



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

A meeting of the New York State Racing and Wagering Board was held on Tuesday, November 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 11:08 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
Nicole Robilotto, Director of Licensing
Michelle Martin, NYSR&WB
James Kellogg, NYSR&WB
Mark Stuart, NYSR&WB
Rick Goodell, NYSR&WB
William Sekellick, NYSR&WB
Stacy Harvey, NYSR&WB
Brian O'Neill
Thomas Spring, Capital OTB
Michael Amo

The meeting was dedicated in honor of long-time thoroughbred racing official Dr. Manuel Gilman.

OPEN COMMENT PERIOD: Began: 11:08 a.m. Ended: 11:08 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 October 12, 2011.

B. ITEMS PREVIOUSLY APPROVED OR DEFERRED BY THE CHAIR

1. **BATAVIA DOWNS – REQUEST TO CHANGE POST TIME ON BREEDERS’ CUP DAY, NOVEMBER 5TH AND CHANGE NUMBER OF RACES RUN**
For entry into the minutes, on October 19, 2011, the New York State Racing and Wagering Board approved the October 13, 2011 Batavia Downs request to change post time from 6:40 p.m. to 7:10 p.m. on Saturday, November 5, 2011 and run eleven races on Saturday, November 5, 2011. Thirteen races will be raced on Saturday, October 29, 2011 to replace the race not raced on November 5, 2011.
2. **BATAVIA DOWNS/WESTERN REGIONAL OTB – EXPORT TO VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on October 24, 2011, the New York State Racing and Wagering Board approved the Batavia Downs request to simulcast its harness racing programs for wagering purposes to Fort Erie Race Track (with three [3] secondary sites; The Host, Fort Erie OTB, Rex Hotel), Ontario, Canada through December 3, 2011.
3. **BUFFALO RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on September 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:
 1. Hawthorne Racecourse, Illinois from October 1 through December 31, 2011.
 2. Calder Race Course, Florida from October 1 through December 2, 2011.
4. For entry into the minutes, on October 25, 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 Dover Downs, Delaware from October 29 through December 31, 2011.

5. For entry into the minutes, on October 25, 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:
 1. Churchill Downs, Kentucky from October 30 through November 27, 2011.
 2. Breeders' Cup World Championships at Churchill Downs, Kentucky on Friday, November 4, 2011 and Saturday, November 5, 2011.
6. For entry into the minutes, on November 2, 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 Hollywood Park, California from November 10 through December 18, 2011.
7. For entry into the minutes, on November 23, 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 Fair Grounds Racecourse, Louisiana from November 24 through December 31, 2011.
8. For entry into the minutes, on November 23, 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 Turfway Park, Kentucky from December 1 through December 31, 2011.
9. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO CONDUCT THE BREEDERS' CUP BANKROLL PROMOTION**
For entry into the minutes, on October 21, 2011, the New York State Racing and Wagering Board approved the September 23, 2011 application by the Capital District Regional Off-Track Betting Corporation to conduct the Breeders' Cup Bankroll Promotion on Friday, November 4, 2011 and Saturday, November 5, 2011.
10. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO CONDUCT FALL CHALLENGE 2011 HANDICAPPING CONTEST**
For entry into the minutes, on October 25, 2011, the New York State Racing and Wagering Board approved the October 6, 2011 application by the Capital District Regional Off-Track Betting Corporation to conduct the Fall Challenge Handicapping Contest on Saturday, November 26 and Sunday, November 27, 2011 in the Capital Room at the Albany Teletheater.
11. **CAPITAL DISTRICT REGIONAL OTB – REQUEST TO CONDUCT A FAN APPRECIATION DAY ON NOVEMBER 12TH AT THE CANASTOTA HI-WAY BOWL EZ-BET**
For entry into the minutes, on November 2, 2011, the New York State Racing and Wagering Board approved the October 26, 2011 application by the Capital District Regional Off-Track Betting Corporation to conduct a Fan Appreciation Day at the Canastota Hi-Way Bowl EZ-Bet location on Saturday, November 12, 2011.

12. **CAPITAL DISTRICT REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2011**

For entry into the minutes, on September 30, 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 Longchamp Racecourse (AmWest Entertainment), Paris, France on October 1, 2011 and October 2, 2011.

13. For entry into the minutes, on November 23, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Capital, Catskill, Nassau, Suffolk and Western Regional Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from Turfway Park, California from December 1 through December 31, 2011.

14. **CATSKILL REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2011**

For entry into the minutes, on October 20, 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 under a newly executed contract from:

1. Beulah Park, Ohio through December 21, 2011.
2. Charles Town Race Track, West Virginia through December 31, 2011.
3. Penn National Race Course, Pennsylvania through December 31, 2011.

15. For entry into the minutes, on October 20, 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 October 20 through December 18, 2011.

16. For entry into the minutes, on November 1, 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 Breeders' Cup World Championships at Churchill Downs, Kentucky on Friday, November 4, 2011 and Saturday, November 5, 2011.

17. For entry into the minutes, on November 2, 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 to authorize the simulcast for wagering purposes of races from Hollywood Park, California from November 10 through December 18, 2011.

18. For entry into the minutes, on November 2, 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 the Finger Lakes Racing Association, Inc., New York through December 5, 2011.
19. **FINGER LAKES RACETRACK – REQUEST TO ADD RACE DATE IN DECEMBER**
For entry into the minutes, on October 11, 2011, the New York State Racing and Wagering Board approved the Finger Lakes Racing Association, Inc. request by letter dated October 5, 2011 to add a race day on Monday, December 5, 2011.
20. **FINGER LAKES RACETRACK – REQUEST FOR A 1ST RACE POST TIME OF 11:45 A.M. ON NOVEMBER 5TH DUE TO BREEDERS’ CUP DAY SCHEDULING**
For entry into the minutes, on October 12, 2011, the New York State Racing and Wagering Board approved the September 23, 2011 Finger Lakes Racing Association, Inc. request to change the post time from 1:10 p.m. to 11:45 a.m. on Saturday, November 5, 2011.
21. **FINGER LAKES RACETRACK – REQUEST FOR APPRENTICE JOCKEY WEIGHT ALLOWANCE EXTENSION FOR NEFTALI O. PEREZ**
For entry into the minutes, on October 13, 2011, the New York State Racing and Wagering Board approved an extension of the weight allowance for Apprentice Jockey Neftali O. Perez through December 26, 2011. If Mr. Perez has not ridden a total of 40 winners or more within that extended period, he shall have a further allowance for one year from December 26, 2011 or until the 40th winner, whichever comes first.
22. **FINGER LAKES RACETRACK – IMPORT OF VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on September 30, 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 Hawthorne Racecourse, Illinois from October 1 through December 31, 2011.
23. For entry into the minutes, on October 5, 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 Beulah Park, Ohio from October 10 through December 21, 2011.
24. For entry into the minutes, on October 13, 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 Golden Gate Fields, California from October 20 through December 18, 2011.

