

MINUTES OF BOARD MEETING
HELD ON APRIL 30, 1984

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5/18/84
approved

A meeting of the New York State Racing and Wagering Board was held on April 30, 1984 at 10:30 a.m. at the Board office, 400 Broome Street, New York, New York, 10013.

The meeting being called on April 27, 1984, public notice of the meeting was given to the Associated Press and UPI and to the public by posting in the Board's lobby.

PRESENT: John Van Lindt, Chairman
Bertram Sarafan, Member
Michael Lee, Member

ALSO-PRESENT: Richard F. Corbisiero, Jr., Executive Director
John Dailey, Director of Policy and Planning
Victor A. Coccozziello, Director of Wagering Systems
David Vaughan, Counsel
Robert Feuerstein, Assistant Counsel
Ted Garrison, Assistant Counsel
Jacob Iberger, Chief of Racing Operations
Kenneth Beh, Director of Public Relations
Ed Leary, Assistant Chief of Audits and Investigations
and
Thomas C. Davide, Secretary to the Board

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A. MINUTES:

1. The Board approved the minutes of Board meeting held on March 30, 1984.

B. FOR ENTRY INTO THE MINUTES:

1. YONKERS RACEWAY - FAIR RACING. For entry into the minutes, the Board's prior approval of March 21, 1984 of request by Yonkers Raceway to have fair racing at Yonkers Raceway from May 24 until June 3, 1984.
2. NYRA - WESTCHESTER COUNTY HANDICAP. For entry into the minutes, the Board's prior approval of March 23, 1984 of request by New York Racing Association to hold a special promotion in connection with the Westchester County Handicap, scheduled for March 25, 1984, as outlined in NYRA's letter of March 16, 1984.
3. BATAVIA DOWNS - FREE ADMISSION PROMOTION. For entry into the minutes, the Board's prior approval of March 28, 1984 of request by Batavia Downs to offer free admission to the Senior Citizens on Senior Citizens night every Tuesday. They also requested permission to offer free admission to Rochester and Buffalo bus patrons on Wednesday and Thursday nights, both promotions to be retroactive to March 3, 1984 when they opened their 1984 spring race meet.
4. NEW YORK CITY OTB - GULFSTREAM PARK, INC. For entry into the minutes, the Board's prior approval of March 28, 1984 of request by New York City Off-Track Betting Corporation to enter into agreement with Gulfstream Park, Inc. to accept wagers on three special events: The Florida Derby (March 31, 1984), the Canadian Turf Handicap (April 7, 1984) and The Pan American Handicap (April 21, 1984).
5. NEW YORK CITY OTB - KENTUCKY JOCKEY CLUB, INC. For entry into the minutes, the Board's prior approval of March 28, 1984 of request by New York City Off-Track Betting Corporation to enter into agreement with The Kentucky Jockey Club, Inc. to accept wagers on the 1984 Jim Beam Stakes (April 1, 1984).
6. VERNON DOWNS - LICENSE AMENDMENT. For entry into the minutes, the Board's prior approval of March 28, 1984 of request by Vernon Downs to amend their license application as outlined in their letter of March 8, 1984.
7. NYRA - SUMMIT RACING CLUB. For entry into the minutes, the Board's prior approval of March 28, 1984 of request by New York Racing Association to enter into agreement with Summit Racing Club for the acceptance of pari-mutuel wagers on the 1984 Gotham Stakes on March 31, 1984, the Excelsior on April 14, 1984 and the Wood Memorial on April 21, 1984.

