

Sixth Special Meeting
July 23, 2020

The Sixth Special Meeting of 2020 was held on July 23, 2020 and was called to order by the Chair at 10:00 a.m. Six Legislative members were present with Legislators Monell, Roberts, and Standinger being absent.

Chair Sauerbrey asked Legislator Sullivan to have a moment of prayer. “Heavenly Father, we ask that you continue to guide us and all elected officials during this pandemic to do the best that we can for the health of all of our citizens. But, at the same time to try and ensure, as best as possible, that our country will go on and people will be able to work, feed their families, and live a good life.”

Legislator Sullivan led all Legislators and those in attendance in the Pledge of Allegiance.

There were ten people in attendance.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 156-20 *RESOLUTION CALLING ON
GOVERNOR ANDREW CUOMO TO SUPPORT THE
SOUTHERN TIER REGION WITH THE
RE-OPENING OF TIOGA DOWNS AND VERNON
DOWNS*

WHEREAS: In response to the COVID-19 pandemic, the Southern Tier Region has stayed within the established metrics and has successfully been on target with all phases of re-opening; and

WHEREAS: Specific businesses remain closed in Phase 4 or have been required to take additional precautionary measures to ensure public safety; and

WHEREAS: Tioga Downs Casino Resort in Tioga County and Vernon Downs in Oneida County have submitted an extensive re-opening plan to the NYS Gaming Commission taking into account every precaution to protect the health and safety of their customers and employees while still resuming business; and

WHEREAS: These efforts encompass all physical distancing requirements and best practices outlined in the State’s NY Forward Guidelines for shopping malls, including, but not limited to, adapting their floor plan to account for adequate social distancing, requiring face masks for all employees and customers at all

times, installation of various Plexiglas barriers between slot machines, upgrading their air filtration system, limiting hours and entrances, reducing capacity by 50% or more, temporarily eliminating table games, regular testing for employees, and more; and

WHEREAS: Tioga Downs Casino Resort and Vernon Downs have been closed and employees furloughed since mid-March 2020 creating an economic challenge for sustainability and a crippling economic impact on Tioga and Oneida Counties; and

WHEREAS: The owner of Tioga Downs Casino Resort and Vernon Downs issued a Worker Adjustment and Retaining Notification (WARN) indicating the closure of these businesses and termination of over 900 employees effective October 1, 2020 unless the State allows for re-opening; and

WHEREAS: Tioga Downs Casino Resort has generated over \$30 million each year in tax revenue for public schools and local governments over the last several years and over \$25 million each year for statewide school aid and millions more for Tioga County, the Town of Nichols and surrounding counties, including Broome County; and

WHEREAS: The Tioga County Legislature believes Tioga Downs Casino Resort and Vernon Downs will rise to the challenge, successfully thrive, and maintain all outlined precautionary measures upon State's approval for re-opening; and

WHEREAS: Tioga Downs Casino Resort is committed to supporting community non-profits through the creation of Tioga Downs Regional Community Foundation funded solely by owner, Mr. Gural, and serves Tioga, Broome, Chemung, and Bradford Counties with awarding \$1 million dollars annually to local not-for-profit organizations; and

WHEREAS: Mr. Gural believes strongly in the importance of giving back to the community, especially in times of need. Mr. Gural, along with Tioga Downs' employees, delivered food, water, and worked tirelessly to help families near the facility with cleanup efforts during the 2011 Flood. Most recently, contributing to those in need during the COVID-19 pandemic through the partnership with other local businesses providing meals to those in the Owego, Waverly, and Towanda areas all while his business remained shuttered; and

WHEREAS: Tioga Downs Casino Resort and Mr. Gural are part of our community and now is our opportunity to return the support to him and his businesses; and

WHEREAS: The Tioga County Legislature strongly supports Mr. Gural, Tioga Downs Casino Resort, and Vernon Downs Casino; therefore be it

RESOLVED: The Tioga County Legislature urges Governor Andrew M. Cuomo to re-open the NYS casino industry and allow Tioga Downs Casino Resort and Vernon Downs to re-open under the guidance of their submitted plan in an effort to preserve the local economy and workforce of these businesses; and be it further

RESOLVED: That this resolution be sent to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Congressional Delegation, the New York State Association of Counties, and all others deemed necessary and appropriate.

Chair Sauerbrey spoke. “We are well aware that the Governor’s hands are very busy working on opening schools. Schools are very important and we absolutely want our schools to open, but in the meantime, we want to draw the attention of the Governor that we need our casino to open. We are talking about hundreds of jobs; over 600 jobs at Tioga Downs and, including Vernon Downs, it is 900 jobs. We would like to get that part of our economy up and running because that benefits our schools, our sales tax income, and benefits the individuals who work there. That is the reason we are presenting this resolution today along with other community leaders across the Southern Tier.”

Legislator Sullivan spoke. “As I said in my opening prayer, we need to try and ensure public health and try to ensure that this County and this nation moves on. We have been very fortunate in Tioga County with the number of Coronavirus positive cases and the number of deaths and it is akin to a typical Influenza season. In reading through the steps that Tioga Downs has taken to social distance, etc. and, as the Chair of the Legislature has stated the importance of Tioga Downs in our County, for not only jobs, but also local economy revenue, I am definitely in favor of this resolution. Certainly, steps can be taken and if they do not work out they can be reversed, so I am going to support this resolution.”

Legislator Mullen spoke. “You look at the Governor’s states that he is not allowing people to travel to New York State without being quarantined for 14 days; I believe yesterday we were up to 31 states. Well, if we are doing so well in Upstate New York, people need some form of entertainment and these two casinos are in Upstate New York. We have 18 million people in New York State; let them vacation up here, let them come to Upstate New York and go to the racino. I know that at Tioga Downs when they opened the hotel the first year, Mr. Gural let his waterslide and pool area be open to the public for free so families could bring their children at no charge. That is the kind of individual we are talking about here. If you look at the numbers, \$ 30 million for tax revenue, \$25 million for school aid, these numbers are not easy for Tioga, Broome, Chemung, and Schuyler Counties to overcome. We are talking tens of millions of dollars for every single county and 900 jobs. I am very, very, supportive of this resolution and I am going to quote President Ronald Reagan ‘the best social welfare program is a

good paying job'. Put people back to work. That is what is needed. We can keep people safe, we can socially distance. The disease is real, but we also cannot let the cure be worse than the disease and we are teetering at that brink in Upstate New York."

Legislator Weston spoke. "If we qualify by what they say, I am all for it. He has done a good job up there at this particular time of getting us down off the top of the apex down to where we are. Somewhere that has to change in the favor of whomever is involved with it. I am in favor of this resolution for the County and everything else, but it is not really our decision. I hope that the decision he makes will go in our favor."

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Mullen, and Sauerbrey.

No – None.

Absent – Legislators Monell, Roberts, and Standingger.

RESOLUTION ADOPTED.

The meeting adjourned at 10:08 A.M.