

MINUTES OF THE
BOARD MEETING HELD ON
DECEMBER 30, 1987

Bd. mtg.
1/29/88
approved

A meeting of the New York State Racing and Wagering Board was held on December 30, 1987, at 11:00 a.m. at the Board's Offices, 400 Broome Street, New York, New York 10013.

The meeting being called on December 29, 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,
T. Garrison, Assistant Counsel,
R. Feuerstein, Assistant Counsel,
E. Leary, Assistant Chief of Audits and
Investigations,
D. Goldberg, Assistant Counsel,
Bob Beloten, Assistant Counsel,
Eileen Clarke-Brady, Assistant Chief of OTB
Operations,
and
Thomas C. Davide, Secretary to the Board.

In attendance on behalf of Daniel Kramer were:

Franklyn H. Snitow
William H. Pauley
M. Kimelman
Daniel Kramer
and Thomas C. Davide, Secretary to the Board

A. MINUTES:

1. The Board approved the minutes of its meeting held on November 25, 1987.

B. FOR ENTRY INTO THE MINUTES:

1. MONTICELLO RACEWAY - LICENSE AMENDMENT:
For entry into the minutes, the Board's prior approval of November 25, of a request by Monticello Raceway to race on Monday, November 30, 1987, post time 7:30 p.m.
2. NEW YORK CITY OFF-TRACK BETTING CORPORATION - PLAN OF OPERATION:
For entry into the minutes, the Board's prior approval of November 25, of a request by New York City Off-Track Betting Corporation to amend its Simulcast Plan of Operation in relation to its agreement with Finger Lakes.
3. MONTICELLO RACEWAY - LICENSE AMENDMENT:
For entry into the minutes, the Board's prior approval of November 30, of a request by Monticello Raceway to race Friday, December 4, 1987, post time 7:30 p.m. due to a simulcasting agreement in effect with Catskill OTB and Capital OTB.
4. CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION AND WESTERN REGIONAL OFF-TRACK BETTING CORPORATION - WAGERS:
For entry into the minutes, the Board's prior approval of November 20, of a request by Capital District Regional Off-Track Betting Corporation to accept wagers on the 1987 Breeders' Cup to be run at Hollywood Park, California on Saturday, November 21, 1987 as an out-of-state thoroughbred special event.
5. BATAVIA DOWNS - PROMOTION REQUEST:
For entry into the minutes, the Board's prior approval of November 30, of a request by Genesee Monroe Racing Association, Inc. to offer free admission, parking and programs to all patrons on closing day, Sunday, December 6, 1987.

6. BATAVIA DOWNS - LICENSE AMENDMENT: For entry into the minutes, the Board's prior approval of November 19, of a request by Batavia Downs to offer 11 races on Fridays, Saturdays and Sundays beginning on November 21, 1987 due to a shortage of horses.
7. NYRA - REQUEST FOR OUT OF STATE SIMULCAST: For entry into the minutes, the Board's prior approval of December 1, of a request by New York Racing Association, Inc. for approval of an executed agreement between itself and Suffolk Downs for the simulcast and acceptance of pari-mutuel wagers on the 9th race each racing day beginning Sunday, November 29, through and including December 30, exclusive of Thursdays, December 3, 10, 17, and 24.
8. WESTERN REGIONAL OFF-TRACK BETTING CORPORATION - PLAN OF OPERATION: For entry into the minutes, the Board's prior approval of November 25, of a request by Western Regional Off-Track Betting Corporation to amend its plan of operation to reflect the appointment of Paul Adams of Interlaken, New York as the Director from Seneca County on the Board of Directors of Western Regional Off-Track Betting Corporation.
9. CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION - SIMULCAST PLAN OF OPERATION: For entry into the minutes, the Board's prior approval of November 24, of a request by Capital District Regional Off-Track Betting Corporation to amend its Simulcast Plan of Operation in relation to the concessionaire for food and beverage service at its Plaza East Simulcast branch in Utica, New York.
10. NASSAU REGIONAL OFF-TRACK BETTING CORPORATION AND THE SUFFOLK REGIONAL OFF-TRACK BETTING CORPORATION - WAGERS: For entry into the minutes, the Board's prior approval of November 20, of a request by Nassau Regional Off-Track Betting Corporation and the Suffolk Regional Off-Track Betting Corporation to accept wagers on the 1987 Breeders' Cup to be run at Hollywood Park, California on Saturday, November 21, 1987 as an out-of-state special event and related matters.

11. CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION - PLAN OF OPERATION:
For entry into the minutes, the Board's prior approval of November 25, of a request by Capital District Regional Off-Track Betting Corporation to amend its Simulcast Plan of Operation and display races from Monticello Raceway at its simulcast facilities on Sundays, November 22, 1987 and November 29, 1987.
12. NEW YORK CITY OFF-TRACK BETTING CORPORATION ON BEHALF OF ITSELF AND THE CATSKILL REGIONAL OFF-TRACK BETTING CORPORATION - WAGERS:
For entry into the minutes, the Board's prior approval of November 20, of a request by New York City Off-Track Betting Corporation and the Catskill Regional Off-Track Betting Corporation to accept wagers on the 1987 Breeders' Cup to be run at Hollywood Park, California on Saturday, November 21, 1987 as an out-of-state special event.
13. GENESEE MONROE RACING ASSOCIATION, INC - WAIVER:
For entry into the minutes, the Board's prior approval of December 11, of a request by Genesee Monroe Racing Association, Inc. for approval of its Certificate of Incorporation and also its request that the Board waive compliance by Genesee Monroe Racing Association, Inc. with the requirements of subdivision 1 of Section 302 of the Racing, Pari-Mutuel Wagering and Breeding Law.
14. CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION - AMENDMENT:
For entry into the minutes, the Board's prior approval of December 9, of a request by Capital District Regional Off-Track Betting Corporation to amend its Simulcast Plan of Operation and simulcast races from Buffalo Raceway during the period of December 9, 1987 through February 28, 1988 in accordance with the applicable statutory provisions.

15. CATSKILL REGIONAL OFF-TRACK BETTING CORPORATION - AMENDMENT:
For entry into the minutes, the Board's prior approval of December 11, of a request by Catskill Regional Off-Track Betting Corporation to amend its Simulcast Plan of Operation and display races from Monticello Raceway at its Simulcast facilities on November 22 and 29, 1987.
16. WESTERN REGIONAL OFF-TRACK BETTING CORPORATION - AMENDMENT:
For entry into the minutes, the Board's prior approval of December 7, of a request by Western Regional Off-Track Betting Corporation for the following amendments to its Simulcast Plan of Operation:
1. To simulcast races from Yonkers Races into specified WROTBC Simulcast Facilities on the evenings of December 7th, 8th, 15th, 1987. (Note: on these nights Buffalo Raceway is dark).
 2. To simulcast races from Yonkers Raceway into all simulcast facilities on the afternoons of December 8th, 15th, and 22nd, 1987 (Yonkers Matinee Card). (On December 8 and 15, 1987, Buffalo Raceway is dark).
17. WESTERN REGIONAL OFF-TRACK BETTING CORPORATION - WAGERS:
For entry into the minutes, the Board's prior approval of December 11, of a request by Western Regional Off-Track Betting Corporation to accept wagers on the following races of special interest, pursuant to the provisions of Section 523(6)(a) of the Racing, Pari-Mutuel Wagering and Breeding Law:
- (1) Hollywood Turf Cup - to be run at Hollywood Park, California on Sunday, December 13, 1987;
 - (2) Hollywood Futurity - to be run at Hollywood Park, California on Sunday, December 20, 1987.

18. FINGER LAKES RACING ASSOCIATION, INC. -
1987-1988 LICENSING YEAR:
For entry into the minutes, the Board's prior approval of December 11, of a request by Finger Lakes Racing Association, Inc. for approval of a 1987-1988 Simulcast Facility License together with their Simulcast Plan of Operation for the 1987-1988 Licensing Year.

19. WESTERN REGIONAL OFF-TRACK BETTING
CORPORATION - PLAN OF OPERATION:
For entry into the minutes, the Board's prior approval of December 9, of a request by Western Regional Off-Track Betting Corporation for approval of the following:

1. An amendment to WROTBC's Simulcast Plan of Operation to simulcast races from Buffalo Raceway into 23 simulcast branches during the period of December 9, 1987 through February 28, 1988 (as set forth in Mr. Basinait's letter).
2. An amendment to WROTBC's Plan of Operation to offer live calls of races from Buffalo Raceway at 4 specified branches during the period of December 9, 1987 (copy attached).

