



MINUTES OF BOARD MEETING  
HELD ON OCTOBER 28, 1985

A. MINUTES:

1. The Board approved the minutes of its meeting held on September 10, 1985.

B. FOR ENTRY INTO THE MINUTES:

1. APPRENTICE ALLOWANCE EXTENSION - RICHARD PRIVITERA. For entry into the minutes, the Board's prior approval of September 5, 1985 of request by Jockey Richard Privitera for a 14 day extension of his apprentice allowance due to a race incurred injury. Mr. Privitera's allowance expired on September 14, 1985. His new expiration date is September 28, 1985.
2. NYRA - ROCKINGHAM PARK. For entry into the minutes, the Board's prior approval of September 13, 1985 of request by New York Racing Association to enter into agreement with Rockingham Park to accept pari-mutuel wagers on the Marlboro Cup on September 14; the Turf Classic on September 21; the Jockey Club Gold Cup on October 5; and the Beldame Handicap on October 13, 1985.
3. CAPITAL DISTRICT OTB - TELE-BRANCH FACILITY. For entry into the minutes, the Board's prior approval of September 12, 1985 of request by Capital District Off-Track Betting Corporation to amend its plan of operation to authorize a new branch office (tele-branch facility) at 325-329 State Street, Schenectady, New York.
4. BATAVIA DOWNS - ONE-HALF ADMISSION. For entry into the minutes, the Board's prior approval of September 12, 1985 of request by Batavia Downs to allow one-half admission on Tuesday nights for coupons given out at all OTB parlors, to be retroactive to August 6, 1985.
5. NASSAU REGIONAL OTB - BELMONT. For entry into the minutes, the Board's prior approval of September 12, 1985 of request by Nassau Regional Off-Track Betting Corporation to simulcast NYRA (Belmont) to Nassau OTB offices in Wantagh, Oceanside and Plainview.
6. NYRA - RANDALL RACING CLUB/RUFFIAN. For entry into the minutes, the Board's prior approval of September 16, 1985 of request by New York Racing Association to enter into agreement with Randall Racing Club to accept pari-mutuel wagers on the Ruffian on September 22, 1985 and the Jockey Club Gold Cup on October 5, 1985.

7. NYRA - RANDALL RACING CLUB/MASKETTE. For entry into the minutes, the Board's prior approval of September 9, 1985 of request by New York Racing Association to enter into agreement with Randall Racing Club to accept pari-mutuel wagers on the Maskette on September 7, 1985 and the Marlboro Cup on September 14, 1985.
8. CAPITAL DISTRICT OTB - FOOD COURT. For entry into the minutes, the Board's prior approval of September 13, 1985 of request by Capital District Off-Track Betting Corporation to install, construct and operate a Food Court in the present branch office (Telebranch) located at 711 Central Avenue, Albany.
9. FINGER LAKES - EXTEND RACING SEASON. For entry into the minutes, the Board's prior approval of September 20, 1985 of request by Finger Lakes Racing Association to extend their 1985 racing season through November 12, 1985. (They were scheduled to close November 6, 1985.)
10. NEW YORK CITY OTB - SIMULCAST FIVE BRANCH OFFICES. For entry into the minutes, the Board's prior approval of September 18, 1985 of request by New York City Off-Track Betting Corporation to simulcast the New York Racing Association's fall Belmont Meet into the following five branch offices for the period of August 28, 1985 through September 30, 1985: 2626 Hylan Blvd., Staten Island; 2795 Richmond Avenue, Staten Island; 4324 Amboy Road, Staten Island; 17 John Street, Manhattan; and 7-8 Chatham Square, Manhattan.
11. CAPITAL DISTRICT OTB - PEGASUS STAKES RACE. For entry into the minutes, the Board's prior approval of September 26, 1985 of request by Capital District Off-Track Betting Corporation to accept wagers and display a simulcast of the "Pegasus Stakes Race" from the Meadowlands on September 26, 1985.
12. YONKERS RACEWAY - FALL PACING SERIES. For entry into the minutes, the Board's prior approval of September 26, 1985 of request by Yonkers Raceway to have a signal transmitted of the Fall Pacing Series to the metropolitan area television stations.
13. SARATOGA HARNESS - RACES PER DAY. For entry into the minutes, the Board's prior approval of September 25, 1985 of request by Saratoga Harness to card eleven races nightly beginning September 25, 1985 and until further notice.
14. SARATOGA HARNESS - PASS PROMOTION. For entry into the minutes, the Board's prior approval of September 6, 1985 of request by Saratoga Harness to print and distribute 6000 packages of general admission tax-exempt passes on Saturday, September 7, 1985 at Saratoga Raceway. Each package contains 6 general admission passes and would be given to each paid admission on September 7, 1985.

