



Michael G. Murphy
15th Floor
477 Madison Avenue
New York, NY 10022-5802
Direct: (212) 702-5436
Fax: (212) 702-5450

October 3, 2018

Franchise Oversight Board
c/o New York State Gaming Commission
One Broadway Center
P.O. Box 7500
Schenectady, NY 12301

Attention: Records Access Officer

Franchise Oversight Board
c/o New York State Division of the Budget
Room 128, State Capitol
Albany, NY 12224

Attention: Records Access Officer

Re: Belmont Park Redevelopment Project: Freedom of Information Law Request

Dear Sir or Madam:

I am writing to request records under the Freedom of Information Law, Article 6 of the Public Officers Law. The requested records relate to the Belmont Park Redevelopment Project proposed to be located on certain parcels at Belmont Park. However, in responding to the requests below, please do not view foregoing reference to the Belmont Park Development Project as limiting in any manner. In other words, responsive records to each request should be produced regardless of whether the records explicitly or implicitly reference the Belmont Park Redevelopment Project or regardless of whether the records are contained within files or folders relating to the Belmont Park Redevelopment Project.

For purposes of these requests:

- “ESD” means Empire State Development, and/or any employee, consultant, agency, agent of person acting for, or on behalf of, Empire State Development.

Austin, TX Baltimore, MD Boston, MA Englewood, NJ
New York, NY San Francisco, CA Seattle, WA Washington, DC

October 3, 2018

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- “NYAP” means New York Arena Partners, LLC, any owners or investors in New York Arena Partners, LLC, and/or any employee, consultant, agency, agent of person acting for, or on behalf of, New York Arena Partners, LLC.
- “FOB” means the Franchise Oversight Board.
- “NYRA” means the New York Racing Association.

Please provide copies of the following records (dated or created on January 1, 2015 or later unless otherwise indicated in a specific request):

- Any and all records, including correspondence, relating to planned or proposed improvements, construction, reconstruction, development or expansion of any kind, on NYRA-leased, licensed or controlled property at Belmont Park, regardless of whether (i) the planned or proposed improvements, construction, reconstruction, development or expansion of any kind are explicitly linked to the proposed Belmont Park Redevelopment Project, or (ii) the planned or proposed improvements, construction, reconstruction, development or expansion of any kind are being or were proposed by NYAP, NYRA, ESD or any other person or entity.
- Any and all correspondence, dated January 1, 2016 or later, with or involving the FOB concerning Belmont Park, NYRA’s current or future activities at Belmont Park, or the Belmont Park Redevelopment Project.

It is requested that responsive documents be emailed to me at the email address provided below. If the requested records cannot be emailed to me due to the volume of records identified in response to my request, please advise me of the actual cost of copying all records onto a CD or DVD, or please advise me of the appropriate time during normal business hours for inspecting the records prior to obtaining copies.

Please contact me at (212) 702-5436 or at mmurphy@bdlaw.com if you have any questions.

Sincerely,



Michael Murphy

cc: Hon. Dominick Longobardi, Mayor, Floral Park
Gerard Bambrick, Village Administrator, Floral Park
Village Board of the Village of Floral Park



Franchise Oversight Board

State Capitol
Albany, New York 12224

Robert Williams, Chair
Joseph J. Rabito, Member
Anthony Rodolakis, Member
James T. Towne, Jr., Member

Steven M. Lowenstein, Secretary
David Perino, Counsel

October 16, 2018

Mr. Michael G. Murphy
Beveridge & Diamond
477 Madison Avenue
15th Floor
New York, New York 10022-5802

Dear Mr. Murphy:

I am in receipt of your recent letter dated October 3, 2018, received on October 9, 2018 seeking information on the Belmont Park Redevelopment Project pursuant to Freedom of Information Law, N.Y. Public Officers Law Section 87 ("FOIL").

Please be advised that we are researching your request and will respond further within the next twenty (20) business days. If there are fees associated with reproducing records responsive to your request, we will advise you of the fees at that time.

The New York State Franchise Oversight Board reserves the right to deny access to records or portions thereof as allowed under the New York State Freedom of Information Law.

Sincerely,

David Perino
Counsel



Franchise Oversight Board

State Capitol
Albany, New York 12224

Robert Williams, Chair
Joseph J. Rabito, Member
Anthony Rodolakis, Member
James T. Towne, Jr., Member

Steven M. Lowenstein, Secretary
David Perino, Counsel

November 15, 2018

Mr. Michael G. Murphy
Beveridge & Diamond
477 Madison Avenue
15th Floor
New York, New York 10022-5802

Dear Mr. Murphy:

Please be advised that we require additional time to complete our response to your FOIL request dated October 3, 2018. We will provide you with a status update on or before December 14, 2018, if we have not completed our response by then.

Thank you for your courtesy in this matter.

Sincerely,

David Perino



Franchise Oversight Board

State Capitol
Albany, New York 12224

Robert Williams, Chair
Joseph J. Rabito, Member
Anthony Rodolakis, Member
James T. Towne, Jr., Member

Steven M. Lowenstein, Secretary
David Perino, Counsel

December 20, 2018

Mr. Michael G. Murphy
Beveridge & Diamond
477 Madison Avenue
15th Floor
New York, New York 10022-5802

Dear Mr. Murphy:

Please be advised that we require additional time to complete our response to your FOIL request dated October 3, 2018. We will provide you with a status update on or before January 15, 2019, if we have not completed our response by then.

Thank you for your courtesy in this matter.

Sincerely,

A handwritten signature in black ink, consisting of a series of loops and flourishes, appearing to read "D Perino".

David Perino



Franchise Oversight Board

State Capitol
Albany, New York 12224

Robert Williams, Chair
Joseph J. Rabito, Member
James T. Towne, Jr., Member

Steven M. Lowenstein, Secretary
David Perino, Counsel

January 15, 2019

Mr. Michael G. Murphy
Beveridge & Diamond
477 Madison Avenue
15th Floor
New York, New York 10022-5802

Dear Mr. Murphy:

Please be advised that we require additional time to complete our response to your FOIL request dated October 3, 2018. We will provide you with a status update on or before February 14, 2019, if we have not completed our response by then.

Thank you for your courtesy in this matter.

Sincerely,

A handwritten signature in black ink, appearing to be "D. Perino". The signature is fluid and cursive, with a large loop at the end.



Franchise Oversight Board

State Capitol
Albany, New York 12224

Robert Williams, Chair
Joseph J. Rabito, Member
Anthony Rodolakis, Member
James T. Towne, Jr., Member

Steven M. Lowenstein, Secretary
David Perino, Counsel

February 15, 2019

Mr. Michael G. Murphy
Beveridge & Diamond
477 Madison Avenue
15th Floor
New York, New York 10022-5802

Dear Mr. Murphy:

Please be advised that we require additional time to complete our response to your FOIL request dated October 3, 2018. We will provide you with a status update on or before February 29, 2019, if we have not completed our response by then.

Thank you for your courtesy in this matter.

Sincerely,

David Perino