mtg. 4/29/85 apported

MINUTES OF BOARD MEETING HELD ON MARCH 28, 1985

A meeting of the New York State Racing and Wagering Board was held on March 28, 1985 at 10:30 a.m. at the Board office, 400 Broome Street, New York, New York, 10013.

The meeting being called on March 25, 1985, public notice of the meeting was given to the Associated Press and UPI and to the public by posting in the Board lobby.

PRESENT:

John Van Lindt, Chairman

Michael Lee, Member

Joseph P. Neglia, Member

ALSP PRESENT:

Richard F. Corbisiero, Jr., Executive

Director

John Dailey, Director of Policy and Planning

David Vaughan, Counsel

Victor A. Cocozziello, Director of Wagering Kenneth Beh, Director of Public Relations Herman Kluge, Director of Audits, Licensing

and Investigations

Robert Feuerstein, Assistant Counsel

Gale Berg, Assistant Counsel

Steven Richman, Chief of OTB Regulations Eileen Clarke, OTB Operations Coordinator

Danny Goldberg, Assistant Counsel

James Gallagher, Confidential Racing Aide

Ted Garrison, Assistand Counsel

and

Thomas C. Davide, Secretary to the Board

A. MINUTES:

1. The Board approved the minutes of its Board meeting held on February 14, 1985.

B. FOR ENTRY INTO THE MINUTES:

- 1. ROOSEVELT RACEWAY FAN APPRECIATION NIGHTS. For entry into the minutes, the Board's prior approval of January 31, 1985 of request by Roosevelt Raceway to offer Fan Appreication nights whereby they will offer free Grandstand admission on February 4; a free \$2.00 wager with a fully paid admission on February 5; free Grandstand admission on February 6 and a free \$2.00 wager with a fully paid admission on February 7, 1985.
- 2. NEW YORK CITY OTB DONN HANDICAP. For entry into the minutes, the Board's prior approval of February 8, 1985 of request by New York City Off-Track Betting Corporation on behalf of Nassau, Suffolk, Catskill, Capital and Western Region OTB to accept wagers on the Donn Handicap on Saturday, February 9, 1985.
- 3. FINGER LAKES FREE ADMISSION. For entry into the minutes, the Board's prior approval of February 11, 1985 of request by Finger Lakes Racing Association to have free admission at Finger Lakes on February 14, 1985.
- 4. ROOSEVELT RACEWAY "TWO FOR ONE". For entry into the minutes, the Board's prior approval of February 19, 1985 of request by Roosevelt Raceway to have "Two for One" passes advertised in the New York Islander program and also in the Westbury Music Fair Entertainment program. They also requested to honor NYRA passes at their facility.
- 5. NEW YORK CITY OTB DOUBLE EXACTA. For entry into the minutes, the Board's prior approval of February 19, 1985 of request by New York City Off-Track Betting Corporation to institute a new off-track wager: Double Exacta.
- 6. NEW YORK CITY OTB GULFSTREAM PARK. For entry into the minutes, the Board's prior approval of February 21, 1985 of request by New York City Off-Track Betting Corporation on behalf of Nassau, Suffolk, Catskill, Capital and Western Region OTB to accept wagers on the Gulfstream Park Handicap.
- 7. SARATOGA RACEWAY ADDITIONAL PASSES. For entry into the minutes, the Board's prior approval of February 22, 1985 of request by Saratoga Raceway to print and distribute an additional 1,000 Clubhouse tax exempt passes to local hotels to be distributed to their patrons to be valid for the remainder of the winter meet.

