



**MINUTES  
NEW YORK STATE RACING AND WAGERING BOARD  
MEETING OF NOVEMBER 22, 2010**

**A meeting of the New York State Racing and Wagering Board was held on Monday, November 22, 2010 at 11:00 a.m. at the Racing & Wagering Board's Schenectady Office located at 1 Broadway Center, Suite 600, Schenectady, New York.**

**The meeting was called to order at 11:05 a.m.**

**In Attendance Were:**

John D. Sabini, Chairman  
Daniel D. Hogan, Member  
Charles J. Diamond, Member  
Ronald G. Ochrym, Executive Director  
Robert Feuerstein, General Counsel  
Joseph Lynch, Director of Racing Operations  
Thomas Casaregola, Director of Audits & Investigations  
Gail Pronti, Secretary to the Board

**Also in Attendance Were:**

Kenneth Council, Director of Administration  
Joseph Mahoney, NYSR&WB  
Rick Goodell, NYSR&WB  
Mark Stuart, NYSR&WB  
James Googas, NYSR&WB  
Vivian Davis, NYSR&WB  
James Crane, Crane Consulting Group  
Thomas Spring, Capital OTB

**OPEN COMMENT PERIOD:** No comments were made.

A. The Board approved the minutes of the Board meeting held on October 21, 2010.

**B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR**

1. **BUFFALO RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2010**

On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Churchill Downs, Kentucky from October 31 through November 27, 2010, including the Breeders' Cup Races on November 5 and November 6, 2010.

2. On October 28, 2010, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Dover Downs, Inc., Delaware from October 31 through December 31, 2010.

3. On November 3, 2010, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Hollywood Park Racing Association, California from November 3 through December 19, 2010.

4. **CAPITAL DISTRICT REGIONAL OTB – BREEDERS' CUP PICK SIX PROMOTION**

On October 6, 2010, the New York State Racing and Wagering Board approved the October 4, 2010 Capital Off-Track Betting Corporation request to conduct a Pick Six Breeders' Cup promotion on Friday, November 5, 2010 with another conducted on Saturday, November 6, 2010 depending on the results of the first promotion.

5. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO CONDUCT ANNUAL FALL CHALLENGE HANDICAPPING CONTEST**

On October 15, 2010, the New York State Racing and Wagering Board approved the October 15, 2010 Capital District Regional Off-Track Betting Corporation request to conduct a Fall Challenge Handicapping Contest on Saturday, November 27 and Sunday, November 28, 2010.

6. **CAPITAL DISTRICT REGIONAL OTB – CLOSURE OF MEADOWGREENS E-Z BET – GHENT, NY**

On November 10, 2010, the New York State Racing and Wagering Board approved the application by the Capital District Regional Off-Track Betting Corporation to amend its plan of operation to reflect the closure of the Meadowgreens branch located within the restaurant at the public golf course at 1238 Rt. 9H in Ghent, N.Y. after the close of business on November 8, 2010.

7. **CAPITAL DISTRICT REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On October 8, 2010, the New York State Racing and Wagering Board approved an amendment to the Capital District Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio from October 12 through October 31, 2010.
8. On October 29, 2010, the New York State Racing and Wagering Board approved an amendment to the Capital District Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio through December 31, 2010.
9. On October 29, 2010, the New York State Racing and Wagering Board approved an amendment to the Capital District Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Hawthorne Race Course, Illinois through December 31, 2010.
10. **CAPITAL DISTRICT, CATSKILL, NASSAU, SUFFOLK AND WESTERN REGIONAL OTBs – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On October 6, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of the Capital, Catskill, Nassau, Suffolk and Western Regional off-track betting corporations authorizing the simulcast for wagering purposes of races from Calder Race Course, Florida from October 21 through December 31, 2010.
11. On October 6, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of the Capital, Catskill, Nassau, Suffolk and Western Regional off-track betting corporations authorizing the simulcast for wagering purposes of races from Dover Downs, Delaware through December 31, 2010.
12. On October 15, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of the Capital, Catskill, Nassau, Suffolk and Western Regional off-track betting corporations authorizing the simulcast for wagering purposes of races from Churchill Downs, Kentucky from October 31 through November 4, 2010 and continuing November 7 through November 28, 2010.
13. On October 19, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of the Capital, Catskill, Nassau, Suffolk and Western Regional off-track betting corporations authorizing the simulcast for wagering purposes of races from Golden Gate Fields, California from October 20 through December 19, 2010.
14. On October 29, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of the Capital, Catskill, Nassau, Suffolk and Western Regional off-track betting corporations authorizing the simulcast for wagering purposes of races from Hollywood Park Racing Association, California from November 3 through December 19, 2010.

