

**MINUTES  
SPECIAL BOARD MEETING  
SEPTEMBER 4, 1997**

A meeting of the New York State Racing and Wagering Board was held on Thursday, September 4, 1997 at the Executive Office located at One Empire State Plaza, Suite 1201, Albany, New York 12223.

IN ATTENDANCE WERE:

Michael J. Hoblock, Jr., Chairman  
Bennett Liebman, Member  
Edward Martin, Executive Director  
Stephanie Donato, Secretary to the Board  
Robert Williams, Assistant Counsel  
Charles Knauss, Agriculture & NYS Horse Breeders Dev. Fund  
Rick Papa, HHA of CNY  
Joseph D'Agostino, "concerned horseman and resident"  
Lon Rosenfeld, "concerned horseman"  
Bruce Hamilton, HHB of NYS  
Paul Foy, Daily Gazette  
Tom Precious, Blood Horse Magazine  
Bill Crowell, Hinsman Straub  
Kyle Hughes, Gannette News Service

VIA CONFERENCE CALL

Joseph Neglia, Member  
Robert Feuerstein, Counsel  
James Gallagher, Director of Racing Operations

MINUTES  
SPECIAL MEETING OF SEPTEMBER 4, 1997  
THE NYS RACING AND WAGERING BOARD

**D ITEMS APPROVED, DENIED OR DEFERRED BY THE BOARD**

- 1. TECHNICAL AMENDMENT TO THE NATION-STATE COMPACT BETWEEN THE ONEIDA INDIAN NATION OF NEW YORK AND THE STATE OF NEW YORK RELATING TO THE PROCEDURES AND SPECIFICATIONS FOR THE OPERATION OF RED DOG**

The Board approved this amendment which permits the use of electromechanical card-shuffling devices.

- 2. TECHNICAL AMENDMENT TO THE NATION-STATE COMPACT BETWEEN THE ONEIDA INDIAN NATION OF NEW YORK AND THE STATE OF NEW YORK RELATING TO THE PROCEDURES AND SPECIFICATIONS FOR THE OPERATION OF BACCARAT**

The Board approved this amendment which permits the use of electromechanical card-shuffling devices.

- 3. TECHNICAL AMENDMENT TO THE NATION-STATE COMPACT BETWEEN THE ONEIDA INDIAN NATION OF NEW YORK AND THE STATE OF NEW YORK RELATING TO THE PROCEDURES AND SPECIFICATIONS FOR THE OPERATION OF MINI BACCARAT**

The Board approved this amendment which permits the use of electromechanical card-shuffling devices.

- 4. TECHNICAL AMENDMENT TO THE NATION-STATE COMPACT BETWEEN THE ONEIDA INDIAN NATION OF NEW YORK AND THE STATE OF NEW YORK RELATING TO THE PROCEDURES AND SPECIFICATIONS FOR THE OPERATION OF CARIBBEAN STUD POKER**

The Board approved this amendment making alterations in the dealing procedures as they relate to distribution and collection of cards and the number of individuals that may be seated at a Caribbean Stud Poker table.

**5. VERNON DOWNS REQUEST TO AMEND ITS 1997 HARNESS RACING LICENSE**

The Board considered the request from Vernon Downs to amend the 1997 Harness Racing License by eliminating 30 live racing programs from the approved schedule and end the current live racing season on September 1, 1997. The Board determined that Vernon Downs will continue to race on Friday and Saturday nights through the end of September, effectively dropping previously scheduled Thursday evening performances on September 11, 18 and 25, 1997. This approval was conditioned upon the following:

1. Vernon Downs will continue to meet its financial obligation to the Agriculture & New York State Breeding Development Fund as well as all other racing entities within the State.
2. In accordance with Section 1016(2)(f) of the Racing, Pari-Mutuel Wagering and Breeding Law, Vernon Downs is limited to conducting four (4) nights of out-of-state harness simulcasting based upon its reduced racing schedule.
3. Vernon Downs will submit its plans to the Board for racing in October and November by September 24, 1997. Any plans for possible reduction of live racing dates must be made pursuant to a formal resolution of Vernon's Board of Directors.
4. In conjunction with Item #3, Vernon Downs must provide the Board with the formal position of the Central New York Harness Horsemen's Association regarding any reduction in live racing dates.
5. Vernon Downs must submit to the New York State Racing and Wagering Board an accounting as to the amount currently available in the Purse Account and accruals which are anticipated to be made as a result of the reduction in live racing and limited out-of-state harness simulcasting.
6. Vernon Downs must submit a financial statement from an independent certified public accountant, in conjunction with the submission of its 1998 track license application, which establishes that Vernon Downs is a going concern.

**E.**

**ITEMS FOR INFORMATION/DISCUSSION**

**1. CAPITAL OTB**