



**MINUTES  
NEW YORK STATE RACING AND WAGERING BOARD  
MEETING OF JULY 29, 2011**

**A meeting of the New York State Racing and Wagering Board was held on Friday, July 29, 2011 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 11:03 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  
Thomas Casaregola, Audits & Investigations  
Kristen Buckley, Acting Secretary to the Board

**Also in Attendance Were:**

Kenneth Council, Director of Administration  
Lee Park, NYSR&WB  
Nicole Robilotto, Director of Licensing  
Michelle Martin, NYSR&WB  
James Kellogg, NYSR&WB  
Michael Amo  
Thomas Spring, Capital OTB

**OPEN COMMENT PERIOD: Began: 11:03 a.m. Ended: 11:03 a.m.**

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

No further comments were made.

**A.** The Board approved the minutes of the Board meeting held on June 29, 2011.

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

**1. BATAVIA DOWNS/WESTERN REGIONAL OTB – EXPORT TO VARIOUS LOCATIONS IN 2011**

For entry into the minutes, on July 14, 2011, the New York State Racing and Wagering Board approved the Batavia Downs request to simulcast its harness racing programs for wagering purposes to the following New York State tracks from July 25 through December 3, 2011:

1. Buffalo Trotting Association.
2. Finger Lakes Racing Association, Inc.
3. Monticello Raceway
4. Saratoga Casino and Raceway.
5. Tioga Downs.
6. Vernon Downs.
7. Yonkers Raceway.

2. For entry into the minutes, on July 14, 2011, the New York State Racing and Wagering Board approved the Batavia Downs request to simulcast its harness racing programs for wagering purposes to Churchill Downs Incorporated from July 25 through December 3, 2011. This includes the following tracks and entities and their approved satellite sites:

1. Arlington Park (with thirty-two [32] secondary sites), Illinois.
2. Churchill Downs Racetrack (with twelve [12] secondary sites), Kentucky.
3. Churchill Downs Technology Initiatives Company (with seven [7] secondary sites).
4. Fair Grounds Race Course (with eleven [11] secondary sites), Louisiana.
5. Hoosier Park (with three [3] secondary sites), Indiana.
6. The Meadows (with five [5] secondary sites), Pennsylvania.
7. Oaklawn Park, Arkansas.

3. For entry into the minutes, on July 18, 2011, the New York State Racing and Wagering Board approved the Batavia Downs request to simulcast its harness racing programs for wagering purposes to the following tracks from July 25 through December 3, 2011:

1. Colonial Downs, Virginia.
  2. Delaware Racing Association, Delaware.
  3. Freehold Raceway, New Jersey.
  4. Harrington Raceway, Delaware.
  5. Hazel Park, Michigan.
  6. Indiana Downs (with two [2] secondary sites), Indiana.
  7. The Meadows, Pennsylvania.
  8. New Jersey Sports and Exposition Authority, New Jersey.
4. For entry into the minutes, on July 18, 2011, the New York State Racing and Wagering Board approved the Batavia Downs request to simulcast its harness racing programs for wagering purposes to the following New York Off-Track Betting Corporations from July 25 through December 3, 2011:
1. Capital District Regional Off-Track Betting Corporation.
  2. Catskill Regional Off-Track Betting Corporation.
  3. Nassau Regional Off-Track Betting Corporation.
  4. Suffolk Regional Off-Track Betting Corporation.
5. For entry into the minutes, on July 18, 2011, the New York State Racing and Wagering Board approved the Batavia Downs request to simulcast its harness racing programs for wagering purposes to the following tracks from July 25 through December 3, 2011:
1. Northfield Park, Ohio.
  2. Northville Racing Corporation, Michigan.
  3. Ocean Downs (with one [1] secondary site), Maryland.
  4. Plainridge Racecourse, Massachusetts.
  5. Mohegan Sun at Pocono Downs, Pennsylvania.
  6. The Red Mile, Kentucky.
  7. Sunland Park Racetrack, New Mexico.
  8. Lewiston Raceway (with four [4] secondary sites), Maine.
6. For entry into the minutes, on July 18, 2011, the New York State Racing and Wagering Board approved the Batavia Downs request to simulcast its harness racing programs for wagering purposes to the following entities from July 25 through December 3, 2011:
1. AmWest Entertainment LLC (with four [4] secondary sites), Kentucky.
  2. Day at the Track, California.
  3. EBet Technologies (with nine [9] secondary sites), Oregon.
7. For entry into the minutes, on July 25, 2011, the New York State Racing and Wagering Board approved the Batavia Downs request to simulcast its harness racing programs for wagering purposes to US Off-Track, LLC, Oregon from July 25 through December 3, 2011.

8. For entry into the minutes, on July 25, 2011, the New York State Racing and Wagering Board approved the Batavia Downs request to simulcast its harness racing programs for wagering purposes to the following entities from July 25 through December 3, 2011:
  1. The Racing Channel (with one [1] secondary site), Oregon.
  2. The Racing Network International, Inc. (with nine [9] secondary sites), Pennsylvania.