25. For entry into the minutes, on October 27, 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:
 1. Churchill Downs, Kentucky from October 30 through November 27, 2011.
 2. Breeders' Cup World Championships at Churchill Downs, Kentucky on Friday, November 4, 2011 and Saturday, November 5, 2011.
26. For entry into the minutes, on November 14, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of the Finger Lakes Racing Association, Inc. authorizing the simulcast for wagering purposes of races from Monmouth Park, New Jersey through November 20, 2011.
27. For entry into the minutes, on November 18, 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 Fair Grounds Racecourse, Louisiana from November 24 through December 31, 2011.
28. **FINGER LAKES RACETRACK – EXPORT TO VARIOUS LOCATIONS IN 2011**

For entry into the minutes, on September 29, 2011, 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 2011 to Coach's Corner, Alberta, Canada, a secondary site associated with the previously approved simulcasts to Northlands Park.
29. **MONTICELLO RACEWAY – REQUEST TO CONDUCT THE ANNUAL CATSKILL AMATEUR CLUB'S PRESIDENT'S RACES ON OCTOBER 12TH**

For entry into the minutes, on October 6, 2011, the New York State Racing and Wagering Board approved the Monticello Raceway request by letter dated September 28, 2011, for permission to conduct the Catskill Amateur Club's President's races on Wednesday, October 12, 2011.
30. **MONTICELLO RACEWAY – REQUEST TO ADD RACE DATE IN DECEMBER**

For entry into the minutes, on October 11, 2011, the New York State Racing and Wagering Board approved the Monticello Raceway request by letter dated September 21, 2011 to add a race day on Sunday, December 18, 2011 with a post time of 12:25 p.m.
31. **MONTICELLO RACEWAY – REQUEST TO ALLOW TRACKMASTER TO SHOW VIDEO REPLAYS OF 2011 RACES FROM MONTICELLO RACEWAY**

For entry into the minutes, on October 27, 2011, the New York State Racing and Wagering Board approved the request of Monticello Raceway to allow TrackMaster (www.trackmaster.com) to show video replays of various races from Monticello Raceway thru December 31, 2011.

32. **MONTICELLO RACEWAY – REQUEST TO ALLOW AMWEST ENTERTAINMENT TO SHOW VIDEO REPLAYS OF 2011 RACES FROM MONTICELLO RACEWAY**
For entry into the minutes, on November 1, 2011, the New York State Racing and Wagering Board approved the request of Monticello Raceway to allow AmWest (www.amwager.com) to show video replays of various races from Monticello Raceway through December 31, 2011.
33. **MONTICELLO RACEWAY – REQUEST TO CONDUCT THE ANNUAL DOMINIC MACEDONIO MEMORIAL SERIES FOR PACERS BEGINNING ON JANUARY 5, 2012**
For entry into the minutes, on November 15, 2011, the New York State Racing and Wagering Board approved the Monticello Raceway request by letter dated November 7, 2011, for permission to conduct the Dominic Macedonio Memorial For Pacers with the first three legs to be held on Thursday, January 5, 2012, Thursday, January 12, 2012 and Thursday, January 19, 2012, with the finals and consolation to be held on Thursday, January 26, 2012.
34. **MONTICELLO RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on October 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 Raceway at Western Fair District, Ontario, Canada for the remainder of calendar year 2011.
35. For entry into the minutes, on October 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 Dover Downs, Delaware from October 29 through December 31, 2011.
36. For entry into the minutes, on October 19, 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 Rosecroft Raceway, Maryland from October 21 through December 17, 2011.
37. For entry into the minutes, on October 25, 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:
1. Churchill Downs, Kentucky from October 30 through November 27, 2011.
 2. Breeders' Cup World Championships at Churchill Downs, Kentucky on Friday, November 4, 2011 and Saturday, November 5, 2011.
38. For entry into the minutes, on November 2, 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 Hollywood Park, California from November 10 through December 18, 2011.

39. For entry into the minutes, on November 2, 2011, the New York State Racing and Wagering Board approved the Monticello Raceway supplemental request to conduct advanced wagering on Friday, November 4, 2011 for the Saturday, November 5, 2011 Breeders' Cup card.
40. For entry into the minutes, on November 15, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of the Monticello Raceway authorizing the simulcast for wagering purposes of races from Monmouth Park, New Jersey through November 20, 2011.
41. For entry into the minutes, on November 18, 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 Fair Grounds Racecourse, Louisiana from November 24 through December 31, 2011.
42. For entry into the minutes, on November 23, 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 Tampa Bay Downs, Florida from December 3 through December 31, 2011.
43. **MONTICELLO RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on September 29, 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 Coach's Corner, Alberta, Canada, a secondary site associated with the previously approved simulcasts to Northlands Park.
44. For entry into the minutes, on October 27, 2011, the New York State Racing and Wagering Board approved the Monticello Raceway request to simulcast its harness racing programs for wagering purposes to Fort Erie Race Track (with three [3] secondary sites; The Host, Fort Erie OTB, Rex Hotel), Ontario, Canada through December 31, 2011.
45. For entry into the minutes, on October 27, 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 Bangor Simulcast Lounge, a secondary site associated with the previously approved simulcasts to Penn National Gaming, Inc.
46. For entry into the minutes, on October 27, 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 the following secondary sites associated with the previously approved simulcasts to Las Vegas Dissemination Company:
 1. Avatar Ventures Dwyer (AV3).
 2. Avatar Ventures Hoopes (AV4).

