

J. Bailey

MINUTES OF THE
BOARD MEETING
OF AUGUST 30, 1990

A meeting of the New York State Racing & Wagering Board was held on Thursday, August 30, 1990, at the Board Offices located at 400 Broome Street, NY 10013.

IN ATTENDANCE WERE:

Richard F. Corbisiero, Chairman
Joseph P. Neglia, Member
Bennett Liebman, Member
Victor Coccozziello, Director of Wagering Systems
David B. Vaughan, Counsel
Jim Gallagher, Chief of Racing Operations
Steven Richman, Chief Of Off-Track Betting Operations
Edmund Leary, Asst. Chief of Audits & Investigations
Herman Kluge, Director of Audits & Investigations
Duke Dranichak, Director of Racing Officials
Arthur Schechter, Director of Audits
Joseph Slakas, Director of Public Information
Achilles Mavromatis, Acting Secretary to the Board

MINUTES OF THE
BOARD MEETING
HELD ON AUGUST 30, 1990

(A)

1. Approved minutes of the Board Meeting held on July 31, 1990.

(B) FOR ENTRY INTO THE MINUTES

1. VERNON DOWNS/COUPON OF SYRACUSE MILE PROGRAM
For entry into the minutes, the Chairman's prior approval of a request by Vernon Downs to promote racing at Vernon Downs by offering a coupon that will appear on the back page of the Syracuse Mile program.
2. NYRA/AGREEMENT WITH RADIO STATION WGY
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to provide the call of its featured races, on a delayed basis at Saratoga Racetrack to radio Station WGY.
3. VERNON DOWNS/ADDITIONAL TRIFECTA FOR THE THOMAS P. GAINES
For entry into the minutes, the Chairman's prior approval of a request by Vernon Downs to add an additional trifecta on the 10th race of the Thomas P. Gaines Memorial to be held on Saturday, July 28, 1990.
Also, for entry into the minutes, the Chairman's prior approval to offer exacta wagering with five (5) betting interests and trifecta wagering with (6) betting interests in the elimination races 4, 5, and 6.
4. 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 its simulcast plan of operation for a special demonstration simulcast theater at the Friar Tuck Inn, Catskill, New York for the period of July 30, 1990 through June 30, 1991.
5. APPLICATIONS OF ROTBC'S/TO ACCEPT WAGERS
For entry into the minutes the Chairman's prior approval of a request by New York City, Catskill, Nassau, Suffolk and Western Regional Off-Track Betting corporations to accept wagers on the 1990 Haskell Invitational on Saturday, July 28, 1990. Also, previously approved by the Chairman a request by Capital District Regional Off-Track Betting Corporation to accept wagers on the 1990 Syracuse Mile and 1990 Haskell

Invitational and a request by the New York Racing Association, Saratoga Raceway and Yonkers Raceway to accept wagers on the 1990 Haskell Invitational on Saturday, July 28, 1990.

6. BATAVIA DOWNS/LICENSE AMENDMENT

For entry into the minutes, the Chairman's prior approval of a request by Batavia Downs to make changes in their Summer/Fall Schedule as outlined in their letter of June 18, 1990 with the exception of Labor Day (when Finger Lakes Racing Association will be operating) at which time their first post time will be at 4:30p.m.

7. NYRA/PARI-MUTUEL WAGERING FEATURES FOR THE 1990 SARATOGA RACE MEET

For entry into the minutes the chairman's prior approval of a request by the New York Racing Association of the pari-mutuel features for the Saratoga meet as outlined in their letter of July 11, 1990.

8. APPLICATION OF WROTBC/TO AMEND 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 to simulcast races from Batavia Downs into 22 branches for the entire Summer/Fall meet and to simulcast into 4 branches while Vernon Downs is dark (during the period of August 1, 1990 through December 1, 1990) as outlined in their letter of July 27, 1990.

9. NYRA/AUGUST 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 which NYRA has executed agreements for the simulcast and acceptance of pari-mutuel wagers in the month of August as outlined in their letters of July 24 and 27, 1990.

10. BOARD DIRECTIVE

The Chairman's prior approval of the Board Directive to Finger Lakes and all Harness tracks (except Yonkers and Buffalo Raceways) directing all applicable tracks to open trust accounts under the control of a trustee who is to be approved.

11. MONTICELLO RACEWAY/REQUEST TO CHANGE FORMAT

For entry into the minutes, the Chairman's prior approval of a request by Monticello Raceway to modify their racing format to include 13 races on weekends as outlined in their letter of July 6, 1990.

