



## Exhibit X.B.5. – Organized Labor Contracts

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*Submit as Exhibit X.B.5. a statement as to whether the Applicant and, as applicable the Manager has, is subject to, or is negotiating any contract with organized labor, including hospitality services, and whether the Applicant or, as applicable, the Manager has the support of organized labor for its Application, which specifies: (a) the number of employees to be employed at the proposed Gaming Facility, including detailed information on the pay rate and benefits for employees and contractors; (b) the total amount of investment in the proposed Gaming Facility and all infrastructure improvements related to the project; (c) completed studies and reports including an economic benefit study, for the State, the Region, and the Host Municipality; and (d) detailed plans for assuring labor harmony during all phases of the construction, reconstruction, renovation, development and operation of the Gaming Facility.*

Tioga Downs is fully committed to continuing to maintain the support of organized labor for its expansion project. As evidence of this commitment, attached is a copy of the Tioga Downs Project Labor Agreement entered into with the Binghamton - Oneonta Building & Construction Trades Council (“Council”) dated May 7, 2014. The Council entered into this agreement on behalf of itself and its affiliated local unions (sixteen in total) and their members. Further, Tioga Downs has entered into a Memorandum of Agreement with the Rochester Regional Joint Board, Workers United (“Workers United”). Tioga Downs and Workers United previously entered into and presently are parties to a collective bargaining agreement dated April 11, 2012, a copy of which is also attached (including an amendment to the agreement dated February 11, 2015). The Memorandum of Agreement states the processes to be followed between Tioga Downs and Workers United should Tioga Downs be granted a Gaming Facility License.

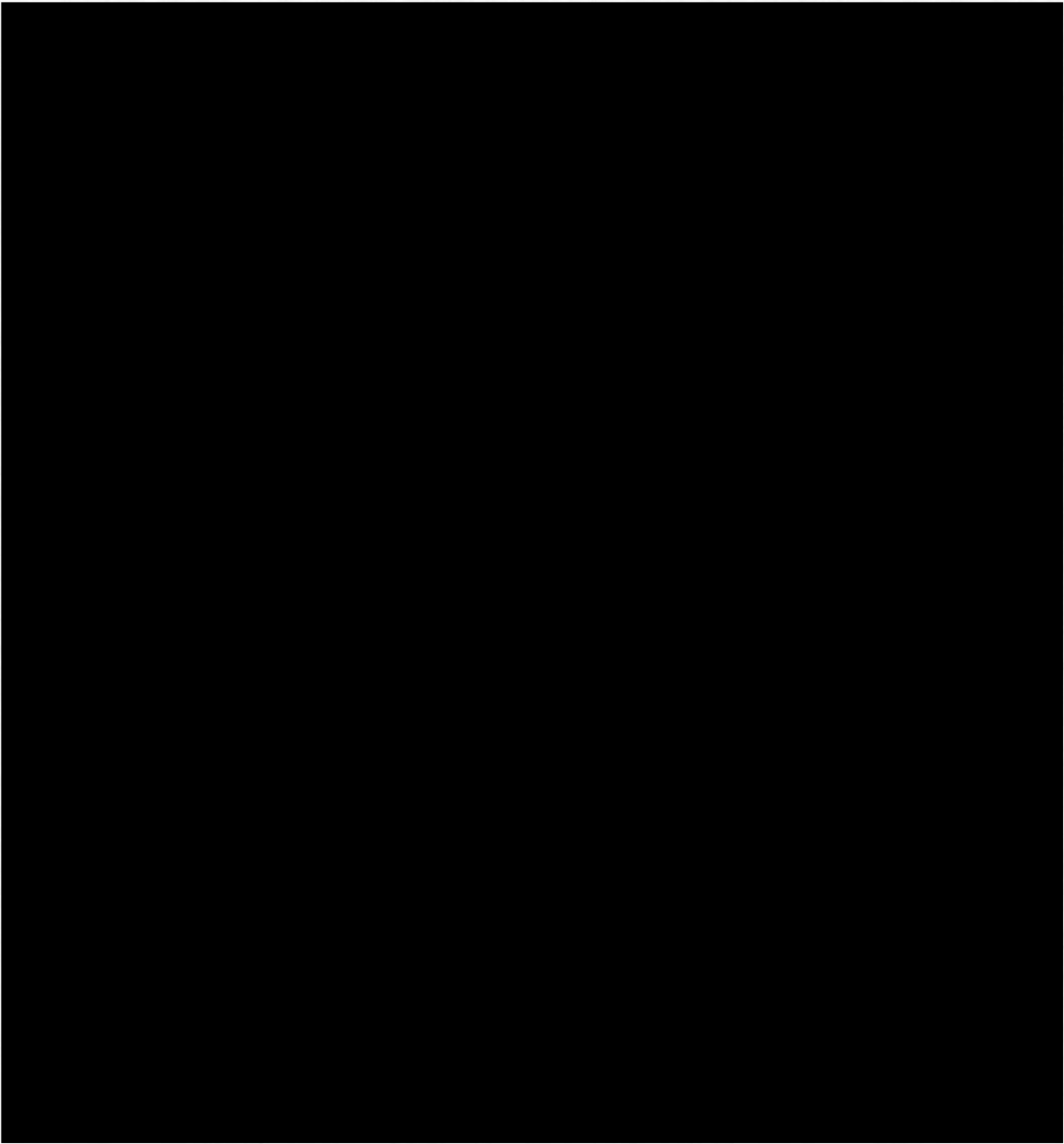
Additionally, attached are letters and statements of support provided to Tioga Downs by various labor unions and members thereof.

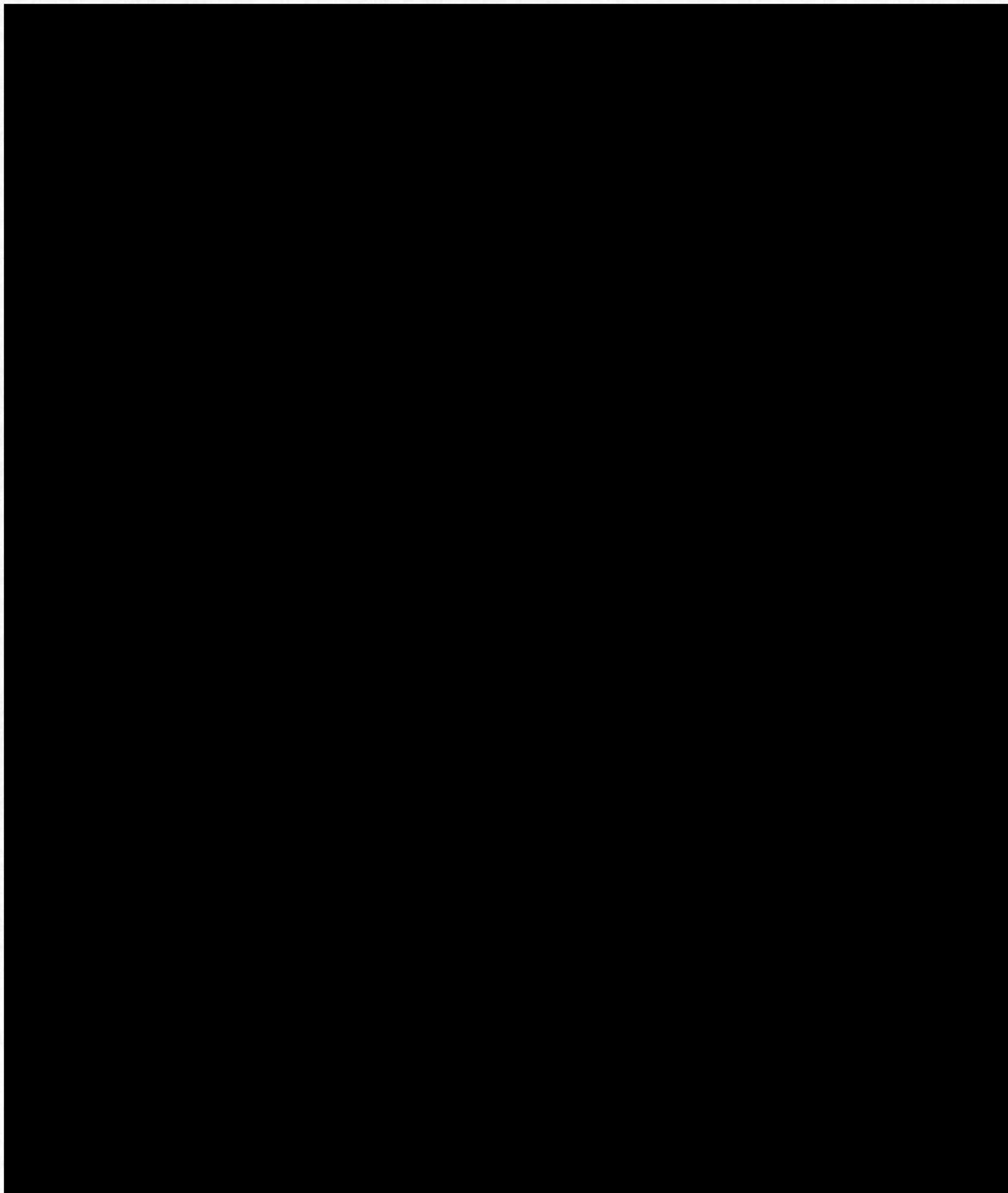
Please refer to Exhibit VIII.B.7.a. for information regarding the proposed number of employees at the proposed Gaming Facility as well as pay rate and benefits information for such employees. For details of the amount of investment in the proposed Gaming Facility, please refer to Exhibit VIII.A.2.a. and VII.A.2.b. Please refer to Exhibit VIII.B.1., Exhibit VIII.B.3.a. and Exhibit VIII.B.3.b. for studies related to the economic benefits Tioga Downs will generate for the state of New York, the Southern Tier Region and the Town of Nichols if it is awarded a Gaming Facility License.

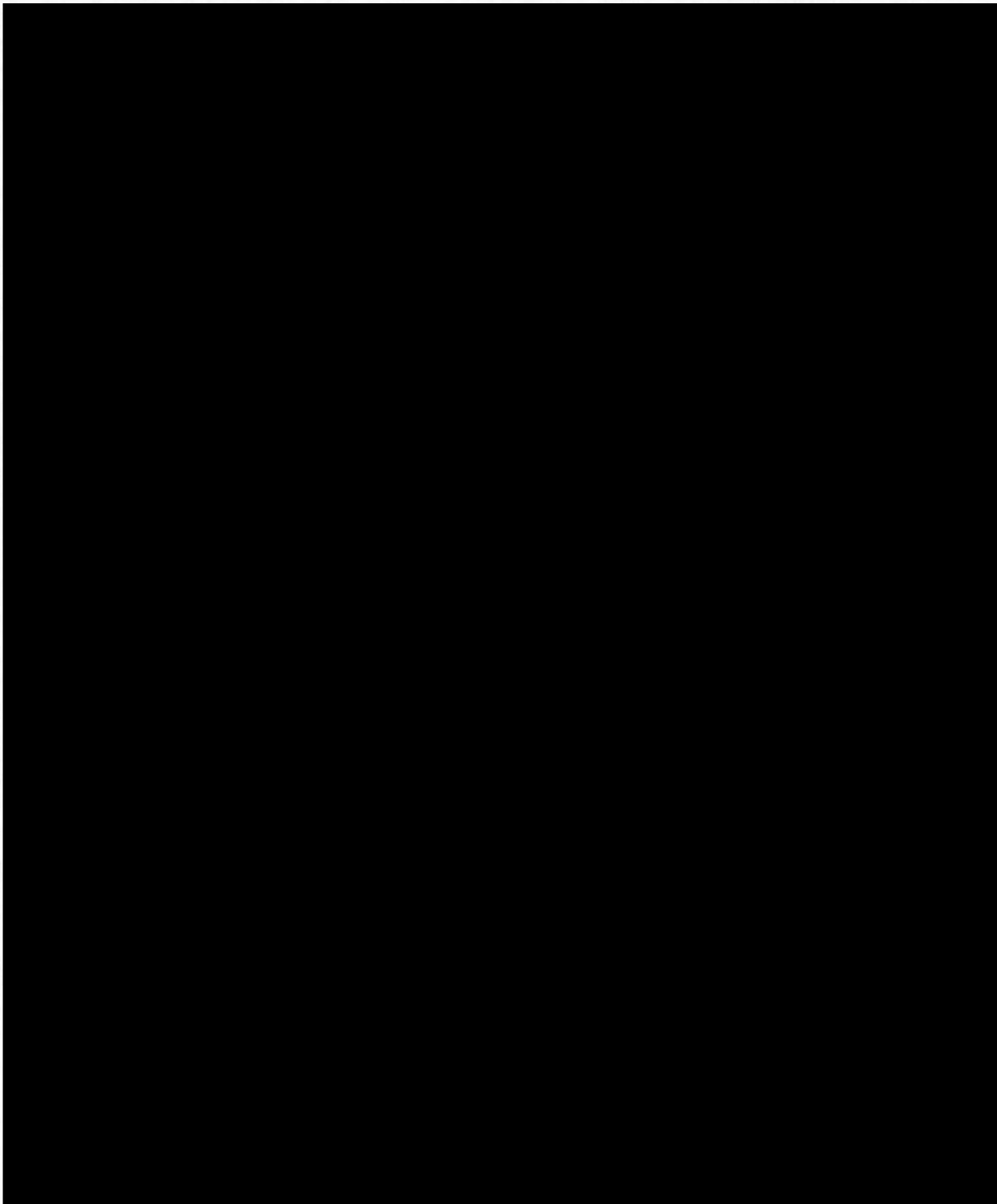
Finally, and in addition to the above described labor agreements, please refer to Exhibit X.B.6. for details of how Tioga Downs plans to ensure labor harmony.

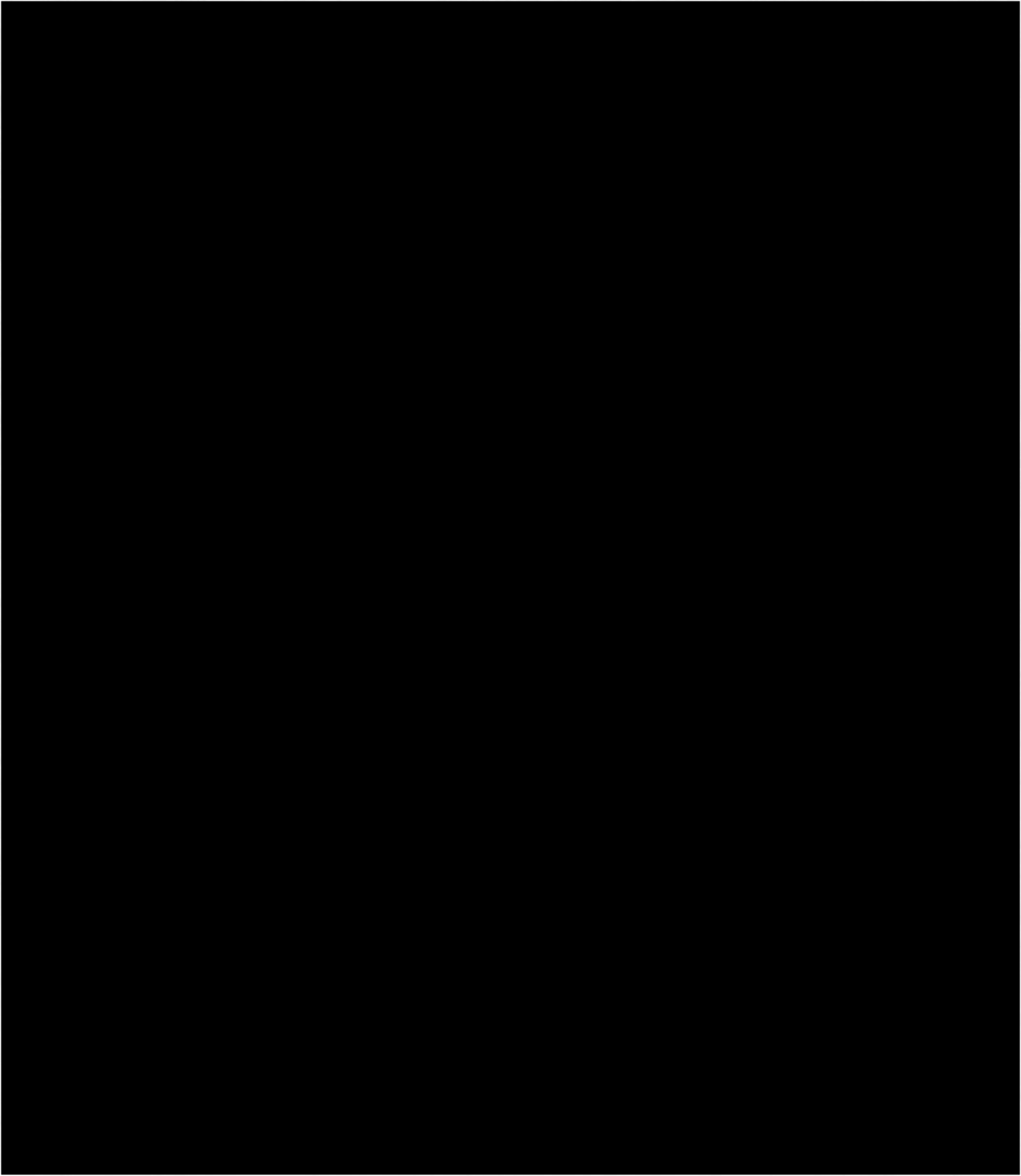
**BINGHAMTON - ONEONTA  
BUILDING & CONSTRUCTION TRADES COUNCIL**

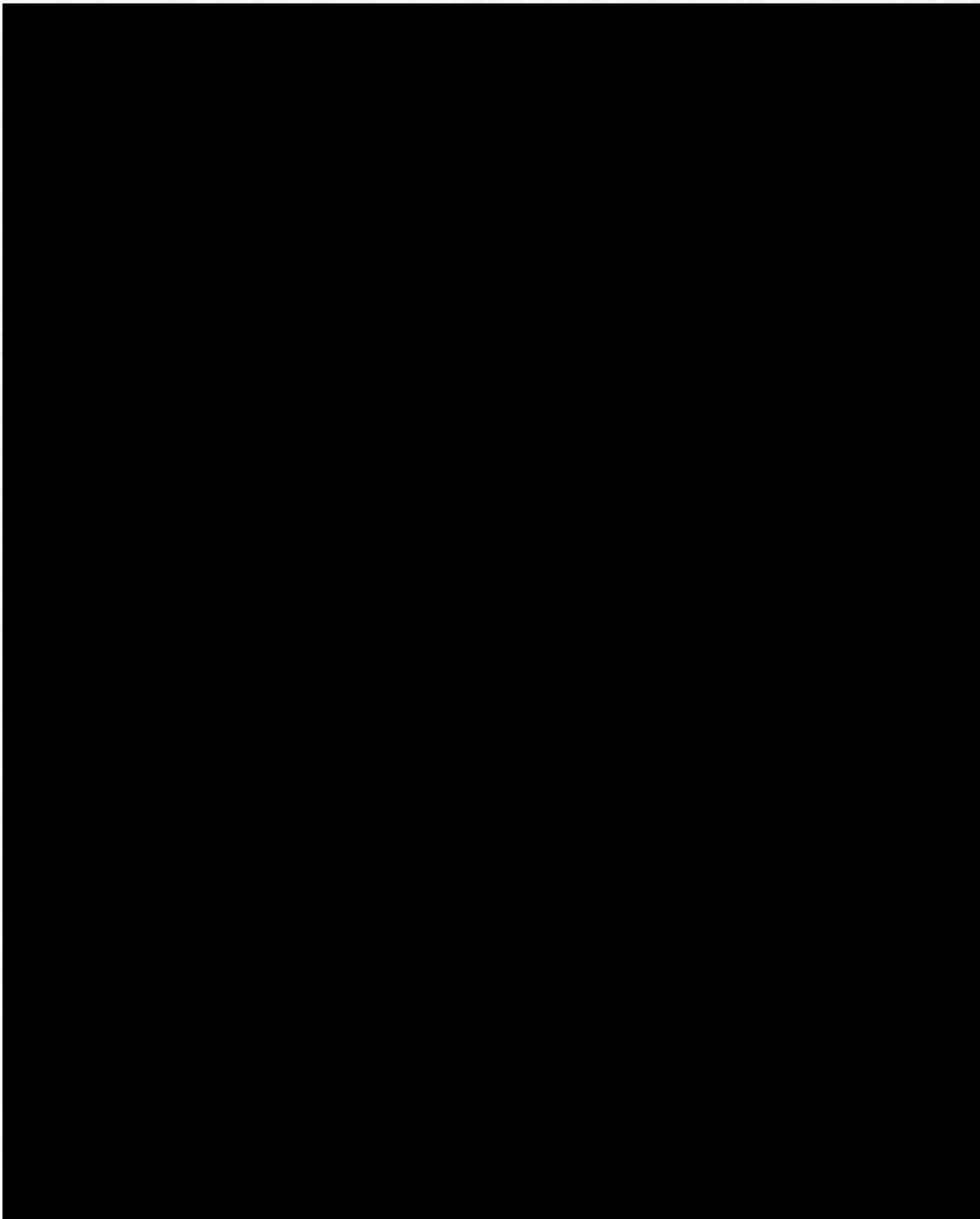
**TIOGA DOWNS  
PROJECT LABOR AGREEMENT**