47. For entry into the minutes, on November 23, 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 the following secondary sites associated with the previously approved simulcasts to Northlands Park:
1. Lloydminster Central Suite Hotel, Alberta, Canada.
 2. Edson AB Howard Johnson, Alberta, Canada.
48. **NASSAU REGIONAL OTB – REQUEST TO CONDUCT THE YONKERS HARNESS HANDICAPPING CONTEST**
For entry into the minutes, on November 10, 2011, the New York State Racing and Wagering Board approved the November 9, 2011 application by the Nassau Regional Off-Track Betting Corporation to conduct the Yonkers Harness Handicapping Contest on Thursday, November 10, 2011 at the Race Palace, Monday, November 14, 2011 at the Freeport Branch, Tuesday, November 15, 2011 at the Levittown Branch and the finals to be held on Thursday, November 17, 2011 at Yonkers Raceway.
49. **NASSAU REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on September 29, 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:
1. Hawthorne Racecourse, Illinois from October 1 through December 31, 2011.
 2. Beulah Park, Ohio from October 10 through December 21, 2011.
50. For entry into the minutes, on October 11, 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 Delta Downs, Louisiana from October 19 through December 31, 2011.
51. For entry into the minutes, on October 13, 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 Retama Park, Texas through November 5, 2011.
52. **NYRA – REQUEST TO CONDUCT THE PICK THE PROS AND PONIES ONLINE CONTEST**
For entry into the minutes, on October 6, 2011, the New York State Racing and Wagering Board approved the September 15, 2011 New York Racing Association request, as clarified by subsequent communication, to conduct the “Pick The Pros And Ponies” online contest on Sundays for the remainder of the calendar year 2011 with a weekly prize to the winner within the \$100 to \$500 range.

53. **NYRA – REQUEST TO CONDUCT THE PICK THE PROS AND PONIES ON-TRACK CONTEST**
For entry into the minutes, on October 12, 2011, the New York State Racing and Wagering Board approved the October 6, 2011 New York Racing Association request to conduct the “Pick The Pros And Ponies” on-track contest on Sundays for the remainder of the calendar year 2011.
54. **NYRA – REQUEST FOR APPRENTICE JOCKEY EXTENSION FOR AMANDA CASEY**
For entry into the minutes, on October 13, 2011, the New York State Racing and Wagering Board approved an extension of the weight allowance for Apprentice Jockey Amanda Casey through July 5, 2012. If Ms. Casey has not ridden a total of 40 winners within that extended period, she shall have a further allowance for one year from July 5, 2012 or until the 40th winner, whichever comes first.
55. **NYRA – REQUEST TO CONDUCT A \$250,000 GUARANTEED LATE PICK 4 POOL ON ALL SATURDAYS DURING THE AQUEDUCT FALL RACE MEETING BEGINNING NOVEMBER 12TH**
For entry into the minutes, on October 21, 2011, the New York State Racing and Wagering Board approved the October 14, 2011 New York Racing Association request to offer a guaranteed Pick 4 pool of \$250,000 on all Saturdays during the 2011 Aqueduct Race Track Fall Race Meet starting on November 12, 2011.
56. **NYRA – REQUEST TO CHANGE POST TIMES ON VARIOUS DAYS AT AQUEDUCT RACETRACK IN 2011**
For entry into the minutes, on November 2, 2011, the New York State Racing and Wagering Board approved the November 1, 2011 New York Racing Association request to change their post time for the final 2011 Aqueduct Racetrack meet from 12:30 pm to 12:20 pm on all race days except for:
- Opening day, November 4, 2011 with post time at 1:15 p.m.
 - Thanksgiving Day, November 24, 2011 with post time at 11:35 a.m.
 - November 25 and November 26, 2011 with post time at 12:00 p.m..
57. **NYRA – IMPORT OF VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on September 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 Longchamp Racecourse, France (via contract with AmWest Entertainment as agent for Pari Mutuel Urbain), Paris, France on October 1 and 2, 2011, and to take advanced wagering for the Sunday, October 2, 2011 card on Saturday, October 1, 2011.
58. For entry into the minutes, on September 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 Hawthorne Racecourse, Illinois from October 1 through December 31, 2011.

59. For entry into the minutes, on September 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:
 1. Delta Downs, Louisiana from October 19 through December 31, 2011.
 2. Beulah Park, Ohio from October 10 through December 21, 2011.
60. For entry into the minutes, on October 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 Portland Meadows, Oregon from October 17 through December 31, 2011.
61. For entry into the minutes, on October 13, 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. Golden Gate Fields, California from October 20 through December 18, 2011.
 2. Retama Park, Texas through November 5, 2011.
62. For entry into the minutes, on October 25, 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. Churchill Downs, Kentucky from October 30 through November 27, 2011.
 2. Breeders' Cup World Championships at Churchill Downs, Kentucky on Friday, November 4, 2011 and Saturday, November 5, 2011.
63. For entry into the minutes, on November 1, 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 Hollywood Park, California from November 10 through December 18, 2011.
64. For entry into the minutes, on November 10, 2011, the New York State Racing and Wagering Board approved an amendment to the plan of operation of the New York Racing Association authorizing the simulcast for wagering purposes of races from Monmouth Park, New Jersey through November 20, 2011.
65. For entry into the minutes, on November 18, 2011, the New York State Racing and Wagering Board approved an amendment to the New York Racing Association simulcast plan of operation to authorize the simulcast for wagering purposes of races from Fair Grounds Racecourse, Louisiana from November 24 through December 31, 2011.

