisiana Downs in Bossier City, LA effective immediately. This approval is valid for the remaining 1999 Louisiana Downs race meeting scheduled to end on November 14<sup>th</sup>.

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

**1. THE MATTER OF BARTOW HALL, INC.**

On September 3, 1999 the Board voted to summarily suspend the commercial lessor's license for Bartow Hall for violating Board Rule 5814.11(d). A hearing on the suspension was scheduled for September 10, 1999 and adjourned to September 16th. Immediately prior to the commencement of the hearing, a settlement was reached regarding the aforementioned violation and other outstanding compliance issues.

**2. THE MATTER OF UNION SQUARE**

On September 20, 1999, the Board granted the appeal by the owners of the horse ACCIDENTAL TOURIST, who finished fourth in the eighth race at Yonkers Raceway on August 28, 1999, and disqualified UNION SQUARE for violating Racing and Wagering Board rule 4111.7 (c), which states that "in no event may a horse start in more than one race per day." UNION SQUARE raced on August 28, 1999 at two different race tracks.

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

**1. MATTER OF JOSE BEITIA**

The Board approved Hearing Officer Liebman's recommendation that the Steward's determination to suspend Jockey Jose Beitia's license for ten (10) days

based upon a finding that he had ridden carelessly in the ninth race on June 6, 1999 at Belmont Park, in violation of Board Rule 4035.2 be affirmed.

**2. MATTER OF MICHAEL A. FERRARO**

The Board approved Hearing Officer Liebman's recommendations that (1) Mr. Ferraro be found guilty of violating Board Rule 4043.2(b) on August 30, 1998 and September 4, 1998 at Finger Lakes Race Track and that the fines be confirmed; and (2) that Mr. Ferraro be found not guilty of violating Rule 4043.2(f) with regard to the October 9, 1998 clenbuterol finding.

**3. MATTER OF THE DISQUALIFICATION OF HURRICANE BERTIE**

The Board approved Hearing Officer Liebman's recommendation that the decision of the stewards, which disqualified *Hurricane Bertie* from first place in the Vagrancy Handicap (eighth race) on June 20, 1999 be affirmed. *Hurricane Bertie* was re-placed in second place.

**4. MATTER OF WILLIAM PARKER**

The Board approved Hearing Officer Hoblock's recommendation that Mr. Parker be found not guilty of violating Board Rule 4120.6(a) (1) at Monticello Raceway on January 24, 1999 and that the 45-day suspension be reversed.

**5. ADOPTION OF RULE AMENDMENT TO SIMPLIFY THE GAMES OF CHANCE APPLICATION**

The Board adopted amendments to Part 5601 that dictate the items to be included on the application form and deleted those references to a specific form.

**6. AMENDMENT OF BOARD RULE 5608.4 TO CONFORM WITH STATUTE/CONSENSUS RULE MAKING**

The Board approved proposal of an amendment to Rule 5608.4 as a consensus rulemaking to allow manufacturers to submit, for Board approval, artist's renderings of bell jar tickets, payout cards and flares. The amendment will also eliminate the provisions that describe the informal approval process for bell jar tickets, payout cards and flares.

**7. NYRA REQUEST FOR SARATOGA RACING DATES FOR 2000**

The Board deferred the request by NYRA, dated August 19, 1999, to conduct a thirty-six (36) day meeting for the year 2000 Saratoga thoroughbred race meeting until all three NYRA proposed track dates are presented to the Board.

The Board made it clear that it has no objection to the Saratoga Race Course date proposal as presented. It is, however, expected that proposed dates for the Aqueduct Racetrack and Belmont Park race meetings in the year 2000 will be forthcoming.

**8. VERNON DOWNS PURCHASE OF STOCK - WENDT**

The Board approved Wesley E. Wendt, Sr. as an investment participant in the sale of newly issued common stock at Vernon Downs.

**9. VERNON DOWNS PURCHASE OF STOCK - GIAMBONA**

The Board approved Dominic A. Giambona's as an investment participant in the sale of newly issued common stock at Vernon Downs.

**10. YONKERS RACEWAY REQUEST COMPLIANCE WITH  
TIMELY PURSE PAYMENTS**

The Board approved a waiver of Rule 4118.1(b) concerning the distribution of purse checks within a seventy-two hour timeframe after a race at Yonkers Raceway is made official.

