MINUTES OF BOARD MEETING HELD ON MARCH 19, 1987

A meeting of the New York State Racing and Wagering Board was held on March 19, 1987 at 10:30 a.m. at the Board office, 400 Broome Street, New York, New York, 10013.

The meeting being called on March 16, 1987 public notice of the meeting was given to the Associated Press, and UPI and to the public by posting in the Board lobby.

PRESENT:

Richard F. Corbisiero, Jr., Chairman

Joseph P. Neglia, Member

ALSO PRESENT:

Victor A. Cocozziello, Director of Wagering

Systems

David Vaughan, Counsel

John Dailey, Director of Policy and Planning Jim Gallagher, Chief of Racing Operations Kenneth Beh, Director of Public Relations Ed Leary, Assistant Chief of Audits and

Investigations

Eileen Clarke, OTB Operations Coordinator

Robert Feuerstein, Assistant Counsel Danny Goldberg, Assistant Counsel Ted Garrison, Assistant Counsel

Archie Mavromatis, Confidential Racing Aide Jenny Montalbano-Hind, Assistant to the

Secretary to the Board

and

Thomas C. Davide, Secretary to the Board

A. MINUTES:

 Approve the minutes of Board meeting held on February 10, 1987.

B. FOR ENTRY INTO THE MINUTES:

- 1. CAPITAL DISTRICT OTB OUT-OF-STATE RACES. For entry into the minutes, the Board's prior approval of January 30, 1987 of request by Capital District Off-Track Betting Corporation to accept wagers on out-of-state races when New York State Race Tracks are not running due to inclement weather conditions.
- 2. STIPULATION OF SETTLEMENT WITH CAPITAL DISTRICT OTB. For entry into the minutes, the Board's prior approval of February 4, 1987 of a stipulation of settlement with the Capital District Regional Off-Track Betting Corporation concerning the unauthorized sale of beer and wine at the Imperial Racing Center, City of Schenectady, New York.
- 3. NASSAU REGIONAL OTB NYRA. For entry into the minutes, the Board's prior approval of February 5, 1987 of request by Nassau Regional Off-Track Betting Corporation and the New York Racing Association, Inc. concerning the continuation of simulcasting into selected branches and authorization to eliminate collection of the surcharge on telephone betting accounts with a minimum balance of \$1,000.
- 4. OFF-TRACK BETTING CORPORATIONS PICK-FOUR. For entry into the minutes, the Board's prior approval of February 6, 1987 of request by Off-Track Betting Corporations to change pick-4 wagering format effective February 6, 1987.
- 5. MONTICELLO RACEWAY WITHDRAWAL OF FUNDS. For entry into the minutes, the Board's prior approval of February 10, 1987 of request by Monticello Raceway to withdraw \$400,000 from the Capital Improvement Fund as a partial repayment for the glass-enclosed paddock.
- 6. CATSKILL REGIONAL OTB ADD FOOD AND BEVERAGES. For entry into the minutes, the Board's prior approval of February 12, 1987 of request by Catskill Regional Off-Track Betting Corporation to amend its simulcast plan of operation and add food and beverage (non-alcoholic) service at its Pawling, New York simulcast facility.

