

**RESOLUTION
STEUBEN COUNTY LEGISLATURE
BATH, NEW YORK**

DATE APPROVED : 02/28/11
 PERM. NO. : 032-11

INTRO. NO. : 7-7
 INTRO. DATE: 02/28/2011

INTRO. BY : J. Hauryski SECONDED BY : R. Weaver

VOTE:

| | | | | | | | |
|-------------|---------------|---------|---------------|-----------|---------------|--------|---------------|
| ROLL CALL | <u> </u> | YES | <u> </u> | AMENDED | <u> </u> | LOST | <u> </u> |
| ADOPTED | <u> X </u> | NO | <u> </u> | TABLED | <u> </u> | W/DRWN | <u> </u> |
| ACCLAMATION | <u> X </u> | ABSENT | <u> </u> | POSTPONED | <u> </u> | | |
| | | ABSTN'D | <u> </u> | REF'D/COM | <u> </u> | | |

COMMITTEES:

 Y: N: Y: N: Y: N:

TITLE: OPPOSING THE STATE TAKEOVER OF THE WESTERN NEW YORK OFF-TRACK BETTING CORPORATION.

WHEREAS, in September 1973, eleven western New York counties established the Western Regional Off-Track Betting Corporation, they being Cattaraugus, Chautauqua, Erie (and the City of Buffalo), Genesee, Livingston, Monroe (and the City of Rochester), Niagara, Orleans, Seneca, Steuben, and Wayne, as enabled by state law; and

WHEREAS, these municipal "stockholders" chose to exercise that local option to form such a corporation that dictated local control by those municipalities over such gaming activities in their respective communities; and

WHEREAS, the start-up costs of this enterprise were funded solely by these initiating counties from their own treasuries of taxpayer money and represented no state money nor allowed for any state confiscation of this purely local venture; and

WHEREAS, now, the incoming Governor and both houses of the State Legislature are publically proposing the takeover of Western OTB's business and its assets by a consolidation of all the regional off-track betting corporations in this state by some state-sponsored or quasi-governmental interloper that threatens a loss of local revenue, independence and local oversight of gaming in our communities; and

WHEREAS, the participating municipalities of Western, as its shareholders have a *pro-rata* financial interest in the \$39 million of net equity re-invested in its 30-plus corporately-owned branch facilities and the track and casino at Batavia Downs; and

WHEREAS, the reality of such state-sponsored consolidation and takeover of the OTB's would rob Western's communities of not only local control, but their substantial re-investment of profits to acquire and maintain such money-making assets;

NOW THEREFORE, BE IT

RESOLVED, that the Board of Directors of the Western Regional Off-Track Betting Corporation, and its individual members representing their respective participating municipality, unalterably oppose such threatened "nationalizing" of Western's business by New York State; and be it further

RESOLVED, that each governing body of Western's participating municipalities be solicited to join this Board in opposition to this ill-timed and poorly-conceived proposed takeover by the State; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Governor Andrew M. Cuomo, New York State Capitol Building, Albany, NY 12224; Senate Majority Leader, Dean G. Skelos, 907 Legislative Office

Building, Albany, NY 12247; Senate Minority Leader, John Sampson, 907 Legislative Office Building, Albany, NY 12247; Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader, Ron Canestrari, 926 Legislative Office Building, Albany, NY 12248; Assembly Minority Leader, Brian M. Kolb, 933 Legislative Office Building, Albany, NY 12248; Senator Thomas F. O'Mara, 415 Legislative Office Building, Albany, NY 12247; Assemblyman Philip A. Palmesano, 723 Legislative Office Building, Albany, NY 12248; Martin Basinait, President, Western Regional Off-Track Betting Corporation, 700 Ellicott Street, Batavia, NY 14020; John D. Sabini, Chairman, New York State Racing and Wagering Board, One Broadway Center, Suite 600, Schenectady, NY 12305-2553; John R. Searles, Clerk/Administrator, Cattaraugus County Legislature, 303 Court Street, Little Valley, NY 14755; Ronald Lemon, Clerk, Chautauqua County Legislature, Gerace office Building, 3 North Erie Street, Mayville, NY 14757-1007; Robert M. Graber, Clerk, Erie County Legislature, Erie County Office Building, 95 Franklin Street, Buffalo, NY 14202; Carolyn P. Pratt, Clerk, Genesee County Legislature, Old Court House, 7 Main Street, Batavia, NY 14020; Virginia O. Amico, Clerk, IIMC-CMC, Livingston County Board of Supervisors, Government Center, 6 Court Street, Geneseo, NY 14454; Cheryl M. Rozzi, Clerk, Monroe County Legislature, 407 County Office Building, 39 West Main Street, Rochester, Y 14614; Mary Jo Tamburlin, Clerk, Niagara County Legislature, 175 Hawley Street, Courthouse, Lockport, NY 14094-2740; Nadine Hanlon, Clerk, Orleans County Legislature, 3 South Main Street, Courthouse Square, Albion, NY 14411-1495; Margaret E. Li, Clerk, Seneca County Board of Supervisors, 1 DiPronio Drive, Waterloo, NY 13165; Sandra J. Sloane, Clerk, Wayne County Board of Supervisors, 26 Church Street, Lyons, NY 14489; Richard Calabrese, President, Inter-County Association of Western New York, Municipal Building, 20 Ontario Street, Canandaigua, NY 14424; and Stephen J. Acquario, Executive Director, New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207-2737.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, February 28, 2011; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, February 28,

2011.


Brenda K. Mori, Clerk