9. **BUFFALO RACEWAY – REQUEST TO CONDUCT A “LUCKY PROGRAM” PROMOTION ON SATURDAY, JULY 16, 2011**  
For entry into the minutes, on July 6, 2011, the New York State Racing and Wagering Board approved the July 5, 2011 Buffalo Trotting Association request to conduct a “Lucky Program” promotion on Saturday, July 16, 2011.

10. **BUFFALO RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2011**  
For entry into the minutes, on June 29, 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 Ellis Park Race Course, Kentucky from July 2 through September 5, 2011.

11. For entry into the minutes, on June 29, 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 The Meadows Racetrack from July 1 through December 31, 2011.

12. For entry into the minutes, on June 29, 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 Harrah’s Chester Downs, Pennsylvania from July 1 through September 30, 2011 under the same conditions established previously for 2011 simulcasts.

Approval was also provided for this simulcast through December 31, 2011 conditioned upon:

1. Issuance of consent by the Pennsylvania Harness Horsemen’s Association, Inc. for the simulcasting for the relevant period; and
  2. Filing of the Pennsylvania Harness Horsemen’s Association, Inc. consent with the Board prior to the start of the relevant period.
13. For entry into the minutes, on July 13, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Buffalo Trotting Association authorizing the simulcast for wagering purposes of races from Batavia Downs, New York from July 25 through December 3, 2011.

14. For entry into the minutes, on July 14, 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 Del Mar Thoroughbred Club, California from July 20 through September 7, 2011.
15. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO CONDUCT AN EZ-BET INCENTIVE PROGRAM DURING THE SARATOGA RACING SEASON (JULY 22 – SEPTEMBER 5)**  
For entry into the minutes, on July 13, 2011, the New York State Racing and Wagering Board approved the June 28, 2011 application by the Capital District Regional Off-Track Betting Corporation to conduct the specified Saratoga season EZ-Bet Incentive Program from Friday, July 22, 2011 to Monday, September 5, 2011.
16. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO CONDUCT VARIOUS PROMOTIONS DURING THE SARATOGA RACING SEASON (JULY 22 – SEPTEMBER 5)**  
For entry into the minutes, on July 14, 2011, the New York State Racing and Wagering Board approved the July 5, 2011 application by the Capital District Regional Off-Track Betting Corporation to conduct the specified Saratoga Season handicapping contests and promotion events from Friday, July 22, 2011 through Monday, September 5, 2011.
17. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO CONDUCT AN EVENING CELEBRATION AT THE ALBANY TELETHEATER**  
For entry into the minutes, on July 15, 2011, the New York State Racing and Wagering Board approved the July 14, 2011 application, as amended on July 15, 2011, by the Capital District Regional Off-Track Betting Corporation to conduct the specified "special evening celebration" at the Albany Teletheater on Saturday, July 16, 2011.
18. **CAPITAL DISTRICT REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2011**  
For entry into the minutes, on July 6, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Capital, Catskill, Nassau and Western Regional Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from Indiana Downs, Indiana from July 23 through November 9, 2011.
19. For entry into the minutes, on July 6, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Capital District Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Batavia Downs, New York from July 25 through December 3, 2011.

20. **CATSKILL REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2011**  
For entry into the minutes, on June 29, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Catskill, Capital, Nassau and Western Regional Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from Ellis Park Race Course, Kentucky from July 2 through September 5, 2011.
21. For entry into the minutes, on July 14, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Catskill, Capital, Nassau and Western Regional Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from Del Mar Thoroughbred Club, California from July 20 through September 7, 2011.
22. For entry into the minutes, on July 21, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Catskill Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Batavia Downs, New York from July 25 through December 3, 2011.
23. **FINGER LAKES RACETRACK – REQUEST TO CONDUCT PROMOTIONS**  
For entry into the minutes, on July 1, 2011, the New York State Racing and Wagering Board approved the June 23, 2011 application by the Finger Lakes Racing Association, Inc. to conduct the specified promotional events and handicapping challenges during July, August and September 2011.
24. **FINGER LAKES RACETRACK – IMPORT OF VARIOUS LOCATIONS IN 2011**  
For entry into the minutes, on July 14, 2011, 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 Del Mar Thoroughbred Club, California from July 20 through September 7, 2011.
25. For entry into the minutes, on July 26, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Finger Lakes Racing Association, Inc. authorizing the simulcast for wagering purposes of races from Batavia Downs, New York through December 3, 2011.
26. **MONTICELLO RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2011**  
For entry into the minutes, on June 29, 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 Pompano Park, Florida from July 1 through December 31, 2011.

27. For entry into the minutes, on June 29, 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 Harrah's Chester Downs, Pennsylvania from July 1 through September 30, 2011 under the same conditions established previously for 2011 simulcasts.