66. For entry into the minutes, on November 23, 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 Turfway Park, Kentucky from December 1 through December 31, 2011.
67. **SARATOGA HARNESS – REQUEST TO CONDUCT THE FREE COMPUBET HARNESS DATA PROMOTION**
For entry into the minutes, on November 23, 2011, the New York State Racing and Wagering Board approved the November 20, 2011 Saratoga Casino and Raceway request to conduct the free Compubet Harness Data promotion through the end of the calendar year 2011.
68. **SARATOGA HARNESS – IMPORT OF VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on September 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:
1. Delta Downs, Louisiana from October 19 through December 31, 2011.
 2. Hawthorne Racecourse, Illinois from October 1 through December 31, 2011.
 3. Beulah Park, Ohio from October 10 through December 21, 2011.
69. For entry into the minutes, on October 5, 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 Rosecroft Raceway, Maryland from October 21 through December 17, 2011.
70. For entry into the minutes, on October 11, 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:
1. Dover Downs, Delaware from October 29 through December 31, 2011.
 2. Portland Meadows, Oregon from October 17 through December 31, 2011.
71. For entry into the minutes, on October 13, 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:
1. Old Evangeline Downs, Louisiana through December 17, 2011.
 2. Golden Gate Fields, California from October 20 through December 18, 2011.
 3. Scarborough Downs, Maine from October 14 through December 18, 2011.
 4. Retama Park, Texas through November 5, 2011.
72. For entry into the minutes, on October 14, 2011, the New York State Racing and Wagering Board approved an amendment to the Saratoga Casino and Raceway

simulcast plan of operation to authorize the simulcast for wagering purposes of races from The Raceway at Western Fair District, Ontario, Canada for the remainder of calendar year 2011.

73. For entry into the minutes, on October 20, 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 Hialeah Park, Florida from December 10 through December 31, 2011.
74. For entry into the minutes, on October 25, 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:
 1. Churchill Downs, Kentucky from October 30 through November 27, 2011.
 2. Breeders' Cup World Championships at Churchill Downs, Kentucky on Friday, November 4, 2011 and Saturday, November 5, 2011.
75. For entry into the minutes, on November 1, 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 Hollywood Park, California from November 10 through December 18, 2011.
76. For entry into the minutes, on November 15, 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 Sports Creek Raceway, Michigan from November 25 through December 31, 2011.
77. For entry into the minutes, on November 18, 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 Fair Grounds Racecourse, Louisiana from November 24 through December 31, 2011.
78. For entry into the minutes, on November 23, 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:
 1. Sunland Park, New Mexico from December 6 through December 31, 2011.
 2. Turfway Park, Kentucky from December 1 through December 31, 2011.
79. **SARATOGA HARNESS – EXPORT TO VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on October 27, 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 to The Raceway at Western Fair, Ontario, Canada through December 11, 2011.

80. For entry into the minutes, on October 27, 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 the following secondary sites associated with the previously approved simulcasts to Las Vegas Dissemination Company:
1. Avatar Ventures Dwyer (AV3).
 2. Avatar Ventures Hoopes (AV4).
81. For entry into the minutes, on November 18, 2011, the New York State Racing and Wagering Board approved Saratoga Casino and Raceway's request to simulcast its harness racing programs for account wagering purposes through December 11, 2011 to Monarch Content Management, LLC, which includes the following entities:
1. Xpress Bet
 2. Player Management Group
 3. Global Wagering Systems (with ten [10] secondary sites; RaceBets GmbH, International Betting Association Ltd., German Tote GmbH & Co. KG, Pferdewetten.de GmbH, Magna Racino Veranstaltungen GmbH, MagnaBet, SGI Netherlands, CashPoint (Malta) Limited, Bwin International Ltd. and Lotos Pferdewetten GmbH. Approval is **not** granted for Wettenleip GmbH, Newcote Services Limited (dba Victor Chandler) and German Bookmaker Association.
82. **SUFFOLK REGIONAL OTB – REQUEST TO CONDUCT THE BREEDERS' CUP NEWSDAY PROMOTION AT SEVEN BRANCH LOCATIONS**
For entry into the minutes, on October 25, 2011, the New York State Racing and Wagering Board approved the October 18, 2011 application by the Suffolk Regional Off-Track Betting Corporation to conduct the Breeders' Cup Newsday Promotion on Saturday, November 5, 2011 at the Hauppauge, Bay Shore, Centereach, Ronkonkoma, Commack, Shirley and Airport branches.
83. **SUFFOLK REGIONAL OTB – IMPORT OF VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on October 5, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Suffolk, Capital, Catskill, Nassau and Western Regional Off-Track Betting Corporations to authorize the simulcast for wagering purposes of races from Old Evangeline Downs, Louisiana from October 5 through December 17, 2011.
84. For entry into the minutes, on October 25, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Suffolk, Capital, Catskill, Nassau and Western Regional Off-Track Betting Corporations to authorize the simulcast for wagering purposes of races from Churchill Downs, Kentucky from October 30 through November 27, 2011.

85. **TIOGA DOWNS – REQUEST TO HOST A HANDICAPPING CONTEST ON SATURDAY, DECEMBER 3RD**

For entry into the minutes, on November 9, 2011, the New York State Racing and Wagering Board approved the November 4, 2011 Tioga Downs request to conduct a Handicapping Contest on Saturday, December 3, 2011.

86. **TIOGA DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2011**

For entry into the minutes, on October 5, 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 Beulah Park, Ohio from October 10 through December 21, 2011.

87. For entry into the minutes, on October 5, 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 Rosecroft Raceway, Maryland from October 21 through December 17, 2011.

88. For entry into the minutes, on October 14, 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 The Raceway at Western Fair District, Ontario, Canada for the remainder of calendar year 2011.

89. For entry into the minutes, on October 20, 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 Golden Gate Fields, California from October 20 through December 18, 2011.

90. For entry into the minutes, on October 21, 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 Delta Downs, Louisiana through December 31, 2011.

91. For entry into the minutes, on October 25, 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:

1. Churchill Downs, Kentucky from October 30 through November 27, 2011.
2. Breeders' Cup World Championships at Churchill Downs, Kentucky on Friday, November 4, 2011 and Saturday, November 5, 2011.

92. For entry into the minutes, on November 3, 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 Hollywood Park, California from November 10 through December 18, 2011.