12. NYRA/ADDENDUM TO AUGUST SIMULCAST SCHEDULE
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to add the various tracks to the August Simulcast Schedule as outlined in their letter of July 27, 1990.
13. 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 and the simulcast signal of the 1990 Hambletonian to be run at the Meadowlands, August 4, 1990 pursuant to Section 906 of the Racing Pari-Mutuel Wagering and Breeding Law as amended.
14. 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 and the "live call" of races run at Syracuse Mile during the 1990 Syracuse Mile (August 4, 5, 11, 12, 17, 18 and 19, 1990).
15. YONKERS RACEWAY/FREE ADMISSION PASSES
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to distribute free clubhouse passes for the evening of the International Trot, on Sunday, August 5, 1990.
16. NYRA/SIMULCAST TO OCALA BREEDERS SALES
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to simulcast to the Ocala Breeders Sales on August 23-31st and October 5-13, 1990.
17. WROTBC/TO CONDUCT PICK-3 WAGERING
For entry into the minutes, the Chairman's prior approval of a request by Western Regional Off-Track Betting Corporation to offer a Pick-3 wager on Batavia Downs' races 4, 5, & 6 during their Summer/Fall meet and consent thereto by Batavia Downs.
18. CDROTBC/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to offer two people to enter CDROTBC's Cash Give-Away Booth. The two people would be chosen after every NYRA race on August 30, 1990.

19. CDROTBC/PROMTION
For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to undertake certain promotional activities during the period July 1, 1990 through June 30, 1991 as outlined in their letter of August 6, 1990.
20. 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 its plan of operation to accept wagers and display the simulcast of races from Batavia Downs within the Central Region (during the running of the Syracuse Mile and Vernon Downs) on Sunday, August 12, and Sunday, August 19, 1990.
21. 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 its plan of operation in relation to the placement of one automated wagering terminal (VLT) at the Sponsor's tent during Capital OTB's Tennis Tournament during August 16-26, 1990.
22. YONKERS RACEWAY/SIMULCAST OF U.S. PACING CHAMPIONSHIP
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to simulcast the U.S. Pacing Championship race to Louisville Downs on August 11, 1990.
23. SYRACUSE MILE/BARRING T.K.'S SKIPPER FROM WAGERING
For entry into the minutes, the Chairman's prior approval of a request by Syracuse Mile to bar T.K.'s Skipper from wagering on Sunday, August 12, 1990 at the Syracuse Mile.
24. NYRA/ADDENDUM TO AUGUST 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 which NYRA has executed agreements for the simulcast and acceptance of pari-mutuel wagers on The Travers as outlined in their letter of August 15, 1990.
25. YONKERS RACEWAY/LICENSE AMENDMENT AND PROMOTIONAL REQUEST
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to add Sunday, September 2, 1990 to its racing Schedule and offer free grandstand admission and free general parking for the month of September.

26. SARATOGA RACEWAY/WAGERING FORMAT REQUESTS

For entry into the minutes, the Chairman's prior approval of a request by Saratoga Raceway to conduct exacta wagering with an additional daily double (Races 10-11) for the feature race on Friday, August 17, 1990.

27. FLRA/SIMULCAST OF THE TRAVERS STAKES

For entry into the minutes, the Chairman's prior approval of a request by Finger Lakes Racing Association to simulcast and accept pari-mutuel wagers on the Travers Stakes from Saratoga Race Course on August 18, 1990.

Also, approved their request to offer their normal ten race program with the Travers begin scheduled on the 7th race.

28. MONTICELLO RACEWAY/REQUEST FOR DOUBLE HEADER ON 9/1/90

For entry into the minutes, the Chairman's prior approval of a request by Monticello Raceway to schedule a double header on Saturday, September 1, 1990 with post time for the afternoon card at 1:30p.m. and the evening card post time for 7:45p.m.

29. VERNON DOWNS/CPI PHOTO FINISH PROMOTION

For entry into the minutes, the Chairman's prior approval of a request by Vernon Downs to conduct a CPI Photo Finish Promotion via commercials on radio stations WFBL and WKFM as outlined in their letter of August 17, 1990.

30. YONKERS RACEWAY/SIMULCASTING THE CANE PACE FINAL TO POCONODOWNS

For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to simulcast the Cane Pace Final on Saturday, August 25, 1990 to Pocono Downs.

31. YONKERS RACEWAY/CHANGE IN BETTING FORMAT

For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to cancel show wagering on the 6th race on Friday, August 24, 1990.

32. NYRA/SIMULCAST OF THE HOPEFUL TO ROCKINGHAM PARK

For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to simulcast the Hopeful to Rockingham Park on August 25, 1990.