15. On November 3, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of the Capital, Catskill, Nassau, Suffolk and Western Regional off-track betting corporations authorizing the simulcast for wagering purposes of races from Churchill Downs, Kentucky (the Breeders' Cup World Championships) on November 5 and November 6, 2010.
16. **CATSKILL REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On October 12, 2010, the New York State Racing and Wagering Board approved an amendment to the Catskill Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio from October 12 through October 31, 2010.
17. On October 29, 2010, the New York State Racing and Wagering Board approved an amendment to the Catskill Regional Off-Track Betting Corporation simulcast plan of operation authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio through December 31, 2010.
18. **FINGER LAKES RACETRACK – CHANGE IN POST-TIME ON NOVEMBER 6, 2010 – BREEDERS' CUP**  
On October 15, 2010, the New York State Racing and Wagering Board approved the October 8, 2010 Finger Lakes Racing Association, Inc. request to change the first post-time for the Saturday, November 6, 2010 races to 12:15 p.m.
19. **FINGER LAKES RACETRACK – CHANGE IN POST-TIME ON NOVEMBER 6, 2010**  
On October 22, 2010, the New York State Racing and Wagering Board approved the October 19, 2010 Finger Lakes Racing Association, Inc. request to change the first post-time for the Saturday, November 6, 2010 races to 11:45 a.m.
20. **FINGER LAKES RACETRACK – REQUEST TO ADD RACE DATE**  
On October 22, 2010, the New York State Racing and Wagering Board approved the October 13, 2010 Finger Lakes Racing Association, Inc. request to add the live racing date of Wednesday, November 24, 2010 in order to replace the cancellation related to the resurfacing of the track in September 2010.
21. **FINGER LAKES RACETRACK – REQUEST FOR NEW EXAMINING VETERINARIAN - RELLER**  
On October 28, 2010, the New York State Racing and Wagering Board approved the September 22, 2010 Finger Lakes Racing Association, Inc. request to employ Dr. Michelle Reller, pursuant to Board Rule 4005.1, as an examining veterinarian for the remainder of the 2010 season at Finger Lakes Gaming and Racetrack.
22. **FINGER LAKES RACETRACK – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On October 6, 2010, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio from October 12 through December 31, 2010.

23. On October 6, 2010, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Keeneland Association Inc. (Fall Meet), Kentucky from October 8 through October 30, 2010.
24. On October 19, 2010, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Golden Gate Fields, California from October 20 through December 19, 2010.
25. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Finger Lakes Racing Association, Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Churchill Downs, Kentucky from October 31 through November 28, 2010, including the Breeders' Cup Races on November 5 and November 6, 2010.
26. **MONTICELLO RACEWAY – REQUEST TO ADD RACE DATE SUNDAY, DECEMBER 19, 2010**  
On October 22, 2010, the New York Racing and Wagering Board approved the October 11, 2010 Monticello Raceway request to add the race date of Sunday, December 19, 2010 to the 2010 racing schedule with a first post-time of 12:25 p.m.
27. **MONTICELLO RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On October 8, 2010, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio from October 12 through December 31, 2010.
28. On October 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Churchill Downs, Kentucky from October 31 through November 4, 2010 and continuing November 7, 2010 through November 28, 2010.
29. On October 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Dover Downs, Delaware for the remainder of 2010.
30. On October 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Calder Race Course, Florida from October 21 through December 31, 2010.
31. On October 29, 2010, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Hollywood Park Racing Association, California from November 3 through December 19, 2010.