20. BUFFALO RACEWAY - VARIOUS PROMOTIONS:
For entry into the minutes, the Board's prior approval of December 4, of a request by Buffalo Trotting Association for the following promotional activities during December, 1987:

1. Welcome Back/Fan Appreciation Night on Friday, December 11, 1987 whereby they will include free admission and parking programs for \$.50 and tip sheets for \$.50 and reduced prices at the concession stand.
2. The 60-second Betting Spree on Wednesday, December 9, 1987 and all Wednesdays during the Winter Meet.
3. Buffalo Raceway's Christmas Party on Friday, December 18, 1987.

21. NYRA - REQUEST FOR OUT OF STATE SIMULCAST:
For entry into the minutes, the Board's prior approval of December 4, of a request by New York Racing Association, Inc. for approval of an executed agreement between NYRA and Turfway Park for the simulcast and acceptance of pari-mutuel wagers on the 1987 Nashua Stakes to be run on 12/19/87.
22. NYRA - PROMOTION REQUEST:
For entry into the minutes, the Board's prior approval of December 4, of a request by New York Racing Association, Inc. to display its simulcast signal at the racing symposium at Tuscon, Arizona for promotional purposes.
23. MONTICELLO RACEWAY - LICENSE AMENDMENT:
For entry into the minutes, the Board's prior approval of December 7, of a request by Monticello Raceway to race on Friday, December 11, 1987, post time 7:30 p.m.
24. CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION - WAGERS:
For entry into the minutes, the Board's prior approval of December 11, of a request by Capital District Regional Off-Track Betting Corporation to accept wagers on the following out-of-state thoroughbred races of special interest, pursuant to the provisions of Section 523(6)(a) of the Racing, Pari-Mutuel Wagering and Breeding Law:
- (1) Hollywood Turf Cup - to be run at Hollywood Park, California, on Sunday, December 13, 1987;
 - (2) Hollywood Futurity - to be run at Hollywood Park, California, on Sunday, December 20, 1987.
25. WESTERN REGIONAL OFF-TRACK BETTING CORPORATION - PLAN OF OPERATION:
For entry into the minutes, the Board's prior approval of December 14, of a request by Western Regional Off-Track Betting Corporation to conduct Pick 3 wagering, nightly and on Sunday Matinees, in races 2, 3, and 4 during the upcoming meet at Buffalo Raceway, effective December 9, 1987.

26. MONTICELLO RACEWAY - LICENSE AMENDMENT:
For entry into the minutes, the Board's prior approval of December 14, of a request by Monticello Raceway to race on Wednesday, December 23 and Thursday, December 24, post time 12:30 p.m. NYRA will be dark these days and Monticello wants to capitalize on the OTB market.
27. CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION - WAGERS:
For entry into the minutes, the Board's prior approval of December 15, of a request by Capital District Regional Off-Track Betting Corporation to amend its plan of operation and accept wagers on the entire daily race card from Hollywood Park, California on December 23 and 24, 1987.
28. CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION - AMENDMENT:
For entry into the minutes, the Board's prior approval of December 16, of a request by Capital District Regional Off-Track Betting Corporation for the following amendment to its Simulcast Plan of Operation:

To simulcast Yonkers Raceway Matinee program at the New Lebanon simulcast branch on Tuesdays.
29. CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION - AMENDMENT:
For entry into the minutes, the Board's prior approval of December 16, of a request by Capital District Regional Off-Track Betting Corporation for the following amendment to CDROTBC's Simulcast Plan of Operation:

To simulcast races from Monticello Raceway into all licensed Simulcast facilities (as well as those hereafter licensed) on all available race dates on those days permitted by law (no conflicts with regional harness track).

30. CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION - SIMULCAST PLAN OF OPERATION:
For entry into the minutes, the Board's prior approval of December 15, of a request by Capital District Regional Off-Track Betting Corporation for the following amendments to its Simulcast Plan of Operation for 1987-1988:
1. To add its Guilderland branch (located at Star Plaza, corners of US Route 20 and Albany County Route 155) as a simulcast branch;
 2. To add its recently relocated branch at 38 South Pearl Street, Albany, New York, as a simulcast branch.
31. MONTICELLO RACEWAY - LICENSE AMENDMENT:
For entry into the minutes, the Board's prior approval of December 16, of a request by Monticello Raceway to race on Friday, December 18, 1987, post time 7:30 p.m.
32. CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION - NEW LOCATION:
For entry into the minutes, the Board's prior approval of December 11, of a request by Capital District Regional Off-Track Betting Corporation to amend their Plan of Operation and relocate the branch on South Pearl Street, City of Albany to a new location at 38 South Pearl Street, Albany.
33. IN THE MATTER OF JOHN GILMOUR:
For entry into the minutes, the Board's prior approval of December 18, of a recommendation of the Hearing Officer to uphold the eight day suspension of John Gilmour imposed by the Judges.

