Mfg. 8/13/84 approved

MINUTES OF BOARD MEETING HELD ON JULY 26, 1984

A meeting of the New York State Racing and Wagering Board was held on July 26, 1984 at 10:30 a.m. at the Board office, 400 Broome Street, New York, New York, 10013.

The meeting being called on July 25, 1984, public notice of the meeting was given to the Associated Press and UPI and to the public by posting in the Board's lobby.

PRESENT:

John Van Lindt, Chairman Michael Lee, Member Joseph P. Neglia, Member

ALSO PRESENT:

Richard F. Corbisiero, Jr., Executive Director Herman Kluge, Director of Audits, Licensing and Investigations John Dailey, Director of Policy and Planning Jacob Iberger, Chief of Racing Operations Robert Feuerstein, Assistant Counsel Steven Richman, Assistant Counsel Ed Leary, Assistant Director of Audits and Investigations Eileen Clarke, OTB Operations Coordinator Ted Garrison, Assistant Counsel Brian Barry, Assistant Director of Racing Officials Kenneth Beh, Director of Public Relations Comm. Harry Snyder Thomas C. Davide, Secretary to the Board

MINUTES OF BOARD MEETING HELD ON JULY 26, 1984

A. MINUTES:

1. The Board approved its minutes of Board meeting held on June 25, 1984.

B. FOR ENTRY INTO THE MINUTES:

- 1. SARATOGA RACEWAY TRIPLE. For entry into the minutes, the Board's prior approval of June 27, 1984 of request by Saratoga Raceway to add a triple pool to each night's 10th race. In addition, they request to start 10 horses in the triple race.
- 2. IN THE MATTER OF CARL A. MONTI. For entry into the minutes, the Board's decision of June 22, 1984 of notice and suspension of the license of Carl A. Monti for violation of 9 NYCRR Sections 4120.1 and 4120.4; that the drug Clenbuterol is not approved in the United States by the Food and Drug Administration for use in either animals or man.
- 3. CARL A. MONTI. For entry into the minutes, the Board's prior approval of June 27, 1984 of memorandom submitted from Counsel regarding facts, circumstances and penalties in the matter of Carl A. Monti.
 - 4. NYRA POCONO DOWNS. For entry into the minutes, the Board's prior approval of July 3, 1984 of request by New York Racing Association to enter into agreement with Pocono Downs for the acceptance of pari-mutuel wagers on the Travers Stakes on August 18, 1984, the Marlboro Cup on September 29, 1984 and the Jockey Gold Cup on October 20, 1984.
 - 5. NYRA MAYWOOD PARK. For entry into the minutes, the Board's prior approval of July 3, 1984 of request by New York Racing Association to enter into agreement with Maywood Park for the acceptance of pari-mutuel wagers on the Suburban Handicap on July 4, 1984 and the Brooklyn Handicap on July 21, 1984.
 - 6. NYRA DIRECT MAILING. For entry into the minutes, the Board's prior approval of July 3, 1984 of request by New York Racing Association to have direct mailing to promote the Belmont Park race meeting whereby mailers will be sent to customers offering free Grandstand admission or \$2.00 off Clubhouse admission on Fridays, July 6, 13, 20, 27 and 28, 1984.
 - NYRA PROMOTIONS. For entry into the minutes, the Board's prior approval of July 3, 1984 of request by New York Racing Association for promotions involving Saratoga and the Albany Times Union, as outlined in NYRA's letter of June 21, 1984.

- 8. NYRA ISTLEDOWN RACE CLUB. For intry into the minutes, the Board's prior approval of July 3, 1984 of request by New York Racing Association to enter into agreement with Thistledown Racing Club, Inc. for the acceptance of pari-mutuel wagers on the Suburban Handicap on July 4, 1984, the Coaching Club Oaks on July 7, 1984, the Sheepshead Bay Handicap on July 15, 1984, the Brooklyn Handicap on July 21, 1984 and the Sword Dancer Handicap on July 28, 1984.
- 9. SARAGOTA RACEWAY WGY. For entry into the minutes, the Board's prior approval of July 9, 1984 of request by Saratoga Raceway to print 100 daily general admission tax-exempt passes to be distributed by Radio Station WGY which will be valid through August 31, 1984.
- 10. FINGER LAKES TICKET. For entry into the minutes, the Board's prior approval of July 9, 1984 of request by Finger Lakes Racing Association to give a Clubhouse admission ticket to each of the first 2,000 paid Clubhouse admissions and a Grandstand admission ticket to each of the first 2,000 paid Grandstand admissions on July 4, 1984, which will be valid for free admission on any Friday during the remainder of their 1984 racing season.
- 11. FINGER LAKES ECONOMY PARTY PACKAGE. For entry into the minutes, the Board's prior approval of July 9, 1984 of request by Finger Lakes Racing Association to use a 50¢ admission for their new Economy Party Package.
- 12. FINGER LAKES "FREE DAY". For entry into the minutes, the Board's prior approval of July 12, 1984 of request by Finger Lakes Racing Association to have a "free day" for senior citizens for Wednesdays for the remainder of the 1984 racing season at Finger Lakes.
- BUFFALO RACEWAY METRO PENNYSAVER & COMMUNITY NEWS.