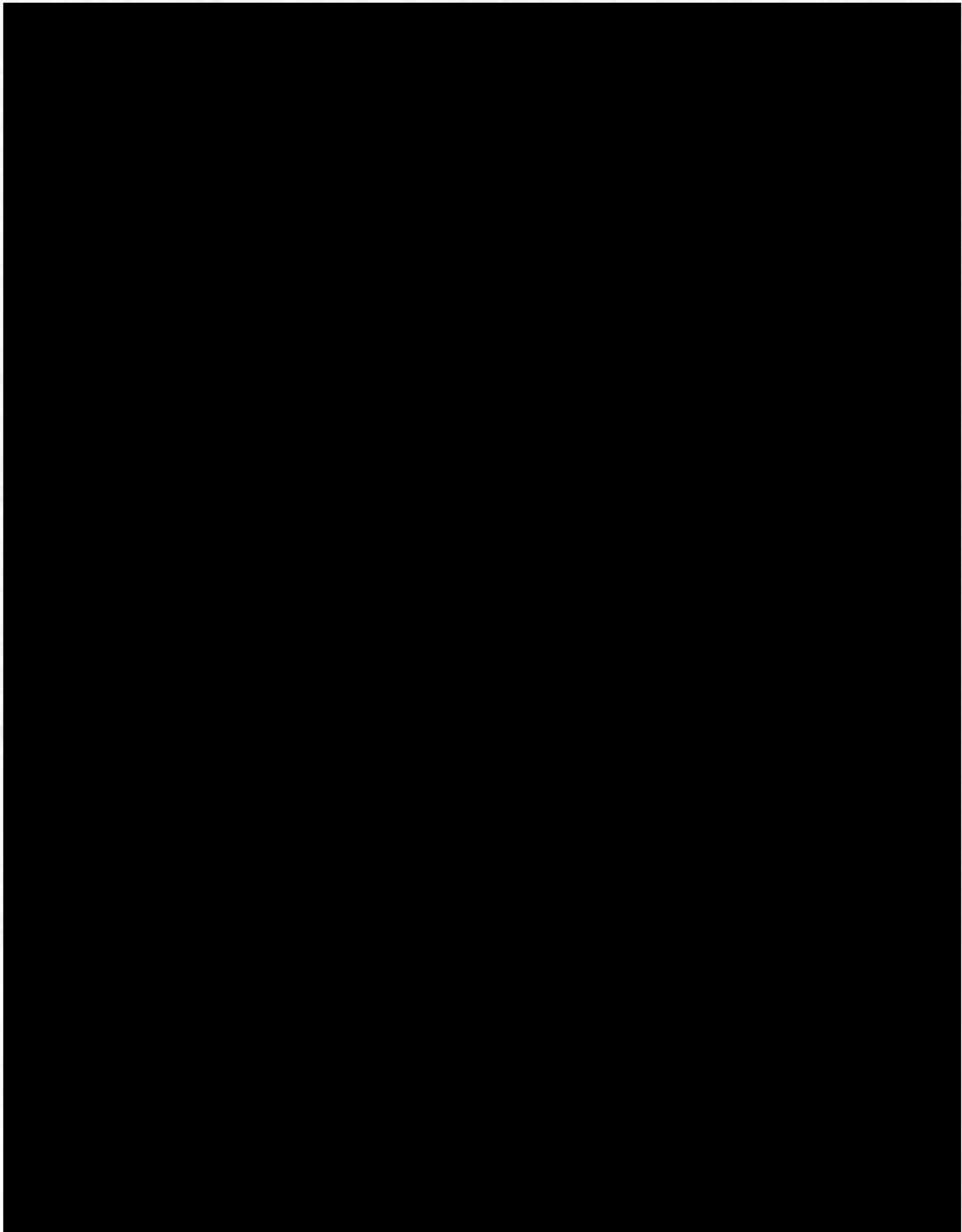




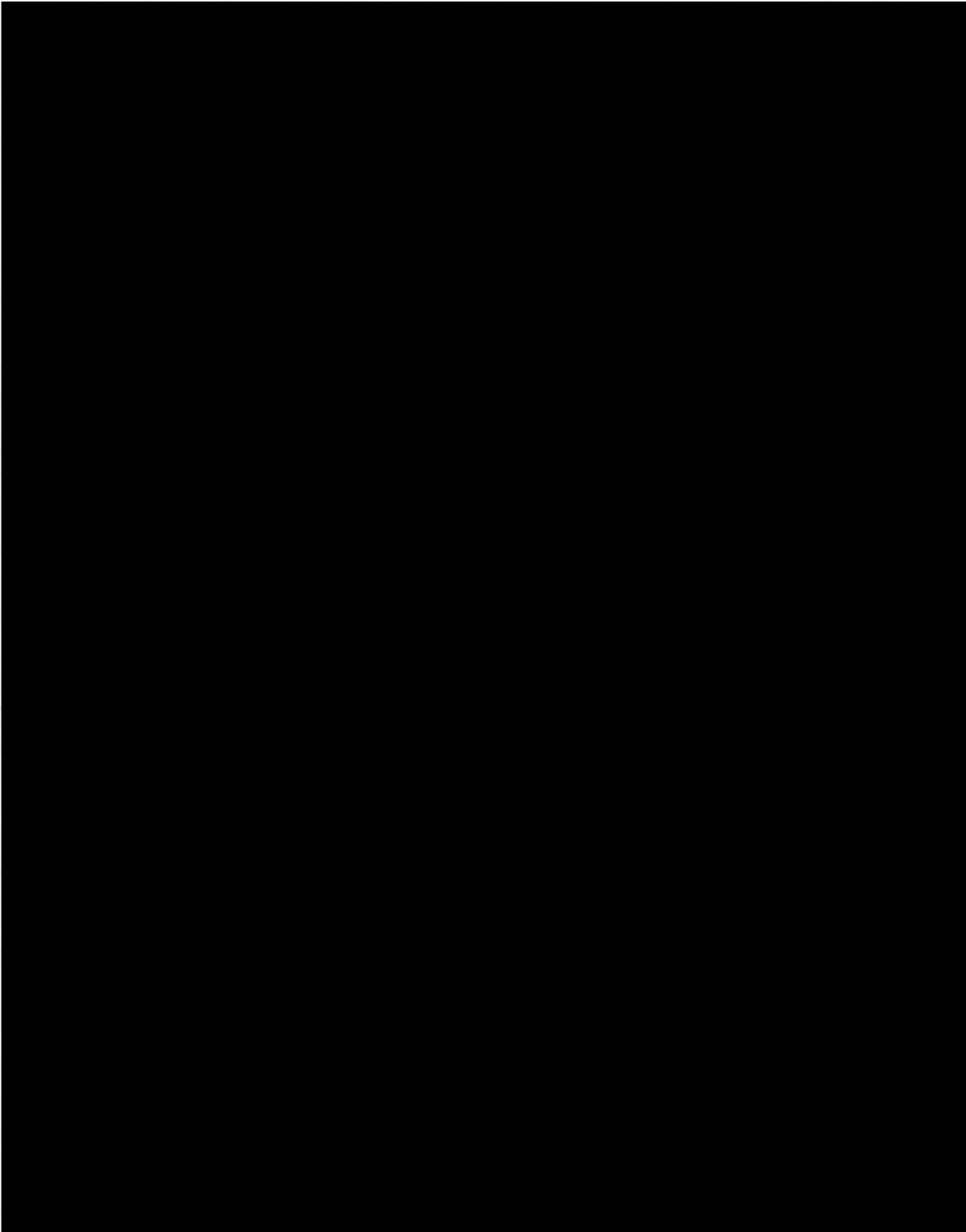


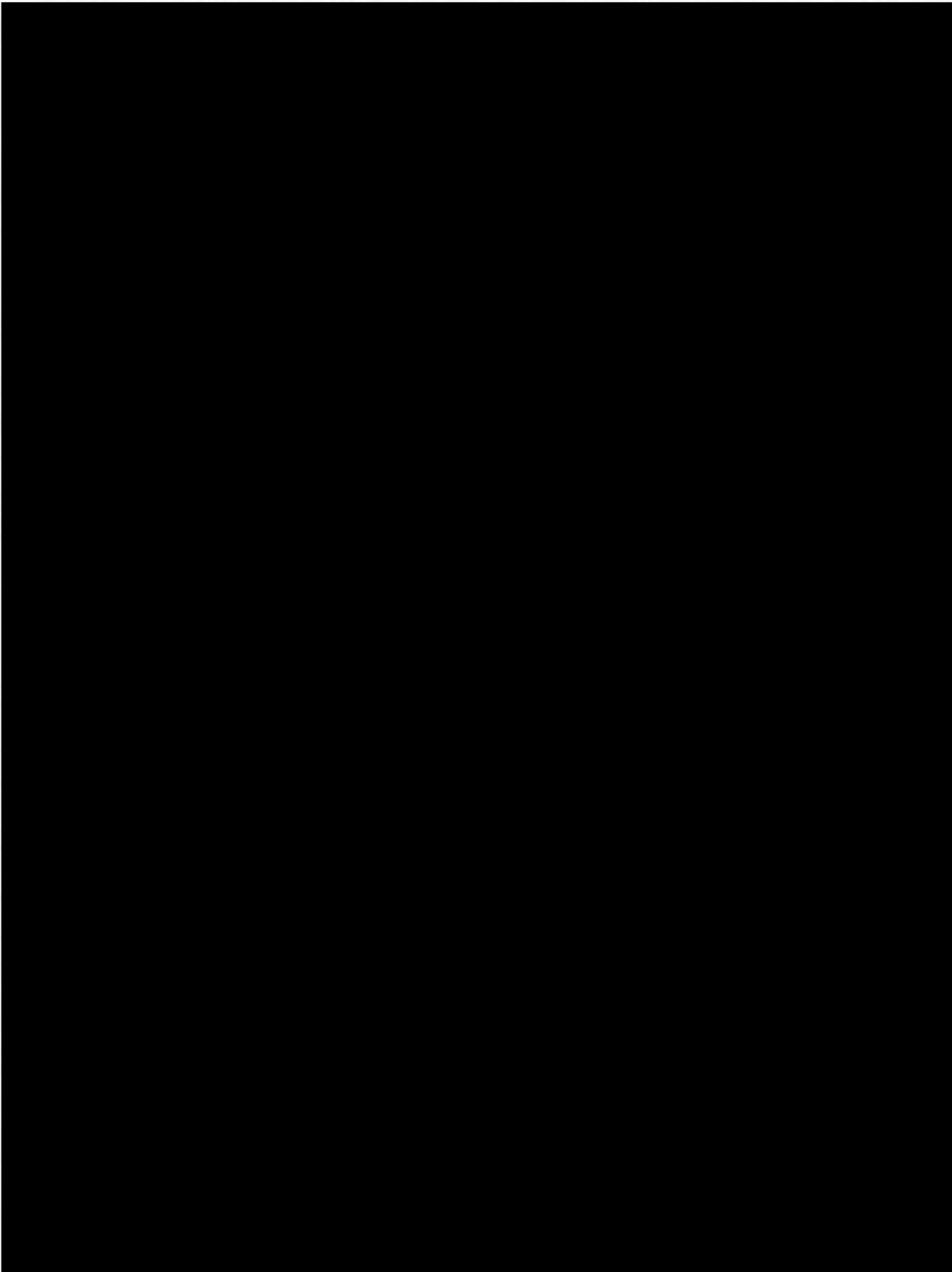


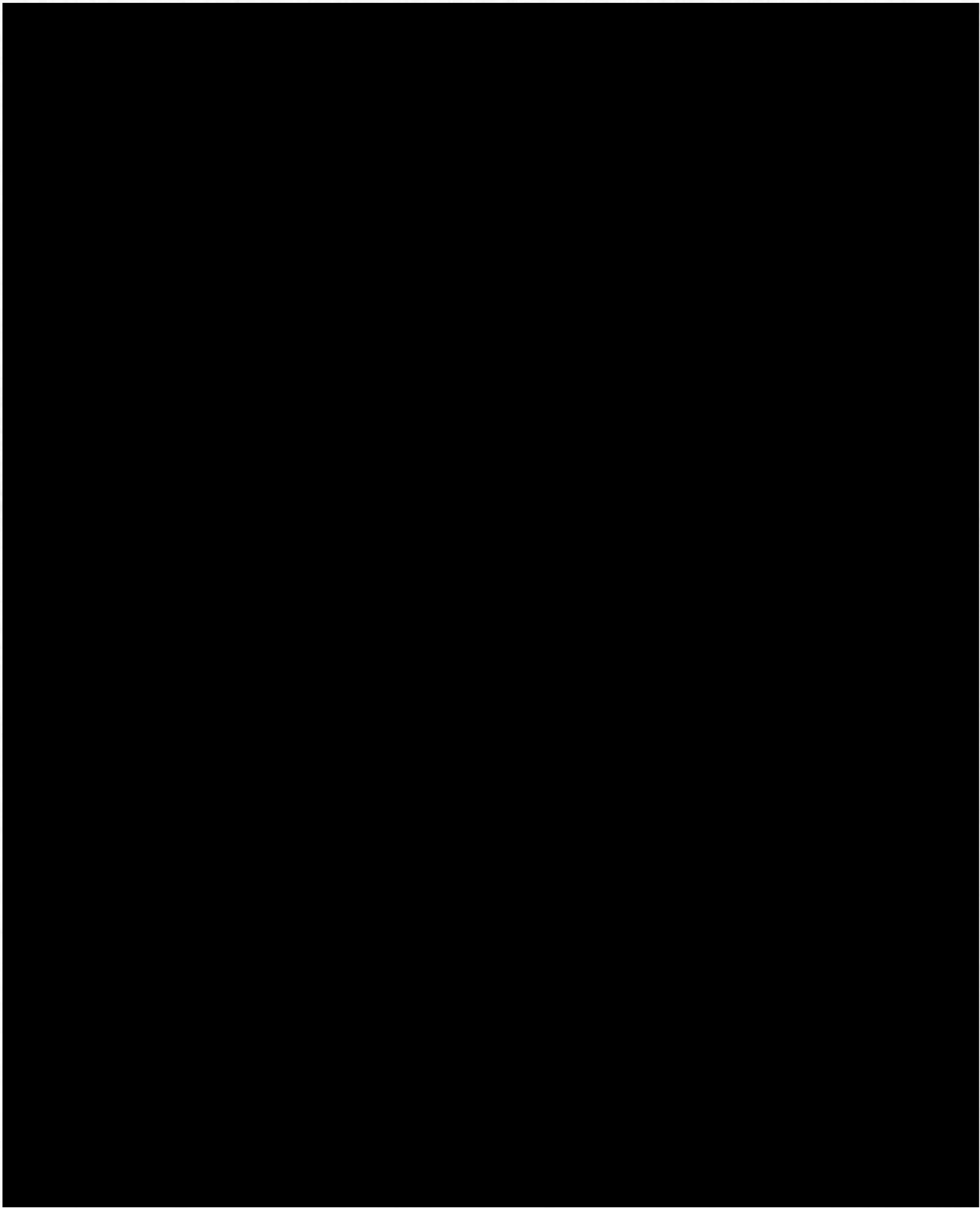


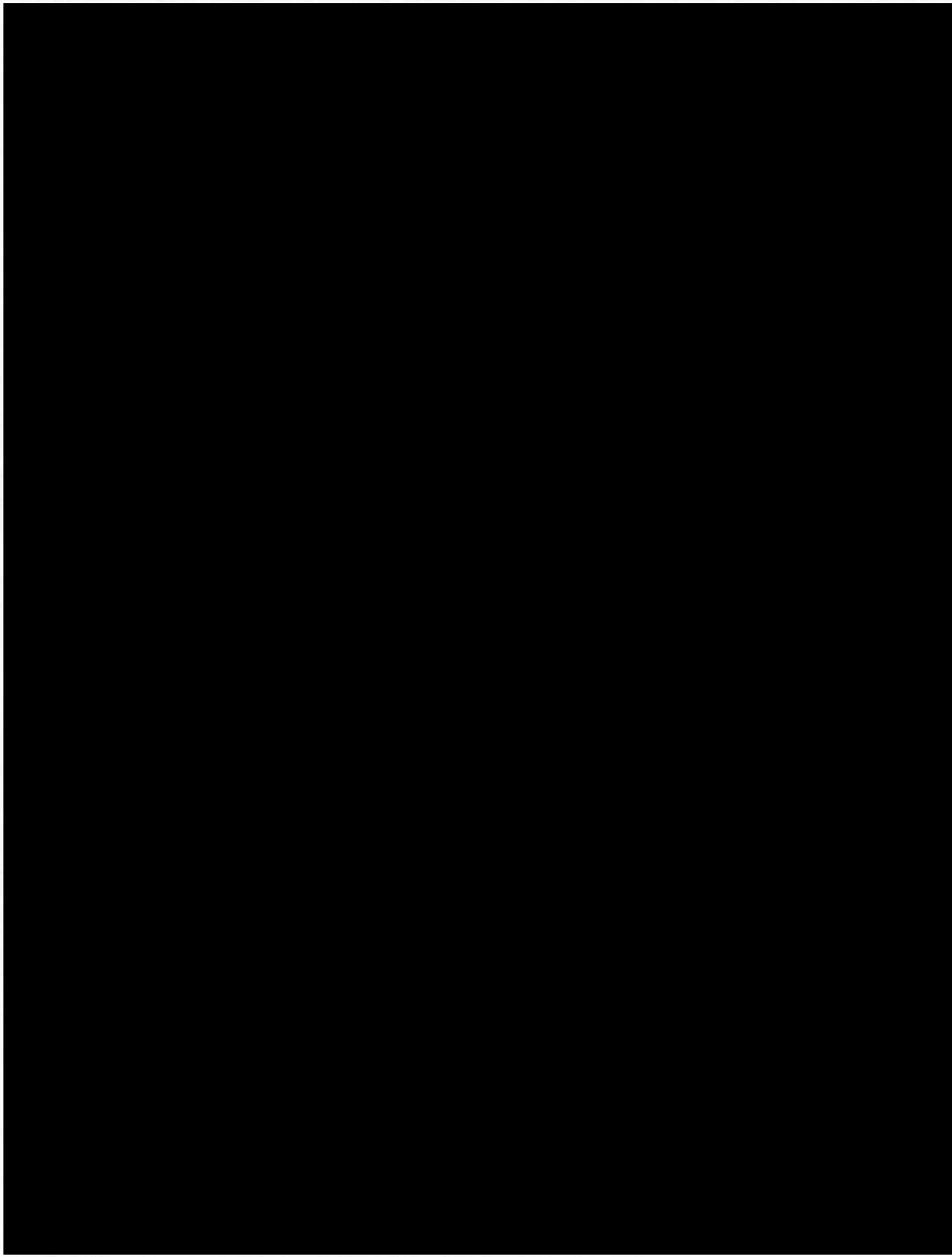


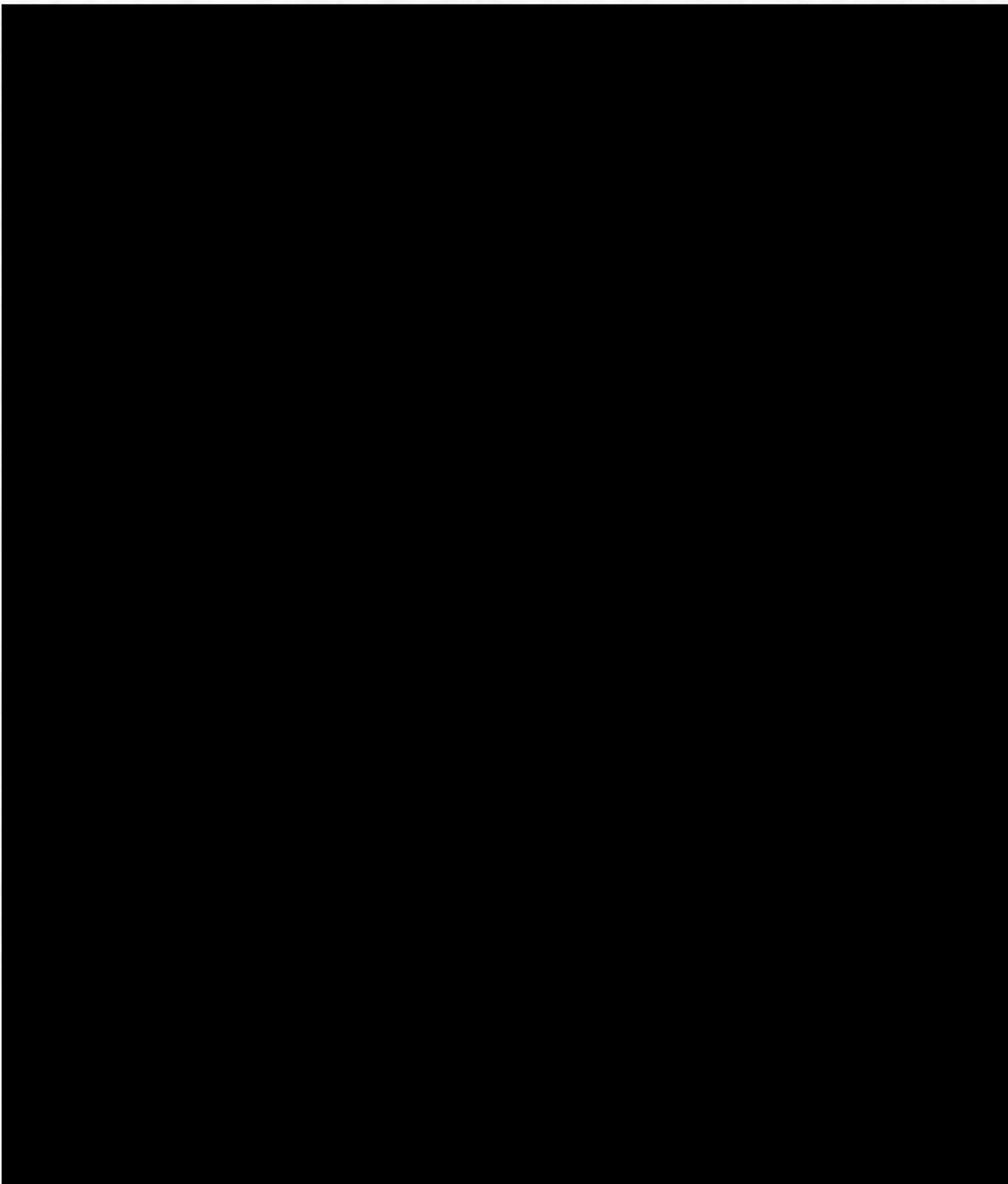


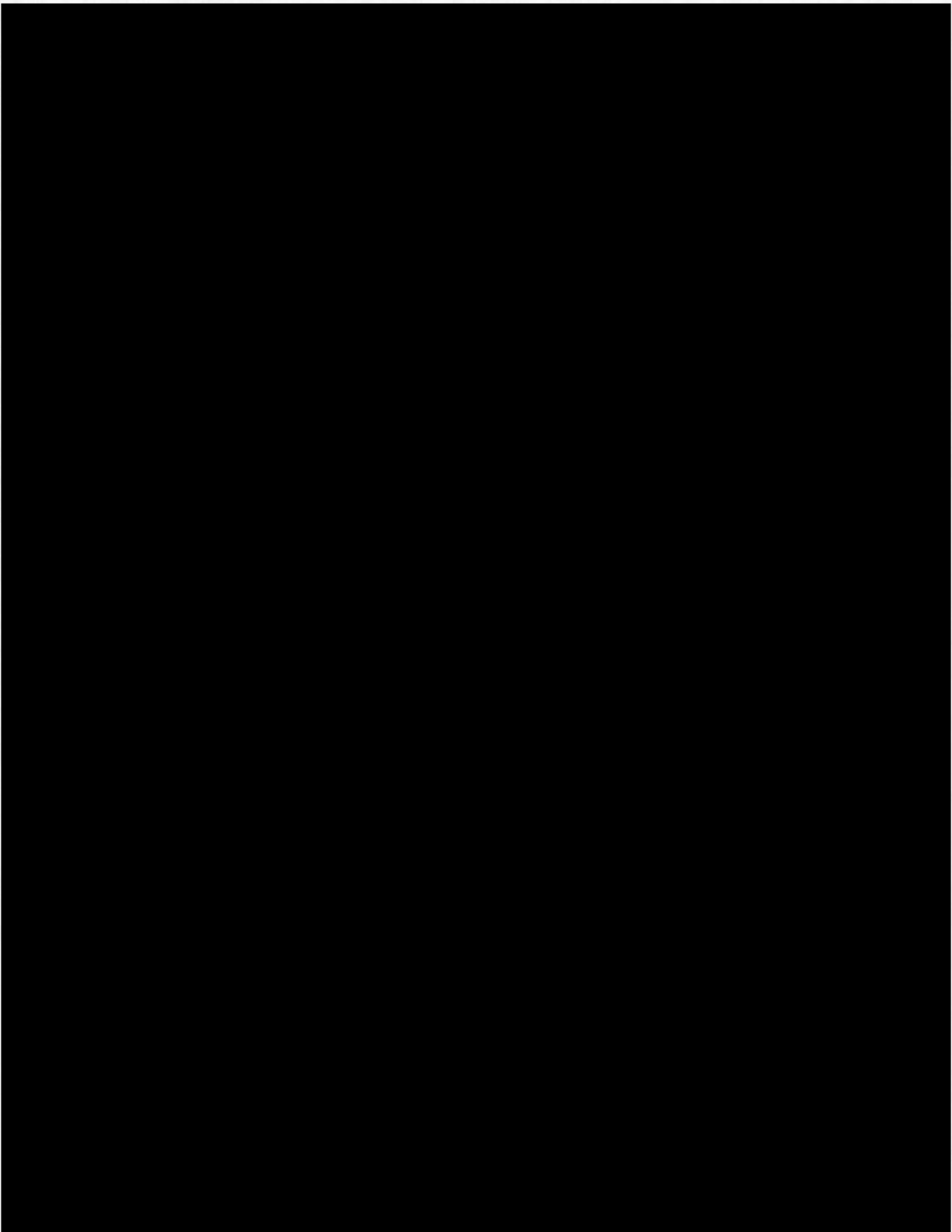


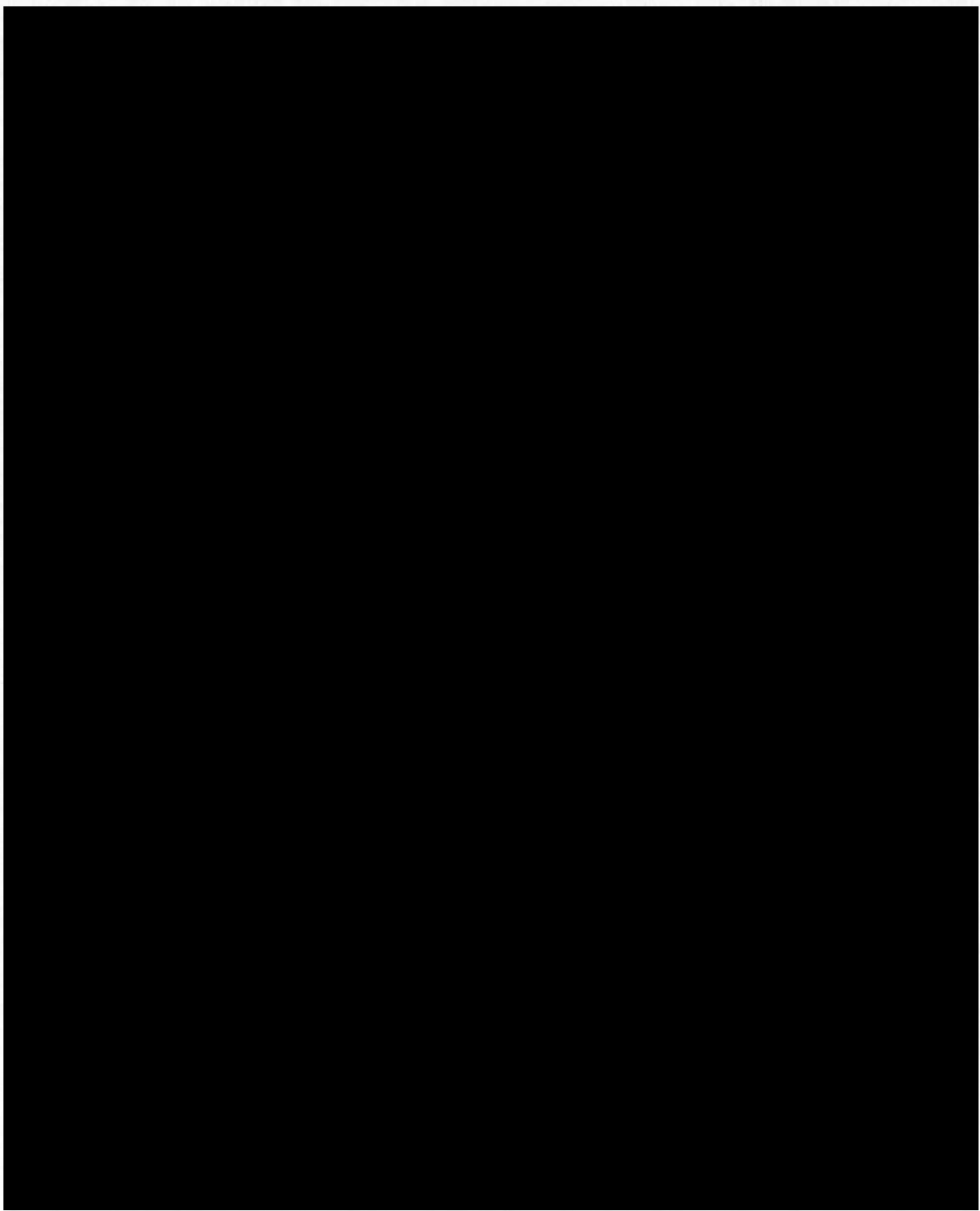


