

MINUTES OF THE  
BOARD MEETING  
HELD ON JANUARY 25, 1989

A meeting of the New York State Racing & Wagering Board was held on Wednesday, January 25, 1989, at the Board offices located at 400 Broome Street, New York, 10013.

IN ATTENDANCE WERE:

Richard Corbisiero, Jr., Chairman  
Joseph P. Neglia, Board Member  
Bennett Liebman, Board Member  
Victor Cocozziello, Director of Wagering Systems  
George D. Dranichak, Director of Racing Officials  
Herman Kluge, Director of Investigations & Audits  
Jim Gallagher, Chief of Racing Operations  
Edmund Leary, Assistant Chief of Audits & Investigations  
Steven Richman, Chief of Off-Track Betting Operations  
David Vaughan, Counsel  
Daniel Goldberg, Assistant Counsel  
Robert Feuerstein, Assistant Counsel  
Gale Berg, Assistant Counsel  
John Barrett, Assistant Counsel  
Ted Garrison, Assistant Counsel  
Bernie Handwerker, Director of Bingo  
Arthur Schechter, Chief of Audits  
Peggy Anderson, Off-Track Betting Operations Analyst  
Thomas C. Davide, Secretary to the Board

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- A. Approved minutes of The Board Meeting Held on December 22, 1988.
- B. FOR ENTRY INTO THE MINUTES
1. MONTICELLO RACEWAY/LICENSE AMENDMENT  
For entry into the minutes, the Board's prior approval of a request by Monticello Raceway to add Monday, Jan. 2, 1989 post time 12:30p.m. to their racing schedule and also to have free admission on this date.
  2. MONTICELLO RACEWAY/LICENSE AMENDMENT  
For entry into the minutes, the Board's prior approval of a request by Monticello Raceway to add Fridays, January 6, 13, 20, and 27, 1989 to their racing schedule, post time 7:30p.m.
  3. MONTICELLO RACEWAY/LICENSE AMENDMENT  
For entry into the minutes, the Board's prior approval of a request by Monticello Raceway to add Monday, January 16, 23, and 30, 1989 to their racing schedule, post time 12:45p.m.
  4. BUFFALO RACEWAY/LICENSE AMENDMENT  
For entry into the minutes, the Board's prior approval of a request by Buffalo Raceway to cancel Sunday's program, January 8, 1989.
  5. YONKERS RACEWAY/LICENSE AMENDMENT  
For entry into the minutes, the Board's prior approval of a request by Yonkers Raceway to add Tuesday matinees to their racing schedule in 1989, except when NYRA conducts a Tuesday program (March 21 and 28, July 4, and Nov 7, 1989). This amendment to their license will add 27 programs for a total of 348.
  6. CDROTBC/AMEND PLAN OF OPERATION  
For entry into the minutes, the Board's prior approval of a request by Capital District Regional Off-Track Betting Corp., to amend their plan of operation and simulcast plan of operation in relation to the establishment of a Branch at RFD 256, Ticonderoga, Essex County, New York, effective, December 30, 1988.

7. CDROTBC/ACCEPT WAGERING ON THE 1988 HOLLYWOOD FUTURITY TO BE RUN ON DECEMBER 18, 1988  
For entry into the minutes, the Board's prior approval of a request by Capital District Regional Off-Track Betting Corp., on behalf of themselves and the Western Regional Off-Track Betting Corp., to accept wagers on the 1988 Hollywood Futurity to be run on December 18, 1988 at Hollywood Park, California.
  
8. CDROTBC/TO ACCEPT WAGERS ON THE SAN GABRIEL HANDICAP ON SATURDAY, DECEMBER 31, 1988  
For entry into the minutes, the Board's prior denial of a request by Capital District Regional Off-Track Betting Corp., to accept wagers on the San Gabriel Handicap as an out-of-state thoroughbred special event on Saturday, December 31, 1988 from Santa Anita Racetrack, California.
  
9. SROTBC/APPOINTMENT  
For entry into the minutes, the Board's prior approval of a request by Suffolk Regional Off-Track Betting Corp., to amend their plan of operation to reflect the appointment of Anne F. Mead as a member of their Board of Directors.
  
10. RICHARD DUTROW SUMMARY SUSPENSION  
For entry into the minutes, the Board's prior approval of a summary suspension of Richard Dutrow for violation of Board Rules 4042.5 and 4002.9(a) pursuant to the Racing, Pari-Mutuel Wagering and Breeding Law Section 213.
  
11. DENNIS CARR/APPRENTICE ALLOWANCE EXTENSION  
For entry into the minutes, the Board's prior approval of a request by Dennis Carr to extend his apprentice allowance by 1 day due to snow cancellation on Jan.5, 1989.
  
12. JOSEPH RICCO JR./SUMMARY SUSPENSION  
For entry into the minutes, the Board's prior approval of a summary suspension of Joseph Ricco Jr. for violation of NYCRR 4119.7(a) (3) and (b) and 4119.9(a).
  
13. CDROTBC & WROTBC/AMEND PLAN OF OPERATION  
For entry into the minutes, the Board's prior approval of a request by Capital District and Western Regional Off-Track Betting Corporations to amend their plan of operation to accept wagers on races run at Monticello Raceway on Monday afternoons, 1/16, 1/23, & 1/30/89.
  
