



The Applicant understands “Live Entertainment Venues” to mean not-for-profit or government-owned performance venues designed in whole or in part for the presentation of live concerts, comedy or theatrical performances, and that, for purposes of the RFA, the relevant Live Entertainment Venues are considered to be ones in the Applicant’s host county, the counties adjoining the Applicant’s host county, and any county within 25 miles of the Applicant’s Gaming Facility site. This response does not address non-relevant Live Entertainment Venues.

The Applicant has met with the organization called The Upstate Theater Coalition for a Fairgame (“Fairgame”) which represents the following Live Entertainment Venues: Clemens Center, Elmira; State Theater, Ithaca; Forum Theater, Binghamton; Auditorium Theatre, Rochester; Proctors, Schenectady; Saratoga Performing Arts, City Center, Saratoga; UPAC, Kingston; Bardavon, Poughkeepsie; Palace Theater, Times Union Center, Albany; Troy Music, Troy; and Bethel Woods, Bethel. The Applicant has been told that Fairgame includes among others the major relevant Live Entertainment Venues.

In its meetings with Fairgame, the Applicant understood one of Fairgame’s primary concerns to be the potential negative impacts of entertainment venues at the Gaming Facility. In part in response to this primary concern, the Applicant’s proposal contains no dedicated entertainment space such as a showroom. The Applicant believes that this programming decision, while potentially negatively impacting the amount of gross gaming revenues that the Gaming Facility could generate, demonstrates the Applicant’s commitment to addressing impacts on Live Entertainment Venues.

Further to this commitment, the Applicant and Fairgame have entered a Memorandum of Understanding (the “Fairgame MOU”) (see attached). The major terms of the Fairgame MOU are as follows:

- [REDACTED]

Memorandum of Understanding
By and Between by
The Upstate Theater Coalition for a Fairgame
And
NYS Funding LLC

26 June 2014

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

