

MINUTES OF THE  
BOARD MEETING  
OF OCTOBER 30, 1990

A meeting of the New York State Racing & Wagering Board was held on Thursday, October 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 Cocozziello, Director of Wagering Systems  
John Dailey, Director of Racing and OTB Operations  
David B. Vaughan, Counsel  
Herman Kluge, Director of Audits & Investigations  
Duke Dranichak, Director of Racing Officials  
Jim Gallagher, Chief of Racing Operations  
Archie Mavromatis, Asst. Chief of Racing Operations  
Edmund Leary, Asst. Chief of Audits & Investigations  
Steven Richman, Chief of Off-Track Betting Operations  
Eileen Clarke-Brady, Asst. Chief of OTB Operations  
Arthur Schechter, Director of Audits  
Bob Feuerstein, Assistant Counsel  
Jack Knight, Assistant Counsel  
John Comesky, Hauppauge, Regional Supervisor-  
of Games of Chance  
John O'Hagan, New York City, Regional Supervisor-  
of Games of Chance  
Leo Connolly, Syracuse, Regional Supervisor-  
of Games of Chance  
Ed Guinan, Rochester, Regional Supervisor-  
of Games of Chance

MINUTES OF THE  
BOARD MEETING  
HELD ON OCTOBER 30, 1990

(A)

1. Approved minutes of the Board Meeting held on September 27, 1990.

(B) FOR ENTRY INTO THE MINUTES

1. NYRA/SIMULCAST SCHEDULE OF OCTOBER 1990

For entry into the minutes the Chairman's prior approval of a request by New York Racing Association to simulcast various races during the month of October as outlined in their letter of September 20, 1990.

2. STEVENSON AND ASSOCIATES/ADDENDUM TO ORIGINAL LISTING OF BETTING OUTLETS

For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association dealing with additional race book outlets by Stevenson and Associates:

1 - Charles Off-Betting Limited in Mandenville, Jamaica

2 - Reno Racing Service in Trinidad.

3. MONTICELLO RACEWAY/LICENSE AMENDMENT

For entry into the minutes, the Chairman's prior approval of a request by Monticello Raceway to add Fridays in October to its racing schedule. The dates would be October 5, 12, 19 and 26, 1990.

4. 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 sixth race on Friday, October 5, 1990.

5. 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 and simulcast plan of operation to accept wagers and display the simulcast of races run at Yonkers Raceway on Monday evening, October 8, 1990.

6. NYRA/ADDENDUM TO OCTOBER SIMULCAST SCHEDULE

For entry into the minutes, the Chairman's prior approval of a request by New York Racing Association of a list of tracks with which NYRA has executed agreements for the simulcast and acceptance of wagers as outlined in their letter of October 3, 1990.

7. YONKERS RACEWAY/PROMOTION

For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to stage the second annual "Track meet at the Racetrack" on October 12, 1990. Also, this track meet involves the New York City Police Department racing against their counterparts from the Fire Department in several races to be conducted between harness races.

8. APPLICATION OF BUFFALO RACEWAY FOR A 1990-91 SIMULCAST FACILITY LICENSE

For entry into the minutes, the Chairman's prior approval of a request by Buffalo Raceway for a 1990-91 simulcast facility license together with a simulcast plan of operation for track to track simulcasting of Batavia Downs' races for the period of October 5, 1990 through and inclusive of December 1, 1990.

9. FLRA/PROMOTION

For entry into the minutes, the Chairman's prior approval of a request by Finger Lakes Racing Association to distribute 50,000 flyers containing free admission, as outlined in their letter of October 9, 1990.

10. NYRA/STEVENSON AND ASSOCIATES, INC. ADDITION OF TWO RACE BOOKS

For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to simulcast to the following Race Books pursuant to Stevenson and Associates' agreement with NYRA:

- 1 - Diamante Race Service  
46 Broadway  
Arima, Trinidad
- 2 - Premier Betting Co. Ltd.  
80 Half Way Tree Road  
Kingston, Jamaica

11. BATAVIA DOWNS/SIMULCAST OF THE CLEVELAND CLASSIC

For entry into the minutes, the Chairman's prior approval of a request by Batavia Downs to simulcast the Cleveland Classic from Northfield Park on October 12, 1990, and to act as host Track for the interfacing of wagers, and to offer win, place, show, exacta and trifecta wagering.

12. NYRA/AMEND PLAN OF OPERATION

For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to amend its plan of operation to discontinue the Belmont Park to Aqueduct simulcast.

13. NYRA/ADDITION OF DAVID F. BAILEY TO THE ROSTER OF NYRA RACING OFFICIALS

For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to name David F. Bailey, on a temporary basis, to assist in the Racing Secretary's office.

14. CDROTBC/TO CONDUCT IN-HOME SIMULCASTING

For entry into the minutes, the Chairman's prior denial of a request by Capital District Regional Off-Track Betting Corporation to conduct in-home simulcasting over the OTB Communications Network from Saratoga Raceway on October 10, 17 and 24, 1990.

