

MINUTES OF THE
BOARD MEETING
HELD ON MAY 30, 1989

A meeting of the New York State Racing & Wagering Board was held on Tuesday, May 30, 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 Off-Track Betting
David Vaughan, General Counsel
Herman Kluge, Director of Licensing and Investigations
Jim Gallagher, Chief of Racing Operations
Eileen Clarke-Brady, Assistant Chief of OTB Operations
Archie Mavromatis, Assistant Chief of Racing Operations
Arthur Schechter, Director of Audits
Danny Goldberg, Assistant Counsel
Robert Feuerstein, Assistant Counsel
Gale Berg, Assistant Counsel
John Barrett, Assistant Counsel
Joseph Slakas, Director of Public Information
George D. Dranichak, Director of Racing Officials
Edmund Leary, Assistant Director of Audit & Investigations
Thomas C. Davide, Secretary to the Board

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A. Approved minutes of the Board Meeting Held on May 30, 1989.

B. FOR ENTRY INTO THE MINUTES

(I)

1. WROTBC/TO 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 simulcast races from Buffalo Raceway into 26 licensed simulcast facilities commencing Wednesday, April 26, 1989.

2. YONKERS RACEWAY/SIMULCAST TO LEWISTON

For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to simulcast the 9th race on Saturday, April 22, 1989 to Lewiston Raceway.

3. NYCOTBC/TO ACCEPT WAGERS ON THE 1989 KENTUCKY DERBY

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 wagers on the 1989 Kentucky Derby Trial, to be run on Saturday, April 29, 1989 at Churchill Downs, Louisville, Kentucky.

4. BUFFALO RACEWAY/SIMULCAST OF THE GRADUATE SERIES PACE ON APRIL 29, 1989

For entry into the minutes, the Chairman's prior approval of a request by Buffalo Raceway to simulcast the Graduate Series Pace on April 29, 1989 to Vernon Downs and the Meadowlands.

5. NYRA/MAY SIMULCAST SCHEDULE

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 which NYRA has executed agreements for the simulcast and acceptance of pari-mutuel wagers on the various races in the month of May as outlined in their letter of April 21, 1989.

6. YONKERS RACEWAY/TO SUSPEND SHOW WAGERING
 For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to suspend show wagering on the 10th race on Saturday, April 29, 1989.
7. NYRA/ADDENDUM TO CATEGORY I - RACING OFFICIALS
 For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Assoc., to add the following individuals to the Category I Roster of Racing Officials:
 1. Peter Fitzgerald-Patrol & Placing Judge
 2. George Martin-Patrol & Placing Judge
 3. Robert Flynn-Assistant Racing Secretary and Handicapper.
8. NYRA/ADDENDUM TO APRIL SIMULCAST
 For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association, to add the following tracks to their April simulcast schedule.
- | <u>Date</u> | <u>Race</u> | <u>Track</u> |
|-------------|---------------|---------------------|
| 4/29 | Excelsior | Pimlico ITW: Laurel |
| | | Type of |
| | | Contract |
| | Baltimore, MD | E/B |
9. NYRA ADDENDUM TO MAY 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 which NYRA has executed agreements fro the simulcast and acceptance of wagers on various races in the month of May as outlined in their letter of April 29, 1989.
10. JOCKEY CLUB/APPOINTMENT OF STEWARDS
 For entry into the minutes, the Chairman's prior approval of a request by Ogden Phipps for Dr. Manuel A. Gilman as Steward representing the Jockey Club at the New York Racing Association. In addition, Mr. Richard Hanson will serve as Steward at Finger Lakes and Alternate Steward at the NYRA tracks, along with Mr. William Garges and Mr. Richard Hamilton.
11. NYRA/PROMOTION
 For entry into the minutes, the Chairman's prior approval of a request by The New York Racing Assoc., to offer a Belmont HorseFair/Belmont promotion whereby coupons are redeemable for \$1.00 off Clubhouse or Grandstand admission on May 27, 1989, July 2, 1989 and July 22, 1989.

