

MINUTES OF THE
BOARD MEETING
HELD ON APRIL 27, 1989

A meeting of the New York State Racing & Wagering Board was held on Thursday, April 27, 1989, at the Board offices located at 400 Broome Street, New York 10013.

IN ATTENDANCE WERE:

Richard Corbisiero, Jr., Chairman
Joseph P. Neglia, Member
Bennett Liebman, Member
Victor Cocozziello, Director of Wagering Systems
John Dailey, Director of Racing and OTB
David Vaughan, General Counsel
Steven Richman, Chief of Off-Track Betting Operations
Eileen Clarke-Brady, Assistant Chief of OTB Operations
Jim Gallagher, Chief of Racing Operations
Joseph Slakas, Director of Public Information
Daniel Goldberg, Assistant Counsel
Gale Berg, Assistant Counsel
Ted Garrison, Assistant Counsel
John Barrett, Assistant Counsel
Bernie Handwerker, Director of Bingo
Arthur Schechter, Director of Audits
Archie Mavromatis, Assistant Chief of Racing Operations
Thomas C. Davide, Secretary to the Board

MINUTES OF THE
BOARD MEETING
HELD ON APRIL 27, 1989

- A. Approved minutes of the Board Meeting Held on April 27, 1989.
- B. FOR ENTRY INTO THE MINUTES
1. NYRA/ADDENDUM TO APRIL 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 April as outlined in their letter of 4/1/89.
 2. CDROTBC/OFFER CERTAIN WAGERING
For entry into the minutes, the Chairman's prior approval of a request by the Capital District Regional Off-Track Betting Corporation to offer certain wagering opportunities involving the Santa Anita Derby, the Flamingo Stakes and the Gotham Stakes on April 8, 1989.
 3. NYRA/TO OFFER AN EXACTA POOL ON THE GOTHAM STAKES
For entry into the minutes the Chairman's prior approval of a request by the New York Racing Assoc., to offer an exacta pool on the Gotham stakes on April 8, 1989, if there is a minimum of five betting interests in the race.
 4. CDROTBC/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by The Capital District Regional Off-Track Betting Corporation to conduct a handicapping Contest for the 1989 Kentucky Derby, Preakness and Belmont Stakes.
 5. NYCOTBC/ON BEHALF OF ALL NEW YORK STATE REGIONAL OTBC's
For entry into the minutes, the Chairman's prior approval of a request by the New York City Off-Track Betting Corporation's to accept wagers on the Santa Anita Derby and Flamingo Stakes, as races of special interest to be run on Saturday, April 8, 1989, at Santa Anita Racetrack and Hialeah Racetrack.

6. YONKERS RACEWAY/SIMULCAST
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to simulcast the George M. Levy Pace on May 13, 1989 to Northfield Park, and the following races to Brandywine Raceway:
George M. Levy Pace, 4/8, The Big Apple Pace, 4/22, George M. Levy Pace, 5/6, George M. Levy Final, 5/13, Lawrence B. Sheppard Final, 7/15, Unnamed Three-Year Open Pace Final, 7/29, The International Trot, 8/12, The Cane Pace Prep., 8/19, The Cane Pace Final, 8/26/89.
7. YONKERS RACEWAY/SUSPENSION TO SHOW WAGERING IN THE 5TH RACE ON SATURDAY, 4/8/89
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to suspend show wagering in the 5th race on Saturday, 4/8/89.
8. YONKERS RACEWAY/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to conduct the "Harness and Hardball" promotion the week of April 3rd thru April 8th. During this week, any patron who presents an admission stub from a major league baseball game will receive a free clubhouse admission.
9. 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 plan of operation in relation to the acceptance of wagers and display the simulcast of races run at Buffalo Raceway on April 30, 1989 and the race known as "The Graduate" on April 29, 1989.
10. WROTBC/TO ACCEPT WAGERING
For entry into the minutes, the Chairman's prior approval of a request by Western Regional Off-Track Betting Corporation to accept wagers on a Pick-3 involving the Santa Anita Derby, the Flamingo Stakes and the Gotham, to be run on Saturday, April 8, 1989.
11. FINGER LAKES/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by Finger Lakes Racing Association to print and distribute tickets to area bowling centers and baseball leagues for admission to the racetrack, as outlined in their letter of 3/31/89.