15. NYRA - PHILADELPHIA PARK. For entry into the minutes, the Board's prior approval of September 30, 1985 of request by New York Racing Association to enter into agreement with Philadelphia Park to accept pari-mutuel wagers on the Jockey Club Gold Cup on October 5, 1985.
16. NYRA - ROCKINGHAM PARK. For entry into the minutes, the Board's prior approval of September 30, 1985 of request by New York Racing Association to enter into agreement with Rockingham Park to accept pari-mutuel wagers on the Fall Highweight Handicap, the Lawrence Realization and the Rare Perfume on October 5, 1985.
17. BATAVIA DOWNS - RULE WAIVER. For entry into the minutes, the Board's prior approval of September 11, 1985 of request by Batavia Downs to eliminate show wagering on a stakes race programmed for Friday night.
18. MONTICELLO RACEWAY - REDUCE RACES. For entry into the minutes, the Board's prior approval of September 30, 1985 of request by Monticello Raceway to reduce the number of races on Fridays, from twelve races to eleven races.
19. EXTENSION OF JOCKEYS FEES SCHEDULE. For entry into the minutes, the Board's prior approval of September 24, 1985 of the emergency rule pertaining to jockeys fees schedule which will expire on the 30th day of September, 1985, as we are unable to adopt said rule until the 6th day of October 1985. Submitted was another emergency provision to be proposed in order to cover the interim period until the Board is able to adopt the rule.
20. HEARING OFFICER REPORT IN THE MATTER OF - DAVID B. MALCOLM. For entry into the minutes, the Board's prior approval of September 24, 1985 of the Hearing Officer's recommendation that the order of May 6, 1985 suspending David B. Malcolm's license as an owner-trainer for a period of six months be confirmed.
21. YONKERS RACEWAY - SIMULCAST REQUEST. For entry into the minutes, the Board's prior approval of October 3, 1985 of request by Yonkers Raceway to simulcast the Breeders' Crown Two Year Old Filly Pace on October 11, 1985.
22. BATAVIA DOWNS - FIVE DAY EXTENSION. For entry into the minutes, the Board's prior approval of October 2, 1985 of request by Batavia Downs for a five day extension to the 30 day qualifying rule.
23. VERNON DOWNS - PROMOTIONS. For entry into the minutes, the Board's prior approval of October 2, 1985 of request by Vernon Downs to conduct the following promotions for the balance of the 1985 racing season: Bounce Back Thursdays, whereby coupons appearing in the program would grant free Grandstand admission for Thursdays, October 3, 10, 17, 24 and 31, 1985; Grab Bag Night on October 18, 1985; and Fan Appreciation Night, Friday, October 25, 1985.