93. For entry into the minutes, on November 18, 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 Fair Grounds Racecourse, Louisiana from November 24 through December 31, 2011.
94. **VERNON DOWNS – REQUEST TO HOST A “TURN BACK THE CLOCK” RACE ON SATURDAY, NOVEMBER 5TH**
For entry into the minutes, on October 6, 2011, the New York State Racing and Wagering Board approved the Vernon Downs request by letter dated August 19, 2011 for permission to conduct the “Turn Back The Clock” races on Saturday, November 5, 2011.
95. **VERNON DOWNS – REQUEST TO CHANGE POST TIME ON BREEDERS’ CUP DAY , NOVEMBER 5TH**
For entry into the minutes, on November 2, 2011, the New York State Racing and Wagering Board approved the October 27, 2011 Vernon Downs request to change their post time from 6:55 p.m. to 7:10 p.m. on Saturday, November 5, 2011.
96. **VERNON DOWNS – REQUEST TO HOST A HANDICAPPING CONTEST ON FRIDAY, DECEMBER 2ND**
For entry into the minutes, on November 9, 2011, the New York State Racing and Wagering Board approved the November 4, 2011 Vernon Downs request to conduct a Handicapping Contest on Friday, December 2, 2011.
97. **VERNON DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on October 5, 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 Beulah Park, Ohio from October 10 through December 21, 2011.
98. For entry into the minutes, on October 5, 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 Rosecroft Raceway, Maryland from October 21 through December 17, 2011.
99. For entry into the minutes, on October 14, 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 The Raceway at Western Fair District, Ontario, Canada for the remainder of calendar year 2011.
100. For entry into the minutes, on October 20, 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 Golden Gate Fields, California from October 20 through December 18, 2011.

101. For entry into the minutes, on October 21, 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 Delta Downs, Louisiana through December 31, 2011.
102. For entry into the minutes, on October 25, 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:
 1. Churchill Downs, Kentucky from October 30 through November 27, 2011.
 2. Breeders' Cup World Championships at Churchill Downs, Kentucky on Friday, November 4, 2011 and Saturday, November 5, 2011.
103. For entry into the minutes, on November 3, 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 Hollywood Park, California from November 10 through December 18, 2011.
104. For entry into the minutes, on November 18, 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 Fair Grounds Racecourse, Louisiana from November 24 through December 31, 2011.
105. **WESTERN REGIONAL OTB/BATAVIA DOWNS – REQUEST TO CONDUCT A MATCH PLAY PROMOTION THROUGH THEIR DIAL-A-BET SERVICE**
For entry into the minutes, on October 27, 2011, the New York State Racing and Wagering Board approved the Western Regional Off-Track Betting Corporation/Batavia Downs request by letter dated October 20, 2011 to conduct a Dial-A-Bet Service Match Play promotion on the following Wednesdays, November 2, 9, 16, 23 and 30, 2011.
106. **WESTERN REGIONAL OTB/BATAVIA DOWNS – REQUEST TO CONDUCT AN OTB WAGERING GIVEAWAY PROMOTION AT STICK'S SPORTSBAR/GRILL EZ-BET**
For entry into the minutes, on October 27, 2011, the New York State Racing and Wagering Board approved the Western Regional Off-Track Betting Corporation request by letter dated October 24, 2011 to conduct a Wager Giveaway promotion at Stick's Sports Bar and Grill on Wednesday, November 2, 2011.
107. **WESTERN REGIONAL OTB/BATAVIA DOWNS – REQUEST TO CONDUCT AN OTB WAGERING GIVEAWAY PROMOTION AT PASTARIA PUB EZ-BET**
For entry into the minutes, on October 27, 2011, the New York State Racing and Wagering Board approved the Western Regional Off-Track Betting Corporation request by letter dated October 24, 2011 to conduct a Wager Giveaway promotion at the Pastaria Pub on Thursday, November 3, 2011.

108. **WESTERN REGIONAL OTB/BATAVIA DOWNS – REQUEST TO CLOSE EZ-BET FACILITY IN FREDONIA**
For entry into the minutes, on November 18, 2011, 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 Heenan’s Pub EZ-Bet facility located at 39 East Main Street, Fredonia, New York.
109. **WESTERN REGIONAL OTB/BATAVIA DOWNS – IMPORT OF VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on October 5, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Western, Catskill, Capital, Nassau and Suffolk Regional Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from Portland Meadows, Oregon from October 17 through December 31, 2011.
110. For entry into the minutes, on October 14, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Western (including Batavia Downs), Catskill, Capital, Nassau and Suffolk Regional Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from Dover Downs, Delaware from October 29 through December 31, 2011.
111. For entry into the minutes, on November 18, 2011, the New York State Racing and Wagering Board approved an amendment to the plans of operation of Western, Catskill, Capital, Nassau and Suffolk Regional Off-Track Betting Corporations authorizing the simulcast for wagering purposes of races from Fair Grounds Racecourse, Louisiana from November 24 through December 31, 2011.
112. **YONKERS RACEWAY – REQUEST TO CONDUCT EXHIBITION RACE FEATURING STANDARDBRED HORSES UNDER SADDLE**
For entry into the minutes, on September 30, 2011, the New York State Racing and Wagering Board approved the Yonkers Raceway request by letter dated September 16, 2011 to conduct an exhibition race featuring standardbred horses racing under saddle on Saturday, October 8, 2011.
113. **YONKERS RACEWAY – REQUEST TO CONDUCT THE FALL HARVEST FESTIVAL**
For entry into the minutes, on September 30, 2011, the New York State Racing and Wagering Board approved the Yonkers Raceway request by letter dated September 26, 2011 to conduct the 3rd Annual Legislator's Challenge and the Blue Chip Best Bet Giveaway drawing as part of the 2011 Fall Harvest Festival on Saturday, October 8, 2011.
114. **YONKERS RACEWAY – REQUEST TO ALLOW TRACKMASTER TO SHOW VIDEO REPLAYS OF 2011 RACES FROM YONKERS RACEWAY**
For entry into the minutes, on November 10, 2011, the New York State Racing and Wagering Board approved the request of Yonkers Raceway to allow TrackMaster (www.trackmaster.com) to show video replays of various races from Yonkers Raceway thru December 31, 2011.