12. NYRA/ADDENDUM TO APRIL SIMULCAST
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Assoc., of a list of tracks with whom NYRA has executed agreement for the simulcast and acceptance of pari-mutuel wagers in the month of April as outlined in their letter of 4/7/89.
13. BATAVIA DOWNS/LICENSE AMENDMENT
For entry into the minutes, the Chairman's prior approval of a request by Batavia Downs to offer two additional race programs on Saturday, April 15, and April 22, 1989, post time 9:15a.m. Ten races will be carded.
14. NYCOTBC/ON BEHALF OF ALL NYSROTBC'S
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 for a waiver of the following rules as they relate to the acceptance of wagers on races of special interest to be run on Saturday, April 8, 1989 the races are the Santa Anita Derby and the Flamingo Stakes. The following rules are as follows: Rule 4011.22, Rule 4011.20(f), 4011.15(m).
15. YONKERS RACEWAY/SUSPENSION OF SHOW WAGERING ON GEORGE M. LEVY SERIES
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to suspend show wagering on the 10th race, the 6th leg of the George M. Levy Series on Saturday, April 15, 1989.
16. WROTBC/AMEND PLAN OF OPERATION
For entry into the minutes, the Chairman's prior approval of a request by Western Regional Off-Track Betting Corporation to amend their simulcast plan of operation to simulcast the Saturday morning race card from Batavia Downs 4/15 & 4/22 into their four (4) licensed simulcast branches at French Road, South Park, Corning and Webster.
17. BATAVIA DOWNS/PROMOTION FOR FREE PARKING
For entry into the minutes, the Chairman's prior approval of a request by Batavia Downs to offer free parking on Saturday, April 15, 1989 and also free admission.

18. WROTBC/AMEND PLAN OF OPERATION
For entry into the minutes, the Chairman's prior approval of a request by Western Regional Off-Track Betting Corporation to amend their simulcast plan of operation in relation to the simulcast of races from the Finger Lakes Racing Association into all WROTB'S licensed simulcast facilities, effective April 14, 1989.
19. YONKERS RACEWAY/SIMULCAST TO LEWISTON RACEWAY
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to simulcast the 8th race on Friday, April 14, 1989, the 6th leg of the George Morton Levy Series on Saturday, April 15, 1989 and the first and second races on Monday, April 17, 1989 to Lewiston, Maine.
20. YONKERS RACEWAY/SIMULCAST TO LEWISTON RACEWAY
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to simulcast the 8th race on Wednesday, April 19, 1989 to Lewiston.
21. NYRA/REQUEST FOR AN EXACTA POOL
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Assoc., to offer an exacta pool on the Wood Memorial, on April 22, 1989, if there is a minimum of five betting interests in the race.
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 to simulcast "The Graduate" from Batavia Downs on April 22, 1989.
23. NYCOTBC/ON BEHALF OF ALL NYSROTBC'S
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's to accept wagers on the Arkansas Derby to be run at the Oaklawn Jockey Club on Saturday, April 22, 1989 as an out of state thoroughbred race of special interest.
24. BATAVIA DOWNS/SIMULCAST OF THE GRADUATE SERIES ON 4/22/89
For entry into the minutes, the Chairman's prior approval of a request by Batavia Downs to simulcast the Graduate Series Pace on April 22, 1989 to Vernon Downs and The Meadowlands. Batavia Downs also requested a waiver of Rule 4122.41 (H) in order to offer triple wagering although there is a coupled entry in the race.

25. WROTBC/TO SIMULCAST BATAVIA DOWNS MORNING PROGRAM

For entry into the minutes, the Chairman's prior approval of a request by Western Regional Off-Track Betting Corporation to simulcast the Batavia Downs morning program on Saturday, April 22, 1989, into the following branch Offices: Auburn and Phoenix.

