

MINUTES OF THE
BOARD MEETING
OF APRIL 22, 1993

A MEETING OF THE NEW YORK STATE RACING & WAGERING BOARD WAS HELD ON THURSDAY, APRIL 22, 1993 AT THE BOARD OFFICES LOCATED AT 400 BROOME STREET, NEW YORK 10013.

IN ATTENDANCE WERE:

RICHARD F. CORBISIERO, CHAIRMAN
JOSEPH P. NEGLIA, MEMBER
BENNETT LIEBMAN, MEMBER
JOHN DAILEY, DIRECTOR OF RACING AND OTB
ROBERT FEUERSTEIN, COUNSEL
JIM GALLAGHER, CHIEF OF RACING OPERATIONS
ARTHUR SCHECHTER, CHIEF OF AUDITS
HERMAN KLUGE, DIRECTOR OF INVESTIGATIONS AND AUDITS
FELIX HESTER, ASSISTANT COUNSEL
EILEEN CLARKE-BRADY - ASSISTANT CHIEF OF RACING OPERATIONS
VICTOR A. COCOZZIELLO, PROJECT DIRECTOR
THOMAS C. DAVIDE, SECRETARY TO THE BOARD

"MINUTES"
OF THE BOARD MEETING HELD ON APRIL 22, 1993
FOR THE N.Y.S. RACING & WAGERING BOARD

- A. Approved Minutes of the Board Meeting held on March 25, 1993.

B. ITEMS PREVIOUSLY APPROVED BY THE CHAIRMAN

1. NYRA/ADDENDUM TO MARCH SIMULCAST SCHEDULE

For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to add the cited tracks to the March Simulcast Schedule, as outlined in their letter dated March 12, 1993.

2. YONKERS RACEWAY/WAGERING FORMAT CHANGE

For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to cancel Show wagering in the 4th, 7th and 11th races on March 20, 1993 due to prohibitive favorites and the potential for minus pools.

3. MONTICELLO RACEWAY/LICENSE AMENDMENTS

For entry into the minutes, the Chairman's prior approval of a request by Monticello Raceway to add Wednesdays, April 7, 14, 21 and 28 to the racing schedule. These performances will have a 5:00 p.m. Post Time and free admission will be offered.

Further, approval was granted to change Sunday, Post Time to 1:35 p.m. beginning April 18, 1993 for the Spring and Summer Meets.

4. NYRA/ADDENDUM TO MARCH SIMULCAST SCHEDULE

For entry into the minutes, the Chairman's prior approval of a

request by the New York Racing Association to add the cited tracks to the March Simulcast Schedule as outlined in their letter dated March 19, 1993.

5. FLRA/1993 ROSTER OF RACING OFFICIALS
For entry into the minutes, the Chairman's prior approval of Finger Lakes Racing Association's request for approval of its Roster of Racing Officials for 1993, as outlined in their letter dated March 2, 1993.
6. NYRA/RESCHEDULING OF THE GOTHAM STAKES
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to add the Gotham Stakes to the race card to be run on Saturday, April 3, 1993, making for 10 races that day.
7. WROTBC/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by Western Regional Off-Track Betting Corporation to undertake certain promotional activities to be used in conjunction with WROTBC's new Teletheater (Niagara Falls) and other branch office promotions relating to the activities of the Teletheater as set forth in their letter dated March 5, 1993.
8. FLRA/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by Finger Lakes Racing Association for approval of its promotional activities as outlined in their letter dated March 8, 1993.
9. FLRA/POST TIME AND WAGERING FORMAT
For entry into the minutes, the Chairman's prior approval of a request by Finger Lakes Racing

Association to set Post Time at 1:15 p.m. each race date and to offer Late Daily Double wagering in the 8th and 9th races on 10 race programs and the 10th and 11th races on 12 race programs.

10. YONKERS RACEWAY/WAGERING FORMAT CHANGE
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to cancel Show Wagering in the 5th race on Saturday, March 27, 1993.