12. NYRA/KENTUCKY DERBY/WAIVER OF RULE 4011.22
For entry into the minutes, the Chairman's prior approval of a request by The New York Racing Assoc., to waive Rule 4011.22(g) so triple wagering may be conducted although there will be two (2) coupled entries and a three (3) horse field in the Kentucky Derby.
13. SARATOGA HARNESS/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by Saratoga Raceway to host a John Bon Jovi concert in conjunction with the NYRA simulcast program of Sunday, June 25, 1989. Every patron will receive an admission pass good for any night during the Harness Racing season.
14. MONTICELLO RACEWAY/CAPITAL IMPROVEMENT FUND
For entry into the minutes, the Chairman's prior approval of a request by Monticello Raceway to withdraw \$65,000 from the Capital Improvement Fund toward the final payment of \$135,000 still outstanding for the Amtote Equipment. Also, two subsequent withdrawals of \$35,000 will be made at later dates.
15. YONKERS RACEWAY/SIMULCAST TO LEWISTON
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to simulcast the 6th race, The Open Trot, on Friday, May 5, 1989 to Lewiston Raceway.
16. YONKERS RACEWAY/SUSPENSION OF SHOW WAGERING ON THE 10TH RACE ON 5/6/89
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to suspend show wagering on the 10th race on May 6, 1989.
17. NYRA/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Assoc., to offer in conjunction with the performances of the Queens Symphony Orchestra, free grandstand admission on both May 29, 1989 and July 4, 1989 until 11:00a.m.
18. NYRA/KENTUCKY DERBY
For entry into the minutes, the Chairman's prior approval of a request by The New York Racing Assoc., for the acceptance of pari-mutuel wagers on the 1989 Kentucky Derby pursuant to Section 905(2) of the Racing, Pari-Mutuel Wagering and Breeding Law. In addition, also to waive Rule 4011.2(g), in order for triple wagering to be conducted if there are coupled entries and fields.

19. ROTBC'S TO ACCEPT WAGERS
ON THE 1989 KENTUCKY DERBY

For entry into the minutes, the Chairman's prior approval of a request by all Regional Off-Track Betting Corporation's to accept wagers on the 1989 Kentucky Derby, to be run at Churchill Downs on Saturday, May 6, 1989 as a race of special interest and also to conduct advance wagering on Friday, May 5, 1989 and suspend collection of surcharge, per Section 1012 on appropriate telephone account wagers.

20. VERNON DOWNS/PROMOTION

For entry into the minutes, the Chairman's prior approval of a request by Vernon Downs for the following Radio Station promotions:

1. WHEN Radio Station - An imaginary race contest on May 8, 1989 and an on the air announcement of the availability of 5,000 free grandstand admissions (\$1.50) good for May 19, 1989.
2. WFRG Radio Station- "A day at the Races" contest on June 9, 1989.
3. WAQX Radio Station- "Guess the Winning Horse" contest on 6/9/89.
4. WKFM Radio Station- Distribute 5,000 free grandstand admission coupons (\$1.50 CLUBHOUSE) through sponsor locations which would be good only on August 11, 1989.

21. NYRA/ ADDENDUM TO MAY SIMULCAST

For entry into the minutes, the Chairman's prior approval of a request by The New York Racing Assoc., to add the following track to their May simulcast schedule:

