

**RESOLUTION OF THE NEW YORK GAMING FACILITY LOCATION BOARD TO
SELECT APPLICANTS TO BE CONSIDERED FOR GAMING FACILITY
LICENSURE BY THE NEW YORK STATE GAMING COMMISSION**

WHEREAS, the New York legislature passed, in two consecutive legislatures in 2012 and 2013, concurrent resolutions to amend the State constitution to permit casino gaming; and

WHEREAS, the people of the State of New York voted to amend section 9 of Article I of the Constitution of the State of New York to permit casino gaming as authorized and prescribed by the legislature; and

WHEREAS, the legislature passed, and the governor approved, the Upstate New York Gaming Economic Development Act ("Act") in 2013, authorizing and prescribing casino gaming in New York State upon appropriate amendment of the State constitution; and

WHEREAS, the Act authorized up to four destination casinos to boost upstate economic development, create thousands of well-paying jobs and provide added revenue to the State located in three defined regions of the State: Hudson Valley/Catskill area (Region One, Zone Two), Capital Region (Region Two, Zone Two), and Eastern Southern Tier (Region Five, Zone Two), with a second license to a qualified applicant to be awarded in no more than a single region; and

WHEREAS, the New York State Gaming Commission ("Commission") established the Gaming Facility Location Board ("Board"), as prescribed by Racing Pari-Mutuel Wagering and Breeding Law ("PML") section 109-a, to select up to four Applicants, following a competitive Application process, to be considered for gaming facility licensure; and

WHEREAS, on March 31, 2014 the Board issued a Request for Applications to develop and operate a gaming facility in New York State ("RFA"); and

WHEREAS, on June 30, 2014, the Board received 17 sets of application material (each set, an "Application") from 16 entities (each, an "Applicant") in response to the RFA; and

WHEREAS, on August 7, 2014 the Board determined that one Application for Region Two, Zone Two was substantially non-responsive to the RFA and by unanimous vote eliminated such Applicant from further consideration; and

WHEREAS, on September 8 and 9, 2014, each of the 15 remaining Applicants made an informational introductory presentation of its Application(s) to the Board; and

WHEREAS, at public comment events convened in each of the regions on September 22, 23 and 24, 2014 in Albany, Poughkeepsie and Ithaca, respectively, the Board heard comments on the 16 responsive Applications from more than 400 individual speakers; and

WHEREAS, the Board received and catalogued more than 12,000 pieces of unique communications relating to the siting of casinos; and

WHEREAS, the Board is required to evaluate the RFA submissions pursuant to the statutory criteria of PML section 1320; and

WHEREAS, the Board is authorized under subdivision 3 of PML section 1306 to develop additional criteria to assess which Applications provide the highest and best value to the State; and

WHEREAS, the Board is required under subdivision 7 of PML section 1306 to issue detailed findings of fact and conclusions demonstrating the reasons supporting its decision to select Applicants for licensure and to issue a finding on how each Applicant proposes to advance the criteria of PML section 1320;

NOW, THEREFORE BE IT RESOLVED, that the Board evaluated 16 Applications based on the statutory criteria of PML section 1320 and the additional criterion developed by the Board under subdivision 3 of PML section 1306 as to which proposals best fulfill the intent of the Act in regard to providing economic assistance to disadvantaged areas of the State while enhancing upstate New York's tourism industry; and

BE IT FURTHER RESOLVED, that based on the Board's evaluation, the Board selects the following Applicants to apply to the Commission for a gaming facility license:

Montreign Operating Company, LLC, proposer of Montreign Resort Casino in the Town of Thompson in Sullivan County (Region One, Zone Two);

Capital Region Gaming, LLC, proposer of Rivers Casino & Resort at Mohawk Harbor in the City of Schenectady in Schenectady County (Region Two, Zone Two); and

Lago Resort & Casino, LLC, proposer of Lago Resort & Casino in the Town of Tyre in Seneca County (Region Five, Zone Two); and

BE IT FURTHER RESOLVED, that the Board hereby adopts as its initial findings, the attached "Selection of the New York Gaming Facility Location Board" dated December 17, 2014 which summarizes the Board's evaluation and selection of Applicants to apply to the Commission for a gaming facility license; and

BE IT FURTHER RESOLVED, that the Board hereby shall issue the findings required by subdivision 7 of PML section 1306 and PML section 1320, with the intention of issuing such findings on or about 30 days following adoption of this resolution; and

BE IT FURTHER RESOLVED, that the aforesaid resolutions shall be effective immediately; and

BE IT FURTHER RESOLVED, that the chair of the Board be authorized to sign this resolution indicating the assent of the Board to the contents herein.

Kevin S. Law	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Dennis E. Glazer	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Stuart Rabinowitz	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
Paul E. Francis	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay
William C. Thompson, Jr.	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay



Kevin S. Law
Chair
Gaming Facility Location Board

Albany, New York
December 17, 2014