8. BATAVIA DOWNS - WESTERN REGION. For entry into the minutes, the Board's prior approval of March 28, 1984 of request by Batavia Downs to transmit "live calls" to Western Region Off-Track Betting Corporation parlors outside of a fifty-mile radius of Batavia Downs race track.
9. NEW YORK CITY OTB - MARYLAND JOCKEY CLUB. For entry into the minutes, the Board's prior approval of March 28, 1984 of request by New York City Off-Track Betting Corporation to enter into agreement with the Maryland Jockey Club (Pimlico) to accept wagers on races at Pimlico when NYRA is dark.
10. NYRA - SPORTSCHANNEL. For entry into the minutes, the Board's prior approval of March 28, 1984 of request by New York Racing Association for a two year contract between NYRA and SportsChannel Associates, as outlined in NYRA's letter of March 12, 1984.
11. NYRA - APPLEWAY. For entry into the minutes, the Board's prior approval of March 29, 1984 of request by New York Racing Association to enter into agreement with Appleway Leasing Incorporated, d/b/a Playfair Race Course for the right to accept pari-mutuel wagers on the 1984 Belmont Stakes on June 9, 1984.
12. NYRA - ARLINGTON PARK. For entry into the minutes, the Board's prior approval of March 29, 1984 of request by New York Racing Association to enter into agreement with Arlington Park Racetrack Corporation whereby NYRA would grant the right to accept pari-mutuel wagers on the 1984 Wood Memorial, scheduled to run on April 21, 1984.
13. NYRA - BELMONT STAKES AND WOOD MEMORIAL. For entry into the minutes, the Board's prior approval of March 29, 1984 of request by New York Racing Association to enter into agreement with Maywood Park and Quad City Downs for the right to accept pari-mutuel wagers on the 1984 Wood Memorial on April 21, 1984 and the 1984 Belmont Stake on June 9, 1984.
14. NYRA - DESERT PALACE. For entry into the minutes, the Board's prior approval of March 29, 1984 of request by New York Racing Association to extend the term of the initial agreement between NYRA and Desert Palace, Inc., d/b/a Caesars Palace for the simulcast of the audio-visual signal of the entire NYRA race card until December 31, 1984.
15. FINGER LAKES - PICK-SIX WAGERING. For entry into the minutes, the Board's prior denial of March 29, 1984 of request by Finger Lakes Racing Association to permit pick-six or "Super Six Jackpot" wagering at Finger Lakes.
16. FINGER LAKES - RACING OFFICIALS. For entry into the minutes, the Board's prior approval of March 29, 1984 of request by Finger Lakes Racing Association for approval of the roster of racing officials for the 1984 racing season at Finger Lakes Race Track.

17. SUFFOLK REGION OTB - ROOSEVELT. For entry into the minutes, the Board's prior approval of April 1, 1984 of request by Suffolk Region Off-Track Betting Corporation to broadcast live calls of Roosevelt races into six select branches and to extend evening hours in four other un-live call branches.
18. NEW YORK CITY OTB - CANADIAN TURF. For entry into the minutes, the Board's prior approval of March 29, 1984 of request by New York City Off-Track Betting Corporation to accept double exacta wagering on the Canadian Turf Handicap, April 7, 1984, in the event they are split into two divisions.
19. NEW YORK CITY OTB - FLORIDA DERBY AND JIM BEAM STAKES. For entry into the minutes, the Board's prior approval of March 30, 1984 of request by New York City Off-Track Betting Corporation to accept double exacta wagering in each of the two special events, the Florida Derby, March 31, 1984, and the Jim Beam Stakes, April 1, 1984.
20. NEW YORK CITY OTB - ROOSEVELT. For entry into the minutes, the Board's prior approval of April 1, 1984 of request by New York City Off-Track Betting Corporation to have live calls of Roosevelt races into six branches, April 2, 1984 thru June 15, 1984), as outlined in New York City OTB's letter of March 29, 1984.
21. FINGER LAKES - ADMISSION TICKETS. For entry into the minutes, the Board's prior approval of April 2, 1984 of request by Finger Lakes Racing Association for approval of the taxable admission tickets which were not included in their 1984 Renewal Track License Application, as outlined in their letter of March 28, 1984.
22. BATAVIA DOWNS - "APRIL FOOL PROMOTION". For entry into the minutes, the Board's prior approval of April 4, 1984 of request by Batavia Downs for free raffles for several \$100. drawings and a grand prize of a week stay in Fort Lauderdale, Florida.
23. APPRENTICE ALLOWANCE EXTENSION - JOCKEY RODNEY MARKGRAF. For entry into the minutes, the Board's prior approval of April 4, 1984 of request by Jockey Rodney Markgraf for a 121 day extension of his apprentice allowance to compensate for time lost due to an injury to his ribs and back received during a race on July 23, 1984.
24. CAPITAL REGION OTB - ROOSEVELT RACEWAY. For entry into the minutes, the Board's prior approval of April 11, 1984 of request by Capital Region Off-Track Betting Corporation to broadcast live calls of Roosevelt Raceway races into select parlors while Saratoga Raceway is dark.
25. CATSKILL OTB - ROOSEVELT. For entry into the minutes, the Board's prior approval of April 1, 1984 of request by Catskill Region Off-Track Betting Corporation to broadcast live calls of Roosevelt's meet of April 2, 1984 thru April 25, 1984 into fourteen selected branches, and afterwards, only on days when Monticello is dark.

