

**MINUTES OF THE
BOARD MEETING
OF JUNE 12, 1996**

A Meeting of the New York State Racing and Wagering Board was held on Wednesday, June 12, 1996, at the Board office located at 120 Broadway, 13th Floor, New York, New York 10271.

IN ATTENDANCE WERE:

Jerry Bilinski, DVM, Chairman (via telephone conference call)
Joseph P. Neglia, Member
Bennett Liebman, Member
Donna M. Ross, Secretary to the Board
Robert A. Feuerstein, General Counsel
James Gallagher, Special Assistant to Chairman
Arthur Schechter, Chief of Audits and Investigations
Felix Hester, Assistant Counsel

ALSO PRESENT WERE:

Steven Richman, Esq., New York City OTB

"MINUTES"
BOARD MEETING HELD IN NEW YORK CITY, NEW YORK
WEDNESDAY, JUNE 12, 1996 - 11:00 A.M.
N.Y.S. RACING & WAGERING BOARD

A. THE BOARD APPROVED THE MINUTES OF THE BOARD MEETING HELD IN NEW YORK CITY ON APRIL 23, 1996, AND THOSE HELD IN ALBANY ON MAY 2, 1996, MAY 17, 1996 AND MAY 31, 1996.

B. THE BOARD ACKNOWLEDGED THE FOLLOWING ITEMS PREVIOUSLY APPROVED, DENIED OR DEFERRED BY THE CHAIRMAN

1. NYRA REQUEST TO EXTEND APPRENTICE JOCKEY ALLOWANCE FOR WILLIAM OTERO

For entry into the minutes, the Chairman approved on April 19, 1996, the request by the New York Racing Association to extend the allowance for William Otero by 4 days due to inclement weather and 35 days due to illness, for a total of 39 days.

2. FINGER LAKES RACE TRACK REQUEST TO SIMULCAST TO GARDEN STATE PARK AND SARATOGA HARNESS TRACK

For entry into the minutes, the Chairman approved on April 19, 1996 the request by Finger Lakes Race Track to simulcast its signal to Garden State Park and Saratoga Harness, Inc.

3. WESTERN REGIONAL OFF-TRACK BETTING CORPORATION REQUEST TO CONDUCT A JOINT HANDICAP CONTEST WITH BUFFALO RACEWAY

For entry into the minutes, the Chairman approved on April 19, 1996 the request by Western Regional Off-Track Betting Corporation to conduct a Joint Handicap Contest with Buffalo Raceway on April 20 and 27 at Buffalo Raceway and all Western Regional OTB branches, concluding on May 18, 1996 when the top 100 qualifiers went to the finals held at the Amherst/Ridge Lea Sports Plex.

4. MONTICELLO RACEWAY REQUEST TO AMEND RACING SCHEDULE

For entry into the minutes, the Chairman approved on April 23, 1996 the request by Monticello Raceway to amend its 1996 harness racing schedule for the month of May as follows:

ADD: Monday, May 6th, 13th and 20th
Wednesday, May 1st, 8th, 15th, 22nd and 29th

DELETE: Saturday, May 4th, 11th, 18th and 25th

5. **YONKERS RACEWAY REQUEST TO SIMULCAST TO POCONO DOWNS AND HAZEL PARK**

For entry into the minutes, the Chairman approved on April 26, 1996 the request by Yonkers Raceway to simulcast its races each Monday and Tuesday in May to Pocono Downs and Hazel Park.

6. **BUFFALO RACEWAY REQUEST TO CONDUCT A "DERBY DAY MARATHON" AND TO CHANGE POST TIME**

For entry into the minutes, the Chairman approved on April 26, 1996 the request by Buffalo Raceway to conduct a "Derby Day Marathon" on Saturday, May 4. Approval also was granted for a post time change from 7:30p.m. to 6:30p.m. and the addition of 3 races to the normal 12 race card program on the same Saturday.

7. **NYRA REQUEST TO DESIGNATE EVENTS AS RACES OF SPECIAL INTEREST**

For entry into the minutes, the Chairman approved on April 29, 1996 the request by the New York Racing Association to designate the following events as races of special interest. This action is pursuant to Section 905-a of the New York Racing, Pari-Mutuel Wagering and Breeding Law.