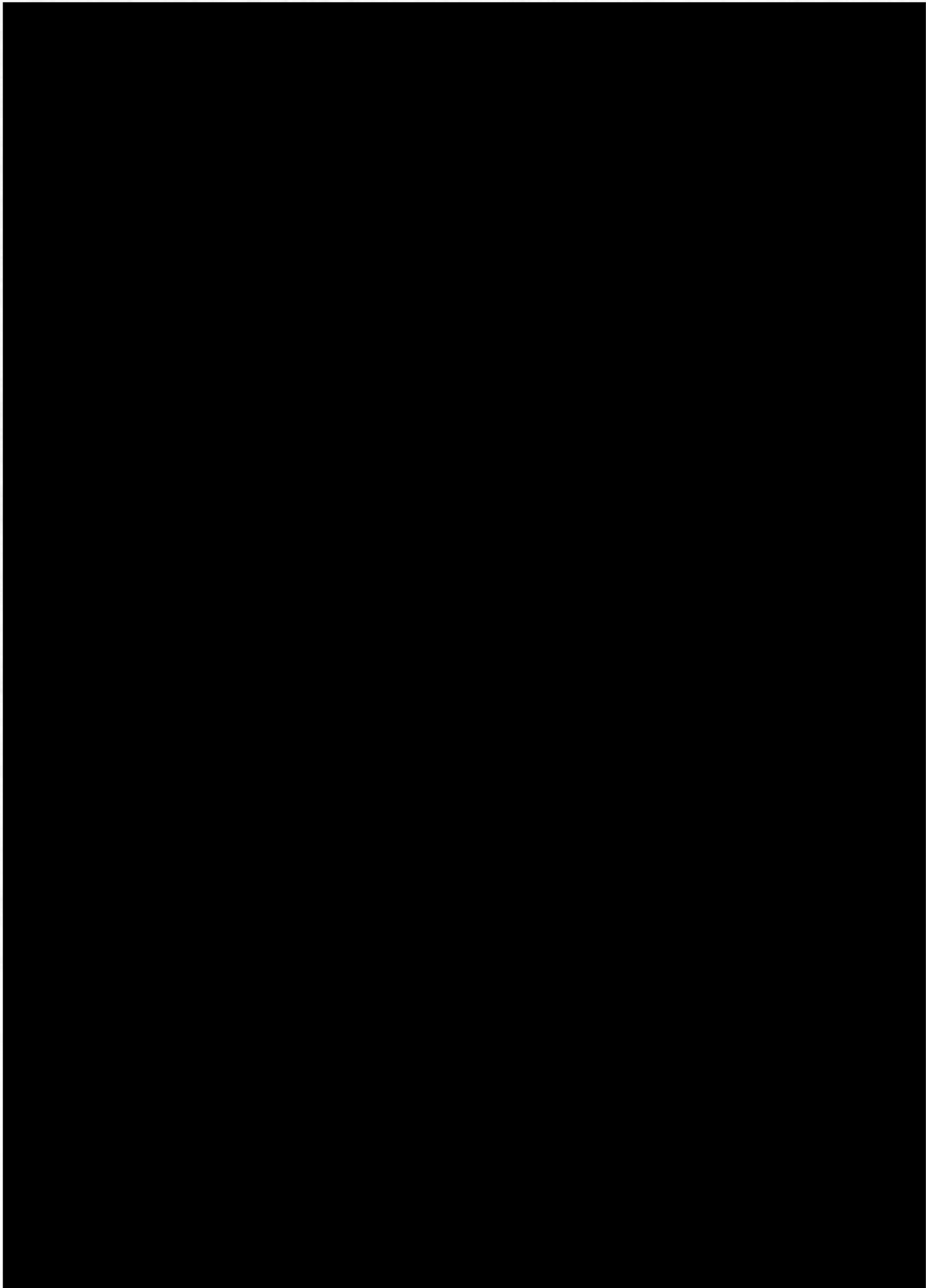




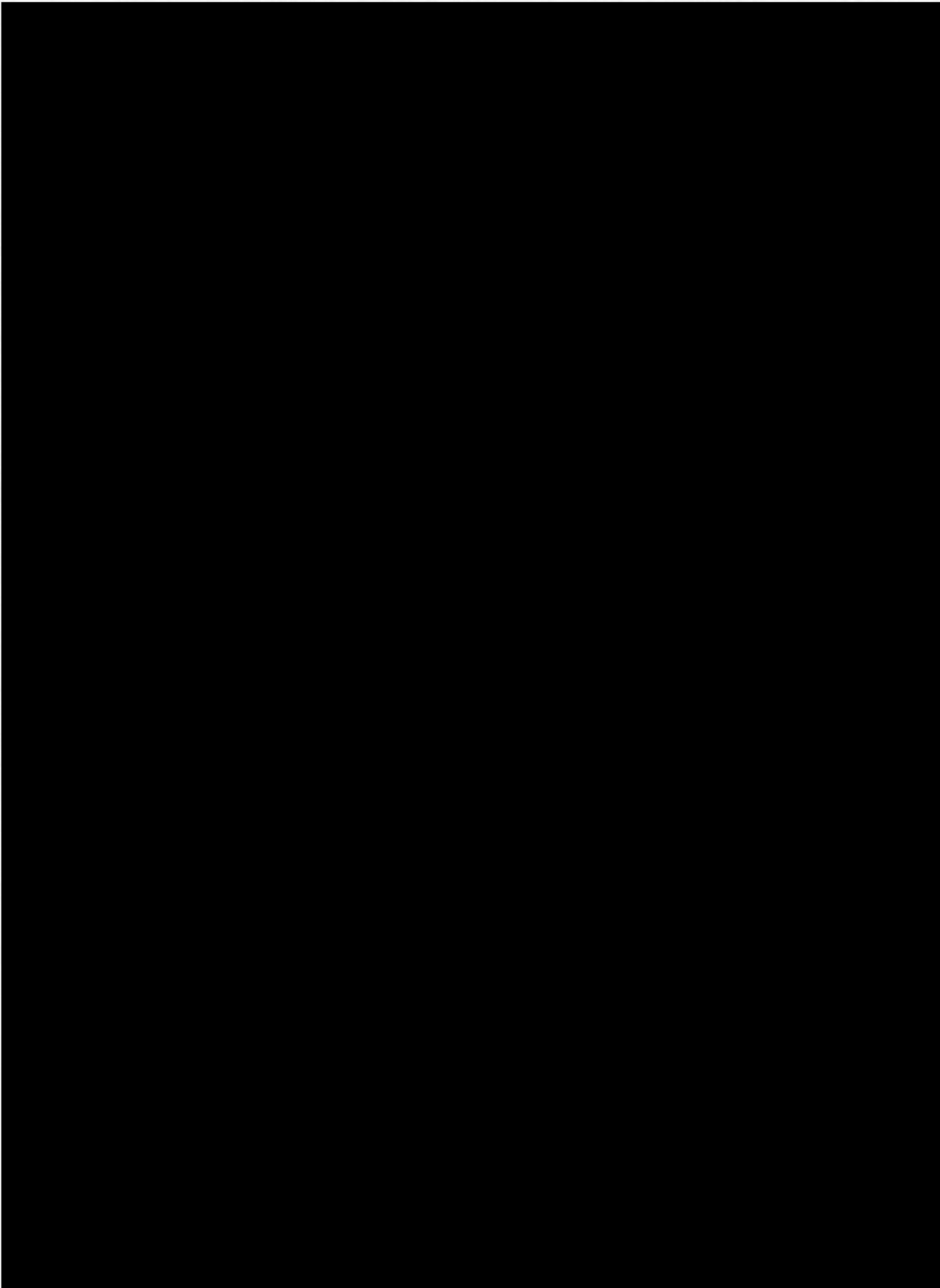


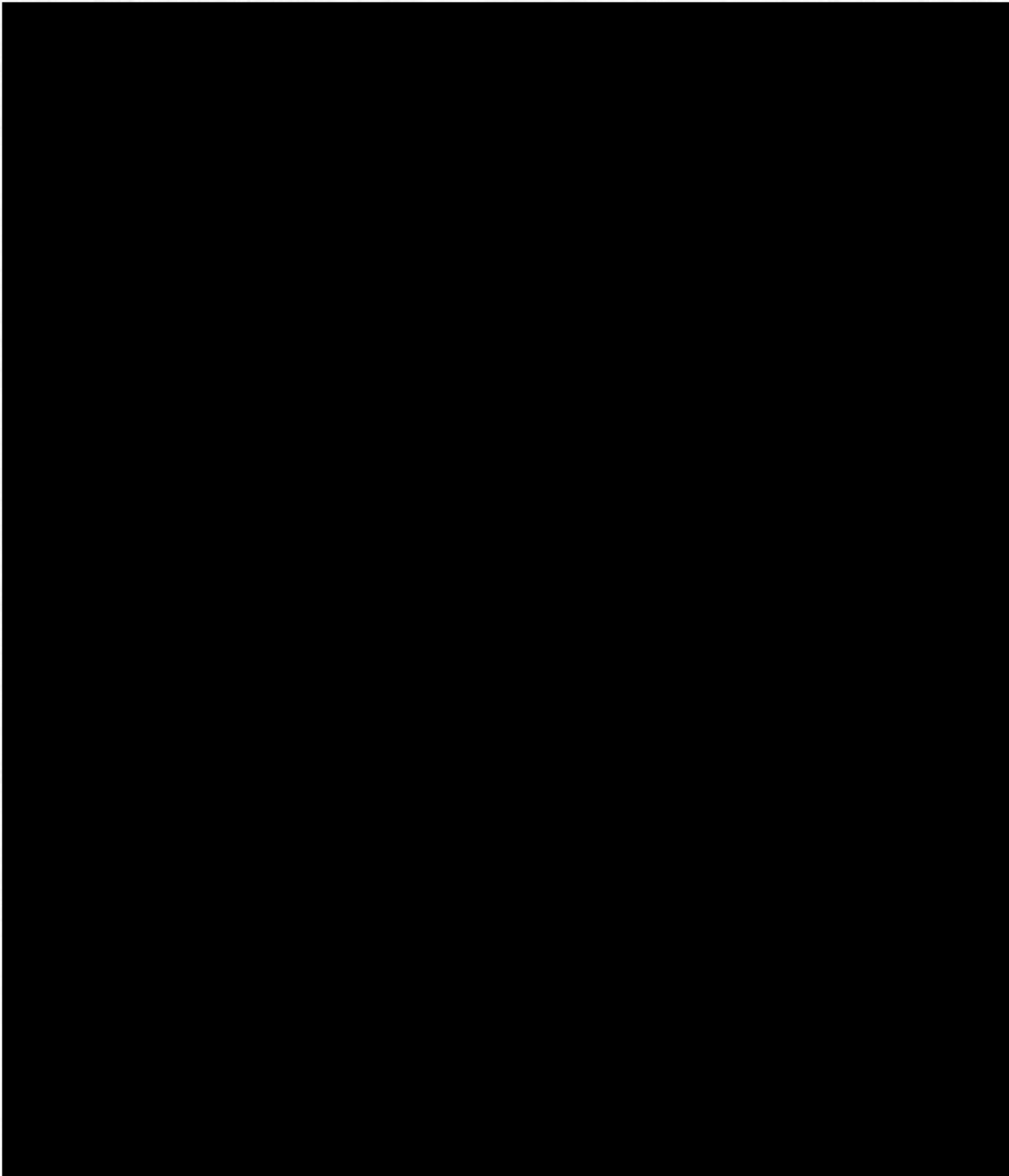


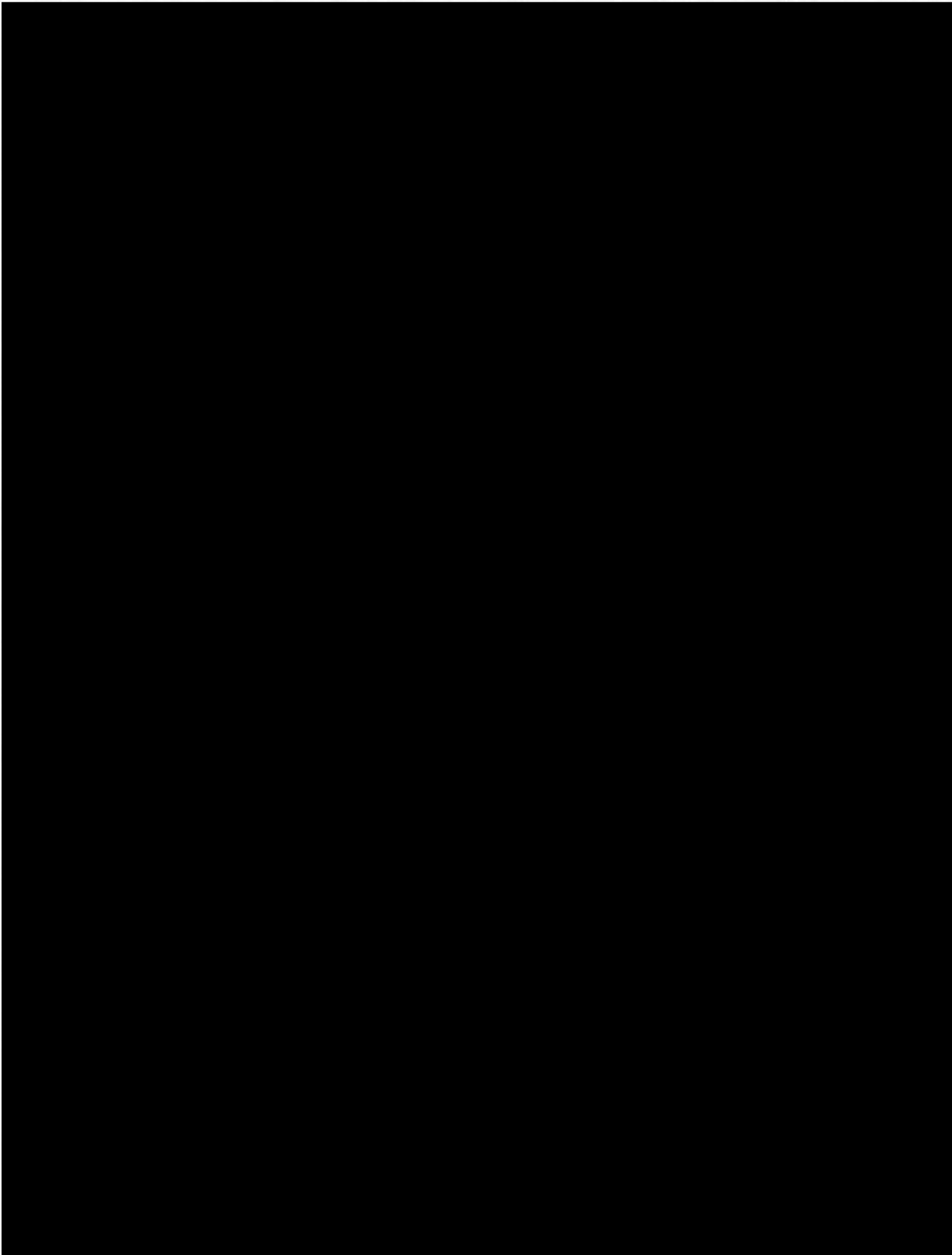


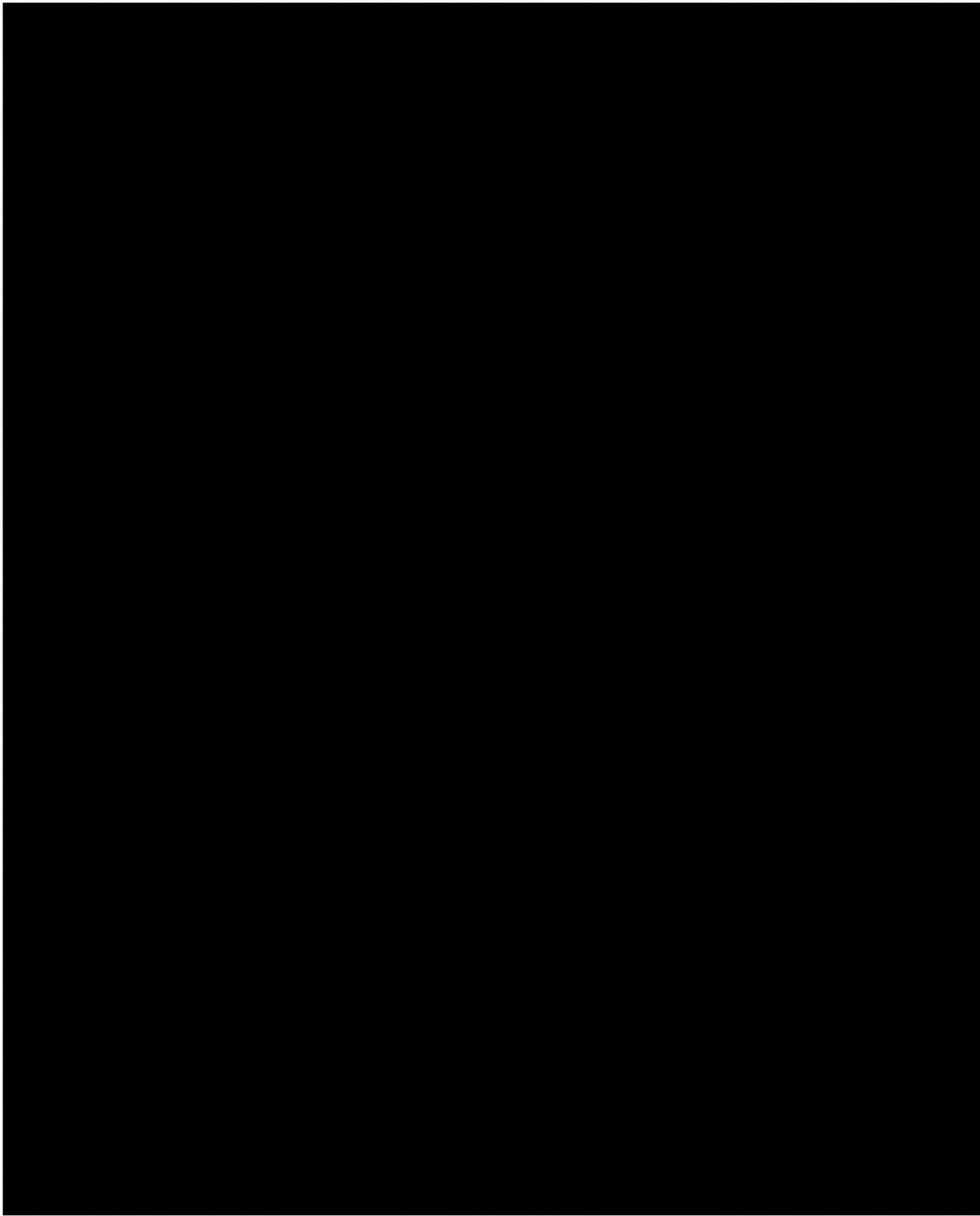


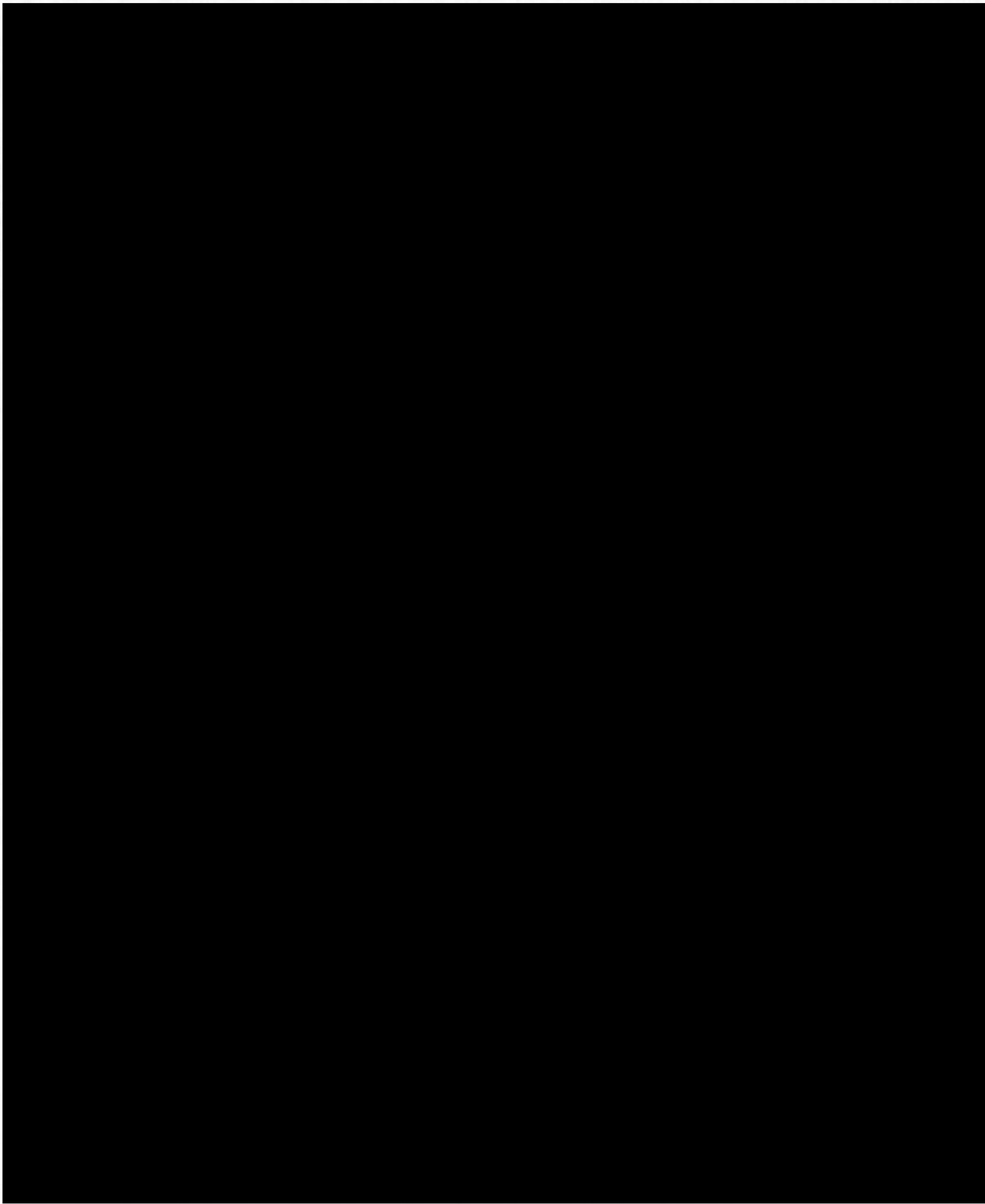


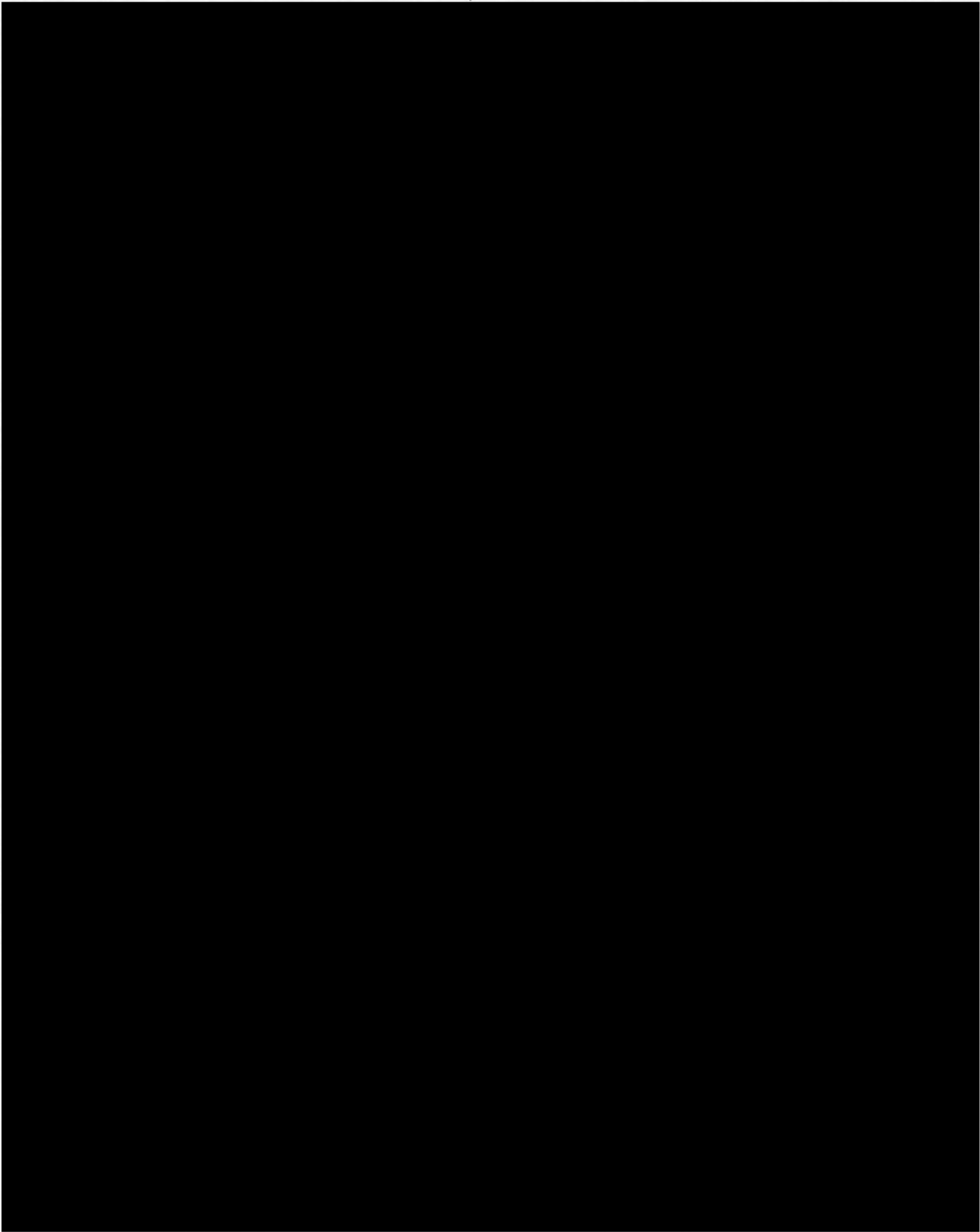


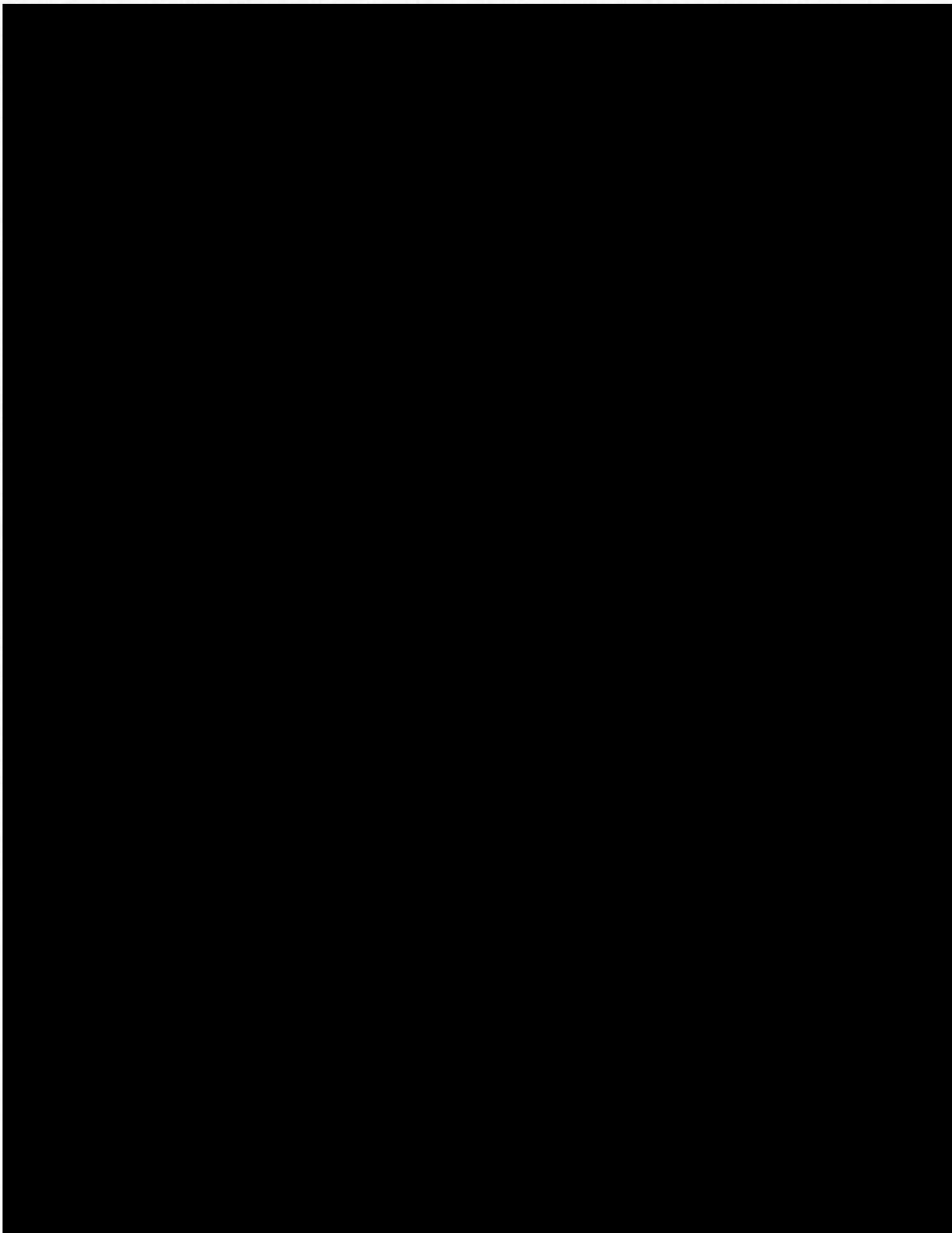