34. NEW YORK CITY OFF-TRACK BETTING CORPORATION ON BEHALF OF ALL NEW YORK STATE OFF-TRACK BETTING CORPORATIONS (EXCEPT WESTERN) - SIMULCAST PLANS OF OPERATION:

For entry into the minutes, the Board's prior approval of December 17, of a request by New York City Off-Track Betting Corporation on behalf of all other regional off-track betting corporations, except the Western Regional Off-Track Betting Corporation, for approval of the following amendment to each corporation's respective Simulcast Plan of Operation:

To simulcast races from Monticello Raceway in the afternoons of Wednesday, December 23, 1987 and Thursday, December 24, 1987.

35. NEW YORK CITY OFF-TRACK BETTING CORPORATION - AMENDMENT:

For entry into the minutes, the Board's prior approval of December 17, of a request by New York City Off-Track Betting Corporation for approval of the following amendments to its Simulcast Plan of Operation:

To add its branch at 253-01 Northern Boulevard as a Simulcast facility displaying races from Yonkers Raceway;

To cease simulcasts from Yonkers Raceway at its branch located at 245-19 Jamaica Avenue, borough of Queens, New York; both amendments are effective Monday, December 14, 1987.

36. NEW YORK CITY OFF-TRACK BETTING CORPORATION ON BEHALF OF ALL NEW YORK STATE OFF-TRACK BETTING CORPORATIONS - WAGERS:

For entry into the minutes, the Board's prior approval of December 17, of a request by New York City Off-Track Betting Corporation on behalf of all regional off-track betting corporations to accept wagers on the 1987 Widener Handicap to be run on Saturday, December 26, 1987 at Hialeah Park, Florida as an out-of-state thoroughbred special event.

37. CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION - WIDNER HANDICAP:
For entry into the minutes, the Board's prior approval of December 17, of a request by Capital District Regional Off-Track Betting Corporation to "cablecast" the replay of the Widner Handicap after the race is posted official. The replay will be cablecast over the OTB Communications Network only after the race is official. The race will be run on Saturday, December 26, 1987.

C. FOR BOARD APPROVAL:

1. HEARING OFFICER REPORT IN THE MATTER OF HUGH STEVENS:
The Board approved the recommended confirmation of the judges' decision of the eight day suspension and corresponding disqualification in the matter of Hugh Stevens.
2. HEARING OFFICER REPORT IN THE MATTER OF STEVEN FLANIGEN:
The Board approved the recommended confirmation of the judges' decision of the eight day suspension and corresponding disqualification in the matter of Steven Flanigen.
3. HEARING OFFICER REPORT IN THE MATTER OF JACK FLANIGEN:
The Board approved the recommended confirmation of the judges' decision of the eight day suspension and corresponding disqualification in the matter of Jack Flanigen.
4. HEARING OFFICER REPORT IN THE MATTER OF JOHN FANNING:
The Board approved the recommended confirmation of the hearing officer of the 60 day suspension resulting from an equine drug positive in the matter of John Fanning.
5. MATTER OF DANIEL KRAMER:
The Board approved the recommended confirmation of the Hearing Officer of the Board's denial of an owner's license in the matter of Daniel Kramer.

6. NEW YORK RACING ASSOCIATION, INC. - PROMOTION REQUEST:

The Board approved the request from New York Racing Association, Inc. to offer its patrons, in the form of coupons which will appear in NYRA's 1988 calendar, reduced admissions as outlined in the letter of November 23, 1987.

7. RULE ADOPTIONS:

The following were adopted by the Board:

- a. Adoption of a rule regarding the requirement that all tickets bear written notice stating the presentation deadline.
- b. Repeal of all present rules prohibiting telephone communications at the racetracks and OTB facilities.

