

MINUTES OF ITS MEETING HELD

June 29, 1981, 10:30 a.m.

A meeting of the New York State Racing and Wagering Board was held on June 29, 1981, 10:30 a.m. at the Board Office, Two World Trade Center, New York, N.Y. 10047.

The meeting being called on June 26, 1981, 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 F. Corbisiero, Jr., Executive Director; John Dailey, Director of Policy & Planning; Dean Alfange, Director of Quarter Horse Racing; Victor Coccozziello, Director of Wagering Systems; Salvatore Curiale, Counsel; Kenneth Beh, Director of Public Relations; Dr. Norman Lewis, Chief State Racing Veterinarian; Dominic Coppotelli, Director of Bingo; Jacob Iberger, Director of Racing Operations; Cy Rooks, Assistant Counsel; Theodore Garrison, Assistant Counsel; David B. Vaughan, Assistant Counsel; Nancy J. Rudolph, Chief of OTB Regulation and Thomas C. Davide, Secretary to the Board.

A. MINUTES:

1. The Board approved minutes of its meeting held May 18, 1981.

B. FOR ENTRY INTO THE MINUTES:

1. SARATOGA HARNESS - General Admission & Clubhouse Admission. The Board's prior approval of May 20, 1981 of request by Saratoga Harness to charge a general admission of \$1.00 and a Clubhouse admission of \$2.00 to all patrons on Sunday, June 28, 1981 (memo of J. Iberger, 5/18/81; letter of D. McCarthy, 5/14/81).
2. MONTECELLO RACEWAY - \$1.00 Daily Double Wheel and \$1.00 Quinella Wheel. The Board's prior approval of May 18, 1981 of request by Monticello Raceway to have a \$1.00 Daily Double Wheel and a \$1.00 Quinella Wheel. (memo of J. Iberger, 5/19/81; letter of L. Doobin, 5/18/81).
3. NYCOTBC - Waiver of Rule 4011.22. The Board's prior approval of May 18, 1981 of request by NYCOTBC for a waiver of rule 4011.22 which requires ten (10) horses "overnight" in order to have triple wagering, for the ninth (9) race on Tuesday, May 19, 1981 at Hialeah Park. (memo of N. Rudolph, 5/19/81; letter of S. Gross, 5/18/81).

4. ASSOCIATION STEWARD/FINGER LAKES RACE TRACK. The Board's prior approval of May 15, 1981 of request by Finger Lakes Race Track to have Mr. Harold O'Keefe take the place of Michael Sample as Association Steward for the period of May 15 through May 31, 1981 (memo of J. Iberger, 5/15/81; letter of G. Barker, 5/12/81).
5. ROOSEVELT RACEWAY - PROGRAM CHANGE. The Board's prior approval of May 18, 1981 of request by Roosevelt Raceway for permission to change its program of wagering for the balance of the calendar year (memo of J. Iberger, 5/15/81; letter of W. B. Hopkins, 5/12/81).
6. ROOSEVELT RACEWAY - Additional Racing Dates. The Board's prior approval of May 29, 1981 of request by Roosevelt Raceway for permission to expand its racing dates to encompass the following additional days: Sunday, July 12, 1981; Sunday, July 19, 1981; Sunday, July 26, 1981 and Sunday, August 2, 1981 (memo of J. Iberger, 5/26/81; letter of W. B. Hopkins, 5/20/81).
7. NYCOTBC - Advance Wagering - Belmont Stakes, June 6, 1981. The Board's prior approval of May 27, 1981 of request by NYCOTBC to accept advance wagering on the Belmont Stakes to be run at Belmont Park on Saturday, June 6, 1981 (memo of N. Rudolph, 5/25/81; letter of S. Gross, 5/22/81; letter of M. Lieberman, 6/2/81).
8. NYCOTBC - Arlington Park - Broadcast Delayed Audio Calls on NYRA "dark" days, June 2, 1981 through September 25, 1981. The Board's prior approval of May 29, 1981 of request by NYCOTBC to take wagers on Arlington Park and to broadcast the delayed audio calls on NYRA "dark" days, commencing June 2, 1981 and running through September 25, 1981 (memo of N. Rudolph, 5/29/81; letter of S. Gross, 5/27/81; OTBC CONTRACT NO. 169B; letter of S. Gross, 5/26/81; telegram; memo of N. Rudolph, 5/13/81; letter of J. Keenan, 5/12/81).
9. NYCOTBC - Waiver of Rule 4011.22 - To Accept Triple Wagering on Hialeah's 7th Race on May 26, 1981. The Board's prior approval of May 26, 1981 of request by New York City OTB for a waiver of Rule 4011.22 which requires ten (10) horses "overnight" in order to have triple wagering (memo of N. Rudolph, 5/25/81; letter of S. Gross, 5/26/81).
10. YONKERS RACEWAY - Color TV Drawing. The Board's prior approval of request by Yonkers Raceway to hold a drawing for a color television on Friday night, May 29, 1981 at Yonkers Raceway (letter of T. Spillane, 5/25/81).
11. YONKERS RACEWAY - Grandstand Admission. The Board's prior approval of May 27, 1981 of request by Yonkers Raceway for permission to reduce its Grandstand admission price from \$2.25 per person to \$1.00 on an experimental basis from June 8 through June 17, 1981 (memo of J. Iberger, 5/25/81; letter of G. Lawrence, May 21, 1981).