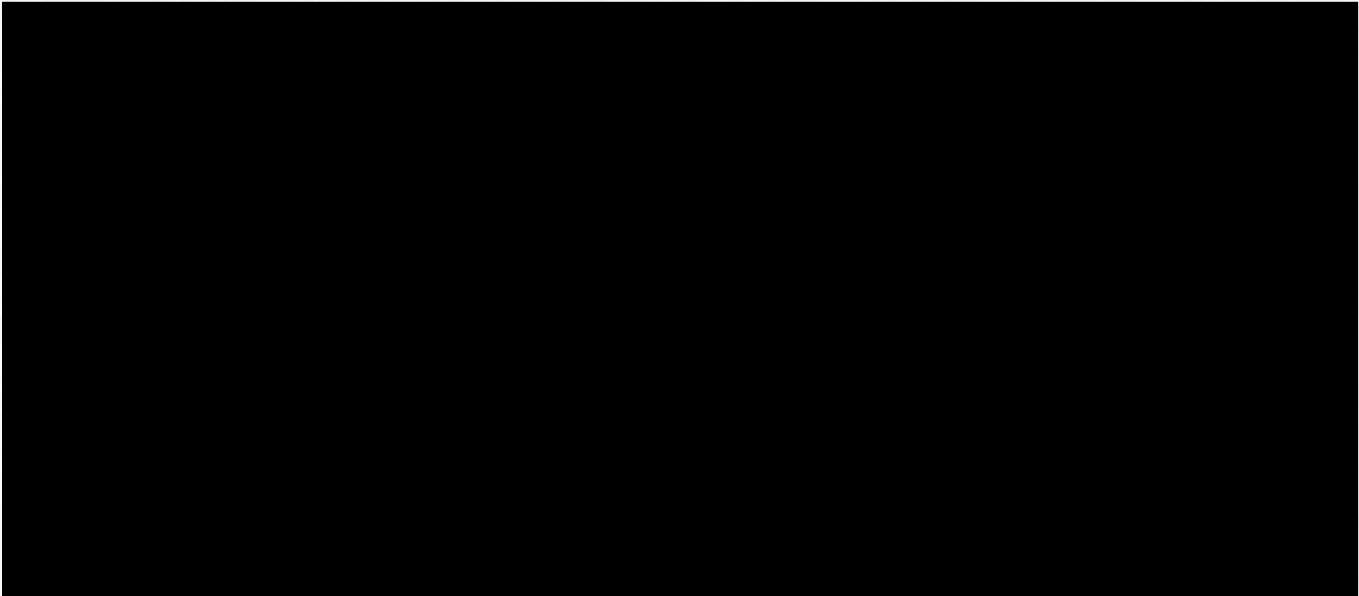




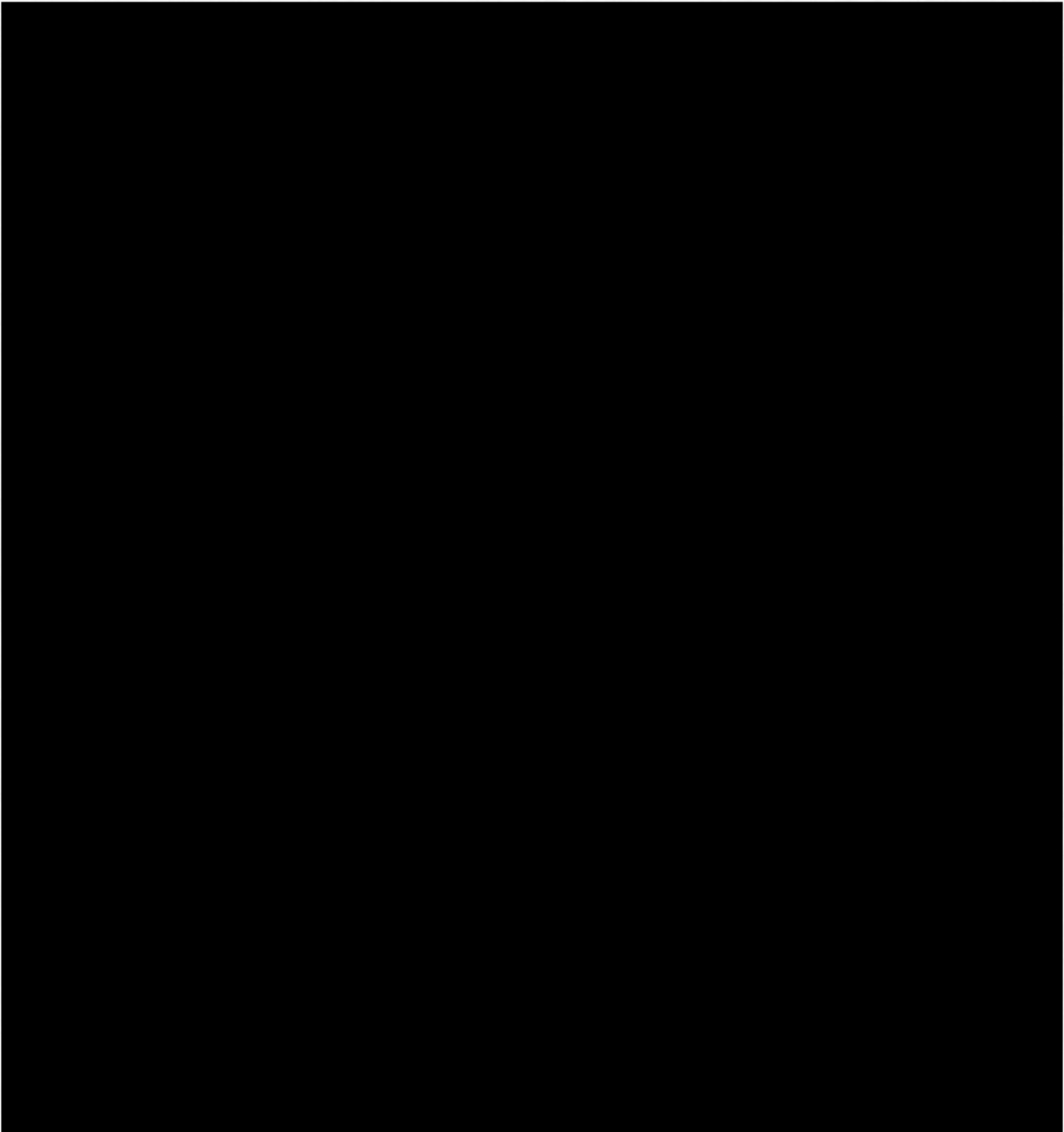


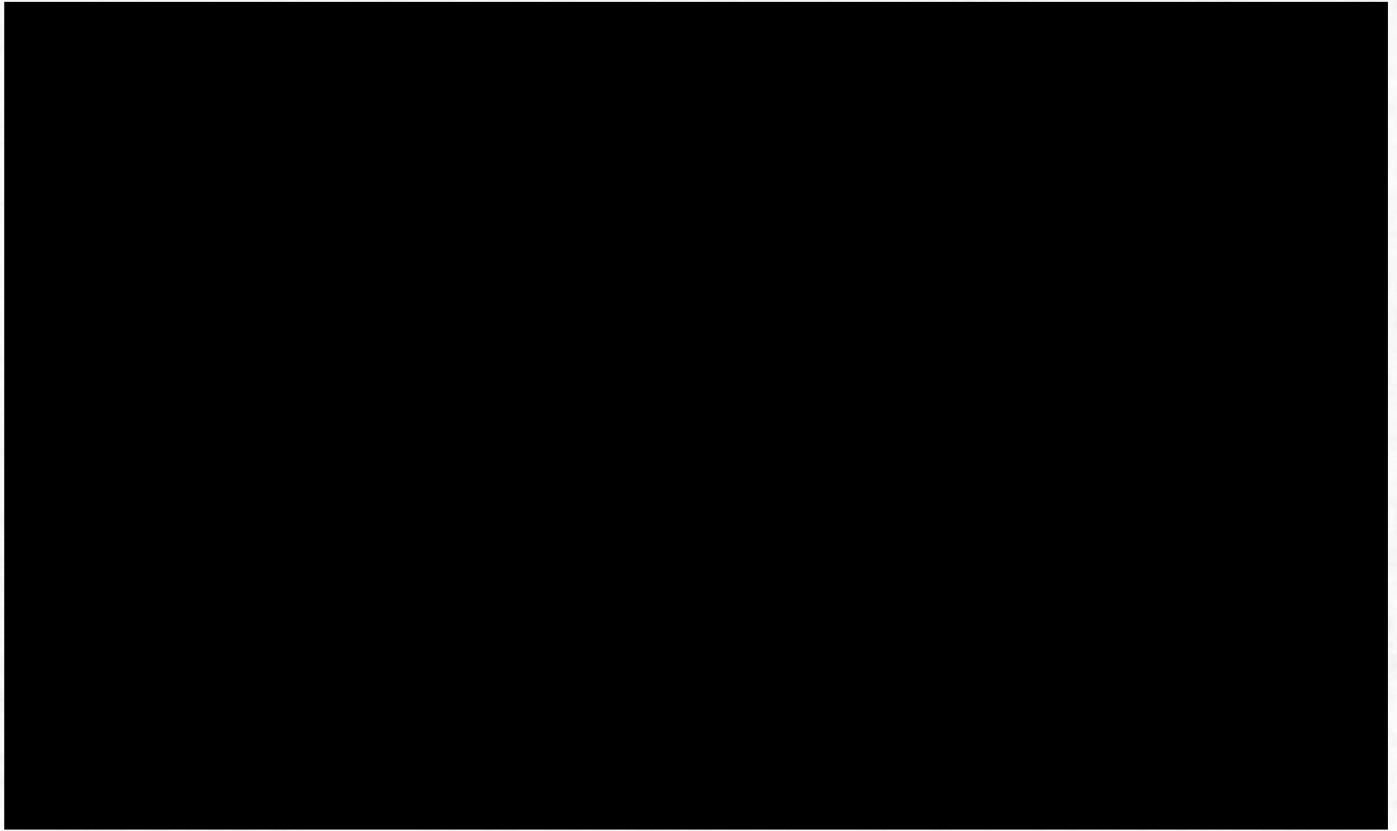


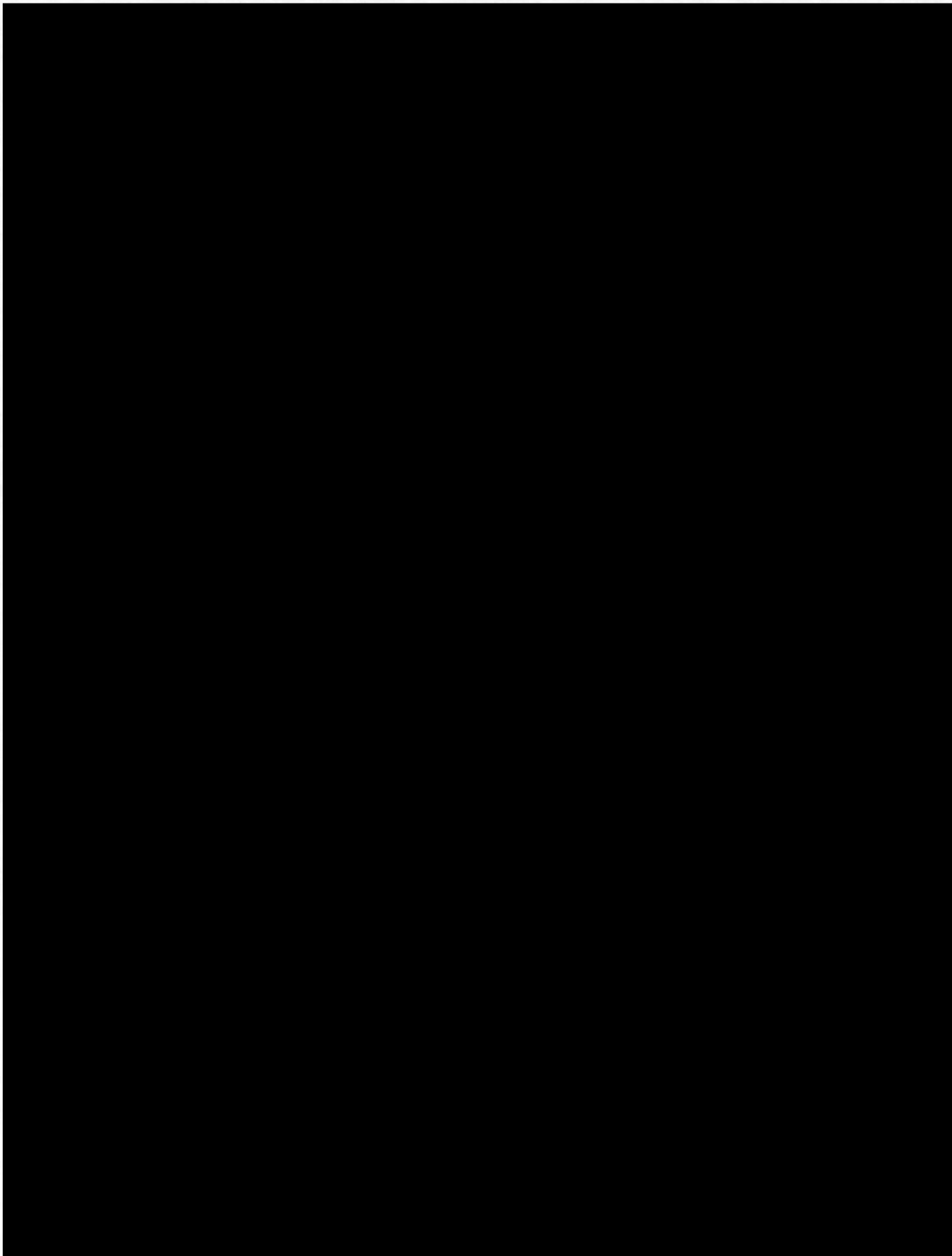












# **Collective Bargaining Agreement**

Between

**Tioga Downs Race Track, LLC**

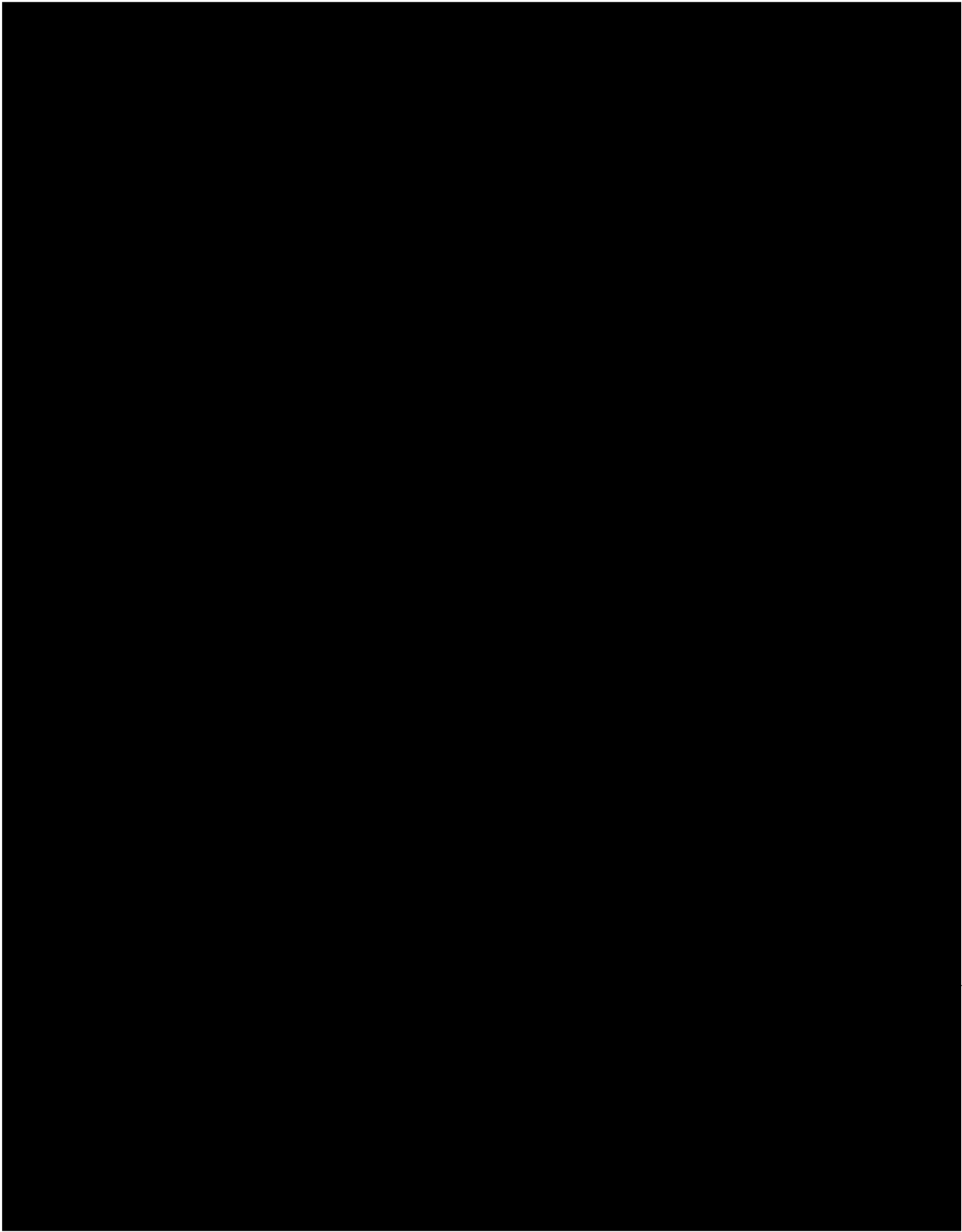
