



Resolution No. 22-02

WHEREAS, in 2008, the New York State Legislature (i) amended the New York Racing, Pari-Mutuel Wagering and Breeding Law to establish the Franchise Oversight Board (the "Board") to represent the interests of the People of the State of New York as owner of the Aqueduct Racetrack, Belmont Park, and Saratoga Race Course ("Franchised Racetracks") and (ii) conferred upon The New York Racing Association, Inc. ("NYRA") the right and responsibility to, among other things, operate all functions at the Franchised Racetracks; and

WHEREAS, pursuant to section 212(8)(a)(viii) of the New York Racing, Pari-Mutuel Wagering and Breeding Law, the Board has the authority act on behalf of the People of the State of New York to enter any real property transactions in furtherance of the purposes and intent of the law; and

WHEREAS, one statutory guidance tenet requires the Board to ensure the continuation of high quality thoroughbred racing at the thoroughbred racing facilities of the State racing franchisee; and

WHEREAS, the health of the employees working on the grounds of the State racing franchisee is vital to the continuation of quality racing at, *inter alia*, Saratoga Race Course ("Saratoga"); and

WHEREAS, the Backstretch Employee Service Team of New York, Inc. ("BEST") has historically operated a medical clinic in temporary quarters on the backstretch grounds of Saratoga; and

WHEREAS, BEST, in partnership with The Saratoga Hospital, seeks to construct and operate a permanent medical clinic on the backstretch grounds of Saratoga; and

WHEREAS, NYRA has requested the Board consider and allow the construction of a medical clinic building on the grounds of Saratoga; and

WHEREAS, a business model for the proposed medical clinic at Saratoga illustrates that it will be operated and maintained independent of NYRA financial support; and

WHEREAS, representatives from BEST and Saratoga Hospital have presented a design plan for the medical clinic that necessitates the right, privilege and easement on, over, under, across, through and along certain portions of land at Saratoga; and

WHEREAS, the Board finds that the granting of such easement to The Saratoga Hospital will further the goal of continuation of high quality thoroughbred racing at Saratoga by providing health care access to an underserved backstretch population;

WHEREAS, the establishment of a medical clinic can be accomplished without adversely impacting racing operations; and

WHEREAS, the Board, in consideration of good and valuable consideration provided by The Saratoga Hospital, has agreed to grant such a right, privilege and easement in accordance with the terms of the draft Easement Agreement (the "Easement") attached to this resolution.

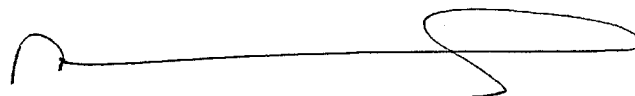
NOW, THEREFORE, be it resolved that the Board hereby approves the construction of a medical clinic on the grounds of Saratoga, consistent with the design plan presented.

BE IT FURTHER RESOLVED that the Board hereby approves the Easement and hereby authorizes Board Chairman Robert Williams to execute the Easement in substantially the form attached to this resolution and to execute any other documents necessary to record the Easement in the land records of Saratoga County and carry out this resolution, and deliver to The Saratoga Hospital the Easement and other documents necessary to record the Easement.

VOTE:

<i>Member</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Absent</i>
James T. Towne, Jr.	x			
Giovanni Warren	x			
Robert Williams	x			

Adopted by the affirmative vote of a majority of the members at a duly constituted meeting of the Board conducted on January 14, 2022.



Robert Williams
Chairman