32. On October 29, 2010, the New York State Racing and Wagering Board approved an amendment to the Monticello Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Churchill Downs, Kentucky (the Breeders' Cup World Championships) on November 5 and November 6, 2010.
33. **MONTICELLO RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2010**  
On October 6, 2010, the New York State Racing and Wagering Board approved the Monticello Raceway request to simulcast its standardbred racing programs for wagering purposes for the year 2010 to the following additional secondary site, Mulligan's OTB, Virginia, associated with the previously approved simulcasts to Colonial Downs L.P.
34. On October 6, 2010, the New York State Racing and Wagering Board approved the Monticello Raceway request to simulcast its standardbred racing programs for wagering purposes for the year 2010 to the following additional secondary site, Bobby Dee's Bar and Grill, associated with the previously approved simulcasts to Windsor Raceway.
35. On October 6, 2010, the New York State Racing and Wagering Board approved the Monticello Raceway request to simulcast its standardbred racing programs for wagering purposes for the year 2010 to the following additional secondary site, Dark Horse Bet, associated with the previously approved simulcasts to Las Vegas Dissemination Company.
36. **NASSAU REGIONAL OTB – REQUEST TO CONDUCT SUPERFECTA/PICK 4 PROMOTION TO PLAYER REWARDS CUSTOMERS**  
On November 10, 2010, the New York State Racing and Wagering Board approved the October 29, 2010 Nassau Regional Off-Track Betting Corporation request to conduct the specified Players Rewards Program promotion.
37. **NASSAU REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On October 6, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of the Nassau Regional Off-Track Betting Corporation, for Capital, Catskill, Suffolk and Western Regional off-track betting corporations authorizing the simulcast for wagering purposes of races from Pompano Park, Florida through December 31, 2010.
38. On October 13, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of the Nassau Regional Off-Track Betting Corporation, and Suffolk Regional Off-Track Betting Corporation, authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio from October 12 through October 31, 2010.
39. On October 22, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of the Nassau, Capital, Catskill, Suffolk and Western Regional off-track betting corporations authorizing the simulcast for wagering purposes of races from Delta Downs, Louisiana from October 27 through December 31, 2010.

40. On October 29, 2010, the New York State Racing and Wagering Board approved amendments to the plans of operation of the Nassau Regional Off-Track Betting Corporation and Suffolk Regional Off-Track Betting Corporation, authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio through December 31, 2010.
41. **NEW YORK CITY OTB – CLOSURE OF BRANCH #009 ASTORIA, QUEENS, NY**  
On October 6, 2010, the New York State Racing and Wagering Board approved an amendment to the New York City Off-Track Betting Corporation plan of operation to reflect the closure of Branch #009, located at 38-04 Broadway in Astoria, Queens, effective September 28, 2010.
42. **NEW YORK CITY OTB – WITHDRAWAL OF REQUEST TO CLOSE BRANCHES #136 AND #236**  
On November 3, 2010, the New York State Racing and Wagering Board approved the October 18, 2010 New York City Off-Track Betting Corporation request to amend its plan of operation to reflect the continued operation of Branch #136, located at 991 Second Ave. (street level), New York (Manhattan), which was to be closed effective September 6, 2010.
- The Board acknowledges receipt of the New York City Off-Track Betting Corporation withdrawal of the previously deferred request to close Branch #236 located at 991 2<sup>nd</sup> Avenue, Manhattan.
43. **NEW YORK CITY OTB – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On October 6, 2010, the New York State Racing and Wagering Board approved an amendment to the plan of operation of the New York City Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Calder Race Course, Florida from October 21 through December 31, 2010.
44. On October 6, 2010, the New York State Racing and Wagering Board approved an amendment to the plan of operation of the New York City Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Dover Downs, Delaware through December 31, 2010.
45. On October 8, 2010, the New York State Racing and Wagering Board approved an amendment to the plan of operation of the New York City Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio from October 12 through October 31, 2010.
46. On October 15, 2010, the New York State Racing and Wagering Board approved an amendment to the plan of operation of the New York City Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Churchill Downs, Kentucky from October 31 through November 4, 2010 and continuing November 7 through November 28, 2010.

47. On October 19, 2010, the New York State Racing and Wagering Board approved an amendment to the plan of operation of the New York City Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Golden Gate Fields, California from October 20 through December 19, 2010.
48. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the plan of operation of the New York City Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Delta Downs, Louisiana from October 27 through December 31, 2010.
49. On October 29, 2010, the New York State Racing and Wagering Board approved an amendment to the plan of operation of the New York City Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio through December 31, 2010.
50. On October 29, 2010, the New York State Racing and Wagering Board approved an amendment to the plan of operation of the New York City Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Hollywood Park Racing Association, California from November 3 through December 19, 2010.
51. On November 3, 2010, the New York State Racing and Wagering Board approved an amendment to the plan of operation of the New York City Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Churchill Downs, Kentucky (the Breeders' Cup World Championships) on November 5 and November 6, 2010.
52. **NYRA – REQUEST TO OFFER LATE PICK-FOUR WAGERING POOL FOR AQUEDUCT 2010 FALL MEET**  
On November 3, 2010, the New York State Racing and Wagering Board approved the October 17, 2010 New York Racing Association request to offer a guaranteed \$250,000 late Pick-4 wager on all Saturdays during the 2010 Aqueduct Racetrack meeting beginning Saturday, November 13, 2010.
53. **NYRA – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On October 6, 2010, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio from October 12 through December 31, 2010.
54. On October 6, 2010, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Turf Paradise, Arizona through December 31, 2010.
55. On October 6, 2010, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from specified South American tracks via the Latin American Racing Channel (LARC) under the TrackNet agreement.



