

Minutes of Meeting of the New York

State Racing and Wagering Board

Tuesday, December 18, 1979 10:30 am

ITEM
C-7
ADD
ANAL

A meeting of the New York State Racing and Wagering Board was held on Tuesday, December 18, 1979 at the Board Office, Two World Trade Center, New York.

The meeting being called on Friday, December 14, 1979, public notice of the meeting was given to the Associated Press and UPI and to the public by posting in the Board's reception area on the 74th floor and also on the 44th floor.

PRESENT: John Van Lindt, Chairman; Bertram D. Sarafan, Member; Dr. Joseph O'Dea, Member

ALSO PRESENT: Richard Corbisiero, Executive Director; John Dailey, Director of Policy and Planning; Sal Ferrara, Director of Audits, Investigations and Licensing; Victor Coccozziello, Director of Wagering Systems; Sal Curiale, Counsel; Dean Alfange, Director of Quarter Horse; Jacob Iberger, Chief of Racing Operations; Bernard Golar, Assistant Commissioner and Director of OTB Regulations; Kenneth Beh, Director of Public Relations; Domonic Coppotelli, Director of Bingo; David Vaughan, Assistant Counsel; Ted Garrison, Assistant Counsel and Thomas C. Davide, Secretary to the Board.

A. Minutes.

1. Minutes. The Board approved the minutes of its meeting held November 20, 1979, 10:30 am
2. For Entry Into the Minutes:
 1. Roosevelt Raceway/Promotions. The Board's prior approval of November 21 1979 of request by Roosevelt Raceway dated November 16, 1979 to hold the following promotions: 1) Free Triple Tickets, 2) Free Daily Double Tickets, 3) Free Admission to Opening Night 1980.
 2. NYRA/Aquebucks Christmas Campaign. The Board's prior approval of November 28, 1979 of request by NYRA for approval of their Aquebucks Christmas Campaign as outlined in their letter of request dated November 21, 1979.
 3. NYCOTB/Yonkers Raceway. The Board's prior approval of November 28, 1979 of request by NYCOTB dated November 26, 1979 to continue the Pick-Four wager at Yonkers Raceway.

4. Yonkers Racing Corporation - 1980 License Application. The Board's prior approval of November 29, 1979 of the application of Yonkers Raceway for 1980 License to Race on the following dates in 1980: January 1 through February 13, May 23 through August 7, October 30 through December 31, Sundays and December 24 and 25 are dark.
5. Roosevelt Raceway, Inc. - 1980 License Application. The Board's prior approval of November 29, 1979 of the application of Roosevelt Raceway for 1980 License to Race on the following dates in 1980: February 14 through May 22, August 8 through October 29, Sundays are dark.
6. Buffalo Trotting Association, Inc./Amendments to 1979 License/Promotions The Board's prior approval of December 3, 1979 of request by Buffalo Raceway dated October 17, 1979 for the following changes in their 1979 License: 1. The change of dark dates as outlined in their letter of request, 2. The change of prices as outlined in their letter of request, 3. The list of promotions as outlined in their letter of request.

C. For Board Approval:

1. Finger Lakes Race Track - Winterization Panels for Barns. The Board approved Finger Lakes Race Track's submission of panel drawings relating to the winterization of their barns upon condition that the wood be fire retardant or they use fire retardant paint.
2. Designation pursuant to Section 8162 (9) Unconsolidated Laws. The Board approved the recommendations of Counsel Coccoziello updating the Board's action of May 3, 1979; relating to the designation of certain employees who shall have the power to administer oaths, examine witnesses and may issue subpoenas to compel attendance of witnesses and the production of all relevant material reports, books, papers, documents, correspondence and other evidence pursuant to Section 8162 (9).
3. New York City Off-Track Betting Corporation - Extension of Delayed Audio Broadcasts - Keystone Race Track. The Board approved request by NYCOTB to extend the delayed audio broadcast of the race calls from Keystone Race Track on "dark" Tuesdays from January 1, 1980 continuing through May 27, 1980, when NYRA is closed.
4. Roosevelt Raceway -1980 License Application. The Board approved the application of Roosevelt Raceway for 1980 License to Race on the following dates in 1980, (the dates having been previously approved at a special meeting of the Board on November 29, 1979). February 14 through May 22, 85 Days; August 8 through October 29, 71 Days; Sundays are dark.
5. Saratoga Harness Racing, Inc. - 1980 License Application. The Board approved the application of Saratoga Harness for 1980 License to Race on the following dates in 1980: Night Racing- January 3,4,5,10,11,12, 17,18,19,24,25,26,31; February 1,2,7,8,9,14,15,16,21,22,23; April 17th through November 22, six nights per week - Dark Sundays, Dark also September 2 through September 6. Day Racing- May 26 (Memorial Day); June 30 - July 5 (Grand Circuit); September 1- (Labor Day); October 13- (Columbus Day); November 11- (Veteran's Day).

