

MINUTES OF ITS MEETING HELD OCTOBER 23, 1980

A meeting of the New York State Racing and Wagering Board was held on October 23, 1980, 10:30 a.m., at the Board Office, Two World Trade Center, N.Y., N.Y. 10047.

The meeting being called on September 19, 1980, public notice of the meeting was given to the Associate 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 and Planning; Dean Alfange, Director of Quarter Horse Racing; Victor Coccozziello, Director of Wagering Systems; Salvatore Curiale, Counsel; Kenneth Beh, Director of Public Relations; Domonic Coppotelli, Director of Bingo; Herman Kluge, Director of Licensing, and Investigations; Jacob Iberger, Chief of Racing Operations; Cyrill Rooks, Assistant Counsel; Theodore Garrison, Assistant Counsel; Nancy Rudolph, Assistant Counsel and Thomas C. Davide, Secretary to the Board.

- A. MINUTES: The Board approved the minutes of its meeting held September 23, 1980.
- B. FOR ENTRY INTO THE MINUTES:
1. WROTB - ADVANCED WAGERING ON FINGER LAKES FUTURITY. The Board's prior approval of September 18, 1980 of request by Western Regional Off-Track Betting Corporation, Inc. to accept advanced wagering Saturday, September 20, 1980 on the New York Breeder's Futurity, scheduled to be raced at Finger Lakes on Sunday, September 21, 1980.
  2. ROOSEVELT RACEWAY - DRIVERS CONTEST. The Board's prior approval of September 18, 1980 of request by Roosevelt Raceway to hold a Driver Contest among the eight favorite drivers voted by the fans from a ballot form printed in the program over a one-week period (September 22-27).
  3. MONTICELLO RACEWAY - LICENSE AMENDMENT - NUMBER OF RACES PER-DAY- CUT BACK. The Board's prior approval of September 30, 1980 of request by Monticello Raceway to return to 10 races nightly, commencing with Friday,

October 2, 1980 through closing day, October 5, 1980.

4. VERNON DOWNS - PROMOTIONS. The Board's prior approval of September 30, 1980 of request by Vernon Downs to conduct the following promotions: 1) Fan Appreciation Night, Friday, October 3rd; 2) Final Monday Bonus Ticket, Saturday, October 25th - details of these promotions are outlined in their letter of request dated, September 19, 1980.
5. FINGER LAKES - RED, WHITE AND BLUE DAY PROMOTION. The Board's prior approval of September 30, 1980 of request by Finger Lakes Race Track to have a "Red, White and Blue Day" promotion on Sunday, October 19, 1980.
6. VERNON DOWNS - LICENSE AMENDMENT. The Board's prior approval of September 30, 1980 of request by Vernon Downs to amend their track license with regard to the racing dates in October. The dates originally called for being dark on Mondays and Tuesdays during the month of October, except they will operate Monday through Saturday on closing week. They request to race on the following Tuesdays, October 7th, 14th and 21st and will continue their original plan to operate all week the closing week, mainly Monday, October 27th through Saturday, November 1st.
7. YONKERS RACEWAY - ADDITIONAL RACING DAYS. The Board's prior approval of September 30, 1980 of request by Yonkers Raceway for permission to amend their 1980 application for racing dates to add in addition to the 52 dates assigned from October 30 to December 31, 1980, the following Sunday evening racing program: November 2nd, 9th, 16th, 23rd, 30th; December 7th, 14th, 21st and 28th, 1980.
8. MONTICELLO RACEWAY - RACING DAYS. The Board's prior approval of September 30, 1980 of request by Monticello Raceway for permission to amend their license application to include an additional 35 racing days, commencing as follows: November 14, 15, 16, 18, 21, 22, 23, 25, 26, 28, 29 and 30th. Also, December 2, 5, 6, 7, 9, 12, 13, 14, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31 and January 2, 3, and 4th, 1981.
9. MONTICELLO RACEWAY - Free-Daily Double. The Board's prior approval of September 30, 1980 of request by Monticello Raceway to give a Free-Daily Double ticket to each paying patron on Opening Night, November 14, 1980. Also, for the New York State Hunting Season commencing November 17, 1980 for a three (3) week period all hunters who will show their New York State hunting license at the admission gates will be admitted free to the raceway.

