



**MINUTES
NEW YORK STATE RACING AND WAGERING BOARD
MEETING OF JANUARY 25, 2012**

A meeting of the New York State Racing and Wagering Board was held on Wednesday, January 25, 2012 at 1:00 p.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 1:03 p.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
Thomas Casaregola, Audits & Investigations
Kristen Buckley, Acting Secretary to the Board

Also in Attendance Were:

Kenneth Council, Deputy Executive Director
Lee Park, NYSR&WB
Ellen All, NYSR&WB
Michelle Martin, NYSR&WB
James Kellogg, NYSR&WB
Mark Stuart, NYSR&WB
Rick Goodell, NYSR&WB
William Sekellick, NYSR&WB
David Lombardo, Daily Gazette
Paul Post, Saratogian
Matt Morgan, NYS Department of Agriculture & Markets

OPEN COMMENT PERIOD: Began: 1:03 p.m. Ended: 1:03 p.m.

Comments were received from Jackson Leeds via e-mail and are attached to the minutes.

No other comments were made.

A. The Board approved the minutes of the Board meeting held on December 21, 2011.

B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR

1. BUFFALO RACEWAY – REQUEST TO CONDUCT A PICK FOUR WAGER WITH A GUARANTEED \$5,000 POOL

For entry into the minutes, on December 21, 2011, the New York State Racing and Wagering Board approved the Batavia Downs request by letter dated December 13, 2011 to conduct a \$5,000 Guaranteed Pick 4 Pool on races five through eight on the following Wednesdays: January 11, January 18 and January 25, 2012.

2. BUFFALO RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2011

For entry into the minutes, on December 21, 2011, the New York State Racing and Wagering Board approved an amendment to the Buffalo Trotting Association simulcast plan of operation authorizing the simulcast for wagering purposes of races from Santa Anita Race Track, California from December 26 through December 31, 2011.

3. BUFFALO RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2012

For entry into the minutes, on January 11, 2012, the New York State Racing and Wagering Board approved the Buffalo Trotting Association's request to simulcast its harness racing programs for wagering purposes to the following tracks from January 11 through July 22, 2012:

1. Harrah's Louisiana Downs (with one [1] secondary site: Louisiana Downs OTB), Louisiana.
2. Suffolk Racecourse (with five [5] secondary sites: OTB Facilitators, LLC, Raynham Greyhound Park, Rockingham Park, Seabrook Greyhound Park, Scarborough Downs), Massachusetts.
3. Sports Creek Raceway, Michigan.
4. Thistledown Racetrack, Ohio.
5. Turfway Park, Kentucky.
6. Harrah's Chester Downs, Pennsylvania.

4. For entry into the minutes, on January 11, 2012, the New York State Racing and Wagering Board approved the Buffalo Trotting Association's request to simulcast its harness racing programs for wagering purposes to Penn National Gaming, Inc., Texas and the following guest and secondary sites from January 11 through July 22, 2012:

1. Hollywood Casino at Penn National Race Course (with four [4] secondary sites: Chambersburg OTW, Lancaster OTW, Reading OTW and York OTW), Pennsylvania.
 2. Telebet Account Wagering.
 3. Hollywood Casino at Charles Town Races, West Virginia.
 4. Beulah Park, Ohio.
 5. Raceway Park, Ohio.
 6. Hollywood Slots Hotel and Raceway, Maine.
 7. Rosecroft Raceway, Maryland.
 8. Zia Park, New Mexico.
 9. Sam Houston Race Park, Texas.
 10. Valley Race Park, Texas.
5. For entry into the minutes, on January 11, 2012, the New York State Racing and Wagering Board approved the Buffalo Trotting Association's request to simulcast its harness racing programs for wagering purposes to Lien Games Racing, LLC. (with eight [8] secondary site: Chips Lounge and Casino, Skydancer Casino, Rumors, Howard Johnson[Turf Room], Howard Johnson [Tel Wager], Howard Johnson [OTB], Offtrackbetting.com, Oregon Hub Internet excluding Raceplaywin.com), North Dakota from January 11 through July 22, 2012.
6. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO CONDUCT VARIOUS PROMOTIONS IN JANUARY 2012**
 For entry into the minutes, on December 30, 2011, the New York State Racing and Wagering Board approved the December 19, 2011 application by the Capital District Regional Off-Track Betting Corporation to conduct the specified handicapping contests and promotion events for January, 2012.
7. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO OFFER A ZERO DOLLAR ADMISSION FEE FOR THE OPENING OF THE NEW TELETHEATER ON JANUARY 1, 2012**
 For entry into the minutes, on December 30, 2011, the New York State Racing and Wagering Board approved the December 30, 2011 application by the Capital District Regional Off-Track Betting Corporation to offer a one-day promotion of a Zero Dollar admission fee for the opening of the new Albany Teletheater on Sunday January 1, 2012 only.
8. **CAPITAL DISTRICT REGIONAL OTB – ZERO ADMISSION FEE PROMOTION**
 For entry into the minutes, on January 5, 2012, the New York State Racing and Wagering Board approved the January 3, 2012 application by the Capital District Regional Off-Track Betting Corporation to offer a two-day promotion of a Zero Dollar admission fee for any customers wearing New York Giants apparel at the new Albany Teletheater on Saturday, January 7 and Sunday, January 8, 2012 only.

