



**MINUTES
NEW YORK STATE RACING AND WAGERING BOARD
MEETING OF OCTOBER 23, 2012**

A meeting of the New York State Racing and Wagering Board was held on Tuesday, October 23, 2012 at 11:00 a.m. at the Racing & Wagering Board's Schenectady Office located at 1 Broadway Center, Suite 600, Schenectady, New York.

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

In Attendance Were:

John D. Sabini, Chairman
Daniel D. Hogan, Member
Charles J. Diamond, Member
Ronald G. Ochrym, Executive Director
Robert Feuerstein, General Counsel
Thomas Casaregola, Audits & Investigations
Kristen Buckley, Acting Secretary to the Board

Also in Attendance Were:

Kenneth Council, Deputy Executive Director
Lee Park, NYSR&WB
Stacy Harvey, NYSR&WB
Michelle Martin, NYSR&WB
James Kellogg, NYSR&WB
Patrick Wade, NYSR&WB
Mark Stuart, NYSR&WB
Rick Goodell, NYSR&WB
Jim Crane, Crane Consulting Group
Bill Crowell, Whiteman, Osterman

OPEN COMMENT PERIOD: Began: 11:05 a.m. Ended: 11:05 a.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 meetings held on September 27, 2012 and October 11, 2012.

B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR

1. BUFFALO RACEWAY – REQUEST TO CONDUCT THE BREEDERS’ CUP MYSTERY VOUCHER PROMOTION

For entry into the minutes, on October 3, 2012, the New York State Racing and Wagering Board approved the September 26, 2012 Buffalo Trotting Association request to conduct the Breeders Cup Day Mystery Voucher Promotion on Saturday, November 3, 2012.

2. CAPITAL DISTRICT REGIONAL OTB – REQUEST TO CONDUCT “ROAD TO THE BREEDERS’ CUP” PROMOTION DAYS AND BREEDERS’ CUP DAY PROMOTIONS

For entry into the minutes, on October 1, 2012, the New York State Racing and Wagering Board approved the September 21, 2012 application by the Capital District Regional Off-Track Betting Corporation to conduct the “Road To The Breeders’ Cup” promotion days and Breeders’ Cup Day promotions at the Clubhouse Race Book.

3. CAPITAL DISTRICT REGIONAL OTB – REQUEST TO CONDUCT THE STEVEN CRIST PICK 4 PROMOTION AND THE \$6,000 BREEDERS’ CUP BANKROLL

For entry into the minutes, on October 3, 2012, the New York State Racing and Wagering Board approved the September 25, 2012 application by the Capital District Regional Off-Track Betting Corporation to conduct the Steven Crist Pick 4 promotion on Sunday, October 28, 2012 at the Clubhouse Race Book and the \$6,000 Breeders’ Cup Bankroll at the Clubhouse Race Book on Friday, November 2 and Saturday, November 3, 2012.

4. CAPITAL DISTRICT REGIONAL OTB – REQUEST TO CONDUCT THE BET \$100 GET \$100 PROMOTION

For entry into the minutes, on October 11, 2012, the New York State Racing and Wagering Board approved the October 5, 2012 application by the Capital District Regional Off-Track Betting Corporation to conduct the Bet \$100 Get \$100 for New Capital Bets account holders from Friday, October 26, 2012 through Thursday, November 1, 2012.

