

MINUTES OF THE  
BOARD MEETING HELD ON  
SEPTEMBER 30, 1987

A meeting of the New York State Racing and Wagering Board was held on September 30, 1987, at 10:30 a.m. at the Board's Offices, 400 Broome Street, New York, New York 10013.

The meeting being called on September 29, 1987, public notice of the meeting was given to the Associated Press, and UPI and to the general public by posting in the Board lobby.

PRESENT: R. F. Corbisiero, Jr., Chairman,  
Joseph P. Neglia, Member.

ALSO PRESENT: V. Coccozziello, Director of Wagering Systems  
D. Vaughan, Counsel,  
J. Dailey, Director of Policy & Planning,  
J. Gallagher, Chief of Racing Operations,  
S. Richman, Chief of OTB Operations,  
K. Beh, Director of Public Relations,  
H. Kluge, Director of Licensing, Audits and  
Investigations,  
T. Garrison, Assistant Counsel,  
R. Feuerstein, Assistant Counsel,  
E. Leary, Assistant Chief of Audits and  
Investigations,  
D. Goldberg, Assistant Counsel,  
A. Schechter, Chief of Audits and Investigations,  
and  
Thomas C. Davide, Secretary to the Board.

A. MINUTES:

The Board approved the minutes of its meeting held on August 31, 1987.

FOR ENTRY INTO THE MINUTES:

1. FINGER LAKES/REPLACEMENT OF OFFICIALS:  
For entry into the minutes, the Board's prior approval of September 1, 1987, of a request by Finger Lakes Association to employ Richard B. Coyne as Steward in place of Michael Sample, Joe Colasacco as Assistant Racing Secretary and Alternate Steward, and Jack Keller as Clerk of Sales and Patrol Judge in place of Frank Bottorf.
2. SARATOGA HARNESS-ADDITIONAL RACES:  
For entry into the minutes, the Board's prior approval of September 3, of a request by Saratoga Harness for two additional races for the Labor Day Program, betting format being win, place, show and exacta.
3. NYRA/PICK-SIX GUARANTEE:  
For entry into the minutes, the Board's prior approval of September 2, 1987, of a request by New York Racing Association to continue its on track Pick Six Guarantee during the 1987 Belmont Fall Meet in the same format as that offered at Saratoga.
4. BATAVIA DOWNS-3RD RACE TRIFECTA DISCARD:  
For entry into the minutes, the Board's prior approval of August 31, of a request by Batavia Downs to replace its third race trifecta with an exacta, starting Wednesday, September 9, 1987.
5. NYRA/ATLANTIC CITY/CANTERBURY DOWNS/DETROIT RACE COURSE/MEADOWS/MEADOWLANDS/MONMOUTH PARK/PEN NATIONAL/RANDAL AT THISTLEDOWN/ROCKINGHAM PARK:  
For entry into the minutes, the Board's prior approval of September 4, of executed agreements between New York Racing Association and the above named tracks for the simulcast and acceptance of pari-mutuel wagers on the Jerome Handicap on 9/7; Woodward on 9/5; Maskette on 9/12; Lawrence Realization on 9/13; Fall Highweight on 9/19; Marlboro Cup on 9/20; Turf Classic on 9/26; Gazelle on 9/2; and Jockey Club Gold on 10/10.

6. NYCOTBC-BUDWEISER-ARLINGTON MILLION:  
For entry into the minutes, the Board's prior approval of September 8, of an agreement between New York City Off-Track Betting Corporation, on behalf of itself and the other N.Y.S. regional Off-Track Betting Corporations, and Arlington Park Race Track Ltd. to accept wagering on the Budweiser-Arlington Million to be run on September 6, 1987, and to accept advance wagering on September 6, for win, place, show, exacta, quinella and triple.
7. WROTBC/BATAVIA DOWNS LIVE CALLS:  
For entry into the minutes, the Board's prior approval of September 9, of a request by Western Regional Off-Track Betting Corporation to amend its Plan of Operation in order to receive live calls from Batavia Downs at eighteen (18) designated branches during the period September 9, 1987 thru December 6, 1987.
8. WROTBC/ROOSEVELT RACEWAY:  
For entry into the minutes, the Board's prior approval of September 8, of a request by Western Regional Off-Track Betting Corporation to simulcast Roosevelt Raceway races on Tuesday nights commencing September 8 thru October 20, 1987 into six (6) designated branches.
9. CDROTBC/ROOSEVELT RACEWAY SIMULCAST:  
For entry into the minutes, the Board's prior approval of September 8, of a request by Capital District Regional Off-Track Betting Corporation to simulcast and accept wagers on the Roosevelt Races on September 7, 1987.
10. NYRA SIMULCAST SIGNAL TO KEENLAND RACETRACK:  
For entry into the minutes, the Board's prior approval of September 10, of a request by New York Racing Association for permission to provide its simulcast signal to the Keenland Racetrack during its sales week September 13 to 19, 1987.
11. CDROTBC/FOOTBALL SPECIALS:  
For entry into the minutes, the Board's prior approval of September 10, of a request by Capital District Regional Off-Track Betting Corporation to commence its Monday Night Football Specials at its Albany Simulcast Theater by offering a \$1.00 admission fee on Monday nights beginning September 14, 1987.
12. CDROTBC/MEADOWLANDS ON "NYRA DARK DAYS"  
For entry into the minutes, the Board's prior denial of September 8, of a request by Capital District Regional Off-Track Betting Corporation to accept wagers on thoroughbred races run at the Meadowlands Racetrack on NYRA Dark Days.