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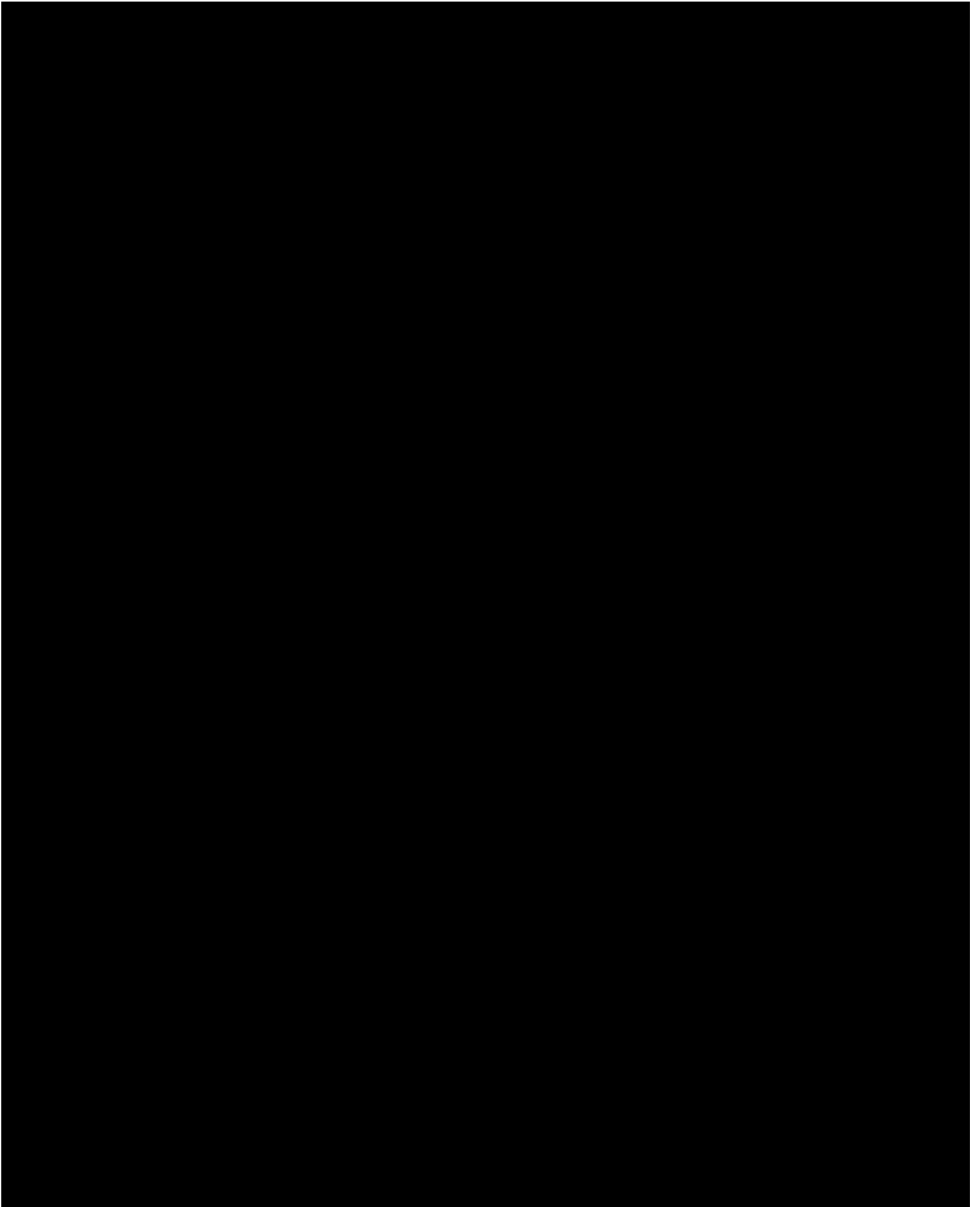
**Rochester Regional Joint Board**

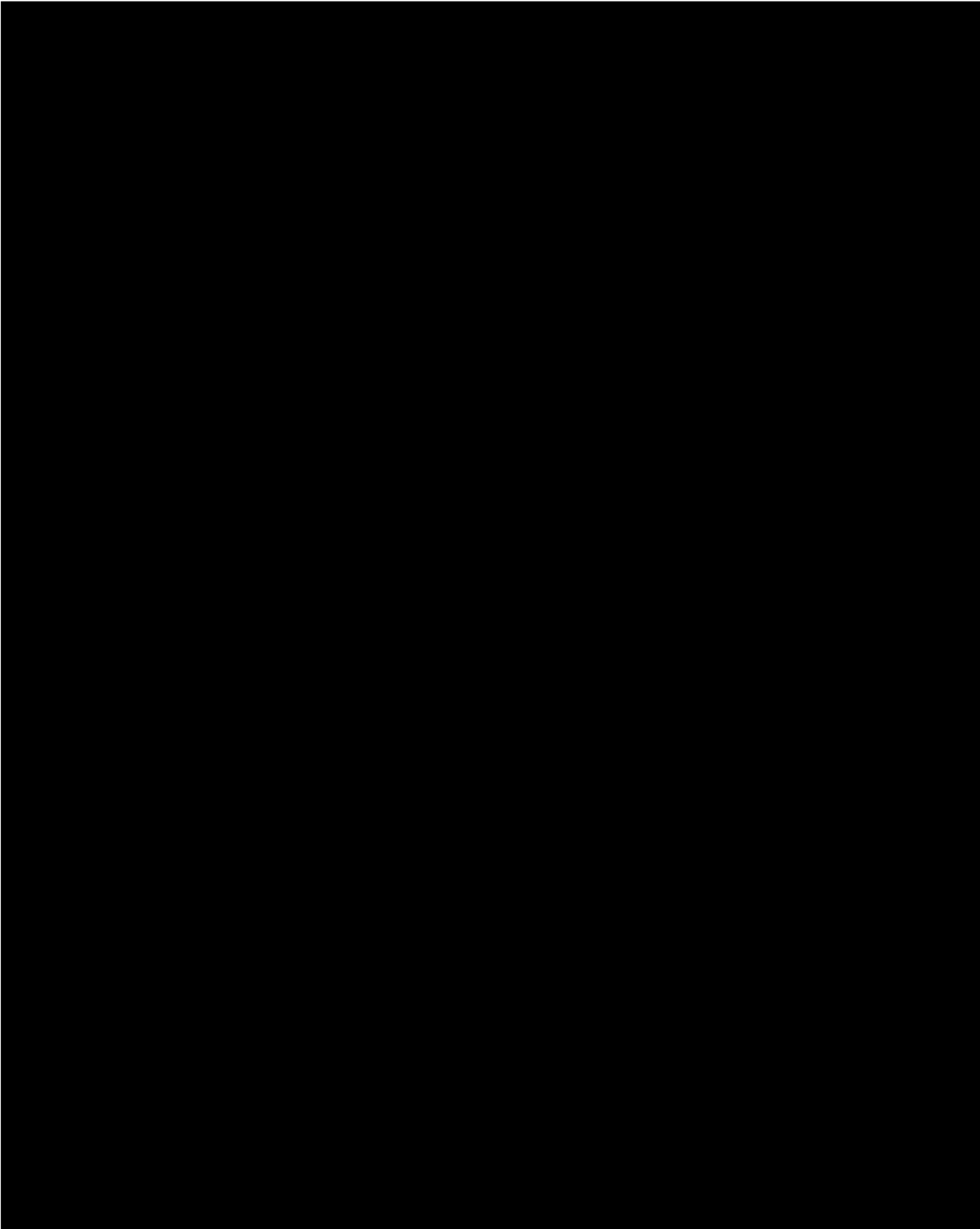
Effective April 11, 2012

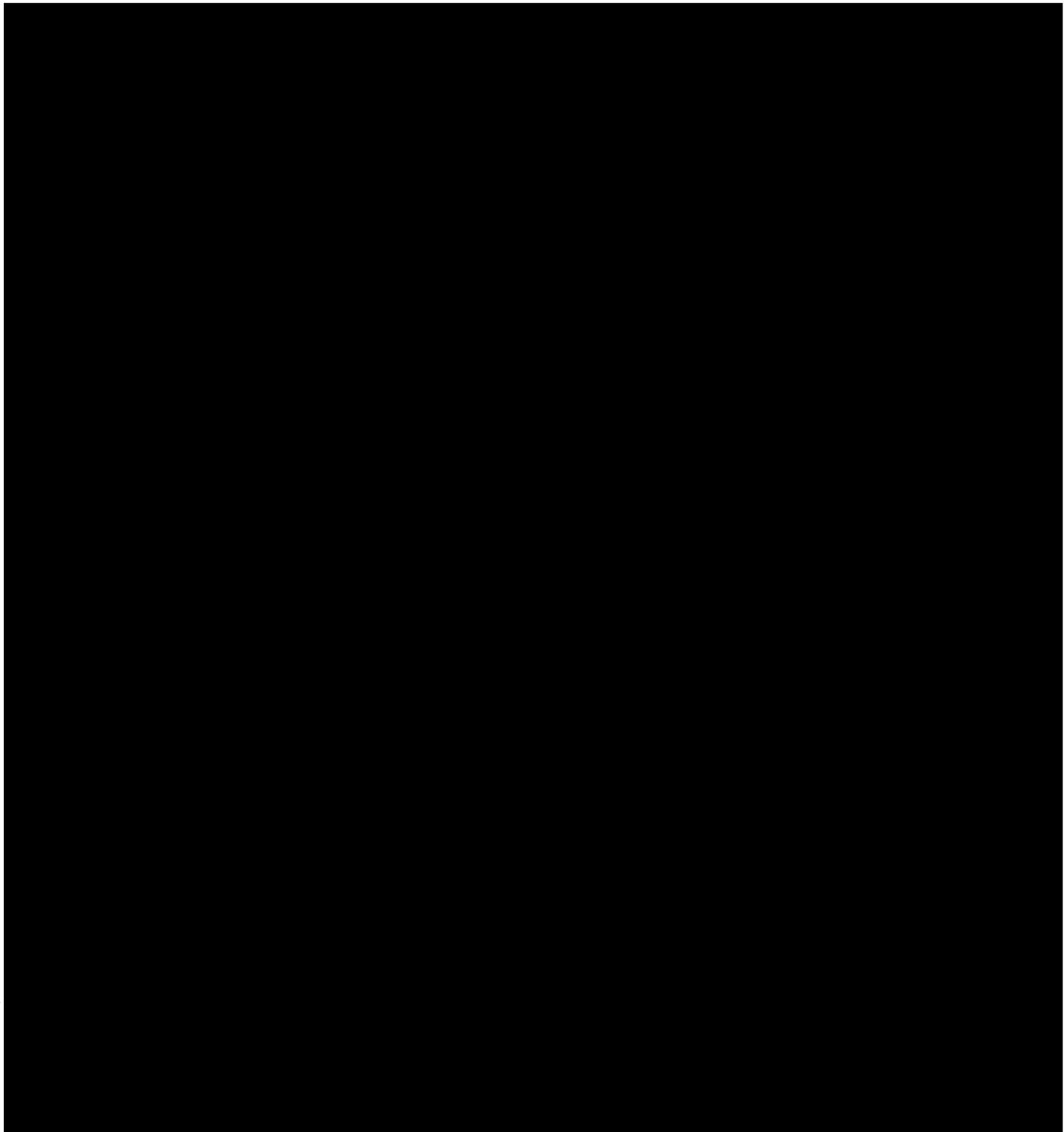
Expiration April 11, 2015

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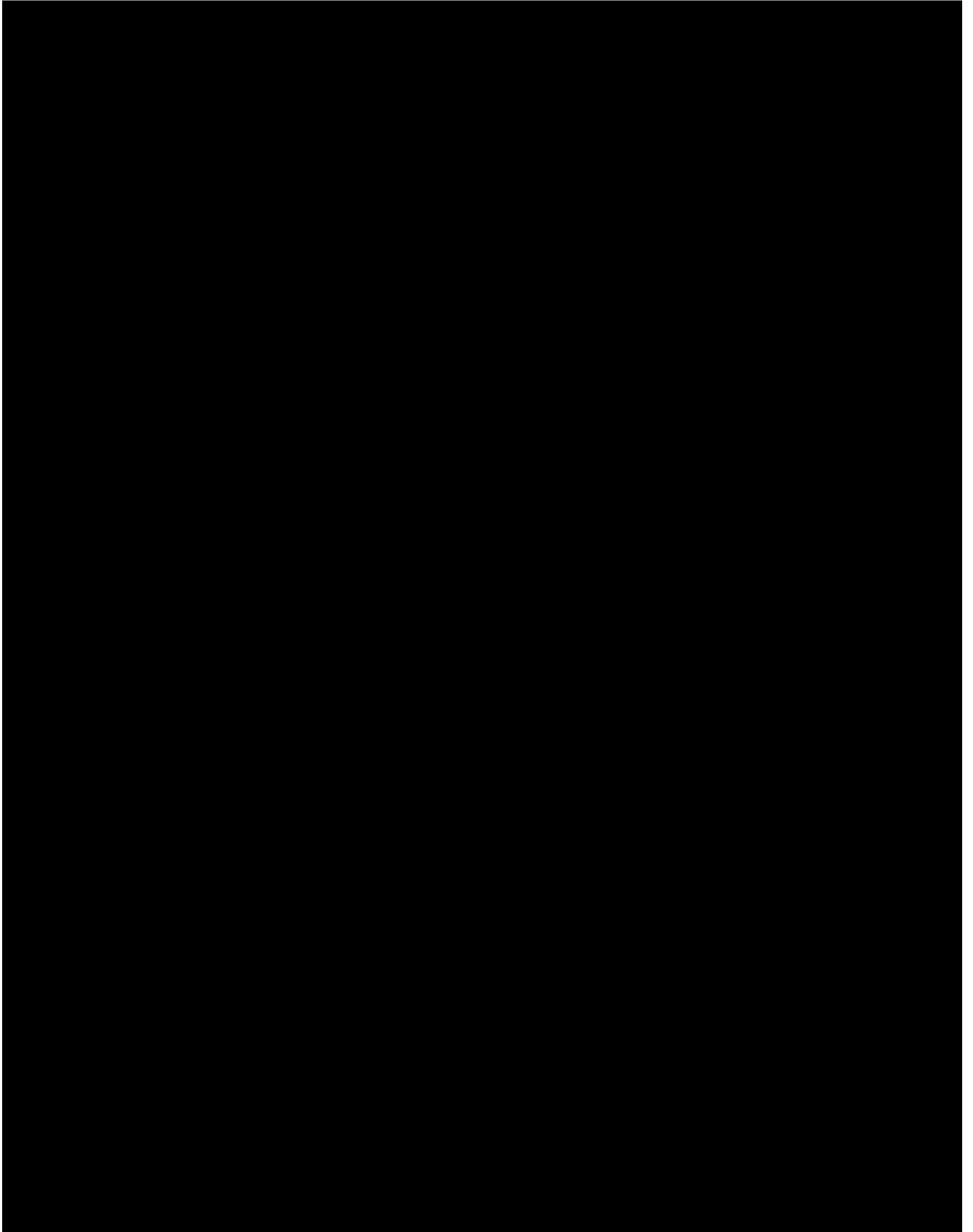


