

Bd. mtg.
9/30/87
approved

MINUTES OF THE
BOARD MEETING TO BE HELD ON
AUGUST 31, 1987.

A meeting of the New York State Racing and Wagering Board was held on August 31, 1987, at 11:00 a.m. at the Board's Offices, 400 Broome Street, New York, New York 10013.

The meeting being called on August 22, 1987, public notice of the meeting was given to the Associated Press, and UPI and to the general public by posting in the Board Lobby.

PRESENT : R. F. Corbisiero, Jr., Chairman,
Joseph P. Neglia, Member.

ALSO PRESENT: V. Coccoziello, Director of Wagering Systems

D. Vaughan, Counsel,
J. Dailey, Director of Policy & Planning,
J. Gallagher, Chief of Racing Operations,
S. Richman, Chief of OTB Operations,
K. Beh, Director of Public Relations,
H. Kluge, Director of Licensing, Audits and
Investigations,
T. Garrison, Assistant Counsel,
R. Feuerstein, Assistant Counsel,
E. Leary, Assistant Chief of Audits and
Investigations,
D. Goldberg, Assistant Counsel,
A. Schechter, Chief of Audits and Investigations,
and
Thomas C. Davide, Secretary to the Board.

A. MINUTES:

The Board approved the minutes of its meeting held on July 30, 1987.

FOR ENTRY INTO THE MINUTES:

1. BUFFALO RACEWAY/FAN APPRECIATION NIGHT: For entry into the minutes, the Board's prior approval of July 23, 1987, of a request by Buffalo Raceway dated July 15, 1987, for approval to have a Fan Appreciation Night on August 1, 1987 which entails free admission, and reduced prices.
2. FINGER LAKES/PROMOTION: For entry into the minutes, the Board's prior approval of July 27, 1987 of a request by Finger Lakes to extend their promotion which allows free admission and parking for patrons on week days during the period July 13 through July 24, 1987.
3. SARATOGA RACEWAY/PROMOTION: For entry into minutes, the Board's prior approval of July 23, 1987, of a request from Saratoga Harness Racing, Inc., to print and distribute 5,000 general admission tax-exempt passes through WGNA Radio Station and their sponsors. The passes would be good for Saturday, July 5, 1987.
4. NYRA/METRAPARK/THISTLEDOWN EXECUTED AGREEMENTS: For entry into the minutes, the Board's prior approval of July 3, 1987, of the executed agreements between NYRA and above-captioned tracks for the simulcast and acceptance of pari-mutuel wagers on named races during July, August and September, 1987.
5. CDROTBC/FOOD & NON-ALCOHOLIC BEVERAGES: For entry into the minutes, the Board's prior approval of July 23, 1987, of a request from Capital District Regional OTBC to amend its simulcast plan of operation and offer for sale food and nonalcoholic beverages via vending machines at six simulcast facilities for a ninety day (90) trial period.

6. SUFFOLK REGIONAL OTBC/ FINGER LAKES RACING ASSOCIATION:
For entry into the minutes, the Board's prior approval of July 23, 1987, of request by Suffolk Regional Off Track Betting Corporation to simulcast Finger Lakes Race Tracks races on Tuesdays when NYRA is not racing from June 1987 to December 1987.
7. ROOSEVELT RACEWAY/PROGRAM CHANGES:
For entry into the minutes, the Board's prior approval of July 23, 1987, of a request from Roosevelt Raceway to add a fourth triple to its racing program, to eliminate Tuesday matinees, that all remaining racing programs have eleven (11) betting races, and to allow changes in admission prices.
8. SARATOGA RACEWAY/WXXA T.V. PROMOTION:
For entry into the minutes, the Board's prior approval of July 23, 1987, of a request by Saratoga Raceway to print and distribute 10,000 general admission, tax-exempt passes to WXXA T.V. Station, Albany, New York. These passes are valid on August 1, 1987.
9. NYRA/KEENLAND YEARLING SALE:
For entry into the minutes, the Board's prior approval of July 17, 1987, of a request by New York Racing Association, Inc., to provide its simulcast signal to Keenland Association, Inc. in Lexington, Kentucky for display at its Yearling Sale from July 18 to July 22nd, 1987.
10. MICHAEL HEATH/WEIGHT ALLOWANCE:
For entry into the minutes, the Board's prior approval of July 31, 1987, of a request for the extension of the weight allowance of apprentice jockey Michael Heath for 47 days because of track injuries. r
11. CDROTBC/OUT-OF-STATE HARNESS SPECIAL EVENT:
For entry into the minutes, the Board's prior approval of July 23, 1987, of request by Capital District Regional OTBC to accept wagers on Beacon Course Trot as an out-of-state harness special event on July 24, 1987.
12. CRAIG MOSHER SUMMARY SUSPENSION :
For entry into the minutes, the Board's prior approval of the summary suspension of Craig Mosher who jeopardized the public's safety and welfare by violating Board Rules NYCCR 4119.11(a), 4119.7(b) and 4119.11(b).