11. NYRA/ADDENDUM TO MARCH SIMULCAST SCHEDULE
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to add the cited tracks to the March Simulcast Schedule, as outlined in their letter dated March 29, 1993.

12. NYRA/APRIL SIMULCAST SCHEDULE
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to simulcast various races to the tracks specified for the month of April, as outlined in their letter dated March 29, 1993.

13. BATAVIA DOWNS/TO RACE ON PALM SUNDAY
For entry into the minutes, the Chairman's prior denial of a request by Batavia Downs to race on Palm Sunday, April 4, 1993, in accordance with Section 105 of the Racing, Pari-Mutuel Wagering and Breeding Law.

14. BATAVIA DOWNS/LICENSE AMENDMENT
For entry into the minutes, the Chairman's prior approval of a request by Batavia Downs to add Sunday, April 18 and Sunday, April 25, 1993 to the 1993 Spring Meeting.

15. YONKERS RACEWAY/CHANGE IN WAGERING FORMAT
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to cancel Show Wagering the 4th and 11th races on Saturday, April 3, 1993, due to prohibitive favorites in short fields.

16. YONKERS RACEWAY/SIMULCAST TO POCONO DOWNS
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to simulcast two divisions of the Samson Pace to Pocono Downs on Friday, April 2, 1993.

17. YONKERS RACEWAY/CHANGE IN WAGERING FORMAT
For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to cancel Show Wagering in the 6th race on Friday, April 9, 1993 due to a prohibitive favorite and the possibility of a minus pool.

18. NYRA/ADDENDUM TO APRIL SIMULCAST SCHEDULE
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association for the simulcast of races to the cited tracks and ITW's and for the merger of co-mingled pools for the days specified as outlined in their letter dated April 5, 1993.

19. NYRA/SIMULCAST TO THE KEENELAND SALES PAVILION
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to simulcast its entire NYRA card on April 12, 1993 to the Keeneland Sales Pavilion for the viewing interest of horsemen attending the sales.

20. NYRA/ADDENDUM TO APRIL SIMULCAST SCHEDULE
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to add the cited tracks to the April Simulcast Schedule as outlined in their letter dated April 7, 1993.

21. NYRA/ADDENDUM TO APRIL SIMULCAST SCHEDULE
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to add the cited tracks to the April Simulcast Schedule as outlined in their letters dated April 9 & 12, 1993.

22. NYRA/SIMULCAST TO TRINITY MEADOWS WRITTEN APPROVAL REQUIRED BY THE TEXAS RACING COMMISSION
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association for the simulcast of selected stakes races to Trinity Meadows, as outlined in their letter dated April 14, 1993.

23. NYRA/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by the New York Racing Association to offer free grandstand admission passes in wallets to be distributed to customers attending the Wood Memorial to be run on April 17, 1993.

24. NYCOTBC/PROMOTION
For entry into the minutes, the Chairman's prior approval of a request by the New York City Off-Track Betting Corporation to implement a sweepstakes promotion entitled "Call the Winner" which will be conducted from April 16 through May 28, 1993 whereby prizes will be awarded through random drawings by using either an official entry form or through using a telephone betting account (for existing customer or by

opening a new telephone betting account).

25. YONKERS RACEWAY/WAGERING FORMAT CHANGES

For entry into the minutes, the Chairman's prior approval of a request by Yonkers Raceway to cancel Show Wagering in the 3rd race on Friday, April 16, 1993, due to a prohibitive favorite and the possibility of a minus pool.

26. VERNON DOWNS/
1 - CORPORATE SPONSORSHIP OF RACE
2 - FLEA MARKET

For entry into the minutes, the Chairman's prior approval of a request by Vernon Downs to offer corporate sponsored races as outlined in their letter dated March 16, 1993 and to conduct the "Market Place" flea market on Saturdays and Sundays beginning April 17, 1993.

C. ITEMS APPROVED BY THE BOARD

1. IN THE MATTER OF KEVIN CUMMINGS/
SUMMARY SUSPENSION

The Board approved Counsel's recommendation that Mr. Kevin Cummings' license and/or any continuing right be summarily suspended upon a finding that the public safety and welfare imperatively require this emergency action.

