

MINUTES OF BOARD MEETING
HELD ON DECEMBER 30, 1982
AT 10:30 A.M.

A meeting of the New York State Racing and Wagering Board was held on December 30, 1982, at 10:30 AM at the Board office, Two World Trade Center, New York, New York 10047.

The meeting being called on December 29, 1982, 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 Sarafan, Member
Joseph O'Dea, Member

ALSO PRESENT: Richard F. Corbisiero, Jr., Executive
Director
John Dailey, Director of Policy and
Planning
Salvatore Curiale, Counsel
Dean Alfange, Director of Quarter
Horse Racing
Herman Kluge, Director of Licensing,
Investigations and Audits
Dr. Norman Lewis, Chief State Racing
Veterinarian
Eileen Clarke, OTB Operations Coordinator
Ted Garrison, Assistant Counsel
Dorothy Rakowski, Quarter Horse Racing
Robert Feuerstein, Assistant Counsel
Brian Barry, Assistant Chief of Racing
Operations
and
Thomas C. Davide, Secretary to the Board

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A. MINUTES:

1. The Board approved its minutes of its meeting held on November 29, 1982.
2. The Board approved its minutes of its Special Board meeting held on December 7, 1982.

B. FOR ENTRY INTO THE MINUTES:

1. HEARING OFFICER REPORT IN THE MATTER OF - CLAUDE A. DROLET. For entry into the minutes, the Board's prior confirmation of November 15, 1982 of the Hearing Officer's recommendation that the Board impose a penalty appropriate to the circumstances as outlined in Rule 4120.4(a) and (d) and Rule 4120.6 and 4120.5, this being a one (1) year suspension, in the matter of Claude A. Drolet, 3rd race, Yonkers raceway, June 30, 1982.
2. CAPITAL OTB - NYRA CABLE CALLS. For entry into the minutes, the Board's prior approval of December 8, 1982 of request by Capital District Off-Track Betting Corporation to transmit live audio calls from New York Racing Association over its cable system within its region.
3. BUFFALO RACEWAY - LICENSE AMENDMENT. For entry into the minutes, the Board's prior approval of December 21, 1982 of request by Buffalo Raceway to race on Tuesday nights beginning December 12, 1982 and to eliminate the double matinee programs beginning Saturday, January 8, 1983.
4. WESTERN OTB - WYOMING COUNTY (DIRECTOR). For entry into the minutes, the Board's prior approval of December 12, 1982 of request by Western Region Off-Track Betting Corporation to appoint Mr. William T. Bruyere to serve as a Director on the Board of Directors.

C. FOR BOARD APPROVAL:

1. MONTICELLO RACEWAY - PROMOTION. The Board approved the request by Monticello Raceway to hold a promotion as outlined in their letter of December 1, 1982.
2. YONKERS RACEWAY - PROMOTION. The Board approved the request by Yonkers Raceway to hold a drawing for a free color television set on Friday, December 18, 1982 and on Saturday, January 8, 1983. The appropriate legal requirements will be met.

3. YONKERS RACEWAY - GRAB BAG GIVE-A-WAY. The Board approved the request by Yonkers Raceway to hold a grab bag give-a-way at Yonkers Raceway on Tuesday, January 4, 1983. All paid and pre-paid admissions entering the racetrack that night will receive a ticket redeemable for their choice of either a tote bag, jacket, pitcher set, ski cap or poncho, while supplies last.
4. NEW YORK CITY OTB - CALDER RACE COURSE. The Board approved the request by New York City Off-Track Betting Corporation to broadcast delayed audio calls from Calder Race Course from November 1, 1982 through January 7, 1983. This approval is subject to Chapter 550.35 of the Law of Florida and 7E-125 of its rules of racing.
5. HEARING OFFICER REPORT IN THE MATTER OF - KEVIN WHITLEY (JOCKEY). The Board affirmed the Hearing Officer's recommendation that the ruling of "careless riding" against Jockey Kevin Whitley be set aside and that he be held "blameless".
6. SARATOGA RACEWAY - HORSEPLAYER'S CLUB. The Board approved the request by Saratoga Raceway to print and distribute 7500 general admission passes to members of the Saratoga Harness Horseplayer's Club. Also approved was their request to admit senior citizens, 60 years and older, to the grandstand on Thursday nights during their Winter Meet and on Tuesday nights during their Summer Meet for \$1.00.
7. CAPITAL OTB - SARANAC LAKE. The Board approved the request by Capital District Off-Track Betting Corporation to continue operations at its branch in Saranac Lake through March 31, 1983.
8. HEARING OFFICER REPORT IN THE MATTER OF - HOWARD OKUSKO. The Board confirmed Presiding Judge's decision to suspend the license of Howard Okusko based upon the drug rule violation but reduced the length of the suspension from 60 days to 45 days.
9. REMOVED FROM AGENDA.
10. BUFFALO RACEWAY - CONDITIONS. The Board approved the request by Buffalo Raceway for approval of conditions of the W.N. Reynolds Stake #33 and #34.
11. HEARING OFFICER REPORT IN THE MATTER OF - EDWARD KUCHARSKI. The Board adopted the Hearing Officer's recommendation to confirm the suspension of Edward Kucharski and the disqualification of "Decorator Ruler" based upon the drug violation and reduced the license suspension from 60 days to 45 days.

12. WESTERN REGION OTB - WYOMING COUNTY. The Board deferred the request by Western Region Off-Track Betting Corporation to establish a branch in Arcade, Wyoming County.
13. SARATOGA RACEWAY - RADIO NIGHT. The Board approved the request by Saratoga Raceway to offer ten (10) Radio Night promotions, one each month for every month they are scheduled to race in 1983 as outlined in their letter of December 17, 1982.
14. HEARING OFFICER REPORT IN THE MATTER OF - JERI FINESILVER CANCER FOUNDATION. The Board affirmed the Hearing Officer's recommendation that licensee's games of chance identification number and municipal license be suspended for a period of sixty days and that all license fees paid to the municipality for games of chance licenses during such suspension period be forfeited.
15. HEARING OFFICER REPORT IN THE MATTER OF - ODDFELLOWS SOCIAL CLUB #41. The Board affirmed the Hearing Officer's recommendation (a) That all officers and members involved with the diversion of bingo funds be barred from participation in all future bingo activities. (b) That all licensee's bingo identification number and municipal license be suspended for a period of six (6) months but that the execution of two (2) months of such six months suspension be suspended and that all license fees previously paid to the municipal clerk for bingo licenses during such four months suspension period be forfeited.