115. YONKERS RACEWAY – IMPORT OF VARIOUS LOCATIONS IN 2011

For entry into the minutes, on September 29, 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. Hawthorne Racecourse, Illinois from October 1 through December 31, 2011.
2. Turf Paradise, Arizona from October 1 through December 31, 2011.

116. For entry into the minutes, on September 29, 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 Calder Race Course, Florida from October 1 through December 2, 2011.

117. For entry into the minutes, on October 5, 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 Rosecroft Raceway, Maryland from October 21 through December 17, 2011.

118. For entry into the minutes, on October 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 The Raceway at Western Fair District, Ontario, Canada for the remainder of calendar year 2011.

119. For entry into the minutes, on October 20, 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 Delta Downs, Louisiana from October 19 through December 31, 2011.

120. For entry into the minutes, on October 20, 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 Golden Gate Fields, California from October 20 through December 18, 2011.

121. For entry into the minutes, on October 27, 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. Churchill Downs, Kentucky from October 30 through November 27, 2011.
2. Breeders' Cup World Championships at Churchill Downs, Kentucky on Friday, November 4, 2011 and Saturday, November 5, 2011.

122. For entry into the minutes, on November 1, 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 Dover Downs, Delaware through December 31, 2011.

123. For entry into the minutes, on November 1, 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 Hollywood Park, California from November 10 through December 18, 2011.
124. For entry into the minutes, on November 2, 2011, the New York State Racing and Wagering Board approved the Yonkers Raceway request to amend its plan of operation to conduct account wagering on the Breeders' Cup at Churchill Downs, Kentucky on Friday, November 4, 2011 and Saturday, November 5, 2011.
125. For entry into the minutes, on November 3, 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 Plainridge Racecourse, Massachusetts through December 16, 2011.
126. For entry into the minutes, on November 23, 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 Fair Grounds Racecourse, Louisiana from November 24 through December 31, 2011.
127. **YONKERS RACEWAY – EXPORT TO VARIOUS LOCATIONS IN 2011**
For entry into the minutes, on October 27, 2011, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its harness racing programs for separate pool wagering purposes to New Zealand Racing Board, New Zealand through December 23, 2011.
128. For entry into the minutes, on October 27, 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 the following secondary sites associated with the previously approved simulcasts to Las Vegas Dissemination Company:
 1. Avatar Ventures Dwyer (AV3).
 2. Avatar Ventures Hoopes (AV4).
129. For entry into the minutes, on November 2, 2011, the New York State Racing and Wagering Board approved the Yonkers Raceway request to simulcast its harness racing programs for wagering purposes to ODS Technologies d/b/a TVG Network, California through December 31, 2011.
130. For entry into the minutes, on November 15, 2011, the New York State Racing and Wagering Board approved Yonkers Raceway's request to simulcast its harness racing programs for wagering purposes to 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 through December 31, 2011.

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

1. YONKERS RACEWAY – REQUEST FOR APPROVAL OF PARTIAL 2ND PERMIT FOR EXPANSION OF CASINO FACILITY – PLUMBING WORK

For entry into the minutes, on October 3, 2011, the New York State Racing and Wagering Board approved the construction work detailed in the Office of General Services Construction Permit dated September 28, 2011 related to the current expansion of the Yonkers Raceway/Empire City gaming facility and issued a permit for this work pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 322.

2. TIOGA DOWNS – REQUEST FOR APPROVAL OF SITE WORK TO BUILD NEW PADDOCK AND DEMOLITION OF THE CURRENT RACE OFFICE

For entry into the minutes, on October 14, 2011, the New York State Racing and Wagering Board approved the American Racing-Tioga Downs, Inc. request for site work of a new paddock and demolition of the current race office located in the backstretch as specified in its August 30, 2011 letter and subsequent correspondence with staff.

3. YONKERS RACEWAY – REQUEST FOR APPROVAL OF PARTIAL 2ND PERMIT FOR EXPANSION OF CASINO FACILITY – ARMORED CAR BAY WORK

For entry into the minutes, on October 18, 2011, the New York State Racing and Wagering Board approved the construction work detailed in the Office of General Services Construction permit dated October 14, 2011. 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 and Wagering, Pari-Mutuel Wagering and Breeding Law.

4. TIOGA DOWNS – REQUEST TO AMEND HOTEL PROJECT TO RELOCATE PADDOCK SITE

For entry into the minutes, pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 322, on October 20, 2011, the New York State Racing and Wagering Board approved the American Racing-Tioga Downs, Inc. (Tioga Downs) request for approval to construct a new paddock in the backstretch as specified in the August 30, 2011 Tioga Downs letter and subsequent correspondence with staff. This approval is conditioned on compliance with the building permit issued by the Town of Nichols and all applicable codes, rules and regulations.

5. NYRA – REQUEST TO OPERATE YEAR ROUND THE PARI-MUTUEL WAGERING AREA LOCATED IN THE BARN AREA KITCHEN AT BELMONT PARK RACETRACK

For entry into the minutes, on November 15, 2011, the New York State Racing and Wagering Board approved the request by the New York Racing Association, Inc. to

conduct wagering in the Belmont barn kitchen area as provided for in its November 10, 2011 application and subsequent correspondence with staff. This approval is conditioned on compliance with the terms set forth in the application to the Board and related correspondence.

6. **YONKERS RACEWAY – REQUEST FOR APPROVAL OF PARTIAL 3RD PERMIT FOR EXPANSION OF CASINO FACILITY – CORE/SHELL WORK**

For entry into the minutes, on November 15, 2011, the New York State Racing and Wagering Board approved, pursuant to Section 322 of the New York State Racing, Pari-Mutuel Wagering and Breeding Law, the construction work detailed in the Office of General Services Construction Permit dated November 14, 2011 related to the current expansion of the Yonkers Raceway/Empire City gaming facility.

