

MINUTES OF ITS MEETING HELD NOVEMBER 19, 1980

A meeting of the New York State Racing and Wagering Board was held on November 19, 1980, 10:30 a.m., at the Board Office, Two World Trade Center, New York, N.Y. 10047.

The meeting being called on November 17, 1980, 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 and Planning; Dean Alfange, Director of Quarter Horse Racing; Victor Coccozziello, Director of Wagering Systems; Salvatore Curiale, Counsel; Kenneth Beh, Director of Public Relations; Dr. N. Lewis, State Racing Veterinarian; Dominic 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:**

1. The Board approved the minutes of its meeting held October 22, 1980

**B. FOR ENTRY INTO THE MINUTES:**

1. WROTB - NYRA - FINGER LAKES SPECIAL BETTING DISTRICT. The Board's prior denial of November 3, 1980 of the transmission of certain racing information from NYRA into those branches inside the Finger Lakes Special Betting District on days when Finger Lakes is conducting a meet, such information included the broadcast of the NYRA races and unofficial results of each NYRA race only. It is Western Region's desire to continue offering the delayed call of NYRA's races into those branches restricted from wagering on NYRA while Finger Lakes is racing.
2. NYCOTB - "Pick-Four" Wagering. The Board's prior approval of October 28, 1980 of request by New York City Off-Track Betting Corp., Inc. to continue the Pick-Four wager at Yonkers Raceway during its upcoming meeting.
3. NYCOTB - Off-Track Late Daily Double - Yonkers. The Board's prior approval of October 28, 1980 of request by NYCOTB to conduct an exclusive off-track late daily

double wager at Yonkers Raceway beginning Thursday, October 30, 1980.

4. NYCOTB - Waive Triple Field Requirements. The Board's prior approval of November 6, 1980 of request by New York City Off-Track Betting Corporation, Inc. to waive the triple field requirement in the 8th race at The Washington International (Laurel Race Course) in Maryland on Saturday, November 8, 1980.
  5. NYCOTB - Waive the Triple Field Requirement (10th race, Calder Race Course, 11/4/80). The Board's prior approval of November 4, 1980 of request by New York City Off-Track Betting Corporation, Inc. to waive the triple field requirement for, at least, 10 horses in any wagering involving the triple in the 10th race at Calder Race Course on November 5, 1980. At least seven horses will start in the 10th race.
  6. NYCOTB - Pick-Four Wagers at Monticello Raceway. The Board's prior approval of November 12, 1980 of request by New York City Off-Track Betting Corp., Inc. to accept Pick-Four wagers at Monticello Raceway on Fridays and Sundays during their upcoming Winter meeting (November 14, 1980 - January 4, 1981).
  7. WORKER'S COMPENSATION DECISION. The Board's prior decision of November 12, 1980 relating to - rule 4006.3, requiring thoroughbred owners to provide worker's compensation insurance coverage for jockeys who ride their horses in races at this state's thoroughbred race tracks.
- C. FOR BOARD APPROVAL:
1. HEARING OFFICER REPORT IN THE MATTER OF - Allen Cantor. This was a proceeding to review the refusal of licensee Allen Cantor as an owner-trainer by the Division of Harness Racing for the year 1980 by notice dated May 15, 1980. The Board adopted the hearing officer's recommendations to deny an owner-trainer's license to Mr. Cantor.
  2. HEARING OFFICER REPORT IN THE MATTER OF - Richard Mays (Driver). The Board adopted recommendation of Hearing Officer to confirm the five day suspension of driver's license suspension and confirm disqualification from 1st to placing of 7th.
  3. HEARING OFFICER REPORT IN THE MATTER OF - John Heffley (Trainer). The Board adopted recommendation of Hearing Officer to confirm disqualification from 2nd to placing of 4th.