**11. CAPITAL OTB REQUEST TO ADD AN E-Z BET LOCATION IN  
POTTERSVILLE**

The Board approved, with Member Liebman dissenting, the request by Capital OTB to amend their simulcast plan of operation to include a new wagering facility. The E-Z Bet location will be within the Black Bear Restaurant located in Pottersville, NY (Warren County). This business is owned and operated by Robert L. Stetson.

**12. CAPITAL OTB REQUEST TO ADD AN E-Z BET LOCATION IN  
PALENVILLE**

The Board approved, with Member Liebman dissenting, the request by Capital OTB to amend their simulcast plan of operation to include a new wagering facility. The E-Z Bet location will be within Michael McGee's Hometown Pub, Inc. in Palenville, NY (Greene County). The business is operated by Mary A. Comito.

**13. CAPITAL OTB REQUEST TO ADD AN E-Z BET LOCATION IN  
STONY CREEK**

The Board approved, with Member Liebman dissenting, the request by Capital OTB to amend their simulcast plan of operation to include a new wagering

facility. The E-Z Bet location will be within the 1000 Acres Resort in Stony Creek (Warren County). This business is owned and operated by John J. Arehart.

**14. CAPITAL OTB REQUEST TO ADD AN E-Z BET LOCATION IN GREENWICH**

The Board approved, with member Liebman abstaining, the request by Capital OTB to amend their simulcast plan of operation to include a new wagering facility. The E-Z Bet location will be within Thyme Out, LLC located in Greenwich (Washington County). The President of Thyme Out, LLC is Frank J. Cristaldi.

**15. NEW YORK CITY OTB REQUEST TO CONDUCT BREEDER'S CUP SWEEPSTAKES**

The Board approved the request by New York City OTB, dated August 25, 1999 to conduct a Breeder's Cup Sweepstakes contest in conjunction with the NTRA entitled "NYCOTB Breeder's Cup Sweepstakes".

Proof of the New York City OTB filing with the Secretary of State in accordance with Section 369-e of the General Business Law pertaining to sweepstakes with a total value greater than \$5,000.00 must be filed with this Board upon receipt.

**16. NEW YORK CITY OTB REQUEST TO APPOINT CONCESSIONAIRES RYAN & SULLIVAN**

The Board approved the request by New York City OTB to establish a new simulcast facility within the premises of Hunter's Steak and Ale House located at 9404 4<sup>th</sup> Avenue, Brooklyn, NY and appoint John B. Ryan and Thomas O. Sullivan, Principal/Officers of Hunter's Steak and Ale House as the concessionaires.

**17. NEW YORK CITY OTB REQUEST TO APPOINT CONCESSIONAIRE - HOGAN**

The Board approved the request by New York City OTB to establish a new simulcast facility within the premise of Fiddler's Elbow, located at 3716 – 18 East Tremont Avenue, Bronx, New York and appoint Frank Hogan, Principal/Officer of Fiddler's Elbow as the concessionaire.

**18. WESTERN OTB REQUEST FOR CERTIFICATION OF BOARD OF DIRECTORS**

The Board approved issuance of a certification acknowledging the appointment of each of the current Board of Directors by their respective counties 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	Sebastian 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	Robert Rosenkraus
Steuben County	Charles D. Henderson(Vice Chairman)
Wayne County	Joseph Gallo
Wyoming County	William T. Bruyere

The original request had, in error, Mr. John J. Tarbrake as the WROTB board representative for Chautauqua County. The Board approved Mr. Roger E.

Ruckman on March 9, 1999. A corrected letter was sent to Western OTB replacing Mr. Tarbrake with Mr. Ruckman's name.

**19. GENESEE VALLEY HUNT, INC. REQUEST TO RUN THE GENESEE VALLEY HUNT RACE MEET**

The Board approved the request by the Genesee Valley Hunt, Inc. to conduct the annual one-day Genesee Valley Hunt (Steeplechase) meet scheduled for Saturday, October 9, 1999. This day of racing will be under the auspices of the Genesee Valley Hunt, Inc. and will be located on property off Nations Road in Geneseo, New York. This day of racing is non pari-mutuel. The Board designated Bill Welsch to be the steward to oversee the racing on this day.

**E. ITEMS FOR BOARD INFORMATION/DISCUSSION**

**1. CAPITAL OTB – PROMOTION OF ROBERT HELWIG - 09/99-34-E**

**Former Board OTB Operations Analyst, Robert Helwig, has been promoted at Capital OTB to the position of Director of Audits, Investigations and Security.**

**The meeting was adjourned at  
2:37 p.m.**