6. Midstate Raceway - 1980 License Application. The Board approved application of Vernon Downs for 1980 License to Race on the following dates in 1980: April 9 through November 1, 1980- 163 racing days, Dark Sundays, 9/2, and Mondays and Tuesdays for 7 weeks thereafter except last week.
7. Sullivan County Harness Racing, Inc. - 1980 License Application. The Board approved application of Monticello Raceway for 1980 License to Race on the following dates in 1980: May 1 - May 31 inclusive - 31 racing days; June 1 - June 30 inclusive - 30 racing days; July 1- July 31 inclusive - 31 racing days; August 1- August 31 inclusive - 31 racing days; September 1, 2, 5, 6, 7, 9, 12, 13, 14, 16, 19, 20, 21, 23, 26, 27, 28 and 30; October 3, 4, & 5-Total 144 Racing days, Dark Days- September 3, 4, 8, 10, 11, 15, 17, 18, 22, 24, 25, 29; October 1 and 2.
8. Genesee Monroe Racing Association, Inc. - 1980 License Application. The Board approved the application of Batavia Downs for 1980 License to Race on the following dates in 1980: Spring Meet- February 25th, to April 19th; Summer, Fall Meet - July 28th, to November 29th; Double Programs on Saturday, April 5th, Monday September 1; Dark Dates - Sundays, Good Friday, April 4; September 2, 8, 15, 22, 29; October 6, 13, 20, 27; November 3, 10, 17 and 27.
9. Yonkers Raceway - 1980 License Application. The Board approved application of Yonkers Raceway for 1980 License to Race on the following dates in 1980; (the dates having been previously approved at a special meeting of the Board on November 29, 1979). Yonkers Raceway - January 1 through February 13 - 38 Days, May 23 through August 7 - 66 Days, October 30 through December 31- 52 Days, Sundays and December 24 and 25 are dark.
10. Finger Lakes Racing Association, Inc. - 1980 License Application.*** The Board approved application of Finger Lakes Racing Association for 1980 License to Race on the following dates in 1980: Early Spring Meeting Saturday, 3/22; Sunday 3/23; Friday 3/28; Saturday 3/29; Friday 4/4; Saturday 4/5; Friday 4/11; Saturday 4/12; Sunday 4/13; Friday 4/18; Saturday 4/19 and Sunday 4/20 - 12 racing days. Spring Meeting: Friday, April 25 through Sunday, June 29 - 49 racing days, racing five days per week. Dark on Mondays and Thursdays with the exception of Monday, May 26, Memorial Day. Summer Meeting: Tuesday, July 1 through Thursday, September 4 - 47 racing days, racing five days per week. Dark on Mondays and Thursdays with the exception of Monday, September 1 Labor Day. (Also dark on Wednesday, September 3). Fall Meeting: Friday September 5 through Tuesday, November 18 - 54 racing days, racing five days per week. Dark on Mondays and Thursdays with the exception of Monday, October 13, Columbus Day, (Also dark on Wednesday, October 15)- 162 racing days.
11. Buffalo Trotting Association, Inc. - 1980 License Application.*** The Board approved application of Buffalo Raceway for 1980 License to Race on the following dates in 1980: (Opening on Sunday, December 2, 1979. Closing on Sunday, February 24, 1980. Dark every Monday night. Dark on December 25, 1979 (Christmas Day) and January 1, 1980, (New Year's Day). January 2 - February 24, 1980, April 21 - July 26, 1980, Dark Sundays, November 30 - December 30, 1980. Syracuse Mile - Saturday, August 6 through Sunday, August 17, 1980. Dark - Tuesdays, August 12 and Wednesday, August 13, 1980, 7 racing days.