2. IN THE MATTER OF TODD CUMMINGS/
SUMMARY SUSPENSION

The Board approved Counsel's recommendation that Mr. Todd Cummings' license and/or any continuing right be summarily suspended upon a finding that the public safety and welfare imperatively require this emergency action.

3. CAPITAL OTB/SARATOGA HARNESS RACING
The Board approved the request to schedule an arbitration conference with Capital OTB and Saratoga Harness.
4. REVISED BOARD DESIGNATION OF OUT-OF-STATE THOROUGHBRED RACES OF SPECIAL INTEREST FOR THE PERIOD OF JANUARY 1 - APRIL 30, 1993
The Board approved the revised Board designation of out-of-state thoroughbred races of special interest for the period of January 1 - April 30, 1993 as outlined in Mr. Gallagher's Memo dated April 6, 1993.
5. APPRENTICE ALLOWANCE EXTENSION/ JOCKEY MYRIS E. RIVERA
The Board approved the request by Jockey Myris E. Rivera for a 39 day extension of her apprentice allowance, due to days lost as a result of illness.
The new expiration date will be May 12, 1993.

D. BOARD DETERMINATION

1. APPRENTICE ALLOWANCE EXTENSION/ JOCKEY GEORGINA FROST
The Board approved the request by Jockey Georgina Frost for a 5 day extension of her apprentice allowance as a result of days lost due to inclement weather conditions (racing cancelled). Her current expiration date is April 27, 1993. The new expiration date will be May 2, 1993.
2. HEARING OFFICER REPORT/IN THE MATTER OF KELLY BRIDGES
The Board approved the Hearing Officer's recommendation that the suspension of jockey Kelly Bridges for a ten day suspension for interference during the running of the tenth race of September 29, 1992 at Finger Lakes Race Track be vacated.

3. HEARING OFFICER REPORT/IN THE MATTER OF THE PROTEST OF THE 6TH RACE OF 9/27/92 AT FINGER LAKES RACE TRACK

The Board approved the Hearing Officer's recommendation that the Stewards' decision to place STRIKER TOM second behind WERTH THE TIME based upon interference by STRIKER TOM during the running of the sixth race on September 27, 1992 at Finger Lakes Race Track be upheld.

4. HEARING OFFICER REPORT/IN THE MATTER OF MAUREEN ANDREWS

The Board approved the Hearing Officer's recommendation that the ten day suspension of jockey Maureen Andrews for causing interference during the running of the fifth race of September 13, 1992 at Finger Lakes Race Track be confirmed and served at the discretion of the Stewards.

5. HEARING OFFICER REPORT/IN THE MATTER OF STEVE ADIKA

Chairman Corbisiero and Member Neglia opposed the Hearing Officer's recommendation, with Member Liebman dissenting, that the \$200 fine imposed on jockey agent Steve Adika by the State Steward at Aqueduct Race Track for violation of rule 4025.33, Programming of Jockeys, be overruled.

6. HEARING OFFICER REPORT/IN THE MATTER OF CONGREGATION AHARATH ACHIM OF WESTCHESTER (A LICENSED BINGO ORGANIZATION)

The Board approved the Hearing Officer's recommendation that the decision of the New York City Department of Consumer Affairs be confirmed.

7. FLRA/1993 CAPITAL IMPROVEMENTS

The Board approved the list of Capital Improvement projects submitted by Finger Lakes Racing Association for 1993. This list has been endorsed by track management,

the horsemen and the Jockey Guild representatives.

8. NYRA/BACKSTRETCH SIMULCAST
APPLICATION FOR A LICENSE TO
SIMULCAST ITS AQUEDUCT RACING PROGRAM
TO ITS BELMONT PARK LIMITED ACCESS
BACKSTRETCH RECREATION HALL BETTING
FACILITY

The Board adhered to its original determination which denied approval of the New York Racing Association's application to simulcast from Aqueduct to the limited access backstretch recreation hall betting facility at Belmont Park.