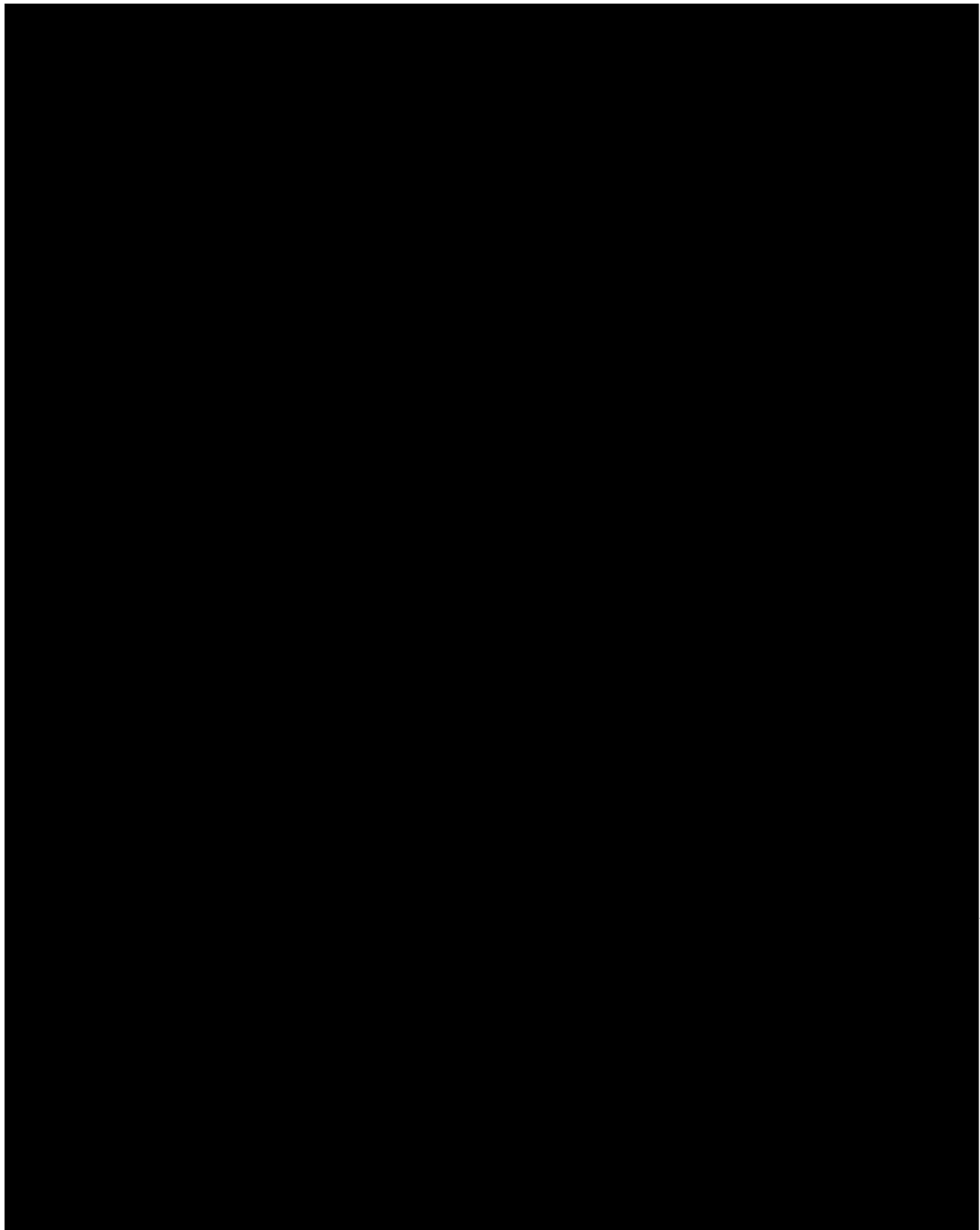


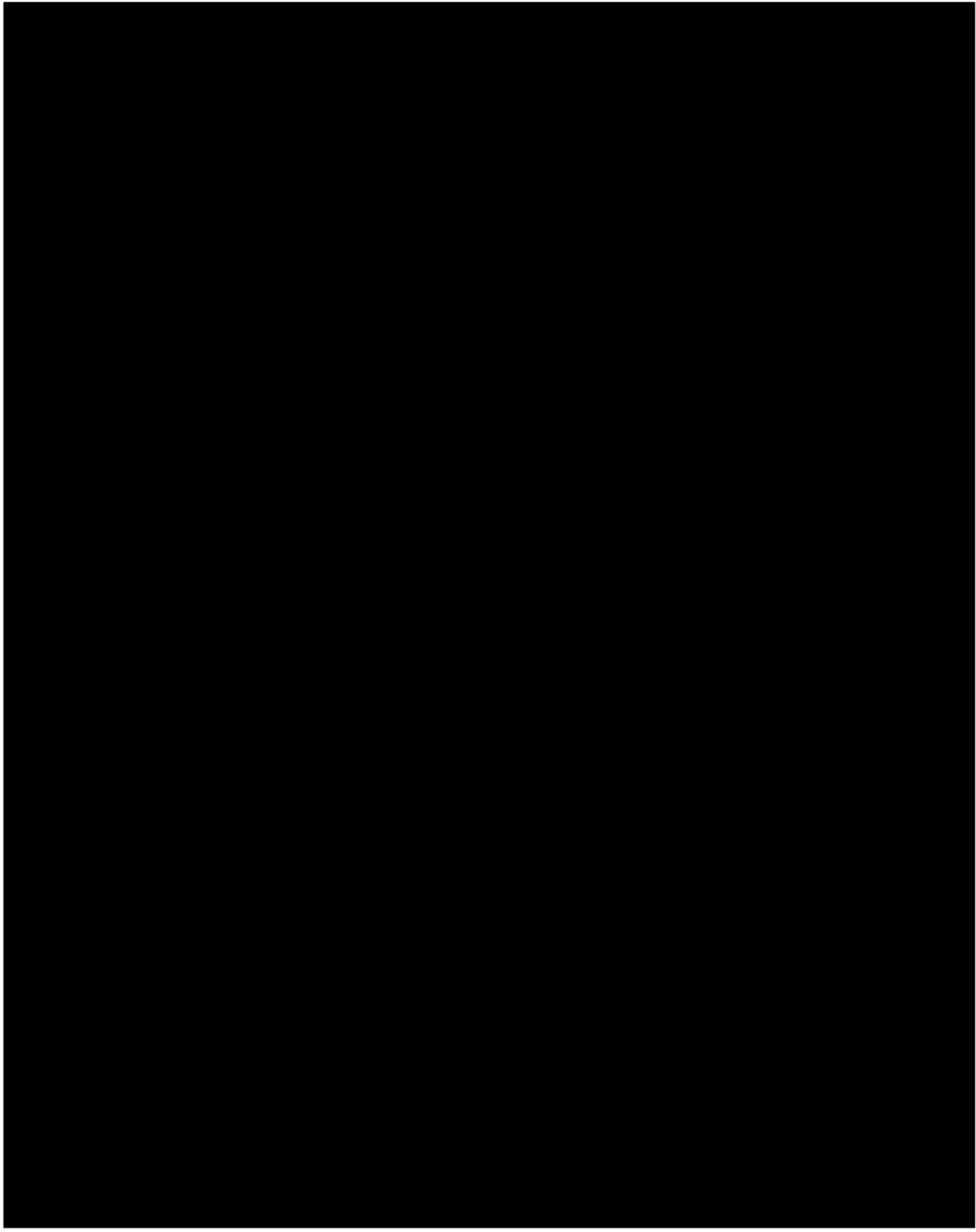


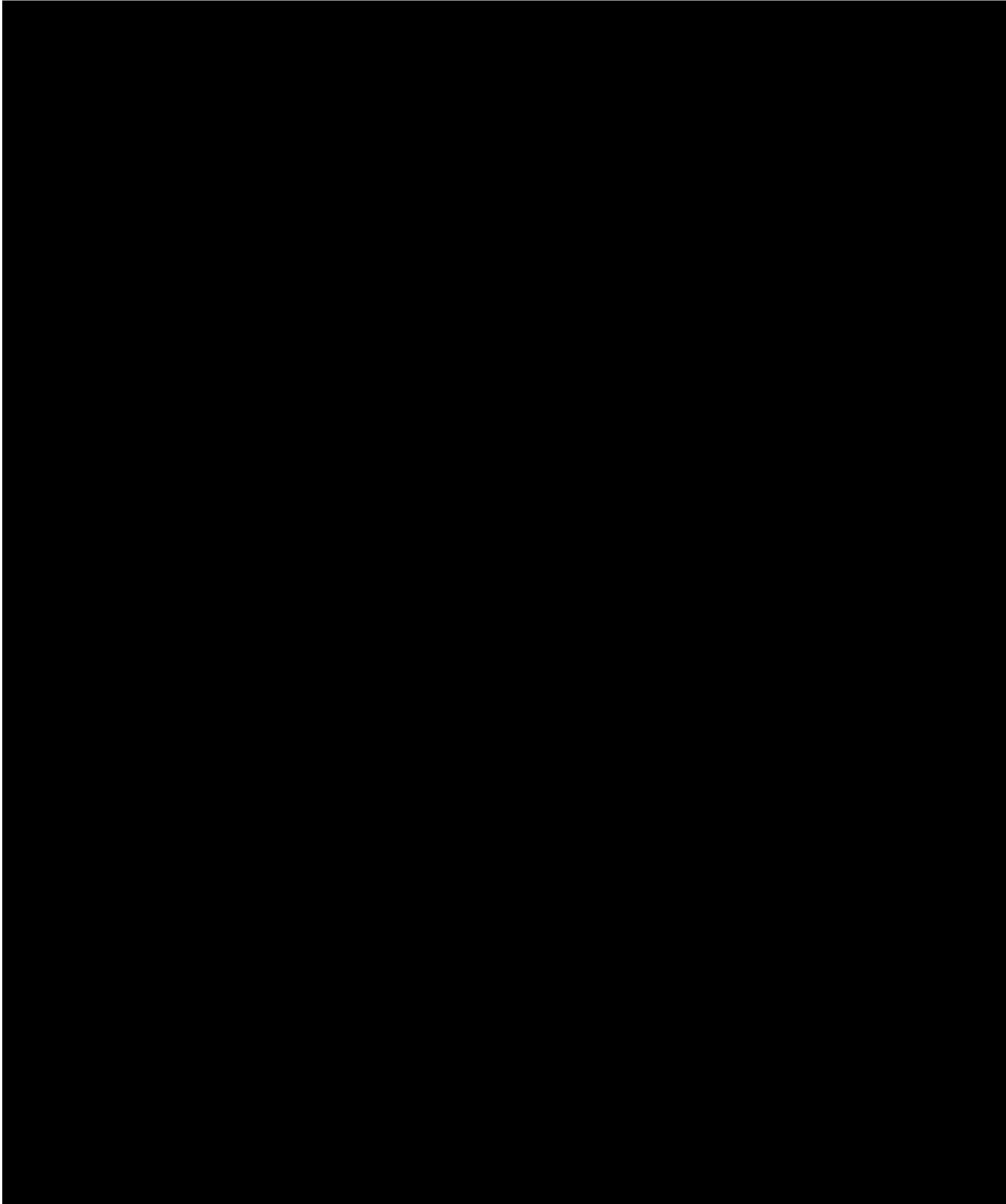


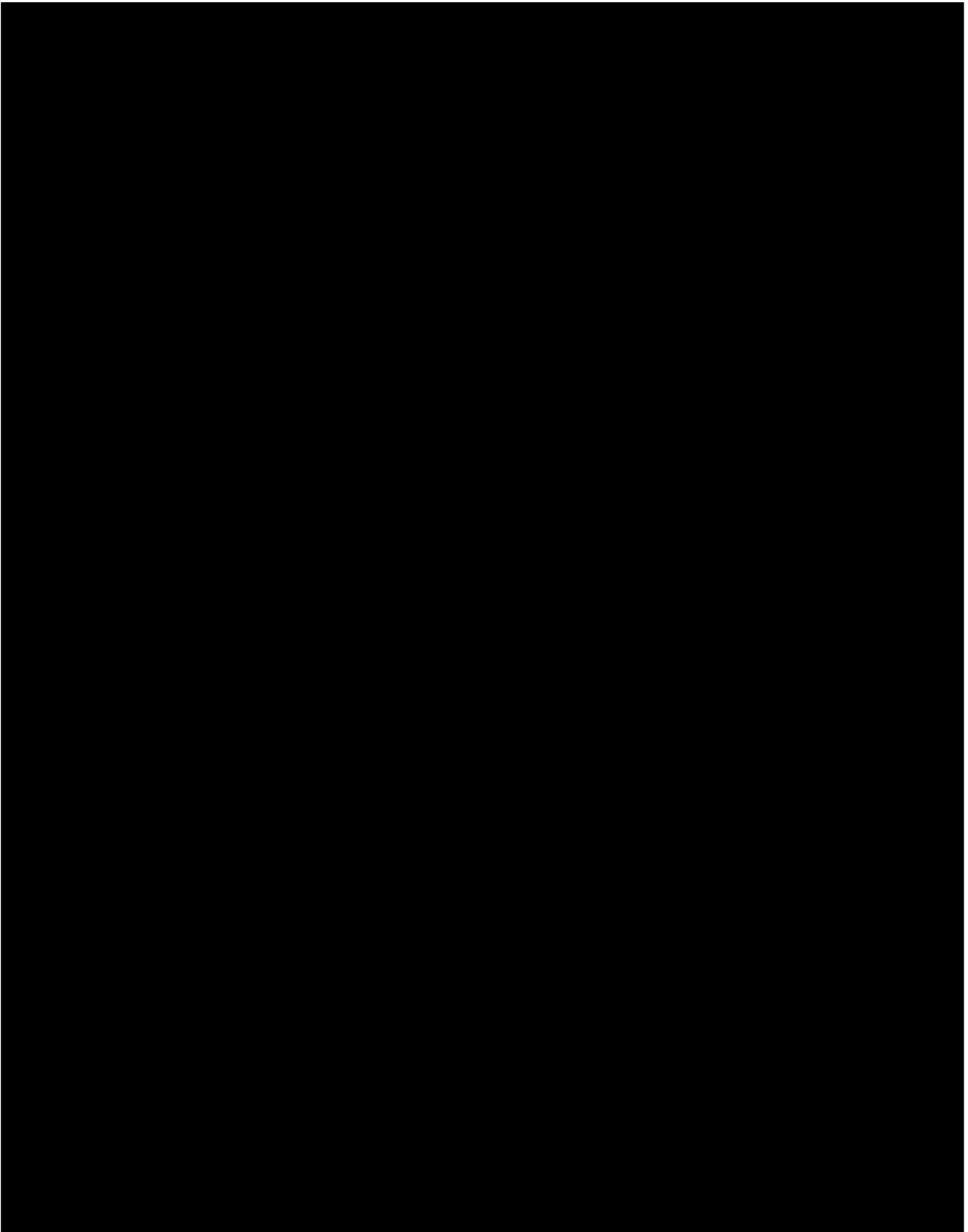


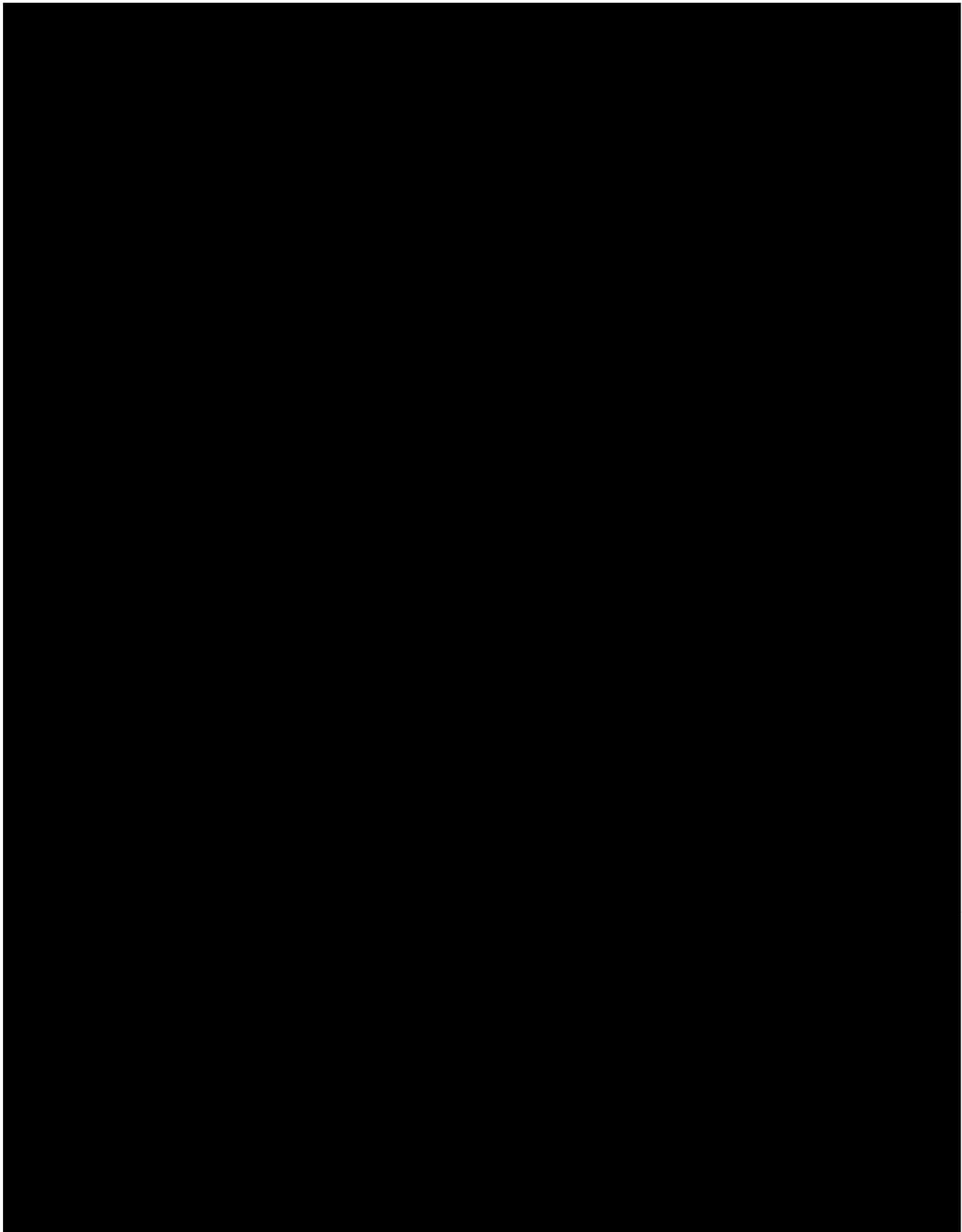


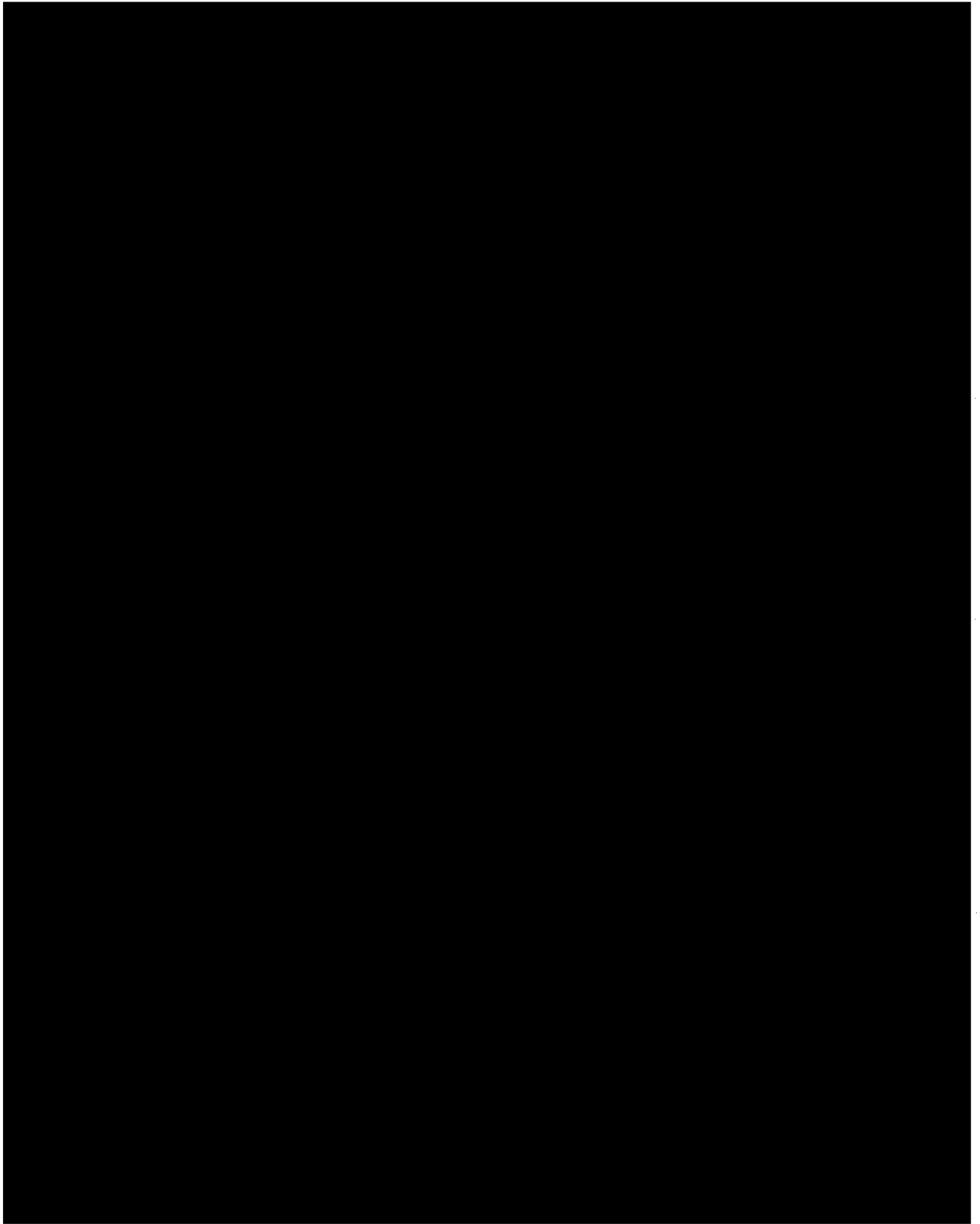


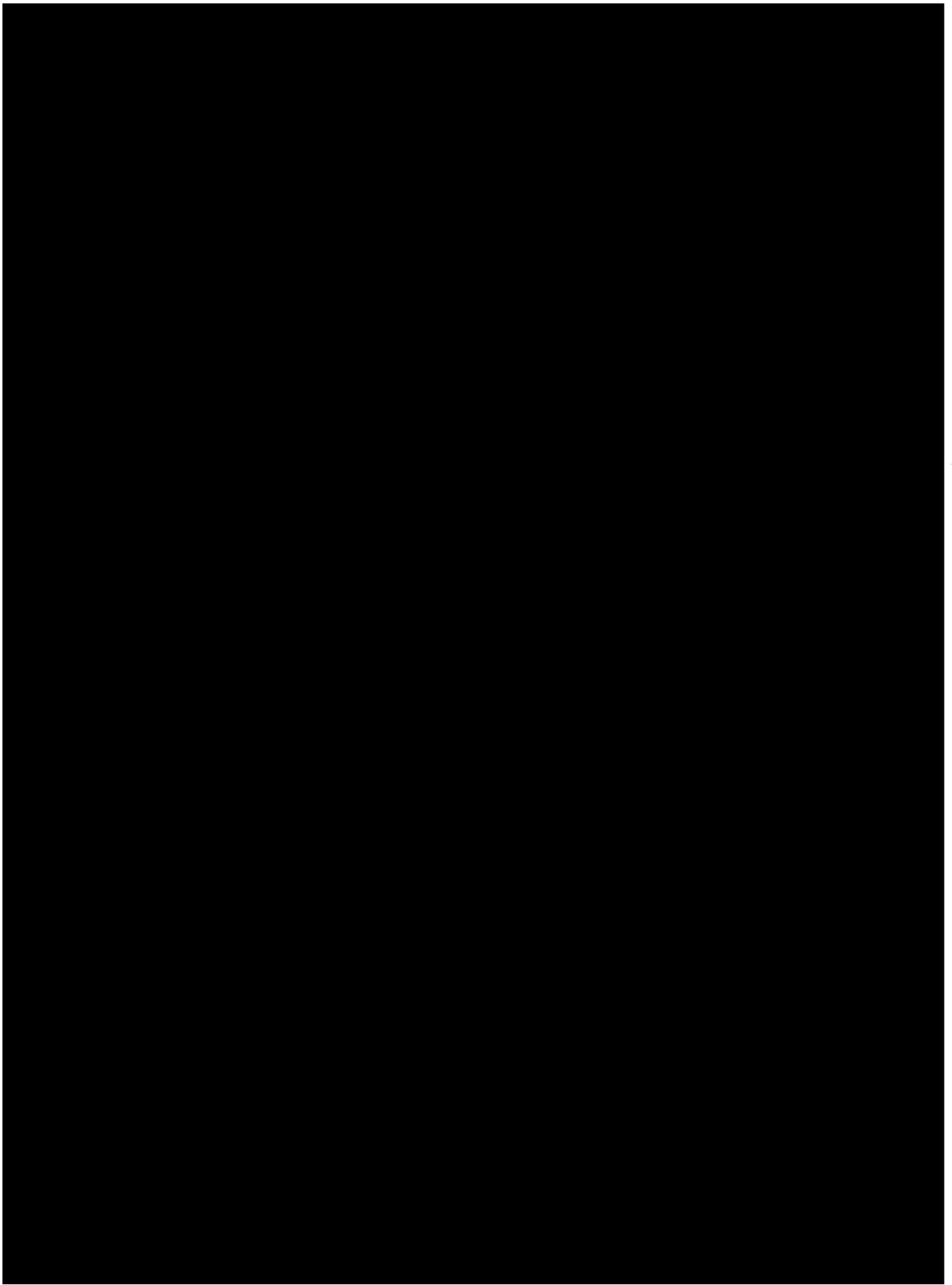




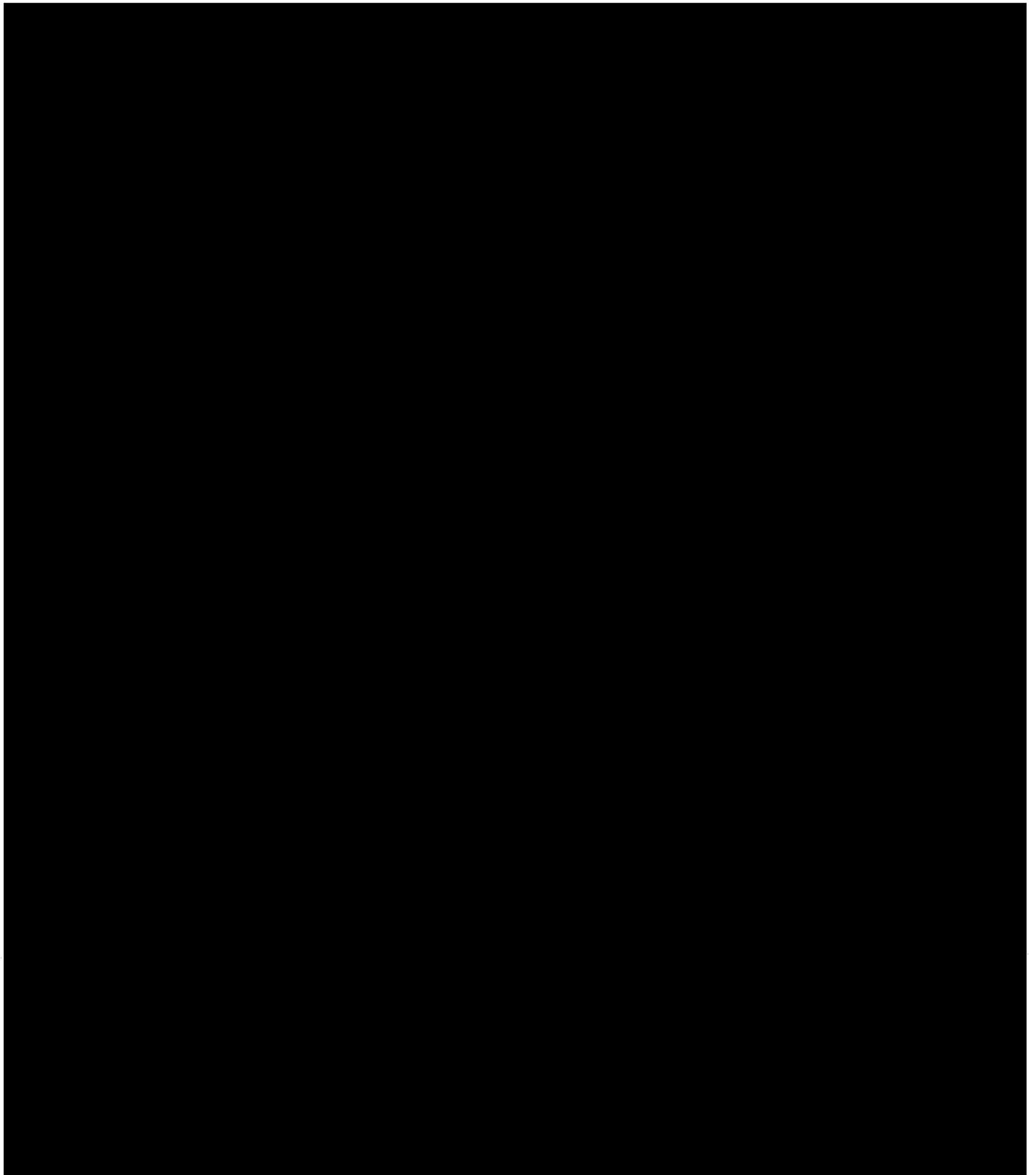


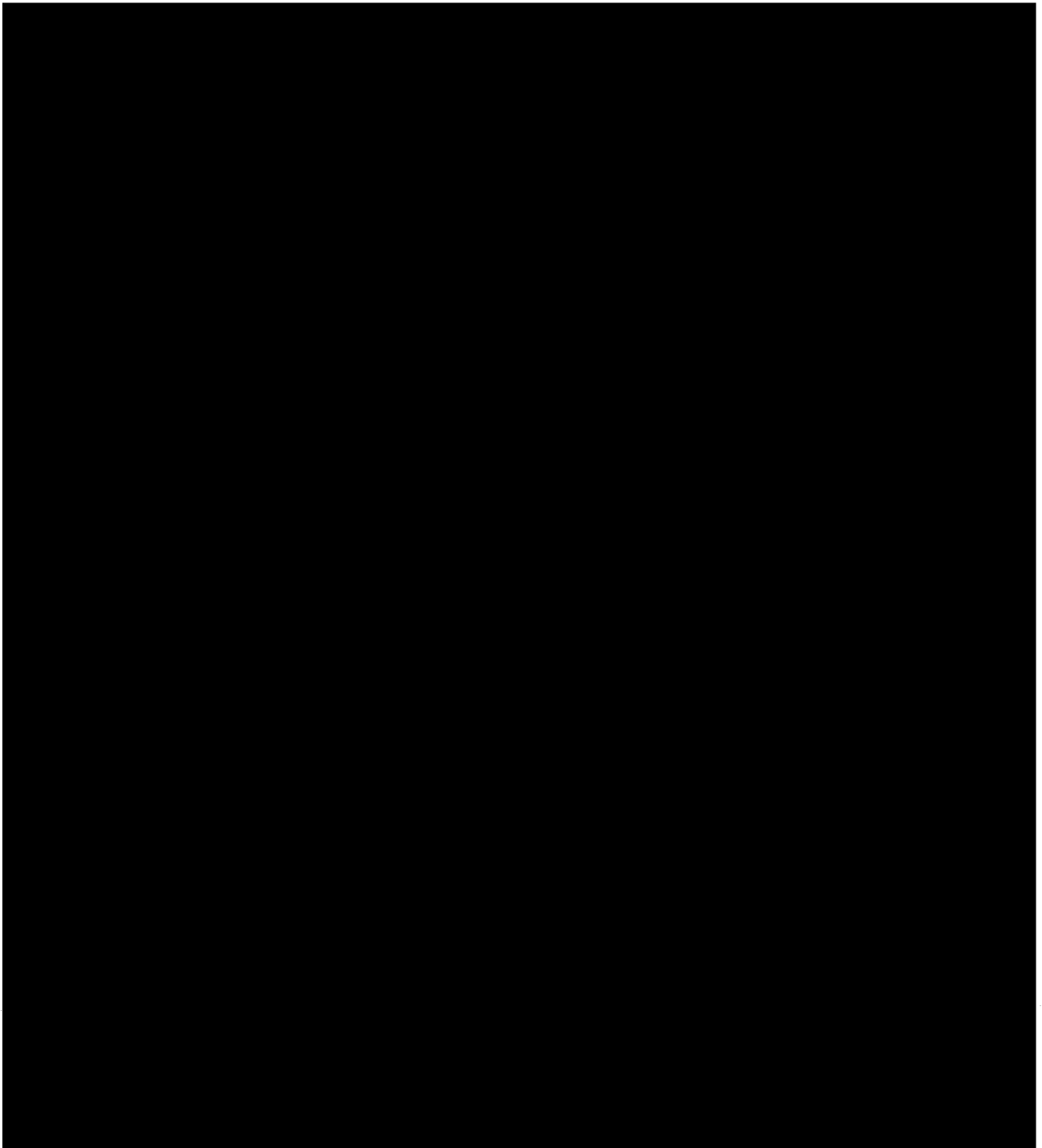


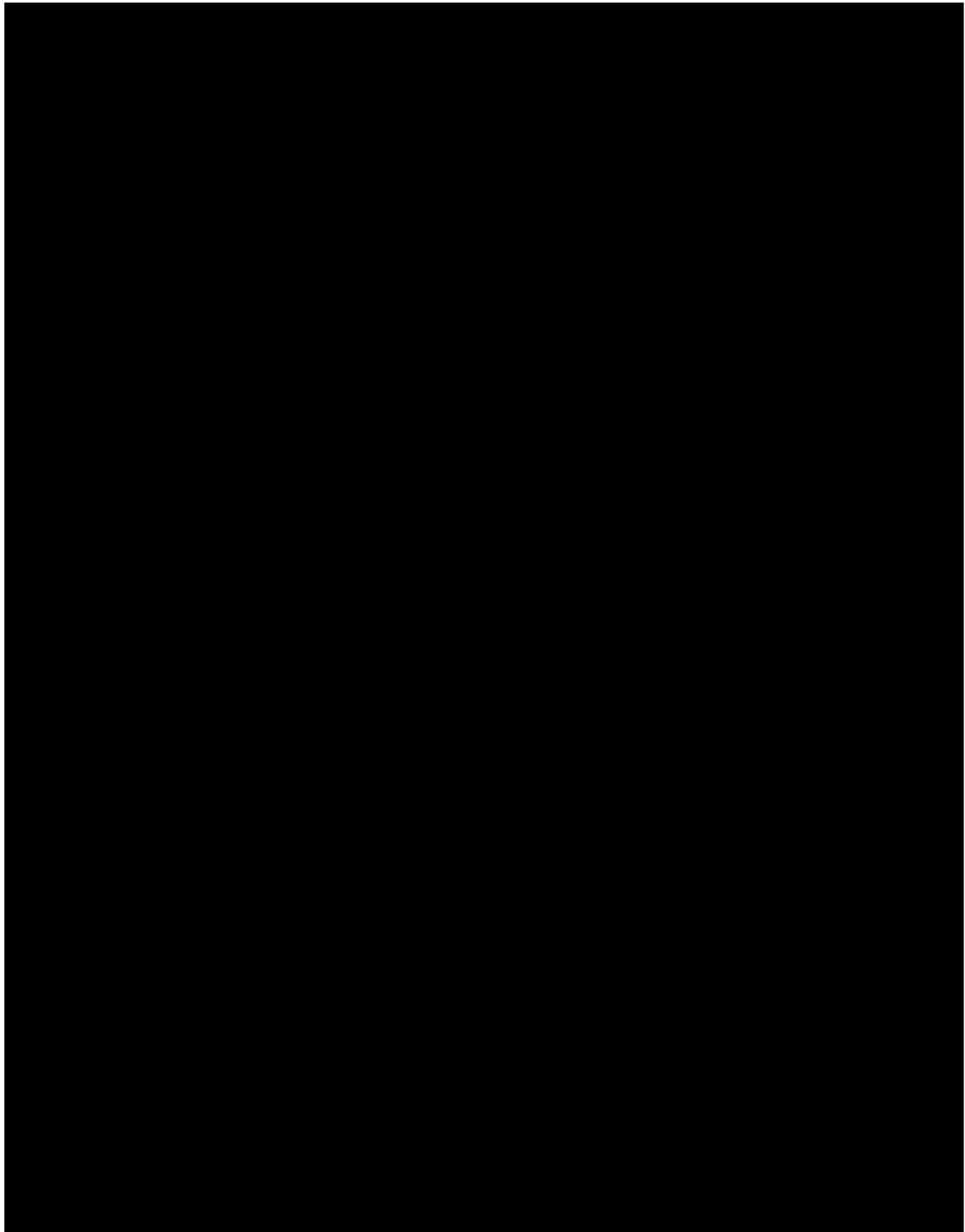


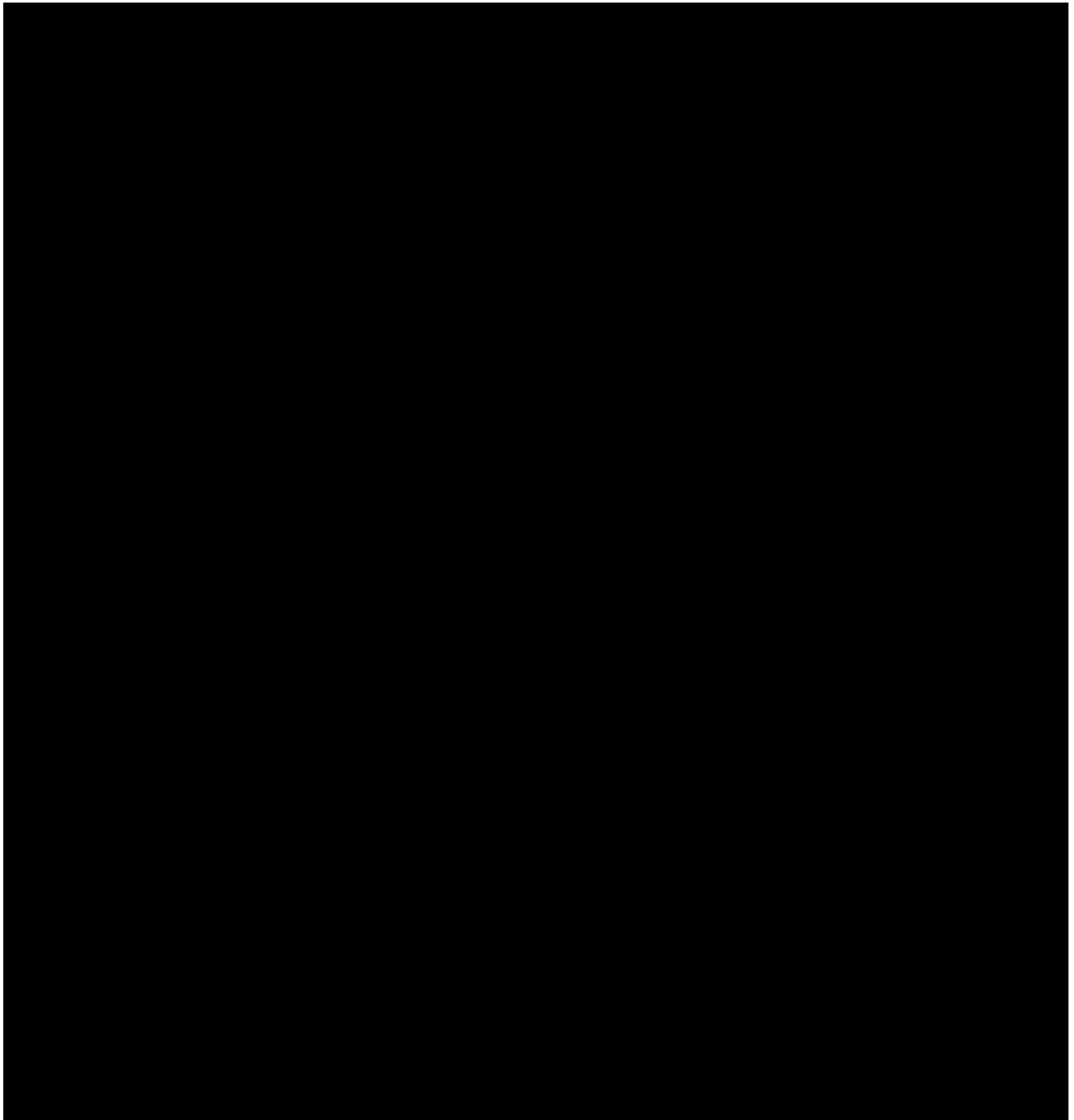


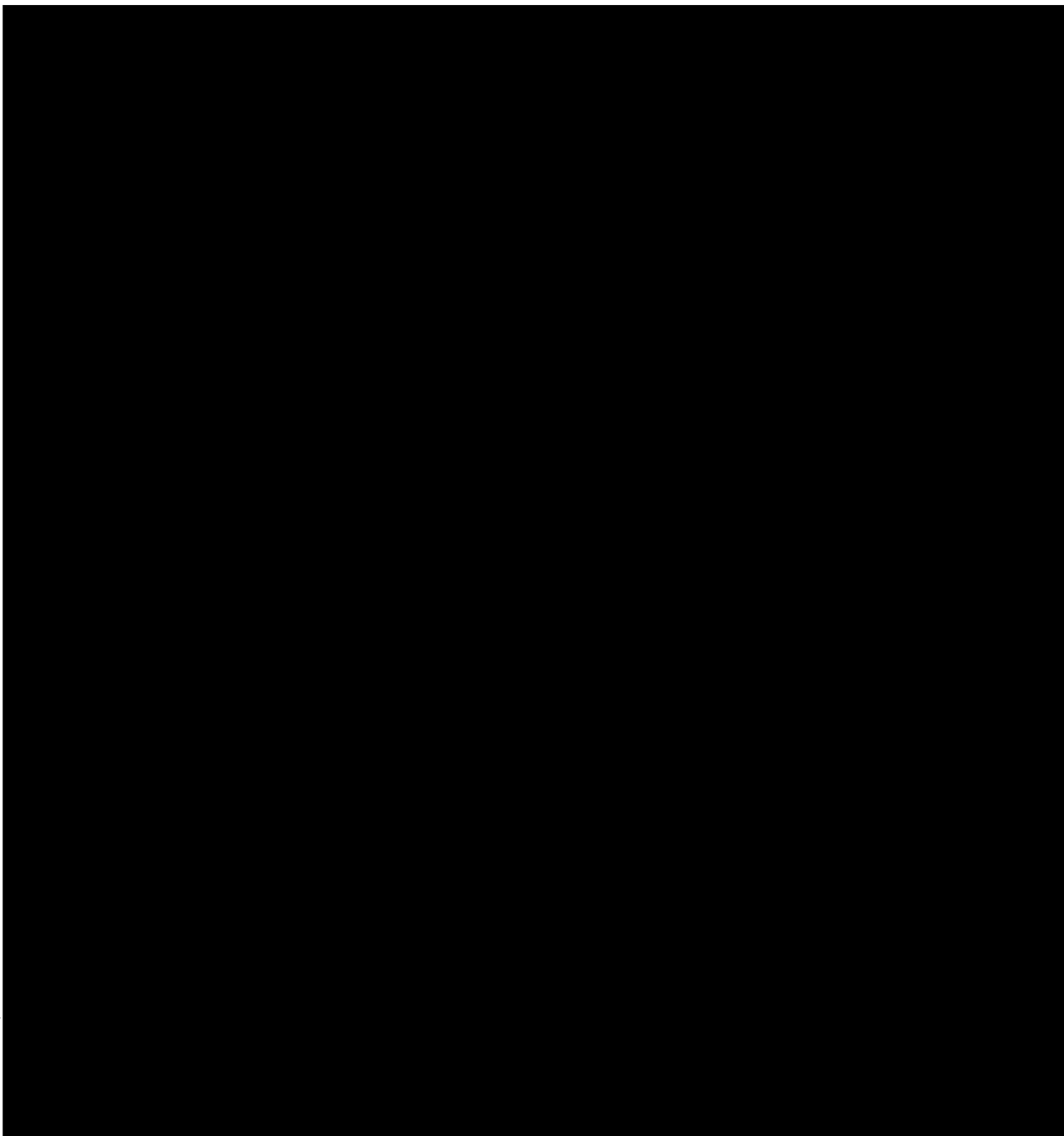


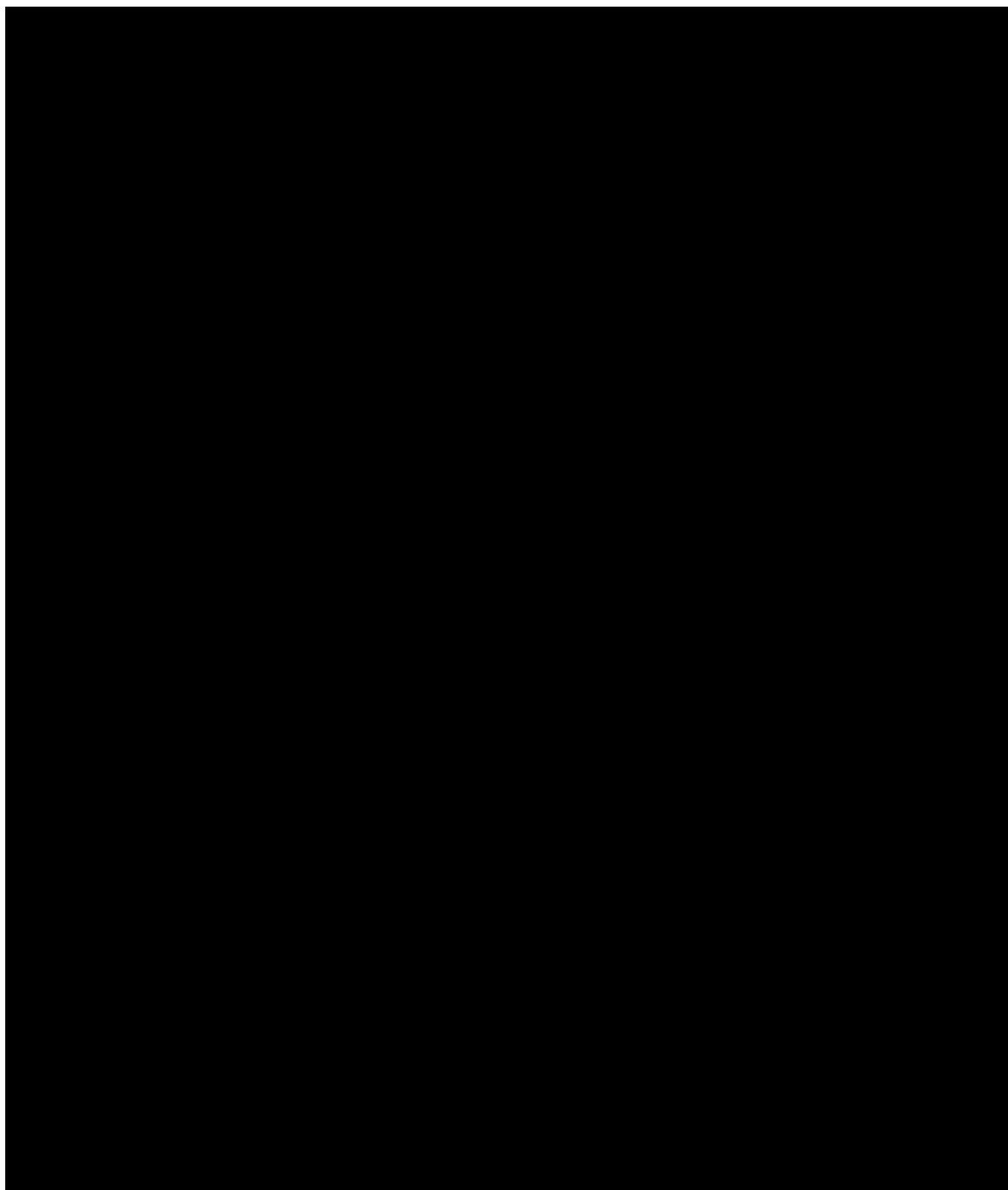


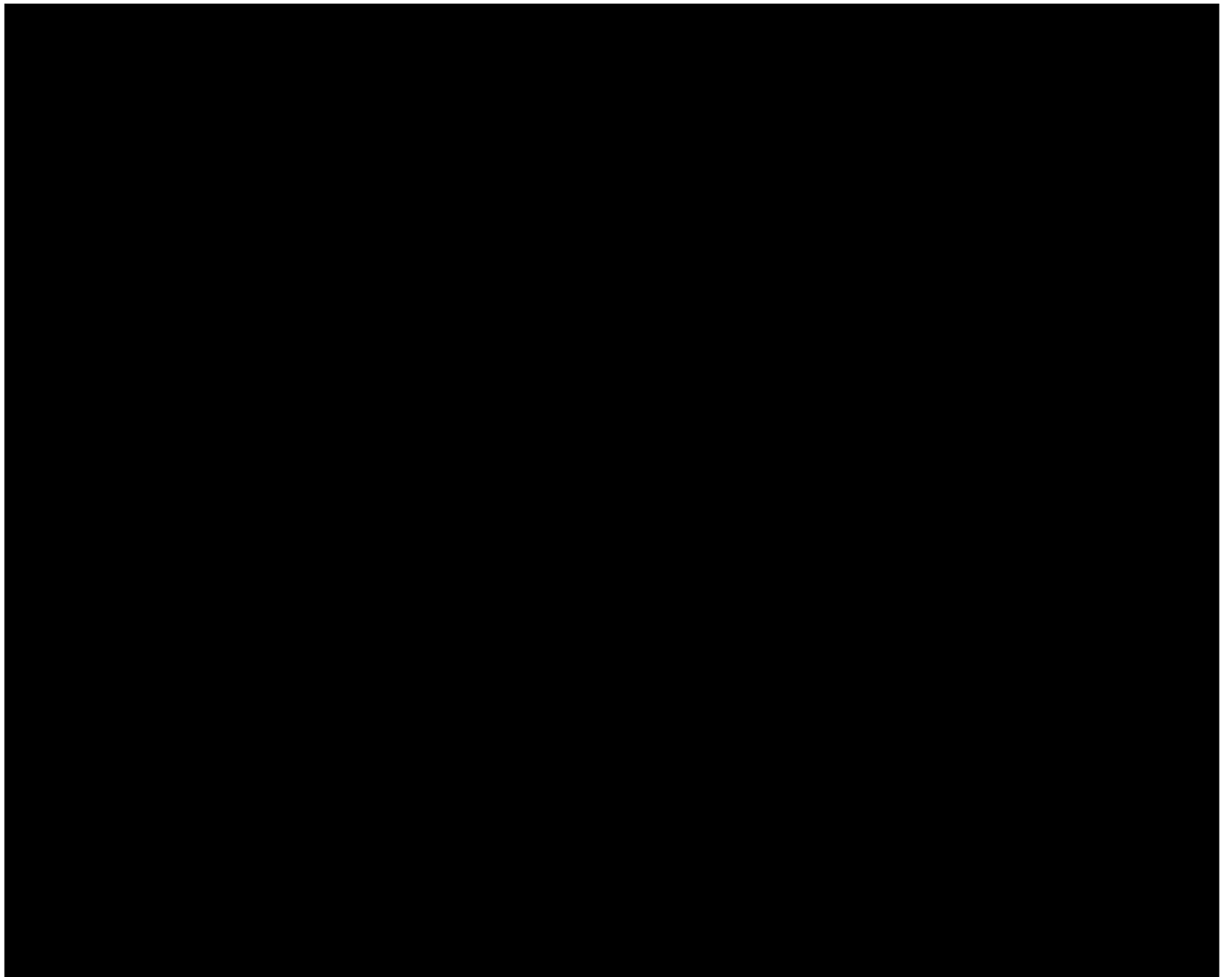






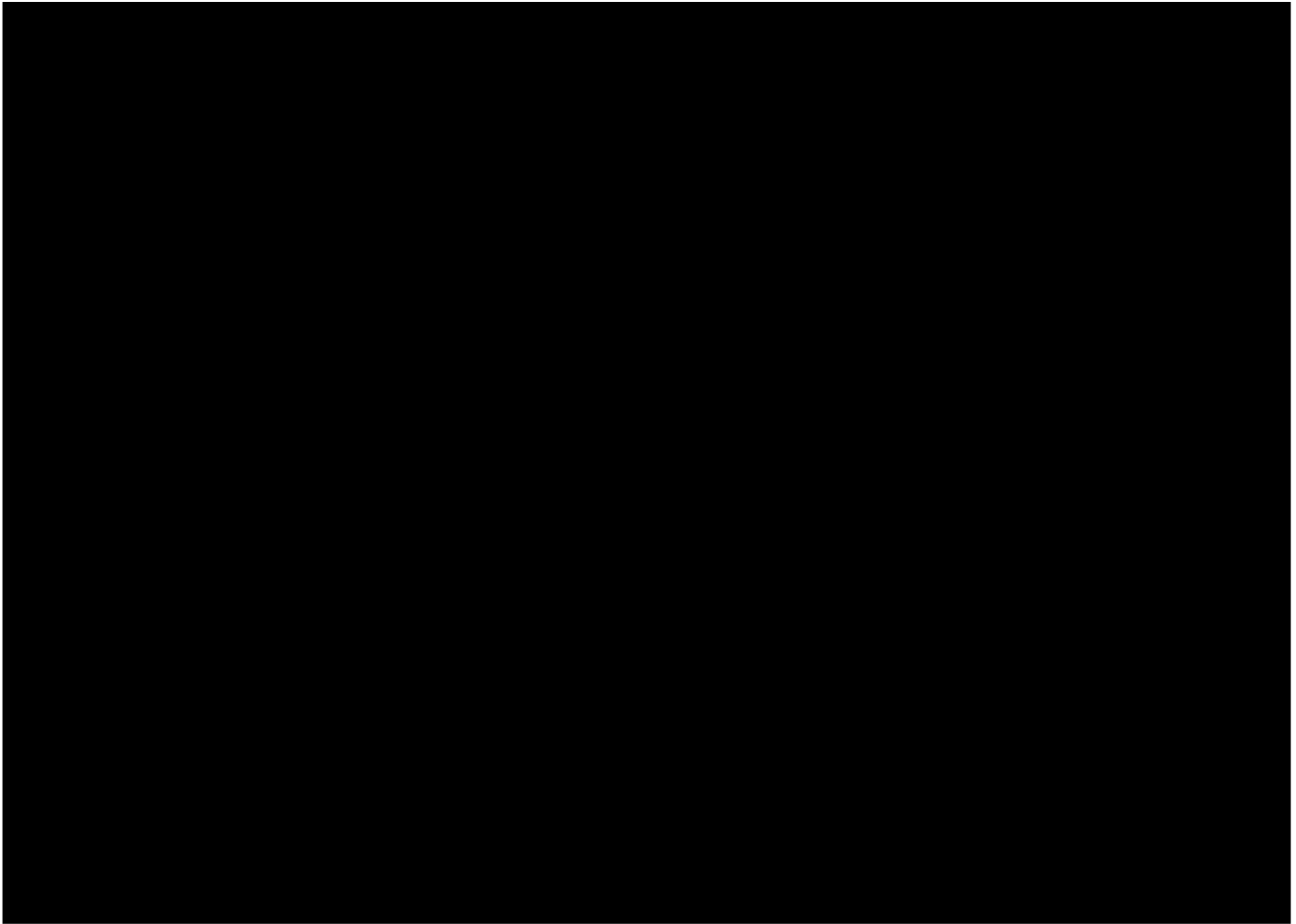




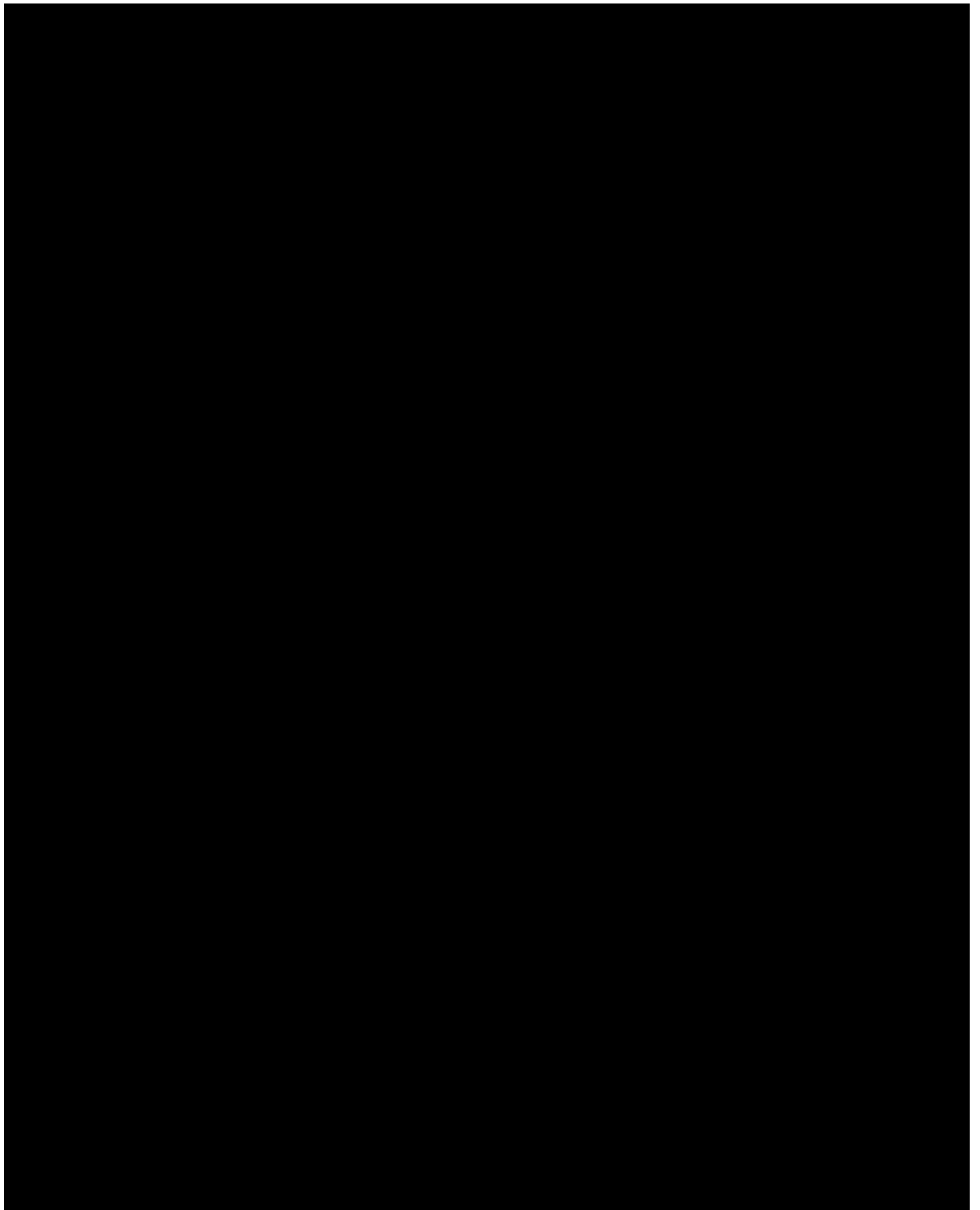


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# INTERNATIONAL BROTHERHOOD ELECTRICAL WORKERS

LOCAL UNION NO. 139  
508 COLLEGE AVENUE  
ELMIRA, N.Y. 14901

AFFILIATED WITH

AFL-CIO  
N.Y. STATE FEDERATION OF LABOR  
N.Y. STATE ELECTRICAL WORKERS ASSN  
N.Y. STATE BUILDING TRADES COUNCIL  
CENTRAL TRADES AND LABOR COUNCIL  
SOUTHERN TIER BUILDING TRADES COUNCIL  
CHEMUNG COUNTY CHAMBER OF COMMERCE  
HORNELL CHAMBER OF COMMERCE

ERNEST HARTMAN, BUSINESS MANAGER  
ROBERT HOLDEN, ORGANIZER  
OFFICE PHONE 607-732-1237  
FAX 607-737-0236



Jeff Gural, Chairman & CEO  
Tioga Downs Racetrack, LLC  
2384 W. River Rd  
Nichols, NY 13812

Dear Mr. Gural,

Eight years ago, you decided to invest over \$45 million into the defunct racetrack property in Nichols, NY, that previously produced negligible tax revenue, no jobs and offered no recreational opportunity.

Today, Tioga Downs represents 390 jobs, significant state & local tax revenue, and consumer recreation that include horse racing, video gaming & live entertainment. Over \$170 million has been generated for State Aid to Education since July of 2006.

Even today, this commitment to our region continues to grow with an additional \$110 million planned investment to construct a 136 room hotel, Events Center facility and a 274 spot covered parking garage.

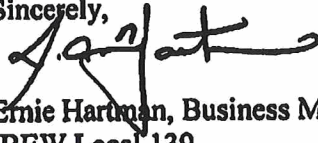
Tioga Downs is a great community partner, making the decision to hire union contractors and to pay Prevailing Wages. You have successfully negotiated a Project Labor Agreement with the Binghamton-Ononta Building Trades Association members as well as Labor Peace Agreements for current & future employee groups. Over \$1 million has already been donated to various regional charities and nonprofit organizations.

Tioga Downs represents the best opportunity for New York State to draw regional Pennsylvania patron gaming dollars into the Southern Tier Region. An alternate siting would adversely affect a Tioga Downs operation that has already been proven to be a valued community partner in way of job creation, capital investment and a significant supporter of the \$1.2 Billion Horse and Agricultural Industry.

Most important Tioga Downs would generate new gaming revenue for the State of New York and local schools and governments within 6 months of the award of the license.

For these reasons, the International Brotherhood of Electrical Workers Local 139 seeks to lend our full support to Tioga Downs to award a full gaming license in the Eastern Southern Tier Region.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernie Hartman", written over the typed name below.