Approval was also provided for this simulcast through December 31, 2011 conditioned upon:

1. Issuance of consent by the Pennsylvania Harness Horsemen's Association, Inc. for the simulcasting for the relevant period; and
  2. Filing of the Pennsylvania Harness Horsemen's Association, Inc. consent with the Board prior to the start of the relevant period.
28. For entry into the minutes, on July 6, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Monticello Raceway authorizing the simulcast for wagering purposes of races from Batavia Downs, New York from July 25 through December 3, 2011.
  29. For entry into the minutes, on July 6, 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 Indiana Downs, Indiana from July 23 through November 9, 2011.
  30. For entry into the minutes, on July 14, 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 the Delaware County Fair, Ohio from September 20 through September 22, 2011.
  31. For entry into the minutes, on July 14, 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 Del Mar Thoroughbred Club, California from July 20 through September 7, 2011.
  32. **MONTICELLO RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2011**  
For entry into the minutes, on July 1, 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 2011 to Rosecroft Raceway, a secondary site associated with the previously approved simulcasts to Penn National Gaming, Inc.
  33. For entry into the minutes, on July 14, 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 2011 to Trackside Villa Park, a secondary site associated with the previously approved simulcasts to Arlington Park.

34. **NASSAU REGIONAL OTB – REQUEST TO CLOSE BRANCH - WANTAGH**  
For entry into the minutes, on July 25, 2011, the New York State Racing and Wagering Board approved the Nassau Regional Off-Track Betting Corporation’s request to amend its plan of operation to reflect the closure of its Wantagh branch located at 3430 Sunrise Highway, Wantagh New York.
35. **NASSAU REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2011**  
For entry into the minutes, on July 6, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Nassau Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Batavia Downs, New York from July 25 through December 3, 2011.
36. **NYRA – REQUEST TO OFFER GUARANTEED WAGERING POOLS DURING THE 2011 SARATOGA RACE MEETING**  
For entry into the minutes, on July 13, 2011, the New York State Racing and Wagering Board approved the July 7, 2011 New York Racing Association request to offer the following guaranteed pools during the 2011 Saratoga Race Meet:
1. A \$100,000 Pick 6 on every Thursday;
  2. A \$500,000 late Pick 4 on every Saturday except August 27; and
  3. A \$1,000,000 All Graded Stakes Pick 4 on August 27-Travers Day.
37. **NYRA – REQUEST TO CONDUCT 2011 SARATOGA RACE COURSE WAGERING PROMOTIONS**  
For entry into the minutes, on July 26, 2011, the New York State Racing and Wagering Board approved the July 17, 2011 New York Racing Association request, as clarified and deemed amended on July 18 and 20, 2011 to conduct the “Beat the Bugler” promotion on Thursday, August 4, 2011, “Serling Syndicate” promotion on Thursday, August 18, 2011, and the “Win Wager” promotion on Thursday, September 1, 2011.
38. **NYRA – IMPORT OF VARIOUS LOCATIONS IN 2011**  
For entry into the minutes, on June 29, 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 Ellis Park Race Course, Kentucky from July 2 through September 5, 2011.
39. For entry into the minutes, on July 11, 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 Hastings Racecourse, Vancouver, Canada through October 2, 2011.
40. For entry into the minutes, on July 14, 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 Del Mar Thoroughbred Club, California from July 20 through September 7, 2011.



41. **NYRA – EXPORT TO VARIOUS LOCATIONS IN 2011**  
For entry into the minutes, on June 29, 2011, 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 Ellis Park Race Course (with eleven [11] secondary sites), Kentucky from July 2 through September 5, 2011.
42. For entry into the minutes, on July 6, 2011, 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 2011 to [www.Betzotic.com](http://www.Betzotic.com), a secondary site associated with the previously approved simulcasts to Balmoral and Maywood Park.
43. For entry into the minutes, on July 14, 2011, 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 Wyoming Horse Racing, LLC (with two [2] secondary sites), Wyoming through December 31, 2011.
44. For entry into the minutes, on July 15, 2011, 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 Saratoga Casino and Raceway, New York from July 22 through September 5, 2011.
45. For entry into the minutes, on July 21, 2011, 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 2011 to Greenbrier OTB, a secondary site associated with the previously approved simulcasts to AmWest Entertainment, LLC.
46. **SARATOGA HARNESS – REQUEST TO CONDUCT THE “BACK TO THE TRACK” PROMOTION**  
For entry into the minutes, on July 1, 2011, the New York State Racing and Wagering Board approved the June 23, 2011 application by Saratoga Casino and Raceway to conduct promotional events and contests for the “Back To The Track” promotion to be held on Saturday, July 16, 2011.
47. **SARATOGA HARNESS – IMPORT OF VARIOUS LOCATIONS IN 2011**  
For entry into the minutes, on June 29, 2011, the New York State Racing and Wagering Board approved an amendment to the Saratoga Casino and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Ellis Park Race Course, Kentucky from July 2 through September 5, 2011.
48. For entry into the minutes, on June 29, 2011, the New York State Racing and Wagering Board approved an amendment to the Saratoga Casino and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Pompano Park, Florida from July 2 through December 31, 2011 under the same conditions as previously established for 2011.