24. CATSKILL REGIONAL OTB - VERNON DOWNS. For entry into the minutes, the Board's prior approval of September 26, 1985 of request by Catskill Regional Off-Track Betting Corporation to amend its plan of operation to delete Vernon Downs wagering at the branch of the corporation, in Chenango County .
25. CAPITAL DISTRICT OTB - TELE-THEATER. For entry into the minutes, the Board's prior approval of September 26, 1985 of request by Capital District Off-Track Betting Corporation to operate a tele-theater at 711 Central Avenue, Albany, New York, in the balcony area of the telebranch.
26. SARATOGA RACEWAY - COLUMBUS DAY. For entry into the minutes, the Board's prior approval of October 4, 1985 of request by Saratoga Raceway to donate \$.50 of every paid admission on October 14, 1985 to the Statue of Liberty Restoration Fund.
27. SUMMARY SUSPENSION OF MICHEL LACHANCE. For entry into the minutes, the Board's prior approval of September 30, 1985 of the summary suspension of Michel LaChance based on the fact that he did not supply information upon request thereby not cooperating in the Board's investigation.
28. HEARING OFFICER REPORT IN THE MATTER OF - JOSEPH K. BONACORSA. For entry into the minutes, the Board's prior approval of October 9, 1985 of the Hearing Officer's recommendation that the denial of Joseph K. Bonacorsa's license application as a harness owner-trainer-driver be confirmed.
29. NYRA - CRANWOOD RACING CLUB. For entry into the minutes, the Board's prior approval of October 11, 1985 of request by New York Racing Association to enter into agreement with Cranwood Racing Club, Inc. to accept pari-mutuel wagers on the Champagne on October 19, 1985.
30. SUFFOLK REGIONAL OTB - RIVERHEAD BRANCH. For entry into the minutes, the Board's prior approval of October 8, 1985 of request by Suffolk Regional Off-Track Betting Corporation to license its Riverhead branch as a simulcast facility for the year July 1, 1985 through June 30, 1986.
31. CAPITAL DISTRICT OTB - PLAN OF OPERATION. For entry into the minutes, the Board's prior approval of October 8, 1985 of request by Capital District Off-Track Betting Corporation to approve a plan of operation for simulcasting for the period of July 1, 1985 through June 30, 1986.
32. SUFFOLK REGIONAL OTB - NYRA. For entry into the minutes, the Board's prior approval of October 8, 1985 of request by Suffolk Regional Off-Track Betting Corporation to extend its agreement with the New York Racing Association concerning simulcasting for the remainder of the Fall 1985 Belmont Meet.

33. NEW YORK CITY OTB - NYRA. For entry into the minutes, the Board's prior approval of October 8, 1985 of request by New York City Off-Track Betting Corporation to extend its simulcast agreements with the New York Racing Association.
  34. CATSKILL REGIONAL OTB - NYRA. For entry into the minutes, the Board's prior approval of October 8, 1985 of request by Catskill Regional Off-Track Betting Corporation to extend its simulcast agreement with the New York Racing Association through the Belmont Fall 1985 Meet.
  35. NASSAU REGIONAL OTB - NYRA. For entry into the minutes, the Board's prior approval of October 8, 1985 of request by Nassau Regional Off-Track Betting Corporation to extend its simulcast agreement with the New York Racing Association through the end of the Fall 1985 Belmont Meet.
  36. NYRA - SARATOGA HARNESS SIMULCAST. For entry into the minutes, the Board's prior approval of October 8, 1985 of request by New York Racing Association to enter into agreement with Saratoga Harness to extend the August 28, 1985 simulcast agreement through the end of the Fall 1985 Belmont Meet.
  37. FINGER LAKES - CHANGE IN POST TIME. For entry into the minutes, the Board's prior approval of October 8, 1985 of request by Finger Lakes Racing Association to change their post time to 1:05 p.m. on Sundays and 12:45 p.m. on weekdays, effective Sunday, October 27, 1985.
  38. NYRA - CRANWOOD RACING CLUB. For entry into the minutes, the Board's prior approval of October 11, 1985 of request by New York Racing Association to enter into agreement with Cranwood Racing Club, Inc. to accept pari-mutuel wagers on the Man O'War on October 12, 1985 and the Beldame on October 13, 1985.
- C. FOR BOARD APPROVAL:
1. (SEE B-38)
  2. BATAVIA DOWNS - INSTANT DOUBLE. The Board approved the request by Batavia Downs to institute an Instant Double in the event of a short field due to scratches.
  3. MONTICELLO RACEWAY - CAPITAL IMPROVEMENT FUND. The Board approved the request by Monticello Raceway to withdraw the sum of \$4,070 from their Capital Improvement Fund to reimburse the track for the purchase of a used dump truck and body.
  4. ROOSEVELT RACEWAY - SUNDAY RACING. The Board approved the request by Roosevelt Raceway to add eight Sundays to the racing program, beginning Sunday, November 10, 1985 through December 29, 1985.

