

**MINUTES  
MEETING OF FEBRUARY 25, 1998  
NEW YORK STATE RACING & WAGERING BOARD**

A meeting of the New York State Racing and Wagering Board was held on Wednesday, February 25, 1998, in the Executive Office, located at 1 Empire State Plaza, Suite 1201, Albany, New York 12223.

**In Attendance Were:**

Michael J. Hoblock, Jr., Chairman  
Bennett Liebman, Member  
Joseph Neglia, Member  
Edward Martin, Executive Director  
Stephanie L. Donato, Secretary to the Board  
Robert Feuerstein, General Counsel  
James Gallagher, Chief of Racing Operations  
John Signor, Director of Audits and Investigations

**Also in Attendance Were:**

Jennifer Whalen, NYSR&WB  
Russ Baller, NYSR&WB  
Nicole Robilotto, NYSR&WB  
Linda Crane, NYSR&WB  
Kyle Hughes, Gannett News  
Bill Crowell, Hinman, Straub  
Tom Precious, Buffalo News, Blood Horse  
Steve Bochniak, NY Thoroughbred Horseman's Assoc.

**MINUTES**  
**MEETING OF FEBRUARY 25, 1998**  
**NEW YORK STATE RACING AND WAGERING BOARD**

The meeting was called to order at 11:45 a.m.

**A. The Board approved the Minutes of the Board Meetings held on January 22, 1998 and January 27, 1998 and February 18, 1998.**

**B. ITEMS PREVIOUSLY APPROVED, DENIED OR DEFERRED BY THE CHAIRMAN**

**1. NEW YORK RACING ASSOCIATION REQUEST TO DESIGNATE RACES AS SPECIAL EVENTS**

For entry into the minutes, on January 22, 1998, approval was granted for the request by the New York Racing Association to designate the following races as special events:

<u>Date</u>	<u>Race</u>	<u>Track</u>
02/14/98	Barbara Fritchie Handicap	Laurel
02/16/98	General George Handicap	Laurel
03/08/98	New Orleans Handicap	Fair Grounds
03/14/98	Fair Grounds Oaks	Fair Grounds
03/15/98	Louisiana Derby	Fair Grounds
03/29/98	Explosive Bid Stakes	Fair Grounds

**2. YONKERS RACEWAY – SIMULCAST AGREEMENT WITH GARDEN STATE PARK**

For entry into the minutes, on January 22, 1998, approval was granted for the request by Yonkers Raceway to simulcast its signal to Garden State Park beginning January through December 31, 1998.

**3. YONKERS RACEWAY – SIMULCAST AGREEMENT WITH THISTLEDOWN**

For entry into the minutes, on January 26, 1998, approval was granted for the request by Yonkers Raceway to simulcast its signal to Thistledown beginning January through December 31, 1998.

4. **YONKERS RACEWAY – SIMULCAST AGREEMENT WITH PENN NATIONAL**  
For entry into the minutes, on January 27, 1998, approval was granted for the request by Yonkers Raceway to simulcast its signal to Penn National beginning January through December 31, 1998.

5. **YONKERS RACEWAY – SIMULCAST AGREEMENT WITH ROSECROFT ROSECROFT RACEWAY**  
For entry into the minutes, on January 28, 1998, approval was granted for the request by Yonkers Raceway to simulcast its signal to Rosecroft Raceway beginning January through December 31, 1998.

6. **NEW YORK RACING ASSOCIATION, INC. REQUEST TO AMEND PLAN OF OPERATION**  
For entry into the minutes, on January 28, 1998, approval was granted for the request by the New York Racing Association, Inc. to offer a free general admission coupon, valid on January 31, 1998 and February 1, 1998, as part of NYRA's Chinese New Year celebration. The coupon will be made available through a one-page flyer distributed in Chinatown and Flushing, New York.

In addition, NYRA was also granted permission to distribute a free \$2.00 betting voucher, on the same dates mentioned above, to all patrons using special bus transportation from Chinatown and Flushing, New York.

At the conclusion of this promotion, NYRA will give away a 5-day trip for two to Hong Kong, including airfare and hotel, which includes a visit to Happy Valley Race Course. The winner will be picked from a random drawing from the admissions on the above mentioned dates. No purchase is necessary to enter this contest and entry forms will be available at the Rockaway Boulevard entrance.

7. **SUFFOLK REGIONAL OFF-TRACK BETTING CORPORATION REQUEST TO TRANSFER EXISTING BRANCH TO WEST ISLIP**  
For entry into the minutes, on January 28, 1998, approval was granted for the request by Suffolk Regional Off-Track Betting Corporation to transfer its branch located at 181 Sunrise Highway, West Islip to 1375 Sunrise Highway, Bay Shore. This change in location is anticipated in August, 1988 or upon completion of the new facility.