 For entry into the minutes, the Board's prior approval of July 12, 1984 of request by Buffalo Raceway to offer a promotion with the Metro Pennysaver and Community News whereby \$5,000 in prizes will be given away between races; free reserved seating for Pennysaver attendees; over 200 Pennysaver coffee mugs and free general admission with a coupon from the Pennysaver. The first prize will be an all-expense paid trip for two to the Hambletonian including air far.
- 14. CAPITAL REGION OTB DOUBLE EXACTA. For entry into the minutes, the Board's prior denial of July 17, 1984 of request by Capital Region Off-Track Betting Corporation to accept double exacta wagers for the third race at Finger Lakes Racetrack and the fifth race at the applicable NYRA track.
- 15. NYRA \$225,000 PROMOTION. For entry into the minutes, the Board's prior approval of July 18, 1984 of request by New York Racing Association to put on a Fan Appreciation Day Sweepstakes on July 28, 1984 and to have 3 additional triples to be added to their race program for the same day.

- 16. NYRA RULL WAIVER 4011.20(f) EXACTA. For entry into the minutes, the Board's prior approval of July 18, 1984 of request by New York Racing Association for the following permission: if less than six betting interests start, the exacta shall be declared off and the gross pool refunded; if time permits, a track may schedule daily double wagering consisting of that race and the next succeeding race, in place of exacta wagering.
- 17. NYRA SARATOGA BACKSTRETCH PARI-MUTUEL WINDOWS. For entry into the minutes, the Board's prior approval of July 18, 1984 of request by New York Racing Assocition to utilize the seven pari-mutuel windows in the backstretch at Saratoga Racetrack during the upcoming 1984 race meeting.
- 18. YONKERS RACEWAY KID GLOVES BOXING MATCHES. For entry into the minutes, the Board's prior approval of July 19, 1984 of request by Yonkers Raceway to offer free Grandstand admission to anyone entering the track between 5 p.m. and 6 p.m. on July 21, 1984, the day of the Madison Square Garden Kid Gloves Boxing Matches.
- 19. YONKERS RACEWAY WAIVER PROVISION OF THE WAGERING RULE. For entry into the minutes, the Board's prior approval of July 19, 1984 of request by Yonkers Raceway to waive the provision of the rules that would require coupled entries due to a common trainer even though there is a bona fide separate ownership for the Yonkers Trot Final to be held on Saturday, July 21, 1984.
- 20. YONKERS RACEWAY TRAIN PROMOTION. For entry into the minutes, the Board's prior approval of July 19, 1984 of request by Yonkers Raceway to offer free Grandstand admission to anyone taking the special 7:11 p.m. train from Grand Central Station to Mt. Vernon West Station, retroactive to June 16 and forward to the end of the summer meet.
- 21. SUFFOLK REGION OTB BILLION DOLLARS IN HANDLE. For entry into the minutes, the Board's prior approval of July 17, 1984 of request by Suffolk Region Off-Track Betting Corporation to conduct a promotion in conjunction with the corporation reaching a billion dollars in handle.

C. FOR BOARD APPROVAL:

- 1. HEARING OFFICER REPORT IN THE MATTER OF MUMFORD VOLUNTEER FIRE DEPARTMENT, INC. The Board confirmed the Hearing Officer's recommendation of a six month suspension of i.d. and license numbers, however, such six month suspension be suspended and that no licensee fees paid to the municipal clerk for forfeited.
- 2. HEARING OFFICER REPORT IN THE MATTER OF P.T.A. OF RABBI JACOB JOSEPH SCHOOL. The Board confirmed the Hearing Officer's recommendation that the licensee's Bingo i.d. number and municipal license be suspended for three months commencing September 1, 1984 through and including November, 1984 and that the execution of such suspension be suspended.

- 3. HEARING OF ICER REPORT IN THE MATTER OF FRIENDS OF PITOGA LODGE KNIGHT OF PYTHIAS. The Board confirmed the Hearing Officer's recommendation that the licensee's Bingo I.D. number and municipal license be revoked for a period of 12 months commencing September 1, 1984 and that all license fees paid to the municipal clerk for licensed bingo occasions to be conducted during said period be forfeited.
- 4. HEARING OFFICER REPORT IN THE MATTER OF BAY HALL, INC.

