

MINUTES OF ITS MEETING HELD February 24, 1981

A meeting of the New York State Racing and Wagering Board was held on February 24, 1981, 10:30 a.m. at the Board Office, Two World Trade Center, New York, N.Y. 10047.

The meeting being called on February 20, 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 Coccozziello, 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 January 20, 1981.

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

1. SARATOGA RACEWAY - "WINTER HOLIDAY WEEKEND". The Board's prior approval of January 30, 1981 of request by Saratoga Harness to print 10,000 daily general admission tickets to be mailed to members of their Horseplayer's Club.
2. NYCOTB - Buffalo Raceway. The Board's prior approval of January 26, 1981 of request by NYCOTB to accept wagers on races run at Buffalo Raceway starting January 28, 1981 and extending throughout the period during which Roosevelt Raceway has suspended racing due to the labor dispute at said track.
3. APPRENTICE ALLOWANCE - Tomas Zamora. The Board's prior

approval of January 30, 1981 of request by Apprentice Jockey Tomas Zamora for an extension of his apprenticeship.

4. NYRA- FREE GRANDSTAND ADMISSION - 2/14/81. The Board's prior approval of January 30, 1981 of request by the New York Racing Association, Inc. - in conjunction with a February promotion to designate entry forms which will be distributed to patrons and may be exchanged for free Grandstand admission (or \$2.00 off Clubhouse admission) on Saturday, February 14, 1981.

C. FOR BOARD APPROVAL:

1. PROPOSED RULES ON STANDARDS AND QUALIFICATIONS OF LICENSEES IN THOROUGHBRED, HARNESS AND QUARTERHORSE. The Board deferred action on this matter until a later date.
2. CAPITAL OTB/SARATOGA HARNESS - BROADCAST DELAYED CALLS ON AN EXPERIMENTAL BASIS. The Board approved request by Capital District Off-Track Betting Corporation, Inc. for the delayed broadcast of races from Saratoga Harness into the following branch locations: 1) 2 in Schenectady County; 2) 1 in Montgomery County; 3) 4 in Albany County; 4) 1 in Rensselaer County and 5) 1 in Warren County, three nights a week on a delayed and experimental basis.
3. HEARING OFFICER REPORT IN THE MATTER OF - Alex Guiliani. Alex Guiliani, (Driver), Batavia Downs - 10th race of August 25, 1980. "indifference and lack of effort" in violation of rule 4117.4(p). The Board confirmed the suspension but increased period of suspension from 60 days to six months.
4. WROTBC & Local 235, S.E.I.U., AFL-CIO. The Board noted request by Western Regional Off-Track Betting Corporation, Inc. for the approval of the submitted agreement between WROTBC and Local 235, S.E.I.U., AFL-CIO. The Board advised WROTBC that this request does not require our approval, since it is not in the nature of a job security agreement. Accordingly they were directed to delete the reference requiring this Board's approval.
5. NYCOTB - Delayed Audio Calls from Hialeah on Tuesdays and NYRA's Dark Days. The Board deferred action on this matter until a later date.
6. WROTBC - Pick-Three Wagering/Batavia Downs. The Board deferred action on this matter until a later date.

7. HEARING OFFICER REPORT IN THE MATTER OF - Burley Clouston, II. This was a hearing to decide whether to grant or refuse licenses as an owner and trainer (thoroughbred) to Burley Clouston, II of Shortsville, New York. The Board adopted recommendations of Hearing Officer Sarafan to issue an order of refusal herein in both applications.
8. SPECIAL POLICEMEN - YONKERS RACEWAY. The Board approved request by Yonkers Raceway for the approval of the submitted list of Special Policemen for service at Yonkers Raceway, under the Authority of Section 8012a of the Pari-Mutuel Law, for the year 1981 inasmuch as the persons seem qualified.
9. ROOSEVELT RACEWAY - "Cash Call". The Board deferred action on this matter until a later date.
10. DISTRIBUTION OF WESTERN REGION'S BETTING PAMPHLET AND NASSAU/SUFFOLK'S LIPTON SURVEY. The Board denied request by Western Regional Off-Track Betting Corporation, Inc. to distribute the submitted booklet concerning Horse Racing Information, into their branches. The Board approved request by Nassau and Suffolk Regional Off-Track Betting Corporations to distribute the submitted Lipton Survey to their patrons.
11. 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 November 10, 1980, losing eighty-five (85) days. Mr. Attanasio's apprenticeship expires on March 9, 1981, it is being extended for an additional eighty-five (85) days to end on June 2, 1981.
12. JOCKEY CLUB - Appointment. The Board approved request by The Jockey Club for the approval of the submitted appointments for the 1981 Racing Season.
13. BUFFALO TROTTING ASSOCIATION, INC. - (Renewal) Annual Track License Application. The Board approved request by The Buffalo Trotting Association, Inc. for the submitted 1981 application for renewal of license to conduct pari-mutuel harness racing at the plant located at the Erie County Fair Grounds (Buffalo Raceway), Hamburg, New York.
14. WROTE/AMERICAN CABLEVISION OF ROCHESTER. The Board approved request by Western Regional Off-Track Betting Corporation, Inc. to contract with American Cablevision of Rochester for the leasing of cable television channel facilities in connection with their desire to establish a

