

MINUTES OF ITS MEETING HELD JANUARY 20, 1981

A meeting of the New York State Racing and Wagering Board was held on January 20, 1981, 10:30 a.m., at the Board Office, Two World Trade Center, New York, N.Y. 10047.

The meeting being called on January 16, 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 and Planning; Dean Alfange, Director of Quarter Horse Racing; Victor Cocozziello, Director of Wagering Systems; Salvatore Curiale, Counsel; Kenneth Beh, Director of Public Relations; Dr. N. Lewis, Chief State Racing Veterinarian; Dominic Coppotelli, Director of Bingo; Herman Kluge, Director of Licensing and Investigations; Jacob Iberger, Chief of Racing Operations; Cy Rooks, Assistant Counsel; Theodore Garrison, Assistant Counsel; David B. Vaughan, 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 December 17, 1980.

B. FOR ENTRY INTO THE MINUTES:

1. MONTICELLO RACEWAY - PROMOTION. The Board's prior approval of December 19, 1980 of request by Monticello Raceway for permission to offer their patrons FREE ADMISSIONS and FREE PARKING for the last three (3) days of this meeting commencing with Friday, January 2, Saturday, January 3 and Sunday afternoon, January 4, 1981.
2. BUFFALO RACEWAY - LICENSE AMENDMENT. The Board's prior approval of December 19, 1980 of request by Buffalo Raceway to program eleven (11) races per night rather than the present ten (10) races per night.
3. NYCOTB - Pick-Four/Yonkers. The Board's prior approval of December 23, 1980 of request by New York City Off-Track Betting Corporation, Inc. to continue the Pick-Four wager at Yonkers Raceway during its upcoming meeting (January 1, 1981-January 17,

1981).

4. NYRA/REDUCED ADMISSION PROGRAM. The Board's prior approval of December 23, 1980 of request by The New York Racing Association, Inc. to conduct a reduced admission program as outlined in their letter of request dated December 17, 1980.
5. APPRENTICE JOCKEY - Tony McNeil. The Board's prior approval of December 19, 1980 of request by Apprentice Jockey Tony McNeil for an extension of his apprenticeship.
6. APPRENTICE JOCKEY - Alan E. McChesney, Jr. The Board's prior approval of December 19, 1980 of request by Apprentice Jockey Alan E. McChesney, Jr. for an extension of his apprenticeship.
7. IN THE MATTER OF - Rejean Daigneault (Driver) - ORDER. The Board's prior approval of December 23, 1980 of the submitted ORDER In the Matter of Rejean Daigneault dated, December 23, 1980.
8. NYCOTB - Out-of-State Wagering. The Board's prior approval of December 29, 1980 of request by New York City Off-Track Betting Corporation, Inc. to accept wagers on races run at the following out-of-state tracks, on days when NYRA is dark: 1) Keystone Race Track; 2) Calder Race Course; 3) Gulfstream Park; 4) Hialeah Park.
9. NYCOTB - Delayed Audio Broadcasts - Out-of-State Race Calls from Keystone, Calder, Gulfstream or Hialeah in Conjunction with Out-of-State Wagering. The Board's prior approval of December 29, 1980 of request by New York City Off-Track Betting Corporation, Inc. to provide delayed audio broadcasts of the race calls from Keystone on "dark" Tuesdays and on any other days when racing might be cancelled at a NYRA track from January 1, 1981 and continuing through May 31, 1981.
10. DESIGNATION PURSUANT TO SECTION 8162(9) OF THE UNCONSOLIDATED LAWS. The Board's prior approval of December 29, 1980 of: Pursuant to Section 8162(9), designated 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.
11. NYCOTB - Pick-4 Wagering - KEYSTONE. The Board's prior approval of December 31, 1980 of request by NYCOTB to conduct Pick-4 wagering on thoroughbred racing at Keystone Race Track on Tuesday, January 6, 1981 and all successive dates when NYRA is scheduled to be "dark" until the end of calendar year 1981.
12. BUFFALO RACEWAY - 1981 RACING DATES - CHANGE. The Board's prior approval of December 21, 1980 of request by Buffalo Raceway to change certain racing dates for the 1981 Winter Meeting from Sunday to Monday - with post parade at 7:30 p.m.

13. NYCOTB - CONTINUE PICK-4 AND LATE DAILY DOUBLE WAGERING AT ROOSEVELT RACEWAY. The Board's prior approval of January 12, 1981 of request by NYCOTB to continue the Pick-Four wager at Roosevelt Raceway during its upcoming meeting.
14. APPRENTICE JOCKEY - Karen L. Rogers. The Board's prior approval of January 9, 1981 of request by Apprentice Jockey Karen L. Rogers for an extension of her apprenticeship.
15. HEARING OFFICER REPORT IN THE MATTER OF - Simon M. Pessin. The Board's prior adoption of January 15, 1981 of recommendation of Hearing Officer that the suspension of veterinarian license of Mr. Simon M. Pessin be confirmed.