14. WROTBC/AMEND PLAN OF OPERATION  
For entry into the minutes the Board's prior approval of a request by Western Regional Off-Track Betting Corp., to amend their plan of operation in relation to the acceptance of wagers on Monticello Raceway on Sunday, January 8, 1989.

C. BOARD APPROVAL

1. NYRA/SIMULCAST CONTRACTS FOR 1989  
The Board approved the request by New York Racing Association of the annexed contracts (A-F) which NYRA will execute with out-of-state tracks for the simulcast and acceptance of pari-mutuel wagers on various races during the 1989 NYRA Season.
2. NYRA/JANUARY SIMULCASTING SCHEDULE  
The Board approved the request by The New York Racing Association of the list of tracks with whom NYRA has executed agreements for the simulcast and acceptance of pari-mutuel wagers on various races for the month of January.
3. NYRA/PROMOTION  
The Board approved the request by the New York Racing Association to offer a Presidents' Day Weekend promotion whereby patrons will receive \$1.00 off on both the Grandstand and clubhouse admission on February 18, and 19, 1989, also offering their patrons \$1.00 off Grandstand and Clubhouse admission on 2/25, and 2/26/89.
4. APPLICATION OF NYCOTBC/SIMULCAST FACILITY LICENSE  
The Board approved the request by New York City Off-Track Betting Corporation application for (38) simulcast facility licenses for the year ending June 30, 1989, together with the Simulcast Plan of Operation.
5. NYRA/NEW YORK INVITATIONAL HANDICAPPERS CHALLENGE  
XVI PROMOTION  
The Board approved the request by The New York Racing Association of the New York Invitational Handicappers' Challenge XVI promotion scheduled for April 15, and 16, 1989 to offer free admission to all semi-finalists, and in addition to issue all semi-finalists and finalists a 1990 grandstand or clubhouse pass.
6. NYCOTBC/EXTENSION OF THEIR AGREEMENT WITH CALDER RACE COURSE  
The Board approved the request by New York City Off-Track Betting Corporation to extend their agreement with Calder Race Course.

7. BATAVIA DOWNS/CAPITAL IMPROVEMENT FUND  
The Board has approved a total of \$339,612.94 for withdrawal from the Capital Improvement Fund for the expansion of the Clubhouse Dining room. Inasmuch as \$275,000 has been authorized by previous letter, the remaining balance of \$64,612.94 was approved for withdrawal.
  
8. BATAVIA DOWNS CAPITAL IMPROVEMENT FUND  
The request by Batavia Downs to withdraw \$8,160.45 from the Capital Improvement Fund was reviewed and the Board approved the sum of \$7,843.89. The sum of \$316.56 has been denied because it has determined to be Maintenance Costs.
  
9. IN THE MATTER OF BILLY FOX JR.  
The Board after reviewing the Hearing Officer's report concerning Billy Fox Jr. upheld the fifteen (15) day suspension for violation of Board rule 9NYCRR Section 4002.9.
  
10. SARATOGA RACEWAY/PROMOTION  
The Board approved the request by Saratoga Raceway to offer one free general admission pass to any harness racing program in February 1989 in conjunction with radio station "WGY" "What's Cooking" promotion.
  
11. NYRA/ISSUANCE OF A BUILDING PERMIT FOR THE CONSTRUCTION OF A SATELLITE EARTH STATION  
The Board approved the request by The New York Racing Association for the issuance of a building permit for the construction of a head end building (Satellite Earth Station) by Queens Inner Unity Cable Systems at Aqueduct Race Track.
  
12. FINGER LAKES/CAPITAL IMPROVEMENT FUND  
The request by Finger Lakes to withdraw \$52,687.75 from the Capital Improvement Fund was reviewed and the Board approved the sum of \$51,686.00. The sum of \$1,101.75 has been denied because of a duplication of billing.
  
13. JOCKEY EDWARD CRUZ/APPRENTICE ALLOWANCE EXTENSION

THIS ITEM HAS BEEN DEFERRED UNTIL NEXT BOARD MEETING

14. IN THE MATTER OF BARBARA GATES  
The Board confirmed the recommendation of the Hearing Officer that the winning horse be disqualified and placed behind the horse interfered with and the corresponding purses be adjusted.
15. MONTICELLO RACEWAY/CAPITAL IMPROVEMENT FUND  
The Board has determined that the proposed purchase of the Totalisator Equipment presently at the site is a legitimate Capital Improvement expenditure for purposes of qualifying for reimbursement from the Capital Improvement Fund, provided that the plans and personnel for continuing the operation of such equipment are approved by the Board and the State Tax Commissioner.  
Upon execution of the contract and aforementioned approvals being given, the Board will entertain a request to withdraw the requisite funds.
16. IN THE MATTER OF THE GAP ATTENDANT PROGRAM OF THE NEW YORK RACING ASSOCIATION, INC.  
The Board after a review of all the evidence adduced at the Hearing held on January 6, 1989 against the termination or diminution of the Gap Attendant Program until such time as the NYRA presents to this Board a reasonably concrete alternative plan which assures the continuation of the same degree of accuracy of published workouts as currently exists.