49. For entry into the minutes, on July 6, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Saratoga Casino and Raceway authorizing the simulcast for wagering purposes of races from Batavia Downs, New York from July 25 through December 3, 2011.
50. For entry into the minutes, on July 14, 2011, the New York State Racing and Wagering Board approved an amendment to the Saratoga Casino and Raceway simulcast plan of operation authorizing the simulcast for wagering purposes of races from Del Mar Thoroughbred Club, California from July 20 through September 7, 2011.
51. For entry into the minutes, on July 15, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Saratoga Casino and Raceway authorizing the simulcast for wagering purposes of races from Saratoga Race Course, New York from July 22 through September 5, 2011.
52. **SARATOGA HARNESS – EXPORT TO VARIOUS LOCATIONS IN 2011**  
For entry into the minutes, on July 1, 2011, the New York State Racing and Wagering Board approved the Saratoga Casino and Raceway request to simulcast its harness racing programs for wagering purposes for the year 2011 to Rosecroft Raceway, a secondary site associated with the previously approved simulcasts to Penn National Gaming, Inc.
53. **SUFFOLK REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2011**  
For entry into the minutes, on June 29, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Suffolk Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Ellis Park Race Course, Kentucky from July 2 through September 5, 2011.
54. For entry into the minutes, on June 29, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Suffolk Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Pompano Park, Florida from July 2 through December 31, 2011 under the same conditions as previously established for 2011.
55. For entry into the minutes, on June 29, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Suffolk Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Harrah's Chester Downs, Pennsylvania from July 1 through September 30, 2011 under the same conditions established previously for 2011 simulcast.

Approval was also provided for this simulcast through December 31, 2011 conditioned upon:

1. Issuance of consent by the Pennsylvania Harness Horsemen's Association, Inc. for the simulcasting for the relevant period; and
  2. Filing of the Pennsylvania Harness Horsemen's Association, Inc. consent with the Board prior to the start of the relevant period.
56. For entry into the minutes, on July 6, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Suffolk Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Indiana Downs, Indiana from July 23 through November 9, 2011.
57. For entry into the minutes, on July 11, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Suffolk Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Batavia Downs, New York from July 25 through December 3, 2011.
58. For entry into the minutes, on July 14, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Suffolk Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from Del Mar Thoroughbred Club, California from July 20 through September 7, 2011.
59. For entry into the minutes, on July 19, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Suffolk Regional Off-Track Betting Corporation authorizing the simulcast for wagering purposes of races from River Downs, Ohio through September 5, 2011.
60. **TIOGA DOWNS – REQUEST PERMISSION TO HOST THE CASH IT OR STASH IT PROMOTION DURING THE 2011 RACE SEASON**  
For entry into the minutes, on July 13, 2011, the New York State Racing and Wagering Board approved the June 29, 2011 Tioga Downs request to conduct the Cash It or Stash It promotion during the 2011 racing season.
61. **TIOGA DOWNS – REQUEST TO CONDUCT A \$5,000 GUARANTEED PICK 4 POOL AND TO CHANGE THE PICK 4 RACES ON MONDAY, AUGUST 1, 2011**  
For entry into the minutes, on July 27, 2011, the New York State Racing and Wagering Board approved the Tioga Downs request by letter dated July 26, 2011 to conduct a \$5,000 guaranteed Pick 4 Pool on August 1, 2011 and to change the Pick 4 races on Monday, August 1, 2011 to races two through five in coordination with the World Drivers Championship.
62. **TIOGA DOWNS – REQUEST TO HOLD A DOUBLE DRAW ON THURSDAY, JULY 28, 2011**  
For entry into the minutes, on July 27, 2011, the New York State Racing and Wagering Board approved the July 27, 2011 Tioga Downs request to conduct a double draw on Thursday, July 27, 2011 for the races to be held on Sunday, July 31, 2011 and Monday, August 1, 2011.

63. **TIOGA DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2011**  
For entry into the minutes, on June 29, 2011, 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 Pompano Park, Florida from July 2 through December 31, 2011 under the same conditions as previously established for 2011.

64. For entry into the minutes, on June 29, 2011 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 Harrah's Chester Downs, Pennsylvania from July 1 through September 30, 2011 under the same conditions established previously for 2011 simulcast.

Approval was also provided for this simulcast through December 31, 2011 conditioned upon:

1. Issuance of consent by the Pennsylvania Harness Horsemen's Association, Inc. for the simulcasting for the relevant period; and
2. Filing of the Pennsylvania Harness Horsemen's Association, Inc. consent with the Board prior to the start of the relevant period.

65. For entry into the minutes, on July 6, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Tioga Downs authorizing the simulcast for wagering purposes of races from Batavia Downs, New York from July 25 through December 3, 2011.