9. **CAPITAL DISTRICT REGIONAL OTB – JANUARY 2012 EVENTS AT THE CLUBHOUSE RACE BOOK**
For entry into the minutes, on January 20, 2012, the New York State Racing and Wagering Board approved the January 13, 2012 application by the Capital District Regional Off-Track Betting Corporation to conduct the specified events for January, 2012.
10. **CATSKILL REGIONAL OTB – REQUEST TO CONDUCT VARIOUS HANDICAPPING EVENTS DURING THE CALENDAR YEAR 2012**
For entry into the minutes, on December 30, 2011, the New York State Racing and Wagering Board approved the November 29, 2011 application by the Catskill Regional Off-Track Betting Corporation to conduct various handicapping promotions, tournaments and contests throughout the calendar year 2012.
11. **CATSKILL REGIONAL OTB – REQUEST TO CONDUCT “INSTANT WINNER” VOUCHER PROMOTIONS DURING THE CALENDAR YEAR 2012**
For entry into the minutes, on December 30, 2011, the New York State Racing and Wagering Board approved the November 29, 2011 application by the Catskill Regional Off-Track Betting Corporation to conduct various “Instant Winner” voucher promotions throughout the calendar year 2012.
12. **CATSKILL REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on December 21, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Catskill, Capital, Nassau, Suffolk and Western Regional Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from Cal Expo Race Track, California for December 30 and December 31, 2011.
13. For entry into the minutes, on December 21, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Catskill, Capital, Nassau, Suffolk and Western Regional Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from Golden Gate Fields, California from December 26 through December 31, 2011.
14. **FINGER LAKES RACETRACK – REQUEST TO CONDUCT THE \$1,000 HIT THE BOARD ELIMINATOR CHALLENGE IN JANUARY 2012**
For entry into the minutes, on December 21, 2011, the New York State Racing and Wagering Board approved the December 9, 2011 application by the Finger Lakes Racing Association, Inc. to conduct the \$1,000 Hit The Board Eliminator Challenge on Saturday, January 14 and Saturday, January 21, 2012.
15. **MONTICELLO RACEWAY – REQUEST TO CONDUCT THE ANNUAL TJ PARKER MEMORIAL SERIES FOR TROTTERS BEGINNING ON FEBRUARY 8, 2012**
For entry into the minutes, on December 21, 2011, the New York State Racing and Wagering Board approved the Monticello Raceway request by letter dated December 7, 2011, for authorization to conduct the TJ Parker Memorial Series For Trotters with

the first three legs to be held on Wednesday, February 8, 2012, Wednesday, February 15, 2012 and Wednesday, February 22, 2012 and the finals and consolation to be held on Wednesday, February 29, 2012.

16. **MONTICELLO RACEWAY – REQUEST FOR APPROVAL TO ALLOW SOUTHLAND PARK TO SHOW VIDEO RAPLAYS OF 2012 RACES FROM MONTICELLO RACEWAY**
For entry into the minutes, on January 11, 2012, the New York State Racing and Wagering Board approved the request of Monticello Raceway to allow Southland Park to show video replays of races from Monticello Raceway thru December 31, 2012.
17. **MONTICELLO RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on December 21, 2011, 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 Santa Anita Race Track, California from December 26 through December 31, 2011.
18. **MONTICELLO RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on December 30, 2011, the New York State Racing and Wagering Board approved the Monticello Raceway request to simulcast its harness racing programs for wagering purposes for the year 2012 to Xbselect.com, affiliated with Player Management Group, LLC, Oregon, a secondary site associated with the previously approved simulcasts to Monarch Content Management, LLC.
19. **NASSAU REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on December 22, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Nassau, Capital, Catskill, Suffolk and Western Regional Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from Santa Anita Race Track, California from December 26 through December 31, 2011.
20. **NYRA – REQUEST TO CONDUCT A \$250,000 GUARANTEED PICK 4 EVERY SATURDAY AT AQUEDUCT DURING THE WINTER/SPRING 2012 RACE MEETINGS**
For entry into the minutes, on January 5, 2012, the New York State Racing and Wagering Board approved the December 30, 2011 New York Racing Association request to offer a guaranteed Pick 4 pool of \$250,000 on all Saturdays during the 2012 Aqueduct Race Track Winter and Spring Race Meets, excluding Wood Memorial Day which is Saturday, April 7, 2012.
21. **NYRA – REQUEST FOR APPRENTICE JOCKEY EXTENSION – IRAD ORTIZ JR.**
For entry into the minutes, on January 6, 2012, the New York State Racing and Wagering Board approved a 22 day extension through February 1, 2012 of the apprentice weight allowance for apprentice jockey Irad Ortiz, Jr.