56. On October 15, 2010, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Churchill Downs, Kentucky from October 31 through November 4, 2010 and continuing November 7, 2010 through November 28, 2010.
57. On October 15, 2010, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of the Breeders' Cup races from Churchill Downs, Kentucky on November 5 and November 6, 2010.

The Board also approved the New York Racing Association request for the following:

- 1) Permission to conduct advance wagering on the Saturday Breeders' Cup card on Friday, November 5, 2010.
  - 2) Permission to wager on a two-day Daily Double on the Ladies Classic (Friday) and the Breeders' Cup Classic (Saturday).
  - 3) Permission to offer the Jockey Bet using Method 2.
  - 4) Permission to default to the minimums for Breeders' Cup Wagers at Churchill Downs that deviate from the New York Racing Association minimums- \$ .50 Trifecta, Pick 3 and Pick 4 Wagers.
58. On October 19, 2010, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Golden Gate Fields, California from October 20 through December 19, 2010.
  59. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Delta Downs, Louisiana from October 27 through December 31, 2010.
  60. On October 28, 2010, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Hollywood Park Racing Association, California from November 3 through December 19, 2010.
  61. On November 3, 2010, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Sunland Park, New Mexico from December 10 through December 31, 2010.
  62. **NYRA – EXPORT TO VARIOUS LOCATIONS IN 2010**  
On November 3, 2010, the New York State Racing and Wagering Board approved the New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes for the remainder of 2010 to Foxwoods Resort Casino, Connecticut, associated with the previously approved simulcasts to Las Vegas Dissemination Company (LVDC), Nevada.

63. On November 3, 2010, the New York State Racing and Wagering Board approved the New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes for the year 2010 to Cherokee Casino Sallisaw, Oklahoma, an additional secondary site associated with the previously approved simulcasts to Remington Park, Oklahoma.
64. On November 3, 2010, the New York State Racing and Wagering Board approved the New York Racing Association October 28, 2010 request authorizing Nassau Regional Off-Track Betting Corporation to conduct internet wagering on New York Racing Association races and display replays of New York Racing Association races during the remainder of 2010.
65. On November 4, 2010, the New York State Racing and Wagering Board approved the New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes to Hollywood Park (with thirty one [31] secondary sites), California through December 19, 2010.
66. On November 12, 2010, the New York State Racing and Wagering Board approved the New York Racing Association request to simulcast its thoroughbred racing programs for wagering purposes to Sportech Venues Inc. (with twenty three [23] secondary sites, excluding Manchester OTB, New London OTB, and Willamantic OTB), Connecticut through December 31, 2010.
67. **SARATOGA HARNESS – REQUEST TO EXTEND BET \$50 - GET \$25 PROMOTION**  
On October 6, 2010, the New York State Racing and Wagering Board approved the October 4, 2010 Saratoga Gaming and Raceway request to conduct the previously approved “Saratoga Bet \$50.00 – Get \$25.00” promotion through November 7, 2010.
68. **SARATOGA HARNESS – REQUEST TO CHANGE POST-TIME ON SATURDAY, NOVEMBER 6, 2010**  
On October 28, 2010, the New York State Racing and Wagering Board approved the October 21, 2010 Saratoga Gaming and Raceway request to change the first race post-time to 7:30 p.m. on Saturday, November 6, 2010 (Breeders’ Cup Day).
69. **SARATOGA HARNESS – REQUEST TO OFFER “RELOAD BONUS” PROMOTION**  
On October 28, 2010, the New York State Racing and Wagering Board approved the October 22, 2010 Saratoga Gaming and Raceway request to conduct the Saratoga Bets “Reload Bonus” promotion for the month of November 2010.
70. **SARATOGA HARNESS – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On October 6, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Keeneland Association Inc. (Fall Meet), Kentucky from October 8 through October 30, 2010.