13. MONTICELLO RACEWAY/ADDITIONAL RACE DAYS:  
For entry into the minutes, the Board's prior approval of September 10, of a request by Monticello Raceway to add September 4 and 21 to its race schedule, post time being 7:30 p.m.
14. CDROTBC/MONTICELLO RACEWAY:  
For entry into the minutes, the Board's prior approval of September 11, of a request by Capital District Regional Off-Track Betting Corporation to amend its Simulcast Plan of Operation in order to allow them to simulcast races from Monticello Raceway into selected facilities on Sundays, Mondays, and Tuesdays, effective September 13, 1987.
15. NYRA/FAIRMOUNT/MAYWOOD/THISTLEDOWN:  
For entry into the minutes, the Board's prior approval of September 11, of a request by New York Racing Association, for approval of an agreement with the above named tracks for the simulcast and acceptance of pari-mutuel wagers on the Marlboro Cup on 9/20, Lawrence Realization on 9/13, Turf Classic on 9/26, Champagne 10/17, Man O'War 10/24, and the 8th Race on Wednesdays and Fridays, September 16, through October 2, 1987.
16. NYRA/ARLINGTON/FAIRMOUNT/THISTLEDOWN:  
For entry into the minutes, the Board's prior approval of September 11, of an agreement between New York Racing Association and the above captioned tracks for the simulcast and acceptance of pari-mutuel wagers on the Lawrence Realization on 9/13; Turf Classic on 9/26; Champagne 10/17; Man O'War on 10/24; Marlboro Cup on 9/20; Maskette 9/12; Fall Highweight 9/19; and Cowdin 10/13.
17. CDROTBC-1987-1988 Simulcast Facility Licenses:  
For entry into the minutes, the Board's prior approval of July 21, of an application by Capital District Regional Off-Track Betting Corporation for thirty-six (36) OTB-branch simulcast facilities and one (1) Simulcast Theater license for the year July 1, 1987 thru June 30, 1988 and Simulcast Plan of Operation for 1987-1988.
18. NYRA/GARDEN STATE:  
For entry into the minutes, the Board's prior approval of September 10, of an executed agreement between New York Racing Association and Garden State Park whereby NYRA grants the right to accept pari-mutuel wagers on the 1987 Jerome Handicap on September 7, 1987.

19. ROOSEVELT RACEWAY/VREEDERS CROWN:  
For entry into the minutes, the Board's prior approval of September 11, of a request by Roosevelt Raceway to have a "Breeder's Crown" race on September 19, to be scheduled for the last race which is a triple. In the event that there are more than eleven starters the race will have to be split, and it may be necessary to have a two-horse field. A Belmont Stakes rule waiver, if the number of horses warrants it, is therefore requested.
20. SUFFOLK REGIONAL-1987-1988 SIMULCAST FACILITY LICENSES:  
For entry into the minutes, the Board's prior approval of September 14, of an application by Suffolk Regional Off-Track Betting Corporation for nine (9) 1987-88 branch Simulcast facility licenses and one (1) Simulcast Theater License Plan of Operation for 1987-88.
21. NYRA-ERIE DOWNS/PENN NATIONAL/SAN JUAN:  
For entry into the minutes, the Board's prior approval of August 27, of an agreement between New York Racing Association, Erie Downs, Penn National and San Juan Downs for the simulcast and acceptance of pari-mutuel wagers on the 1987 Travers on August 22, 1987.
22. ROOSEVELT RACEWAY/ARLINGTON/MEADOWLANDS:  
For entry into the minutes, the Board's prior approval of September 16, of an agreement between Roosevelt Raceway and Arlington Park with ITW at Maywood Park, the Meadows, and Northfield Park for the simulcast and acceptance of wagers on Breeders' Crown Aged Pace to be run on Roosevelt Raceway on September 18, 1987.
23. ROOSEVELT RACEWAY/GARDEN STATE PARK:  
For entry into the minutes, the Board's prior approval of September 18, of an agreement between Roosevelt Raceway and Garden State Park for the simulcast and acceptance of pari-mutuel wagers on the Breeders' Crown Aged Pace to be run at Roosevelt Racing on September 18, 1987.
24. ROOSEVELT RACEWAY/FREESTATE/PEORIA:  
For entry into the minutes, the Board's prior approval of September 18, of an agreement between Roosevelt Raceway, Freestate Racing Association, and Peoria Partners for the simulcast and acceptance of pari-mutuel wagers on the Breeders' Crown Aged Pace to be run on September 18, 1987, at Roosevelt Raceway.
25. GENESEE VALLEY HUNT/OFFICIALS:  
For entry into the minutes, the Board's prior approval of September 15, of an application by Genesee Valley Hunt, to be run on October 10.
26. FLRA-RESCHEDULING OR APPROVED RACES:  
For entry into the minutes, the Board's prior approval of September 15, of a request by Finger Lakes Racing Association to reschedule two races from September 13 to September 15 because of inclement weather and deteriorating track conditions on the 13th; and for permission to have a 1:00 p.m. post time rather than 1:30.