*6/30/96	Hollywood Gold Cup	Hollywood Park
5/26/96	Washington Park Handicap	Arlington
6/01/96	Massachusetts Handicap	Suffolk Downs
6/15/96	Stephen Foster Handicap	Churchill Downs
6/16/96	New Hampshire Sweeps	Rockingham Park
6/23/96	Ohio Derby	Thistledown
6/29/96	Pucker Up Stakes	Arlington Park
7/04/96	Stars & Stripes BC Turf	Arlington Park
7/06/96	Round Table Stakes	Arlington Park
7/14/96	Delaware Handicap	Delaware
7/20/96	Frank J. DeFrancis Mem.	Laurel
7/21/96	Turf Championship	Hollywood Park

*This event was designated within the initial "12" races or at a higher tax rate.

8. **NYCOTBC REQUEST INVOLVING A "SPECIAL DOUBLE WAGER" WHERE UPON IT WOULD ACT AS A MULTI-STATE INTERFACE AND CONDUCT ADVANCE WAGERING**

For entry into the minutes, the Chairman approved on April 29, 1996 the New York City Off-Track Corporation request to:

1. - Accept wagers on a "Special Double Wager" involving the Kentucky Oaks and the Kentucky Derby, which were run at Churchill Downs on Friday, May 3, 1996 and Saturday, May 4, 1996 respectively;
2. - Act as the multi-state interface site for the "Special Double Wager"; and
3. - Conduct advance wagering on the Kentucky Derby and the "Special Double Wager" at all NYCOTB facilities including telephone betting beginning Thursday, May 2, 1996.

This approval was conditioned upon receipt of a written agreement between New York City Off-Track Betting Corporation and Churchill Downs, as well as written approval from the EDP Systems Audit Section of the NYS Department of Taxation and Finance.

9. **NYCOTBC REQUEST TO AMEND SIMULCAST PLAN OF OPERATION**

For entry into the minutes, the Chairman approved on April 30, 1996 the request by the New York City Off-Track Betting Corporation to amend its Simulcast Plan of Operation to enter into a three (3) year agreement with Autotote Communication Services, Inc. for the transmission to New York City Off-Track Betting Corporation's various simulcast facilities, of the encrypted simulcast signal of races run at Yonkers Raceway and the other non-New York Racing Association tracks in the State of New York, along with the decoders required to display the signal, with said contract to be for a term of 3 years, commencing January 1, 1996 and concluding December 31, 1998 for a fee of nineteen thousand six hundred dollars (\$19,600) per month.

10. **NYCOTBC REQUEST TO AMEND SIMULCAST PLAN OF OPERATION**

For entry into the minutes, the Chairman approved on May 2, 1996 the request by the New York City Off-Track Betting Corporation to amend its Simulcast Plan of Operation to accept wagers and display the simulcast of races run at Saratoga Raceway at all licensed NYCOTBC simulcast facilities (73) and via "Crosswalks" channels (channel 71 and 73) pursuant to the provisions of Article X of the Racing, Pari-Mutuel Wagering and Breeding Law (including Sections 1003, 1008 and 1009).

11. **NYRA - DR. THEODORE HILL AS JOCKEY CLUB STEWARD**

For entry into the minutes, the Chairman approved on May 2, 1996 the request by the New York Racing Association to name Theodore Hill, DVM as Steward representing the Jockey Club. This approval is conditional for 90 days pending his certification from an accredited stewards school.

12. **NYCOTBC REQUEST TO AMEND PLAN OF OPERATION**
For entry into the minutes, the Chairman approved on May 6, 1996 the request by the New York City Off-Track Betting Corporation to amend its Plan of Operation to close its OTB branch office located at 103-7 East 161st Street, Bronx, NY.
13. **EXTENSION OF AN APPRENTICE JOCKEY ALLOWANCE FOR WILLIAM OTERO**
For entry into the minutes, the Chairman approved on May 6, 1996 the request for a one day extension of the apprentice allowance of William Otero due to inclement weather. His apprenticeship allowance will now expire on May 25, 1996.
14. **SARATOGA RACEWAY REQUEST TO CONDUCT ALL TRIFECTA CARDS**
For entry into the minutes, the Chairman approved on May 7, 1996 the request by Saratoga Raceway to conduct all trifecta cards on Thursday nights during the month of May.
15. **MONTICELLO RACEWAY - LICENSE AMENDMENT**
For entry into the minutes, the Chairman approved on May 14, 1996 the request by Monticello Raceway to reinstate May 25th into its racing schedule for the month of May, 1996. Also, permission was granted to allow free admission to patrons during the month of June.
16. **YONKERS RACEWAY - SCHEDULE FOR THE GREATER WESTCHESTER COUNTY FAIR**
For entry into the minutes, the Chairman approved on May 15, 1996 the request by Yonkers Raceway for the racing schedule for the Greater Westchester County Fair to begin Thursday, May 23rd and conclude on Sunday, June 8th.
17. **MONTICELLO RACEWAY REQUEST TO AMEND HARNESS RACING SCHEDULE**
For entry into the minutes, the Chairman approved on May 17, 1996 the request by Monticello Raceway to amend its 1996 harness racing schedule for the month of June as follows:
ADD: Monday, June 3rd, 10th, 17th and 24th
Wednesday, June 5th, 12th, 19th and 26th
18. **NEW YORK CITY OFF-TRACK BETTING CORPORATION REQUEST TO WITHDRAW APPLICATION TO CONDUCT PROMOTION**
For entry into the minutes, the Chairman approved on May 31, 1996 the request by New York City Off-Track Betting Corporation to withdraw its application to conduct a promotion involving random drawings for \$250.00 in vouchers at each of the 80 branches on Saturday, June 15, 1996. Based upon this withdrawal the Board's previously stated approval for this promotion is rescinded.