- 8. NEW YORK CITY OTB GULFSTREAM LIVE RACE CALL. For entry into the minutes, the Board's prior approval of February 22, 1985 of request by New York City Off-Track Betting Corporation on behalf of Nassau, Suffolk, Catskill, Capital and Western Region OTB to accept wagers on Gulfstream Park on Tuesdays when NYRA is dark and to broadcast the live race call from Gulfstream.
- 9. CATSKILL REGION OTB DOUBLE EXACTA. For entry into the minutes, the Board's prior approval of February 26, 1985 of request by Catskill Region Off-Track Betting Corporation to accept double exacta wagers on races from Roosevelt and Aqueduct Racetracks.
- 10. CAPITAL DISTRICT OTB DOUBLE EXACTA. For entry into the minutes, the Board's prior approval of February 28, 1985 of request by Capital District Off-Track Betting Corporation to accept double exacta wagers in a statewide pool with New York City OTB.
- 11. NYRA WINNING TICKETS 1985. For entry into the minutes, the Board's prior approval of February 28, 1985 of request by New York Racing Association for a "Winning Tickets 1985" promotion whereby coupons will entitle holders to free Grandstand admission or \$2.00 off Clubhouse admission on March 8, 10 and 20; April 9, and May 5 and 8, 1985. (May 8 will be at Belmont Park.)
- into the minutes, the Board's prior approval of February 28, 1985 of request by Roosevelt Raceway to conduct a drawing for a fur coat on each of the remaining four Sundays of the current winter meet, March 3, 10, 17 and 24, 1985. Entry forms will be available in the lobby of Executive Offices as well as at the admission gates.
- 13. NEW YORK CITY OTB FLORIDA DERBY. For entry into the minutes, the Board's prior approval of March 1, 1985 of request by New York City Off-Track Betting Corporation on behalf of Nassau, Suffolk, Catskill, Capital and Western Region OTB to accept wagers on the Florida Derby (Gulfstream Park).
- 14. EXTENSION OF APPRENTICE JOCKEY WESLEY WARD. For entry into the minutes, the Board's prior approval of March 4, 1985 of request by Jockey Wesley Ward for an extension of his apprentice allowance for 20 days due to a racing related injury. Mr. Ward's allowance was to expire on March 8, 1985. His new expiration date is March 28, 1985.
- 15. CAPITAL DISTRICT OTB GULFSTREAM. For entry into the minutes, the Board's prior approval of March 5, 1985 of request by Capital District Off-Track Betting Corporation to accept live calls from Gulfstream.
- 16. FINGER LAKES JEWELRY DRAWING. For entry into the minutes, the Board's prior approval of March 11, 1985 of request by Finger Lakes Racing Association to have a jewelry drawing on March 17, 1985.

- 17. NASSAU RFCION OTB AQUEDUCT AT TWO RLORS. For entry into the inutes, the Board's prior proval of January 24, 1985 of request by Nassau Region Off-Track Betting Corporation to amend their plan of operation to implement a simulcast program for the duration of the Aqueduct meet at two Nassau Region OTB parlors.
- 18. SUFFOLK REGION OTB ROOSEVELT. For entry into the minutes, the Board's prior approval of January 18, 1985 of request by Suffolk Region Off-Track Betting Corporation to amend their plan of operation to simulcast Roosevelt into four additional parlors.
- 19. AN EMERGENCY RULE NECROPSY RULE. For entry into the minutes, the Board's prior adoption of February 28, 1985 of the emergency rule to govern the procedures for requiring and coducting necropsies of horses.
- 20. HEARING OFFICER REPORT IN THE MATTER OF GENERAL WASHINGTON, JR., JOSEPH ROMANO, JR., RONALD INGRASSIO AND ARTHUR LAKE. For entry into the minutes, the Board's prior confirmation of February 27, 1985 of the Hearing Officer's report that the burden of proof concerning Arthur Lake and Ronald Ingrassio was not met and that the burden of proof was substantiated for a majority of the charges against Joseph Romano, Jr. and for all the the charges against General Washington, Jr.
- 21. WESTERN REGION OTB BATAVIA DOWNS/PICK-3. For entry the minutes, the Board's prior approval of March 14, 1985 of request by Western Region Off-Track Betting Corporation to conduct Pick-3 wagers at Batavia Downs.
- 22. NEW YORK CITY OTB PIMLICO. For entry into the minutes, the Board's prior approval of March 12, 1985 of request by New York City Off-Track Betting Corporation and also on behalf of Nassau, Suffolk, Catskill, Capital and Western Region OTB to accept wagers at Pimlico on Tuesdays.
- 23. NEW YORK CITY OTB SIMULCAST. For entry into the minutes, the Board's prior approval of March 12, 1985 of request by New York City Off-Track Betting Corporation to amend its plan of operation to simulcast Aqueduct Racetrack into an additional branch office: 7-8 Chatham Square.