22. **NYRA – IMPORT OF VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on December 21, 2011, 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:
1. Santa Anita Race Track, California from December 26 through December 31, 2011.
 2. Golden Gate Fields, California from December 26 through December 31, 2011.
23. **SARATOGA HARNESS – REQUEST TO CONDUCT A FREE NYRA CALENDAR GIVEAWAY**
For entry into the minutes, on December 21, 2011, the New York State Racing and Wagering Board approved the December 15, 2011 Saratoga Casino and Raceway request to conduct a Free NYRA Calendar Giveaway to members of their Daily Rewards program.
24. **WESTERN REGIONAL OTB – REQUEST TO HOST A GRAND OPENING VOUCHER PROMOTION AT NEW BRANCH IN WEBSTER**
For entry into the minutes, on December 30, 2011, the New York State Racing and Wagering Board approved the Western Regional Off-Track Betting Corporation request by letter dated December 19, 2011 to conduct a Wager Giveaway promotion at the 44 East Main Street Branch on Friday, January 13, 2012.
25. **WESTERN REGIONAL OTB – REQUEST CLOSURE OF MAIN STREET BRANCH IN DUNKIRK AND GRANT STREET BRANCH IN BUFFALO**
For entry into the minutes, on January 6, 2012, the New York State Racing and Wagering Board approved the Western Regional Off-Track Betting Corporation's request to amend its plan of operation to reflect the closure of its branches located at 303 Main Street, Dunkirk, NY on or about January 22, 2012 and 118 Grant Street, Buffalo, NY on or about February 1, 2012.
26. **YONKERS RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on December 21, 2011, 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. Santa Anita Race Track, California from December 26, 2011 through April 22, 2012.
 2. Golden Gate Fields, California from December 26, 2011 through June 17, 2012.
 3. Balmoral Park, Illinois from January 1 through December 30, 2012.
 4. Maywood Park, Illinois from January 5 through December 28, 2012.
27. For entry into the minutes, on December 21, 2011, 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 Grand River Raceway, Ontario, Canada for the calendar year 2012.

28. For entry into the minutes, on December 21, 2011, 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 from January 1 through June 30, 2012.
29. For entry into the minutes, on December 28, 2011, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation authorizing the simulcast for account wagering purposes of races from Monarch Content Management tracks for the calendar year 2012 subject to the requirement that Yonkers Raceway must apply for and receive individual simulcast authorization for each track.
30. For entry into the minutes, on January 5, 2012, 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. Laurel Park, Maryland through March 29, 2012.
 2. Turfway Park, Kentucky through April 1, 2012.
 3. Fair Grounds Racecourse, Louisiana through April 1, 2012.
 4. Tampa Bay Downs, Florida through May 16, 2012.
 5. Northville Downs, Michigan from January 6 through April 28, 2012.
31. For entry into the minutes, on January 6, 2012, 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 the following New York tracks:
 1. Monticello Raceway for the calendar year 2012.
 2. Buffalo Raceway from January 11, 2012 through July 22, 2012.
32. For entry into the minutes, on January 12, 2012, 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 Windsor Raceway, Ontario, Canada for the calendar year 2012.
33. For entry into the minutes, on January 12, 2012, 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 the Dubai World Cup Carnival at Meydan Racecourse, Dubai through March 31, 2012.
34. For entry into the minutes, on January 18, 2012, 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. Parx Racing, Pennsylvania through December 31, 2012.
 2. Northfield Park, Ohio through December 30, 2012.
 3. Hollywood Casino at Penn National Race Course, Pennsylvania through December 29, 2012.

4. Hollywood Casino at Charles Town Races, Pennsylvania through December 31, 2012.
5. Oaklawn Park, Arkansas from January 13 through April 14, 2012.
6. Turf Paradise, Arizona through May 6, 2012.
7. Gulfstream Park, Florida through April 8, 2012.

35. For entry into the minutes, on January 18, 2012, 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 Meadowlands Racetrack, New Jersey through December 31, 2012.

36. For entry into the minutes, on January 18, 2012, 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 Sunland Park, New Mexico through April 17, 2012.

37. **YONKERS RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on December 21, 2011, the New York State Racing and Wagering Board approved Yonkers Raceway’s request to simulcast its thoroughbred racing programs for wagering purposes to Sportech Venues Inc. (with sixteen [16] secondary sites; Mohegan Sun Racebook, Sports Haven, Bradley Teletheater, New Britain OTB, Bristol OTB, Hartford OTB, Norwalk OTB, Torrington OTB, East Haven OTB, Waterbury OTB, Milford OTB, Putnam OTB, Manchester OTB, New London OTB, Williamantic OTB and Shoreline Star), Connecticut for the calendar year 2012.

38. For entry into the minutes, on December 21, 2011, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to the following Atlantic City Casinos: Borgata Hotel and Casino, Trump Taj Mahal Casino and Resort, Bally’s Atlantic City, Caesar’s Atlantic City, Harrah’s Resort Atlantic City and Showboat Atlantic City, New Jersey for the calendar year 2012.

39. For entry into the minutes, on December 21, 2011, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to Las Vegas Dissemination Company for purposes of wagering at Elite Turf Club N.V., Nevada for the calendar year 2012.

40. For entry into the minutes, on December 21, 2011, the New York State Racing and Wagering Board approved Yonkers Raceway’s request to simulcast its harness racing programs for wagering purposes to Saratoga Casino and Raceway, New York for the calendar year 2012.