This request was approved conditionally upon receipt of a certificate of occupancy, compliance with fire and other codes, short environmental assessment form, and compliance with section 1003 and 1008 of the Racing, Pari-Mutuel Wagering and Breeding Law prior to opening.

8. **BUFFALO RACEWAY REQUEST TO AMEND 1998 LICENSE**

For entry into the minutes, on January 28, 1998, approval was granted for the request by Buffalo Raceway to amend its 1998 Racing Schedule as follows:

**February – March:** Racing Wednesdays, Fridays, Saturdays, Sundays

**April – July:** Racing Wednesdays, Thursdays, Fridays, Saturdays.

9. **WESTERN REGIONAL OFF-TRACK BETTING CORPORATION – SIMULCAST AGREEMENT WITH BUFFALO RACEWAY**

For entry into the minutes, on February 2, 1998, approval was granted for the request by Western Off-Track Betting Corporation of its contract with Buffalo Raceway for the simulcast of races during 1998.

10. **SARATOGA RACEWAY REQUEST TO AMEND PLAN OF OPERATION**

For entry into the minutes, on February 5, 1998, approval was granted for the request by Saratoga Raceway to give all paid admissions on opening night, February 5, 1998, a free clubhouse pass good for all live and simulcast programs for the month of February.

11. **NEW YORK CITY OFF-TRACK BETTING CORPORATION REQUEST TO AMEND PLAN OF OPERATION**

For entry into the minutes, on February 5, 1998, approval was granted for the request by New York City Off-Track Betting Corporation to amend plan of operation by closing the 1733 Broadway, Manhattan branch.

2. **ITEMS PREVIOUSLY APPROVED, DENIED OR DEFERRED BY THE BOARD**

1. **MATTER OF ALAN HOFFMAN**

For entry into the minutes, on February 19, 1998, the Board summarily suspended Hoffman's license effective February 19, 1998 pending the disposition of a hearing for attempting to tamper with the outcome of a pari-mutuel race on December 23, 1997 at Monticello Raceway.

D. **ITEMS TO BE APPROVED, DENIED OR DEFERRED BY THE BOARD**

1. **NEW YORK CITY OFF-TRACK BETTING CORPORATION REQUEST TO AMEND ITS PLAN OF OPERATION**

The Board approved the request by New York City Off-Track Betting Corporation to amend its plan of operation to appoint Mr. Thomas Matteo as Acting President of the Corporation.

2. **WESTERN REGIONAL OFF-TRACK BETTING CORPORATION REQUEST TO AMEND ITS PLAN OF OPERATION**

The Board approved the request by Western Regional Off-Track Betting Corporation to amend its plan of operation to appoint Mr. Philip J. Smith as a member of its Board of Directors representing Schuyler County. Mr. Smith is replacing Angeline B. Franzese.

**3. FINGER LAKES RACING ASSOCIATION REQUEST FOR WITHDRAWAL OF FUNDS FROM THE CAPITAL IMPROVEMENT FUND**

The Board approved the request by Finger Lakes Racing Association to withdraw a total of \$12,008.61 from the capital improvement fund for the following:

Alladin Video System (for closed-circuit TV system)	\$11,142.98
Computer System (for simulcast download)	<u>865.63</u>
<b>TOTAL WITHDRAWAL</b>	<b>\$12,008.61</b>

**4. BUFFALO RACEWAY REQUEST FOR WITHDRAWAL OF FUNDS FROM THE CAPITAL IMPROVEMENT FUND**

The Board approved the request by Buffalo Raceway to withdraw a total of \$10,359.10 from the capital improvement fund for the following:

28 JVC 27" Television monitors	\$9,576.00
1 Winstead Rack with casters	<u>783.10</u>
<b>TOTAL WITHDRAWAL</b>	<b>\$10,359.10</b>

**5. YONKERS RACEWAY REQUEST FOR WITHDRAWAL OF FUNDS FROM THE CAPITAL IMPROVEMENT FUND**

The Board deferred until the next meeting, pending a review of the capital improvement fund account, the request by Yonkers Raceway to withdraw a total of \$38,774.64 from the capital improvement fund for advertising and promotional costs. This amount is the balance due for the maximum reimbursable amount allowed in 1997 for advertising and promotional expenses.

**6. MONTICELLO RACEWAY REQUEST FOR WITHDRAWAL OF FUNDS FROM THE CAPITAL IMPROVEMENT FUND**

The Board deferred until the next meeting, pending a review of the capital improvement fund account, the request by Monticello Raceway to withdraw a total of \$95,788.49 from the capital improvement fund for advertising and promotional expenses and various items.

