MINUTES

SPECIAL MEETING
COMMITTEE OF THE WHOLE
THURSDAY JUNE 4, 2009, 7:00 PM
B.O.C.E.S 1879 Genesee St. Rd., Auburn, NY

WELCOME: Mary Jones, Clerk of the Legislature

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 7:03PM, meeting turn over to Legislator George Fearon

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present, except Palermo, Chapman, Mills and Cuddeback excused.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

TOPIC: (Work Session) Native American Land Claim Task Force

George Fearon, we have a window of opportunity and we need to communicate to the BIA.

Recognized:
Ed Ide, Supervisor, Town of Aurelius
Leeli McCormick, Village of Aurora
Ed Trufant, Mayor, Village of Union Springs
Stephine Church, Council Member, Town of Aurelius
Joseph Picciotti, Harris Beach Representative

Presentation by Legislator George Fearon: handouts attached to original minutes.

Summary of Seneca and Cayuga Counties:

1. Exemption from property taxes and special district charges as well as exemption from infrastructure payments. No State and Local regulations of lands.
2. Failure to assess the impacts of the CIN expanding it's business and developing its lands.
3. Failure to investigate and identify measures to prevent harmful impacts and potential damage to the environment.
4. Failure to consider cumulative impacts of the applications.
5. Failure to identify/consider other alternatives that would mitigate impacts.
6. The CIN applications do not meet the "Purpose and Need" requirement under NEPA.
7. The DEIS should be withdrawn until critical information is provided and until critical decisions are rendered on cases currently before the New York courts.

Slide Show: Printout attached to original minutes

Where to Find the DEIS: handout attached to original minutes

Current Status of Application:

1. Public comment period ends July 7, 2009.

2. BIA Public Hearing is scheduled for June 17, 2009 6:00 to 9:00PM, New York Chiropractic College, Athletic Ctr. Gymnasium, 2360 State Rte. 89, Seneca Falls, NY 13148

Sample Information to be included in Resolutions Opposing the CIN Trust Application: Printout attached to minutes.

Taxes
Infrastructure/Services
Regulatory Jurisdiction
Environmental Consequences
Future Development

Question and Answers:

Legislator Mitchell, can Indians put land into trust that has an easement?
Legislator Fearon, easements are supposed to stay.
Joseph Picciotti, Harris Beach representative, yes easements are supposed to stay.
Brian Chappel, Town of Aurelius, this is going to happen, we need to have all our information and put it in writing.
Chairman Tortorici, any changes to the DEIS Statement?
Joseph Picciotti, Harris Beach representative, additional studies, testing of Union Springs properties, they are still say no bad impact, only good. Traffic study will be a big issue.
Chairman Tortorici, fiscal impact.
Joseph Picciotti, Harris Beach representative, 4.2 million county, 7.5 million state, is what they say we will make. They don't say what will happen to the business's that will close, we don't have numbers for this. Report from the BIA, we need actual purchase amounts, they won't give it to us, a real concern.
Chairman Tortorici, environmental impact, document is not accurate. Who will pay for Police and Fire that they don't pay for?
Ed Ide, Supervisor, Town of Aurelius, what happens when they purchase an operating business that already has established a cash flow?
Legislator Petrus, options, 6-7-09 oral statement, how many from our area are going to attend?
Legislator Fearon, even if you don't want to speak, please show up.
Stephine Church, Council Member, Town of Aurelius, how do we can't our community involved, we need to get the information to the public. Maybe prepare written cards in advance.
Legislator Fearon, summary of care has options listed, we need to go out and recruit.
Legislator Axton, I haven't read anything in the papers. We need something big and in your face, that people are going to see. Letters to the editor work well, I think a lot of people read them.
Chairman Tortorici, it will be aired on Time Warner next week.
Fearon, again letters to the editor are powerful.
Joseph Picciotti, Harris Beach representative, we need to get the word out.
Ed Ide, Supervisor, Town of Aurelius, outline the issues, so people can pick the issues that are important to them. Template, so people can sign and turn in.
Stephine Church, Council Member, Town of Aurelius, what is the DEIS, can we get it in word and PDF file?
Legislator Fearon, I can post on website, template with correct address to write to and they would just have to put what issue they are concerned about.
Stephine Church, Council Member, Town of Aurelius, people need to write to their Legislator and to municipalities to address the issues.
Legislator Fearon, I'm not sure if the City is doing a resolution, but the Town of Scipio is writing one.
Chairman Tortorici, I will talk to the Mayor. The media can help, what happens, how much will your taxes go up, need a big headline.
Legislator Axton, sales tax is the key. Nice and Easy stores 34% more in sales, minus gas. Most convenience stores sales are up. Not just property taxes.
Legislator Fearon, property tax not big right now, but will be. Need to put our signs up, Nice and Easy Stores, Lowes, Produce Place, need to get the word out.

Legislator Axton, information should be in the paper, people don't understand how important this is.
Legislator Fearon, need lots of letters to the paper. What's going to happen in the future.
Chairman Tortorici, pay sales tax, then land goes into trust.
Legislator Fearon, Supreme Courts decision upheld, collection of taxes, if we don't collect taxes it's our fault.
Joseph Picciotti, Harris Beach representative, qualified reservations can sell to Indians, but non-Indians have to pay taxes.
Legislator Fearon, the Indians look at several generations ahead, we need to do the same.
Motion by Lockwood, 2nd by Tortorici to adjourn at 8:44PM, all in favor.

Motion by Lockwood, 2nd by Cuddeback to approve minutes of 6-4-09, all in favor.