5. **FINGER LAKES RACETRACK – REQUEST TO CONDUCT EZ-BET ACCOUNT HOLDER IPAD DRAWINGS**
For entry into the minutes, on October 3, 2012, the New York State Racing and Wagering Board approved the September 14, 2012 application by the Finger Lakes Racing Association, Inc. to conduct EZ-Bet Account Holder iPad Drawings with the drawings to be held on December 1, 2012.
6. **FINGER LAKES RACETRACK – REQUEST TO CHANGE POST-TIME POST-TIME**
For entry into the minutes, on October 19, 2012, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request by letter dated October 11, 2012 to change their post-time on Saturday, November 3, 2012 from 1:10 p.m. to 12:00 p.m.
7. **FINGER LAKES RACETRACK – EXPORT TO VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on October 1, 2012, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs for wagering purposes to Wyoming Horse Racing LLC (with four [4] secondary sites: Evanston Wyoming OTB, TRA Code EVA; Rock Springs Wyoming OTB, TRA Code ROS; Casper Wyoming OTB, TRA Code CSL and Cheyenne Wyoming OTB, TRA Code CVP), Wyoming through the calendar year 2012. **Not Approved** for Riverton Wyoming OTB, TRA Code RBS.
8. For entry into the minutes, on October 3, 2012, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs for wagering purposes for the year 2012 to the following secondary sites associated with the previously approved simulcasts to Arapahoe Park:
 1. Whiskey River, TRA Code BDW.
 2. Monte Cristo, TRA Code TDD.
9. For entry into the minutes, on October 11, 2012, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request to simulcast its thoroughbred racing programs for wagering purposes for the year 2012 to Luckity.com, TRA Code LKY, a secondary site associated with the previously approved simulcasts to Churchill Downs Incorporated.
10. **MONTICELLO RACEWAY – REQUEST TO CONDUCT NORTH AMERICAN AMATEUR DRIVERS ASSOCIATION SERIES RACES IN CONJUNCTION WITH YONKERS RACEWAY**
For entry into the minutes, on October 1, 2012, the New York State Racing and Wagering Board approved the Monticello Raceway request by letter dated September 25, 2012, permission to conduct North American Amateur Drivers Association Series races on Thursday, October 18, 2012, Thursday, November 1, 2012, Thursday, November 15, 2012 and the consolation of the series to be held Wednesday, November 28, 2012.

11. **MONTICELLO RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on October 11, 2012, 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 Luckity.com, TRA Code LKY, a secondary site associated with the previously approved simulcasts to Churchill Downs Incorporated.
12. For entry into the minutes, on October 19, 2012, 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 Jackpot Casino, Red Deer, TRA Code JRD, a secondary site associated with the previously approved simulcasts to Rocky Mountain Turf Club, Inc.
13. **NYRA – REQUEST APPROVAL OF NEW RACING OFFICIAL – ALEXANDER CHAN**
For entry into the minutes, pursuant to Board Rule 4005.1, on October 11, 2012, the New York State Racing and Wagering Board approved the request of the New York Racing Association to employ Dr. Alexander Chan as an examining/lasix veterinarian for the remainder of the 2012 racing season.
14. **NYRA – IMPORT OF VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on October 19, 2012 the New York State Racing and Wagering Board approved the New York Racing Association request to conduct advanced wagering on the Saturday, November 3, 2012 Breeders’ Cup World Championship card on Friday, November 2, 2012. This includes the two day Breeders’ Cup Classic Daily Double.
15. **NYRA – EXPORT TO VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on October 3, 2012, 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 2012 to Club Alouette, TRA Code CA1, a secondary site associated with the previously approved simulcasts to WinRac Development, Inc.
16. **SARATOGA HARNESS – REQUEST TO CONDUCT “TRIFECTA BONANZA” AND “SCRATCH ‘N’ WIN MYSTERY VOUCHER” PROMOTIONS**
For entry into the minutes, on October 19, 2012, the New York State Racing and Wagering Board approved the September 28, 2012 application by Saratoga Casino and Raceway to conduct the “Trifecta Bonanza” promotion on Saturday, November 3, 2012 and the “Scratch ‘n’ Win Mystery Voucher” promotion on Sunday, November 11, 2012.
17. **SARATOGA HARNESS – REQUEST TO CONDUCT THE BREEDERS’ CUP MYSTERY VOUCHER PROMOTION**
For entry into the minutes, on October 3, 2012, the New York State Racing and Wagering Board approved the Saratoga Casino and Raceway’s request to simulcast its