C. BOARD APPROVAL

1. NYCOTBC/AMEND PLAN OF OPERATION

The Board approved the request by New York City Off-Track Betting Corporation to amend their plan of operation to reflect the closing of their branch at 75-41 31st Ave., Jackson Heights, effective with the close of business on May 31, 1989.

2. NYCOTBC/AMEND PLAN OF OPERATION

The Board approved the request by New York City Off-Track Betting Corporation to amend their plan of operation to include their agreement with Finger Lakes Racing Assoc., for the simulcasting of FLRA races on days when NYRA is not conducting racing.

3. SARATOGA RACEWAY/PROMOTION

The Board approved the request by Saratoga Raceway to print and distribute two general admission tax exempt passes in Radio Station W "Catalogue of Value" coupon book.

4. NYCOTBC/TO EXTEND THEIR AGREEMENTS WITH PHILADELPHIA PARK, HIALEAH PARK AND RELATED MATTERS

The Board approved the request by New York City Off-Track Betting Corporation of a letter agreement dated 1/3/89, which extends the term of the 12/21/89 agreement between NYCOTBC and Philadelphia Park and Hialeah Park for the acceptance of wagers on days when NYRA is dark, also permit the suspension of the surcharge on certain telephone wagers.

5. NROTBC/TO WITHDRAW THEIR AGREEMENT TO THEIR PLAN OF OPERATION IN RELATION TO THE CLOSING OF THEIR NORTH MASSEPEQUA BRANCH

The Board approved the request by Nassau Regional Off-Track Betting Corporation to withdraw their request to close their North Massapequa Branch.

6. VERNON DOWNS/PROMOTIONS

The Board approved the request by Vernon Downs to send out a promotional flyer in late April that will publicize and promote the track's racing schedule and main events for the months of May and June. These flyers will contain nine (9) free or discount coupons on such items as admission, parking and food.

7. MONTICELLO RACEWAY/LICENSE AMENDMENT

The Board approved the request by Monticello Raceway to add Monday, July 3, 1989, post time 7:30p.m. to their 1989 racing schedule. Fireworks are expected to be held after the last race.

8. NYRA/INSTALLATION OF NEW TELETIME SYSTEM

The Board approved the request by the New York Racing Assoc., to install a new teletime system on the Aqueduct Main and Inner Dirt tracks, Belmont Park Main Dirt Track, pursuant to Board rule 4003.42. The new timing system will be provided, installed and supervised by American Teletimer, the current teletimer at the NYRA tracks.

9. BUFFALO RACEWAY/PROMOTIONS REQUESTS TRACK LICENSE AMENDMENT WAGERING FORMAT CHANGES

The Board approved the request by Buffalo Raceway to offer certain changes in their wagering formats, their racing dates and offer various promotions as outlined in their letter of April 6, 1989.

10. NYRA/RELOCATION OF FINISH LINE MIRRORS

The Board approved the request by the New York Racing Association pursuant to Section 4003.19 and 4003.42, to relocate finish line mirrors at the NYRA tracks. Said relocation is done in coordination with Jones Precision Camera, the photo-finish operation vendor for the NYRA tracks. The new positions for these mirrors are outlined in their letter of 3/31/89.

11. NYRA/REPLACEMENT OF INFIELD TOTALISATOR AT BELMONT

The Board approved the request by the New York Racing Assoc., to replace the interior workings and display of the infield totalisator boards at Belmont Park Racetrack. These portable tote board components will subsequently be transported to Aqueduct Racetrack for use there. Saratoga Racetrack's tote board will remain as is for 1989. In addition, a rule waiver of Board rule 4009.19 was approved in order to provide for betting fields when there are more than 16 (rather than 12) betting interests programmed to start, as of the Belmont opening.