C. FOR BOARD APPROVAL:

1. FINGER LAKES/KENTUCKY DERBY. The Board denied request by Finger Lakes Race Track to take wagers on the Kentucky Derby to be held on May 2, 1981.
2. ROOSEVELT RACEWAY - PROPOSED CONDITIONS - 1981 PETER HAUGHTON MEMORIAL PACE & JOHN CHAPMAN MEMORIAL PACE, EARLY CLOSING EVENTS FOR TWO-YEAR OLDS. The Board approved request by Roosevelt Raceway (in accordance with Section 4111.23 subdivision (a), of the harness rules), for the approval of the submitted proposed conditions for the 1981 PETER HAUGHTON MEMORIAL PACE and JOHN CHAPMAN MEMORIAL PACE, Early Closing Events for Two-Year-Olds.
3. 1981 GEORGE MORTON LEVY MEMORIAL PACE - Roosevelt Raceway. The Board approved request by Roosevelt Raceway (in accordance with section 4111.23, subdivision (a), of the harness racing rules), for approval of the submitted proposed conditions for the 1981 GEORGE MORTON LEVY MEMORIAL PACE, LATE CLOSING EVENT.
4. PROGRAM INFORMATION . The Board deferred action on this matter until a later date.
5. NYRA - SALE OF SEASON ADMISSIONS. The Board approved request by The New York Racing Association, Inc. to offer season and race meeting admissions, for Clubhouse and Grandstand, at reduced prices.
6. YONKERS - OTB. The Board approved request by Yonkers Raceway for approval of the submitted conditions to an Early Closer which both Yonkers Raceway and O.T.B. are co-sponsoring.
7. OMITTED - REFER TO ITEM C:10
8. HEARING OFFICER REPORT IN THE MATTER OF - Bob Cottrell (Driver). Bob Cottrell (Driver) - Batavia Downs, 3rd race, 10/29/80 - Interference, rule 4117.4(f)- (Crowding a horse or driver or putting a wheel under him). The Board adopted recommendation to confirm five (5) day license suspension; also confirm

disqualification and placing from 4th to 5th.

9. PICK-THREE RULES (5210.3(b) and 5210.4). The Board approved for final adoption the submitted rules relating to Pick-3 wagering (5210.3(b) and 5210.4).
10. MONTICELLO RACEWAY - CHANGE OF 1981 RACING DATES. The Board approved request by Monticello Raceway to change part of the racing dates for the year 1981 as outlined in their letter of request dated December 31, 1980.
11. CATSKILL OTB - Corporate Headquarters. The Board approved request by Catskill Regional Off-Track Betting Corporation, Inc. to relocate its corporate branch to be located in the County of Rockland, as outlined in their letter of request dated, December 29, 1980.
12. HEARING OFFICER REPORT IN THE MATTER OF - Yvon C. Bordeleau. This was a proceeding to review the refusal of a Jockey Agent's license to Mr. Yvon C. Bordeleau by notice dated October 28, 1980. The Board adopted recommendation of Hearing Officer Vaughan that the Thoroughbred Racing Division's refusal of a Jockey Agent's license to Mr. Bordeleau be confirmed.
13. HEARING OFFICER REPORT IN THE MATTER OF - Alex Giuliani. The Board deferred action on this matter until a later date.
14. PROPOSED RULE - 4040.1. The Board deferred action on this matter until a later date.
15. WROTB - Pick-3 Promotions. The Board approved request by Western Regional Off-Track Betting Corporation, Inc. to give any wager on a "Pick-3" ticket, the opportunity to return the ticket to a branch operator and in return be given a key chain, shopping bag, or other miscellaneous novelty which will be minimal in cost.
16. NYCOTB - 3 Out-of-State Thoroughbred Races. The Board approved request by New York City Off-Track Betting Corporation, Inc. to accept wagers on three out-of-state thoroughbred races as outlined in their letter of request dated January 12, 1981.
17. CAPITAL OTB - BROADCAST DELAYED CALL OF RACES FROM SARATOGA HARNESS. The Board deferred action on this matter until a later date.
18. HEARING OFFICER REPORT IN THE MATTER OF - Sam Carubba (Driver).  
Sam Carubba (Driver) - Batavia Downs - 6th race, 9/26/80.  
Interference rule 4117.4(a) (Changing either to the right or the left when another horse is so near as to be caused to shorten stride, or to be taken back, or to break stride. The Board adopted recommendation of Hearing Officer Rooks to confirm five (5) day license suspension and also confirm disqualification from 2nd to placing of 8th.

