

MINUTES OF THE  
BOARD MEETING  
HELD ON OCTOBER 26, 1989

A meeting of the New York State Racing & Wagering was held on Thursday, October 26, 1989, at the Board offices located at 400 Broome Street, New York, 10013.

IN ATTENDANCE WERE:

Richard F. Corbisiero, Jr., Chairman  
Joseph P. Neglia, Member  
Bennett Liebman, Member  
Victor Coccozzello, Director of Wagering Systems  
Herman Kluge, Director of Audits and Investigations  
Jim Gallagher, Chief of Racing Operations  
Archie Mavromatis, Assistant-Chief of Racing Operations  
Milton Levine, OTB Operation Analyst  
Joseph Slakas, Director of Public Information  
Ted Garrison, Assistant Counsel  
Robert Fcuerstein, Assistant Counsel  
Gale Berg, Assistant Counsel  
Daniel Goldberg, Assistant Counsel  
John Barrett, Assistant Counsel  
Ronald Sommer, Assistant to the Executive Director  
Arthur Schechter, Chief of Audit & Investigations  
Edmund Leary, Asst. Director of Audit & Investigations  
Bernie Handwerker, Director of Bingo  
Thomas C. Davide, Secretary to the Board

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- A. Approved minutes of the Board Meeting held on September 29, 1989.
- B. FOR ENTRY INTO THE MINUTES
1. CROTBC/TO AMEND PLAN OF OPERATION  
For entry into the minutes, the Chairman's prior approval of a request by Catskill Regional Off-Track Betting Corporation to amend their plan of operation in relation to the relocation of their Suffern, New York branch, effective 9/30/89.
2. MONTICELLO RACEWAY/LICENSE AMENDMENT  
For entry into the minutes, the Chairman's prior approval of a request by Monticello Raceway to cancel racing on Friday, September 29, and add Friday, October 6, Friday, October 20, and Friday, October 27, 1989.
3. NYRA/OCTOBER SIMULCAST SCHEDULE  
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association the tracks listed with whom NYRA has executed agreements for the simulcast and acceptance of pari-mutuel wagers on various races in the month of October as outlined in their letters of September 27, and September 28, 1989.
4. NYRA/PROMOTION  
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to offer patrons a free clubhouse admission coupon redeemable for the 1989 Aqueduct Fall/Winter meet. This coupon will appear in the AAA Motorist Newspaper.
5. NYRA/WAIVER OF BOARD RULES TO FACILITATE QUINELLA, EXACTA AND TRIFECTA WAGERING IN GRADED STAKES  
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to waive the following rules to facilitate Quinella, Exacta and Trifecta wagering in graded stakes.

1. Rule 4011.15(m) - so as to allow quinella wagering with as few as five (5) betting interests.
2. Rule 4011.20(f) - so as to allow exacta wagering with as few as five (5) betting interests.
3. Rule 4011.22(g) - so as to allow trifecta wagering with coupled entries or if six (6) betting interests start.
  
6. 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 its plan of operation to operate the Watkins Glen Branch on a year-round basis.
  
7. NYRA/REDUCED ADMISSIONS  
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to offer their patrons, in a coupon book or through advertisement, reduced admissions as outlined in their letter of September 20, 1989.
  
8. YONKERS RACEWAY/CANCELLATION OF PROGRAM  
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to cancel racing for Monday evening 10/2/89, due to heavy rains and complications in resurfacing the track.
  
9. SROTBC/TO AMEND PLAN OF OPERATION  
For entry into the minutes, the Chairman's prior approval of a request by Suffolk Regional Off-Track Betting Corporation to amend its simulcast plan of operation and reduce the admission charge at their Hauppauge simulcast theater to \$1.00 on thirteen (13) Monday nights beginning October 9, 1989 in conjunction with a promotion.
  
10. MONTICELLO RACEWAY/LICENSE AMENDMENT  
For entry into the minutes, the Chairman's prior approval of a request by Monticello Raceway to add a race card on Friday, October 13, 1989.
  