10. NASSAU/SUFFOLK PROMOTION OF SILVER SPOON RACING SERIES AT ROOSEVELT RACEWAY. The Board's prior approval of September 30, 1980 of request by Nassau and Suffolk County Regional Off-Track Betting Corporations, to co-sponsor the Silver Spoon Series of races for 2-year olds at Roosevelt Raceway.
11. SARATOGA RACEWAY - GENERAL ADMISSION TAX EXEMPT PASSES. The Board's prior approval of September 30, 1980 of request by Saratoga Raceway to offer a promotion in which 2000 general admission tax exempt passes will be distributed to listeners of radio station WKOL.
12. NYCOTB - DELAYED AUDIO BROADCASTS FROM CALDER RACE COURSE. The Board's prior approval of September 30, 1980 of request by New York City Off-Track Betting Corporation, Inc. to provide delayed audio broadcasts of the race calls from Calder Race Course on "dark" Tuesdays and on any other days when racing might be cancelled at NYRA from October 21, 1980 and continuing through December 31, 1980.
13. SIMULCASTING NYRA - ENGLAND. The Board's prior approval of September 30, 1980 of request by NYRA to televise their races live on October 25, 1980 from 2 p.m. until approximately 6:30 p.m. into the Westmoreland Hotel (Owned by Landbroke, which is located in London).
14. WIN BETTING ON MESSENGER STAKES - ROOSEVELT RACEWAY. The Board's prior approval of October 10, 1980 of request by Roosevelt Raceway to conduct win betting only in the Messenger Stakes (5th race, Saturday, October 11, 1980) necessitating waiver of rule 4122.12.
15. NIATROSS - MESSENGER STAKES - ROOSEVELT RACEWAY - October 11, 1980. The Board's prior approval of October 8, 1980 of request by Louis P. Guida to waive the following rules: 4107.2 and 411.30 with regard to the horse Niatross and its ownership, in relation to the Messenger Stakes at Roosevelt Raceway on Saturday, October 11, 1980 and on any other races that Niatross may race in up until December 31, 1980.
16. BATAVIA DOWNS - MONDAY NIGHT PROMOTION. The Board's prior approval of October 21, 1980 of request by Batavia Downs to conduct a promotion for every Monday night, as outlined in their letter of request dated, October 3, 1980.

C. FOR BOARD APPROVAL:

1. VERNON DOWNS - STAKES RACES. The Board deferred action on this matter until a later date.

2. FIVE-SIX RULES. The Board voted not to finally adopt the rules permitting 5-6 wagering which were promulgated by the Board on an emergency basis and became effective temporarily upon filing with the Secretary of State. They were published in the September 1, 1980 issue of the New York State Register. With out the final adoption and filing of these rules they will automatically terminate on November 10, 1980.
3. YONKERS RACEWAY - QUINELLA WAGERING. The Board approved request by Yonkers Raceway for the reconsideration of their application to conduct Quinella wagering in the second race on each racing date between October 30 and December 31, 1980.
4. TATOO RULE. The Board approved for filing the proposed rule 4024.1(b)(1).
5. APPRENTICE JOCKEY - Robert T. Attanasio. The Board approved request by Apprentice Jockey Robert T. Attanasio for an extension of his apprenticeship. Mr. Attanasio was injured on 8/16/80 and reinstated on 9/6/80, losing twenty (20) days. Mr. Attanasio's apprentice allowance originally expired on 2/17/81, with the Board's approval of his request for an extension, Mr. Attanasio's apprentice allowance now will expire on 3/9/81.
6. FINGER LAKES - PREPAID TICKETS. The Board approved request by Finger Lakes Race Track for permission to commence selling books of Prepaid Tickets for their 1981 racing season. The books will each contain 10 tickets and will sell for \$15.00.
7. MONTICELLO RACEWAY - 1981 RACING DATES. The Board approved request by Monticello Raceway to have the following schedule of racing days for their 1981 racing season; Thursday, April 30; May 1,2,3,5,6,7,8,9,10,12,13,14, 15,16,17,19,20,21,22, 23,24,25 (Matinee),26,27,28,29,30 and 31st, June 2,3,4,5,6,7,9,10,11,12,13,14,16,17,18,19, 20,21,23,24,25,26,27,28 and 30th. July 1st - 31st inclusive; August 1st 31st inclusive; Sept. 1,2,3,4,5,6,7(Matinee), 8,11,12,13,15,18,19,20,22,25,26,27 and 29th; October 2,3 and 4th; November 20,21,22,23,24,25,27,28 and 29th. December 1,4,5,6,8,11,12,13,15,16,17,18,19,20,21,22,23,26 27,28,29,30 and 31st. The racing dates requested for up until the end of 1981 have been approved, January 2nd and 3rd, 1982 will have to be requested, in your application for 1982 racing dates.
8. CATSKILL OTB - 3 NEW BRANCH OFFICES. The Board approved request by Catskill Regional Off-Track Betting Corp., Inc. to amend its plan of operation of off-track betting branches at Route 59 Spring Valley, Route 34 Pearl River