71. On October 6, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the acceptance of wagering via the internet and other electronic media and communications devices specifically approved by the Board from Turf Paradise, Arizona.
72. On October 8, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Old Evangeline Downs, LLC (Quarter Horse Meet), Louisiana through December 18, 2010.
73. On October 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from tracks in England and Wales via the auspices of GBI Racing Ltd, London, England through December 31, 2010.
74. On October 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Dover Downs, Inc., Delaware from October 31 through December 31, 2010.
75. On October 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of the Breeders' Cup races from Churchill Downs, Kentucky on November 5 and November 6, 2010.

The Board also approved the Saratoga Gaming and Raceway request for the following:

- 1) Permission to conduct advance wagering on the Saturday Breeders' Cup card on Friday, November 5, 2010.
  - 2) Permission to wager on a two-day Daily Double on the Ladies Classic (Friday) and the Breeders' Cup Classic (Saturday).
  - 3) Permission to offer the Jockey Bet using Method 2.
76. On October 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Delta Downs, Louisiana from October 27 through December 31, 2010.
  77. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Pompano Park, Florida through December 31, 2010.
  78. On October 28, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Windsor Raceway, Ontario, Canada for the remainder of 2010.

79. On October 28, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Western Fair Raceway, Ontario, Canada for the remainder of 2010.
80. On October 29, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the acceptance of wagering via the internet and other electronic media and communications devices specifically approved by the Board from Churchill Downs, Kentucky (the Breeders' Cup Races).
81. On November 3, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Hollywood Park Racing Association, California from November 3 through December 19, 2010.
82. On November 4, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Sports Creek Raceway, Michigan for the remainder of 2010.
83. On November 12, 2010, the New York State Racing and Wagering Board approved an amendment to the Saratoga Gaming and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from the Dubai Winter Racing Festival conducted at Meydan Race Course, Dubai, United Emirates via the auspices of AmWest Entertainment LLC on November 25 and December 2, 9, 16 and 30, 2010.
84. **SARATOGA HARNESS – EXPORT TO VARIOUS LOCATIONS IN 2010**  
On October 6, 2010, the New York State Racing and Wagering Board approved the Saratoga Gaming and Raceway request to simulcast its standardbred racing programs for wagering purposes to Northville Racing Corporation, Michigan through December 12, 2010.
85. **SUFFOLK REGIONAL OTB – REQUEST TO HOLD GRAND OPENING PROMOTION AT STRANO PUB (JIMMY'S)**  
On November 9, 2010, the New York State Racing and Wagering Board approved the November 4, 2010 Suffolk Regional Off-Track Betting Corporation request to hold a "Grand Opening" promotion at the Strano Pub, Inc. d/b/a Jimmy's on November 27, 2010, including issuance of two hundred fifty (250) two-dollar vouchers to persons over the age of 18 to be used at the betting machine within the pub.
86. **SUFFOLK REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Suffolk Regional Off-Track Betting Corporation simulcast plan of operation authorizing the acceptance of wagering via the internet and other electronic media and communications devices specifically approved by the Board from Turf Paradise, Arizona.

87. On October 29, 2010, the New York State Racing and Wagering Board approved an amendment to the Suffolk Regional Off-Track Betting Corporation simulcast plan of operation authorizing the acceptance of wagering via the internet and other electronic media and communications devices specifically approved by the Board from:
1. Beulah Park, Ohio
  2. Delta Downs, Louisiana
  3. Dover Downs, Delaware
  4. Hawthorne Race Course, Illinois
  5. Keeneland, Kentucky
  6. Pompano Park, Florida.
88. **TIOGA DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On October 6, 2010, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Western Fair Raceway, Ontario, and Canada for the remainder of 2010.
89. On October 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of the Breeders’ Cup races from Churchill Downs, Kentucky held on November 5 and November 6, 2010.
- The Board also approved the Tioga Downs request for the following:
- 1) Permission to conduct advance wagering on the Saturday Breeders’ Cup card on Friday, November 5, 2010.
  - 2) Permission to wager on a two-day Daily Double on the Ladies Classic (Friday) and the Breeders’ Cup Classic (Saturday).
  - 3) Permission to offer the Jockey Bet using Method 2.
90. On October 19, 2010, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Golden Gate Fields, California from October 20 through December 19, 2010.
91. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Churchill Downs, Kentucky from October 31 through November 4, 2010 and continuing November 7, 2010 through November 28, 2010.
92. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Calder Race Course, Florida through December 31, 2010.

93. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Dover Downs, Inc., Delaware from October 31 through December 31, 2010.
94. On October 29, 2010, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Delta Downs, Louisiana through December 31, 2010.
95. On November 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Tioga Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Hollywood Park Racing Association, California through December 19, 2010.
96. **VERNON DOWNS – REQUEST TO CHANGE POST-TIME ON NOVEMBER 6, 2010**  
On November 3, 2010, the New York State Racing and Wagering Board approved the October 29, 2010 Vernon Downs request to change the first post-time on the Saturday, November 6, 2010 race program (Breeders' Cup Day) to 7:15 p.m.
97. **VERNON DOWNS – REQUEST TO OFFER \$5 VOUCHER PROMOTION**  
On November 3, 2010, the New York State Racing and Wagering Board approved the October 26, 2010 Vernon Downs request to issue up to forty (40) \$5.00 wagering vouchers associated with participation in a survey to be conducted at Vernon Downs on a date to be specified in November 2010.
98. **VERNON DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On October 6, 2010, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Western Fair Raceway, Ontario, Canada for the remainder of 2010.
99. On October 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of the Breeders' Cup races from Churchill Downs, Kentucky on November 5 and November 6, 2010.

The Board also approved the Vernon Downs request for the following:

- 1) Permission to conduct advance wagering on the Saturday Breeders' Cup card on Friday, November 5, 2010.
  - 2) Permission to wager on a two-day Daily Double on the Ladies Classic (Friday) and the Breeders' Cup Classic (Saturday).
  - 3) Permission to offer the Jockey Bet using Method 2.
100. On October 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Hoosier Park (Thoroughbred), Indiana through October 24, 2010.

101. On October 19, 2010, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Golden Gate Fields, California from October 20 through December 19, 2010.
102. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Churchill Downs, Kentucky from October 31 through November 4, 2010 and continuing November 7, 2010 through November 28, 2010.
103. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Calder Race Course, Florida through December 31, 2010.
104. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Dover Downs, Inc., Delaware from October 31 through December 31, 2010.
105. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Sterling Suffolk Racecourse, LLC, Massachusetts through November 13, 2010.
106. On October 29, 2010, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Delta Downs, Louisiana through December 31, 2010.
107. On November 9, 2010, the New York State Racing and Wagering Board approved an amendment to the Vernon Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Hollywood Park Racing Association, California through December 19, 2010.
108. **VERNON DOWNS – EXPORT TO VARIOUS LOCATIONS IN 2010**  
On October 6, 2010, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its harness racing programs for wagering purposes to Western Fair Raceway, Ontario, Canada through November 27, 2010.
109. **WESTERN REGIONAL OTB/BATAVIA DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On October 12, 2010, the New York State Racing and Wagering Board approved an amendment to the Western Regional Off-Track Betting Corporation/Batavia Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio from October 12 through October 31, 2010.

110. On November 1, 2010, the New York State Racing and Wagering Board approved an amendment to the Western Regional Off-Track Betting Corporation/Batavia Downs simulcast plan of operation authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio through December 31, 2010.
111. **YONKERS RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2010**  
On October 6, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from:
1. Indiana Downs (Harness Meet), Indiana through November 9, 2010
  2. The Red Mile, Kentucky through October 23, 2010.
112. On October 6, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Keeneland Association Inc. (Fall Meet), Kentucky from October 8 through October 30, 2010.
113. On October 15, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Dover Downs, Delaware for the remainder of 2010.
114. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Calder Race Course, Florida through December 31, 2010.
115. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Pompano Park, Florida through December 31, 2010.
116. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Churchill Downs, Kentucky for October 31 through November 4, 2010 and continuing November 7, 2010 through November 28, 2010.
117. On October 22, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Golden Gate Fields, California from October 29 through December 19, 2010.
118. On October 28, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Hollywood Park Racing Association, California from November 3 through December 19, 2010.



