

MINUTES
SPECIAL BOARD MEETING OF DECEMBER 3, 1998
NEW YORK STATE RACING AND WAGERING BOARD

A special meeting of the New York State Racing and Wagering Board was held on December 3, 1998, at 2:00 p.m. in the New York City office at 1 Penn Plaza, 7th Floor, New York, New York.

The meeting was called to order at 2:15 p.m.

In Attendance Were:

Michael J. Hoblock, Jr., Chairman
Joseph Neglia, Member
Edward Martin, Executive Director
Stephanie Donato, Secretary to the Board
Robert Feuerstein, General Counsel
Jim Gallagher, Chief of Racing Operations
John Signor, Director of Audits and Investigations
Joseph Lynch, Simulcasting

Via Teleconference:

Bennett Liebman, Member

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

1. THE NEW YORK RACING ASSOCIATION INC. REQUEST FOR BLANKET APPROVAL FOR 1999 INTERSTATE SIMULCASTING

The Board granted approval to the simulcast of all in-state to out-of-state locations based upon compliance with the following conditions:

1. Representation that the consent of the out-of-state racing commissions and the guest track horsemen are in place, in conformance with the Interstate Horseracing Act of 1978.
2. Two-week notice to the Board of the upcoming monthly simulcast calendar, with a detailed list of the dates, outlets, merged and non-merged pool wagering, if any, and the specific rates of compensation for the transmission of an in-state signal to an out-of-state site.
3. A separate application and approval for any **new** amendment to simulcast to sites in New Jersey (including The Meadowlands), Pennsylvania, Connecticut, Vermont, Massachusetts, the Canadian provinces contiguous to New York, and Native American simulcast sites until otherwise instructed.
4. Each New York racetrack must provide and require within its simulcast contract for any receiving (guest) track or other site to maintain pari-mutuel data for a two-year period and make such data available to the New York State Racing and Wagering Board upon request as deemed appropriate by the Board.

2. THE NEW YORK RACING ASSOCIATION INC. REQUEST FOR 1999 RACING DATES

The Board approved the request by NYRA for racing dates for 1999 beginning Friday, January 1st to Friday, December 31, 1999 as set forth in the requests dated August 13 and October 15, 1998.

3. NEW YORK CITY OFF-TRACK BETTING CORPORATION SIMULCAST AGREEMENT WITH THE NEW YORK RACING ASSOCIATION INC.

The Board approved the request by NYC OTB as an amendment to their plan of operation and simulcast plan operation, to receive the simulcasts set forth in the Memorandum of Understanding between NYC OTB and NYRA for the continuation of simulcasting for the period from and after November 14, 1998.

4. BUFFALO RACEWAY 1999 TRACK LICENSE APPLICATION TO CONDUCT PARI-MUTUEL WAGERING ON HARNESS RACES

The Board conditionally approved the track license application submitted by Buffalo Trotting Association, Inc.

The approval is issued subject to the provision that there is the potential for another harness track operator which may cause an alteration to or competition with assigned racing dates in Western New York.

A review of security arrangements at Buffalo Raceway point out the need for personnel to secure the four entry points to the grounds or, in the alternative, limit the access of horsemen to only certain gates.

In addition, a capital improvement fund audit indicates that the fund is owed approximately \$15,000. Buffalo Raceway must make that fund whole as a condition of licensure.

The above-listed conditions must be satisfied within thirty days of the Board's approval, and at that time, a 1999 license will be forwarded.

5. **FINGER LAKES RACE TRACK 1999 LICENSE APPLICATION TO CONDUCT PARI-MUTUEL WAGERING ON THOROUGHBRED RACES**

The Board approved the track license application submitted by Finger Lakes Racing Association, Inc.

A review of security arrangements disclosed that a manure gate is open during the day which has resulted in loose horses roaming off the grounds. This license was conditioned upon the requirement that this gate be closed at all times except when waste haulers are removing refuse and, when opened, there must be a security guard on duty at all times.

6. **MONTICELLO RACEWAY 1999 TRACK LICENSE APPLICATION TO CONDUCT PARI-MUTUEL WAGERING ON HARNESS RACES**

The Board deferred the request by Monticello Raceway for approval of racing dates for 1999 beginning Sunday, January 3, 1999 through Wednesday, December 29, 1999.

7. **SARATOGA HARNESS RACING, INC., 1999 TRACK LICENSE APPLICATION TO CONDUCT PARI-MUTUEL WAGERING ON HARNESS RACES**

The Board approved the track license application submitted by Saratoga Harness Racing, Inc.

This approval is conditioned upon receipt within thirty days of the 1999 stall application. A 1999 license will be forwarded after final Board approval.

8. **YONKERS RACEWAY APPLICATION 1999 TRACK LICENSE APPLICATION TO CONDUCT PARI-MUTUEL WAGERING ON HARNESS RACES**

The Board approved the track license application submitted by Yonkers Racing Corporation.

This approval is conditioned upon only one superfecta wager being conducted per live race program.

In addition, the Board requested that the lease agreement for the property, which was last executed in 1992, be updated to provide for the current status. This condition must be satisfied within thirty days of the Board's approval.

The meeting adjourned at 3:10 p.m.