27. NYRA/BELMONT PROMOTION:  
For entry into the minutes, the Board's prior approval of September 17, of a request by New York Racing Association, Inc. for approval of reduced admission charge i.e. free Grandstand or \$2.00 off Clubhouse on September 27, in a promotion in conjunction with Belmont.
28. WROTBC/1987-88 SIMULCAST FACILITY LICENSES:  
For entry into the minutes, the Board's prior approval of September 14, of an application by Western Regional Off-Track Betting Corporation for forty-two 1987-1988 branch simulcast facility licenses and its Simulcast Plan of Operation for 1987-88.
29. FLRA PROMOTION:  
For entry into the minutes, the Board's prior approval of September 15, of a request by Finger Lakes Racing Association to distribute 3,000 Grandstand and 3,000 Clubhouse four-part admission to patrons on September 27, 1987.
30. GENESEE MONROE/BATAVIA DOWNS:  
For entry into the minutes, the Board's prior approval of September 15, of a request by Batavia Downs to conduct twelve (12) Racing events on Friday and Saturday evenings.
31. ROOSEVELT RACEWAY/HAWTHORNE RACE COURSE:  
For entry into the minutes, the Board's prior approval of September 18, of an agreement between Roosevelt Raceway and Hawthorne Race Course (Suburban Downs, Inc.) for the simulcasting and acceptance of wagers on the Breeders' Crown Aged Pace to be run at Roosevelt Raceway on September 18, 1987.
32. FLRA-LICENSE AMENDMENT:  
For entry into the minutes, the Board's prior approval of September 18, of a request by Finger Lakes Racing Association to continue scheduling 12 race cards on Tuesdays for the remainder of the 1987 racing season.
33. NYRA/WAIVER OF RULE 4011.20(f):  
For entry into the minutes, the Board's prior approval of September 18, of a request by New York Racing Association, Inc. to waive rule 4011.20(f) in order to offer an exacta pool for Marlboro Cup in the event that said race has less than six (6) starters. If less than five (5) starters, no exacta wagering will be conducted.
34. CDROTBC/DELMAR FACILITY:  
For entry into the minutes, the Board's prior approval of September 18, of a request by Capital District Regional OTBC to amend its Simulcast Plan of Operation and offer food and non-alcoholic beverages at its Delmar simulcast facility.
35. MONTICELLO RACEWAY-ADDITIONAL RACE DAY:  
For entry into the minutes, the Board's prior approval of September 24, of a request by Monticello Raceway to add Monday, September 28 to its race schedule, post time being 7:35 p.m.

36. NYCOTBC-SUPER DERBY VIII:  
For entry into the minutes, the Board's prior approval of September 23, 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 Super Derby VIII to be run on Sunday, September 27, 1987.
37. NYRA-OUT OF STATE SIMULCAST:  
For entry into the minutes, the Board's prior approval of September 18, of an executed agreement between NYRA and Fairmount Park, and Pocono Downs for the simulcast and acceptance of pari-mutuel wagers on the 1987 Marlboro Cup.
38. CDROTBC/ROOSEVELT RACEWAY:  
For entry into the minutes, the Board's prior approval of September 17, of a request by Capital District Regional Off-Track Betting Corporation to accept wagers on the Aged Horse and Gelding Pace to be run on September 18, at Roosevelt Raceway as part of the Breeders' Crown Series.
39. FLRA/POST TIME CHANGE:  
For entry into the minutes, the Board's prior approval of September 22, of a request by Finger Lakes Association for permission to change its post time to 1:05 p.m., effective September 29, 1987, until the end of Daylight Savings Time on October 25, 1987. Subsequently post time will be 12:45 on week days and 1:05 on Sundays.