19. HEARING OFFICER REPORT IN THE MATTER OF - Allan Waddell (Driver).  
Allan Waddell (Driver) - Batavia, 7th race, 9/22/80. Driving with lack of effort rule 4117.4(p). The Board adopted recommendation of Hearing Officer Rooks to confirm thirty (30) day license suspension.
20. MONTICELLO RACEWAY - Conventions - 1981. The Board approved request by Monticello Raceway to hold the listed conventions for the year 1981 as outlined in their letter of request dated January 8, 1981.
21. MONTICELLO RACEWAY - 1981 PROMOTIONS. The Board approved request by Monticello Raceway to conduct eight (8) promotions for the year 1981 as outlined in their letter of request dated January 7, 1981.
22. FINGER LAKES RACING ASSOCIATION, INC. - ANNUAL TRACK LICENSE APPLICATION (RENEWAL). The Board approved request by Finger Lakes Racing Association, Inc. for the renewal of its license to conduct pari-mutuel thoroughbred racing at its Canandaigua, New York Race Track for the year 1981.
23. MID-STATE RACEWAY, INC. - ANNUAL TRACK LICENSE APPLICATION (RENEWAL). The Board approved request by Mid-State Raceway, Inc. for the renewal of its license to conduct pari-mutuel harness racing at its Vernon, New York Raceway for the year 1981, this approval is contingent upon the completion of certain contracts, Interface and Horsemen's.
24. GENESEE MONROE RACING ASSOCIATION, INC. - ANNUAL TRACK LICENSE APPLICATION (RENEWAL). The Board approved request by Genesee Monroe Racing Association, Inc. for the renewal of its license to conduct pari-mutuel harness racing at its Batavia, New York Raceway for the year 1981.
25. ROOSEVELT RACEWAY, INC. - ANNUAL TRACK LICENSE APPLICATION (RENEWAL). The Board approved request by Roosevelt Raceway, Inc. for the renewal of its license to conduct pari-mutuel harness racing at its Westbury, New York Raceway for the year 1981.
26. SARATOGA HARNESS RACING, INC. - ANNUAL TRACK LICENSE APPLICATION (RENEWAL). The Board approved request by Saratoga Harness Racing, Inc. for the renewal of its license to conduct pari-mutuel harness racing at its Saratoga Springs, New York Race Track for the year 1981.
27. YONKERS RACEWAY - ANNUAL TRACK LICENSE APPLICATION (RENEWAL). The Board approved request by Yonkers Racing Corporation, Inc. for the renewal of its license to conduct pari-mutuel harness racing at its Yonkers, New York Raceway for the year 1981.
28. SULLIVAN COUNTY HARNESS RACING ASSOCIATION, INC. - ANNUAL TRACK LICENSE APPLICATION (RENEWAL). The Board approved request by

Sullivan County Harness Racing Association, Inc. for the renewal of its license to conduct pari-mutuel harness racing at its Monticello, New York Raceway, for the year 1981.

FOR BOARD NOTICE AND DISCUSSION:

1. Letter of J. Gannon, 12/10/80; re: WROTB - Mr. A. Hausbeck, resigned, Director on the Board representing Erie County - NOTED
  2. Letter of L. Doobin, 12/9/80; re: Monticello/NYCOTB - NOTED
  3. Memo of N. Rudolph, 1/7/81; re: NYCOTB - Calder Race Course on Wednesday, January 7, 1981 due to cancellation of races at Aqueduct - NOTED
  4. Memo of N. Rudolph, 1/7/81; re: Late Cancellation of Show Pool at Calder Race Course by NYCOTB - NOTED
  5. Memo of N. Rudolph, 1/6/81; re: Approval by Keystone and Pennsylvania Racing Commission for Delayed Calls - NOTED
  6. Memo of N. Rudolph, 1/6/81; re: Catskill OTB - Change of Directors - NOTED
  7. Memo of N. Rudolph, 1/13/81; re: Aqueduct Cancellation of January 7, 1981, NYCOTB et al Switch to Calder - NOTED
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New York State Register, Emergency Agency Action No Hearing Scheduled, 12/31/80 re: Pick-Three Wagering in the State of New York - NOTED

2. New York State Register, Proposed Agency Action, No Hearing Scheduled, 1/7/81 re: Transmission of Racing Information - NOTED