15. NYRA/TO ACCEPT WAGERS

For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to accept wagers from British betting operators who are legally authorized to conduct betting on horse races in England and to accommodate such operators with telephonic facilities.

16. FLRA/WAGERING FORMAT CHANGES-WAIVER OF BOARD RULE 4011.22(g)

For entry into the minutes, the Chairman's prior approval of a request by Finger Lakes Racing Association to offer triple wagering on the 6th, 7th and 9th races on Saturday, October 13, 1990 and also to waive Board rule 4011.22(g) as outlined in their letter of October 12, 1990.

17. NYRA/ADDENDUM TO OCTOBER 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 wagers as outlined in their letter of October 12, 1990.

18. SROTBC/TO DISPLAY THE DOUGLAS V. HOLYFIELD  
For entry into the minutes, the Chairman's prior approval of a request by Suffolk Regional Off-Track Betting Corporation to display the Douglas v. Holyfield Boxing Match at their Hauppauge simulcast theater (Tel-A-Race) on Thursday evening, October 25, 1990 and to charge a combined admission fee/dinner price of \$35.00 per person for that event.
19. VERNON DOWNS/PROMOTION  
For entry into the minutes, the Chairman's prior approval of a request by Vernon Downs to include free admission (clubhouse and grandstand) coupons in advertisements to be placed in Utica and Syracuse newspapers as outlined in their letter of October 8, 1990.
20. FLRA/CHANGE POST TIME TO 10:15 A.M. ON 10/27/90  
For entry into the minutes, the Chairman's prior approval of a request by Finger Lakes Racing Association to change post time on October 27, 1990 to 10:15 a.m. in order to offer a normal race card prior to the Breeders' Cup races for Belmont Park.
21. NYRA/STEVENSON AND ASSOCIATES, INC.  
ADDITIONAL RACE BOOK IN TRINIDAD  
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association of the following Race Book for the purpose of simulcasting pursuant to the agreement with Stevenson and Associates:  
- Newmarket Racing Service  
Abercromby Street  
Port of Spain, Trinidad
22. CDROTBC/TO DISPLAY THE DOUGLAS V. HOLYFIELD HEAVYWEIGHT CHAMPIONSHIP  
For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to display the Douglas V. Holyfield Heavyweight Championship fight at its Albany simulcast theater on Thursday, October 25, 1990 and to charge an admission fee of \$25.00 for that evening.

23. APPLICATIONS OF REGIONAL OFF-TRACK BETTING CORPORATIONS AND RACETRACKS TO ACCEPT WAGERS ON THE 1990 BUDWEISER INTERNATIONAL ON SUNDAY, OCTOBER 21, 1990

For entry into the minutes, the Chairman's prior approval dated October 21, 1990 of a requests by New York City (Catskill), Nassau (Suffolk), Capital District, Western Regional Off-Track Betting Corporations to accept wagers on the 1990 Budweiser International to be run at Laurel Race Course on Sunday, October 21, 1990 and waive the provisions of Board rule 4011.20(f) and authorize advanced wagering on Saturday, October 20, 1990. Also, approved a request by New York Racing Association, to accept wagers on the 1990 Budweiser International to be run at Laurel Race Course on Sunday, October 21, 1990 and to waive the provisions of Board rule 4011.20(f) and also approved was the request of Monticello, Yonkers and Saratoga Raceways to accept wagers on the 1990 Budweiser International to be run at Laurel Race Course.

24. NYCOTBC/ON BEHALF OF ALL NYSROTBC'S TO WAIVE BOARD RULE 4011.22

For entry into the minutes, the Chairman's prior approval of a request by New York City Off-Track Betting Corporation on behalf of all New York State Regional Off-Track Betting Corporation's to waive Board rule 4011.22 in relation to the 1990 Budweiser International to be run at Laurel Race Course on Sunday, October 21, 1990.

25. NYRA/ADDENDUM TO OCTOBER 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 as outlined in their letter of October 17, 1990.

26. FLRA/PROMOTION

For entry into the minutes, the Chairman's prior approval of a request by Finger Lakes Racing Association to offer four (4) coupons in their November and December newsletter for free grandstand (or \$2.00 off clubhouse) admission, free parking, program and small beverage to be honored November 23, 24 or 25, 1990.

27. NYRA/SIMULCAST TO KEENELAND SALES PAVILION

For entry into the minutes, the Chairman's prior approval of a request by New York Racing Association to simulcast each day's racing card from November 8-20, 1990 to Keeneland Sales Pavilion in Lexington, Kentucky during their November Breeding Stock Sale solely for the viewing interest of the horsemen attending the sale.

28. NYCOTBC/ON BEHALF OF ALL NYSROTBC'S TO ACCEPT TRIPLE WAGERS ON ALL 1990' BREEDERS' CUP RACES ON SATURDAY, OCTOBER 27, 1990

For entry into the minutes, the Chairman's prior approval of a request by New York City Off-Track Betting Corporation on behalf of all New York State Regional Off-Track Betting Corporations to accept triple wagers on all 1990 Breeders' Cup races, to be run on Saturday, October 27, 1990 at Belmont Park.