41. For entry into the minutes, on December 21, 2011, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to the following tracks during the year 2012:

1. Assiniboia Downs (with eight [8] secondary sites: Canada Inn Windsor Park, McPhillips Street Station Casino, Pembina Hotel, Quest Inn, Green Brier Inn, Club Regent Casino, Central Hotel “Rookies” and Alfie’s Restaurant and Billiards), Manitoba, Canada.
 2. Horse Racing New Brunswick (with four [4] secondary sites: Exhibition Park, Horseshoe Sports Pub, Saint Andrews and Fredericton Raceway), New Brunswick, Canada.
 3. Clinton Raceway, Ontario, Canada.
 4. Grand River Agricultural Society d/b/a Grand River Raceway (with two [2] secondary sites: Grand River Raceway- Teletheatre- The Bettor Club and Grand River Raceway- Teletheatre- KW-OTB), Ontario, Canada.
 5. Rideau Carleton Raceway (with seventeen [17] secondary sites: Track Side Lounge, Royal Britannia Pub, 730 Truck Stop, Cornwall OTB, Rest Inn, St. Anthony’s, Main Street Pub, Black Bear Pub, Ducks Road House, Vanier Off Track, Windsor Pub, Quinte Bowling Centere, Coaches, Riverside Bar and Grill, Berrigan’s Pub, Manhattan Bar and Grill and Ramigab Resto-Bar), Ontario, Canada.
 6. Atlantic Lottery (with one [2] secondary sites: Red Shores Racetrack and Casino at Charlottetown Driving Park and Red Shores at Summerside Raceway), Prince Edward Island, Canada.
42. For entry into the minutes, on December 21, 2011, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to Las Vegas Dissemination Company (with nine [9] secondary sites: Foxwoods Resort Casino, Meskwaki Bingo and Casino, Cities of Gold Sports Bar, Atlantis Paradise Island Casino, Megatote, LLC, Avatar Ventures, LLC, Avatar Ventures- Dark Horse Bet, Avatar Ventures “AV3” and Avatar Ventures “AV4”. No approval granted for Avatar Ventures “AV2”), Nevada for the calendar year 2012.
 43. For entry into the minutes, on December 22, 2011, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to The Raceway at Western Fair District, Ontario, Canada during the calendar year 2012.
 44. For entry into the minutes, on December 22, 2011, the New York State Racing and Wagering Board approved Yonkers Raceway’s request to simulcast its harness racing programs for wagering purposes to the following sites for the calendar year 2012:
 1. Mohegan Sun at Pocono Downs (with six [6] secondary sites: Mohegan Sun at Lehigh Valley, Mohegan Sun at Carbondale, Mohegan Sun at East Stroudsburg, Hazleton Off Track Facility, Pocono Downs Internet Wagering and Pocono Downs Account Wagering), Pennsylvania.
 2. Arapahoe Park (with ten [10] secondary sites; Sundance Steakhouse and Saloon, Havana Park, Southern Colorado Gaming & Event Center, Red & Jerry’s, Bank 8 Billiards, Softball Country, Post Time, COPOW, Post Time @ Copperhead and Stateline Oasis), Colorado.

45. For entry into the minutes, on December 22, 2011, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its harness racing programs for wagering purposes to Day at the Track Inc., California for the calendar year 2012.
46. For entry into the minutes, on January 5, 2012, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to the following tracks during the year 2012:
 1. Woodbine Entertainment Group (with seventy [71] secondary sites: Barrie IVR, British Columbia Telephone Account Wagering, Quinte IVR, Clinton IVR, Charlottetown IVR, Dresden IVR, Elmira IVR, Ex Park IVR, Flamboro Downs IVR, Fort Erie IVR, Greenwood Racetrack, Hiawatha IVR, Hanover IVR, Kawartha IVR, Western Fair IVR, Marquis IVR, Mohawk Raceway, Newfoundland IVR, Northlands, IVR, Nova Scotia IVR, OJC Teletheatres 2, OJC Teletheatres 3, OJC Teletheatres 4, OJC Teletheatres 5, Rideau IVR, Sudbury IVR, Summerside IVR, IVR WEG/FLAM, IVR WEG/Grand, IVR WEG/OTN, Windsor IVR, Windsor IVR II, Woodbine IVR, Woodbine, Woodstock IVR, Quebec IVR, Mississauga Chinese Centre, Offside's, PM Toronto, RJ's on Main, RJ's on Chrysler, Sports Centre Café, Stonehouse, Sheraton Parkway, Select Winners Lounge, Turf Lounge, Winner's Edge, Silks, WEGZ Stadium Bar, Albert's Parlour, Mane Event, Adam's Rib, Champions on the Danforth, Century Palace, Deerfield, East Chinatown, Heritage, The International, Le Skratch, Horsemans Tavern, Dead Heat, Moodies, Last Furlong, Champions on Kingston, Jimmyz Sports Bar, Mohawk Handicapping Contest, ROI Billiards, Sneakers Sports Bar, Shoeless Joe's, Assiniboia HPI and Champions @ Royal Square, Not Approved For Hippodrome Quebec), Ontario, Canada.
 2. Ajax Downs (with one [1] secondary site: Picov Downs), Ontario, Canada.
 3. Windsor Raceway and Winrac Development Inc., Ontario, Canada.
 4. Truro Raceway (with three [3] secondary sites: Brewsters Restaurant And Lounge, Bedford Sackville Superbank and Cheers Bar and Grill), Nova Scotia, Canada.
47. For entry into the minutes, on January 6, 2012, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its harness racing programs for wagering purposes to the following New York off-track betting corporations for the calendar year 2012:
 1. Catskill Regional Off-Track Betting Corporation.
 2. Capital District Regional Off-Track Betting Corporation.
48. For entry into the minutes, on January 6, 2012, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its harness racing programs for wagering purposes to Monticello Raceway for the calendar year 2012.