26. NYRA - RACING OFFICIALS. For entry into the minutes, the Board's prior approval of April 18, 1984 of request by New York Racing Association to designate Robert Ewalt as Patrol Judge and Frand Calvarese as a Starter.
27. NYRA - ARIZONA DOWNS. For entry into the minutes, the Board's prior approval of April 18, 1984 of request by New York Racing Association to enter into agreement with Arizona Downs for the acceptance of pari-mutuel wagering on the 1984 Wood Memorial to be held on April 21, 1984.
28. BATAVIA DOWNS - EARLY WAGERING ON DAILY DOUBLE. For entry into the minutes, the Board's prior approval of April 18, 1984 of request by Batavia Downs to take advance betting on the first daily double during the previous night betting program.
29. NYRA - CONTINENTAL THOROUGHBRED RACING ASSOCIATION. For entry into the minutes, the Board's prior approval of April 19, 1984 of request by New York Racing Association to enter into agreement with Continental Thoroughbred Racing Association for the acceptance of pari-mutuel wagers on the 1984 Wood Memorial on April 21, 1984 and with the Cecil County Breeders' Fair, Inc., Odgen Fairmount, Inc., Maryland Jockey Club, and River Downs Racetrack for the acceptance of pari-mutuel wagers on the 1984 Belmont Stakes on June 9, 1984.
30. WESTERN REGION OTB - FINGER LAKES. For entry into the minutes, the Board's prior approval of April 19, 1984 of request by Western Region Off-Track Betting Corporation to broadcast the live call of the Finger Lakes Racing Association races into all branch offices during the 1984 racing season.
31. BUFFALO RACEWAY - PROMOTION FOR SUMMER MEETING. For entry into the minutes, the Board's prior approval of April 19, 1984 of request by Buffalo Raceway for various promotions involving free admission, etc. as outlined in its letter of April 5, 1984.
32. WESTERN REGION OTB - BUFFALO RACEWAY. For entry into the minutes, the Board's prior approval of April 25, 1984 of request by Western Region Off-Track Betting Corporation to transmit the live call of races from Buffalo Raceway into sixteen branches beginning on Thursday, April 26, 1984 and in addition to conduct late evening hours in these branches.

C. FOR BOARD APPROVAL:

1. NYRA - WKAJ AND SARATOGA. The Board approved the request by New York Racing Association to enter into agreement with radio station WKAJ, Saratoga Springs, New York whereby NYRA will provide the calls of its Saratoga races for broadcast by WKAJ on a thirty-minute delay.
2. HEARING OFFICER REPORT IN THE MATTER OF - DAVID L. LINKER. The Board approved the Hearing Officer's recommendation that the judges' official placing in the race be confirmed.