66. For entry into the minutes, on July 21, 2011, the New York State Racing and Wagering Board approved an amendment to the American Racing -Tioga Downs Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Del Mar Thoroughbred Club, California from July 21 through September 7, 2011.

67. **VERNON DOWNS – REQUEST TO HOST THE PAT BENATAR MERCHANDISE DRAWING ON THURSDAY, JUNE 30TH**  
For entry into the minutes, on June 29, 2011, the New York State Racing and Wagering Board approved the June 24, 2011 Vernon Downs request to conduct the Pat Benatar Merchandise Drawing on Thursday, June 30, 2011.

68. **VERNON DOWNS – REQUEST PERMISSION TO HOST THE CASH IT OR STASH IT PROMOTION DURING THE 2011 RACING SEASON**  
For entry into the minutes, on July 13, 2011, the New York State Racing and Wagering Board approved the June 29, 2011 Vernon Downs request to conduct the Cash It or Stash It promotion during the 2011 racing season.

69. **VERNON DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2011**

For entry into the minutes, on June 29, 2011, 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 Pompano Park, Florida from July 2 through December 31, 2011 under the same conditions as previously established for 2011.

70. For entry into the minutes, on June 29, 2011, 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 Harrah's Chester Downs, Pennsylvania from July 1 through September 30, 2011 under the same conditions established previously for 2011 simulcast.

Approval was also provided for this simulcast through December 31, 2011 conditioned upon:

1. Issuance of consent by the Pennsylvania Harness Horsemen's Association, Inc. for the simulcasting for the relevant period; and
2. Filing of the Pennsylvania Harness Horsemen's Association, Inc. consent with the Board prior to the start of the relevant period.

71. For entry into the minutes, on July 6, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Vernon Downs authorizing the simulcast for wagering purposes of races from Batavia Downs, New York from July 25 through December 3, 2011.

72. For entry into the minutes, on July 21, 2011, the New York State Racing and Wagering Board approved an amendment to the American Racing -Vernon Downs Inc. simulcast plan of operation authorizing the simulcast for wagering purposes of races from Del Mar Thoroughbred Club, California from July 21 through September 7, 2011.

73. **WESTERN REGIONAL OTB/BATAVIA DOWNS – REQUEST TO CONDUCT A VARIETY OF PROMOTIONS FOR THE 2011 RACING SEASON**

For entry into the minutes, on July 6, 2011, the New York State Racing and Wagering Board approved the June 1, 2011 application by the Western Regional Off-Track Betting Corporation to conduct specified Batavia Downs Casino and Western Regional Off-Track Betting Corporation 2011 promotions and contests.

74. **WESTERN REGIONAL OTB/BATAVIA DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2011**

For entry into the minutes, on June 29, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Western, Capital, Catskill and Nassau Regional Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from Pompano Park, Florida from July 2 through December 31, 2011 under the same conditions as previously established for 2011.

75. For entry into the minutes, on June 29, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Western, Capital, Catskill and Nassau Regional Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from Harrah's Chester Downs, Pennsylvania from July 1 through September 30, 2011 under the same conditions established previously for 2011 simulcasts.

Approval was also provided for this simulcast through December 31, 2011 conditioned upon:

1. Issuance of consent by the Pennsylvania Harness Horsemen's Association, Inc. for the simulcasting for the relevant period; and
  2. Filing of the Pennsylvania Harness Horsemen's Association, Inc. consent with the Board prior to the start of the relevant period.
76. For entry into the minutes, on July 19, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Western, Capital, Catskill and Nassau Regional Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from River Downs, Ohio through September 5, 2011.

77. **YONKERS RACEWAY – REQUEST TO CONDUCT THE USTA “BACK TO THE TRACK” PROMOTION (JULY 15 & JULY 16)**

For entry into the minutes, on July 15, 2011, the New York State Racing and Wagering Board approved the Yonkers Raceway request by letter dated July 8, 2011 to conduct USTA “Back To The Track” promotions on Friday, July 15, 2011 and Saturday, July 16, 2011.

The Board also approved participation in the specified multi-track Pick 4 Wager.

78. **YONKERS RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2011**

For entry into the minutes, on July 6, 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 Ocean Downs, Maryland through August 28, 2011.

79. For entry into the minutes, on July 6, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of Yonkers Raceway authorizing the simulcast for wagering purposes of races from Batavia Downs, New York from July 25 through December 3, 2011.
80. For entry into the minutes, on July 6, 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 Harrah's Chester Downs, Pennsylvania through September 30, 2011 under the same conditions established previously for 2011 simulcasts.