7. **EMERGENCY RULEMAKING TO RULE 5300.4 – ADVANCED DEPOSIT WAGERING ACCOUNT APPLICATION PROCEDURE**

For entry into the minutes, on November 29, 2011, the New York State Racing and Wagering Board approved the adoption by emergency rule making of amendments to 9 NYCRR 5300.4(a)(4) and (a)(5) to provide continuing authorization for electronic applications for advanced deposit wagering. This rule will be in effect for 90 days once filed with the New York State Department of State. The Board has proposed permanent adoption of these amendments.

8. **IN THE MATTER OF CARMELO QUINONES JR. – SUMMARY SUSPENSION**

For entry into the minutes, on October 5, 2011, the New York State Racing and Wagering Board summarily suspended the thoroughbred exercise rider's license of Carmelo Quinones Jr. based upon a finding that the public safety and welfare imperatively required this emergency action.

9. **IN THE MATTER OF DENIS O. CORTES – SUMMARY SUSPENSION**

For entry into the minutes, on October 13, 2011, the New York State Racing and Wagering Board summarily suspended the thoroughbred general services license of Denis O. Cortes based upon a finding that the public safety and welfare imperatively required this emergency action.

10. **IN THE MATTER OF MICHAEL SPACCARELLI**

For entry into the minutes, on October 21, 2011, the New York State Racing and Wagering Board denied the request of Michael Spaccarelli for a hearing concerning reciprocal license action.

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

1. **NEW YORK RACING & PARI-MUTUEL WAGERING INDUSTRY AGREEMENT OF MUTUAL CONSENT FOR LIVE VIDEO STREAMING EXTENSION**

The New York State Racing and Wagering Board ("Board") approved amendments to the simulcast plans of operation of each New York pari-mutuel operator, and to the

account wagering plans of operation of each New York pari-mutuel operator that has been authorized to conduct account wagering, to reflect the consents expressed in the executed document entitled “FIRST AMENDMENT TO NEW YORK RACING AND PARI-MUTUEL WAGERING INDUSTRY AGREEMENT OF MUTUAL CONSENT FOR LIVE VIDEO STREAMING PURSUANT TO RACING, PARI-MUTUEL WAGERING AND BREEDING LAW SECTIONS 1003 AND 1012” (“Agreement”).

This approval is issued to all New York State franchised and licensed racetracks and all operating New York State off-track betting corporations and is effective for the term of the Amendment stated to be one (1) year from December 23, 2011.

It is a condition of this approval that each party to the Amendment/Agreement must comply with all remaining requirements of the Racing, Pari-Mutuel Wagering and Breeding Law and Board rules, including the necessity for Board approval of simulcasting and wagering by and between individual host tracks and pari-mutuel operators.

2. **NASSAU REGIONAL OTB – REQUEST TO AMEND ACCOUNT WAGERING PLAN OF OPERATION TO OFFER ONLINE ACCOUNT OPENING AND INTERNET WAGERING TO RESIDENTS OF ALL STATES IN USA WITH THE EXCLUSION OF 17 STATES/DISTRICTS**

The New York State Racing and Wagering Board approved the request by Nassau Regional Off-Track Betting Corporation to amend its internet and account wagering plan of operation to include out-of-state account holders as specified in its October 18, 2011 application. The approval is conditioned on the following:

- Nassau OTB may accept out-of-state accounts in those states or jurisdictions where permissible by law
- All other conditions from the Board’s prior approval(s) of Nassau OTB’s internet and account wagering plan of operation remain in effect.

3. **WESTERN REGIONAL OTB – NEW MEMBER TO BOARD OF DIRECTORS FOR SENECA COUNTY – RICHARD RICCI**

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 appointment of Richard Ricci as the Seneca County representative to the Western Regional Off-Track Betting Corporation’s Board of Directors.

4. **WESTERN REGIONAL OTB – REQUEST FOR NEW CONCESSIONAIRE – PHOENIX**

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 approval of a new concessionaire for the Phoenix Branch located at 228 Huntley Road, Phoenix, New York. The new concessionaire is Michael Lattimore.

5. **SARATOGA HARNESS – REQUEST TO AMEND ACCOUNT WAGERING PLAN OF OPERATION – RELOCATION OF TELEPHONE WAGERING CALL CENTER**

The New York State Racing and Wagering Board approved the request from Saratoga Harness Racing Inc. to amend its account wagering plan of operation to change the location of its telephone wagering call center to Amherst, NY as specified in its October 20, 2011 application and related correspondence with staff. The request is conditioned on the following:

- 100% of the call volume will be handled by the New York call center by the effective date of the legislation;
- The Oregon call center may only be used in the event of an emergency and Saratoga Harness Racing, Inc. shall immediately notify the Board of the same;
- All employees involved in the New York call center shall obtain occupational racing licenses prior to commencement of operation;
- Saratoga Harness Racing, Inc. or its agent shall perform tests of the system and provide satisfactory evidence of the same prior to commencing operation.

6. **SUFFOLK REGIONAL OTB – 2012 SIMULCAST LICENSE**

The New York State Racing and Wagering Board deferred action on this item.

7. **NEW YORK JOCKEY INJURY COMPENSATION FUND, INC. – ASSESSMENT OF OWNERS AND TRAINERS FOR THE YEAR 2012**

The New York State Racing and Wagering Board approved an amendment to the plan of operation of the New York Jockey Injury Compensation Fund, Inc. for the method of funding and assessment plan for 2012 as presented to the Board on November 15, 2011.

8. **NOTICE OF ADOPTION – HARNESS SULKY RULE**

The New York State Racing and Wagering Board approved the adoption of the amendment to section 4116.10 of 9 NYCRR. This amendment requires that any sulky involved in an accident be inspected by the manufacturer or authorized representative before being used again in a race, qualifier or in training.

9. **NOTICE OF ADOPTION – FREE UNLICENSED BINGO**

The New York State Racing and Wagering Board approved the amendments to 9 NYCRR Sections 5815.14 and 5820.55, which authorize the conduct of “free bingo” without a license.