3. NEW YORK CITY OTB - MARYLAND JOCKEY CLUB. The Board approved the request by New York City Off-Track Betting Corporation to enter into agreement with the Maryland Jockey Club of Baltimore (Pimlico) to accept wagers on the 1984 Preakness Stakes to be held on May 19, 1984.
4. HEARING OFFICER REPORT IN THE MATTER OF - BERTRAM BELANGER. The Board confirmed the Hearing Officer's recommendation of a 60 day license suspension, taking into account the lack of evidence of intentional administration.
5. MONTICELLO RACEWAY - 30 DAY RULE WAIVER. The Board approved the request by Monticello Raceway to waive the requirements of rule 4311.5(a)(1) during the early part of Monticello's 1984 meeting.
6. RULE PROPOSAL - 5201.5. The Board deferred rule 5201.5, which was submitted for proposal.
7. RULE PROPOSAL - 5304.16 - OTB PARLORS - HOURS OF OPERATION. The Board approved rule 5304.16, which was submitted for proposal.
8. WESTERN REGION OTB - NEW DIRECTOR. The Board approved the request by Western Region Off-Track Betting Corporation to appoint Paul E. Scully as Director representing the City of Buffalo.
9. HEARING OFFICER REPORT IN THE MATTER OF - JACK RICHARDSON. The Board approved the Hearing Officer's recommendation that the action of the judges' in having suspended the license of Jack Richardson for 8 days and in also having disqualified his horse, "Farm County", from its second place finish to a placing of 8th and last, be confirmed.
10. HEARING OFFICER REPORT IN THE MATTER OF - PAWLING FIRE DEPARTMENT, INC. The Board confirmed the Hearing Officer's recommendation of a six month suspension of identification and license numbers, however, such suspension be suspended and that no license fees be forfeited.
11. REMOVED FROM AGENDA.
12. REMOVED FROM AGENDA.
13. NEW YORK CITY OTB - AMENDMENT RULES. The Board deferred the request by New York City Off-Track Betting Corporation to adopt an amendment to the Rules and Regulations of the New York City OTB pertaining to dead heats in a triple or a pick-four.
14. PROPOSED BINGO RULES. The Board approved the Bingo rule amendments, Section 5800.2, 5810.8, 5820.4, 5820.14, 5820.34, 5820.46, 5821.15, 5821.16 and 5821.17, which were submitted for proposal.
15. PROPOSED GAMES OF CHANCE RULES. The Board approved the Games of Chance rule amendments, Section 5602.7, 5602.9, 5606.12, 5607.27, 5620.2, 5620.5, 5620.8, 5620.13, 5620.15, 5621.3, 5622.3, 5622.5, 5622.7, 5622.9, 5622.12, 5622.20, 5622.23, 5624.2, 5624.10, 5624.15, 5624.16, 5624.21 and new parts 5626 and 5627 which were submitted for proposal.

16. ROOSEVELT RACEWAY ACQUISITION. The Board deferred the Certification of Incorporation of the American Racing Corporation concerning the purchase of Roosevelt Raceway, which was submitted.
17. NYRA - WGY/WGFM BROADCAST AGREEMENT. The Board approved the request by New York Racing Association to enter into agreement with WGY/WGFM regarding broadcast rights for the eighth race or feature race during the 1984 Saratoga Summer Meet.
18. NYRA - CHURCHILL DOWNS. The Board approved the request by New York Racing Association to enter into agreement with Churchill Downs Inc., Los Alamitos Race Course and Pocono Downs for the acceptance of pari-mutuel wagers on the 1984 Belmont Stakes on June 9, 1984; and with Prescott Downs for the acceptance of pari-mutuel wagers on the 1984 Metropolitan Handicap on May 28, 1984, the Belmont Stakes on June 9, 1984, the Whitney Handicap on August 4, 1984 and the Travers Stakes on August 18, 1984.
19. NYRA - COMMUNICATIONS TEAM. The Board approved the request by New York Racing Association to enter into agreement with Communications Team, Inc., under which NYRA shall provide thirty-five pairs of Clubhouse admission tickets to Belmont Park Racetrack during the period, May 9 thru July 30, 1984, as outlined in NYRA's letter of April 23, 1984.
20. NYRA - SUMMIT RACING CLUB. The Board approved the request by New York Racing Association to enter into agreement with Summit Racing Club, Inc., Thistledown Racing Club, Inc. and the Valley Turf Club, Inc. for the acceptance of pari-mutuel wagers on the races, as outlined in NYRA's letter of April 24, 1984.
21. SARATOGA RACEWAY - HAPPY HOUR. The Board approved the request by Saratoga Raceway to continue their "Happy Hour" promotion for the May 3rd thru November 17, 1984 meet.
22. RULE PROPOSAL - 4003.11 and 4101.6. The Board approved the rules 4003.11 and 4101.6, which were submitted for proposal.

D. FOR BOARD NOTICE AND INFORMATION:

1. NYS REGISTER - March 28, 1984, re: Use of Funds for Tracks - NOTED.
2. NYS REGISTER - April 11, 1984, re: Ownership of Thoroughbred Race Horses - NOTED.
3. Memo of P. Anderson to T. Davide, dated April 9, 1984, re: New York City OTB - Canadian Turf - NOTED.
4. Memo of E. Clarke to T. Davide, dated April 18, 1984, re: Western Region OTB - Relocation - NOTED.