C. FOR BOARD APPROVAL:

- 1. NYRA SPORTSMAN'S PARK. The Board approved the request by New York Racing Association to enter into agreement with Sportsman's Park for the acceptance of pari-mutuel wagers on the Gotham on April 26, 1985 and the Wood Memorial on April 20, 1985.
- 2. NYRA DELAWARE. The Board approved the request by New York Racing Association to enter into agreement with Delaware Racing Association for the acceptance of parimutuel wagers on the Wood Memorial on April 20, 1985.
- 3. SUFFOLK REGION OTB DOUBLE EXACTA. The Board deferred the request by Suffolk Region Off-Track Betting Corporation to accept double exacta wagers.

- 4. NYRA SUMMIT RACING CLUB. The Board approved the request by New York Racing Association to enter into agreement with Summit Racing Club, Inc. for the acceptance of pari-mutuel wagers on the Bay Shore on March 23, 1985; the Gotham on April 6, 1985; the Excelsior on April 13, 1985 and the Wood Memorial on April 20, 1985.
- 5. NYRA MAYWOOD PARK. The Board approved the request by New York Racing Association to enter into agreement with Maywood Park for the acceptance of pari-mutuel wagers on the Gotham On April 6, 1985 and the Wood Memorial on April 20, 1985.
- 6. NYRA ARIZONA DOWNS. The Board approved the request by New York Racing Association to enter into agreement with Arizona Downs for the acceptance of pari-mutuel wagers on the Gotham on April 6, 1985 and the Wood Memorial on April 20, 1985.
- 7. HEARING OFFICER REPORT IN THE MATTER OF ARTHUR DAVIGNON. The Board approved the Hearing Officer's recommendation that the eight day suspension of Arthur Davignon be confirmed.
- NYRA WKAJ. The Board approved the request by New York Racing Association to enter into agreement with Radio Station WKAJ, Saratoga Springs, whereby NYRA will provide the calls of its Saratoga races for broadcast on a 30 minute delay.
- 9. HEARING OFFICER REPORT IN THE MATTER OF HAROLD STORY.
 The Board approved the Hearing Officer's recommendation that the decision of the judges be confirmed.
- 10. HEARING OFFICER REPORT IN THE MATTER OF PAUL ONYON JANUARY 11, 1985. The Board approved the Hearing Officer's recommendation that the judges official order of finish in the race be confirmed.
- 11. HEARING OFFICER REPORT IN THE MATTER OF PAUL ONYON JANUARY 18, 1985. The Board approved the Hearing Officer's recommendation that the judges official placing in the race be confirmed.
- 12. NYRA RIVER DOWNS TURF CLUB. The Board approved the request by New York Racing Association to enter into agreement with River Downs Turf Club to accept parimutuel wagers on the Belmont Stakes on June 8, 1985 and the Travers on August 17, 1985.
- 13. NYRA BOWIE RACE COURSE. The Board approved the request by New York Racing Association to enter into agreement with Southern Maryland Agricultural Assoc., Inc., running a race meeting at Bowie Race Course, to accept pari-mutuel wagers on the Belmont Stakes on June 8, 1985.

