

Minutes of Meeting of the New York  
State Racing and Wagering Board

Friday, June 8, 1979

10:30 A.M.

A meeting of the New York State Racing and Wagering Board was held on Friday, June 8, 1979 at the Board Office, Two World Trade Center, New York.

The meeting being called on Wednesday, June 6, 1979, 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: Bertram D. Sarafan, Member; Dr. Joseph O'Dea, Member

Also Present: John Van Lindt, Executive Director; John Dailey, Director of Racing and OTB; Victor Cocozziello, Counsel; Richard Corbisiero, Director of Wagering Systems; Dean Alfange, Director of Quarter Horse; Ken Beh, Director of Public Relations; Bernard Golar, Assistant Commissioner and Director of OTB Regulations; Lois A. White, Assistant Counsel; Ted Garrison, Assistant Counsel and Thomas C. Davide, Secretary to the Board.

- A. Minutes. The Board approved the minutes of its meeting held Thursday, May 3, 1979.
- B. For Entry Into the Minutes:
1. Sandino Hernandez, Jockey License. The Board's approval of the application of Sandino Hernandez to be licensed as a Jockey for 1979.
  2. Saratoga Raceway/Change of Daily Racing Card. The Board's approval of request of Saratoga Raceway for: A. Elimination of second daily double, held in the 8th and 9th races. B. Quinella wagering on the 6th, 7th, 8th and 9th races.
  3. Capital District OTB - Simulcasting. The Board's denial of the application of Capital District OTB to amend its Plan of Operation to allow the simulcasting of races from Saratoga Raceway.
  4. NYCOTB/Simulcast from Yonkers. The Board approved for entry into the minutes the Board's prior denial of request by NYCOTB to conduct live telecasting (simulcast) of racing from Yonkers Raceway, into three OTB branches on Staten Island, on a nightly basis.
  5. Radio Broadcasting/Saratoga Harness Track - Capital District OTB. The Board approved for entry into the minutes the Board's prior denial of radio broadcasting of live races from Saratoga Harness Track to Capital District OTB Branches.

6. Roosevelt Raceway/Main Line Renovations. The Board approved for entry into the minutes the Board's prior approval of request by Roosevelt Raceway to install a hung ceiling throughout the public areas, new lighting system and sound system throughout, and install vinyl asbestos tile throughout the entire floor. A copy of this request has been forwarded to the Board's consulting architect for his comments.
7. NYRA- Appointment of Steward. The Board approved for entry into the minutes the Board's prior approval of request by NYRA to name Gerard A. Burke as its Steward.
8. Monticello Raceway/Sullivan County Chamber of Commerce. The Board approved for entry into the minutes the Board's prior approval of request by Monticello Raceway to admit a group of approximately 150 persons, representing the Sullivan County Chamber of Commerce, free of charge on June 3, 1979.
9. Monticello Raceway/"Gasoline Raffle". The Board approved for entry into the minutes the Board's prior approval of request by Monticello Raceway to conduct a drawing on Wednesdays beginning May 16, 1979 and ending June 27, 1979, winners would divide 500 gallons of gasoline.
10. NYRA- Reduced Admission Promotion. The Board approved for entry into the minutes the Board's prior approval of request by NYRA to hold a promotion whereby a NYRA advertisement would appear in the Newsday Long Island Guide. It will contain a coupon good for two free Grandstand admissions at Belmont Park during the Spring/Summer meeting.
11. Appointment of Member of Board of Trustees. The Board approved for entry into the minutes the Board's prior approval of request by NYRA to name John Mulhearn as a member of their Board of Trustees.
12. Finger Lakes - Extra Race. The Board approved for entry into the minutes the Board's prior approval of request by Finger Lakes Race Track to conduct an extra race (for a total of ten) on the following dates: Sunday, May 27, 1979, Monday, May 28, 1979, Sunday, July 1, 1979.
13. NYRA - Free Admissions. The Board approved for entry into the minutes the Board's prior approval of request by NYRA to conduct a promotion whereby simulated checkbooks would be distributed to 120,000 patrons. The books contain 21 coupons good for free grandstand admission on certain days, as outlined in their letter of request, May 14, 1979.
14. NYRA- \$1.00 to \$250 wagering. The Board approved for entry into the minutes the Board's prior approval of request by NYRA to begin accepting wagers from \$1.00 to \$250, starting at the opening of the Belmont meet on May 31, 1979. They also request permission to accept/wagering on races which command special attention, beginning with the Belmont Stakes to be run on June 9, 1979. *admission*
15. Buffalo Raceway/Promotions. The Board approved for entry into the minutes the Board's prior approval of request by Buffalo Raceway to conduct a promotion on May 24, 1979, called "Thar's Gold in Them Thar Hills". Patrons would receive free grandstand admission on May 24, 1979, also free admission coupons good for May 29th and May 31st. Drawings will be held for a number of cash prizes with everyone being eligible whether on or off track.