119. On October 28, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Delta Downs, Louisiana through December 31, 2010.
120. On November 1, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Beulah Park, Ohio through December 31, 2010.
121. On November 3, 2010, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Churchill Downs, Kentucky (the Breeders' Cup World Championships) on November 5 and November 6, 2010.
122. **YONKERS RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2010**  
On October 6, 2010, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes for the year 2010 to Dark Horse Bet, a secondary site associated with the previously approved simulcasts to Las Vegas Dissemination Company.
123. On October 6, 2010, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to AmWest Entertainment, LLC (with four [4] secondary sites), Kentucky for the remainder of 2010
124. On October 29, 2010, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to Canterbury Park, Minnesota for the remainder of 2010.
125. On November 4, 2010, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to St. John's Racing Entertainment Center, Canada during the year 2010.

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

**1. FINGER LAKES RACETRACK – THIRD PHASE OF VINEYARD BUFFET EXPANSION**

On October 12, 2010, the New York State Racing and Wagering Board approved a permit for the completion of the interior of the Vineyard Buffet pursuant to Section 246 of the New York State Racing and Wagering, Pari-Mutuel Wagering and Breeding Law.

This approval is limited to the construction described in the NYS Office of General Services Permit dated October 8, 2010.

2. **IN THE MATTER OF ANGELO J. NAPPO - SUMMARY SUSPENSION**  
On October 13, 2010, the New York State Racing and Wagering Board summarily suspended the harness racing trainer license of Angelo J. Nappo based upon a finding that the public safety and welfare imperatively required this emergency action.
3. **IN THE MATTER OF JOHN P. CUMMINGS, SR. - SUMMARY SUSPENSION**  
On October 13, 2010, the New York State Racing and Wagering Board summarily suspended the harness racing owner/trainer/groom licenses of John P. Cummings, Sr. based upon a finding that the public safety and welfare imperatively required this emergency action.
4. **IN THE MATTER OF DEAN M. ECKLEY - SUMMARY SUSPENSION**  
On October 18, 2010, the New York State Racing and Wagering Board summarily suspended the harness racing owner/trainer licenses of Dean M. Eckley based upon a finding that the public safety and welfare imperatively required this emergency action.

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

1. **BUFFALO RACEWAY – 2011 TRACK & SIMULCAST LICENSE APPLICATIONS**

The New York State Racing and Wagering Board granted the Buffalo Trotting Association, Inc. track and simulcast licenses for 2011.

The Board assigned the 90 racing programs requested on the dates specified and at the post times requested. The Board approved the plan relating to the Totalisator Room Security (Rule 5100.23[d]).

The 2011 track and simulcast licenses are conditioned upon the following:

- Compliance with all applicable provisions of the Racing, Pari-Mutuel Wagering and Breeding Law, Board rules and orders and directives of the New York State Racing and Wagering Board. These include but are not limited to the following:
  - a. Retransmission of your simulcast signal by authorized recipients to secondary recipients is not allowable without disclosure within the contract of the names and locations of all secondary recipients.
  - b. The Board has the authority to audit the out-of-state receiving site's books and records (including all secondary sites that receive your simulcast) and must be noted in any simulcast agreement entered into for your simulcast signal. Included within the agreement must be reference that the guest shall permit inspection of the totalisator facilities at the site where guest's wagers are subject to commingling and all related totalisator books and records by a representative of the host or of the host's Board. Names and contact telephone numbers and/or addresses of managers at all pari-mutuel "hubs" used in the course of your simulcast transactions, if not included within individual contracts, must be supplied to the Board.

- c. Any agreement which you are party to is subject to the requirements of the host and guest jurisdictions with any provision mandated by either jurisdiction with such provisions specifically deemed incorporated into contract by reference. Both parties, including any Secondary Recipients, shall comply with the provisions of all-applicable Federal, State and local laws and regulations.
- d. An SAS-70 Type II audit is to be performed for the current licensing period on the totalisator operations utilized and located at your facility. The report is to be filed with the Board no later than October 31, 2011.
- e. Rule 5100.2(b)(1), which requires that the track's totalisator system be in compliance with Rule 5100.24(l)-Independent Monitoring System.

**2. CAPITAL DISTRICT REGIONAL OTB – 2011 SIMULCAST LICENSE APPLICATION**

The New York State Racing and Wagering Board granted the Capital District Regional Off-Track Betting Corporation simulcast license for 2011 for forty-three (43) simulcast branches, thirty-one (31) EZ-Bet branches and one teletheater facility.