49. For entry into the minutes, on January 12, 2012, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to the following tracks during 2012:
1. Rideau Carleton Raceway (with seventeen [17] secondary sites: Trackside Lounge, Royal Britannia Pub, 730 Truck Stop, Cornwall OTB, Rest Inn, St. Anthony's, Main Street Pub, Black Bear Pub, Ducks Road House, Vanier Off Track, Windsor Pub, Quinte Bowling Centre, Coaches, Riverside Bar and Grill, Berrigan's Pub, Manhattan Bar and Grill and Ramigab Resto-Bar), Ontario, Canada.
 2. St. John's Racing and Entertainment Centre, Newfoundland, Canada.
50. For entry into the minutes, on January 12, 2012, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its harness racing programs for wagering purposes to Suffolk Regional Off-Track Betting Corporation for the calendar year 2012.
51. For entry into the minutes, on January 12, 2012, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to Victoryland Racetrack, Alabama for the calendar year 2012.
52. For entry into the minutes, on January 12, 2012, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its harness racing programs for wagering purposes to the following entities for the calendar year 2012:
1. eBet Technologies, Inc. (with nine [9] secondary sites: www.compubet.com, www.horseplayersbet.com, www.raceuwin.com, www.australianracingbets.com, www.jump2bet.com, www.idabet.com, www.wagerliveracing.com, www.mutuelsonline.com, www.harringtonbets.com, Approval is NOT granted for www.vegasdowns.com), Pennsylvania.
 2. Racing and Gaming Services, Ltd. (with six [6] secondary sites: RG1, RG2, RG4, RG5, RG6 and RG7), St. Kitts.
 3. The Racing Channel (with [1] secondary site: www.oneclickbetting.com), Pennsylvania.
 4. The Racing Network International (with ten [10] secondary sites: Blue Square, Ladbrokes E-Gaming, William Hill, Skybet, Tote Credit Limited d/b/a UK Tote, Bet365 Group Limited, Satellite Information Services, At The Races, digitotet and Equi8 Media- Blue Spider Networks), Pennsylvania.
53. For entry into the minutes, on January 12, 2012, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its harness racing programs for wagering purposes to Finger Lakes Racing Association, Inc., New York for the calendar year 2012.

54. For entry into the minutes, on January 18, 2012, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its harness racing programs for wagering purposes to Will Rogers Downs, Oklahoma for the calendar year 2012.
55. For entry into the minutes, on January 18, 2012, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its harness racing programs for wagering purposes to Nassau Regional Off-Track Betting Corporation for the calendar year 2012.
56. For entry into the minutes, on January 18, 2012, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to Nevada Pari-Mutuel Association (with seventy-seven [77] secondary sites: Aliente Station Casino and Hotel, Aquarius Laughlin, ARIA Resort and Casino, Arizona Charlie's, Arizona Charlie's East, Atlantis Casino Resort and Spa Reno, AVI Hotel and Casino, Bally's Las Vegas, Bellagio, Bill's Gamblin Hall, Boulder Station, Buffalo Bills Resort and Casino, Caesars Palace, Cannery Hotel and Casino, Cannery East, Casablanca Resort and Casino, Casino Fandango, Circus Circus Hotel and Casino LV, Cosmopolitan Las Vegas, Edgewater Hotel and Casino, El Cortez Hotel and Casino, Ellis Island Casino, Excalibur Hotel and Casino, Fiesta Casino Hotel, Fiesta Henderson Casino Hotel, Flamingo Hilton LV, Fremont Hotel and Casino, Gold Coast Hotel and Casino, Golden Nugget Casino LV, Golden Nugget Laughlin, Grand Sierra Casino, Green Valley Ranch Resort, Spa, Casino, Hard Rock, Harrah's Casino Hotel LV, Harrah's Laughlin Hotel and Casino, Harrah's Casino Hotel Reno, Harvey's Lake Tahoe, Las Vegas Hilton, Imperial Palace Hotel and Casino, Jerry's Nugget, Luxor Hotel and Casino, The M Resort, Mandalay Bay Resort and Casino, MGM Grand Hotel/Casino, The Mirage, Monte Carlo Resort and Casino, Montego Bay Casino Resort, New York-New York Hotel and Casino, The Orleans Hotel and Casino, Pahrump Nugget Hotel and Gambling Hall, Palace Station Hotel and Casino, Palms Casino Resort, Paris Las Vegas, Peppermill Hotel Casino Reno, Peppermill Inn and Casino Wendover, Planet Hollywood Resort and Casino, Plaza Hotel and Casino, Primm Valley Resort and Casino, Rainbow Casino, Rampart Resort, Red Rock Casino, Resort and Spa, Rio All-Suite Hotel and Casino, Riviera Hotel and Casino, Sam's Town Hotel and Gambling Hall, Santa Fe Station Hotel and Casino, Silver Legacy Resort Casino, South Point Hotel and Casino, Stratosphere, The Suncoast Hotel and Casino, Sunset Station Hotel and Casino, Terrible's Hotel and Casino LV, Terrible's Town Casino, Texas Station Gambling Hall and Hotel, Tropicana Las Vegas Race and Sports Book, The Venetian Casino Resort, Virgin River Hotel and Casino and Wynn Las Vegas. Approval was not granted for: Bodina's, Carson Valley Inn, Circus Reno, Lakeside Inn and Casino, Poker Palace, Riverside and Treasure Island), Nevada for the calendar year 2012.
57. For entry into the minutes, on January 20, 2012, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its harness racing programs for wagering purposes to Buffalo Raceway for the calendar year 2012.

