

April 24, 2018

NYS Senator Leroy Comrie
113-43 Farmers Boulevard
Saint Albans, NY 11412

Re: Amend Racing, Pari-Mutuel Wagering and Breeding Law * § 212.

Dear Senator Comrie:

The People of the State of New York, acting through the Franchise Oversight Board (FOB), established a Franchise Agreement with the New York Racing Authority dated September 12, 2008. Under the agreement, the land of the Aqueduct, Saratoga and Belmont Park facilities were acquired by the People of the State of New York. Under a newly created Ground Lease, The State of New York allowed "New NYRA" to operate the Thoroughbred Racing franchise at the three facilities through a lease of \$1.00 per annum for a term of 25 years.

Within the Franchise Agreement, Section 2.13b addresses the Real Estate Development Parcels (known to many as Parcels A & B). Turning to Section 212 of the NYS Racing Law, we see the legal requirement of the FOB to establish a Local Advisory Board for the Aqueduct and Saratoga operations. It is important to note, the Belmont operation has been left off the list of required Local Advisory Boards, leaving Section 2.13b of the Franchise agreement citing consultation with the Local Advisory Board de minimis (too trivial or minor to merit consideration, especially in law).

In 2009 Sen. Johnson introduced a bill, S766 (C Johnson) to create a Belmont Local Advisory Board.

We the residents of the Elmont, Bellerose, Floral Park and other immediately surrounding communities do not understand why Belmont Park did not get a Local Advisory Board at the time Aqueduct and Saratoga were created in 2008. The bill in question was S6950 (Bruno)/A9998 (Pretlow). It passed the Senate 2/13/08 by a vote of 39-17. Among other provisions, the bill provided a bailout to NYRA and authorized them to exclusively run thoroughbred racing at the state's three tracks. The local advisory boards were included at the time as part of this much larger omnibus proposal.

We understand the State reserves the right to develop the Parcels through itself, or a third party, with developments including retail, hotel/spa, entertainment or any other uses or facilities that are complementary to horse racing and pari-mutuel wagering. We also understand that among other requirements, these developments shall only be undertaken after

consultation with the **Local Advisory Board referred to in Section 212 of the New York State Racing Law.**

The Community Advisory Council (CAC), established by Empire State Development (ESD) for the current redevelopment project at Belmont Park with the Arena Partners (conditional designees), is not the Local Advisory Board we have been requesting since 2008.

This year, in 2018 the Assembly as part of its one house budget proposal advanced new language to create a Belmont Racetrack Local Advisory Board. The Board would have been made up of 15 designees. Four members to be appointed by the County of Nassau, three of whom must reside in the hamlet of Elmont, four appointees by the Mayor of the Village of Floral Park, four from the Elmont Community Coalition of Civics, and three by NYRA. This language however, ultimately dropped out of the final enacted budget. We are not sure why that occurred but the issue was definitely revived for a short while, only to be dropped out.

As a local advisory board, we would like the opportunity to work with the Franchise Oversight Board (FOB), NYS Division of Local Government Services, Empire State Development (ESD), Nassau County and the Town of Hempstead Planning and Economic Development Commission to have a voice in comprehensive planning and rezoning (MASTER PLAN) of our community in order to preserve and enhance the historical Belmont Park and its surrounding neighborhoods.

We the voters of Elmont, Bellerose, and Floral Park ask you to reintroduce S766 2009 this legislative session and finally give the people a voice.

Sincerely yours,

Signature: _____

Print Name: _____

Street address: _____

Town/State/Zip code: _____

Email: _____

Cc. Assemblyman Clyde Vanel
97-01 Springfield Boulevard
Queens Village, NY 11429