12. NYRA - Belmont Stakes. The Board's prior approval of May 27, 1981 of request by the New York Racing Association, Inc. for permission to conduct advance wagering on the Belmont Stakes, June 6, 1981, park autos in the back stretch areas under strict security conditions and to conduct limited tours of the stable area (memo of J. Iberger, 5/25/81; letter of M. Lieberman, 5/19/81).
13. YONKERS RACEWAY - Change in Wagers. The Board's prior approval of June 4, 1981 of request by Yonkers Raceway to add a late Daily Double in the 8th and 9th races and a one dollar Key Box Bet in all Triple, Quinella and Exacta races (letter of G. Lawrence, 6/2/81; memo of J. Iberger, 6/3/81).
14. SARATOGA HARNESS - Horseplayer's Club. The Board's prior approval of June 17, 1981 of request by Saratoga Harness to print 13,000 general admission tax-exempt permits which will be good any one day from June 22 through June 26, 1981 (memo of J. Iberger, 6/15/81; letter of D. McCarthy, 6/8/81).
15. NYCOTBC - Delaware Racing Association - Contract. The Board's prior approval of June 17, 1981 of request by The New York City Off-Track Betting Corporation, Inc. for Board approval of the submitted contract between NYCOTBC and Delaware Racing Association, to accept wagers on races run at Delaware Park on days when the tracks operated by the NYRA are dark. (June 27 - September 7, 1981).
16. NYCOTBC - Pick Four - Roosevelt Raceway. The Board's prior approval of June 16, 1981 of request by NYCOTBC to continue the Pick-Four wager at Roosevelt Raceway during its upcoming meeting (June 18, 1981).
17. NYCOTBC - Late Daily Double Wagers. The Board's prior approval of June 12, 1981 of request by NYCOTBC and the other regions, as well as Yonkers Raceway, that OTB and Yonkers Raceway be permitted to accept a late daily double wager on the 9th and 10th races, Saturday, June 13, 1981 at Yonkers Raceway (letter of J. Keenan, 6/12/81).
18. NYCOTBC - Delaware Park - June 27, 1981 through September 7, 1981. The Board's prior approval of June 17, 1981 of request by NYCOTBC to provide delayed audio broadcasts of the race calls from Delaware Park on "dark" Tuesdays and on any other days when racing might be cancelled at NYRA from June 27, 1981 and continuing through September 7, 1981 (memo of N. Rudolph, 5/29/81; letter of J. Keenan, 5/20/81; letter of S. Gross, 6/3/81; letter of R. Carpenter, Jr., 5/22/81; letter of A. Brown, 5/27/81).
19. ROOSEVELT RACEWAY - N.Y.S. Lottery Tickets. The Board's prior approval of June 18, 1981 of request by Roosevelt Raceway for permission to distribute 5,000 free N.Y.S. Lottery tickets, with a value of \$1.00 each at Roosevelt Raceway for its upcoming night promotion on Thursday, June 18, 1981 (letter of L. Barasch, 6/18/81).
20. SARATOGA HARNESS - 80,000 General Admission Passes. The Board's prior approval of June 9, 1981 of request by Saratoga Harness Racing to print

and distribute 80,000 general admission tax exempt passes (memo of J. Iberger, 6/15/81; letter of D. McCarthy, 6/21/81).