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

1. CAPITAL DISTRICT REGIONAL OTB – REQUEST FOR APPROVAL OF VIDEO STREAMING AND REPLAYS WITH ROBERTS COMMUNICATIONS NETWORK

For entry into the minutes, on December 28, 2011, the New York State Racing and Wagering Board approved Capital District Regional Off-Track Betting Corporation's (CDROTB) request to amend its plan of operation to reflect an agreement between CDROTB and Roberts Communication Network to provide video streaming and replay services on Capital's website for CDROTB account holders. This agreement is effective January 1, 2012 through November 30, 2016.

2. YONKERS RACEWAY – REQUEST FOR APPROVAL OF 5TH PERMIT FOR EXPANSION OF CASINO FACILITY – MECHANICAL/ ELECTRICAL/ FIRE PROTECTION WORK

For entry into the minutes, on January 13, 2012, the New York State Racing and Wagering Board approved the construction work detailed in the Office of General Services Construction permit dated January 12, 2012 for Project No. S5744. This work is related to the current expansion of the Yonkers Raceway/Empire City facility. This request was approved pursuant to Section 322 of the New York State Racing, Pari-Mutuel Wagering and Breeding Law.

3. IN THE MATTER OF VICTOR MORALES – SUMMARY SUSPENSION

For entry into the minutes, on January 18, 2012, the New York State Racing and Wagering Board summarily suspended the thoroughbred exercise rider's license of Victor Morales based upon a finding that the public safety and welfare imperatively required this emergency action.

D. ITEMS APPROVED, DENIED OR DEFERRED BY THE BOARD

1. CAPITAL DISTRICT REGIONAL OTB – REQUEST FOR EXTENSION TO FILE QUARTERLY REPORTS IN 2012

The New York State Racing and Wagering Board approved the Capital District Regional Off-Track Betting Corporation request for a **30-day** extension to file the first three uniform quarterly reports in 2012. The Board also approved a **45-day** extension for filing the 4th quarter 2012 report.

2. WESTERN REGIONAL OTB – REQUEST FOR EXTENSION TO FILE QUARTERLY REPORTS IN 2012

The New York State Racing and Wagering Board approved the Western Regional Off-Track Betting Corporation request for a **30-day** extension to file the first three uniform quarterly reports in 2012. The Board also approved a **45-day** extension for filing the 4th quarter 2012 report.

3. **CATSKILL REGIONAL OTB – REQUEST FOR EXTENSION TO FILE QUARTERLY REPORTS IN 2012**

The New York State Racing and Wagering Board approved the Catskill Regional Off-Track Betting Corporation request for a **30-day** extension to file the first three uniform quarterly reports in 2012. The Board also approved a **45-day** extension for filing the 4th quarter 2012 report.

4. **NASSAU REGIONAL OTB – REQUEST FOR EXTENSION TO FILE QUARTERLY REPORTS IN 2012**

The New York State Racing and Wagering Board approved the Nassau Regional Off-Track Betting Corporation request for a **30-day** extension to file the first three uniform quarterly reports in 2012. The Board also approved a **45-day** extension for filing the 4th quarter 2012 report.

5. **SUFFOLK REGIONAL OTB – REQUEST FOR EXTENSION TO FILE QUARTERLY REPORTS IN 2012**

The New York State Racing and Wagering Board approved the Suffolk Regional Off-Track Betting Corporation request for a **30-day** extension to file the first three uniform quarterly reports in 2012. The Board also approved a **45-day** extension for filing the 4th quarter 2012 report.

6. **NYRA – 2012 RACING OFFICIALS**

Pursuant to Board Rule 4005.1, the New York State Racing and Wagering Board took the following actions with regard to the December 8, 2011 request of The New York Racing Association, Inc. to employ various individuals as racing officials for year 2012:

- Approved the employment of Ms. Diane Connor (listed as an assistant horse identifier) for the month of February 2012 pending completion of staff review
- Approved the employment of Dr. Leslie Karkheck (listed as examining veterinarian) for year 2012
- Acknowledged the information that approval is no longer sought for Ms. Trinity Nemiti (listed as assistant racing secretary/handicapper) because she is no longer employed as a racing official.

7. **WESTERN REGIONAL OTB – NEW EZ-BET – THE GATES PUB - ROCHESTER**

The New York State Racing and Wagering Board approved an amendment to the Western Regional Off-Track Betting Corporation simulcast plan of operation to authorize the operation of an EZ Bet simulcast facility located in The Gates Pub, 26 Hinchey Road, Rochester, NY.