19. **FINGER LAKES RACING ASSOCIATION, INC. REQUEST TO INSTITUTE THE "QUICK OFFICIAL"**

For entry into the minutes, the Chairman approved on May 31, 1996 the request by Finger Lakes Racing Association, Inc. of April 23, 1996 to institute the "Quick Official" beginning May 31, 1996.

20. **NYRA REQUEST TO ADD AN ADDITIONAL TRIFECTA**

For entry into the minutes, the Chairman approved on May 29, 1996 the request by the New York Racing Association to add an additional trifecta in the 8th race on Saturdays, Sundays and Holidays (race days with 10 live races) effective Saturday, June 1, 1996.

21. **FINGER LAKES RACING ASSOCIATION, INC.**

For entry into the minutes, the Chairman approved on May 31, 1996 the request by Finger Lakes Racing Association, Inc. to approve its simulcast agreement with Hoosier Park, Ltd. beginning June 3, 1996.

22. **FINGER LAKES RACING ASSOCIATION, INC.**

For entry into the minutes, the Chairman approved on June 3, 1996 the request of Finger Lakes Racing Association, Inc. to approve its simulcast agreement with Freehold Racing Association beginning June 3, 1996.

C. ITEMS APPROVED, DENIED OR DEFERRED BY THE BOARD

1. **NYRA-INTERNATIONAL SIMULCAST AGREEMENT WITH KELLY BROADCASTING SYSTEMS**

For entry into the minutes, the Board approved on May 2, 1996 the New York Racing Association request to enter into an international simulcasting agreement with Kelly Broadcasting.

2. **GUIDELINES FOR 1996-97 SIMULCAST FACILITY LICENSING**

For entry into the minutes, the Board approved on May 17, 1996 the adoption of proposed guidelines to govern the 1996-97 simulcast facility licensing process. Recognizing that the annual licensing cycle commences on July 1st of each year, the Board authorized distribution of the guidelines to all potential simulcast facility licensees.

3. **MATTER OF EDUARDO CHAPMAN**

For entry into the minutes, the Board approved on May 17, 1996 the recommendation to summarily suspend Eduardo Chapman.

4. **MATTER OF THOMAS L. MERTON**

For entry into the minutes, the Board approved on June 5, 1996 the Hearing Officer's recommendation to uphold the license denial of Thomas L. Merton. Member Liebman abstained.

D. FOR BOARD DETERMINATION

1. **CATSKILL OTB REQUEST TO AMEND ITS PLAN OF OPERATION**

The Board approved the Catskill Regional Off-Track Betting Corp. request to amend its Plan of Operation to appoint Donald L. Utter as a Member of Catskill OTB's Board of Directors representing Dutchess County.

2. **MATTER OF PHILIP TAFONE**

The Board approved Hearing Officer Liebman's recommendation in the matter of harness trainer/driver Philip Tafone, a fifteen day suspension for violation of Board Rule 4117.1. Both the violation and the suspension were upheld. Member Liebman abstained from voting.

3. **MATTER OF BRIAN WASHINGTON**

The Board approved Hearing Officer Liebman's recommendation to revoke Brian Washington's license based on both a violation of Board Rule 4119.11 and Mr. Washington's consent to conditions for relicensing. Member Liebman abstained from voting.

4. **RULE PROPOSAL FOR RAFFLES**

The Board unanimously approved the proposed raffles rules, Section 5624.3 of the Games of Chance Rules and Regulations.

5. **MONTICELLO RACEWAY MANAGEMENT, INC.**

The Board reviewed the Monticello Raceway Management, Inc. application for a license to conduct harness race meets with pari-mutuel betting. The Board granted a temporary harness racing license through August 31, 1996.

The Board meeting adjourned at 12:25p.m.