The 2011 simulcast license is conditioned upon the following:

- Compliance with all applicable provisions of the Racing, Pari-Mutuel Wagering and Breeding Law, Board rules, and orders and directives of the New York State Racing and Wagering Board, including:
  - a. An SAS-70 Type II audit is to be performed for the current licensing period on the totalizator operations utilized and located at your facility. The report is to be filed with the Board no later than October 31, 2011.
  - b. Rule 5100.2(b)(1), which requires that the totalisator system be in compliance with Rule 4100.24(l)-Independent Monitoring System.

The Board approved the submitted plan relating to the Totalisator Room Security (Rule 5100.23[d]).

**3. NOTICE OF PROPOSED RULEMAKING – RECOMMENDED REVISIONS FOR OUT-OF-COMPETITION DRUG TESTING (4043.17 & 4120.17)**

The New York State Racing and Wagering Board approved the revisions proposed for the out-of-competition rule in order to provide greater protections and assurances to horse owners and trainers; to eliminate the unwieldy requirements that the Board “anticipate” which horses might race within 180 days in New York; to standardize the consequences for non-compliance; to clarify the definition of prohibited substances; and to revise the penalty for a trainer responsible for a positive for a prohibited substance as defined by these rules.

**4. CAPITAL DISTRICT REGIONAL OTB – REQUEST TO CONDUCT SPECIAL DEMONSTRATION PROJECT (SIMULCAST THEATER) AT CATSKILL MOUNTAIN LODGE**

The New York State Racing and Wagering Board approved an amendment to Capital District Regional Off-Track Betting Corporation's (CDROTb) plan of operation to

authorize the Catskill Mountain Lodge Branch to function as a special demonstration project (simulcast theater) in accordance with New York State Racing, Pari-Mutuel Wagering and Breeding Law Section 1009.2-a(a).

This approval is subject to compliance with the following condition:

- Admission will be limited to the exclusive use of hotel guests at the Catskill Mountain Lodge. CDROTB will insure that only such guests are permitted within the facility.

5. **NEW YORK JOCKEY INJURY COMPENSATION FUND, INC. - FUNDING & ASSESSMENT FORMULA FOR THE YEAR 2011**

The New York State Racing and Wagering Board approved an amendment to the plan of operation of the New York Jockey Injury Compensation Fund, Inc. to reflect the method of funding and assessment plan for 2011, as presented to the Board on November 16, 2010.

6. **IN THE MATTER OF THE DISQUALIFICATION OF UPTOWNCHARLYBROWN IN THE 2010 BELMONT STAKES**

The New York State Racing and Wagering Board upheld the recommendation of Hearing Officer Clemente J. Parente and dismissed the appeal of owner Robert L. Hutt as untimely.

7. **IN THE MATTER OF MAYLAN STUDART**

The New York State Racing and Wagering Board accepted the recommendation of Hearing Officer Clemente J. Parente that both the violation and suspension of the thoroughbred jockey license of Maylan Studart be upheld for careless riding.

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

1. **LICENSING/CURRENT LICENSE COUNT**

The current racing licensing counts as of October 31, 2010 since January 1, 2010 were as follows: total receipts 14,842 and total licenses 12,479 for the year 2010.

2. **INDIAN GAMING/LICENSING STATISTICS**

Licensing statistics for October 1, 2010 through October 31, 2010. Also included were the certifications for Oneida, Mohawk, Seneca Allegany, Seneca Buffalo and Seneca Niagara.

3. **GAMES OF CHANCE/BELL JAR TICKETS**

List of bell jar tickets authorized/denied by the Charitable Gaming Unit between October 1, 2010 and October 31, 2010.

4. **GAMES OF CHANCE/BINGO REGISTRATION NUMBERS**

List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit from October 4, 2010 through November 8, 2010.

5. **2010 LICENSED SUPPLIERS**

There were no licenses issued for the time period of October 1, 2010 through October 31, 2010.

6. **CAPITAL DISTRICT REGIONAL OTB – PLAYER REWARDS SECOND QUARTER RESULTS – 1110-33-E**

The reports for the second quarter Player Rewards Program were filed with the Board on July 30, 2010.

7. **CAPITAL DISTRICT REGIONAL OTB – PLAYER REWARDS THIRD QUARTER RESULTS – 1110-32-E**

The reports for the third quarter Player Rewards Program were filed with the Board on October 28, 2010.

**F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED**

None.

**The meeting adjourned at 11:37 a.m.**