8. APPLICATION FILED BY BUFFALO TROTTING ASSOCIATION, INC. FOR 1988 RENEWAL OF TRACK LICENSE:

The Board approved the following dates for 1988:

1/1 - 2/28	43 programs
4/25 - 7/30	84 programs
12/7 - 12/31	19 programs
	<u>146 programs</u>

Dark Sundays except 1/24, 1/31, 2/7, 2/14, 2/21, 2/28 (all matinees)

Dark Mondays 1/25, 2/1, 2/8, 2/15, 2/22

Dark Tuesdays 1/5, 1/12, 1/19, 1/26, 2/2, 2/9, 2/16, 2/23, 12/13, 12/20

Dark Saturday 12/24

9. APPLICATION FILED BY MID-STATE RACEWAY, INC. FOR 1988 RENEWAL OF LICENSE:
The Board approved the following dates for 1988:

3/31 - 11/5 154 programs

Dark Sundays except 7/3, 7/10, 7/17, 7/24, 7/31

Dark Mondays except 5/30, 9/5

Dark Tuesdays 5/31, 9/6, 9/13, 9/20, 9/27, 10/4, 10/11, 10/18, 10/25, 11/1

Dark Friday 4/1

10. APPLICATION FILED BY GENESEE MONROE RACING ASSOCIATION, INC. FOR 1988 RENEWAL OF TRACK LICENSE:

The Board approved the following dates for 1988:

2/29 - 4/23 47 programs

8/1 - 12/4 99 programs

146 programs

Dark Sundays except 3/6, 3/13, 3/20, 12/4

Dark Tuesdays except 3/29, 4/5, 4/12, 4/19, 8/2, 8/9, 8/16, 8/23, 8/30, 11/8, 11/15,

11/22, 11/29

Dark Thursday 11/24

11. APPLICATION FILED BY FINGER LAKES RACING ASSOCIATION, INC. FOR 1988 RENEWAL OF TRACK LICENSE:

The Board approved the following dates for 1988:

4/1 - 6/29 63 programs

7/1 - 8/31 46 programs

9/2 - 11/29 64 programs

173 programs

Dark Sunday 4/3

Dark Mondays except 5/30, 7/4, 9/5, 10/10

Dark Tuesday 4/5

Dark Wednesdays 4/6, 11/16, 11/23

Dark Thursdays

12. APPLICATION FILED BY BERENSON PARI-MUTUEL OF
NEW YORK, INC. FOR 1988 RENEWAL OF TRACK
LICENSE:

The Board approved the following dates for
1988:

3/25 - 6/28 55 programs
Dark Sundays 3/27, 4/3
Dark Mondays except 5/30
Dark Wednesdays
Dark Thursdays

7/1 - 8/31 54 programs
Dark Mondays except 7/4

9/1 - 12/20 60 programs
Dark Mondays except 9/5
Dark Tuesday 11/8
Dark Wednesdays except 11/9
Dark Thursdays except 9/1
Dark Fridays 11/4, 11/11, 11/18, 12/2, 12/9,
12/16

169 total programs

13. APPLICATION FILED BY SARATOGA HARNESS RACING,
INC. FOR 1988 RENEWAL OF TRACK LICENSE:

The Board approved the following dates for
1988:

1/14 - 3/26 45 programs
Racing Thursday, Friday, Saturday and
Sunday matinees except Monday 1/18 and 2/15
(matinees)

4/22 - 6/30 50 programs
Racing Tuesdays, Wednesdays, Thursdays,
Fridays and Saturdays except 4/26
Racing Monday 5/30

7/1 - 8/31 56 programs
Dark Sundays
Double Headers on Tuesdays 8/9, 8/16, 8/23

9/1 - 11/19 49 programs
Racing Wednesdays, Thursdays, Fridays and
Saturdays except Mondays 9/5, 10/10

200 total programs

14. APPLICATION FILED BY SYRACUSE MILE, INC. FOR THE 1988 RENEWAL OF TRACK LICENSE:
The Board approved the following dates for 1988:

8/6 - 8/21 7 programs
Racing 8/6, 8/7, 8/13, 8/14, 8/19, 8/20, 8/21

15. ROOSEVELT RACEWAY - CONDITIONS FOR THE NIATROSS AND THE HANDLE WITH CARE:
The Board approved the request from Roosevelt Raceway for approval of the above-captioned conditions. a 16. This item was omitted.

17. APPLICATION FILED BY YONKERS RACEWAY FOR 1988 RENEWAL OF TRACK LICENSE:
The Board approved the following dates for 1988:

1/1 - 1/7 7 days
3/16 - 5/3 47 days
6/16 - 8/3 49 days
10/14 - 12/31 77 days
 180 programs
 16 double headers
 196 total programs

18. APPLICATION FILED BY ROOSEVELT RACEWAY FOR 1988 RENEWAL OF TRACK LICENSE:
The Board approved the following dates for 1988:

1/8 - 3/15 68 days
5/4 - 6/15 43 days
8/4 - 10/13 71 days
 182 programs