REQUEST FOR APPLICATIONS
TO DEVELOP AND OPERATE
A GAMING FACILITY IN NEW YORK STATE

ACCEPTABLE HOST MUNICIPALITY RESOLUTIONS
IN SUPPORT OF THE LOCATION OF A GAMING FACILITY

May 20, 2014

As a condition of filing a response to the Requests For Application, each Applicant is required to submit to the Board a resolution passed by the local legislative body of its Host Municipality supporting the Application. For purposes of this requirement, local support means a post-November 5, 2013 resolution passed by the local legislative body of the Host Municipality supporting the Application.

The identities of the potential gaming facility applicants have now been established. Accordingly, the Board believes that for a Host Municipality resolution to be sufficient, such resolution should indicate support for the <u>specific gaming facility</u> within the jurisdiction of the Host Municipality.

For the guidance of bidders, we have provided a specific "resolved clause" which would meet the Host Municipality support requirement. We have also provided examples of unacceptable "resolved clauses."

ACCEPTABLE RESOLVED CLAUSE

NOW THEREFORE BE IT RESOLVED, that in furtherance of the above goals, Municipality X herby agrees to the location of Gaming Facility Y at premises within Municipality X, and

UNACCEPTABLE RESOLVED CLAUSES

(Overbroad) a resolution by a Municipality in support of a Gaming Facility located within a county or a resolution in support of a Gaming Facility located within a different Municipality.

(Ambiguous) a resolution by a host Municipality in support of any "reasonable," "substantial," "sensible" or "thoughtful" Gaming Facility located within a host Municipality.

The Board strongly advises each potential Host Municipality review any previously adopted resolution to ensure it meets the standards of this Guidance.

As of today, the Board has received 23 Host Municipality Resolutions; only three (the Village of Johnson City; the Town and Village of Liberty; and the Town of Wawarsing) are acceptable as consistent with the standards contained within this Guidance.

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