Approval was also provided for this simulcast through December 31, 2011 conditioned upon:

1. Issuance of consent by the Pennsylvania Harness Horsemen's Association, Inc. for the simulcasting for the relevant period; and
  2. Filing of the Pennsylvania Harness Horsemen's Association, Inc. consent with the Board prior to the start of the relevant period.
81. For entry into the minutes, on July 13, 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 Ellis Park Race Course, Kentucky through September 5, 2011.
82. For entry into the minutes, on July 14, 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 through December 31, 2011 under the same conditions established previously for 2011 simulcasts.
83. For entry into the minutes, on July 18, 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 Del Mar Thoroughbred Club, California from July 20 through September 7, 2011.
84. **YONKERS RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2011**  
For entry into the minutes, on July 1, 2011, 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 2011 to Rosecroft Raceway, a secondary site associated with the previously approved simulcasts to Penn National Gaming, Inc.
85. For entry into the minutes, on July 6, 2011, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to Victory Land Greyhound Park, Alabama through December 31, 2011.
86. For entry into the minutes, on July 6, 2011, 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 2011 to [www.Betzotic.com](http://www.Betzotic.com), a secondary site associated with the previously approved simulcasts to Balmoral and Maywood Park.

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

1. **VERNON DOWNS – HOTEL EXPANSION – EXPAND PAVED OUTDOOR PARKING AREA ON THE EAST END OF THE HOTEL STRUCTURE**

For entry into the minutes, pursuant to Section 322 of the New York State Racing, Pari-Mutuel Wagering and Breeding Law, on July 1, 2011, the New York State Racing and Wagering Board approved the request by Vernon Downs for issuance of a permit to expand their parking lot.

2. **WESTERN REGIONAL OTB – REQUEST TO CLOSE BRANCH FACILITY AT 1159 BROADWAY IN BUFFALO AND RE-OPEN A BRANCH FACILITY AT 13 EAST MOHAWK IN BUFFALO**

For entry into the minutes, on July 11, 2011, the New York State Racing and Wagering Board approved an amendment to the Western Regional Off-Track Betting Corporation simulcast plan of operation to reflect the closure of the branch facility at 1159 Broadway in Buffalo and the reopening of a branch at 13 East Mohawk in Buffalo effective July 15, 2011.

3. **BUFFALO RACEWAY – REQUEST FOR LICENSING EXEMPTION - COUNTY FAIR RACES**

For entry into the minutes, on July 14, 2011, pursuant to Board Rule 4101.24(b)(2), the New York State Racing and Wagering Board approved the July 11, 2011 application of the Buffalo Trotting Association to provide an exemption from occupational licensing requirements for County Fair participants at Buffalo Raceway on July 20, 2011. This approval was valid for July 20, 2011 only and was conditioned on strict adherence to the procedures set forth in the application.

4. **NYRA – REQUEST EXTENSION OF LICENSURE EXEMPTION TO SEASONAL EMPLOYEES FOR SARATOGA RACE MEET**

For entry into the minutes, on July 18, 2011, pursuant to Board Rule 4002.1(b)(2), the New York State Racing and Wagering Board approved the July 15, 2011 request of the New York Racing Association, Inc. for a licensing exemption for certain temporary employees at the 2011 Saratoga Race Course Meeting.

5. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO OPERATE A MOBILE BRANCH AT TELETHEATER AT 711 CENTRAL AVE., ALBANY (JULY 22 – SEPTEMBER 5)**

For entry into the minutes, on July 18, 2011, the New York State Racing and Wagering Board (Board) approved an amendment to the Capital District Regional Off-Track Betting Corporation's simulcast plan of operation to reflect approval of the July 13, 2011 request to operate a Mobile Branch in the parking lot of the Teletheater at 711 Central Avenue, Albany, New York from July 22, 2011 to September 5, 2011 (11:00 a.m. to 11:00 p.m.) pursuant to the mobile wagering plan of operation previously approved by the Board, and the information provided with this request and subsequent communications with Board staff.

6. **NYRA – REQUEST FOR DESIGNATION OF 9 OFF-TRACK PREMISES AS NYRA BARN AREAS FOR THE 2011 SARATOGA RACE COURSE MEETING**

For entry into the minutes, on July 21, 2011, the New York State Racing and Wagering Board ("Board") approved the July 19, 2011 application of The New York Racing Association, Inc. ("NYRA"), as clarified on July 20 and 21, 2011, for



authorization to deem nine (9) specified off-track premises/properties to be NYRA on-track premises for the purposes of compliance with Board rules and requirements, including Rule 4043.2(b). This written approval is effective from July 22, 2011 through and including the final date of the 2011 Saratoga Race Course meeting. It is limited to the following nine (9) properties in Saratoga Springs for which thirteen (13) specific trainers have submitted written consents to this arrangement, including recognition of the fact that these premises will be subject to the Rules of the Board.:

1. 44 Gridley Avenue (Bond)
2. 39 Gridley Avenue (Weaver)
3. 144 Jefferson Street (McPeck)
4. 13 Bowman Street (Miller)
5. Gridley Avenue (between Jackson/Adams) (Brown, Disanto, Penna)
6. 36 Nelson Avenue (McLaughlin, Albertrani, Surour, Harty)
7. 360 Caroline Street (McLaughlin)
8. 357 Caroline Street (Reinacher)
9. 63 Hennig Road (Lukas)

