

MINUTES OF THE
BOARD MEETING
HELD ON NOVEMBER 28, 1989

A meeting of the New York State Racing & Wagering Board was held on Tuesday, November 28, 1989, at the Board offices located at 400 Broome Street, New York, 10013.

IN ATTENDANCE WERE:

Richard F. Corbisiero, Jr., Chairman
Joseph P. Neglia, Board Member
Bennett Liebman, Board Member
Victor Cocozziello, Director of Wagering Systems
John Dailey, Director of Racing and OTB
David Vaughan, Counsel
Steven Richman, Chief of Off-Track Betting Corporation
Ronald Sommer, Assistant to the Executive Director
Edmund Leary, Asst. Director of Audit & Investigations
Jim Gallagher, Chief of Racing Operations
Bernie Handwerker, Director of Bingo
Duke Dranichak, Director of Racing Officials
Robert Feuerstein, Assistant Counsel
Archie Mavromatis, Assistant Chief of Racing Operations
Thomas C. Davide, Secretary to the Board

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A.

1. Approved minutes of the Board Meeting held on October 26, 1989.
2. Approved minutes of the Special Board Meeting held on November 15, 1989.

B. FOR ENTRY INTO THE MINUTES

1. CDROTBC/PROMOTION

For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to undertake the Handicapping Tournament, the Handicapping Seminar promotion and the Radio - Dr. I.Q. Contest.

2. APPLICATION OF WROTBC/TO AMEND ITS PLAN OF OPERATION

For entry into the minutes, the Chairman's prior approval of an application of Western Regional Off-Track Betting Corporation to amend its simulcast plan of operation and license its branch at 1535 Hudson Avenue, Rochester, New York as a simulcast branch facility.

3. WROTBC/TO ACCEPT WAGERS

For entry into the minutes, the Chairman's prior approval of Western Regional Off-Track Betting Corporation to accept wagers on the 1989 Young American Stakes to be run on Thursday, October 26, 1989 at the Meadowlands.

4. VERNON DOWNS AND THE ROTBC'S/TO ACCEPT WAGERS ON VARIOUS BREEDERS CROWN RACES

For entry into the minutes, the Chairman's prior approval of a request by Vernon Downs to accept all available wagers on the: 2-Year-old Colt Pace, 2-Year-old Filly Pace, 3-year-old Filly Pace and 3-year-old Colt Pace to be run on Friday, October 27, 1989 at Pompano Park, Florida. Also, a request by Capital District and Western Regional Off-Track Betting Corporation to accept all available wagers of the Breeders Crown events to be run at Pompano Park, on Friday, October 27, 1989 and the request by New York City Off-Track Betting Corporation (on behalf of itself, Nassau, Suffolk and Catskill Regional Off-Track Betting Corporations), to accept wagers on the 3-year-old colt Pace on Friday, October 27, 1989 at Pompano Park, Florida.

5. APPLICATION OF SROTBC/TO AMEND ITS PLAN OF OPERATION
For entry into the minutes, the Chairman's prior approval of a request by Suffolk Regional Off-Track Betting Corporation to amend its plan of operation and simulcast plan of operation in relation to an expansion of their Hauppauge simulcast theater by an additionally 7,000 square feet.
6. YONKERS RACEWAY/TO OFFER FREE ADMISSION
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to continue to offer free admission and free parking for the month of November.
7. BATAVIA DOWNS/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by Batavia Downs to offer free admission to all patrons for the remaining five Mondays of their meet starting Monday, October 30, 1989.
8. NYRA/NOVEMBER SIMULCAST BRANCH
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association of a list of tracks with whom NYRA has executed agreements for the simulcast and acceptance of pari-mutuel wagers on various races in the month of November as outlined in their letter of October 26.
9. NYRA/TO SIMULCAST KEENELAND SALES PAVILION
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to simulcast each day's racing card from November 3 through November 13, to Keeneland Sales Pavilion in Lexington, Kentucky during their November Breeding Stock Sale solely for viewing interest of the horsemen attending the sale.
10. SARATOGA HARNESS/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by Saratoga Raceway to have a Saratoga Raceway "LIVE" Television show to be aired 7:30p.m. - 11:30p.m. on Wednesday, November 15, 1989 over OTB'S Channel 12.
11. YONKERS RACEWAY/SIMULCAST TO QUAD CITY DOWNS
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to simulcast the On the Road Again Pace on Saturday, November 4, the Clare Pace Final on Friday, November 17, and the William Haughton Memorial Final on Friday, November 25, to Quad City Downs.