Ernie Hartman, Business Manager  
IBEW Local 139  
415 W. Second St.  
Elmira, NY 14901

**Southern Tier Building & Construction Trades Council**  
508 College Avenue Elmira NY 14901  
Phone (607) 732 – 1237

Bricklayers & Mason Local 3 607-272-0523  
Plumbers Local 267 607-272-8586  
Engineers Local 832 607-776-3804  
Ironworkers Local 33 585-272-9890  
Laborers Local 785 607-272-3122  
Teamsters Local 529 607-733-6519

Painters District #4 716-565-0303  
Roofers Local 203 607-722-4073  
✓ Sheet Metal Local 112 607-733-3732  
✓ Electricians Local 139 607-732-1237  
Boilermakers Local 7 716-667-0861  
Iron Workers Local 33 585-288-2630

January 13, 2014

Tioga County Tourism  
80 North Avenue  
Owego, NY 13827  
Attn: Stella Reschke  
Director


Dear Miss Reschke:

I am writing on behalf of the Southern Tier Building and Construction Trades Council in support of the expansion of casino gaming at Tioga Downs in Nichols, NY.

This project is important to the Eastern Southern Tier and surrounding areas for various reasons. Such as, additional employment opportunities, increased tourism, as well as utilizing the products and labor of the various building trades organizations that are associated with the Southern Tier Building and Construction Trades Council. Also to assist in Tioga downs to continue to serve our non-profit organizations in the Eastern Southern Tier Area.

Our Building Trade and its members are in full support of award of casino license to Tioga Downs Casino in Nichols, New York. This opportunity can help support our community in so many ways and will benefit so many workers, residents and tourists.

Sincerely,



Donald J. Kraft, Sr.  
President

# Sheet Metal, Air, Rail and Transportation Local Union # 112

Website: [www.smw112.org](http://www.smw112.org)

**Elmira Office (Main)**  
P.O. Box 1146  
1200 Clemens Center Parkway  
Elmira, New York 14902  
Phone: (607) 733-3732  
Fax: (607) 732-3120  
Toll Free: 1 877 264-7991  
E-Mail: [smw112@verizon.net](mailto:smw112@verizon.net)



**Jamestown Office**  
827 East 2<sup>nd</sup> Street  
Jamestown New York 14701  
Phone: (716) 484-8267  
Fax: (716) 484-8361  
E-Mail:  
[sthorpe112@stny.twcba.com](mailto:sthorpe112@stny.twcba.com)

**Donald J. Kraft, Sr.**  
Business Manager/FST

**Steven J. Thorpe**  
Business Representative

**Thomas Harris**  
Market Development Specialist

**Dale L. Burton**  
President

January 13, 2014

Tioga County Tourism  
80 North Avenue  
Owego, NY 13827  
Attn: Stella Reschke  
Director

Dear Miss Reschke,

It is my pleasure to write a letter in support for the expansion of casino gaming at Tioga Downs in Nichols, New York and the submission of request for the license award in the Eastern Southern Tier area.

It is our belief, as well as yours that this expansion will bring much needed employment opportunities to the area, as well as allow Tioga Downs to utilize local products and labor.

I fully support the efforts of Tioga County Tourism and Tioga Downs as they seek the award for casino licensing in this area. Any option that can help support our community economically, increase tourism and continues to allow Tioga Downs to be able to serve our non-profit organizations will benefit the Eastern Southern Tier Area greatly.