8. **WESTERN REGIONAL OTB – NEW EZ-BET – FIREHOUSE SALOON – ROCHESTER**

The New York State Racing and Wagering Board approved an amendment to the Western Regional Off-Track Betting Corporation simulcast plan of operation to

authorize the operation of an EZ Bet simulcast facility located in Firehouse Saloon, 814 S. Clinton Avenue, Rochester, NY.

9. NYS TAXATION & FINANCE – CERTIFICATION OF YEAR 2011 RACING DATES/RACES FOR TAX RATE PURPOSES

The New York State Racing and Wagering Board (Board) found that for 2011 Finger Lakes Racetrack, Monticello Raceway, Saratoga Casino and Raceway and Yonkers Raceway conducted at least 90% of programs/races in 1985 or 1986 (whichever year had the fewer).

The Board further found that for 2011 Batavia Downs, Buffalo Raceway and Vernon Downs, it would have been uneconomical or impractical for these tracks to be assigned the prescribed number of racing dates, pursuant to Section 318.5(b) of the Racing Law. This finding entitles these harness racetracks to be classified as if each complied with such requirements.

Accordingly, the Board certified that Finger Lakes Racetrack, Batavia Downs, Buffalo Raceway, Monticello Raceway, Saratoga Casino and Raceway, Vernon Downs and Yonkers Raceway have complied with either Section 236.3.b(ii) or Section 318.5.b(ii) of the New York State Racing, Pari-Mutuel Wagering and Breeding Law for purposes of establishing the 2011 pari-mutuel tax rate.

10. MONTICELLO RACEWAY – REQUEST TO WITHDRAW \$192,399.04 FROM CIF

The New York State Racing and Wagering Board approved Monticello Raceway’s request to withdraw \$192,399.04 from its Capital Improvement Fund for reimbursement of the following Capital Improvement Expenditures:

<u>Backstretch (100%)</u>	
2003 GMC C4500 Dump Truck	\$ 23,345.00
New Starting Gate	22,902.00
Sander/Salt Spreader	11,874.60
Replace Paddock Stall Walls	14,296.58
Upgrade – Racetrack Surface	18,921.13
New Barn ‘R’ Roof	22,197.78
Paving in Barn Area	27,512.00
EMERGENCY REQUEST – 2 ND Sander/Salt Spreader	8,905.95
<u>EMERGENCY REQUEST – Purchase 2001 Backhoe</u>	<u>42,444.00</u>
Total Backstretch	<u>\$ 192,399.04</u>
 Total Approved	 \$ 192,399.04

11. SARATOGA HARNESS – REQUEST TO AMEND ACCOUNT WAGERING PLAN OF OPERATION – RELOCATE SERVERS

The New York State Racing and Wagering Board approved the December 20, 2011 request by Saratoga Casino & Raceway to relocate its telephone wagering servers that

process and validate wagers to the Amherst, New York call center. The approval is conditioned on successful testing of the servers prior to commencement of live wagering at the new location.

12. **NOTICE OF ADOPTION – CELL PHONES IN PADDOCK AREA – HARNESS RACING**

The New York State Racing and Wagering Board approved the addition of Rule 4104.14 to the harness racing rules to permit the limited use of cellular telephones and other electronic devices in the paddock and receiving barn of harness racetracks.

The rule is effective for one year after the date that it goes into effect.

13. **NOTICE OF ADOPTION – BLOOD ALCOHOL TESTING - THOROUGHBRED AND HARNESS RULES**

The New York State Racing and Wagering Board approved the addition of Section 4042.6 to the thoroughbred racing rules to authorize the testing of jockeys and other licensees for the presence of alcohol in the blood with a limit of .05%. The Rule for procedures, equipment, violations and penalties. The Board also approved an amendment to the existing harness racing Rule 4104.12 to make language changes, including the clear recitation of potential sanctions in the event of refusal to submit to testing and other violations.

14. **NOTICE OF ADOPTION – AMENDMENT OF RIDING CROP DIAMETER RULE**

The New York State Racing and Wagering Board approved an amendment to Section 4035.9 of 9 NYCRR to correct an erroneous reference to the permissible diameter of the riding crop to correctly read three-eighths of an inch.

15. **NOTICE OF ADOPTION – AMENDMENT OF THOROUGHBRED TRIFECTA RULE**

The New York State Racing and Wagering Board approved an amendment to Section 4011.22(i) of 9 NYCRR. This amendment preserves trifecta wagering in races with a minimum field of five betting entries.

16. **NOTICE OF ADOPTION – AMENDMENT OF OTB RULES: GOVERNMENTAL AUDITING STANDARDS**

The New York State Racing and Wagering Board approved the amendment to 9 NYCRR Section 5208.1 through Section 5208.6. These rule amendments incorporate *Governmental Auditing Standards* into the Board's rules and regulations for off-track betting corporations, revise certain reporting requirements, and make technical changes to the off-track betting rules.

