



OPPONENTS TO SENECA CASINO IN CHEEKTOWAGA TAKE CASE TO COURT

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If the Seneca Nation of Indians has its way, it will soon receive approval from the U.S. Department of Interior to buy 57 acres near Buffalo-Niagara International Airport, and will break ground for a new casino in August.

If a group opposed to the Cheektowaga location has its way, they will get a temporary restraining order blocking the Senecas from making the land purchase.

On Tuesday morning, opponents, including Buffalo developer Carl Paladino, appeared in State Supreme Court in Buffalo, seeking the injunction.

A court date of June 4 was scheduled for arguments in the case.

"I just don't like to see the people of the city cheated," said Paladino, when asked why he is involved in the case.

Paladino and others, including Buffalo Mayor Anthony Masiello, claim the original intent of the gaming compact between the Senecas and the state was for a casino in Buffalo.

"The Governor's press releases said, and he came out and publicly said, the legislature authorized a casino in Buffalo and Niagara Falls," said Mike Powers, attorney for the opposition group.

Supporters of the casino site point to language in the original memorandum of understanding and the compact that followed, claiming it frees the Senecas to build where they want.

"The city fumbled the ball. They fumbled it more than once. They don't have an available site, a realistic site, and they're looking for more time to create something out of nothing," said Michael Stachowski, Town of Cheektowaga Attorney.

The memorandum of understanding contains a footnote that reads, "In the event a site in the City of Buffalo site is not available for any reason, the Nation would propose an alternate site."

Powers claims this footnote is obsolete because there are sites available in Buffalo, and that it only allows the Senecas to propose another site, which would have to be approved by the Governor.

The gaming compact states that the Nation may establish gaming facilities "in Erie County, at a location in the City of Buffalo to be determined by the Nation, or at such other site as may be determined by the Nation in the event a site in the City of Buffalo is rejected by the Nation for any reason."



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Powers say state lawmakers wanted the compact based on the original MOU, and that other language in the agreement points to Buffalo as the casino site.

In a written statement, Seneca Nation President Rickey Armstrong Sr. said, "Our compact with New York State is clear, and we have followed it to the letter."

Seneca leaders have criticized Buffalo and Erie County leaders, saying they were not helpful when the Senecas considered sites in Buffalo, such as the Buffalo Convention Center, which was opposed by Erie County Executive Joel Giambra.

The Senecas are applying to the U.S. Department of Interior to buy 57 acres near the Buffalo Airport, and hope to break ground in August.

The Senecas currently have operating casinos in Niagara Falls and on the Seneca Reservation in Salamanca. The compact with the state allows three Seneca casinos in Western New York.