

**MINUTES
NEW YORK STATE RACING AND WAGERING BOARD
MEETING OF FEBRUARY 27, 2004**

A meeting of the New York State Racing and Wagering Board was held on Friday, February 27, 2004 at 2:00 p.m. at the Racing & Wagering Board's Albany Office located at 1 Watervliet Avenue Extension, Albany, New York.

In Attendance Were:

Michael J. Hoblock, Jr., Chairman

Cheryl Buley, Member

Edward Martin, Executive Director

Erin Dahlmeyer, Secretary to the Board

Robert Feuerstein, General Counsel

Thomas Casaregola, Director of Audits & Investigations

Joseph Lynch, Chief of Racing Operations

Also in Attendance Were:

Dianne Landor, NYSR&WB Harry J. Richards, Vernon Downs

Stacy Clifford, NYSR&WB Mark Scalzo, Vernon Downs

Gregory Schreffler, NYSR&WB Jeff Perlee, IGT

Patrick Wade, NYSR&WB Steve Bochnak, Assembly

Gene Bennati, Town of Vernon Tom Precious, Buffalo News

Bill Croll, Oneida County Legislator Andre Claridge, IGT

Myron J. Thurston, Town of Vernon Supervisor Mike Gormley, AP

Jolene Walters, Oneida Dispatch Gary A. Greenberg, Shareholder

Martin Gersten, Vernon Downs Yancey Roy, Gannett

Dan Guzewich, Rome Sentinel

Dave Wilson, Vernon Downs

Susan Beaudoin, NYS Lottery

Joe Seeley, NYS Lottery

Peter Goold, ANYSHBDF

Brian Poulter, Division of Budget

Dominick Giambona, Vernon Downs

Heather Mowat, Senate Finance

Aaron Keller, WKTV-TV

Tim Fisher WKTV-TV

Robert A. Brooks, HHB

OPEN COMMENT PERIOD: Began 2:00 p.m. Bill Croll, Oneida County Legislator discussed what Vernon Downs has accomplished over the past year regarding bringing outstanding taxes up to date, etc. Myron Thurston, Town of Vernon Supervisor stated how Vernon Downs is an intregal part of the community. Martin Gersten, Attorney for Vernon Downs, stated that the track operated without any violations at the facility and that they had a successful year. He also stated that Vernon Downs has added more racing dates for the 2004 season, built a new VLT facility, etc. Gary Greenberg, Vernon Downs Shareholder, stated that there has been no shareholders meeting no directors have been elected by the shareholders. Mr. Greenberg stated that this is a publicly owned company with over 500 shareholders and no one has been notified of a meeting. Martin Gersten stated the FCC reports were filed and they are in the process of preparing a stockholders meeting notice. Open comment period ended at 2:20.

The meeting was called to order at 2:21 p.m.

1. VERNON DOWNS TRACK LICENSE APPLICATION FOR 2004

The Board refused, pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Sections 307 and 320, to grant the application of Mid-State Raceway, Inc. for a license to conduct pari-mutuel harness racing at Vernon Downs during the calendar year 2004 because the issuance of such license would not serve the public interest, convenience or necessity and the best interests of racing generally based upon the financial condition of Mid-State Raceway, Inc., the non-licensed status of Shawn Scott, breach of the Stipulation of Settlement dated April 10, 2003, fire safety matters, and the provision of false and/or misleading information to the Board concerning fire safety matters.

2. VERNON DOWNS SIMULCAST LICENSE APPLICATION FOR 2004

The Board refused, pursuant to Racing, Pari-Mutuel Wagering and Breeding Law Section 1003, to grant the application of Mid-State Raceway, Inc. for a license to display the simulcast of horse races on which pari-mutuel wagering shall be permitted because the applicant is not authorized to conduct pari-mutuel wagering.

The meeting was adjourned at 3:10 p.m.