

**NEW YORK STATE THOROUGHBRED BREEDING AND  
DEVELOPMENT FUND CORPORATION  
MINUTES OF THE MEETING OF THE BOARD OF  
DIRECTORS HELD JUNE 6, 2023**

A meeting of the Board of Directors of the New York State Thoroughbred Breeding and Development Fund Corporation (the “Fund”) was held at 11:00 a.m. on June 6, 2023 at the Fasig Tipton Stables in Saratoga Springs, New York.

Present

Brian O’Dwyer	Chairman
Geoff Palmer	Dep. Commissioner, Agriculture & Markets
Joseph McMahon	Member
William Wilmot, DVM	Member
Najja Thompson	NYTB, Executive Director
Patricia Cifuentes, DVM	Member
Tracy Egan	Executive Director
Kim Kurtzner	Comptroller
Adam Lawrence	Registrar
Kyle Flaherty	Counsel
Ralph Scunziano	Guest, Gaming Commission

The meeting was called to order by Chairman O’Dwyer. Upon noting a quorum, Chairman O’Dwyer sought approval of the Minutes of the March 2023 Board of Directors’ meeting. After review, a motion to adopt the March 2023 Minutes was duly made and seconded and was unanimously approved.

As the next order of business, Comptroller Kim Kurtzner was asked to present the Fund’s Financial Report through April 2023. Ms. Kurtzner proceeded to walk through the highlights of that report with Board. She noted that on a year-to-date basis, the Fund’s revenue is tracking higher than it was during the same period in 2022 and is above budget. Ms. Kurtzner noted that awards are down from year-to-date 2022. She also noted that the Fund has received \$11,700 in aftercare donations in 2023. Ms. Kurtzner directed the Board members’ attention to the last page of her report concerning delinquencies due and owing to the Breeding Fund and noted that some of those delinquencies have since been cleared or are in the process of being cleared. She reported that Catskill OTB is still delinquent in its obligations to the Breeding Fund. A motion to accept the Financial Report was made, duly seconded, and unanimously approved.

As the next order of business, Chairman O’Dwyer asked Ms. Kurtzner to report on the Breeding Fund’s search for a firm to conduct Time Studies for the Fund’s staff. Ms. Kurtzner stated that the Fund solicited bids from 7 firms and that 3 firms responded. Based upon those responses, including each firm’s experience in the industry, and based on cost, Ms. Kurtzner stated that the

Audit Committee recommended retaining UHY to conduct Time Studies for the Fund. A motion was made, seconded and unanimously approved authorizing the Fund to retain UHY to conduct Time Studies for the Breeding Fund.

As the next order of business, the Chairman asked Fund Counsel Kyle Flaherty to provide an update on Catskill OTB's delinquency to the Breeding Fund and the Fund's actions to recover on that delinquency. Mr. Flaherty advised that his firm has been retained by the Breeding Fund and by the Agriculture and New York State Horse Breeding Development Fund to commence an action against Catskill OTB. He noted that under state law, both Funds had to serve upon Catskill OTB a Notice of Claim formally notifying the entity of the claims and demanding payment of same. He further advised that the Breeding Fund cannot commence litigation until at least 30 days have passed since service of its Notice of Claim on Catskill OTB. He advised that the Notice of Claim was served on Catskill OTB in late May and that his firm would commence an action promptly in a New York State court after the 30-day period runs.

As the next order of business, Fund Executive Director Tracy Egan was asked to give an update on the New York foal crop in 2023. She stated that while the foaling season is still on-going, based on their research, the Breeding Fund believes that there have been 1,334 foals in 2023 in New York State, of which 824 are non-New York sired (62%) and 510 are New York sired (38%). Ms. Egan noted that these results are similar to prior years, in which there has been a 60/40 split. A lengthy discussion ensued regarding ways to attract new mares into New York State in an effort to improve the foal crop numbers.

Ms. Kurtzner then reported on Finger Lakes Racing Association's use of purse enrichment in 2023. Ms. Kurtzner reported on the types of races that FLRA is writing and how the Association is utilizing its purse enrichment from the Fund. Mr. McMahon noted that he is seeing a trend at FLRA in which more Kentucky-sired horses are breaking their maiden at FLRA because of the higher purse structure that is now available there. As a result, he noted that FLRA is becoming more popular among trainers, which is an important development for the Fund to monitor going forward. A discussion also ensued regarding monitoring FLRA's use of purse enrichment to avoid the issue that the Association experienced last year when it requested additional money to finish the year.

Under new and old business, Chairman O'Dwyer noted that representatives from the Irish Horse Breeders Association will be coming to New York this year to discuss, among other things, some type of a thoroughbred horse exchange program in the future. He noted that Irish horses will be coming to New York and stated that it would be great for the New York breeding program if, in future years, breeders could send some New York-breds to Ireland through an exchange program.

In addition, Board member Patty Cifuentes inquired whether the Breeding Fund sponsors events for the children of the Backstretch workers during the summertime, for example, a day of fun, activities, ice cream, etc. for the children to enjoy. It was agreed that the Breeding Fund would look into sponsoring and organizing such an event on annual basis, preferably on a dark day during the Saratoga meet.

With no further business pending before the Board, the meeting was adjourned.