12. SIMULCAST OF THE 1989 BREEDERS' CUP RACES TO REGIONAL OTB'S AND NEW YORK TRACKS FROM GULFSTREAM PARK ON NOVEMBER 4
For entry into the minutes, the Chairman's prior approval of a request by Western, Capital District, Nassau and Suffolk Regional Off-Track Betting Corporations to accept wagers on the 1989 Breeders' Cup races from Gulfstream Park, on November 4, 1989. Also, approved the request by New York City Off-Track Betting Corporation and Catskill Regional Off-Track Betting Corporation for the simulcast and acceptance of pari-mutuel wagering on the 1989 Breeders' Cup events races 1 through 7 to be run on November 4, 1989. Also, approved Finger Lakes and the New York Racing Association for the simulcast and acceptance of pari-mutuel wagering on the 1989 Breeders' Cup events races 5 through 7, to be run on November 4 from Gulfstream Park.
13. YONKERS RACEWAY/SIMULCAST OF THE ON THE ROAD AGAIN PACE
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to simulcast the On the Road Again Pace, on Saturday, November 4, to Pocono Downs.
14. NYRA/WAIVER OF RULE 4011.20(f) FOR BREEDERS' CUP RACES 5 THROUGH 7
For entry into the minutes the Chairman's prior approval of a request by the New York Racing Association the waiver of Rule 4011.20(f), in order that NYRA may conduct exacta wagering with as few as five (5) betting interests for Breeders' Cup races 5-7 on November 4, 1989.
15. YONKERS RACEWAY/TO SUSPEND SHOW WAGERING ON THE ON THE ROAD AGAIN PACE
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to suspend show wagering from the On the Road Again Pace and first elimination of the Clare Pace.
16. NYC, CATSKILL, CDROTBC AND WROTBC'S/TO ACCEPT ADVANCE WAGERING
For entry into the minutes, the Chairman's prior approval of a request by New York City Off-Track Betting Corporation, Catskill Regional Off-Track Betting Corporation, Capital District and Western Regional Off-Track Betting Corporations to accept advance wagering on the 1989 Breeders' Cup on Friday, November 3, 1989.

17. CDROTBC/PROMOTION

For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to conduct promotional activities at their telebranch simulcast facilities as outlined in their letters of November 3, 8, 9, 1989.

18. CDROTBC/TO CHARGE REDUCED ADMISSION FEE

For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to charge a reduced admission fee of \$1.00 on certain specified dates for selected individuals as outlined in their letters of 11/1/ and 11/3/89.

19. YONKERS RACEWAY/PERMISSION TO CANCEL SHOW WAGERING

For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to cancel show wagering in the William Haughton Memorial Pace on November 11, 1989.

20. NYRA/ADDENDUM TO THE NOVEMBER SCHEDULE

For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to add the following track to the November simulcast schedule:

<u>Date</u>	<u>Day</u>	<u>Race</u>	<u>Track</u>	<u>State</u>	<u>of Contract</u>
11/11	Saturday	Gen. Douglas MacArthur	Detroit	MI	C

21. NYRA/NOVEMBER SIMULCAST SCHEDULE

For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association of a list of tracks with whom NYRA has executed agreements for the simulcast and acceptance of pari-mutuel wagers on various races in the month of November as outlined in their letter of November 2, 1989.

22. CDROTBC/TO AMEND PLAN OF OPERATION

For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to amend their simulcast plan of operation and add their 1630 Union Street, Schenctady branch as a licensed simulcast facility.

23. CDROTBC/PROMOTION

For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to extend their current promotional activity relating to Monday night football to Sundays as well. No admission fee would be charged to enter the promotion and prizes will total \$200 per date.