C. FOR BOARD APPROVAL:

1. FINGER LAKES - Additional Race on September 27, 1981. The Board approved request by Finger Lakes Racing Association, Inc. for permission to schedule a ten race program on Sunday, September 27, 1981 (memo of J. Iberger, 5/26/81; letter of G. Barker, 5/18/81).
2. WROTBC - Addition Branch - Buffalo. The Board approved request by WROTBC to amend their plan of operation to include a branch office located in Buffalo, N.Y. (memo of N. Rudolph, 6/22/81; letter of J. Pautler, 6/10/81; Site of recommendation).
3. WROTBC - Additional Branch - Moravia. The Board denied request by WROTBC to amend its plan of operation to include a branch office located in Moravia, N.Y. (memo of N. Rudolph, 6/19/81; letter of J. Pautler, 6/11/81; site of recommendation).
4. NYRA - Trustee. The Board deferred request by the NYRA to elect Mr. Devereux Milburn, Esq. as a trustee of the Corporation (letter of M. Lieberman, 5/19/81).
5. MONTICELLO RACEWAY - Classic #9 Conditions. The Board approved request by Monticello Raceway for Board approval of the submitted conditions for the Monticello Classic #9 (memo of J. Iberger, 5/27/81; letter of L. Doobin, 5/22/81).
6. PROPOSED RULE 4102.5 (HARNESS). The Board approved the submitted proposed rule 4102.5 relating to financial responsibility (memo of S. Curiale, 5/27/81; memo of S. Curiale, 5/27/81).
7. TRAINERS IN THE PADDOCK RULE 4104.8. The Board approved the submitted rule 4104.8 relating to admission to the paddock area in harness racing for final adoption (memo of D. Baughan, 5/27/81; rule).
8. OMITTED.
9. SARATOGA RACEWAY - July 4, 1981. The Board approved request by Saratoga Raceway to permit free evening admission to those patrons attending their matinee program on July 4, 1981 (memo of J. Iberger, 5/28/81; letter of D. McCarthy, 5/22/81).
10. B'NAI JACOB V. NYS RACING & WAGERING BOARD (Lindenwood Recreation, Inc.). The Board approved the submitted Findings and Orders (revised) regarding B'Nai Jacob v. N.Y.S. Racing and Wagering Board (memo of T. Garrison, 6/12/81; Findings and Order, June 1981; memo of J. Dailey, 6/4/81; memo of J. Dailey, 4/10/81; letter of D. Sticklor, 4/1/81; memo of V. Cocozziello, 7/21/80 and 7/18/80; letter of D. Sticklor, 7/14/81; Findings and Order, 1/8/81; letter of J. Oginbene, 10/4/78; letter of D. Whito, 9/15/78).

11. JOB SECURITY PROVISION IN WROTBC'S PLAN OF OPERATION. The Board deferred request by Western Region to include job security provision in its plan of operation until such time as Western has agreed to insert the submitted additional paragraph as requested by Board meeting of April 28, 1981 which had also deferred said request. (memo of N. Rudolph, 6/8/81, memo of N. Rudolph, 6/8/81; letter of J. Gannon, 5/22/81; letter of J. Van Lindt, 2/14/78; letter of T. Davide, 2/24/81; letter of N. Rudolph, 5/11/81; memo of N. Rudolph, 4/16/81; memo of N. Rudolph, 4/16/81; letter of J. Gannon, 4/3/81; resolution #10-81; WROTBC - Plan of Operation: Job Security Provisions; letter of T. Davide, 2/24/81).
12. HEARING OFFICER REPORT IN THE MATTER OF HOLY NAME OF JESUS POLISH NATIONAL CATHOLIC CHURCH ID #42-101-199. The Board approved the recommendation that the bingo identification number and license of Jesus Polish National Catholic Church be suspended for a period of six months and that the execution of the suspension be suspended (memo of T. Garrison, 6/18/81; Hearing Officer Report of T. Garrison, 4/10/81).
13. NYRA - "Key to the Vault Contest". The Board denied request by the NYRA to conduct a Key to the Vault contest (letter of M. Lieberman, 6/12/81).
14. FINGER LAKES - July 11, 1981 - Promotion. The Board approved the submitted list of promotions requested by Finger Lakes Racing Associations to be held on July 11, 1981 as per letter dated 6/16/81 from G. Barker (memo of J. Iberger, 6/22/81; letter of G. Barker, 6/16/81).
15. CATSKILL OTB - Relocate Norwich Branch. The Board approved request by Catskill OTB to relocate their South Broad Street location in Norwich, N.Y. (letter of D. Groth, 6/16/81).
16. CATSKILL OTB - Establish a Branch at Stow Plaza in Binghampton. The Board approved request by Catskill OTB to amend their plan of operation to include a new branch in Broome County, City of Binghampton, N.Y. (memo of N. Rudolph, 6/19/81; letter of D. Groth, 6/16/81).
17. CATSKILL OTB - Temporary Branch/Pawling. The Board approved request by Catskill OTB to amend their plan of operation to include installation of a temporary branch facility in the Town of Pawling, N.Y. (memo of N. Rudolph, 6/19/81; letter of D. Groth, 6/16/81).
18. SYRACUSE MILE, INC. - 1981 License Application. The Board deferred the submitted application for 1981 track license for the Syracuse Mile (memo of J. Iberger, 6/16/81; memo of J. Dailey, 6/17/81; memo of C. Rooks, 6/17/81; letter of F. White and application for Syracuse Mile, Inc., 5/25/81).
19. MONTICELLO RACEWAY - Labor Day, Monday, Sept. 7, 1981. The Board approved request by Monticello Raceway to conduct "Salute to Labor Night" on Sept. 7, 1981 (originally scheduled for April 30, 1981, but cancelled). (memo of J. Iberger, 6/16/81; letter of L. Doobin, 6/15/81).