16. NYRA/Promotions. The Board approved for entry into the minutes the Board's prior approval of request by NYRA to conduct certain promotions as outlined in their letter of May 17, 1979.
17. Apprentice Allowance - Cash Asmussen. The Board approved for entry into the minutes the Board's prior approval of request by Apprentice Jockey Cash Asmussen to extend his apprenticeship for 19 days due to injury and foul weather. His expiration date is June 2, 1979. The extension will be through June 21, 1979.
18. Capital District OTB-Delayed Broadcasts. The Board approved for entry into the minutes the Board's prior approval of request by Capital District OTB Corporation to carry the audio portion of the races from Saratoga Harness Race Track over their P.A. system on a 10 minute delay basis for each race.
19. Finger Lakes/Reserved Grandstand Seats. The Board approved for entry into the minutes the Board's prior approval of request by Finger Lakes Race Track to provide Grandstand reserved seats for the weekends and holidays. The arrangement shall commence on Saturday, May 26, 1979, and terminate on Monday, September 3. The Section to be designated for reserved seats is comprised of 237 seats. The charge for a reserved seat is \$1.00 over and above the regular grandstand admission of \$1.25. Both prices include New York State and local admission taxes.
20. NYCOTB- Pick-Four at Yonkers. The Board approved for entry into the minutes the Board's prior approval of request by NYCOTB to offer the Pick-Four wager at Yonkers Raceway, during their upcoming meet. It is their intention with Yonkers' concurrence to keep the Pick-Four as an off-track exclusive. In accordance with the Board's desire regarding the absence of "exotic" wagering races in the Pick-Four, the NYCOTB has designated the 4th, 5th, 6th and 8th as the Pick-Four races during this meeting. The NYCOTB will act as agent for other OTB regions.
21. NYRA-Promotions. The Board approved for entry into the minutes the Board's prior approval of request by NYRA to conduct certain promotions as outlined in their letters of request, dated May 31, 1979.
22. NYCOTB/Pimlico Race Course. The Board approved for entry into the minutes the Board's prior approval of request by NYCOTB to enter into contract with Pimlico Race Course, Baltimore, Maryland, to accept wagers on races run at Pimlico on those Tuesdays when NYRA is dark. This agreement is for the term May 15, 1979 thru June 30, 1979. This request is made with the consent of the Maryland State Racing Commission.
23. NYCOTB/Belmont Stakes, Advance Betting. The Board approved for entry into the minutes the Board's prior approval of request by NYCOTB to accept advance wagers on the Belmont Stakes to be run on Saturday, June 9, 1979, advance wagering would begin on Friday, June 8, 1979.