10. **NOTICE OF ADOPTION – TIMEFRAME FOR SUBMISSION OF THOROUGHBRED HORSMEN’S AUDITS**

The New York State Racing and Wagering Board approved an amendment to Section 4003.51(e) of 9 NYCRR. The amendment changes the report filing date from April 15th of every year to 105 days following the close of the thoroughbred horsemen’s organizations’ fiscal year.

11. **NOTICE OF ADOPTION – JURISDICTION OF GAMES OF CHANCE LICENSES**

The New York State Racing and Wagering Board approved, the amendment to 9 NYCRR Section 5603.11 regarding the jurisdiction of licenses. This will parallel Bingo Rule 9 NYCRR Section 5812.9.

12. **NOTICE OF PROPOSED RULEMAKING – BUTE 48-HOUR RULE**

The New York State Racing and Wagering Board approved the proposal of amendments to Sections 4043.2(d) (thoroughbred) and 4120.2(d) (harness) of 9 NYCRR. These amendments will revise the time/threshold administration rules for phenylbutazone, which is commonly known as “Bute”.

13. **ADOPTION OF AMENDMENT TO RULE 5300.4 – ADVANCED DEPOSIT WAGERING ACCOUNT APPLICATION PROCEDURE**

The New York State Racing and Wagering Board approved amendments to Sections 5300.4(a)(4) and (5) of 9 NYCRR. These amendments will allow the public to open a telephone or internet account by applying online.

14. **IN THE MATTER OF BRIAN A. O’NEILL**

The New York State Racing and Wagering Board accepted the recommendation of Hearing Officer Clemente J. Parente that any licenses held by Brian A. O’Neill be revoked, that he be prohibited from obtaining any license for a period of one year effective February 25, 2010, and a fine of \$2,000 be imposed based upon findings of lack of adequate care of his horses, conduct detrimental to the best interest of racing, and financial irresponsibility.

15. **IN THE MATTER OF PHILLIP J. FLUET**

The New York State Racing and Wagering Board accepted the recommendation of Hearing Officer Clemente J. Parente that the ten (10) day license suspension and \$500 fine of Phillip J. Fluet for causing interference during the 2nd race on September 17, 2010 be upheld.

16. **IN THE MATTER OF LINDA MATEJCECK**

The New York State Racing and Wagering Board upheld the recommendation of Hearing Officer Clemente J. Parente that the appeal of Linda Matejcek, the owner of *Winnin Image*, from the decision of the judges at Yonkers Raceway to disqualify and place the horse last for causing interference during the 10th race on May 14, 2010 be dismissed on the grounds that placement decisions are not appealable as a matter of law.

17. **IN THE MATTER OF THE DISQUALIFICATION OF “BRUISE CRUISE” AT SARATOGA RACEWAY**

The New York State Racing and Wagering Board upheld the recommendation of Board Member Charles J. Diamond, who served as the Hearing Officer, that the appeal of the owner of *Bruise Cruise* from the decision of the judges at Saratoga Raceway that disqualified and placed that horse from 2nd to 4th place based on interference during the 10th race on August 23, 2010 be dismissed and the decision of the Presiding Judge be affirmed as not subject to appeal pursuant to Board rule and precedent.

18. **IN THE MATTER OF THE TWO DISALLOWED OBJECTIONS OF BRIAN WALKER AT SARATOGA**

The New York State Racing and Wagering Board upheld the recommendation of Board Member Charles J. Diamond, who served as the Hearing Officer, that the appeal by trainer-driver Brian Walker from the decision of the judges at Saratoga Raceway to disallow his objections that two horses had interfered with his horse, *Absolutely Certain*, in relation to use of the passing lane in the 1st race on August 17, 2011, be dismissed as a non-reviewable judgment call.

E. ITEMS FOR BOARD INFORMATION/DISCUSSION

1. **INDIAN GAMING/LICENSING STATISTICS**

Licensing statistics for September 1, 2011 through September 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 October 31, 2011 since January 1, 2011 were as follows: total receipts 14,870 and total licenses 12,803 for the year 2011.

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

List of bell jar tickets authorized/denied by the Charitable Gaming Unit between September 1, 2011 and September 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 September 20, 2011 through October 6, 2011.

5. **2011 LICENSED SUPPLIERS**

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

6. **SUFFOLK REGIONAL OTB – PLAYER REWARDS REPORTS FOR 2009, 2010 AND SIX MONTHS ENDED JUNE 30, 2011**

The reports for the Suffolk Regional OTB Player Rewards results for 2009, 2010 and six months ended June 30, 2011 were filed with the Board.

7. **INDIAN GAMING/LICENSING STATISTICS**
Licensing statistics for October 1, 2011 through October 31, 2011. Also included were the certifications for Oneida, Mohawk, Seneca Allegany, Seneca Buffalo and Seneca Niagara.
8. **GAMES OF CHANCE/BELL JAR TICKETS**
List of bell jar tickets authorized/denied by the Charitable Gaming Unit between October 1, 2011 and October 31, 2011.
9. **GAMES OF CHANCE/BINGO REGISTRATION NUMBERS**
List of Games of Chance and Bingo Registration Numbers authorized/denied by the Charitable Gaming Unit from October 7, 2011 through November 15, 2011.
10. **2011 LICENSED SUPPLIERS**
There were no supplier licenses issued for the time period of October 1, 2011 through October 31 2011.
11. **SARATOGA HARNESS – PARI-MUTUEL WAGERING AT THE LODGE RESTAURANT**
In a letter dated October 28, 2011, Saratoga Casino and Raceway informed the New York State Racing and Wagering Board (Board) that they will be offering live teller wagering on Friday November 4th from 4:00 p.m. till 11:30 p.m. and from 12 noon till 11:30 p.m. on Saturday November 5th for the Breeder's Cup. Also, on November 18, 2011, Saratoga Casino and Raceway notified the Board that they will be offering live teller wagering on Sundays for the remainder of the year. On October 31, 2011 and November 18, 2011, respectively, the Board acknowledged receipt of these request as it was a condition previously set by the Board.

F. FOLLOW-UP ON ITEMS PREVIOUSLY APPROVED

None.

The meeting adjourned at 12:09 p.m.