

September 29, 2015

A Special Meeting of the Tyre Town Board was held Tuesday, September 29, 2015 at the Magee Volunteer Fire Department Bldg., 1807 St. Rt. 318, Seneca Falls, NY 13148, in the Town of Tyre.

The purpose of the meeting was to discuss matters relating to the Planned Unit Development ("PUD") District Application, Development Plan and Site Plan and related project documents for the Lago Resort and Casino project submitted to the Town Board, and any other matters properly brought before the Town Board.

Pledge of Allegiance.

Roll Call: Supv. Ronald McGreevy-here, Councilman Reginald Aceto-here, Councilman Joseph DePapa-here, Councilman James Rogers-here, Councilman Thomas Thomson-here.

Supv. McGreevy - have had Roll Call - quorum present - meeting called to order at 7:35 P.M.

Supv. McGreevy introduced the Attorneys and Engineers present: Virginia Robbins, Esq., Michelle Billington, Esq., Kathleen Bennett, Esq., Thomas Smith, Esq., Jennifer Ammerman - Stenographer, - Bond Schoeneck & King, Adam Cummings P.E. Barton & Loguidice - representing the Town of Tyre. John Mancuso, Esq., - Harris Beach, Alan Knauf, Esq., Michael Simon P.E., James Cretokos P.E., Peter Vars P.E. - BME Associates - representing Lago. Others present: PBM's Robert Seem and Henry Bickel.

Proposed Lago Resort and Casino Project

Virginia Robbins, Esq., Bond, Schoeneck & King, delivered to the Town Board members for their records a compilation of all the correspondence between the Town Board and the SEQRA involved agencies and interested agencies. Two letters are expected to be coming from two agencies, the NYS Department of Transportation (DOT) and the NYS Office of Parks, Recreation and Historic Preservation (OPRHP). DOT sent a letter dated September 21, 2015 for information asking on Amish travel. The Lago applicant's traffic consultant, McFarland Johnson, prepared a response explaining the analysis of the subject that has been conducted and how it will be addressed by the project. DOT indicated via email that it was satisfied with this response and that it would send a letter stating so. OPRHP verbally confirmed that it was satisfied with the measures in place to preserve the burial ground on the Project site and stated it would send that confirmation in writing too.

BME Associates submitted two letters to the Town Board dated September 29, 2015. One certified that the Lago project will not introduce any invasive species per NYSDEC regulations. The other addressed off-site infrastructure.

Councilman Aceto had follow up remarks about the effects of the Lago project on the Amish and Mennonite community, which was discussed at the Board's last meeting under the section on community character on Part 2 of the Full Environmental Assessment Form (FEAF). Objections by those communities to the Lago project seem to be in part on moral grounds and question whether they would have to leave if the project happens. Councilman Aceto researched other casinos in New York and other Amish populations in the State too, and found that there is a large Amish population in Cattaraugus County near where the Seneca Allegany Resort and Casino in Salamanca, NY is located. There is a Mennonite community in that area too. It seems that the Amish and Mennonite communities have found a way to co-exist despite their religious objections. Councilman Thomson echoed this sentiment. Councilman Aceto researched news articles and other resources and didn't find anything that the Amish and Mennonite would be required to leave the town because of the project. The Town Board voted 5-0 that the discussion did not change their previous conclusion on the subject of effects on the Amish and Mennonite communities under Part 2 of the EAF.

Kathleen Bennett, Esq., reviewed with the Town Board the regulatory criteria for determining significance under SEQRA under 6 NYCRR 617.7(c), including the potential synergistic and cumulative impacts from the Lago project. The Town Board found that none of the Lago project's potential synergistic or cumulative impacts were significant and adverse. The Board also completed EAF Part 2, Section 17, item g. Upon answering that question, the Board had finished all of the categories on Part 2 and the Town Board received a draft Part 2 with the boxes checked per their discussions at prior meetings. The Town Board was asked to review the draft Part 2 before the next meeting to confirm it reflects their discussions and conclusions. At the prior meetings, the Town Board had verbally completed the Part 3 analysis too, which needed to be reduced to a writing.

Councilman Aceto moved the following resolution:

Given that the Town Board has conducted a detailed review of the project and has not identified any significant adverse impacts on the environment associated with the project, the Town Board directs counsel to assemble the completed EAF and prepare a written summary of the rationale behind the Board's findings, consistent with the Board's discussions during the prior meetings, for the Town Board's review and consideration.

Councilman DeIPapa seconded this resolution and it was duly put to vote which resulted as follows:

	Yea
Supervisor Ronald McGreevy	X
Councilman Joseph DeIPapa	X
Councilman James Rogers	X
Councilman Reginald Aceto	X
Councilman Thomas Thomson	X

The resolution was thereupon duly adopted.

Meeting Date

Supv. McGreevy reminded everyone that the next Tyre Town Board meeting will be held at the Magee Volunteer Fire Department Building on Thursday, October 1, 2015 at 7:30 P.M.

Adjournment

Councilman Thomson moved, seconded by Councilman Aceto and carried, that the meeting adjourn at 10:47 P.M. Vote: Yea-4, Nay-0, Absent-0.

Submitted by:

Elizabeth Sutterby
Town Clerk