<u>Date</u>	<u>Race</u>	<u>Track</u>
5/10	Withers	Hialeah Park

<u>City/State</u>	<u>Contract</u>
Hialeah, FL	A

<u>Date</u>	<u>Race</u>
5/11	8th
5/12-5/14	8th
5/17-5/21	8th
5/24-5/28	8th

22. NYCOTBC/TO ACCEPT WAGERS
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 OTBC'S to accept wagers on the 1989 Pimlico Special to be run on Saturday, May 13, 1989 at Pimlico Race Course, Baltimore, Maryland.
23. YONKERS RACEWAY/OUT OF STATE SIMULCAST
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to simulcast the 5th race on May 13, 1989 to Lewiston Raceway.
24. YONKERS RACEWAY/CANCEL SHOW WAGERING
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to cancel show wagering on the 5th race on May 13, 1989.
25. FLRA/SIMULCAST OF BIRMINGHAM RACE
For entry into the minutes, the Chairman's prior approval of a request by Finger Lakes Racing Assoc., to simulcast FLRA races to Birmingham Race Course on May 20, 1989 to verify their technical operation and to train personnel at Birmingham.
26. NYRA/ADDENDUM TO MAY SCHEDULE
For entry into the minutes, the Chairman's prior approval of a request by The New York Racing Assoc., for the tracks which were outlined in their letters of May 13, and May 15, 1989 to be added to their May simulcast schedule.
27. FLRA/EXTENSION OF KELLY M. BRIDGES
For entry into the minutes, the Chairman's prior approval of a request by Finger Lakes Racing Assoc., to extend the apprentice allowance of Kelly M. Bridges for seven days due to time lost during the jockey strike at Aqueduct Racetrack. His allowance will now expire on May 24, 1989.
28. NYRA/ADDENDUM TO MAY SCHEDULE
For entry into the minutes, the Chairman's prior approval of a request by The New York Racing Assoc., for the simulcast of the sixth (6) race on Friday, May 19, 1989 which has been added to the existing executed contract with Hialeah Park, dated May 5, 1989.

29. WROTBC/TO SELL THE "SPORTS EYE" OTB
For entry into the minutes, the Chairman's prior approval of a request by Western Regional Off-Track Betting Corporation to sell the "Sports Eye" OTB program in addition to their current distribution of information to OTB patrons.
30. CDROTBC/TO DISTRIBUTE AND/OR SELL AN OTB RACING PROGRAM
For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to distribute and/or sell an Off-Track Racing Program published by Sports Eye, as an experiment in selected facilities.
31. CDROTBC/TO SUSPEND THE COLLECTION OF SURCHARGE ON CERTAIN TELEPHONE WAGERS ON THE 1989 PREAKNESS STAKES
For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to suspend the collection of surcharge on certain telephone wagers on the 1989 Preakness Stakes pursuant to Section 1012 of the Racing Law.
32. SARATOGA HARNESS/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by Saratoga Harness Racing Association to run an ad in the following newspapers to promote the Monday, May 29th Memorial Day matinee. The ad will contain a coupon for free grandstand admission
- Albany Times
 - Schenctady Gazette
 - The Saratogian
 - Glens Falls Post Star
 - Gloversville Leader Herald
 - Amsterdam Recorder
 - Berkshire Eagle, Pittsfield, MA
 - Adirondack Vacationer, Plattsburgh
 - Press Republican
 - Bennington Banner
 - Rutland Herald
33. NYCOTBC/TO DISTRIBUTE A SPECIAL COMPLEMENTARY ISSUE OF THE FIGS FORM
For entry into the minutes, the Chairman's prior approval of a request by New York City Off-Track Betting Corporation to distribute a special complimentary issue of the Figs Form containing racing information and entries for the Belmont Stakes at all branches on Friday, June 9, 1989 and Saturday, June 10, 1989.

34. NYCOTBC/ON BEHALF OF ALL NYSROTBC'S TO ACCEPT WAGERS ON THE JERSEY DERBY
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 NYSROTBC'S to accept wagers on the Jersey Derby, to be run on Monday, May 29, 1989 at Garden State Park.
35. WROTBC/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by Western Regional Off-Track Betting Corporation to sell the Buffalo Raceway and Batavia Downs programs in all their branches. They will pay \$1.13 for each program and offer it for sale at a price of \$1.65.
36. SROTBC/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by Suffolk Regional Off-Track Betting Corporation to issue 3,000 free admissions to their Hauppauge Simulcast Theater to be included in a mailing by Sports Eye to 3,000 racing fans. The free admission would be valid for the Monday-through Friday period.
37. SROTBC/TO DISPLAY THE LEONARD V HEARNS
For entry into the minutes, the Chairman's prior approval of a request by Suffolk Regional Off-Track Betting Corporation to display the Leonard V. Hearns boxing match at their Hauppauge Simulcast Theater on June 12, 1989 and charge an admission fee of \$30.00 per person (including dinner).
38. MONTICELLO RACEWAY/LICENSE AMENDMENT
For entry into the minutes, the Chairman's prior approval of a request by Monticello Raceway to make amendments to their racing schedule for the period from May 26, 1989 to June 11, 1989, as outlined in their letter of May 19, 1989.
39. CDROTBC/TO SELL RACING PROGRAMS
For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to offer for sale racing program brochures known as "The Sports Eye Program" at their branches in addition to the on-going distribution of racing information to their patrons.