- 7. NEW YORK CITY OTB FLAMINGO STAKES. For entry into the minutes, the Board's prior approval of February 23, 1987 of request by New York City Off-Track Betting Corporation on behalf of Nassau, Suffolk, Catskill, Capital & Western Regional OTB Corporations to accept wagers on the Flamingo Stakes to be run on Saturday, February 28, 1987 at Hialeah.
- 8. NYRA SUNLAND PARK RACETRACK. For entry into the minutes, the Board's prior approval of March 4, 1987 of request by New York Racing Association to enter into agreement with Sunland Park Racetrack to accept parimutuel wagers on the Swift on March 7; the Bay Shore on March 21; the Westchester on March 22; the Gotham on April 4; the Bold Ruler on April 11; the Excelsior on April 17; the Wood Memorial on April 18, and the Top Flight on April 26, 1987.
- 9. MONTICELLO RACEWAY LICENSE AMENDMENT. For entry into the mintues, the Board's prior approval of March 4, 1987 of request by Monticello Raceway to race on Wednesday, March 18, instead of Tuesday, March 17, 1987.
- 10. ROOSEVELT RACEWAY SPORTS EYE. For entry into the minutes, the Board's prior approval of March 4, 1987 of request by Roosevelt Raceway to hold Sports Eye Night, Friday, March 6, 1987, whereby Roosevelt Raceway will accept free grandstand admission coupons that will be printed in Sports Eye.
- 11. NYRA AQUEDUCT GUARANTEE. For entry into the minutes, the Board's prior approval of February 25, 1987 of request by New York Racing Association to conduct the "Aqueduct Guarantee", as outlined in their letter of February 20, 1987.
- 12. ROOSEVELT RACEWAY SIMULCAST TO NORTHFIELD PARK.
 For entry into the minutes, the Board's prior approval
 of February 28, 1987 of request by Roosevelt Raceway
 to simulcast the first three legs of the George M. Levy
 Series to Northfield Park on February 28, March 7 &
 14, 1987.
- 13. CAPITAL DISTRICT OTB BATAVIA DOWNS. For entry into the minutes, the Board's prior approval of February 26, 1987 of request by Capital District Regional Off-Track Betting Corporation to amend their simulcast plan of operation to simulcast races from Batavia Downs into their facilities during the period of February 26, through and including April 25, 1987.

- 14. CAPITAL DISTRICT OTB APPOINTMENT. For entry into the minutes, the Board's prior approval of March 2, 1987 of request by Capital District Regional Off-Track Betting Corporation for the appointment of Vincent Russo as Montgomery County Director for the Capital District Regional OTBC.
- 15. CAPITAL DISTRICT OTB SANTA ANITA PARK. For entry into the minutes, the Board's prior approval of March 2, 1987 of request by Capital District Regional Off-Track Betting Corporation on behalf of itself and Western Regional OTBC to accept wagers on the Santa Anita Handicap which will be run on Sunday, March 8, 1987 at Santa Anita Park and broadcast a live call of said races into OTB facilities.
- 16. WESTERN REGIONAL OTB BATAVIA DOWNS. For entry into the minutes, the Board's prior approval of February 26, 1987 of request by Western Regional Off-Track Betting Corporation to amend their simulcast plan of operation and simulcast races from Batavia Downs into sixteen OTB facilities during the period of February 26, 1987 through April 25, 1987 and to conduct pick-3 wagering on races 4, 5 and 6 at Batavia Downs.
- 17. NASSAU REGIONAL OTB NORTH MASSAPEQUA BRANCH. For entry into the minutes, the Board's prior approval of March 2, 1987 of request by Nassau Regional Off-Track Betting Corporation to amend their simulcast plan of operation and add the North Massapequa branch as a simulcast facility.
- 18. NEW YORK CITY OTB APPOINTMENTS. For entry into the minutes, the Board's prior approval of March 2, 1987 of request by New York City Off-Track Betting Corporation for the appointment of Anthony A. Avallone and Julie Pack as Officers of the New York City OTBC.
- 19. CATSKILL REGIONAL OTB APPOINTMENT. For entry into the minutes, the Board's prior approval of March 4, 1987 of request by Catskill Regional Off-Track Betting Corporation for the appointment of Gerald J. Blasi as Broome County Director for the Catskill Regional OTBC.
- 20. NYRA INVITATIONAL HANDICAPPER'S CHALLENGE XIV.
 For entry into the minutes, the Board's prior approval of February 28, 1987 of request by New York Racing Association to hold the Invitational Handicapper's Challenge XIV, as outlined in their letter dated February 20, 1987.