29. NYC, CATSKILL AND CAPITAL DROTBC'S/TO ACCEPT ADVANCE WAGERS

For entry into the minutes, the Chairman's prior approval of a request by New York City, Catskill and Capital District Regional Off-Track Betting Corporations to accept advance wagers on the seven (7) Breeders' Cup races on Friday, October 26, 1990 the day before the actual running of the races on Saturday, October 27, 1990.

C. PREVIOUSLY APPROVED BY THE BOARD

1. IN THE MATTER OF JOHN GULOTTA/SUMMARY SUSPENSION

The Board approved the summary suspension of the harness license of John Gulotta for violation of Board rules 9NYCRR Section 4119.11(a) and 4119.7(b).

2. IN THE MATTER OF HOWARD AVENT, JR./SUMMARY SUSPENSION

The Board approved the summary suspension of the harness license of Howard Avent, Jr. for violation of Board rules 9NYCRR Section 4119.11(a) and 4119.7(b).

3. IN THE MATTER OF ANDREW UNGER/SUMMARY SUSPENSION

The Board approved the summary suspension of the harness license of Andrew Unger in violation of Board rules 4120.2(e) and 4120.4.

4. IN THE MATTER OF BRIAN TRUITT/SUMMARY SUSPENSION

The Board approved the summary suspension of harness license of Bryan J. Truitt in violation of Board rules 4120.2(e) and 4120.4.

5. IN THE MATTER OF ROCCO VINCI/SUMMARY SUSPENSION

The Board approved the summary suspension of the harness license of Rocco Vinci in violation of Board rules 4120.2(e) and 4120.4.

D. BOARD DETERMINATION

1. APPLICATION OF VERNON DOWNS FOR A 1990-1991 SIMULCAST FACILITY LICENSE

The Board approved the request by Vernon Downs for a 1990-91 Simulcast Facility license together with its Simulcast Plan of operation for Track to Track simulcasting of New York Racing Association races and Yonkers Raceway races for the period of July 1, 1990 through June 30, 1991.

2. HEARING OFFICER REPORT/IN THE MATTER OF JERRY NUGENT

The Board approved the approved the Hearing Officer's recommendation that the decision of the judges be confirmed.

3. HEARING OFFICER REPORT/IN THE MATTER OF SCOTT CAMPBELL

The Board approved the Hearing Officer's recommendation that the decision of the judges be confirmed.

4. APPLICATION OF NYCOTBC/TO AMEND PLAN OF OPERATION

The Board approved the request by New York City Off-Track Betting Corporation to amend its plan of operation to reflect the appointment of Tina Carroll Gay as Vice President for marketing.



5. SARATOGA HARNESS/CAPITAL IMPROVEMENT FUND  
The Board reviewed the request by Saratoga Raceway to withdraw \$177,229.13 from the Capital Improvement Fund. After audit, it is recommended that \$25,535.47 be disallowed consisting of \$4,495.07 for barn repair, \$9,970.00 for clubhouse air conditioning design, \$7,956.73 for truck repairs and \$31113.67 for sprinkler system repairs. Accordingly, \$151,693.66 was approved for withdrawal.
  
6. HEARING OFFICER REPORT/IN THE MATTER OF STEPHEN LESKO  
The Board approved the Hearing Officer's recommendation that the default herein be finalized and the license of Stephen Lesko be revoked.
  
7. HEARING OFFICER REPORT/IN THE MATTER OF DANIEL KRAMER  
The Board approved the Hearing Officer's recommendation that the Harness Division's denial of Daniel Kramer's application for licensing be confirmed.
  
8. HEARING OFFICER REPORT/IN THE MATTER OF ANTHONY POLIDORI  
The Board approved the Hearing Officer's recommendation that the Harness Division's denial of Anthony Polidori's application for licensing be confirmed.
  
9. HEARING OFFICER REPORT/IN THE MATTER OF FRANCISCO MEDERO  
The Board approved the Hearing Officer's recommendation that the fine be lowered to \$250.00.
  
10. HEARING OFFICER REPORT/IN THE MATTER OF ANN WHEELER  
The Board approved the Hearing Officer's recommendation that the judges' decision be upheld.
  
11. YONKERS RACEWAY/CONDITIONS FOR TWO LATE CLOSERS  
The Board approved the request by Yonkers Raceway for conditions on two (2) late closers series, the 1991 Hopeful Pacing Series and a Claiming Late Close for 1991.

12. APPLICATION BY WROTBC/PROMOTION

The Board approved the request to conduct the following promotions as outlined in their letter of October 30, 1990.

1. Thanksgiving Drawings:

To conduct a drawing in all branches on Saturday, November 18, 1990, for a gift certificate for 5 to 10 turkeys (based on handle).

2. Christmas Drawings:

Entry form to be submitted in branches for drawing for a 5' Christmas Stocking on as Stocking on Thursday, December 20, 1990.

(Memo of S. Richman - 10/23/90 and  
, Letter of John T. Feeney - 10/19/90)

13. HEARING OFFICER REPORT/IN THE MATTER OF NICK DARDANO

The Board approved the Hearing Officer's recommendation that the imposition of this fine be confirmed.