4. HEARING OFFICER REPORT IN THE MATTER OF - Al Mariacher (Owner). The Board adopted recommendation of Hearing Officer to confirm five day driver's license suspension; and confirm disqualification from 2nd to placing of 4th.
5. HEARING OFFICER REPORT IN THE MATTER OF - Frank Marotta (Trainer). The Board adopted recommendation of Hearing Officer to confirm \$50.00 fine for violation of Paddock rule.
6. HEARING OFFICER REPORT IN THE MATTER OF - Jose Delgado (Driver). The Board adopted recommendation of Hearing Officer to confirm five day driver's license suspension and confirm disqualification from 4th to placing of 8th.
7. HEARING OFFICER REPORT IN THE MATTER OF - Don Holmes. The Board adopted recommendation of Hearing Officer to confirm disqualification from 5th to placing of 6th in violation of the breaking rule.
8. HEARING OFFICER REPORT IN THE MATTER OF - Salvatore Buda (Driver). The Board adopted recommendation of Hearing Officer to confirm disqualification from 4th to placing of 6th.
9. HEARING OFFICER REPORT IN THE MATTER OF - Albert Kucel (Owner). The Board adopted recommendation of Hearing Officer to confirm disqualification from 1st to placing of 5th in violation of the breaking rule.
10. VERNON DOWNS - STAKES RACES. The Board approved request by Vernon Downs for the submitted revised conditions for the following stakes to be raced at Vernon Downs in 1982 and 1983: 1) Breeders Filly Stake #30, 2) Thomas P. Gaines Memorial Stake #12, 3) Founders Gold Cup Stakes #13.
11. SARATOGA HARNESS - HORSEPLAYER'S CLUB. The Board approved request by Saratoga Harness to reinstitute the promotion entitled "Saratoga Harness Horseplayer's Club" on the date of Saturday, November 22, 1980.
12. FINGER LAKES - 10 RACE CARDS - 1981 RACING SEASON. The Board approved request by Finger Lakes Racing Association, Inc. for the approval of a list of days in 1981 in which they propose to schedule 10-race programs at Finger Lakes Race Track.
13. FINGER LAKES RACE TRACK - 1981 RACING DATES. The Board approved request by Finger Lakes Race Track for the approval of the submitted schedule for their 1981 racing season, as outlined in their letter of request dated October 29, 1980.

14. YONKERS RACEWAY - 1981 RACING DATES (SUNDAYS). The Board deferred action on this matter until a later date.
15. SUFFOLK QTB - Relocate 1043 Montauk Highway Branch. The Board deferred action on this matter until a later date.
16. MONTICELLO RACEWAY - WINTER MEET, ADDITIONAL PROMOTIONS. The Board approved request by Monticello Raceway for the approval of the following two additional promotions during the Winter Meet commencing November 14, 1980 through January 4, 1981: 1. On Thanksgiving eve, November 26, 1980 the track will admit FREE any college student who presents Proof that he is a College Student; 2. In connection with Pearl Harbor Day, Sunday, December 7th, they are again hosting Castle Point Veterans and in connection with Pearl Harbor Day they will admit FREE any World War II veteran, who can present some kind of identification that he is a World War II veteran.
17. WROTB - Pick-3 WAGERING ON WEDNESDAY, NOVEMBER 26, 1980 AT BATAVIA DOWNS. The Board approved request by Western Regional Off-Track Betting Corporation, Inc. for an alternate day to conduct Pick-Three wagering due to the fact that on Thanksgiving Day, Thursday, November 27, 1980, a normally scheduled Pick-Three day, Batavia Downs will not conduct a meet.
18. WROTB - AMERICAN CABLEVISION OF ROCHESTER. The Board conditionally approved request by Western Regional Off-Track Betting Corporation, Inc. to enter into negotiations with American Cablevision of Rochester in order to establish a daily televised racing information program. The Board also proposed rules relating to the transmission of racing information which affects this approval and which will be forwarded to WROTB under separate cover. In accordance with these proposed rules, this approval is subject to the following limitations: 1) The Board must approve all contracts and agreements and any amendments thereto affecting this request. Such contracts and agreements shall not be effective without such approval. 2) This cablevision channel, at least at this time, may carry only racing information, excluding live and delayed calls, audio or video, and excluding odds. 3) The cablevision channel may broadcast only within areas which participate in off-track betting and only within such areas that can accept wagers on the races whose information is broadcasted. 4) The regional tracks whose racing information is to be broadcasted via the cable must be notified and their comments must be filed with the Board.