13. NATIONAL STEEPLECHASE & HUNT LICENSE:
For entry into the minutes, the Board's prior approval of July 22, 1987, of a request from National Steeplechase and Hunt Association for a license to cover non-wagering steeplechase races at Saratoga on August 2, 1987, as part of NYRA's Open House Activities.
14. CDROTBC/HANDICAPPING SEMINAR AND PROMOTION:
For entry into the minutes, the Board's prior approval of July 23, 1987, of a request by Capital District Regional OTBC to conduct handicapping Seminar at its simulcast theater on August 1, charging a fee of \$10 and \$12 per participant; and to offer free \$10.00 or \$5 in harness wagers to patrons on Sunday and Monday nights.
15. WROTBC-WESTMAR FACILITY RELOCATION TO MARWAY CIRCLE:
For entry into the minutes, the Board's prior approval of July 23, of a request by Western Regional Off Track Betting Corporation to move its Westmar Plaza Facility to Marway Circle, Gates, New York. As requested the approval was made retroactive to July 10, 1987.
16. SCOTT E. CYPHER/SUSPENSION:
For entry into the minutes, the Board's prior approval of July 21, of the suspension of Scott E. Cypher 1987 thoroughbred license for violation of rules 4042.5(a) and 4002.9(a) thereby jeopardizing the public's safety and welfare.
17. NYRA/GOLDEN GATE FIELDS:
For entry into the minutes, the Board's prior approval of June 5, of an agreement between New York Racing Association and Golden Gate Fields for the simulcast and acceptance of pari-mutuel wagers on the Belmont Stakes on June 6, 1987.
18. CDROTBC/GOLDEN HORSESHOE CLUB:
For entry into the minutes, the Board's prior approval of February 2, 1987, of a request by Capital District Regional Off-Track Betting Corporation for permission to establish the Golden Horseshoe Club.
19. ANTHONY ZUZOLO/SUSPENSION:
For entry into the minutes, the Board's prior approval of July 20, of the summary suspension of Anthony Zuzolo for the violation of Rules Section 4119.11(a) and 4119. (b) as of July 20, 1987.

20. MONTICELLO RACEWAY/NEW HAVEN TELETRACK:
For entry into the minutes, the Board's prior approval of July 30, of request by Monticello Raceway to simulcast Monticello Raceway races to the teletrack in New Haven, Connecticut.
21. CDROTBC/MORNING WORKOUTS:
For entry into the minutes, the Board's prior approval of July 30, of a request from Capital District OTBC to amend its Simulcast Plan of Operation and simulcast the morning workouts at Saratoga Racetrack during August to selected CDROTBC facilities.
22. ROOSEVELT RACEWAY PROMOTION:
For entry into the minutes, the Board's prior approval of July 30, of a request by Roosevelt Raceway to offer patrons, via direct mail, coupons for free grandstand and Clubhouse admissions for August 7, 1987.
23. CDROTBC/OPEN HOUSE.
For entry into the minutes, the Board's prior approval of July 30, of a request by Capital District Regional Off Track Betting Corporation to conduct an Open House at its new facility at Guy Park Avenue, Amsterdam, New York. Approval was given to serve alcoholic beverages, through a Caterer's permit, subject to the approval of the appropriate agencies pursuant to the State Alcoholic Beverage Control Law.
24. BUFFALO RACEWAY/ COLOR TELEVISION DRAWING:
For entry into the minutes, the Board's prior approval of July 29, of a request from Buffalo Raceway to hold a drawing for a color television set. Winners would be selected at random as outlined in their letter. It is understood that this drawing would be made available to the general public.
25. SARATOGA HARNESS/PROMOTION:
For entry into the minutes, the Board's prior approval of August 4, of a request by Saratoga Harness Racing Inc., to print highlights of the Saratoga Harness Raceway programs for the month of August in various newspapers, along with tax-exempt passes - a total distribution of approximately 25,000.
26. KEVIN DOSHER/SUMMARY SUSPENSION:
For entry into the minutes, the Board's prior approval of July 30, of the summary suspension of Kevin Doshier's license for violation of Rules Section 4042.5(a) and 4002.9(a).