FOR BOARD APPROVAL

1. JOCKEY DENNIS CARR-APPRENTICE ALLOWANCE: The Board approved the request on behalf of Apprentice Jockey Dennis Carr for a 94 day extension of his apprentice allowance due to track injury.
2. MONTICELLO RACEWAY/CAPITAL EXPENDITURE: The Board approved the request by Monticello Raceway for a Capital expenditure of \$250,000 to provide Drug Testing facilities and indoor paddocks.
3. JERRY BELMONTE-APPRENTICE ALLOWANCE: The Board approved the request on behalf of apprentice jockey, Jerry Belmonte for an extension of his apprentice allowance for five (5) days due to injury sustained during a riding accident on August 7, 1987.
4. PROPOSED RULE CHANGES 4011.15(m), 4011.20(f), 4122.39(h), 4122.42(1), 4217.10(1), 4217.13: The Board issued a proposal to amend the above-captioned rule to allow quinella and exacta (but not trifecta) pools to continue with less than six starters, provided that at least six separate betting interest show in the paddock and according to stipulations attached hereto.

5. HEARING OFFICER REPORT-ROBERT K. WARNER:  
Mr. Warner has appealed the denial of his 1987 owner-trainer-driver license on the ground that he lacks the required character and fitness to participate in harness racing as a result of his role in a fixed race on January 5, 1982. The Board reconfirmed the denial.
6. PROPOSED ADOPTION RULE 4109.1, 4109.3(k):  
The following rule was adopted by the Board:
  - a). Repeal of the requirement that an owner claim a horse with a 20% penalty. Harness Rule 4109.3(k).
  - b). Section 4109.1 of Harness Rules to allow open claiming with 72 hours notice.
7. BATAVIA DOWNS-CAPITAL IMPROVEMENT FUND: A request was made for Batavia Downs for a capital expenditure of \$45,299.49. A total amount of \$7,507.19 has been disallowed. The Board therefore, approved the amount of \$37,792.30.
8. BATAVIA DOWNS-CAPITAL IMPROVEMENT FUND: The Board approved a request by Batavia Downs for Capital expenditure of \$75,862 for video equipment purchase.
9. WROTBC/BATAVIA DOWNS LIVE CALLS: The Board approved the request by Western Regional Off-Track Betting Corporation to amend its Plan of Operation, to cease live calls from Batavia Downs at Redwing Plaza and commence receiving live calls at Goodman Plaza, effective immediately.
10. CATSKILL REGIONAL OTBC MONTICELLO RACEWAY: The Board approved a request by Catskill Regional Off-Track Betting Corporation to amend its Simulcast Plan of Operation to authorize unlimited simulcasting of Monticello Raceway racing events into selected Branches through January 1988, and simulcasting of Roosevelt and Yonkers racing events to all Catskill OTB branches.
11. RECONSIDERATION - BOARD DECISION - CAPITAL OTB'S REQUEST TO ACCEPT WAGERS ON THOROUGHBRED RACES FROM MEADOWLANDS ON NYRA DARK DAYS: Request by Capital District Regional Off-Track Betting Corporation for reconsideration of its negative ruling on their application to accept wagers on Meadowlands thoroughbred races on NYRA Dark Days.

In addition, Roger L. Dworsky, Assistant Secretary and Deputy Counsel, Capital District Regional Off-Track Betting Corporation, by telephone this date, asked that the Board deem Mr. Etkin's letter a request for reconsideration by the Board, for the reasons set forth therein.



12. NYCOTBC/HOWARD GIORDANO:

The Board approved the appointment of Howard P. Giordano as Executive Officer, with the title of President of the New York City Off-Track Betting Corporation. Approval of his appointment as member of the Board of Directors of the New York City Off-Track Betting Corporation was deferred, pending the receipt of an opinion of the Attorney General, relating to the compatability of said offices.

D. FOR BOARD INFORMATION:

1. Memo: S. Richman-Consent of Horsemen's Benevolent and Protective Association (Chicago Division) to the acceptance of wagers on the 1987 Arlington Million.
2. Memo: S. Richman-Executed Agreement between Nassau and Suffolk Regional Off-Track Betting Corporations to accept wagering on the Iselin Handicap run at Monmouth Park on August 22, 1987, and approval thereof by New Jersey Racing Commission.
3. Memo: S. Richman-Capital District Regional Off-Track Betting Corporation to commence simulcasting at its Massena Branch on Tuesday evening, September 29, 1987, in conformance with prior consent from Vernon Downs.
4. Memo: S. Richman-Submission copy of Catskill Regional Off-Track Betting Corporation to add live calls from Roosevelt Raceway to its branches at Norwich and Ellenville, commencing August 3, 1987.
5. Memo: S. Richman-Executed agreement between Western Regional Off-Track Betting Corporation and Roosevelt Raceway for the simulcasting of Roosevelt Raceway Races into selected Western Regional Off-Track Betting Corporation Branches on Tuesday evenings during the period of September 8, thru October 20, 1987.