daily televised racing information program within the Rochester metropolitan area. The race track whose information is to be broadcasted must file its written consent for such broadcasts with this Board. Finally this Board reserves the right to prohibit such advertising which in its judgement is improper.

15. HEARING OFFICER REPORT IN THE MATTER OF - Harry Levy (Applicant for Owner's License). This was a proceeding to review the decision of the Division of Racing which refused a 1980 thoroughbred racing owner's license to applicant Harry Levy by notice dated October 1, 1980. The Board adopted recommendations of Hearing Officer Rooks that the refusal of 1980 thoroughbred owner's licensed issued to Harry Levy, be confirmed.
16. RULES AND REGULATIONS OF NASSAU DOWNS OTB - Amendments. The Board denied the submitted amendments to the rules and regulations of Nassau Downs Off-Track Betting Corporation, Inc.
17. WROTB - Batavia Downs. Request by Western Regional Off-Track Betting Corporation, Inc. to transmit the call of the Batavia Downs races into any or all of the listed branch offices being proposed to remain open until 9:30 p.m. Monday, March 2, 1981. The Board deferred action on this matter until a later date.
18. WROTB-Quinella Wagering/Batavia Downs. The Board deferred action on this matter until a later date.
19. NYCOTB - Flamingo Stakes/Widener Handicap. The Board approved request by New York City Off-Track Betting Corporation, Inc. to enter negotiations to accept wagers on two out-of-state thoroughbred races in accordance with the provisions of Subdivision 6 of Chapter 346 Laws of 1973 as amended by Subdivision 6 of Chapter 576 Laws of 1978. - 1) The Flamingo Stakes - to be run at Hialeah Park in Hialeah, Florida on Saturday, March 28, 1981; 2) The Widener Handicap - to be run at Hialeah Park in Hialeah, Florida on Saturday, April 4, 1981. This approval is contingent upon the endorsement of this application from the management of Hialeah Park, Inc. and the State Florida Racing Commission.
20. HEARING OFFICER REPORT IN THE MATTER OF - The Appeal of Washington Heights Arcade, Inc. This was an appeal pursuant to Part 5831 of the Rules and Regulations of the New York State Racing and Wagering Board from a decision of the New York Department of Consumer Affairs, dated July 10, 1980. The Board adopted recommendation of Hearing Officer Garrison that the Board reverse the decision of the New York City Department of Consumer Affairs, dated July 10, 1980.

21. COUPLED ENTRY RULES (Pay-Offs). The Board deferred action on this matter until a later date.
22. PROPOSED DRUG RULES. The Board deferred action on this matter until a later date.

D. FOR BOARD NOTICE AND DISCUSSION:

- 1a. New York State Register, Agency Action re: Time of Closing of Pari-Mutuel Windows Accepting Wagers on the Daily Double -- NOTED
1. Memo of J. Iberger, 1/21/81 re: Starting Thoroughbred races with a mobile gate -- NOTED
2. Letter of J. Gannon, 1/15/81 re: Board of Directors WROTBC -- NOTED
3. Memo of N. Rudolph, 1/28/81 re: Pick-Four wagers on Out-Of-State Thoroughbred Tracks -- NOTED
4. Letter of R. Melican, 1/27/81 re: Jockey Club appointments 1981 -- NOTED
5. Memo of S. Curiale, 2/10/81 re: Proposed rules -- NOTED