harness racing programs for wagering purposes to Rocky Mountain Turf Club (with seventeen [17] secondary sites: ABS Casino Calgary, TRA Code WUC; Airdrie Hotel, TRA Code WUA; Black Diamond Hotel, TRA Code BDH; Champs Sports Lounge, Grand Prairie, TRA Code CSB; Elbow River Casino, Calgary, TRA Code WUE; Evergreen Park, Grand Prairie, TRA Code EGP; Hit The Board, Thehorseonline, TRA Code WUB; Hit The Board/THR, TRA Code HIT; Longshots, Fort McMurray, TRA Code LGS; Okotoks Inn, TRA Code WUO; Players Club, Camrose, TRA Code PYC; Schanks Athletic Club North, TRA Code WU2; Schanks Athletic Club, Calgary, TRA Code WUS; Skips Sports Bar, Calmar, TRA Code SKB; Smoky Lane Inn, TRA Code SML; Whoop Up Downs, TRA Code WUP and Whoop Up TAB, TRA Code WUT), Alberta, Canada for the calendar year 2012. **Not Approved** for Jackpot Casino, Red Deer, TRA Code JRD.

18. **SARATOGA HARNESS – EXPORT TO VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on October 19, 2012, 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 2012 to Luckity.com, TRA Code LKY, a secondary site associated with the previously approved simulcasts to Churchill Downs Incorporated.
19. For entry into the minutes, on October 19, 2012, 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 2012 to Luckity.com, TRA Code LKY, a secondary site associated with the previously approved simulcasts to Churchill Downs Incorporated.
20. For entry into the minutes, on October 19, 2012, 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 2012 to Jackpot Casino, Red Deer, TRA Code JRD, a secondary site associated with the previously approved simulcasts to Rocky Mountain Turf Club, Inc.

21. **SUFFOLK REGIONAL OTB – REQUEST TO HOLD CONDUCT GRAND OPENING CEREMONIES AND DRAWINGS AT THREE NEW QWIK BET LOCATIONS**

For entry into the minutes, on October 3, 2012, the New York State Racing and Wagering Board approved the September 26, 2012 application by the Suffolk Regional Off-Track Betting Corporation to conduct the Grand Opening Ceremonies and Drawings at the Lily Flanagan's Qwik Bet location on or about Saturday, October 27, 2012, at the Carmody's Qwik Bet location on or about Friday, November 2, 2012 and at the Pub 347 Qwik Bet location on or about Saturday, November 3, 2012.

22. **VERNON DOWNS – EXPORT TO VARIOUS LOCATIONS IN 2012**

For entry into the minutes, on October 3, 2012, the New York State Racing and Wagering Board approved the Vernon Downs's request to simulcast its harness racing programs for wagering purposes to Rocky Mountain Turf Club (with seventeen [17] secondary sites: ABS Casino Calgary, TRA Code WUC; Airdrie Hotel, TRA Code WUA; Black Diamond Hotel, TRA Code BDH; Champs Sports Lounge, Grand Prairie, TRA Code CSB; Elbow River Casino, Calgary, TRA Code WUE; Evergreen Park, Grand Prairie, TRA Code EGP; Hit The Board, Thehorseonline, TRA Code WUB; Hit The Board/THR, TRA Code HIT; Longshots, Fort McMurray, TRA Code LGS; Okotoks Inn, TRA Code WUO; Players Club, Camrose, TRA Code PYC; Schanks Athletic Club North, TRA Code WU2; Schanks Athletic Club, Calgary, TRA Code WUS; Skips Sports Bar, Calmar, TRA Code SKB; Smoky Lane Inn, TRA Code SML; Whoop Up Downs, TRA Code WUP and Whoop Up TAB, TRA Code WUT), Alberta, Canada for the calendar year 2012. **Not Approved** for Jackpot Casino, Red Deer, TRA Code JRD.

23. For entry into the minutes, on October 11, 2012, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its harness racing programs for wagering purposes for the year 2012 to the following secondary sites associated with the previously approved simulcasts to Churchill Downs Incorporated:

1. Luckcity.com, TRA Code LKY.
2. Trackside Villa Park, TRA Code APP.
3. Trackside Orland Hills, TRA Code APO.

24. For entry into the minutes, on October 19, 2012, the New York State Racing and Wagering Board approved the Vernon Downs request to simulcast its harness racing programs for wagering purposes for the year 2012 to Jackpot Casino, Red Deer, TRA Code JRD, a secondary site associated with the previously approved simulcasts to Rocky Mountain Turf Club, Inc.