C. PREVIOUSLY APPROVED BY THE BOARD

1. IN THE MATTER OF BRIAN WASHINGTON/SUMMARY SUSPENSION
The Board approved the summary suspension of Brian Washington's harness groom license.
2. YONKERS RACEWAY/CHANGE IN BETTING FORMAT
The Board approved the request by Yonkers Raceway to make a change in their betting format for the fifth race trot to be held on Sunday, July 29, 1990 and to postpone show wagering and add a daily double to the fifth race.
3. IN THE MATTER OF JOEL MAY/SUMMARY SUSPENSION
The Board approved the summary suspension of Joel May as a thoroughbred backstretch employee.
4. IN THE MATTER OF ANTHONY RATTI/SUMMARY SUSPENSION
The Board approved the summary suspension of harness trainer-driver Anthony Ratti.
5. IN THE MATTER OF THOMAS CERASO, JR./SUMMARY SUSPENSION
The Board approved the summary suspension of harness owner-trainer Thomas Ceraso, Jr.
6. IN THE MATTER OF MICHAEL FERRARO, SR., & EDWARD BABCOCK/
SUMMARY SUSPENSION VACATED
The Board approved the summary suspension of Michael Ferraro, Sr. and Edward Babcock.
7. IN THE MATTER OF J.N. EHRHART/SUMMARY SUSPENSION
The Board approved the summary suspension of harness owner-trainer J.N. Ehrhart.
8. IN THE MATTER OF ELLWOOD FUNK, JR./SUMMARY SUSPENSION
The Board approved the summary suspension of Harness owner-trainer Ellwood Funk Jr.
9. APPLICATION OF JOSEPH J. BADAMO/TO REOPEN THE HEARING
The Board denied the application of Joseph J. Badamo to reopen the Hearing which resulted in the revocation of his jockey license.
10. EMERGENCY READOPTION OF RULES WIN-3 AND TRIFECTA RULES
The Board approved the readoption of the Win-3 and Trifecta rules which were previously adopted on May 31, 1990 on a emergency basis.

11. NYRA/BELMONT PARK TO AQUEDUCT SIMULCASTING

The Board approved its amended simulcast plan of operation of their license to conduct the simulcast of races from Belmont Racetrack to Aqueduct Racetrack for August 1990, under the same conditions regarding job security as delineated in Section 1010 of the Racing Law.

D. BOARD DETERMINATION

1. YONKERS RACEWAY/SIMULCAST OF THE WILLIAM HAUGHTON MEMORIAL

The Board approved the request by Yonkers Raceway to simulcast the William Haughton Memorial Series to be held on Saturday, November 17, 24, and the final on Saturday, December 1, 1990 to Garden State Park.

2. BATAVIA DOWNS/SIMULCAST OF THE NORTH AMERICAN SERIES FINAL

The Board approved the request by Batavia Downs to simulcast the North American Series Final to Freehold Raceway on September 1, 1990.

3. HEARING OFFICER REPORT IN THE MATTER OF FRANCISCO MEDERO

The Board approved the Hearing Officers' recommendation that Mr. Francisco Medero's ten (10) day suspension be confirmed.

4. WIN - 3 AND TRIFECTA/RULE ADOPTION

The Board approved the adoption to amend the Thoroughbred racing rules (Section 4011.24) authorizing a new betting pool and prescribing the rules under which the pool is to be conducted.

Also, approved the Board the adoption to amend the Thoroughbred racing rules (Section 4011.22) relating to the rules under which trifecta betting is conducted with coupled entries.

5. RULE ADOPTION/ADMINISTRATIVE HEARING RULES-PART 5402

The Board approved the adoption of certain rules relating to the procedures for conducting adjudicatory hearings as set forth in the Governor's Executive Order No. 131.

6. VERNON DOWNS/GIVEAWAY ON THE FINAL 10 WEEKENDS OF THE 1990 RACING SEASON

The Board approved the request by Vernon Downs to hold a giveaway on the final ten (10) weekends of the 1990 racing season, September 7th through November 10, 1990 as outlined in their letter of August 15, 1990.

7. GENESEE VALLEY HUNT, INC./HUNT MEETING LICENSE

The Board approved the application by Genesee Valley Hunt to conduct a hunt meeting on October 13, 1990.

8. GUIDELINES FOR 1990-91 SIMULCAST FACILITY LICENSING

The Board approved the proposed adoption of guidelines governing 1990-91 Simulcast Facility Licensing Process. Guidelines have been revised to:

(a) - insure compliance with all applicable provisions of law; and

(b) - include all modifications required by Chapter 346 of the Laws of 1990.

9. APPLICATION OF NYC, NASSAU & SUFFOLK ROTBC'S /TO ACCEPT WAGERS

The Board approved the applications of New York City, Nassau and Suffolk Regional Off-Track Betting to accept wagers and display the simulcast of Finger Lakes races on Wednesdays, Fridays, and Saturdays during August, 1990.

10. FINGER LAKES/CAPITAL IMPROVEMENT FUND WITHDRAWAL

The Board approved the request by Finger Lakes to withdraw \$35,130.53 from the Capital Improvement Fund.

11. NYRA/CATEGORY OF RACING OFFICIALS

The Board approved the request by the New York Racing Association that Mr. Marshall Cassidy be in Category I as a Utility Official and as an Alternate Steward representing NYRA in Category III.