24. VERNON DOWNS/AMENDMENT TO THE PLAN OF OPERATION TO INCLUDE THE SIMULCAST OF RACES FROM YONKERS RACEWAY
For entry into the minutes, the Chairman's prior approval of a request by Vernon Downs to amend plan of operation to include the simulcast of the races from Yonkers Raceway for the period November 15, 1989 through April 3, 1990 inclusive.
25. BATAVIA DOWNS/LICENSE AMENDMENT
For entry into the minutes, the Chairman's prior approval of a request by Batavia Downs to race on Thanksgiving Day, November 23, 1989 with post time of 11:30a.m.
26. NYRA/ADDENDUM TO THE NOVEMBER SCHEDULE
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association of a list of tracks with whom NYRA has executed agreements for the simulcast and acceptance of pari-mutuel wagers on various races in the month of November as outlined in their letter of November 17, 1989.
27. YONKERS RACEWAY/SIMULCAST OF WILLIAM HAUGHTON MEMORIAL
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to simulcast the William Haughton Memorial Pace Final, on Saturday, November 25, to Sports Creek Raceway.
28. CDROTBC/TO CONDUCT A HANDICAPPING CHALLENGE AT THEIR ALBANY THEATER
For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to conduct a Handicapping Challenge at its Albany simulcast theater and enhanced telebranches facility.
29. CDROTBC/TO ACCEPT WAGERS
For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to accept wagers on harness races run at Monticello Raceway on Sunday afternoons and to accept wagers on harness races run at the Meadows on Sunday evenings, commencing November 9, 1989.
30. YONKERS RACEWAY/WAGERING FORMAT FOR THE CLARE PACE FINAL AND THE WILLIAM HAUGHTON MEMORIAL PACE
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to offer win and exacta wagering only, for the Clare Pace Final on November 17, 1989 and the leg of the William Haughton Memorial Pace on November 18, 1989.

31. NYRA/ADDENDUM TO NOVEMBER SCHEDULE
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association of a list of tracks with whom NYRA has executed agreements for the simulcast and acceptance of pari-mutuel wagers on various races in the month of November as outlined in their letter of November 20, 1989.
32. CDROTBC/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to conduct a promotion (like the approved Monday night football promotion) using basketball games.
33. CDROTBC/TO OFFER A FREE LATE DAILY DOUBLE
For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to offer a free late daily double wager to participants in their singles night promotion on November 30, 1989 at its Albany simulcast theater.
34. YONKERS RACEWAY/SIMULCAST OF WILLIAM
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to simulcast the William Haughton Memorial Final to Lewiston Raceway on November 25, 1989.
35. CDROTBC/TO ACCEPT WAGERS
For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to accept wagers on races run at Hollywood Park and Rockingham Park on NYRA dark days.
36. YONKERS RACEWAY/TO OFFER WIN AND TRIPLE WAGERING ON THE WILLIAM HAUGHTON FINAL
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to offer win, exacta and an additional triple on the William Haughton Memorial Pace Final on November 25, 1989.

(C)

1. APPRENTICE ALLOWANCE EXTENSION FOR JOCKEY JOSE MARTINEZ JR.
For entry into the minutes, the Board's prior approval of a request by Jockey Jose Martinez, Jr., for an apprentice allowance extension for five days, due to days lost due to injury incurred during the running of a race.
His allowance will now expire on November 19, 1989.

2. IN THE MATTER OF ROBERT (RICK) DEBONIS/SUMMARY SUSPENSION
For entry into the minutes, the Board's prior approval of a summary suspension for Mr. DeBonis for refusal to provide a specimen violating Board rules sections 4042.5(b) and 4002.9(a) and violated a specific provision contained in the March 3, 1989 Consent to Conditions for Relicensing.
3. APPRENTICE ALLOWANCE EXTENSION FOR JOCKEY KELLY O'HARA
For entry into the minutes, the Board's prior approval of a request by Jockey Kelly O'Hara, for a two hundred seventy five (275) day extension of her weight allowance, due to days lost as a result of a disabling injury. Her allowance will now expire on August 16, 1990.