40. 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 of the simulcast races run at Buffalo Raceway on Monday evening May 29, 1989.
41. SARATOGA HARNESS/PROMOTION
For entry into the minutes the Chairman's prior approval of a request by Saratoga Harness Racing to print and distribute 1,500 general admission tax-exempt tickets to "Americade 89" to be held on June 7, 1989.
42. YONKERS RACEWAY/LICENSE AND WAGERING FORMAT AMENDMENT
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to schedule evening racing programs during the Westchester County Fair from May 26 through June 10, 1989 exclusive of Sundays, Memorial Day, May 29, 1989 and Tuesday matinees. Post time Monday-Thursday would be 7:30p.m. and ten races will be run. Post time on Friday and Saturday nights will be 6:30p.m. and eight races will be carded.
43. NYC/NASSAU AND SROTBC'S/TO DISTRIBUTE AND/OR SELL OTB RACING PROGRAM PUBLISHED BY SPORT EYE AS AN EXPERIMENT
For entry into the minutes, the Chairman's prior approval of a request by New York City, Nassau and Suffolk Regional Off-Track Betting Corporations to distribute and/or sell an Off-Track Racing Program published by Sports Eye as an experiment in selected facilities.
44. FLRA/OUT OF STATE SIMULCAST
For entry into the minutes, the Chairman's prior approval of a request by Finger Lakes Racing Assoc., to simulcast races to Nevada on Tuesdays commencing May 16, 1989. This approval is of simulcasting to Nevada on Tuesdays only as requested by them and notwithstanding that the contract is not so limited.
45. NYRA/1989 PREAKNESS STAKES
For entry into the minutes, the Chairman's prior approval of a request by The New York Racing Assoc., to accept pari-mutuel wagering on the 1989 Preakness Stakes from Pimlico Race Course on May 20, 1989. In addition, also the following betting pools were

approved: win, place, show exacta, quinella, triple and a daily double on NYRA's eight race (Saranac) and the Preakness. Further, the waiver of the following rules: Rule 4011.5(m) in order that quinella wagering may be accepted with as few as five betting interests, Rule 4011.20(f)a in that exacta wagering may be accepted with as few as five betting interests; Rule 4011.22(g) in that triple wagering with coupled entries or fields may be conducted; Rule 4011.22(h) in order that triple wagering on the Preakness will be permitted if at least six (6) betting interests start.

46. ROTBC'S TO ACCEPT WAGERS ON THE 1989
For entry into the minutes, the Chairman's prior approval of a request by all New York State's Regional Off-Track Betting Corporations to accept wagers on the 1989 Preakness Stakes, to be run on Saturday, May 20, 1989 at Pimlico Race Course, Baltimore, Maryland, as a thoroughbred race of special interest, pursuant to Section 523(6) (a) of the Racing Law. In addition, each Corporation has requested permission to conduct advance wagering on May 19, 1989 as well as suspend the collection of surcharge telephone wagers with a minimum balance of \$1,000 in accordance with the provisions of Section 1012 of the Racing Law. Each Regional OTB Corporation requested different forms of wagering as outlined in their letters.

(II)

1. IN THE MATTER OF PETER CASANOVA
The Board has approved the summary suspension of Peter Casanova for violation of Board Rules Section 4119.7(a) (3) and 4119.11.
2. LEWIS WILLIAMS/SUMMMARY SUSPENSION
The Board has approved the summary suspension of Lewis Williams for violation of Board Rules 9NYCRR 4119.7(b) and 4119.11.

C. BOARD APPROVAL

1. SROTBC/AMEND PLAN OF OPERATION
The Board has approved the request by Suffolk Regional Off-Track Betting Corp., to reflect the resignation of Anthony Coraci as President and Chief Executive Officer of SROTBC, effective May 1, 1989 and the appointment of Martin J. Feeney as President and Chief Executive Officer of SROTBC, effective May 1, 1989.