- 21. WESTERN REGIONAL OTB SENECA FALLS BRANCH. For entry into the minutes, the Board's prior approval of March 6, 1987 of request by Western Regional Off-Track Betting Corporation to amend their simulcast plan of operation and add their Seneca Falls branch as a simulcast facility displaying races from Batavia Downs for the current race meeting.
- 22. CAPITAL DISTRICT OTB ALCOHOLIC BEVERAGES. For entry into the minutes, the Board's prior approval of March 9, 1987 of request by Capital District Regional Off-Track Betting Corporation to amend their simulcast plan of operation and allow the sale of alcoholic beverages at the Imperial Racing Center, Schenectady.
- 23. <u>BATAVIA DOWNS MARSHALL</u>. For entry into the minutes, the Board's prior approval of March 9, 1987 of request by Batavia Downs to go without a marshall and use the starting gate for the spring meet.
- 24. BATAVIA DOWNS FREE CLUBHOUSE ADMISSION. For entry into the minutes, the Board's prior approval of March 10, 1987 of request by Batavia Downs to offer free Clubhouse admission on Mondays and Wednesdays and on Tuesdays when they race.
- 25. YONKERS RACEWAY VARIOUS PROMOTIONS. For entry into the minutes, the Board's prior approval of March 13, 1987 of request by Yonkers Raceway to offer various promotions during their upcoming March 16 May 3 meeting, as outlined in their letter of March 10, 1987.
- 26. APPRENTICE ALLOWANCE EXTENSION JOCKEY EDWARD T. BAIRD. For entry into the minutes, the Board's prior approval of March 6, 1987 of request by Jockey Edward T. Baird for a 6 day extension of his apprentice allowance based upon cancellation of racing (adverse weather). Mr. Baird's new expiration date is March 13, 1987.
- 27. NEW YORK CITY OTB 165 WATER STREET. For entry into the minutes, the Board's prior approval of March 10, 1987 of request by New York City Off-Track Betting Corporation to amend their simulcast plan of operation and offer certain amenities and service at their simulcast theater at 165 Water Street and offer free admission to certain telephone betting account holders at both New York City simulcast theaters.

- 28. NEW YORK CITY OTB PRIZE-FIGHT. For entry into the minutes, the Board's prior approval of March 10, 1987 of request by New York City Off-Track Betting Corporation to display a prize-fight at their simulcast theaters in the City of New York and certain associated promotional requests and activities.
- 29. NEW YORK CITY OTB INFORMATIONAL SERVICES. For entry into the minutes, the Board's prior approval of March 10, 1987 of request by New York City Off-Track Betting Corporation to conduct certain informational activities at their simulcast theaters in the City of New York.
- 30. CAPITAL DISTRICT OTB ALLOW SALE OF ALCOHOLIC BEVERAGES. For entry into the minutes, the Board's prior approval of March 9, 1987 of request by Capital District Off-Track Betting Corporation to amend their simulcast plan of operation and allow the sale of alcoholic beverages at their Utica, Herkimer County facility.
- 31. NYRA BEULAH PARK. For entry into the minutes, the Board's prior approval of March 16, 1987 of request by New York Racing Association to enter into agreement with Beulah Park to accept pari-mutuel wagers on the Bay Shore, March 21; the Westchester, March 22; the Bed O'Roses, March 28; the Gotham, April 4; the Bold Ruler, April 11; the Wood Memorial, April 18; and the Top Flight April 26, 1987.
- 32. FINGER LAKES LICENSE AMENDMENT. For entry into the minutes, the Board's prior approval of March 12, 1987 of request by Finger Lakes Racing Association to amend their 1987 track license by adding April 3, 4, 7, 10, 11 & 15 to their schedule. Their request to add April 5, was denied.