D. BOARD APPROVAL

1. BUFFALO RACEWAY/EXTENSION OF SEASON PASSES
The Board has approved the request by Buffalo Raceway to use season passes through February 23, 1990, the conclusion of the winter meet.
2. APPLICATION BY CDROTBC/TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES
The Board has approved the application by Capital District Regional Off-Track Betting Corporation to allow the sale of alcoholic beverages in addition to food and non-alcoholic beverages at the following licensed simulcast branches by the proposed replacement concessionaires: Ogdensburg-Fred Badlam and Plaza East/Utica - Anthony Bruno
3. NYRA/ABC RADIO NETWORK CONTRACT FOR BROADCAST OF 1990-1995 BELMONT STAKES
The request by the New York Racing Association of an agreement with ABC Radio Network for the Broadcast rights of the 1990-1995 Belmont Stakes has been noted and filed in Board records.
4. IN THE MATTER OF JOCKEY WILLIAM FOX
The Board has approved the Hearing Officer's recommendation that the decision of the Steward be confirmed, and that the penalty be set for August 1, 1990 through August 10, 1990 to Jockey William Fox, Jr. for "careless ride" in the ninth race at Saratoga Race Track on August 4, 1989.
5. FLRA/FREE ADMISSION TO SIMULCAST PROGRAM
The Board has approved the request by Finger Lakes to offer free admission during the simulcast of Aqueduct races while renovations are being made to the facility.

6. NYRA/REDUCED ADMISSIONS
The Board has approved the request by the New York Racing Association to offer patrons, in its coupon book or through advertisements, \$1.00 off grandstand or clubhouse admission on the following:
Saturday, January 6, 1990,
Sunday, January 7, 1990,
Sunday, January 14, 1990,
Sunday, January 28, 1990,
Wednesday, February 14, 1990.
7. FLRA/FOR A 1989-1990 SIMULCAST FACILITY LICENSE
The Board has approved the Finger Lakes for a 1989-1990 simulcast facility license together with their simulcast plan of operations for track to track simulcasting of the New York Racing Association races for the period December 6, 1989 through and inclusive of April 12, 1990.
8. IN THE MATTER OF JOSEPH RICCO
The Board approved the Hearing Officer's recommendation to confirm the 15-day suspension of Joseph Ricco in that he "failed to drive to the finish" in the fourth race at Yonkers Raceway on February 9, 1989.
9. FLRA/CAPITAL IMPROVEMENT FUND
The Board has approved the request by Finger Lakes to withdraw \$365,674.51 from the Capital Improvement Fund for major grading and repaving of area roads and Racing Secretary's parking lot.
10. APPLICATION OF SROTBC/TO AMEND PLAN OF OPERATION TO REFLECT THE APPOINTMENT OF PETER J. FRANO, JR., AS V.P.
The Board has approved the application of Suffolk Regional Off-Track Betting Corporation to amend their plan of operation to reflect the appointment of Peter J. Frano, Jr., as Vice President of Suffolk Regional Off-Track Betting Corporation.
11. IN THE MATTER OF KARL GATES, TRAINER
The Board approved the Hearing Officer's recommendation that Mr. Karl Gates be considered for licensing in 1990. Mr. Gates was denied a license on April 19, 1989 for making a false statement concerning two convictions in North Carolina in 1987.

12. BUFFALO RACEWAY/CAPITAL IMPROVEMENT FUND
The Board has reviewed the request to withdraw \$242,00.46 from the Capital Improvement Fund. After audit \$560.48 has been disallowed, therefore the Board has approved the amount of \$241,439.38.
13. VERNON DOWNS/CAPITAL IMPROVEMENT FUND
The Board has reviewed the request to withdraw \$268,680.42 from the Capital Improvement Fund. After audit \$8,299.00 has been disallowed, therefore the Board has approved the amount of \$260,381.42.
14. APPRENTICE ALLOWANCE EXTENSION FOR JOCKEY IRIS DEJESUS
The Board has approved the apprentice allowance extension for Jockey Iris de Jesus for a fifteen (15) day extension of her weight allowance due to days lost during the jockey strike.
Her allowance, when added to her current expiration date of December 31, 1989, would now expire on January 15, 1990.
15. NYCOTBC/ON BEHALF OF ALL NYSROTBC'S/TO ACCEPT WAGERS
The Board has approved the request by the New York City Off-Track Betting Corporation on behalf of all New York State Regional Off-Track Betting Corporations to accept wagers on races run at Tropical Park, Inc. at Calder Race Course (Florida) on NYRA dark days.
16. BUFFALO RACEWAY/PROMOTION
The Board has approved the request by Buffalo Raceway to offer a promotional "pick six" to all patrons of legal age, each Saturday night during the 1989-1990 winter meet. It is understood that this promotion would be made to the general public.
17. FLRA/CAPITAL IMPROVEMENT FUND
The Board has reviewed the request to withdraw \$177,705.15 from the Capital Improvement Fund. After audit \$1,675.42 has been disallowed, therefore the Board has approved the amount of \$176,029.53.