

**MINUTES
SPECIAL MEETING OF JANUARY 27, 1998
NEW YORK STATE RACING AND WAGERING BOARD**

A meeting of the New York State Racing and Wagering Board was held on Tuesday, January 27, 1998, in the Executive Office, located at 1 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 L. Donato, Secretary to the Board

In Attendance Via Telephone Conference Were:

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

Also in Attendance Were:

Tom Precious, Blood Horse
Peter B. O'Connell, Western OTB

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The meeting was called to order at 5:10 p.m.

D. ITEMS TO BE APPROVED, DENIED OR DEFERRED BY THE BOARD

1. BATAVIA DOWNS 1998 TRACK LICENSE

The Board approved the Genesee-Monroe Racing Association, Inc., (GMRA) application to continue its track license through June 30, 1998 only, subject to the terms of the written application dated January 26, 1998 and the conditions set forth below. As part of the agreement, James Samberg relinquished control of all aspects of the Genesee Monroe Racing Association to the "property manager", Daniel Radzinski, and the other corporate officers and directors.

Approval was conditioned upon the following:

1. Prompt submission of a written request to the New York State Ethics Commission for an opinion interpreting the Public Officers Law with regard to the service of Daniel Radzinski as the property manager;
2. In the event Daniel Radzinski is unable to serve due to the opinion of the Ethics Commission or any other reason, GMRA shall have 72 hours within which to submit the name of a qualified "property manager" candidate to the New York State Racing and Wagering Board. If GMRA fails to do so, the license issued shall terminate;
3. Licensing of the "property manager" by the Racing and Wagering Board;
4. Submission to the Racing and Wagering Board, no later than February 3, 1998, of a written statement of GMRA indicating the balance in the Capital Improvement Fund Account as of January 27, 1998; and
5. Submission to the Racing and Wagering Board no later than February 3, 1998, of a written statement of GMRA indicating the balance in the Purse Account and any outstanding amounts owed to the Purse Account by GMRA or any other entities or individuals.

The meeting was adjourned at 5:20 p.m.