25. **WESTERN REGIONAL OTB – REQUEST TO CONDUCT SELF SERVICE TERMINAL WAGER GIVEAWAYS**

For entry into the minutes, on October 3, 2012, the New York State Racing and Wagering Board approved the Western Regional Off-Track Betting Corporation request by letter dated September 20, 2012 to conduct a Self Service Terminal Wager Giveaway at all branches and EZ Bet facilities from November 1 through December 31, 2012.

26. **WESTERN REGIONAL OTB – REQUEST TO CLOSE EZ-BET FACILITY IN NEW HAVEN**
For entry into the minutes, on October 11, 2012, the New York State Racing and Wagering Board approved the request by the Western Regional Off-Track Betting Corporation to amend its plan of operation to reflect the closure of the Stick's Sports Bar EZ Bet facility located at 3738 County Route 6, New Haven, New York 13121.
27. **YONKERS RACEWAY – REQUEST TO CONDUCT NORTH AMERICAN AMATEUR DRIVERS ASSOCIATION SERIES RACES IN CONJUNCTION WITH MONTICELLO RACEWAY**
For entry into the minutes, on October 1, 2012, the New York State Racing and Wagering Board approved the Yonkers Raceway request by letter dated September 25, 2012, permission to conduct North American Amateur Drivers Association Series races on Thursday, October 25, 2012, Thursday, November 8, 2012, and the final of the series to be held Thursday, November 29, 2012.
28. **YONKERS RACEWAY – REQUEST TO ALLOW RACING 2DAY TO SHOW VIDEO REPLAYS**
For entry into the minutes, on October 19, 2012, the New York State Racing and Wagering Board approved the request of Yonkers Raceway to allow Racing 2Day to show video replays of races from Yonkers Raceway through December 31, 2012.
29. **YONKERS RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on October 3, 2012, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation to authorize the simulcast for wagering purposes of races from the following tracks:
1. Santa Anita Park, California through November 4, 2012.
 2. Keeneland Association, Kentucky from October 5 through October 27, 2012.
30. For entry into the minutes, on October 11, 2012, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation to authorize the simulcast for wagering purposes of races from Hawthorne Racecourse, Illinois through December 30, 2012.
31. For entry into the minutes, on October 11, 2012, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation to authorize the simulcast for wagering purposes of races for the Monmouth Park Turf Meet at Meadowlands Racetrack (Monarch Content Management), New Jersey from October 12 through November 3, 2012.
32. For entry into the minutes, on October 18, 2012, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation to authorize the simulcast for wagering purposes of races for the Golden Gate Fields Race Track, California from October 18 through December 16, 2012.

33. For entry into the minutes, on October 19, 2012, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation to authorize the simulcast for wagering purposes of races from Delta Downs Racetrack, Louisiana from October 19 through December 31, 2012.
34. For entry into the minutes, on October 19, 2012, the New York State Racing and Wagering Board approved an amendment to the Yonkers Raceway simulcast plan of operation to authorize the simulcast for wagering purposes of races from Mohegan Sun at Pocono Downs, Pennsylvania through November 21, 2012.
35. **YONKERS RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2012**
For entry into the minutes, on October 3, 2012, 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 2012 to Club Alouette, TRA Code CA1, a secondary site associated with the previously approved simulcasts to WinRac Development, Inc.
36. For entry into the minutes, on October 19, 2012, 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 2012 to Jackpot Casino, Red Deer, TRA Code JRD, a secondary site associated with the previously approved simulcasts to Rocky Mountain Turf Club, Inc.
37. For entry into the minutes, on October 19, 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 Red Mile (with two [2] secondary sites: RedMileBets.com and Ellis Park), Kentucky for the calendar year 2012.

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

1. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO AMEND CASH REWARD PROGRAM – MODIFY QUARTERLY REWARDS BONUS**
For entry into the minutes, on October 3, 2012, the New York State Racing and Wagering Board approved the Capital District Regional Off-Track Betting Corporation's October 2, 2012 request to amend its quarterly rewards bonus program to issue rewards five days after the close of each quarter.
2. **FINGER LAKES RACETRACK – REQUEST TO APPROVE TOTALISATOR AGREEMENT WITH UNITED TOTE**
For entry into the minutes, on October 3, 2012, the New York State Racing and Wagering Board approved Finger Lakes Casino and Racetrack's request to implement the totalisator contract with United Tote as provided for in its September 5, 2012 application and subsequent correspondence with staff. Approval is granted through December 31, 2016.