 (COMMERCIAL BINGO HALL). The Board confirmed the Hearing Officer's recommendation that the charges and its "no contest" plea be made a part of its file for future consideration in the event that its principals apply for a commercial lessor's license.
- 5. PERSONAL PRIVACY PROTECTION LAW RULE. The Board approved the proposed draft of rule for this agency implementing the Personal Privacy Protection Law, effective September 1, 1984.
- 6. WESTERN REGION OTB LIVINGSTON COUNTY. The Board approved the request by Western Region Off-Track Betting Corporation for a renewal of branch activity in Geneseo, Livingston County.
- 7. VERNON DOWNS PROGRAM COVER PROMOTIONS. The Board approved the request by Vernon Downs to offer the following promotions: on Vernon Downs program cover, a coupon offering free admission at the Syracuse Mile on August 12, and 19, 1984; and on the Syracuse Mile's program cover, a coupon offering free grandstand admission to Vernon Downs on either August 14 or 15 and eight August 21 or 22, 1984.
- 8. SYRACUSE MILE SENIOR CITIZENS. The Board approved the request by Syracuse Mile to offer Senior Citizens, 65 years old and older free admission for the seven day meet.
- 9. SYRACUSE MILE LICENSE AMENDMENT. The Board deferred the request by Syracuse Mile to change their tote system from American Tote Company, Inc. to United Tote due to technical difficulties.
- 10. NYRA SIMULCASTS TO BERMUDA. The Board deferred the request by New York Racing Association to simulcast only to Top Turf Enterprises Hamilton and Bermuda in the same manner as they transmit to Nevada.
- 11. FINGER LAKES "RADIO WARS". The Board approved the request by Finger Lakes Racing Association to conduct a "Radio Wars" contest whereby 3 Rochester radio stations would compete to see which one could produce the most admissions to Finger Lakes. Each station will be provided with 1,000 clubhouse admissions to give away in the promotions. The admission dates would be August 18, 25 and September 1, 1984.

- 12. CATSKILL OTB YONKERS RACEWAY. The Board denied the request by Catskill Region Off-Track Betting Corporation to transmit live calls from Yonkers Raceway into ten branch offices.
- 13. PROPOSED RULE AMENDMENT 4040.2. The Board approved the proposed rule, 4040.2, regarding jockeys or their spouses, parents, issue or members of their household prohibiting them from being the owner of a racehorse.
- 14. NYRA SIMULCASTING SARATOGA TO AQUEDUCT. The Board approved the request by New York Racing Association for a license to simulcast the entire racing program from Saratoga to Aqueduct between August 1, 1984 and August 27, 1984.
- DESIGNATION PURSUANT TO SECTION 101.9 UNCONSOLIDATED LAWS.
 The Board approved the following individual: Steven H.
 Richamsn, to be designated by the Board to act in investigations, having the powers set forth in Section 101, Subd.
 9 of the Racing, Pari-Mutuel Wagering and Breeding Law.
- 16. NYRA RANDALL RACING CLUB, INC. The Board approved the request by New York Racing Association for the acceptance of pari-mutuel wagers on the 1984 Test Handicap on August 2, 1984; the Whitney on August 4, 1984; the Jim Dandy on August 5, 1984; the Alabama on August 11, 1984; the Travers on August 18, 1984; the Delaware on August 25, 1984; the Manhattan on August 29, 1984; the Gazelle on September 1, 1984 and the Jerome on September 3, 1984.
- 17. NYRA CHICAGO DOWNS. The Board approved the request by New York Racing Association to enter into agreement with Chicago Downs, running a race meet at Sportsman's Park, for the acceptance of pari-mutuel wagers on the Travers Handicap on August 18, 1984.
- 18. NYRA ARLINGTON PARK. The Board approved the request by New York Racing Association to enter into agreement with Arlington Park for the acceptance of pari-mutuel wagers on the Whitney Handicap on August 4, 1984 and the Travers Handicap on August 18, 1984.
- 19. NYRA ARAPAHOE PARK. The Board approved the request by New York Racing Association to enter into agreement with Arapahoe Park for the acceptance of pari-mutuel wagers on the Whitney Handicap on August 4, 1984; the Jim Dandy on August 5, 1984 and the Travers on August 18, 1984.

D. FOR BOARD NOTICE AND INFORMATION:

- NYS REGISTER Dated July 3, 1984, re: Conduct of Bingo -NOTED.
- Memo of J. Iberger to R. Corbisiero, dated July 2, 1984, re: Finger Lakes - Promotion Request - Change in Dates -NOTED.

3. Memo of E. Clarke to T. Davide, dated July 9, 1984, re: Certification of Pari-Mutuel Tax Credits for Yonkers, Roosevelt and Monticello Raceways - NOTED.

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- 4. Memo of E. Clarke to R. Corbisiero, dated July 5, 1984, re: NYCOTB Accepting A Pick-Four On Yonkers on Friday Night, July 6, 1984 NOTED.
- 5. Memô of E. Clarke to T. Davide, dated July 23, 1984, re: NYCOTB And Yonkers Live Race Calls NOTED.