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Plan for suburban Indian casino angers officials

By Carolyn Thompson

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BUFFALO, N.Y. -- The Seneca Indian Nation's plans to buy 57 acres of suburban land for a third casino have angered city officials, who say the intent of a compact signed by the tribe and state was for a casino to go up in business-hungry Buffalo.

Mayor Anthony Masiello this week was exploring possible legal action to compel the western New York tribe to build in the city, while the Common Council considered lobbying Washington, where the Interior Department must approve a final site.

The Seneca Tribal Council on Saturday approved the purchase of land near the Buffalo Niagara International Airport in Cheektowaga for a casino that will be about twice the size of the Senecas' lucrative Niagara Falls casino.

Seneca President Rickey Armstrong said the gaming compact allowing the tribe to build casinos -- which are otherwise illegal in New York -- clearly gives the Senecas the freedom to choose a site outside of Buffalo if they cannot settle on one inside the city.

He said city leaders made it impossible to build in Buffalo.

"The city wanted a casino, but only on their terms ... They tried to tell us where to put the casino and how to run our business," Armstrong said.

"As politicians, the leaders in Buffalo need to appear as if they are still fighting for the casino," the president said. "But they know as well as I do that the compact is clear and the Tribal Council's decision will be supported on the federal level."

City councilor Richard Fontana said several sites were offered to the Senecas, including the vacant Memorial Auditorium and a former railroad terminal. The city and Erie County rejected the Senecas' request to take over the Buffalo Convention Center downtown.

Erie County Executive Joel Giambra accused the Senecas of asking for a site in Buffalo they knew they would not get, allowing them to go to the suburbs where they wanted to be "from day one."

Masiello said a memorandum of understanding that preceded the final gambling compact specified that casinos would be built in Niagara Falls and Buffalo. Language giving the Senecas freedom to build elsewhere in Erie County was added in Albany, he said. But since the legislation fully incorporated the memorandum, he said, "we believe legally the (memorandum) has legal standing."

A group of Buffalo business leaders made the same argument last week when it retained a law firm to challenge the Senecas' plans to build in Cheektowaga.

"I supported, and the governor supported, a compact to provide critical revenues and jobs to cities like Buffalo and Niagara Falls and that was the purpose, not only to help the Senecas, but to help two cities with critical needs," Masiello said.

"We're talking about \$15 million in revenue, 2,500 jobs," he said. "I'm not going to give up."

As part of the 2002 compact, the Senecas in January sent the state a check for \$38 million -- the state's 18 percent share of slot machine profits from the Niagara Falls casino. Niagara Falls received about \$10 million from the state's share.

With a work force of 2,225 people, the Niagara Falls casino has become Niagara County's third largest employer since opening a little over a year ago, behind Delphi Thermal Systems and the Niagara Falls Air Reserve Station.

The Senecas plan to open a second casino in Salamanca, 50 miles south of Buffalo, in early May.

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