*** The Board's decision to grant racing licenses to the Buffalo Trotting Association and the Finger Lakes Racing Association was made after the Board received proof of the execution of Voting Trust Agreements by Max Jacobs and Lawrence David Jacobs under which their voting rights in shares of Sportsystems Corporation (the parent corporation of both the track licensees) are irrevocably transferred to their brother, Jeremy Maurice Jacobs for a period of five years.

The Voting Trust Agreement separates Max William Jacobs and Lawrence David Jacobs from any management or control of Sportsystems Corporation and the two racetrack licensees for the initial five year period which may be reviewed and extended.

12. NYRA - Reduced Admission. The Board approved request by NYRA to have the following reduced admission program; during the week of December 26 through December 30, 1979, NYRA will be presenting a "Holiday Festival". Details of this promotion are outlined in their letter of request dated 12/4/79.
13. Buffalo Raceway - Two Additional Exactas 12/7/79. The Board approved Mr. Iberger's verbal permission to Buffalo Raceway to accept wagering on two races during the evening, program of December 7, 1979 in order to recoup losses submitted by the refunding of wagers on the 1st race W-P-S and Daily Double wagering, this was due to the failure of the electrical system.
14. Computer Feasibility Recommendation. The Board noted the submitted proposals by several Computer Companies and Office of General Services as requested by the Board, in order to automate.
15. WROTB/Buffalo Raceway. The Board approved request by Western Regional Off-Track Betting Corporation, to conduct Quinella wagering (OTB Exclusive) on the 2nd, 5th and 7th races during Buffalo Raceway's meet beginning December 2, 1979 thru February 24, 1980.
16. WROTB/Buffalo Raceway. The Board denied request by Western Regional Off-Track Betting Corporation, Inc. to broadcast a live call of the races from Buffalo Raceway into those branches which remain open until 9 pm.
17. Hearing Officer Report in the Matter of - Purchase Community, Inc. The Board approved the recommendations submitted by Hearing Officer Corbisiero in his Hearing Officer Report dated December 4, 1979.
18. Hearing Officer Report in the Matter of - Del Mac Tavish, Jr. (Driver). 7th race, May 10, 1979, Saratoga Raceway - Revised Report. Protested order of finish - 1st finishing horse offstride prior to finish. The Board approved the recommendation of Hearing Officer Rooks in his Hearing Officer Report dated November 19, 1979.
19. Hearing Officer Report in the Matter of - Richard Blaun (Driver). The Board deferred action on this matter until a later date.
20. Hearing Officer Report in the Matter of - Gaston Guidon (Driver). 8th race, September 14, 1979, Batavia Downs, taking back and causing horse behind to break. The Board affirmed the decision of the judges to suspend Mr. Guidon's license for a period of five days and confirm disqualification from 1st to placing of 8th as recommended by Hearing Officer Rooks in his Hearing Officer Report dated 12/4/79.

21. Hearing Officer Report in the Matter of - Robert Alitzer (Driver). 6th race, September 21, 1979, Batavia Downs. The Board affirmed the decision of the judges to suspend Mr. Alitzer's license for a period of five days and confirm disqualification from 2nd to placing of 8th as recommended by Hearing Officer Rooks in his Hearing Officer Report dated 12/3/79.
22. Hearing Officer Report in the Matter of - Salvatore and Frances Saieva. The Board affirmed the decision of the Department of Consumer Affairs to deny the application of Salvatore and Frances Saieva for a Bingo Commercial Lessor's License.
23. Hearing Officer Report in the Matter of - John O. Marra. The Board deferred this matter until a later date.
24. Yonkers Cane Pace and Yonkers Trot Conditions. The Board approved the conditions for the 1982 Cane Pace and Yonkers Trot as submitted by Yonkers Raceway in its letter dated December 10, 1979.
25. Roosevelt Raceway/Construction. The Board approved request by Roosevelt Raceway to install a Ground Fault Protection System for Parking Field Lighting. This approval is contingent upon the approval of the Board's consulting architect Lionel Levy.