20. CATSKILL OTB - "Threeday" Promotion. The Board approved request by Catskill OTB to conduct a promotion in all of its branches called "Tuesday is Threeday at OTB" as outlined in their letter from D. Groth dated 6/16/81 (memo of N. Rudolph, 6/18/81; letter of D. Groth, 6/16/81).
21. HEARING OFFICER REPORT IN THE MATTER OF GUS TOPLENSZKY (DRIVER). The Board deferred hearing officer report relative to Gus Toplenszky, Driver who violated rule 4117.4(p) at Batavia Downs during the 11th race on October 30, 1980 (Hearing Officer Report of C. Rooks, 6/16/81).
22. HEARING OFFICER REPORT IN THE MATTER OF JOSE DELGADO (DRIVER). The Board approved the recommendation of hearing officer to confirm five day suspension of license of Jose Delgado, driver, violating rule 4117.4(b) at Batavia Downs, 2nd race on April 21, 1981 (Hearing Officer Report of C. Rooks, 6/2/81).
23. HEARING OFFICER REPORT IN THE MATTER OF FRANCIS BOND (DRIVER). The Board approved the recommendation of hearing officer to confirm the 50.00 fine imposed by violation of rule 4115.2 (Delaying start of race) by Francis Bond, Driver at Batavia Downs - 4th race on November 18, 1980 (Hearing Officer Report of C. Rooks, 6/2/81).
24. CAPITAL OTB - Two Mini-Branches with Greene County. The Board approved the request for one branch only in the County of Greene, in Greenville, and denied the other request (letter of R. Blanchard, 6/1/81; letter of L. Biegel, 11/26/81).
25. VERNON DOWNS - Promotions. The Board approved request by Vernon Downs to conduct various promotions as outlined in letter of F. White dated 6/23/81 for the 1981 harness racing season. (letter of F. White, 6/23/81).
26. NYCOTBC - Open Negotiations for the Arlington Million-August 30, 1981. The Board approved request by NYCOTBC to open negotiations for the Arlington Million - August 30, 1981, in accordance with provisions of Subdivision 6 of Chapter 346, Laws of 1978 as amended by Subdivision 6 of Chapter 576, Laws of 1978 (memo of N. Rudolph, 6/17/81; memo of N. Rudolph, 6/17/81; letter of S. Gross, 6/9/81).
27. H.B.P.A. FINGER LAKES DIVISION - DRUG RULES. The Board denied request by the Horsemen's Benevolent Protective Association, Inc. to waive certain drug rules, however a letter was written by Jake Iberger advising the H.B.P.A. of the implementation of the new rule (memo of J. Iberger, 6/17/81; letter of W. Kellman, 6/12/81).
28. OMITTED.
29. CATSKILL OTB - Relocate and Expand its Johnson City OTB Parlors. The Board approved the request by Catskill OTB to relocate its Johnson City OTB parlor and also to expand this new location (memo of N. Rudolph, 6/18/81; letter of S. Curiale, 6/16/81).