C. For Board Approval:

1. Rule 4217.14. The Board approved for promulgation as a rule proposal the attached rule providing for triple pools at Quarter Horse Tracks.
2. NYRA/McDonalds. The Board approved ~~providing for triple pools at Quarter Horse tracks~~ the request by NYRA in conjunction with McDonalds restaurants to distribute 700,000 promotional maps during the period June 25, 1979 through August 7, 1979, in the upstate area with a coupon good for one free grandstand admission to Saratoga.
3. Nassau County OTB/New Branch. The Board approved the request by Nassau OTB to amend its Plan of Operation to authorize an additional branch office to be located on Merrick Road in Merrick.
4. Peter Ferriola/Trainer. The Board approved Mr. Ferriola's request to withdraw his appeal and accept a 45 day suspension for violation of the Trainer's Responsibility Rule (4012.11) and Medication Rule (4042.2). The suspension will be served at the discretion of the Steward.
5. Yonkers Raceway/Promotions. The Board approved the request by Yonkers Raceway to hold the following promotions: 1- Patrons to select winner of Cane Pace through ballots, which would be available from June 4th through June 20th, the winner to receive two season admissions and dinner for 2 the evening of the "Yonkers Trot". Anyone selecting the winning standardbred would receive 6 free admissions to the fall meeting. 2- Fan Appreciation Night, Thursday, June 14, 1979 free grandstand admission. 3- Old Timers Night, Thursday, July 5, 1979, reduced admission.
6. Buffalo Raceway/Extra Racing Days. The Board approved for entry into the minutes request by Buffalo Raceway to conduct an extra four days of racing on Sunday, July 8, 15, 22 and 29th. Post time would be 7:30 pm, this would mean 7 days of racing for a four week period. This request is being made to recoup days lost as a result of labor problems.
7. Buffalo Raceway/"Battle of the Sexes". The Board approved for entry into the minutes request by Buffalo Raceway to hold a promotion on Tuesday, June 19, 1979, whereby patrons entering the track would choose a button labeled "I'm for the Guys" or "I'm for the Girls". Four male drivers would then compete against four female drivers. Those patrons with the winning buttons would receive free grandstand admission for the rest of the meet.
8. Saratoga Raceway/New Bleacher Section. The Board approved for entry into the minutes request by Saratoga Raceway to install a new section of Bleachers at the north end of their grandstand. Specifications were sent to the Board's consulting architect, who has written his letter of approval.
9. Finger Lakes/Promotions. The Board approved for entry into the minutes request by Finger Lakes Race Track to hold the following promotions: 1- Friday, June 22, 1979, "Beat Inflation Day", free grandstand admission, free parking, reduced concession prices. 2- Sunday, August 26, 1979; "Farm Day", in conjunction with two farm implement companies, a joint mailing is being done and includes 4 free admissions good for August 26, 1979.

10. Monticello Raceway/Promotion. The Board approved for entry into the minutes request by Monticello Raceway to hold a promotion whereby they would raffle off, with all people being eligible, other than horsemen, employees and state appointed officials, a number of winning tickets, such as ten or twelve. These winners are given the opportunity to pick a driver for the week. The track then pays the individual raffle winner the winning price of \$2.00 win mutuel tickets for the particular driver for the week.
11. Buffalo Raceway/Fight Inflation Promotion. The Board approved for entry into the minutes request by Buffalo Raceway to hold a promotion on June 14th whereby all patrons would be admitted free and would receive a coupon to become eligible for several drawings during the evening. All patrons would receive free admission coupons for Wednesday, June 20th, 1979 and Thursday, July 5, 1979.
12. Monticello Raceway/Knights of Pythias. The Board approved for entry into the minutes request by Monticello Raceway to admit a special group of approximately 400 people, representing the Knights of Pythias, free of charge, on the evening of Monday, June 25th, 1979.
13. Monticello Raceway - Conditions of Monticello Classic. The Board approved for entry into the minutes request by Monticello Raceway for the approval of the Conditions of Monticello Classic No. 7, a stake race for three year old New York bred pacers (colts and fillies, foals of 1978) to be raced at Monticello Raceway in 1981.
14. NYRA/Promotions. The Board approved for entry into the minutes request by NYRA to hold certain promotions as outlined in their letter of May 25, 1979.
15. NYRA/Breakfast at Belmont and Backstretch Parking for Belmont Stakes. The Board approved for entry into the minutes request by NYRA: a. To allow automobiles to be parked in the Backstretch on those days when a race of significant fan interest is held. b. To allow groups of patrons attending the "Breakfast at Belmont" to tour the stable area. This program is scheduled to commence for the weekend of June 2 and 3, 1979 and will pick up again on Sunday, June 10, continuing daily except Tuesday through Monday, July 30, 1979.
16. Catskill OTB- Vernon Downs. The Board approved for entry into the minutes the recommendation of J. Dailey in his memo of May 28, 1979 that Catskill OTB Corporation be directed to: 1) Discontinue offering wagers on tracks other than Vernon Downs in Chenango County when Vernon Downs is operating; 2) Discontinue accepting wagers on races at Vernon Downs in Chemung, Broome and all counties other than Herkimer on days when Roosevelt/Yonkers or Monticello are operating.
17. Hearing Officer Report in the Matter of Kathleen McCormack (Driver). The Board affirmed the decision of the judges to suspend Kathleen McCormack for five days and confirm disqualification from 3rd to placing of last as recommended by Hearing Officer Rooks in his report dated May, 1979.
18. Hearing Officer Report in the Matter of Anthony Strollo(Driver). The Board affirmed the decision of the judges to suspend Mr. Strollo for five days and confirm disqualification from 6th to placing of 8th as recommended by Hearing Officer Rooks in his report dated May, 1979.