3. **FINGER LAKES RACETRACK – REQUEST TO APPROVE FASTBET MOBILE**

For entry into the minutes, on October 3, 2012, the New York State Racing and Wagering Board approved Finger Lakes Casino and Racetrack’s request to implement FastBet Mobile as provided for in its September 5, 2012 application and subsequent correspondence with staff. The approval is conditioned on:

- Strict compliance with the application and subsequent correspondence with Board staff;
- FastBet Mobile can only be used via permanent Finger Lakes EZ Bet accounts; wagering through bearer accounts such is not permitted;
- All other terms and conditions of Finger Lakes Racetrack’s approved account wagering plan of operation remain in effect;
- FastBet Mobile and all wagering shall be conducted in compliance with all account wagering laws, rules and regulations.

4. **YONKERS RACEWAY – FALL HARVEST FESTIVAL**

For entry into the minutes, on October 3, 2012, the New York State Racing and Wagering Board approved the construction work detailed in the Office of General Services Construction permit dated September 28, 2012. This was for the Fall Harvest Festival held at Yonkers Raceway/Empire City facility on September 29, 2012. This request was approved pursuant to section 322 of the New York State Racing, Pari-Mutuel Wagering and Breeding Law.

D. ITEMS APPROVED, DENIED OR DEFERRED BY THE BOARD

1. **BUFFALO RACEWAY – REQUEST TO WITHDRAW \$23,000.00 FROM CIF**

The New York State Racing and Wagering Board approved the Buffalo Raceway request to withdraw \$23,000.00 from its Capital Improvement Fund for reimbursement of the following Capital Improvement Expenditures:

Backstretch (100%)

New Stalls in Paddock	<u>\$ 23,000.00</u>
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Total Approved	<u>\$ 23,000.00</u>
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2. **CATSKILL REGIONAL OTB – REQUEST FOR APPROVAL OF REWARDS PROGRAM**

The New York State Racing and Wagering Board approved the Catskill Regional Off-Track Betting Corporation’s request to implement the Interbets Players Rewards program as specified in its August 23, 2012 application and subsequent correspondence with staff. The approval is conditioned on:

- Catskill OTB shall provide annual written reports to the Board regarding the program. The reports shall include the total number of participants, total dollar amount awarded by pool types and category, total reward wagering handle by pool type, dollar amount of money awarded for in-state and out-of-state races and out-of-state races by pool type and category, and reward wagering handle on in-state and out-of-state races. The reports shall be submitted no later than March 15 following the close of the calendar year and shall be on Board provided forms;
 - Catskill OTB shall obtain the prior written consent of the host track prior to awarding rewards on such track.
3. **NASSAU REGIONAL OTB – NEW CONCESSIONAIRE AT CARLE PLACE BRANCH – RAJ & RAJ REALTY LTD. dba SINGH HOSPITALITY GROUP**
 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 approval of a new concessionaire for the Carle Place Branch located at 180 Glen Cove Road, Carle Place, New York. The new concessionaire is Herendra V. Singh.
4. **NYRA – REQUEST FOR TEMPORARY APPROVAL – ADDITIONAL CALL CENTER**
 The New York State Racing and Wagering Board approved the New York Racing Association’s request for partial utilization of the Portland, Oregon call center on November 2 & 3, 2012 pursuant to its October 9, 2012 application and subsequent correspondence with staff. The approval is conditioned on the following:
- Except in the case of a failure at the Amherst call center, the Portland call center shall handle a maximum of 10% of the telephone wagering calls on November 2 & 3, 2012 (Breeders’ Cup weekend);
 - All wagering shall revert back to the Amherst center beginning with wagering on November 4, 2012;
 - Only operators holding a valid New York State racing license shall handle wagering calls;
 - No later than November 9, 2012, NYRA shall file a report detailing the number of calls and handle processed through the Amherst and Portland call centers.
5. **NYRA – REQUEST TO AMEND INTERNET & ACCOUNT WAGERING PLAN OF OPERATION – ALLOW CANCELLATIONS VIA INTERNET**
 The New York State Racing and Wagering Board (Board) approved the New York Racing Association, Inc.’s (NYRA) request to amend its internet and account wagering plan of operation to implement a cancellation policy as provided for in its August 27, 2012 letter and subsequent correspondence with staff. The approval is conditioned on:
- Patrons may cancel wagers via the internet provided NYRA complies with the Board’s Cancellation Directive;
 - NYRA may establish cancellation thresholds more restrictive than the Board’s Cancellation Directive provided the policy is filed with the Board 48 hours prior to implementation;