11. NYRA/ADDENDUM TO OCTOBER SCHEDULE  
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to add the listed tracks with whom NYRA has executed agreements for the simulcast and acceptance of pari-mutuel wagers on various races in the month of October as outlined in their letter of October 4, 1989.

12. YONKERS RACEWAY/LICENSE AMENDMENT  
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to cancel racing October 8, and November 23, 1989 to allow the track to be resurfaced and also for Thanksgiving Day. Also, approved their request to use the staggered starting gate on October 9, 1989 and to offer free grandstand admission and free general parking to their patrons for the entire month of October.
13. NYRA/ADDENDUM TO OCTOBER SCHEDULE  
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to add the tracks with whom NYRA has executed agreements for the simulcast and acceptance of pari-mutuel wagers on various races in the month of October as outlined in their letter of October 6, 1989.
14. CDROTBC/PROMOTION  
For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to conduct a Sunday/Monday night attendance at their Albany simulcast Theater through a promotion for football viewing crowds, beginning October 9, 1989.
15. BATAVIA DOWNS/LICENSE AMENDMENT  
For entry into the minutes, the Chairman's prior approval of a request by Batavia Downs to move post-time on the remaining Mondays of their Fall meet to 2:45p.m. The effected Mondays will be October 16, 23, 30, and November 6, 13, 20, and 27, 1989.
16. VERNON DOWNS/PROMOTION  
For entry into the minutes, the Chairman's prior approval of a request by Vernon Downs to conduct the following promotions:  
Friday, October 27 - free clubhouse and grandstand admission, the night Vernon Downs plans to simulcast four Breeders Crown races from Florida's Pompano Park.  
Friday, November 3 - free clubhouse and grandstand admission for Fan Appreciation Night promotion. In addition, the track will offer reduced prices at the concession stand.

17. WROTBC/TO ACCEPT WAGERS  
For entry into the minutes, the Chairman's prior approval of a request by Western Regional Off-Track Betting Corporation to accept wagers on races held at the Meadowlands race track, New Jersey, on Friday, October 13, 1989.
18. APPLICATION OF WROTBC/TO AMEND ITS SIMULCAST PLAN OF OPERATION  
For entry into the minutes, the Chairman's prior approval of an application of Western Regional Off-Track Betting Corporation to amend its simulcast plan of operation in relation to the simulcasting of Batavia Downs Monday afternoon racing program, into all licensed simulcast facilities, beginning October 16, 1989.
19. CDROTBC/PROMOTION  
For entry into the minutes, the Chairman's prior approval of a request by Capital District Regional Off-Track Betting Corporation to conduct a promotional activity in relation to the 1989 World Series, beginning Tuesday, October 17, 1989.
20. NYCOTBC/ON BEHALF OF ALL NYSROTBC'S TO ACCEPT WAGERS ON THE 1989 BUDWEISER INTERNATIONAL TO BE RUN ON OCTOBER 22, 1989  
For entry into the minutes, the Chairman's prior approval of a request by the 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 Budweiser International to be run on Sunday, October 22, 1989, at Laurel Race Course, Maryland.
21. NYRA/ADDENDUM TO OCTOBER SCHEDULE  
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association of a list of tracks with whom NYRA has executed agreements for the simulcast and acceptance of pari-mutuel wagers on various races in the month of October as outlined in their letter of 10/16/89.
22. BATAVIA DOWNS/TO REMAIN DARK ON TUESDAYS  
For entry into the minutes, the Chairman's prior approval of a request by Batavia Downs to remain dark on Tuesdays during the remainder of the meet. Also, requested to have an additional race on Fridays and Saturdays whereby there would be twelve races and the last trifecta would be on the 12th race.

