



Franchise Oversight Board

Resolution No. 20-03

WHEREAS, the Franchise Oversight Board (“FOB”) was established pursuant to Chapter 18 of the Laws of 2008 to represent the interests of the People of the State of New York as the owner of, among other properties, the Saratoga Race Course (“Saratoga”); and

WHEREAS, the FOB desires to exercise its authority with the diligence and responsibility commensurate with its duties, powers, and functions; and

WHEREAS, there exists an agreement between the FOB as landlord and the New York Racing Association, Inc. (“NYRA”) as lessee covering Saratoga; and

WHEREAS, the City of Saratoga (the “City”) has been otherwise granted the right, privilege and easement on, over, under, across, through and along certain portions of land at Saratoga to construct and operate a fire station and any necessary appurtenances on lands at Saratoga; and

WHEREAS, the FOB has determined that it is in the best interests of the State to designate the New York State Office of General Services (“OGS”) as the authority having jurisdiction for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (“Uniform Code”) and to direct the City to interact directly with OGS to obtain all necessary Uniform Code compliance review services, construction permitting services, construction inspections, and certification services at Saratoga; and

WHEREAS, OGS is a construction permitting agency and is ready, willing and able to perform the requested services on behalf of the FOB in accordance with 19 NYCRR Part 1204; and

WHEREAS, the City, OGS, and the FOB desire to memorialize this arrangement in that certain Cost Reimbursement and Escrow Account Agreement (the “Agreement”), a copy of which is attached to this resolution.

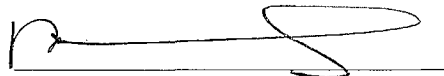
THEREFORE, that the FOB hereby approves the Agreement and hereby authorizes Robert T. Williams, Chair of the FOB, to execute the Agreement in substantially the form attached to this resolution and to execute any other documents necessary to carry out this resolution.

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VOTES:

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Robert T. Williams, Chair	x			
Joseph J. Rabito	x			
James T. Towne, Jr.	x			

Adopted by the affirmative vote of a majority of the members at a duly constituted meeting of the Franchise Oversight Board on March 9, 2020.



Robert Williams
Chair
Franchise Oversight Board
March 9, 2020