- NYRA's cancellation policy shall be implemented and available uniformly to all bettors;
- NYRA may not implement the cancellation policy until satisfactory evidence of testing has been submitted to Board staff.

6. **NYRA – REQUEST TO AMEND INTERNET & ACCOUNT WAGERING PLAN OF OPERATION – TERMS AND CONDITIONS**

The New York State Racing and Wagering Board (Board) approved the New York Racing Association's (NYRA) request to amend its internet and account wagering plan of operation to update its terms and conditions as provided for in its September 4, 2012 letter and October 16, 2012 email. The Board expressed no opinion on the legality or enforceability of any of the terms and conditions. NYRA shall seek Board approval for any future modifications.

7. **WESTERN REGIONAL OTB – REQUEST TO AMEND PLAN OF OPERATION – ADD INTERNET WAGERING TO ACCOUNT WAGERING PLATFORM**

The New York State Racing and Wagering Board approved the Western Regional Off-Track Betting Corporation request to implement internet wagering. The Board approved the revised plan of operation submitted conditioned on the following:

- All wagering and related activities are conducted pursuant to the submitted plan of operation;
- Approval is limited to include internet wagering only; any expansion to include other electronic means requires additional Board approval;
- The computer servers processing the internet wagers must continue to be located in New York;
- Western OTB may offer wagering via the internet only for those tracks which have provided written consent and have obtained the proper regulatory approvals;
- Western OTB may offer race replays and live streaming via the internet only for those tracks which have provided written consent and have obtained the proper regulatory approvals;
- Western OTB shall utilize a unique TRA code that will discretely list handle and other wagering information in the TRA settlement file;
- Wagers are considered Western OTB wagers and subject to all Western OTB distributions including but not limited to pari-mutuel taxes, regulatory fees, breeders fund and regional track commissions;
- Wagering shall not commence until Board staff receives satisfactory documentation of test results and provides notice of their acceptance.

E. ITEMS FOR BOARD INFORMATION/DISCUSSION

1. **INDIAN GAMING/LICENSING STATISTICS**

Licensing statistics for September 1, 2012 through September 30, 2012. 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 September 30, 2012 since January 1, 2012 were as follows: total receipts 14,368 and total licenses 12,081 for the year 2012.
3. **GAMES OF CHANCE/BELL JAR TICKETS**
List of bell jar tickets authorized/denied by the Charitable Gaming Unit between September 1, 2012 and September 30, 2012.
4. **GAMES OF CHANCE/BINGO REGISTRATION NUMBERS**
List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit from September 1, 2012 through September 30, 2012.
5. **2012 LICENSED SUPPLIERS**
List of licensed suppliers - manufacturers' and distributors' licenses issued for the time period of September 1, 2012 through September 30, 2012.

F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED

None.

Racing and Wagering Board Chairman John D. Sabini introduced and read Resolution 2012-01, commending Robert A. Feuerstein for his distinguished service to the State of New York and the Racing and Wagering Board. Chairman Sabini read the Resolution in-full, which noted that Mr. Feuerstein entered into state service in 1975 as an attorney trainee at the state Division of Employment and worked as an attorney at the Department of Labor before coming to the Racing and Wagering Board in 1978. The Resolution noted that as General Counsel to the Board, Mr. Feuerstein played a substantial and influential role in the implementation of racing and gaming policy in the state of New York through diligent public service. Chairman Sabini and Members Charles Diamond and Daniel Hogan all offered additional comments commending Mr. Feuerstein's tenure at the Board. Mr. Feuerstein also offered gracious comments on his tenure at the Board.

The meeting adjourned at 11:40 p.m.