27. NYCOTB-WAGERING ON HASKELL:
For entry into the minutes the Board's prior approval of August 4, a request from New York City Off Track Betting Corporation to waive our rules and allow them to accept wagers on the Haskell for win, place and exacta.
28. NYCOTB/NYRA "DARK DAYS" AT MONMOUTH PARK:
For entry into the minutes, the Board's prior approval of July 30, a request by New York City Off-Track Betting Corporation, on behalf of itself and all other New York State Regional Off-Track Betting Corporations, to accept wagers on races run at Monmouth Park on the Tuesdays, when NYRA is "dark" from August 2, through September 5, 1987.
29. CDROTBC-OGDENSBURG PLAY NIGHT:
For entry into the minutes, the Board's prior approval of July 30, of a request by Capital District Regional Off-Track Betting Corporation to hold "Play Night" on July 30, 1987, at its new Ogdensburg facility for dignitaries and guests in order to test the simulcast display system prior to actual business on July 31, 1987.
30. NYRA/BLUE RIBBON DOWNS EXECUTED AGREEMENT:
For entry into the minutes, the Board's prior approval of August 11, of a request from New York Racing Association, for approval to simulcast and accept pari-mutuel wagers to Blue Ribbon Downs on the Woodward on September 9, and on the Jockey Club on October 10, 1987.
31. SYRACUSE MILE/VERNON DOWNS PROMOTION :
For entry into the minutes, the Board's prior approval of August 11, of:(a) request by Syracuse Mile to amend its license to reflect a change in chairmanship -Stanley Phillips has replaced Victor E. Zast, as Chairman, and (b) the agreement between Syracuse Mile and Vernon Downs to exchange free grandstand admission during August 8, 9, 15, 16, 22 and 23.
32. JORGE MILIAN/SUSPENSION:
For entry into the minutes, the Board's approval of August 11, the summary suspension of Jorge Milian for possession and consumption of cocaine. These actions constitute a violation of Rules Section 4042.5(a) and 4002.9(a).
33. WROTBC/PICK-3 BATAVIA MEET:
For entry into the minutes, the Board's prior approval of August 11, 1987, of a request by Western Regional Off-Track Betting Corporation conduct PICK-3 wagering nightly in races 4, 5, and 6 during the Batavia meet which begins on August 3, 1987.

34. CDROTBC/AMSTERDAM FACILITY:
For entry into the minutes, the Board's prior approval of August 11, of a request by Capital District Regional Off-Track Betting Corporation to approve its proposed concessionaire for food and non alcoholic beverages, and its principal officers, Matthew Cinguanti, President/Treasurer and Michael Raphael, at its new Amsterdam facility.
35. NYRA/ATLANTIC CITY/PIMLICO/PHILADELPHIA/ROCKINGHAM PARK/SANTA FE/SEDALIA/THISTLEDOWN.
For entry into the minutes, the Board's prior of August 11, 1987, of a request from New York Racing Association, Inc. for approval of executed agreements between NYRA and the captioned tracks for the simulcast and acceptance of pari-mutuel wagers.
36. ROOSEVELT RACEWAY/SPECIAL EVENT:
For entry into the minutes, the Board's prior approval of August 11, 1987, of a request by Roosevelt Raceway dated July 31, 1987, to accept the existing licenses of drivers/trainers participating in its 30th Anniversary Trot on August 8, 1987, and to waive the USTA procedures for the Roosevelt International Trot scheduled for August 22, 1987.
37. NYRA/ CANTERBURYH DOWNS/ERIE DOWNS/NEW SUFFOLK DOWNS/MONMOUTH PARK/THISTLEDOWN :
For entry into the minutes, the Board's prior approval of August 11, 1987, of a request by New York Racing Association, Inc. dated August 7, for approval of executed agreements between NYRA and the above captioned tracks for the simulcast and acceptance of pari-mutuel wagers during the period August 8 to August 29, 1987.
38. NYRA/MEADOWLANDS AGREEMENT:
For entry into the minutes, the Board's prior approval of August 11, 1987, of a request by New York Racing Association, Inc. for approval of an executed agreement with Meadowlands for the simulcast and acceptance of pari-mutuel wagers on the 1987 Alabama, the Travers, and the Hopeful.
39. NYRA/DELAWARE AGREEMENT:
For entry into the minutes, the Board's prior approval of August 11, 1987, of an executed agreement between NYRA and Delaware Racing Association for the simulcast and acceptance of pari-mutuel wagers on the Whitney on August 8, the Alabama on August 15, and Hopeful on August 29, 1987.