**7. NYRA – REQUEST FOR DESIGNATION OF OFF-TRACK PREMISES AS NYRA BARN AREAS FOR THE 2011 SARATOGA RACE COURSE MEETING – TWO ADDITIONAL TRAINERS**

For entry into the minutes, on July 26, 2011, the New York State Racing and Wagering Board ("Board") approved the July 25, 2011 application of The New York Racing Association, Inc. ("NYRA") for authorization to deem two specified off-track premises/properties to be NYRA on-track premises in relation to trainers Kingsley and Lerman for the purposes of compliance with Board rules and requirements, including Rule 4043.2(b). This written approval is effective from July 22, 2011 through and including the final date of the 2011 Saratoga Race Course meeting. It is limited to the following properties in Saratoga Springs on which the two specified trainers have submitted written consents to this arrangement, including recognition of the fact that these premises will be subject to the Rules of the Board.:

1. 39 Gridley Avenue (Roy S. Lerman)
2. 13 Bowman Street (Arch Kingsley)

**8. MONTICELLO RACEWAY – REQUEST TO HOST THE WORLD CUP DRIVING CHAMPIONSHIP ON AUGUST 3RD**

For entry into the minutes, on July 27, 2011, the New York State Racing and Wagering Board approved the Monticello Raceway request by letter dated July 11, 2011 for permission to conduct four races with ten horse fields, including one race at a distance of either 1 and 3/4 or 1 and 1/16 mile in the discretion of the Racing Secretary (depending on heat and the actual number of starters), as part of the 2011 World Driving Championships to be held on Wednesday, August 3, 2011.

**9. TIOGA DOWNS – REQUEST TO HOST A LEG OF THE WORLD DRIVING CHAMPIONSHIP ON AUGUST 1ST AND TO HAVE (4) TEN HORSE FIELDS AND ALSO RACE ONE OF THE FOUR RACES AT THE DISTANCE OF A MILE AND A QUARTER**

For entry into the minutes, on July 27, 2011, the New York State Racing and Wagering Board approved the Tioga Downs requests dated July 11 and 20, 2011 for permission to conduct four races with ten horse fields, including one race at a distance of 1 and 1/4 mile as part of the 2011 World Driving Championships to be held on Monday, August 1, 2011. Post-time for the program will be 6:00 p.m.

10. **YONKERS RACEWAY – REQUEST TO CONDUCT THE FINALS OF “THE WORLD DRIVING CHAMPIONSHIP” ON AUGUST 5TH**

For entry into the minutes, on July 27, 2011, the New York State Racing and Wagering Board approved the Yonkers Raceway request by letter dated July 11, 2011 and subsequent conversation with Board staff on July 27, 2011 for permission to conduct four races with ten horse fields, including one race at a distance not to exceed 1 and 1/4 mile in the discretion of the Racing Secretary as part of the 2011 World Driving Championships to be held on Friday, August 5, 2011.

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

1. **BONNIE CASTLE DOWNS, INC. – CERTIFICATE OF INCORPORATION OF BONNIE CASTLE DOWNS, INC.**

Pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 302, the New York State Racing and Wagering Board approved and indorsed the certificate of incorporation of Bonnie Castle Downs, Inc., thus permitting its filing with the New York State Department of State.

2. **BUFFALO RACEWAY – REQUEST TO DEMOLISH THREE BARNS AND BUILD THREE NEW BARNS**

The New York State Racing and Wagering Board approved the request of the Buffalo Trotting Association for the demolition of three barns and the construction of three new barns to take their place. This approval was issued pursuant to Section 322 of the New York State Racing and Wagering, Pari-Mutuel Wagering and Breeding Law.

3. **AMEND FILING OF WRITTEN REPORTS TO THE BOARD REGARDING PLAYER REWARDS PROGRAMS FOR NYRA, SARATOGA HARNESS, TIOGA DOWNS, VERNON DOWNS, CAPITAL OTB, NASSAU OTB AND SUFFOLK OTB FROM QUARTERLY TO AN ANNUAL BASIS**

The New York State Racing and Wagering Board amended the previously established requirement for the quarterly filing of Player Rewards Program reports (for NYRA, Saratoga Harness, Tioga Downs, Vernon Downs, Capital OTB, Nassau OTB and Suffolk OTB) to an annual filing requirement. In addition, staff revised and eliminated some of the reports.

4. **CAPITAL DISTRICT REGIONAL OTB – NEW EZ-BET – OASIS SPORTS BAR – WEST COXSACKIE**

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 operation of an EZ Bet simulcast facility located in Oasis Sports Bar, 12800 Rt. 9W, West Coxsackie, NY.

5. **WESTERN REGIONAL OTB – REQUEST TO CLOSE TWO BRANCHES (445 W. COMMERCIAL ST – EAST ROCHESTER AND 2231 EMPIRE BLVD. – WEBSTER) AND OPEN A NEW ENHANCED BRANCH AT 44 EAST MAIN STREET - WEBSTER**

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

- Closure of the Branch at 445 West Commercial Street, East Rochester
- Closure of the Branch at 2231 Empire Blvd., Webster
- Opening a new enhanced branch at 44 Main Street, Webster.