(C)

1. GAP ATTENDANT RULE  
For entry into the minutes, the Board's prior approval of an emergency filing of Section 4003.53 of the Board's Thoroughbred Racing Rules.
2. IN THE MATTER OF JOSEPH J. BADAMO  
For entry into the minutes, the Board's prior approval of a summary suspension of Jockey Joseph J. Badamo for violation of Board rules 4002.9(a) and 4042.1(f) and RPMWBL Section 213 (2).
3. GENESEE VALLEY HUNT, INC.  
LICENSE APPLICATION  
For entry into the minutes, the Board's prior approval of a one day license to hold a hunt meeting on October 14, 1989 at Geneseo, New York. The Board has appointed William Welch, as Steward for the meet.
4. KYLE DIBENEDETTO/SUMMARY SUSPENSION  
For entry into the minutes, the Board's prior approval of a summary suspension of harness driver Kyle DiBenedetto to be summarily suspended for violation of Board rules 4119.11(a) and 4119.7(b).

D. BOARD APPROVAL

1. YONKERS RACEWAY/OUT OF STATE SIMULCAST  
The Board has approved the request by Yonkers Raceway to simulcast the On the Road Again Pace, on Saturday, November 4, the Clare Pace Final on Friday, November 17, and November 25, to Maywood Park.
2. APPLICATION OF NYCOTBC/AMEND PLAN OF OPERATION TO REFLECT THE APPOINTMENT OF DIANE J. MORGENROTH  
The Board has approved the application of New York City Off-Track Betting Corporation to amend their plan of operation to reflect the appointment of Diane J. Morgenroth as its General Counsel.
3. IN THE MATTER OF THOMAS DEBONIS  
The Board has approved the Hearing Officer's recommendation to confirm the sixty (60) day suspension upon thoroughbred/trainer Thomas DeBonis resulting from the March 13, 1989 procaine positive of "Believe the King" at Aqueduct Racetrack.

4. IN THE MATTER OF MARK CAPONE  
The Board approved with Member Bennett Liebman dissenting the Hearing Officers recommendation to confirm the eight 8-day suspension of driver Mark Capone for violation of Rule 4117.4(m) for excessively slowing down the field in the eighth race on May 6, 1989 at Vernon Downs.
5. IN THE MATTER OF CLAUDE HUCKABONE  
The Board has approved the Hearing Officer's recommendation to confirm the 8-day suspension of driver Claude Huckabone, Jr. for interference in the 7th race of June 7, 1989 at Vernon Downs.
6. IN THE MATTER OF BRIAN ALLEN  
The Board has approved the Hearing Officer's recommendation to confirm the 8-day suspension of driver Brian Allen for interference in the ninth race on May 24, 1989 at Vernon Downs.
7. IN THE MATTER OF NEAL SHAPIRO  
The Board has approved the Hearing Officer's recommendation to confirm the 8-day suspension of driver Neal Shapiro for violation of Rule 4117.4(a) for interference in the sixth race at Saratoga Raceway on August 16, 1989.
8. IN THE MATTER OF KEN GULOTTA, GROOM  
The Board has approved the Hearing Officer's recommendation that a default be entered and the Harness License of Ken Gulotta, be revoked, due to a request to provide a urine sample at Monticello Raceway on September 23, 1989 by the Presiding Judge, and he failed to do so.  
Also, on September 29, 1989 a hearing was held pursuant to a duly served Show Cause Order and he failed to appear.
9. IN THE MATTER OF HENRI FILION  
The Board approved the Counsel's recommendation to impose penalties totalling one (1) year and ninety days (90) as an appropriate penalty following remand by the Appellate Division, First Dept., of the Board's February 29, 1988 findings and order.
10. BATAVIA DOWNS/CAPITAL IMPROVEMENT FUND  
The Board has approved the withdrawal by Batavia Downs of \$21,046.55 from its Capital Improvement Fund. The Board had previously approved the withdrawal of \$12,500 from the Fund bringing the total approved withdrawals to \$33,546.55. The Board disapproved the amount of \$75.00 (which is an operating expense) from the original amount of the request (\$33,621.55).