Sincerely,

Donald J. Kraft, Sr.  
Business Manager/FST



ALL IN!

# Support TIOGA DOWNS in becoming a FULL CASINO GAMING FACILITY

Since 2006, Tioga Downs has contributed over \$170 million in aid to EDUCATION and in the same period our organization has donated over \$1,000,000 to various nonprofit organizations.

We are ALL IN entering our 9th year in operation as the region's premier destination for gaming, racing and entertainment. We owe our long standing success to the continual support of the good people in this region; and we, in turn, take great pride in sharing this success by creating more art more winning experiences.

We are ALL IN. Are You? Fill in your information below and send it back to us!  
POSTAGE PAID!

Name Greg LACETTE

Business Name PLUMBERS AND STEAMFITTERS LOCAL 267

Address [Redacted]

Phone [Redacted] Email [Redacted]

Signature [Handwritten Signature]

Thank You for your support.

Remember, it's just a game. Play responsibly.

You must be 18 to play video gaming machines. Please play responsibly.  
Rt 17, EXIT 62, Nichols NY 13812 • 888-WIN-TIOGA (888-946-8464) • www.tiogadowns.com

TIOGA DOWNS CASINO  
Attn: Sarah Hoffman  
P.O. Box 509  
Nichols NY 13812





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POSTAGE PAID!

Name CHRIS Bushnell

Business Name LeBokels Local 785

Address \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

Signature \_\_\_\_\_

*Chris Bushnell*

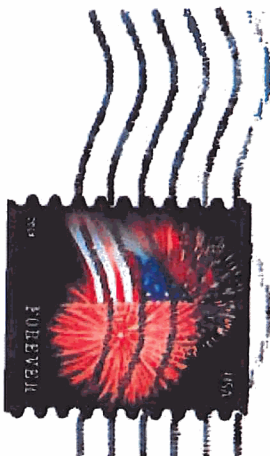
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Remember, it's just a game. Play responsibly.

Remember, it's just a game. Play responsibly.

Rt. 17, EXIT 62, Nichols NY 13812 • 888-WIN-TIOGA (888-946-3454) • www.tiogadowns.com

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TIOGA DOWNS CASINO  
Attn: Sarah Hoffman  
P.O. Box 509  
Nichols NY 13812



ALL IN!

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We are ALL IN. Are You? Fill in your information below and send it back to us!  
POSTAGE PAID!

Name Thomas Beecher

Business Name Lo 139 E.B. E.W

Address [Redacted]

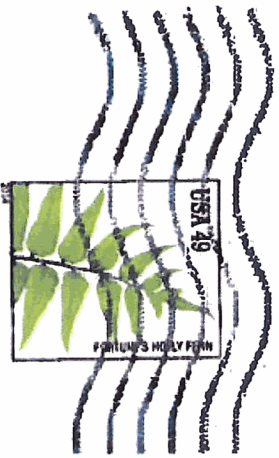
Phone [Redacted] Email [Redacted]

Signature Thomas Beecher

Thank You for your support.

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Remember, it's just a game. Play responsibly.  
At 17, EXIT 62, Nichols, NY 13812 • 888-WIN-TIOGA (888-946-3464) • www.tiogadowns.com

ESTER NY 1344  
MAY 2014 PM 4 L



TIOGA DOWNS CASINO  
Attn: Sarah Hoffman  
P.O. Box 509  
Nichols NY 13812

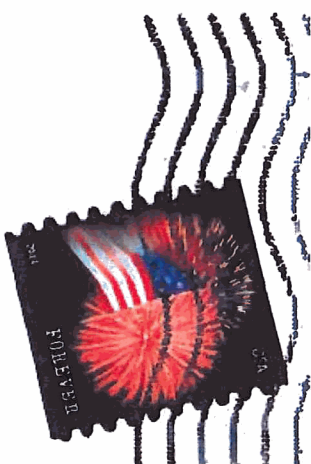






ALL IN!

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MAY 2014 PM 2 L



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We are ALL IN. Are YOU? Fill in your information below and send it back to us!  
POSTAGE PAID!

Name Gary Benadena Jr.  
Business Name Rochester Regional Joint Board

Address [Redacted]

Phone [Redacted] Email [Redacted]

Signature [Handwritten Signature]

Thank You for your support.

Remember, it's just a game. Play responsibly.

Rt. 17, EXIT 62, Nichols NY 13812 • 888-WIN-TIOGA (888-946-8464) • www.tiogadowns.com

TIOGA DOWNS CASINO  
Attn: Sarah Hoffman  
P.O. Box 509  
Nichols NY 13812