40. SARATOGA HARNESS/SIMULCASTH LICENSE FOR 1987-88:
For entry into the minutes, the Board's prior approval August 11, 1987, of a application by Saratoga Harness for a 1987-88 Simulcast Facility license and its 1987-88 Simulcast Plan of Operation.
41. NYRA/LIVE RADIO BROADCAST:
For entry into the minutes, the Board's prior approval of August 19, of a request by New York Racing Association, to enter into agreement with WFAN for live radio broadcast.
42. NASSAU/SUFFOLK/ISELIN HANDICAP:
For entry into the minutes, the Board's prior approval of August 20, 1987, of a request by Nassau/Suffolk OTB for the acceptance of wagering on Iselin Handicap to be run at Monmouth Park, New Jersey on August 22, 1987.
43. SYRACUSE MILE/12TH RACE:
For entry into the minutes, the Board's prior approval of August 13, 1987, of a request from Syracuse Mile to hold twelve (12) races on Sunday August 16, 1987, because of the number of entries in the New York Sire Stake Late Closer.
44. MONTICELLO RACEWAY/ADDITION TO RACING SCHEDULE:
For entry into the minutes, the Board's prior approval of August 19, of a request by Monticello Raceway for permission to add Monday, August 24 and 31, post time 7:30 p.m. to its current racing schedule.
45. NYRA/DELAWARE RACING ASSOCIATION:
For entry into the minutes, the Board's prior approval of August 15, 1987, of an agreement between New York Racing Association and Delaware Racing Association for the simulcast and acceptance of pari-mutuel wagers on the 1987 Bernard Baruch Handicap on August 16, 1987.
46. SYRACUSE MILE/NY SIRE STAKE:
For entry into the minutes, the Board's prior approval of August 12, 1987, of a request by Syracuse Mile to hold twelve (12) races on Saturday, August 15, 1987, in the New York Sire Stake Late Closer, because of the number of entries.
47. NYRA/BALMORAL/BIRMINGHAM/HAWTHORNE/PIMLICO:
For entry into the minutes, the Board's prior approval of August 17, 1987, of a request by New York Racing Association, Inc., for approval of executed agreements between NYRA and the above captioned tracks.

48. CDROTBC/PROMOTIONAL WAGERS:
For entry into the minutes, the Board's prior approval of August 13, 1987, of a request by Capital District Regional Off-Track Betting Corporation to extend its promotional program of free \$10.00 harness wagers on Sunday and Monday nights through August 31, 1987.
49. NYRA/ARLINGTON/BALMORAL/FOX VALLEY MAYWOOD:
For entry into the minutes, the Board's prior approval of the agreements between NYRA and the tracks listed above for the simulcast and acceptance of pari-mutuel wagers on the following races: Forego 8/23; Seneca 8/27; John A. Morris 8/30; Gazelle 9/2; and Spinaway 8/31 in place of Hopeful.

FOR BOARD APPROVAL

1. CDROTBC/ROBERT SNIDER: The Board denied the request by Capital District Regional Off-Track Betting Corporation to amend its plan of operation in relation to the appointment of Robert Snider of Starlake, New York to its Board of Directors, representing St. Lawrence County, pursuant to an opinion of the New York State Attorney General.
2. CATSKILL ROTBC/1987-88 SIMULCAST LICENSES (15):
The Board approved the request by Catskill Regional OTBC for 15 simulcast facility licenses, and its 1987-88 simulcast Plan of Operations.
3. CDROTBC/YONKERS/ROOSEVELT-OGDENSBURG & MESSENA :The Board approved the request from Capital District Regional OTBC to receive and display the simulcast signal and accept wagers on the daily races run at Yonkers Raceway and Roosevelt Raceway at its Ogdensburg and Messena facilities.
4. ROOSEVELT/STAKE CONDITION-1990 MESSENGER AND DEXTER CUPS:
The Board approved the stake conditions for the 1990 Messenger and Dexter Cups as requested by Roosevelt Raceway by letter dated August 3, 1987.
5. VERNON DOWNS/CASH CALL WINDOW:
The Board approved the request by Vernon Downs dated July 31, 1987, to install a cash call window whereby patrons can use a credit card and receive cash.
6. CDROTBC/MALONE BRANCH RELOCATION: The Board approved the request from Capital District Regional OTBC to amend its plan of operation and simulcast plan of operation in relation to the relocation of its branch at Malone, New York. The new address is 31 Rockland Street, Malone, New York.