**7. FINGER LAKES RACING ASSOCIATION – ROSTER OF 1998 RACING OFFICIALS**

The Board approved the request by Finger Lakes Racing Association General Manager Christian Riegle, for approval of the officials listed below for the 1998 racing season, pursuant to Board rule 4005.1; with the following conditions: 1) all racing officials must be licensed by the Board for 1998; 2) all officials who serve as Jockey Club stewards or Association stewards or standby stewards must be accredited or have satisfactory experience in this capacity.

Donald H. Smith  
Richard B. Coyne  
Joseph Colasacco  
Carl Anderson  
Corleen Bubolz

Janet B. Camp  
Elizabeth Tantalo  
JoAnn Tremacco  
Frank Bottorf  
Mary Czadzeck  
Arthur Green  
Jack Keller  
Anthony Aruck  
Ramon Umana

Racing Secretary  
Association Steward  
Assistant Racing Secretary  
Placing & Patrol Judge  
Placing & Patrol Judge, Alternate  
Paddock Judge & Alternate Jockey  
Club Steward  
Placing & Patrol Judge  
Alternate Placing & Patrol Judge  
Alternate Placing & Patrol Judge  
Alternate Placing & Patrol Judge  
Horse Identifier  
Starter  
Clerk of Scales  
Alternate Placing Judge  
Examining Veterinarian

**8. NEW YORK RACING ASSOCIATION – CERTIFICATE OF AMENDMENT OF THE CERTIFICATE OF INCORPORATION**

The Board approved the New York Racing Association, Inc. request of the following amendments to the Certificate of Incorporation:

**“Paragraph SIXTH”** – “The duration of the corporation shall be 57 years.”

**“Paragraph SEVENTH”** – “In addition to the trustee referred to in proceeding paragraph the Governor of the State of New York shall appoint eight additional members to the board of trustees, each for a term of two years. One of such members and his successor shall be appointed upon the nomination of the temporary president of the Senate and one shall be appointed upon the nomination of the Speaker of the Assembly. No member appointed pursuant to the provisions in this paragraph shall receive any compensation for his services but shall be entitled to reimbursement from this corporation for his actual and necessary expenses incurred in the performance of his duties.”

The above amendments were adopted at a special meeting of the Stockholders of NYRA on December 10, 1997 in accordance with Section 605 of the New York Business Corporation Law and the by-laws of the Corporation.

**9. NEW YORK CITY OFF TRACK BETTING CORPORATION  
REQUEST TO AMEND PLAN OF OPERATION**

The Board approved the request by New York City Off-Track Betting to amend its Plan of Operation and Simulcast Plan of Operation to extend the current agreement with 38-04 Tavern, Inc. (Mary McGuire's Restaurant located at 38-04 Astoria, Queens) for five years.

New York City OTB shall be responsible for all costs and expenses for the maintenance and operation of the simulcast facility and they will pay McGuire's a monthly fee based upon the average daily handle.

**10. MATTER OF THE NORTHPOLE FIRE CO., INC.**

The Board confirmed Hearing Officer Bennett Liebman's recommendation that the decision of the Town of Pamela be affirmed that the Northpole Fire Co., Inc. pay Shirley Gilmore \$554 for the proceeds of bingo game on January 15, 1997, with the modification of the award from \$554 to \$519 to reflect the amount previously refunded by the Fire Company.

**11. NEW YORK RACING ASSOCIATION REQUEST TO REPEAL  
BOARD RULE 4029.8**

The Board approved the New York Racing Association, Inc. request to amend Board rule 4029.8 by repealing that portion which designates that top weight requirements for overnight handicaps be no less than 12 pounds.

**ITEMS FOR BOARD INFORMATION/DISCUSSION**

1. **NEW YORK RACING ASSOCIATION, INC.**  
1997 Horse Identification Summary
2. **FINGER LAKES RACING ASSOCIATION**  
Required documents relative to Capital Improvement Fund
3. **BATAVIA DOWNS/VERNON DOWNS**  
Monies owed to DelMar Thoroughbred Club
4. **MONTICELLO RACEWAY**  
Monies owed by Batavia Downs
5. **YONKERS RACEWAY**  
Relocation of track lightpole
6. **CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORP.**  
Live race call agreement with Northville Downs
7. **CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORP.**  
Cancellation of handicap tournament
8. **SUFFOLK REGIONAL OFF-TRACK BETTING CORP.**  
Officers salaries
9. **SARATOGA HARNESS**  
Executed Contract with the Saratoga Harness Horseperson's Association
10. **NEW YORK RACING ASSOCIATION, INC.**  
Appointment of Ernst & Young as independent auditor  
Will be on agenda of Special Meeting on March 5, 1998.

**THE MEETING ADJOURNED AT 12:10pm.**