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30. HEARING OFFICER REPORT IN THE MATTER OF EDDIE BELMONTE. The Board approved the revocation of license of Eddie Belmonte, Jockey agent, with the conclusion that Eddie Belmonte, respondent, did solicit Benjamin Feliciano, to hold back his horse in the ninth race of August 6, 1974 and in the seventh race of August 20, 1974 at Saratoga Race Course (memo B. Sarafan, 6/22/81; Hearing Officer Report of J. Van Lindt, Bertram D. Sarafan and Joseph C. O'Dea, June 1981).
31. YONKERS RACEWAY - Fair - July 14th and 16th. The Board approved the request of Yonkers Raceway for a fair the week of July 12, 1981 at Yonkers and to hold Roosevelt qualifying races at Yonkers (memo of J. Iberger, 6/23/81).
32. VERNON DOWNS - The Hambletonian Society for the Hanover and Hempt Farm Stakes #22 and #23 to be raced in the years 1981 - 1983. The Board deferred the request by Vernon of the submitted agreement between Vernon Downs and the Hambletonian Society for the Hanover and Hempt Farm Stakes #22 and #23 (letter of F. White, 6/9/81; conditions; letter of S. Curiale, 6/16/81).
33. HEARING OFFICER REPORT IN THE MATTER OF LEWIS E. MCCALL. The Board approved the confirmation of suspension of trainer's license of Lewis E. McCall for 45 days for violation of rule 4042.3. (memo of B. Sarafan, 6/24/81; Hearing Officer Report of B. Sarafan, 6/23/81).

D. FOR BOARD INFORMATION AND DISCUSSION:

1. N.Y.S. Register, Emergency Agency Action - re: Payoffs Method Involving Coupled Entries in Thoroughbred, Harness and Quarter Horse Racing. 6/3/81.
2. N.Y.S. Register, Proposed Agency Action - re: Interfacing of Off-Track and On-Track Wagers, 6/10/81
3. N.Y.S. Register, Proposed Agency Action - re: Foreign Substances In Race Horses, 6/17/81

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1. Memo of N. Rudolph, 5/25/81 re: Delayed calls on Buffalo Raceway into WROTBC Branches: Change of Parlors
 2. Memo of J. Dailey, 6/3/81 re: Proposed Transmission Rules and Television
 3. Memo of N. Rudolph, 5/29/81 re: Discontinuation of Pick/4 on Sundays at Monticello by WROTBC.
 4. Letter of L. Doobin, 6/15/81 re: Monticello Raceway salute to Labor change

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5. Memo of N. Rudolph, 6/17/81 re: Harness Tax Credit Pursuant to Laws of 1978, Chapter 576, Section 7
6. Memo of N. Rudolph, 6/19/81 reP Observations on Capital OTB parlors
7. Letter of T. Davide, 6/22/81, re: Mr. George Fritz



MEMORANDUM

State of New York
Racing And Wagering Board

DATE: 7/7/81

TO: Thomas C. Davide, Secretary to the Board
FROM: Salvatore R. Curiale, Counsel *SK*
SUBJECT: JUNE MEETING - ITEM C-6

The rule 4120.5 (harness) is already an existing rule. The proposal on the agenda of last month's meeting was to have a rule in thoroughbred with the same language as is contained in the existing harness rule. This was at the request of the NYRA stewards.

Please adjust your minutes accordingly.

The new rule will, of course, be proposed under a thoroughbred number.

cc: John Van Lindt, Chairman
Richard F. Corbisiero, Jr., Executive Director
John M. Dailey, Director of Planning and Policy
Jacob Iberger, Chief of Racing Operations
Herman Kluge, Director of Investigations

att.

SRC:dm



MEMORANDUM

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June 30, 1981

State of New York
Racing And Wagering Board

TO: S. Curiale, Counsel ✓
FROM: Thomas C. Davide, Secretary to the Board
RE: PROPOSED RULE - 4102.5 (Harness) D

On June 29, 1981, The Board approved the submitted proposed rule 4102.5 relating to financial responsibility.

cc: J. Van Lindt
R. Corbisiero
J. Dailey
J. Iberger
H. Kluge