5. SUFFOLK REGIONAL OTB - CASH CALL SYSTEM. The Board deferred the request of Suffolk Regional Off-Track Betting Corporation to implement a cash call system for the "convenience" of their telephone betting accounts.
6. CATSKILL REGIONAL OTB - MIDDLETOWN BRANCH. The Board approved that portion of the request by the Catskill Regional Off-Track Betting Corporation to amend their simulcasting plan of operation to authorize the simulcasting of NYRA races each afternoon into its Middletown branch office. The Board deferred action on that portion of the request of the Catskill Regional Off-Track Betting Corporation which sought to amend their simulcasting plan of operation to authorize the simulcasting of Yonkers and/or Roosevelt races each evening when Monticello Raceway is dark into its Middletown branch office.
7. NASSAU REGIONAL OTB - LICENSE FIVE BRANCH OFFICES. The Board approved the request by Nassau Regional Off-Track Betting Corporation to license five branch offices as simulcast facilities for the period of July 1, 1985 through June 30, 1986.
8. NEW YORK CITY OTB - LICENSE 16 BRANCH OFFICES. The Board approved the request by New York City Off-Track Betting Corporation to license 16 branch offices as simulcast facilities for the period July 1, 1985 through June 30, 1986.
9. NASSAU REGIONAL OTB - BELMONT MEET. The Board approved the request by Nassau Regional Off-Track Betting Corporation to simulcast NYRA's fall 1985 Belmont Meet into five branches for the period of August 28, 1985 through and including September 30, 1986.
10. CAPITAL DISTRICT OTB - EAST GREENBUSH BRANCH. The Board approved the request by Capital District Off-Track Betting Corporation to simulcast NYRA's Saratoga Meet into its East Greenbush branch.
11. NEW YORK CITY OTB - FINGER LAKES. The Board approved the request by New York City Off-Track Betting Corporation on behalf of all OTB Corporations and itself for the simulcasting of Finger Lakes races on Tuesdays.
12. NYRA - BREEDERS' CUP EVENT DAY. The Board deferred the request by New York Racing Association to simulcast Breeders' Cup Event Day on Saturday, November 2, 1985, whereby seven Breeders' Cup races would be conducted that day and in addition, NYRA would conduct an 8th race, independent of Breeders' Cup Limited.
13. HAROLD MONDSHEIN - NEW YORK CITY OTB. The Board denied the request by Harold Mondshein for Board action in his dispute with New York City Off-Track Betting Corporation.
14. REPEAL OF HARNESS RULE 4111.9(c). The Board approved the proposed repeal of harness rule 4111.9(c) which pertains to special consideration given to horses leaving pari-mutuel tracks to race at fairs.

15. "PAYMENT OF PURSES WITHIN 72 HOURS". The Board approved the rule, submitted for proposal, that race tracks must pay purse monies within 72 hours.
16. AMENDMENT OF HARNESS RULE 4108.9. The Board approved the proposed amendment of harness rule 4108.9 concerning general procedures on conditioned races.
17. WESTERN REGIONAL OTB - TIMOTHY J. TOOHEY. The Board approved the request by Western Regional Off-Track Betting Corporation for the appointment of Timothy J. Toohey as the Erie County Director on the Board of Directors of Western Regional OTB.
18. FINGER LAKES - CLOSING DAY. The Board approved the request by Finger Lakes Racing Association to designate closing day, Tuesday, November 12, 1985, Fan Appreciation Day and give all patrons free admission.
19. HEARING OFFICER REPORT IN THE MATTER OF - ELEUTERIO DANIELS. The Board approved the Hearing Officer's recommendation that Mr. Daniels' license as an owner be revoked.
20. FINGER LAKES - VETERANS' DAY. The Board approved the request by Finger Lakes Racing Association to grant free grandstand or clubhouse admission on Veterans' Day, Monday, November 11, 1985 to all veterans holding American Legion or Veterans or Foreign Wars membership cards.
21. NEW YORK CITY OTB - PLAN OF OPERATION. The Board approved the request by New York City Off-Track Betting Corporation for approval of its 1985-1986 simulcast plan of operation.
22. NEW YORK CITY OTB - THREE BRANCHES. The Board approved the request by New York City Off-Track Betting Corporation to license three branch offices as simulcast facilities for the year July 1, 1985 through June 30, 1986.
23. SUFFOLK REGIONAL OTB - CLOSE TWO BRANCHES. The Board approved the request by Suffolk Regional Off-Track Betting Corporation to close two branches, Central Islip and Huntington North.
24. HEARING OFFICER REPORT IN THE MATTER OF - RICHARD YAKIN. The Board approved the Hearing Officer's recommendation that the appeal be dismissed as untimely and the fine of \$500 be confirmed as the licensee, Mr. Yakin, has failed to comply with the required regulatory procedure.
25. SUFFOLK REGIONAL OTB - LICENSE 8 BRANCHES. The Board approved the request by Suffolk Regional Off-Track Betting Corporation to license 8 branch offices as simulcast facilities for the year July 1, 1985 through June 30, 1986.