and at Washington Avenue, in Endicott. They were further advised that the authorization to open Spring Valley and Pearl River is conditioned upon the simultaneous closing of the branch at Route 59 Nanuet and the authorization to open Endicott is conditioned upon the closing of the Endwell branch located at 2717 East Main Street within five months. The actual opening and closing dates of the aforesaid branches must be furnished to the Board at such time.

9. MONTICELLO RACEWAY - WINTER MEET. The Board approved request by Monticello Raceway to waive the thirty day rule 4113.5(a)(1), during the winter meet commencing November 14, 1980 for a two week period. This will apply to those horses that did not race at any other track after the closing of Monticello Raceway on October 5, 1980.
10. NYRA - 1981 RACING DATES. The Board approved request by The New York Racing Association, Inc. for the approval of the following racing dates for their 1981 racing season: AQUEDUCT WINTER: Thursday, January 1 to Monday, March 16 - Closed Tuesdays; AQUEDUCT SPRING: Wednesday, March 18 to Monday, May 18 - Closed Tuesdays, except April 14 (closed Palm Sunday, April 12); April 21 (Closed Easter Sunday, April 19); BELMONT SPRING AND SUMMER: Wednesday, May 20 to Monday, July 27 - Closed Tuesdays; SARATOGA: Wednesday, July 29 to Monday, August 24; BELMONT FALL: Wednesday, August 26 to Monday, October 12 - Closed Tuesdays; AQUEDUCT FALL: Wednesday, October 14 to Thursday, December 31 - Closed Tuesdays except Election Day, November 3 (Closed November 4); December 22 (Closed Christmas Day, December 25).
11. CAPITAL OTB's REQUEST FOR THE LIVE CALL OF RACES FROM SARATOGA HARNESS. The Board deferred action on this matter until a later date.
12. HEARING OFFICER REPORT IN THE MATTER OF- CHARLES BACON (DRIVER- VERNON DOWNS). Batavia Downs - 3rd race, 8/30/80 - Interference - The Board affirmed the recommendation of Hearing Officer Rooks to confirm disqualification from 5th to placing of 8th; and to confirm 5 day suspension of license.
13. HEARING OFFICER REPORT IN THE MATTER OF - PAUL MESSINA - APPLICANT FOR HARNESS OWNER/ TRAINER, DRIVER LICENSE. The Board deferred action on this matter until a later date.
14. WROTB - RECONSIDERATION OF REQUEST TO OPEN AN ADDITIONAL BRANCH AT 2143 SENECA STREET, BUFFALO, N.Y. The Board approved request by Western Regional Off-Track Betting Corporation, Inc. to allow for an additional branch location at 2143 Seneca Street in Buffalo, New York.