19. Hearing Officer Report in the Matter of Robin Murphy (Driver). The Board affirmed the decision of the judges to fine Robin Murphy \$100 for failure to obey instructions of the judges as recommended by Hearing Officer Rooks in his report dated May, 1979.
20. Hearing Officer Report in the Matter of Joseph Beszczynski (Driver). The Board deferred action on the Hearing Officer Report of Mr. Rooks dated May, 1979.
21. Hearing Officer Report in the Matter of Martin Feder and Norman Wenk (Owners). The Board affirmed the decision of the judges to confirm the official order of finish as recommended by Hearing Officer Rooks in his report dated May, 1979.
22. NYCOTB/Monmouth Park Jockey Club. The Board deferred decision on request by NYCOTB to open negotiations with the Monmouth Park Jockey Club, for the purpose of consummating an agreement, whereby the NYCOTB will accept wagers on races run at Monmouth Park on NYRA dark dates. The NYCOTB is interested in securing an agreement to cover the period July 3, 1979 through August 28, 1979, when Pimlico is closed. The NYCOTB will act as agent for the other OTB regions.
23. Suggested Action on Harness Rule 4118.2 (Purse Deductions for Drivers). The Board approved for entry into the minutes the proposed directive to harness tracks, a proposed amendment to subdivision (a) of 4118.2 and a proposed press release.
24. Quinella Rule Changes. The Board approved for promulgation of a rule proposal to eliminate the requirement for a two-dollar minimum on quinella racing for Thoroughbred Racing.
25. NYCOTB/\$1.00 Wager. The Board approved for entry into the minutes request by NYCOTB to accept minimum wagers of one dollar with minimum payoffs on such winning one dollar wagers of \$1.05 except for Quinella Wagering.
26. Otis Delmont Moore-Owner and Trainer. The Board approved for entry into the minutes the recommendation of Counsel Cocozziello that no action be taken against Mr. Moore relating to the incorrect entry of "Top Hope" true name "Pin Feather" in the 3rd race held at Finger Lakes Race Track, on October 29, 1978. The Board further directed that necessary steps be taken to correct the Past Performance Charts of the above mentioned horses both in New York and Louisiana.
27. Arthur Bier - Trainer. The Board deferred action on this matter.
28. Hearing Officer Report in the Matter of Michael S. Ferraro. The Board approved for entry into the minutes the recommendation of Hearing Officer Sarafan that the charges be dismissed and a license be issued to Mr. Ferraro.
29. Hearing Officer Report in the Matter of Gary M. Newman. The Board approved for entry into the minutes the recommendation of Hearing Officer O'Dea that a 1979 owner's license be issued to Mr. Newman.
30. Hearing Officer Report in the Matter of Phillip L. Garrison. The Board approved for entry into the minutes the recommendation of Hearing Officer Garrison that a Games of Chance Suppliers License be denied to Mr. Phillip L. Garrison.

Continuation of Minutes of the New York  
State Racing and Wagering Board  
Executive Session

Friday, June 8, 1979 11:30 A.M.

Present: Bertram D. Sarafan, Member; Dr. Joseph O'Dea,  
Member; John Van Lindt, Executive Director;  
John Patten, Special Counsel; F. Steven Berg,  
Representing Sportsystems (Emprise) and  
Thomas C. Davide, Secretary to the Board.

The Emprise Investigation was discussed and  
it was decided that Mr. Patten would submit his  
report to the Board for their review. The Board  
would then decide if they wanted more information.