26. FINGER LAKES - CAPITAL IMPROVEMENT FUND. The Board deferred the request by Finger Lakes Racing Association to withdraw the sum of \$303,322.84 from their Capital Improvement Fund to reimburse the track toward the purchase of various expenditures, the largest of which is \$223,149.03 for the construction of a new fifty-four stall barn.
27. CAPITAL DISTRICT OTB - GENESEE MORNOE. The Board approved the request by Capital District Off-Track Betting Corporation to enter into agreement with Genesee Monroe Racing Association, Inc. concerning live calls from Batavia Raceway to Capital District OTBC.
28. SUFFOLK REGIONAL OTB - SIMULCASTING. The Board approved the request by Suffolk Regional Off-Track Betting Corporation for approval of its simulcasting plan of operation for the year beginning July 1, 1985 and ending June 30, 1986.
29. NOTICE OF CONTINUATION. The Board approved the Notice of Continuation of the proposed rule pertaining to the repeal of the section on OTB disputes.
30. CAPITAL DISTRICT OTB - FOUR BRANCHES. The Board approved the request by Capital District Off-Track Betting Corporation to amend its simulcast plan of operation to add Lansingburgh, Gloversville, Delmar and Hoosick Falls branch offices as simulcast facilities.
31. IN THE MATTER OF - EDWARD MORGAN. The Board approved the Hearing Officer recommendation that the 8 day suspension from driving imposed against driver Edward Morgan be confirmed.
32. NYRA - BROADCAST BREEDERS'. The Board approved the request by New York Racing Association to broadcast its races on Breeders' Cup Event Day in an unscrambled format.
33. PICK-SIX WAGERING. The Board approved the Pick-Six emergency rule which was proposed in the beginning of September, which was submitted for adoption.
34. IN THE MATTER OF - PAUL MESSINA. The Board approved the Hearing Officer's recommendation that Paul Messina's application be denied.

D. FOR BOARD NOTICE AND INFORMATION:

1. NYS REGISTER - August 28, 1985, re: Unauthorized Use of Drugs - NOTED.
2. NYS REGISTER - September 11, 1985, re: Pari-Mutuel Betting Pools and Public Rights Pursuant to the Personal Privacy Protection Law - NOTED.

3. NYS REGISTER - September 18, 1985, re: Authority of Managing Owners - NOTED.
4. NYS REGISTER - October 2, 1985, re: Procedures for Correcting Mistakes Regarding Entries - NOTED.
5. NYS REGISTER - October 16, 1985, re: Compensation for Jockeys - NOTED.
6. Memo of S. Richman to T. Davide, dated October 2, 1985, re: New York City OTB - Branch Closings - NOTED.
7. Memo of S. Richman to T. Davide, dated October 12, 1985, re: New York City OTB - Finger Lakes Simulcasts - NOTED.
8. Memo of S. Richman to T. Davide, dated October 17, 1985, re: Capital, Western OTB and NYRA - State Tax Commission - Approval of Direct Interface of Wagers - NOTED.