- 14. NYRA CALDER RACE COURSE. The Board approved the request by New York Racing Association to enter into agreement with Calder Race Course, Inc. to accept pari-mutuel wagers on the Belmont Stakes on June 8, 1985.
- 15. NYRA DELAWARE RACING ASSOCIATION. The Board approved the request by New York Racing Association to enter into agreement with Delaware Racing Association to accept pari-mutuel wagers on the Belmont Stakes on June 8, 1985 and the Travers on August 17, 1985.
- 16. NYRA FAIR HILL. The Board approved the request by New York Racing Association to enter into agreement with Cecil County Breeders' Fair, Inc., running a race meeting at Fair Hill, to accept pari-mutuel wagers on the Belmont Stakes on June 8, 1985.
- 17. NYRA ARLINGTON PARK. The Board approved the request by New York Racing Association to enter into agreement with Arlington Park Racetrack, Ltd. to accept parimutuel wagers on the Gotham on April 6, 1985, and the Wood Memorial on April 20, 1985.
- 18. NYRA PRESCOTT DOWNS. The Board approved the request by New York Racing Association to enter into agreement with Prescott Downs, Inc. to accept pari-mutuel wagers on the Metropolitan Handicap on May 27, 1985, the Belmont Stakes on June 8, 1985, the Brooklyn Handicap on July 20, 1985, the Whitney Handicap on August 3, 1985 and the Travers on August 17, 1985.
- 19. NYRA WATERFORD PARK. The Board approved the request by New York Racing Association to enter into agreement with Odgen Leisure, Inc., running a race meeting at Waterford Park, to accept pari-mutuel wagers on the Belmont Stakes on June 8, 1985.
- 20. NYRA JEFFERSON DOWNS. The Board approved the request by New York Racing Association to enter into agreement with Jefferson Downs, Inc. to accept pari-mutuel wagers on the Belmont Stakes on June 8, 1985.
- 21. SARATOGA HARNESS CONDITIONS. The Board approved the request by Saratoga Raceway for conditions for the 1985 Ernest B. Morris Series and the 1985 Dunbar W. Bostwick Racing Series.
- 22. BUFFALO RACEWAY CAPITAL IMPROVEMENT FUND. The Board approved the request by Buffalo Raceway for Buffalo Raceway's Capital Improvement Fund Expenditures for 1984.
- 23. FINGER LAKES CAPITAL IMPROVEMENT FUND. The Board approved the request by Finger Lakes Racing Association for Finger Lakes' Capital Fund Expenditures amounting to a total of \$628,294.35.

- 24. HEARING OFFICER REPORT IN THE MATTER OF ALLAN WADDELL. The Board approved the Hearing Officer's recommendation that upon the record and evidence, the action taken in revoking Mr. Waddell's 1982 license be confirmed.
- 25. WESTERN REGION OTB WATKINS GLEN. The Board approved the request by Western Region Off-Track Betting Corporation to reopen the Watkins Glen OTB parlor on April 1, 1985.
- 26. SARATOGA RACEWAY WAIVE OF 30 DAY RULE. The Board approved the request by Saratoga Raceway to waive the 30 day rule when they reopen their Spring Meeting on May 1, 1985.
- 27. FINGER LAKES TWO-PART TICKET. The Board approved the request by Finger Lakes Racing Association to give each patron attending a Group Party a two-part ticket which could be exchanged on a future date for a free Clubhouse admission and a \$1 Daily Double ticket. The promotion will commence with the parties booked on or after March 29, 1985.
- 28. FINGER LAKES PICK-SIX WAGERING. The Board approved the request by Finger Lakes Racing Association to accept "Pick-Six Wagers". However, there are no carry-over provisions since they are not provided for in the law.
- 29. CAPITAL DISTRICT OTB FINGER LAKES. The Board approved the request by Capital District Off-Track Betting Corporation to approve a new contract between Capital OTB and Finger Lakes Racetrack.
 - 30. NYRA ARLINGTON/BELMONT. The Board approved the request by New York Racing Association to enter into agreement with Arlington Park Racetrack for the acceptance of parimutuel wagers on the Belmont Stakes on June 8, 1985.
 - 31. NYRA DARBY DOWNS. The Board approved the request by New York Racing Association to enter into agreement with Darby Downs for the acceptance of pari-mutuel wagers on the Belmont Stakes on June 8, 1985.
 - 32. NYRA FAIRMOUNT PARK. The Board approved the request by New York Racing Association to enter into agreement with Fairmount Park for the acceptance of pari-mutuel wagers on the Belmont Stakes on June 8, 1985.
 - 33. NYRA CANTERBURY DOWNS. The Board approved the request by New York Racing Association to enter into agreement with Canterbury Downs for the acceptance of pari-mutuel wagers on the Travers on August 17, 1985, the Marlboro Cup on September 14, 1985 and the Jockey Club Gold Cup on October 5, 1985.
 - 34. NYRA HINSDALE RACEWAY. The Board approved the request by New York Racing Association to enter into agreement with Hinsdale Raceway, Inc. for the acceptance of parimutuel wagers on the Jockey Club Gold Cup on October 5, 1985.