19a. "Pick-Three" rules - 5210.3(b) and 5210.4. Rules for Pick-Three wagering by Off-Track Betting Corporations were adopted on an emergency basis. 19b. WROTB - Pick-Three Wagering - Buffalo Raceway. The Board approved request by Western Regional Off-Track Betting Corporation to conduct Pick-Three wagering at Buffalo Raceway beginning with the commencement of their meet, Sunday, November 30, 1980. Pick-Three wagering will commence Tuesday, December 2nd and run through the conclusion of Buffalo Raceway's meet. Such wagering will be conducted on Tuesdays and Fridays.

20. WROTB - Exclusive Quinella Wager - Buffalo Raceway. The Board approved request by Western Regional Off-Track Betting Corporation, Inc. to establish OTB exclusive quinella wagering on races to be conducted at Buffalo Raceway, commencing with the track's meet Sunday, November 30, 1980. Such quinella pools will be established on the following races: 2, 3, 5, 7 and 9 on an experimental basis up until and including the last day of the Buffalo Raceway meet, December 30, 1980.

21. HEARING OFFICER REPORT IN THE MATTER OF - Paul Messina - Applicant for Harness Owner-Trainer-Driver License. Mr. Bertram D. Sarafan, Member; and Dr. Joseph O'Dea, Member voted to disapprove recommendation of hearing officer to grant a 1980 Harness Owner-Trainer-Driver License to Mr. Messina.

The Members voted to confirm the Division of Licensing decision and deny a license. Chairman Van Lindt disqualified himself from the voting.

22. NYRA - DIRECT MAILING PROMOTION. The Board approved request by The New York Racing Association, Inc. in connection with a direct mailing list promotion in December, 1980 to include nine (9) free Grandstand admission coupons in an individualized letter which will be directed to recipients of its regular promotional literature.

23. SARATOGA HARNESS - "Fan Appreciation Night". The Board approved request by Saratoga Harness Racing to give free clubhouse and grandstand admission to their patrons on the night of Thursday, November 20, 1980, as part of Saratoga Harness "Fan Appreciation Night".

24. FINGER LAKES - INSTALLATION OF TELETIMER. The Board approved request by Finger Lakes Race Track to install a timing system at Finger Lakes Race Track, by American Teletimer Corporation of New York, New York. This approval is contingent upon the inspection of this system by Mr. Jacob Iberger, Chief of Racing Operations.

25. WROTb - ADDITIONAL BRANCH - RIPLEY, N.Y.. The Board approved request by WROTb to amend their plan of operation to include a branch office located in Ripley, New York. This is being approved on a six (6) month experimental basis.
26. PROPOSED RULES - 4004.3, 4004.4, 4004.5, 4004.6, 4123.1, 4123.2, 4123.3, 4123.4, 4210.3, 4210.4, 4210.5, 4210.6 and 5203.13. The above listed rules relating to transmission of racing information were proposed by the Board.
27. BATAVIA DOWNS - 1981 RACING DATES. The Board approved request by Batavia Downs for the submitted schedule of racing dates for their 1981 racing season, as outlined in their letter of request dated, November 13, 1980.

D. FOR BOARD NOTICE AND DISCUSSION:

1. Agency Action, N.Y.S. Register, 10/15/80 re: Filing of Quarterly Summary Statements by Licensed Bingo Organizations. NOTED
2. Agency Action, N.Y.S. Register, 10/29/80 re: Payments of Pari-Mutuel Statutory Percentage to the Three Breeding Funds. NOTED
3. Memo of J. Iberger, 10/21/80 re: Moneymatic — Saratoga Raceway. NOTED
4. Letter of J. Summers, 10/15/80 re: Aqueduct Race Track-Trackside Dining Room Clubhouse Alterations. NOTED
5. Memo of N. Rudolph, 11/7/80 re: NYRA's Comments on Capital's Walk-Up Window Branch. NOTED
6. Letter of F. White, 10/23/80 re: Proposals. NOTED
7. Letter of J. Monahan, 10/17/80 re: Executive Director. NOTED
8. Memo of N. Rudolph, 11/7/80 re: Catskill Promotion. NOTED