6. **WESTERN REGIONAL OTB – NEW EZ-BET – STICK’S SPORTSBAR – NEW HAVEN**

The New York State Racing and Wagering Board approved an amendment to the Western Regional Off-Track Betting Corporation simulcast plan of operation authorizing the operation of an EZ Bet simulcast facility located in Stick’s Sportsbar Grill & Motel, 3738 Route 6, New Haven, NY.

7. **SARATOGA HARNESS – REQUEST TO AMEND ACCOUNT WAGERING PLAN OF OPERATION FOR NEW ELECTRONIC PAYMENT PROCESSOR – ADMERIS PAYMENT SYSTEMS**

The Board deferred action on this request.

8. **IN THE MATTER OF JUAN SANCHEZ**

The New York State Racing and Wagering Board accepted the recommendation of Hearing Officer Clemente J. Parente that the existing license of Juan Sanchez be revoked and that any pending applications be denied based on criminal-related matters, use of forged documents, misrepresentations on his license application, and his status of ineligibility to reside and work in the United States.

9. **IN THE MATTER OF CHRISTIANA J. PEZZULA**

The New York State Racing and Wagering Board accepted the recommendation of Hearing Officer Clemente J. Parente that the refusal to license Christiana J. Pezzula be affirmed based on Ms. Pezzula’s failure to disclose criminal convictions.

10. **IN THE MATTER OF ANGELO J. NAPPO**

The Board adopted the Hearing Officer’s recommended findings and conclusions except as to penalty and found that Angelo J. Nappo violated Board Rules 4120.2, 4120.4 and 4120.6 in that on October 6, 2010 he injected a drug into a horse trained by him on raceday at Batavia Downs and possessed hypodermic equipment while on the grounds of a licensed harness track. The Board revoked Mr. Nappo’s license, imposed a \$250 fine, and ordered that Mr. Nappo is ineligible to reapply for a racing license for a minimum period of two (2) years from the date of the October 13, 2010 summary suspension of his license.

11. **IN THE MATTER OF MATTHEW A. MEDEIROS**

The Board adopted the Hearing Officer's recommended findings and conclusions with modification as to penalty. The Board affirmed the decisions of the Presiding Judge at Yonkers Raceway that Matthew A. Medeiros, as responsible trainer, violated Board Rules 4120.13 and 4120.4 in that he trained a non-lasix horse that competed at Yonkers Raceway on April 10, 2010 with a pre-race TCO<sub>2</sub> level of 37 millimoles per liter or more, and that this constitutes the third violation of Rules 4120.13 and 4120.4. The Board imposed a penalty of license revocation with a \$5000 fine, denial of any pending license applications, and ordered that Mr. Medeiros is ineligible to reapply for a racing license for a minimum period of five (5) years.

12. **IN THE MATTER OF JOSEPH E. MARINO**

The New York State Racing and Wagering Board accepted the recommendation of Hearing Officer Clemente J. Parente that the thoroughbred trainer license of Joseph E. Marino be suspended for 30 days with the imposition of a \$500 fine in relation to the post-race acepromazine positive in the horse "Abby Morgan", trained by him, which competed in the 9<sup>th</sup> race at Finger Lakes Racetrack on August 26, 2010 in violation of Board Rules 4043.2(g)(1) and 4043.4.

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

1. **INDIAN GAMING/LICENSING STATISTICS**

Licensing statistics for June 1, 2011 through June 30, 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 June 30, 2011 since January 1, 2011 were as follows: total receipts 8,871 and total licenses 6,557 for the year 2011.

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

List of bell jar tickets authorized/denied by the Charitable Gaming Unit between June 1, 2011 and June 30, 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 June 16, 2011 through July 7, 2011.

5. **2011 LICENSED SUPPLIERS**

List of licensed suppliers - manufacturers' and distributors' licenses issued for the time period of June 1, 2011 through June 30, 2011.

6. **NYRA – NOTICE OF INTENT TO CONDUCT RACING AT AQUEDUCT DURING WINTER OF 2011-2012**

On July 28, 2011, the New York State Racing and Wagering Board acknowledged receipt of a letter dated July 15, 2011 from the New York Racing Association, Inc.

regarding NYRA's intention to conduct a race meeting at Aqueduct Racetrack during the months of December 2011, January, 2012, February 2012, March 2012 and April 2012, in order to have the pari-mutuel tax rate set forth in subsection (a) of Section 238.1(d) be effective.

**7. SARATOGA HARNESS – 2011 PLAYER REWARDS FIRST QUARTER RESULTS**

The reports for the Saratoga Casino and Raceway Player Rewards first quarter results of 2011 were filed with the Board.

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

None.

**The meeting adjourned at 11:41 a.m.**