

New York Gaming Facility Location Board
Response to Request for Applications to Develop and Operate a
Gaming Facility in New York State

TIOGA DOWNS RACETRACK, LLC
Exhibit IX.A.1.a.

COPIES OF RESOLUTION OF SUPPORT FROM HOST MUNICIPALITIES

Please see attached.



P.O. Box 359

54 East River Road

Nichols, New York 13812

(607)-699-3110

Kevin Engelbert, Supervisor

Karen Hunsinger, Town Clerk

February 14, 2014

To Whom It May Concern:

I'd like to express my support for Tioga Downs in their quest to obtain one of the four casino licenses which will be awarded in Upstate New York. There are many criteria involved, and I'd like to point out a few for the committee to consider that I believe to be important.

The topic that seems to garner the most attention, as expected, is money. Everyone that argues for the license to be awarded to the entity in their area talks first about how much the citizens will gain financially. Fair enough; I don't think anyone doubts that a casino will increase the amount of money circulating in the local and surrounding economies. But to maximize that impact, the facility needs to be located in the most centralized location possible with regard to casinos that already exist – *the* central location is Tioga Downs. Customers will come from not only the entire Southern Tier of New York, but also from the Northern Tier of Pennsylvania as well. No other competing site can claim to be as centrally located nor as easily accessible as Tioga Downs with regard to the geographic area the new casino will draw from.

Another facet of the money side of the equation is the amount of investment to be made on the new facilities. Tioga Downs already spent millions at their facility when Mr. Gural purchased and renovated the property over seven years ago. When you include that figure, and the improvements made since then, the total amount of money invested is comparable to what the other potential licensees are proposing. And given the head start Tioga Downs has, they can be operating a casino in far less time than any other potential bidder.

Also, don't forget the amount of money Mr. Gural has already generated for New York State and the State Education Fund. Vernon Downs has been brought back to life, and Tioga Downs brought to life, by the foresight and determination of Mr. Gural. While virtually everyone thought Vernon Downs could not be saved, due to its proximity to Turning Stone, and that Tioga Downs didn't have the population base to be successful, Mr. Gural and his team proved differently. Their willingness to take those risks, when no one else would, has resulted in thousands upon thousands of dollars deposited in state and local coffers already. And Tioga Downs has generated a lot of additional business that contributes to the economy.

(2)

Having said all of that, I'm still uncomfortable with the main thrust of the argument for Tioga Downs being awarded one of the casino licenses centering on money, tax base, etc. When Mr. Gural originally proposed purchasing and reopening Tioga Downs, there were many naysayers who believed that any resulting benefits would be far outweighed by the negatives. I don't need to go over all the bad situations that were predicted to arise, except to say that they have not happened. Tioga Downs has become a very important part of the Nichols community, an asset that would be devastating to lose.

On Tioga Downs original opening day, in June of 2006, Nichols was hit by what was at the time the worst flood in our history. Before he had even collected a dime of revenue, Mr. Gural had his employees at the Downs out helping the community recover at his expense. That effort was dwarfed by the assistance provided after the devastating flood of 2011. Tioga Downs has become an integral part of our community in every conceivable way. Mr Gural has also purchased additional property in the area and built a new home, and he has contributed a great deal financially to many of the non-profit organizations in our area.

I have to relate a story concerning Mr. Gural and the aftermath of the 2011 flood. At a meeting in 2012 he explained why he lowered the food prices at Tioga Downs without lowering the quality. As Mr. Gural was driving around the area after the flood, he couldn't help but notice how many homes had their kitchen appliances sitting outside – they had been ruined. He immediately went to the Downs and told the staff what the new, lower prices would be because he realized that people needed some where to eat good food at a reasonable price while they were rebuilding their homes. I would venture that most other business owners would have done the opposite: knowing that they had a relatively captive population – many roads were closed and leaving the area was difficult at best – they would have quietly raised prices.

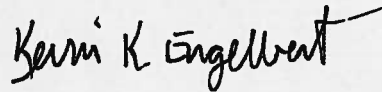
I understand the concerns of many citizens who question the wisdom of an expansion of gambling at Tioga Downs, because many of the people in our area live on limited and / or fixed incomes. But there's far more to Tioga Downs than just gambling. They offer many different forms of family entertainment, and they will expand on those offerings with the new facilities already under construction. Many people enjoy simply watching the horses train and race; activities that none of the other entities will offer.

Other people competing with Mr. Gural for a casino license have argued that the rural location of Tioga Downs puts it at a disadvantage with regard to attracting people from the nearby cities. I disagree – I think people who live in cities would welcome the opportunity to come out to a country setting. When I was in college, all my friends who were from cities very much enjoyed their visits to our humble little town. Nichols has an excellent golf course, Tioga Country Club, for those who plan a weekend visit and want to play a challenging round, and the town is a gateway to the Finger Lakes region. In addition, the ability to see active agriculture, with crops growing and cows grazing, and the beautiful scenery provided by the surrounding hills, gives Tioga Downs a distinct advantage in my mind.

(3)

In the last point I would like to make, Mr. Gural worked very hard to get the casino proposition passed by New York State voters, while all the others trying for a casino license sat back to see what the outcome would be. Mr. Gural and all his first class employees worked tirelessly, and spent a large sum of money, to educate the people of New York on the benefits of allowing casinos in the state. If Tioga Downs is not awarded one of the licenses, that would be a travesty of the highest degree.

With all possible sincerity,

A handwritten signature in black ink that reads "Kevin K. Engelbert". The signature is written in a cursive style with a horizontal line at the end.

