

## **MINUTES**

### **NEW YORK STATE RACING AND WAGERING**

#### **SPECIAL BOARD MEETING OF JULY 27, 1999**

A meeting of the New York State Racing and Wagering Board was held on Tuesday, July 27, 1999 at 12:30 p.m. at the New York State Racing and Wagering Board located at 1 Watervliet Avenue Extension, Suite 2 in Albany, New York.

The meeting was called to order at 12:40 p.m.

#### **In Attendance Were:**

Michael J. Hoblock, Jr., Chairman

Joseph Neglia, Member

Bennett Liebman, Member

Edward Martin, Executive Director

Stephanie L. Donato, Secretary to the Board

Robert Feuerstein, General Counsel

Tom Casaregola, Acting Director of Audits and Investigations

Jim Gallagher, Chief of Racing Operations

#### **Also in Attendance Were:**

Joe Lynch, NYSR&WB

Bruce Samboy, Chief of Gaming Operations

Steve Bochnak, NYTHA

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

**1. AMENDMENT TO RULE 5624.8 GOVERNING THE MAINTENANCE OF CHECKING ACCOUNTS FOR RAFFLE TICKET SALES**

The Board approved the emergency adoption and proposal of an amendment to Rule 5624.8 to remove the requirement that raffle proceeds be deposited into an organization's games of chance account. This amendment will apply unless the raffle proceeds exceed \$30,000 in a calendar year.

**2. MATTER OF THE CLAIM OF "MY BELLE"**

The Board approved the reopening of and granted a stay of enforcement of the Board's Findings and Order, dated July 16, 1999. The matter was remanded to the Hearing Officer for further proceedings.

**3. FINGER LAKES REQUEST TO APPOINT ALTERNATE PLACING JUDGE**

The Board approved the request by Finger Lakes to have Lynn Wagner as an alternate placing judge to be used whenever necessary during the remainder of the 1999 Finger Lakes racing season.

**4. FINGER LAKES REQUEST TO APPOINT ALTERNATE PLACING JUDGE**

The Board approved the request by Finger Lakes to have Patrick Placito and Leslie Lewis as alternate placing judges to be used whenever necessary during the remainder of the 1999 Finger Lakes racing season.

**5. NYRA REQUEST FOR SMOKING LOUNGES AT BELMONT**

The Board approved the request by NYRA, dated June 22, 1999, to issue a permit for construction of two smoking lounges in the Clubhouse at Belmont Park. One of the smoking lounges is to be located on the second floor of the Clubhouse near the gift shop and the other smoking lounge is to be located on the fourth floor of the clubhouse.

Within thirty days after the Town of Hempstead issues the certificate of completion NYRA is to provide the Board a copy of the certificate, thereby notifying the Board the completion of these projects.

**6. NYRA REQUEST FOR ANNEXATION OF PRIVATE PROPERTIES AT SARATOGA**

The Board deferred the request by NYRA, dated July 9, 1999, for the annexation of certain private properties located near the Saratoga Racetrack for the purposes of furosemide administration pending receipt of written consent from the property owners or lessees. Subsequently, the documents were received the same day and the Board approved the annexation of the four private properties which will be subject to Board Rules in that once any horse therein has been pre-race treated with furosemide, no one without a proper state license shall be permitted in the affected stall areas.

**7. VERNON DOWNS REQUEST TO DEVIATE FROM PURSE DISTRIBUTION RULE**

The Board approved the request by Vernon Downs, dated July 20, 1999, to disburse purse checks on Monday morning for races conducted on Wednesday, Thursday, Friday and Saturday of the previous week for the remainder of this year's racing season.

**8. CAPITAL OTB REQUEST TO ADD TWO EZ-BET BRANCHES**

The Board approved, with Member Liebman abstaining, the request by Capital OTB, dated July 8, 1999, to amend Capital's simulcast plan of operation to include two new wagering facilities. Member Liebman expressed his concern that there were no OTB employees working on the premises.

Approval is granted to establish such a facility within Pip's Athletic Lounge in the Lansingburgh section of Troy in Rensselaer County at 41 112<sup>th</sup> Street. This facility is owned and operated by Kevin Vandenburg.

Also approved was the request to establish a similar in-restaurant Ez-Bet within Thurston's Restaurant and Lanes in Frankfort, Herkimer County at 147 South Litchfield Street. Alicia A. Alsante is the President of Alsante's Entertainment, Inc. (d/b/a Thurston's Restaurant – Lanes). Michael J. Alsante is the Secretary/Treasurer of Alsante Entertainment, Inc. (d/b/a Thurston's Restaurant – Lanes).

**9. SUFFOLK OTB REQUEST TO APPOINT NEW CONCESSIONAIRE**

The Board conditionally approved the request by Suffolk OTB, dated June 9, 1999, to appoint Jeffrey S. Cohen as the new concessionaire for Tel-A-Race, the corporation's teletheater, upon the satisfactory return of the federal fingerprint cards.

**The meeting was adjourned at 2:00 p.m.**