7. VERNON DOWNS/CAPITAL IMPROVEMENT FUND: The Board approved the request by Vernon Downs dated December 29, 1986, to withdraw \$499,490 from its Capital Improvement Fund.
8. MONTICELLO RACEWAY-ADDITIONAL RACE DATE: The Board approved the request by Monticello Raceway, dated August 27, 1987, to add Thursday, September 3, 1987, to its race schedule and have post time at 7:30 p.m.
9. BUFFALO RACEWAY/CAPITAL FUND IMPROVEMENT: The Board approved a further \$9,643 of the request by Buffalo for capital improvement expenditure. Approval of the remaining \$9,643 is contingent upon the furnishing of appropriate documentation by Buffalo as requested by the Board.
10. SUFFOLK REGIONAL/WEST ISLIP BRANCH: The Board approved the request by Suffolk Regional OTBC to amend its plan of operation and relocate its West Islip Branch to 155 Sunrise Highway, effective October 1, 1987.
11. NYRA/SEDALIA AGREEMENT: The Board approved the executed Agreement between New York Racing Association and Sedalia Horse Racing Association for the simulcast and acceptance of pari-mutuel wagers on Adirondack 8/20, the Farego on 8/23, West Point on 8/26, the Seneca on 8/27, the Empire on 8/28, and the Hopeful 8/29.
12. NYRA/TURFWAY PARK: The Board approved the executed agreement between New York Racing Association and Turfway Park for the simulcast and acceptance of pari-mutuel wagers on the 1987 Marlboro Cup on 9/20, the Turf Classic on 9/26, and the Cowdin Stakes on 10/3.
13. NYRA/CHARLES TOWN/DEL MAR/HOLLYWOOD/LOUISIANA MOUNTAINEER/RUIDOSO: The Board approved the executed agreement between New York Racing Association and the above listed tracks for the simulcast and acceptance of wagers on the 1987 Travers 8/22.
14. MONTICELLO RACEWAY/POST TIME CHANGE: The Board approved the request by Monticello Raceway to change its post time from 1:30 p.m. to 7.30 p.m. on Monday, September 7, 1987.
15. CDOTBC/RELOCATION OF GUILDERLAND BRANCH: The Board approved the request by Capital District Regional OTBC to amend its plan of operation in relation to the relocation of its Guilderland Branch from the Twenty Mall to the Star Plaza, Albany County, effective September 1, 1987.

D. FOR BOARD INFORMATION:

1. NYS REGISTER - July 22, 1987, re Amendment of Sections 4004.1, 4004.3, 4004.4, 4004.5, 4101.28, 4210.1, 4210.3, 4210.4, 4210.5, and 4204.3 and repeal of sections 4004.2 and 4210.2 of Title 9NYCRR. Repeal of the prohibition against telephone communications other than racing information while on racetrack premises. To enable track patrons to communicate with their offices in order to conduct their business while on the racetrack.
2. NYS REGISTER - July 29, 1987, Re Revised Regulatory Impact Statement and Revised Regulatory Flexibility Analysis pertain to a notice of proposed rule making published in the State Register on June 17, 1987. - Veterinarian at Race.
3. NYS REGISTER - August 5, 1987, re Amendment of Section 4040.9 of Title 9 NYCRR. - Minimum amount of money to be paid to the 2nd and 3rd place jockeys in races with a purse of \$25,000 and up. To increase the compensation paid to jockeys in certain cases and define "purse" for such purpose.
4. Memo from Steven H. Richman regarding Nassau Regional OTB unexpected inability to accept advance wagers on the Belmont Stakes - due to a computer problem with the Autotote system. (Suffolk Regional OTBC had the same problem)
5. Memo from S. Richman 8/13 regarding Capital District ROTBC non-acceptance of wagers on the 1987 Hambletonian Stakes from the Meadowlands on Saturday, August 8, 1987.
6. NYS REGISTER - August 19, 1987 re: Amendment of Section 4009.5, 4122.21, 4215.5 and 5206.5 of Title 9 NYCRR. Notice to holders of pari-mutuel tickets as to the time limitation for cashing. To provide notice on tickets purchased as to the time limitation for cashing or receiving a refund.