C. FOR BOARD APPROVAL:

- 1. BATAVIA DOWNS DELETE NOVEMBER 26, 1987. The Board approved the request by Batavia Downs to delete Thursday, November 26, 1987 from their request for racing dates.
- 2. NYRA TWILIGHT RACING. The Board deferred the request by New York Racing Association to amend post-time to 3:00 p.m. on Fridays during the Belmont Spring/Summer meeting except Friday, July 3. During that week, the 3:00 p.m. post-time will be scheduled for Thursday, July 2, 1987.

- 3. NYRA SPECIAL MAILER. The Board approved the request by New York Racing Association to distribute a reduced admission program whereby a special mailer, including 2 free clubhouse admission coupons good for April 17 & 18, 1987, will be provided to a total of 474 track patrons.
- 4. FINGER LAKES HALF-PRICE PASSES. The Board approved the request by Finger Lakes Racing Association to print and distribute 100,000 half-price one-day admission passes, half-price for clubhouse or grandstand, and 10,000 free one day clubhouse admission tickets.
- 5. SARATOGA HARNESS VISITOR'S SERVICE GUIDE. The Board approved the request by Saratoga Harness to print and distribute 150,000 tax exempt passes for clubhouse admission to be printed in the "Visitor's Service Guide" by the Albany County Convention and Visitor's Bureau, to be effective May 1 through November 21, 1987.
- 6. MONTICELLO RACEWAY ADDITIONAL TRIFECTA. The Board denied the request by Monticello Raceway to add another trifecta.
- 7. FINGER LAKES VARIOUS PROMOTIONS. The Board approved the request by Finger Lakes Racing Association to offer various promotions, as outlined in their letter of February 10, 1987.
- 8. <u>YONKERS RACEWAY CONDITIONS</u>. The Board approved the request by Yonkers Raceway for the conditions for the William Haughton Memorial.
- 9. YONKERS RACEWAY WESTCHESTER COUNTY FAIR. The Board approved the request by Yonkers Raceway to have Fair Racing at their annual Westchester County Fair to be held from May 21, 1987 through June 7, 1987.
- 10. YONKERS RACEWAY DELETE TUESDAY MATINEES. The Board approved the request by Yonkers Raceway to delete Tuesday matinees from their harness schedule due to scheduling conflicts with the NYRA simulcast and the availability of horses.
- 11. HEARING OFFICER REPORT IN THE MATTER OF GENERAL WASHINGTON. The Board approved the Hearing Officer's recommendation that refusal be confirmed.

- 12. HEARING OFFICER REPORT IN THE MATTER OF DR. LAWRENCE PARK AND JAMES F. BERRY. The Board approved the Hearing Officer's recommendation of no penalty in the "interests of justice".
- 13. HEARING OFFICER REPORT IN THE MATTER OF MICHAEL MORTON. The Board approved the Hearing Officer's recommendation that Michael Morton's denial of licensure be confirmed.
- 14. FINGER LAKES CALENDARS & COUPONS. The Board approved the request by Finger Lakes Racing Association to distribute 5,000 calendars with coupons attached for various promotions throughout their 1987 meet; and to distribute a Triple Crown Book to 12,000 patrons on their mailing list containing tickets for Opening Day, Kentucky Derby Day, Preakness Day, and Belmont Stakes Day.
- 15. NYRA WOOD MEMORIAL SIMULCASTS. The Board approved the by New York Racing Association to enter into agreement with Sportsman Park; Turf Paradise; Maywood Park and Balmoral Park Trot to accept pari-mutuel wagers on the Wood Memorial on April 18, 1987.
- 16. FINGER LAKES VARIOUS PROMOTIONS. The Board approved the request by Finger Lakes Racing Association to offer various promotions during their live season, as outlined in the letter of March 11, 1987.

D. FOR BOARD NOTICE AND INFORMATION:

- 1. NYS REGISTER February 11, 1987, re: Procedures to Penalize Licensees for Frivolous Appeals NOTED.
- NYS REGISTER February 25, 1987, re: Minimum Fee to be Paid to Jockeys - NOTED.