12. EXTENSION OF APPRENTICE WEIGHT ALLOWANCE/KEVIN E. ALBRITTON
The Board has approved the request by jockey Kevin E. Albritton for a 237 day weight allowance extension due to injuries received while racing. His allowance will now expire on February 8, 1991.
13. MONTICELLO RACEWAY/CAPITAL IMPROVEMENT FUND
The Board has approved the request by Monticello Raceway to withdraw \$164,078 from the Capital Improvement Fund, plus \$20,919.95 in interest as the remaining balance relating to the completion of Monticello's Raceway's Paddock and Drug Testing Building.
14. YONKERS RACEWAY/TRANSFER OF ROOSEVELT RACEWAY'S STAKES IN 1989 1990
The Board has approved the request by Yonkers Raceway to transfer stakes races previously scheduled to be run at Roosevelt Raceway to Yonkers Raceway.
15. C-15 WAS DEFERRED UNTIL NEXT BOARD MEETING
16. FLRA/PROMOTION
The Board has approved the request by Finger Lakes Racing Assoc., to print and distribute \$1.00 admission coupons to 18,000 patrons on their mailing list and 15,000 patrons on the Rochester Philharmonic Orchestra's mailing list these coupons will be honored in either the clubhouse or grandstand on Memorial Day, May 29, 1989.
17. FLRA/PROMOTION
The Board has approved the request by Finger Lakes Racing Association to print and distribute \$1.00 admission coupons good only on Kentucky Derby Day, May 6, 1989. Patrons on their mailing list would receive the coupons, enabling them to enter either the clubhouse or grandstand for \$1.00.
18. IN THE MATTER OF DR. JAMES B. MITCHELL
The Board has approved the Hearing Officers recommendation that Dr. Mitchell's harness racing license be suspended for (12) twelve days to participate in harness racing.
19. NROTBC/TO AMEND PLAN OF OPERATION
The Board has approved the request by Nassau Regional Off-Track Betting Corporation to amend their plan of operation in relation to the establishment of a branch at 158 Woodbury Road, Hicksville, New York.
20. PROPOSED RULE CHANGE, AMENDMENT TO FREEDOM OF INFORMATION LAW SECTION 5400.1
The Board approved the amendment to the Freedom of Information Rule Section 5400.1 to reflect the designation of the Records Access Officer be made by the Chairman, rather than the Board.

21. PROPOSED RULE, SECTION 5204.16 REQUIREMENT OF RESTROOM FACILITIES

The Board approved the Proposed Rule Section 5204.16 which would require every (OTB) Off-Track Betting facility to provide restrooms unless good cause can be shown.

22. PROPOSED RULE CHANGE, COGGINS TEST REQUIREMENTS SECTIONS 4230.5, 4109.3 403.85 OF THE BOARD RULES The Board has approved the Proposed Rule Change dealing with Coggins Test Sections 4230.5, 4109.3 and 4038.5 to eliminate the requirement of a Coggins test when a horse is claimed within the year of its last Coggins test. The claimant is given the option to have the Coggins test taken at his/her own expense and then void the claim if said test results in a positive.

23. PROPOSED RULE CHANGE, AMENDMENT TO SECTION 5204.10 MINORS BETTING BY MINOR-SECTION 4009.8

The Board has approved the amendment to Section 5204.10 dealing with Minors- to reflect that persons under the age of 18 not be allowed to enter a branch office if accompanied by an adult.

The Board has approved the amendment to Section 4009.8 A technical change to disallow persons under the age of 18 to purchase a pari-mutuel ticket rather than 21.

24. PROPOSED RULE CHANGE, CLOSING OF DECLARATIONS - SECTION 4111.6 /ENGAGEMENTS CONTINUE-SECTION 4111.22 PROGRAMMING OF DRIVERS-SECTION 4111.12

The Board has approved the following Proposed Rules:

1. Closing of declarations- Section 4111.6
By adding "For overnights, stakes and all other races" clarifies that the rule closes the door on changing ownership after the horse is drawn to start for all races. We are making a necessary exception by adding "(except as a result of death)".
2. Engagements continue - Section 4111.22
To allow a horse to maintain its eligibility to a stake or early closing event where a transfer of ownership has occurred (prior to the close of declarations) or through the death of the nominator whether it occurs before or after the close of declarations.

3. Programming of Drivers-Section 4111.12

To allow the change or nomination of drivers after declaration by an owner, his agent or his trainer until programming time. Also required is giving the judges the capability to fine the trainer instead of the owner since the trainer is the individual the judges fine in most cases.