15. NYCOTB - "PICK-FOUR" WAGERING. The Board deferred action on this matter until a later date.
16. YONKERS RACEWAY - PICK-FOUR. The Board deferred action on this matter until a later date.
17. HEARING OFFICER REPORT IN THE MATTER OF - PHIL LASPINO (DRIVER - BATAVIA). Batavia Downs - August 6, 1980 - 11th race - Interference. The Board affirmed recommendation of Hearing Officer Rooks to confirm disqualification from 3rd to placing of 7th and confirmed 5 day suspension of license.
18. HEARING OFFICER REPORT IN THE MATTER OF - RUSSELL FRANTZ (DRIVER- BATAVIA). Batavia Downs - 11th race on August 30, 1980 - Interference. The Board affirmed recommendation of Hearing Officer Rooks to confirm 5 day suspension of license.
19. HEARING OFFICER REPORT IN THE MATTER OF - MEL SMORRA (TRAINER- ROOSEVELT). Roosevelt Raceway - September 1, 1980 7th race. Appeal on the official order of finish 7th race (Break by Del Insko's horse). The Board affirmed recommendation of Hearing Officer Rooks to reverse judge's decision on official order of finish - to disqualify breaking horse and place it behind offended horses.
20. HEARING OFFICER REPORT IN THE MATTER OF - PAUL CHAMBERS (DRIVER- VERNON DOWNS). Vernon Downs - 6th Race, August 15, 1980 - Slow 2nd quarter. The Board affirmed the recommendation of Hearing Officer Rooks to confirm 5 day suspension of license.
21. NYCOTB- LAUREL RACE COURSE - OUT-OF-STATE WAGERING ON SATURDAY, November 8, 1980 (The Washington D.C. International). The Board approved request by New York City Off-Track Betting Corporation, Inc. to accept wagers on the following out-of-state thoroughbred race in accordance with the provisions of Subdivision 6 of Chapter 346 of Laws of 1973 as amended by Subdivision 6 of Chapter 576 of Laws of 1978: The Washington D.C. International to be run at Laurel Race Course in Laurel, Maryland on Saturday, November 8, 1980.
22. CAPITAL DISTRICT OFF-TRACK BETTING CORPORATION, INC. - "WALK-UP WINDOW MICRO BRANCH"- IN SCHENECTADY. The Board approved request by Capital District Off-Track Betting Corporation, Inc. to amend their plan of operation to allow for an isolated walk-up window branch at 1775 Van Vranken Avenue, Schenectady, New York on an experimental basis for one year. This approval is conditioned upon Capital District's filing quarterly reports to the Board on the operation of this walk-up window branch.

23. NYCOTB- OFF-TRACK LATE DAILY DOUBLE- YONKERS RACEWAY. The Board deferred action on this matter pending, letter from Yonkers Raceway.
24. YONKERS RACEWAY AND ROOSEVELT RACEWAY - 1981 RACING DATES. The Board approved request by Yonkers and Roosevelt Raceways for the following schedules of racing dates for their 1981 racing season: YONKERS RACEWAY: 1/1/81 through 1/17/81; 4/6/81 through 6/17/81; 8/10/81 through 11/7/81; ROOSEVELT RACEWAY: 1/19/81 through 4/4/81; 6/18/81 through 8/8/81; 11/9/81 through 12/31/81.

D. FOR BOARD NOTICE AND DISCUSSION:

1. Agency Action, 10/1/80, N.Y.S. Register re: Charge to Participate in Special Bingo Games by Licensed Bingo Organizations. NOTED
2. Letter of S. Gross, 9/24/80, re: NYRA terminated Pick Five-Six. NOTED
3. Letter of W. B. Hopkins, 9/18/80 re: Roosevelt Raceway consents request by NYCOTB to conduct an exclusive off-track late daily double. NOTED
4. Memo of N. Rudolph, 9/29/80 re: Promotion by WROTB. NOTED
5. Memo of N. Rudolph, 9/29/80 re: Promotion by WROTB- Monday Nights at Batavia. NOTED
6. Letter of M. Lieberman, 10/7/80 re: NYRA discontinue its experimental Early Bird betting program. NOTED
7. Letter of D. Etkin, 10/9/80 re: NYRA - Capital District Live Calls. NOTED
8. Letter of D. Etkin, 10/13/80 re: Capital District - live race calls from Saratoga Harness. NOTED
9. Letter of J. Campbell, 10/16/80 re: Niatross. NOTED
10. Memo of N. Rudolph, 10/16/80 re: Objection by Batavia Downs. NOTED
11. Letter of J. Keenan, 10/1/80 re: CDOTBC - Monticello Pick-Four. NOTED