RESOLUTION – TOWN BOARD OF THE TOWN OF BLOOMING GROVE, NEW YORK IN SUPPORT OF THE APPLICATION TO DEVELOP AND OPERATE A GAMING FACILITY ON LAND LOCATED ADJACENT TO NEW YORK STATE ROUTE 208 IN THE VILLAGE OF SOUTH BLOOMING GROVE BY OCCR ENTERPRISES, LLC

On a motion by Councilman Devinko,
Seconded by Deputy Supervisor Kiernan,
the Town Board resolves the following:

WHEREAS, on March 31, 2014, the New York Gaming Facility Location Board (the "**State Gaming Board**") issued a Request for Applications to Develop and Operate a Gaming Facility in New York State (the "**RFA**") pursuant to The Upstate New York Gaming Economic Development Act of 2013; and

WHEREAS, OCCR Enterprises, LLC, an affiliate of The Cordish Companies, has entered into contracts to purchase land in the Village of South Blooming Grove, Town of Blooming Grove, County of Orange, known as Section 223, Block 1, Lot 1 and Section 223, Block 1, Lot 2 on the Tax Map of the Village of South Blooming Grove (the "**Project Site**"). The Project Site is situated on New York State Route 208 in close proximity to Exit 130 off New York State Highway Route 17 soon to be Interstate Route 86; and

WHEREAS, the affiliates and principals of OCCR Enterprises, LLC are qualified applicants with substantial experience in financing, developing and operating entertainment, restaurant and gaming facilities; and

WHEREAS, OCCR Enterprises, LLC has stated an intent to file an application with the State Gaming Board in response to the RFA (the "**Application**") seeking a license to develop and operate a Gaming Facility, with a hotel and other amenities, including retail space and entertainment venues (the "**Gaming Project**") on the Project Site. As a condition of filing its application with the State Gaming Board, OCCR Enterprises, LLC is required to demonstrate community support for its application; and

WHEREAS, the Town Board has discussed matters relating to the potential location of certain types of gaming or casino facilities in the Town of Blooming Grove; and

WHEREAS, a Special Work Session was jointly held on April 17, 2014 by the Town Board and the Village Board of the Village of South Blooming Grove, at which time a presentation was made by OCCR Enterprises, LLC to review the proposed Gaming Project. At said Special Work Session, comments were made by County Executive Steven Neuhaus in support of the Gaming Project. In addition, both municipal

boards and the public were given the opportunity to make relevant inquiries and provide comments pertaining to the Gaming Project; and

WHEREAS, the residents of the Town of Blooming Grove, would welcome the job opportunities, increased local spending, and economic and community benefits that would most assuredly derive from such Gaming Project; and

WHEREAS, the Town Board recognizes the uniqueness of the Project Site, the qualifications of OCCR Enterprises, LLC and the opportunity the Gaming Project represents to the Town of Blooming Grove; and

WHEREAS, by encouraging the development and operation of the Gaming Project at the Project Site by OCCR Enterprises, LLC, the Town of Blooming Grove and the County of Orange can expand their tourism base by providing services and overnight accommodations for visitors as part of a balanced economy and can expand the tax base of the Town. In addition, the Town Board believes that the development and operation of the Gaming Project at the Project Site would have a positive impact on Orange County, New York, the Monroe-Woodbury Central School District, and surrounding communities, through the increase of property tax revenues and the expansion of employment opportunities for the citizens of Orange County, New York; and

WHEREAS, failure of the Town Board to pass a resolution of support for the submission of an application by OCCR Holdings, LLC would preclude further review and consideration of such potential development by OCCR Enterprises, LLC within the Town as the application would not be accepted by the State Gaming Board; and

WHEREAS, any such project, even if approved for a license by the State Gaming Board, would still be required to comply with the local planning, zoning and environmental review process for all appropriate approvals in order to ensure the protection of the health, safety and welfare of the residents of the community; and

WHEREAS, The Town Board recognizes a land owner's right to develop and has no opposition to development, as long as the development is a responsible one that complies with the all applicable laws and ensures proper protections of our cherished resources and that the public interest is protected; and

WHEREAS, The Blooming Grove Board is in full support of the Gaming Project and OCCR Enterprises, LLC's Application to the State Gaming Board for a license to develop and operate the Gaming Facility at the Project Site; and

NOW THEREFORE IT IS HEREBY RESOLVED, that the Town Board of the Town of Blooming Grove fully supports the Application to be filed by OCCR Enterprises, LLC with the Board for the development and operation of the Gaming Project on the Project Site and fully supports and encourages the development and operation of the Gaming Project on the Project Site by OCCR Enterprises, LLC and its successors and assigns, and

BE IT FURTHER RESOLVED, that this Resolution is intended to satisfy the eligibility requirements of NYS Racing, Pari-Mutuel Wagering and Breeding Law § 1314(2) and specifically to satisfy the condition of local support for the gaming license applicant, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the State Gaming Board and the Clerk of the Village of South Blooming Grove and moves its adoption.

ROLL CALL VOTE:	AYE	NAY
Supervisor Fromaget:	X	
Deputy Supervisor Kiernan:	X	
Councilman Devinko:	X	
Councilman Jurain:	X	
Councilman Nielsen:		X

MOTION CARRIED

The foregoing resolution was thereupon declared duly adopted on April 17, 2014