17. **IN THE MATTER OF DONALD MCQUEEN**

The New York State Racing and Wagering Board accepted the recommendation of Hearing Officer Clemente J. Parente that the denial of a license for Donald McQueen as an owner/trainer/driver in harness racing be upheld based upon a finding that his experience, character and general fitness are such that his participation in racing or

related activities would be inconsistent with the public interest, convenience or necessity, or with the best interest of racing generally. The Board also accepted the recommendation that any new application be acted upon favorably provided certain preconditions are satisfied.

18. IN THE MATTER OF DIANE C. BALSAMO

The New York State Racing and Wagering Board accepted the recommendation of Hearing Officer Clemente J. Parente that the decision of the Steward at Aqueduct Racetrack to fine thoroughbred racing trainer Diane C. Balsamo the amount \$500 based upon a finding of improper conduct during an incident on March 13, 2011 be affirmed.

E. ITEMS FOR BOARD INFORMATION/DISCUSSION

1. INDIAN GAMING/LICENSING STATISTICS

Licensing statistics for December 1, 2011 through December 31, 2011. Also included were the certifications for Oneida, Mohawk, Seneca Allegany, Seneca Buffalo and Seneca Niagara.

2. LICENSING/CURRENT LICENSE COUNT

The racing licensing counts as of December 31, 2011 since January 1, 2011 were as follows: total receipts 16,912 and total licenses 14,769 for the year 2011.

3. GAMES OF CHANCE/BELL JAR TICKETS

List of bell jar tickets authorized/denied by the Charitable Gaming Unit between December 1, 2011 and December 31, 2011.

4. GAMES OF CHANCE/BINGO REGISTRATION NUMBERS

List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit from December 7, 2011 through January 4, 2012.

5. 2011 LICENSED SUPPLIERS

List of licensed suppliers - manufacturers' and distributors' licenses issued for the time period of December 1, 2011 through December 31 2011.

6. NYRA TAKEOUT RATE CORRECTION

On December 21, 2011, the New York State Racing and Wagering Board ("Board") directed all New York State licensed race tracks and regional off-track betting corporations which accepted exotic wagers on NYRA races during the period from September 15, 2010 through December 18, 2011 to submit to the Board adequate policies and procedures to provide for any and all affected account wagering and W2G winning bettors/customers to submit a claim for reimbursement for corrected payouts. This information was to be provided no later than January 6, 2012.

On January 3, 2012, Tioga Downs submitted to the Board the policies and procedures and a claim form in accordance with the directive stated. Revisions were received January 5, 2012 and January 6, 2012.

On January 3, 2012, Vernon Downs submitted to the Board the policies and procedures and a claim form in accordance with the directive stated. Revisions were received January 5, 2012 and January 6, 2012.

On January 5, 2011, Buffalo Raceway submitted to the Board the policies and procedures and claim forms in accordance with the directive stated.

On January 6, 2012, Finger Lakes Racetrack submitted to the Board the policies and procedures and claim forms in accordance with the directive stated.

On January 6, 2012, Yonkers Raceway submitted to the Board the policies and procedures and claim forms in accordance with the directive stated.

On January 6, 2012, Catskill Regional Off-Track Betting Corporation submitted to the Board the policies and procedures and claim forms in accordance with the directive stated.

On January 6, 2012, Suffolk Regional Off-Track Betting Corporation submitted to the Board the policies and procedures and claim forms in accordance with the directive stated. A revision was received the same day.

On January 6, 2012, Capital District Regional Off-Track Betting Corporation submitted to the Board the policies and procedures and claim forms in accordance with the directive stated.

On January 6, 2012, Nassau Regional Off-Track Betting Corporation submitted to the Board the policies and procedures and claim forms in accordance with the directive stated.

On January 6, 2012, Saratoga Harness submitted to the Board the policies and procedures and claim forms in accordance with the directive stated. An additional letter was received on January 9, 2012.

On January 6, 2012, Monticello Raceway submitted to the Board the policies and procedures and claim forms in accordance with the directive stated. A revision was received on January 10, 2012.

On January 6, 2012, NYRA submitted to the Board the policies and procedures and claim forms in accordance with the directive stated.

On January 6, 2012, Western Regional Off-Track Betting Corporation submitted to the Board the policies and procedures and a claim form in accordance with the directive stated.

7. **SUFFOLK REGIONAL OTB - ONE YEAR RENEWAL OF QWIK BET AGREEMENT – FRED & JEAN INC., dba CHARLIE BROWN’S A-FRAME**
Pursuant to paragraph “Fifteenth” and “Seventeenth” of the Suffolk Regional Off-Track Betting Corporation Qwik Bet Agreement, Fred & Jean Inc., dba Charlie Brown’s A Frame elected to renew their agreement for an additional year.

F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED

1. **CAPITAL DISTRICT REGIONAL OTB – NEW BRANCH LOCATION AND CLOSURE OF BRANCH LOCATION – BRIDGEPORT (MADISON COUNTY)**
The approval of the opening of the new branch at 551 Route 31, Bridgeport was conditioned upon the New York State Racing and Wagering Board (Board) receiving a copy of the completed Certificate of Occupancy prior to the opening of the branch. This condition has been satisfied as a Certificate of Occupancy was issued by the Town of Sullivan, Madison County on December 27, 2011 and received by the Board on January 13, 2012.

The meeting adjourned at 1:50 p.m.