

Minutes of Meeting of the New York
State Racing and Wagering Board
September 6, 1979 10:30 A.M.

A meeting of the New York State Racing and Wagering Board was held on Thursday, September 6, 1979 at the Board Office, Two World Trade Center, New York.

The meeting being called on Wednesday, August 1, 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: John Van Lindt, Chairman; Bertram D. Sarafan, Member; Dr. Joseph O'Dea, Member.

Also Present: John Dailey, Director of Racing and OTB; Victor Coccozziello, Counsel; Richard Corbisiero, Director of Wagering Systems; Sal Ferrara, Director of Audits, Investigations and Licensing; Dean Alfange, Director of Quarter Horse; Kenneth Beh, Director of Public Relations; Bernard Golar, Assistant Commissioner and Director of OTB Regulations; Sal Curiale, Assistant Counsel; 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, August 2, 1979 10:00 A.M.

Minutes. The Board approved the minutes of its special meeting held Wednesday, August 22, 1979 10:00 A.M.

B. For Entry Into the Minutes:

1. Monticello Raceway - "Old Timers Night". The Board's prior approval of request by Monticello Raceway dated August 2, 1979 to hold "Old Timers Night", on Monday, August 13, 1979. Reduced admission, programs, beer, hot dogs, soda and coffee will be offered.
2. Monticello Raceway - 9 Race Program. The Board's prior approval of request by Monticello Raceway dated August 2, 1979, to return to a 9 race program, Mondays through Thursdays inclusive, effective Monday, August 6, 1979.

3. Eduardo Betancourt. The Board's prior approval of recommendation of Counsel Coccozziello that Mr. Betancourt be suspended for thirty days for violation of Trainers Responsibility Rules 4042.2 and 4012.11.
4. §§4118.2 "Deductions". The Board's prior approval of August 7, 1979 for the final proposal of rule 4118.2 relating to deductions for drivers withheld at the rate of 5%.
5. NYCOTB-Request for Delayed Broadcasting from Delaware Park. The Board's prior denial of request by NYCOTB dated July 12, 1979, to amend their plan of operation to permit the offering of radio broadcasting of calls of each race from Delaware Park, on a ten minute delayed basis, on the days the corporation accepts betting on races at Delaware Park (Tuesdays, when NYRA is dark).
6. NYCOTB- Monticello Raceway. The Board's prior approval of request by NYCOTB dated August 22, 1979, to accept Pick-Four wagers at Monticello Raceway on Fridays and Sundays during their upcoming Fall meeting (September 4, 1979 - September 30, 1979). It is their intention with Monticello's concurrence to keep the Pick-Four as an off-track exclusive. Regarding the absence of "exotic" wagering races in the Pick-Four, the NYCOTB has designated the 2nd, 4th, 5th and 6th as the Pick-Four races during this meeting.
7. Roosevelt Raceway - Special Ushers/International Trot. The Board's prior approval of request by Roosevelt Raceway dated August 8, 1979, to waive occupational licenses for fifteen individuals hired solely for the International night, August 11, 1979.
8. NYCOTB/Roosevelt, Yonkers Agreement. The Board's prior approval of request by NYCOTB dated July 30, 1979, to publish a program for sale in OTB Parlors, as outlined in their letter of request. It should be understood that this approval has been granted with the understanding that the "Expert Race Analysis" by Gerry Mastellon or any other "Tip Sheet" would not be published, also that the entries for Meadowlands would not be included.

C. For Board Approval:

1. Hearing Officer Report in the Matter of Pamela S. Cardas. Batavia Downs, March 20, 1979 - Violation of Rules 4119.1 and 4120.8. The Board confirmed the recommendation of Hearing Officer Lewis of a five month suspension of license. The Board also directed that the suspension be for time served and that her license as a Veterinary Assistant be revoked but that she be allowed to apply for a Grooms license.
2. Western Regional OTBC/Additional Branches. The Board approved request by WROTBC to amend its plan of operation to include 4 additional branches to be located in (1) Bonady Plaza, Route 54-Village of Bath, Steuben County (2) Suburban Plaza - Town of Henrietta, Monroe County (3) 5512 Buffalo Ave. Niagara Falls, Niagara County (4) William and Bailey Streets - Buffalo, Erie County.

3. Proposed Rule (new) 4111.35 - Authorized Agents. The Board deferred action on this Proposed rule, which limits the number of owners that can be represented by an authorized agent for the purpose of declaring a horse or horses, until a hearing is held.
4. Hearing Officer Report in the Matter of Joseph Beszczynski (Driver). 5th race, Batavia, 3/7/79 - Interference - Removed from agenda.
5. Saratoga Raceway/Winter Dates. The Board approved request by Saratoga Raceway to amend its 1979 license by adding racing dates on weekends, commencing Thursday, November 29, 1979 and continue through Saturday evening, December 29, 1979. The Board also approved request by Saratoga Raceway to race weekends commencing January 3, 1980 through February 23, 1980. In addition, the Board approved permission to institute a second daily double and a discount admission of \$1.25.
6. NYRA-CBS Sports Contract. The Board approved request by NYRA to enter into agreement with CBS Sports for the worldwide TV rights for certain races in 1979.
7. Cinzano/Lebon Race of September 23, 1977. The Board has disqualified the horse known as Lebon. The Board ordered to place the second finishing horse "Li'l Tommie" as first; the third finishing horse "George Town" as second; the fourth finishing horse "Rigamarole" as third; the fifth finishing horse "No Distress" as fourth; and redistribute the winner's purse as follows: to H. Jacobson, \$3800; Rokeby Stables, \$1200; Mary-Jean Stable, \$ 600; to P. Wise, \$ 600.
8. Vernon Downs/Waste Water Treatment Plant. The Board approved request by Vernon Downs to construct a new waste water treatment facility.
9. Hearing Officer Report in the Matter of Jack E. Wilkes (Veterinarian). Violation of rule 4120.8 - Improper use of prohibited implements by his assistant. The Board approved the recommendation of Hearing Officer Rooks to impose a money fine. The Board has imposed a \$1,000 fine.
10. Hearing Officer Report in the Matter of Jean Marilyn Miller (renewal applicant for Owner's License). Applicant failed to furnish additional background information. This has been taken off the agenda and returned to the Division of Licensing to be decided upon administratively.
11. Genesee Valley Hunt, Inc. - Annual Meet. The Board approved request by Genesee Valley Hunt, Inc. to conduct its annual hunt race meeting on Saturday, October 27, 1979.

D. For Board Information:

1. Letter of J. Van Lindt, 8/9/79 - Noted
2. Letter of R. Blanchard, 8/7/79 - Noted

3. Racing Form, 8/21/79 - Noted
4. Proposed Rules of Registration, 8/17/79 - Noted
5. Memo of B. Golar, 8/22/79 - Noted
6. Letter of F. White, 8/24/79 - Noted
7. Memo of B. Golar, 9/4/79 - The Chairman directed Lois A. White to research the OTB Law and report back at the next Board meeting.