2. WROTBC/AMEND PLAN OF OPERATION
The Board has approved the request by Western Regional Off-Track Betting Corporation to amend their plan of operation to reflect the closing of their branch located at 8 Market Street, Attica, NY on July 9, 1989.
3. NYRA/APPOINTMENT OF RICHARD HAMILTON
The Board has approved the request by The New York Racing Association, of the appointment of Richard Hamilton as NYRA Steward.
4. VERNON DOWNS/PROMOTION
The Board has approved the request by Vernon Downs to conduct a "Pick Eight" promotion, starting on June 2, 1989 and continuing each Friday and Saturday until the jackpot is won and possibly continuing it through July 1, 1989. Vernon Downs plans to start with a \$1,000 prize and raise it \$1,000 each night until the jackpot is hit and then start the next Friday or Saturday with a \$1,000 Prize. Vernon Downs plans to conduct this promotion in the same manner that they did the "Super Six" that was approved by the Board in 1986. Also, approved by the Board, permission to give every patron paying admission on Memorial Day, Monday, May 29, 1989, in conjunction with their beach towel giveaway, a strip of five free grandstand (\$1.50 clubhouse) admission, good for any Tuesday through Saturday for the week ending June 3rd, June 10th, June 17th, and June 24, 1989. The fifth ticket would be good any Tuesday through Saturday during the month of June.
5. SARATOGA HARNESS/LICENSE AMENDMENT
The Board has approved the request by Saratoga Raceway to add June 12, 1989 to their schedule, and televise the Leonard-Hearns closed circuit fight. Saratoga will also add July 16, 1989 to their calendar and conduct WXXA Channel 23 "Family Day". Post time will be 1:05p.m.
6. YONKERS RACEWAY/SIMULCAST TO LOUISVILLE
The Board has approved the request by Yonkers Raceway to simulcast the Lawrence B. Sheppard Pace on July 15, 1989 and the Cane Pace on August 26, 1989 to Louisville Downs.
7. FLRA/JOHN KOLOMIC, APPOINTMENT
The Board approved the request by Finger Lakes Racing Association for the appointment of John Kolomic as Assistant General Manager. Mr. Kolomic currently works as the Publicity Director of Finger Lakes.

8. NYCOTBC/ON BEHALF OF ALL NYSROTBC'S TO ACCEPT WAGERS ON RACES RUN AT PIMLICO RACE

The Board has approved the request by 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 Pimlico Race Course and Monmouth Park on NYRA dark days through June 30, 1990 and related matters as outlined in the Memo of May 19, 1989.

9. NROTBC/TO CONDUCT A EXPERIMENT

The Board has approved the request, by Nassau Regional Off-Track Betting Corporation as last modified on February 2, 1989, for a one-year experiment of "Direct Line" into 20 locations for which Board approval will be sought in advance.

In addition, the Board has approved the use of 200 "Tiny Tims", the location of which will be reported to the Board on a current basis. In this regard, the Board will be notified when the final version of each device is available for final approval of its attributes.

10. FLRA/ALTERNATE RACING OFFICIAL

The Board has approved the request by Finger Lakes Racing Association to appoint Robert J. McKeever, as an alternate Racing Official. Dr. O. Dea interviewed said individual and recommends his appointment on a seasonal (summer) basis.

11. IN THE MATTER OF MARILYN HIRSCH

Board has approved the Hearing Officers recommendation to confirm the 20-day suspension upon Marilyn Hirsch (Thoroughbred Trainer) for violation of the "claiming rule" Section 4038.1 on August 22, 1988 at Saratoga Racetrack.

12. CDROTBC/TO ESTABLISH A TEMPORARY BRANCH

The Board has approved the request by Capital District Regional Off-Track Betting Corporation to establish a temporary branch office to conduct Off-Track Betting in the Washington Park Lakehouse on Saturday, 8/19/89 upon the understanding that all applicable laws and rules governing branch offices will be fully implemented and in force. It is further stipulated that part of their request referring to simulcasting to such location is not approved without prejudice to a proper application for licensing for such purpose being made in the future.

13. CDROTBC/TO AMEND PLAN OF OPERATION

The Board has approved the request by Capital District Regional Off-Track Betting Corporation to amend their plan of operation in relation to the establishment of a new branch at 69 Pearl Street, Albany, New York, to open in June of 1989.

14. SIMULCAST FACILITY LICENSE RENEWAL PROCEDURES FOR 1989-1990

The Board has approved the revised Directive concerning renewal procedures for simulcast facility licenses for the year beginning July 1, 1989.