- 35. NYRA TURF PARADISE. The Board approved the request by New York Racing Association to enter into agreement with Turf Paradise, Inc. for the acceptance of pari-mutuel wagering on the Jockey Club Gold Cup on October 5, 1985.
- 36. NYRA CHURCHILL DOWNS. The Board deferred the request by New York Racing Association to enter into agreement with Churchill Downs, Inc. for the acceptance of parimutuel wagers on the Belmont Stakes on June 8, 1985.
- NYRA NEW MEMBER OF THE BOARD. The Board approved the request by New York Racing Association for the appointment of Charles V. Wait as a member of the NYRA Board of Trustees to succeed the late Leonard D. Henry. Board approval was granted pending a background check.
- NYRA MARYLAND JOCKEY CLUB. The Board deferred the request by New York Racing Association to enter into agreement with Maryland Jockey Club for the acceptance of pari-mutuel wagers on the Preakness. Such wagering would be accepted at NYRA's Belmont Park Racetrack, in addition to the regularly scheduled nine races that day.
- 39. NEW YORK CITY OTB PREAKNESS. The Board approved the request by New York City Off-Track Betting Corporation on behalf of Nassau, Suffolk, Catskill, Capital and Western Region OTB's to accept wagers on the Preakness on Saturday, May 18, 1985 only.
- 40. SARATOGA RACEWAY BURGER KING. The Board approved the request by Saratoga Raceway to print and distribute 100,000 general admission tax exempt passes to be distributed through Capital District Burger King restaurants and to be valid on closing night, March 30, 1985 only.
- 41. BATAVIA DOWNS APRIL 15, 1985. The Board approved the request by Batavia Downs to offer free admission to their patrons on April 15, 1985. In an effort to enhance attendance and handle, they have made arrangements to televise on large screen closed circut TV, the Hagler vs Hearns fight.
- 42. FINGER LAKES PROMOTIONS. The Board approved the request by Finger Lakes Racing Association to distribute 10,000 Clubhouse admission tokens to various business establishments; to hold a drawing for a boat with a motor and trailer, on March 30, 1985 and to give each paid Clubhouse and Grandstand admission on March 29, 1985 and March 30, 1985 a ticket valid for free admission on April 5 or 6, 1985.
- 43. FINGER LAKES ALTERNATE OFFICIAL. The Board approved the request by Finger Lakes Racing Association for the appointment of Carl Anderson as Paddock-Patrol Judge, replacing Robert Wingo, and for the appointment of Janet Bonard as Alternate Official. Board approval was granted pending a background check.

- 44. NEW YORK TITY OTB AMERICAN TOTALIS. FOR. The Board approved the request by New York City Off-Track Betting Corporation to approve as part of OTB's plan of operation a new contract with American Totalisator Company, Inc.
- 45. MONTICELLO RACEWAY 12TH RACE. The Board approved the request by Monticello Raceway to hold a 12th race on Saturday's card beginning March 30, 1985 and continuing through the 1985 season.
- 46. HEARING OFFICER REPORT IN THE MATTER OF BERNARD WEBSTER. The Board approved the Hearing Officer's recommendation not to license the Petitioner as an owner-trainer-driver.
- 47. NYRA PICK-SIX WAGERING. The Board approved the request by New York Racing Association to accept "Pick-Six Wagers", however, there are no carry-over provisions since they are not provided for in the law.

D. FOR BOARD NOTICE AND INFORMATION:

- 1. NYS REGISTER February 20, 1985, re: Identification of Thoroughbred Race Horses NOTED.
- 2. NYS REGISTER February 27, 1985, re: Jockey Family Members and Disputes Between Off-Track Betting Corporation and Tracks NOTED.
- 3. NYS REGISTER March 6, 1985, re: Off-Track Betting Pools NOTED.
- 4. NYS REGISTER March 20, 1985, re: Procedure for Conducting and Determining the Death of a Horse on the Race Track NOTED.
- 5. Memo of E. Clarke to T. Davide, February 22, 1985, re: Roosevelt Raceway Connecticut OTB/Pick-4 NOTED.
- 6. Memo of E. Clarke to T. Davide, February 26, 1985, re: Western Region OTB Closing OTB Parlor NOTED.