Kevin K. Engelbert

Town of Nichols Supervisor

A regular meeting of the Town of Nichols was convened in public session at the offices of the Town of Nichols at 54 East River Rd Nichols NY 13812, Tioga County New York on December 10, 2013 at 7:30 o'clock p.m., local time.

The meeting was called to order by the Town Supervisor and upon roll being called, the following members of the Board were:

PRESENT: Ray Thetga, Bill Caloroso, Kevin Engelbert, Barbara Crannell, and James Branston

ABSENT:

THE FOLLOWING PERSON WAS ALSO PRESENT: Tom Babcock, Bill Middleton, Kevin Vought, and Loretta Sullivan

The following resolution was offered by James Branston and seconded by Barbara Crannell, to wit:

RESOLUTION IN SUPPORT OF TIOGA DOWNS FOR SELECTION AS EASTERN SOUTHERN TIER REGION CASINO GAMING LICENSE AWARDEE

WHEREAS: In November 2013, New York State voters approved a constitutional amendment to allow casino gaming in the State; and

WHEREAS: Tioga County voters showed overwhelming support of said constitutional amendment with 69.2% of voters in favor; and

WHEREAS: Tioga Downs has already proven to be a valued community partner by way of job creation, capital investment and revenue generated; and

WHEREAS: Tioga Downs owner has also shown experience in the gaming industry, not only at the existing facility in Tioga County but also in other facilities across New York State; and

WHEREAS: in anticipation of the passing of the Upstate New York Gaming and Economic Development Act, Tioga Downs has made substantial improvements to their already existing facility located in Tioga County; and

WHEREAS: the Tioga Downs existing facility is centrally located within the identified Eastern Southern Tier Region to best serve all residents of the region; now therefore be it

RESOLVED: That the Town of Nichols pass this resolution in support of Tioga Downs being awarded the Eastern Southern Tier Region Gaming License.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Ray Thetga	voting	aye
Bill Caloroso	voting	aye
Kevin Engelbert	voting	aye
Barbara Crannell	voting	aye
James Branston	voting	aye

Carried 5-0

The foregoing Resolution was thereon declared duly adopted.

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE TIOGA COUNTY LEGISLATURE
ADOPTED 1/14/2014

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 17-14 RESOLUTION IN SUPPORT OF TIOGA DOWNS FOR
SELECTION AS EASTERN SOUTHERN TIER REGION
CASINO GAMING LICENSE AWARDEE

WHEREAS: In November 2013, New York State voters approved a constitutional amendment to allow casino gaming in the State; and

WHEREAS: Tioga County voters showed overwhelming support of said constitutional amendment with 69.2% of voters in favor; and

WHEREAS: Tioga Downs has already proven to be a valued community partner by way of job creation, capital investment and revenue generated; and

WHEREAS: Tioga Downs owner has also shown experience in the gaming industry, not only at the existing facility in Tioga County but also in other facilities across New York State; and

WHEREAS: In anticipation of the passing of the Upstate New York Gaming and Economic Development Act, Tioga Downs has made substantial improvements to their already existing facility located in Tioga County; and

WHEREAS: The Tioga Downs existing facility is centrally located within the identified Eastern Southern Tier Region to best serve all residents of the region; therefore be it

RESOLVED: That the Tioga County Legislature pass this resolution in support of Tioga Downs being awarded the Eastern Southern Tier Region Gaming License; and be it further

RESOLVED: That the Clerk to the Legislature shall send a copy of the resolution to Governor Andrew Cuomo, Senator Thomas Libous, Assemblyman Christopher Friend and Assemblywoman Donna Lupardo.

STATE OF NEW YORK)

ss.:

COUNTY OF TIOGA)

This is to certify that I, the undersigned, Clerk of the Tioga County Legislature, have compared the foregoing copy of the resolution with the original resolution now on file in the office, and which was passed by the Legislature of said County on the fourteenth day of January, 2014, a majority of all the members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the County Legislature this fourteenth day of January, 2014.



Margaret J. Dougherty
Clerk of the Tioga County Legislature

RESOLUTION NO. 2013-2

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF NICHOLS NEW YORK IN
SUPPORT OF TIOGA DOWNS FOR SELECTION AS EASTERN SOUTHERN TIER REGION CASINO
GAMING LICENSE AWARDEE

WHEREAS: In November 2013, New York State voters approved a constitutional amendment to allow casino gaming in New York State; and

WHEREAS: Tioga County voters showed overwhelming support of said constitutional amendment with 69.2% of voters in favor; and

WHEREAS: Tioga Downs has already proven to be a valued community partner by way of job creation, capital investment and revenue generated; and

WHEREAS: Tioga Downs owner has also shown experience in the gaming industry, not only at the existing facility in Tioga County but also in other facilities across the state ; and


WHEREAS: in anticipation of the passing of the Upstate New York Gaming and Economic Development Act, Tioga Downs has made substantial improvements to their already existing facility located in Tioga County; and

WHEREAS: the Tioga Downs existing facility is centrally located within the identified Eastern Southern Tier Region to best serve all residents of the region; now therefore be it

RESOLVED: That the Village of Nichols New York pass this resolution in support of Tioga Downs being awarded the Eastern Southern Tier Region Gaming License.

PASSED AND ADOPTED on this 16th day of December, 2013 by the following vote:

- Mayor: Lesley Pelotte Aye Nay _____ Abstain _____ Absent _____
- Trustee: Marie Pierson Aye Nay _____ Abstain _____ Absent _____
- Trustee: Ted Dydynski Aye Nay _____ Abstain _____ Absent _____
- Trustee: Lynn Richter Aye Nay _____ Abstain _____ Absent _____
- Trustee: Dave Hazard Aye Nay _____ Abstain _____ Absent _____



Mayor, Village of Nichols New York



Clerk, Village of Nichols New York