



**Minutes of Franchise Oversight Board
Meeting of June 16, 2021**

1. Call to Order/Quorum Establishment

Board Chairman Robert Williams called the meeting to order at 11:11 a.m. Establishment of a quorum was noted. In attendance via conference call were Board Members Joseph Rabito, James Towne, Giovanni Warren and Robert Williams. The meeting was conducted in conformity with Governor Andrew M. Cuomo’s Executive Order 202.1, as extended by Executive Order 202.110.

2. Consideration of Minutes

The Board considered previously circulated draft minutes of the meeting conducted on January 11, 2021. The minutes were accepted as circulated.

3. Financial Reviews

The Board undertook a review of Financial Statements, First Quarter Calendar Year 2021.

The Board also considered an amendment to NYRA’s 2021 Capital Budget, to reflect the construction of a retaining wall at Belmont Park.

- a. **Resolution No. 21-02.** The Board considered Resolution No. 21-02, to approve NYRA’s Capital Expense Plan for Calendar Year 2021, as amended.

ON A MOTION BY: Member Rabito
APPROVED: 4-0

4. Miscellaneous Reviews

The Board considered and discussed NYRA’s Single and Sole Source Exceptions from December 2020 through April 2021.

5. **Presentations and Considerations**

- a. **Genting Refinancing Documents.** The Board considered Resolution No. 21-03, to authorize the Chair to execute on behalf of the Board a Loan Attornment and Estoppel Certificate and any other documents necessary to clarify for the lenders the relationship between Genting and the Board in relation to the refinance of debt of Resorts World New York City at Aqueduct Racetrack.

ON A MOTION BY: Member Towne
APPROVED: 4-0

- b. **Belmont Land Jurisdiction Transfer.** The Board considered Resolution No. 21-04, to authorize the Chair to execute on behalf of the Board a transfer of jurisdiction for certain strips of land on Hempstead Turnpike for traffic improvements from the Board to the N.Y.S. Department of Transportation consistent with the design plan presented.

ON A MOTION BY: Member Rabito
APPROVED: 4-0

- c. **KeySpan Gas East Corporation Easement.** The Board considered Resolution No. 21-05, to authorize the Chair to execute on behalf of the Board documents necessary to grant an easement to KeySpan Gas East Corporation at Belmont Park to install, operate and maintain gas mains and gas service lines and pipes, necessary to the successful completion of the previously approved Belmont Park Redevelopment Civil and Land Use Improvement Project.

ON A MOTION BY: Member Towne
APPROVED: 4-0

- d. **Belmont Park Chaplaincy Building.** The Board considered Resolution 21-06, to approve the construction of a Chaplaincy Building on the grounds of Belmont Park, consistent with the design plan presented.

ON A MOTION BY: Member Towne
APPROVED: 4-0

- e. **Saratoga Race Course Medical Building.** The Board heard a presentation by Jeffrey Methven and Kevin Ronayne, representatives from senior management at Saratoga Hospital, regarding plans for the

siting and construction of a medical clinic to serve the needs of the backstretch population, to be constructed on the grounds of the Saratoga Race Course.

6. Old and New Business

- a. Litigation.** Mr. Williams provided an update regarding a lawsuit brought by certain residents of Saratoga Springs who challenged both the Saratoga Springs City Council's issuance of a negative declaration pursuant to the State Environmental Quality Review Act and their decision to enter into an easement to construct the fire house on the grounds of Saratoga Race Course. Mr. Williams reported that the case, entitled In the Matter of Cholnoky v. City of Saratoga Springs, was decided against the plaintiffs on April 1, 2021.
- b. Performance Standards Report.** Mr. Williams provided an update on the status of the statutory performance review of NYRA operations.

7. Adjournment

The meeting was adjourned at 12:44 p.m.

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