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by Steve Krulick, Senior Civics Columnist

Beware the Sucker Bet, Part 2

"This isn't going to be point-counterpoint." – Mayor Jeff Kaplan

Previously, I reviewed the mysterious and controversial saga of the Modoc tribe and their attempts to force a casino on the town of Wawarsing. I did this as prelude to a discussion of the current attempts by the Western Mohegans to force a casino on the town of Wawarsing (by doing an end run around established Federal procedures), because some of the same players and ploys were involved in both. Chief (no pun intended) among the similarities were that cupidity (sounds less blunt than *greed*), secret meetings, "promises," and hasty votes cast without adequate study, led to poor and embarrassing decisions.

Detouring slightly from my originally-planned column, I'm glad the Journal covered most of the relevant portion of the July 28 Village Board meeting in that week's edition (also available at the online edition archives), because it saves me having to quote it in detail. Hewing closely to what the four principal speakers said, I think it laid out the two fundamental positions fairly and starkly, contrasting the focus and logic behind the one side, with the emotionalism, rationalizing, and side-stepping of the other.

My strategic mistake, as lead speaker, was to finish and then wait for the Mayor or Trustees to comment or ask me any questions, rather than ask *them* if they had any response, or if the audience did, so I could keep the floor and my right to rebut. See, normally, when a petitioner at the lectern finishes, the Mayor thanks the speaker, makes any comments, asks any questions, lets the speaker respond, and then asks the Trustees if *they* have any comments or questions, or if the *audience* has any, to allow for even further response.

I was puzzled, at first, why he said nothing *then* (I'm told the Mayor had listened to me in "controlled seething mode," and I hadn't taken into account how his years of experience as a trial attorney had taught him this tactic, as you'll see). The Board sat there like Mount Rushmore on Prozac; so, after waiting for what seemed like a small eternity, I had no choice but to return to my seat.

With my having given up the floor, the Mayor was then able to call to the lectern Ms. Volchik – who does *not* reside in the Village, doesn't have a business *in* the Village, doesn't pay *taxes* in the Village – to go on a disjointed and rambling rant that began irrelevantly and erroneously by claiming even Donald Trump supported Indian casinos.

NO, all he did, last year, was say he wasn't going to continue fighting then-Gov. Spitzer's proposal for Catskill casinos (which proposal he admitted he "was not very familiar" with) after ten years of resistance – "Gaming is very bad and unnecessary for New York," he said after beating the Kutsher's casino plan in court in 2001 – simply being more the result of having been anti-Pataki and then pro-Spitzer, and claiming he had other projects to deal with. His "support"? "If it happens, it happens, and if it doesn't happen, that's fine, too."

As noted, the Mayor would not let me respond (something he can't do *here!*), which would have been primarily stating my shock at her lack of concern about the veracity and integrity of the "Chief" and his "tribe." What they propose is worse than "marrying him," as Bella put it, because, if they get federal or state recognition, then, as a sovereign nation, we couldn't even get a "divorce," as we could not go to court to enforce agreements or pursue claims.

Then the Mayor finally got around to making his own comments (did he ever get around to inviting the Trustees to respond?), and minimized the tribe to being a peripheral *wink-wink* technicality we barely have to deal with – "Pay no attention to those men *in front of* the curtain!" – as if the integrity and motives of *backers* willing to deal with those of questionable integrity and veracity were not therefore subject to similar scrutiny and concern... by association, if not outright complicity.

Then the Mayor floated the fantasy notion that, instead of being burdened tax-slaves, we residents could become tax-free surplus-spenders, with the casino's (unproven and unenforceable) largesse turning Ellenville into a mini-Dubai; hence, we can just ignore the "chief" and any legitimate concerns that "marrying" him might generate. When I raised my hand to state that many studies show the folly of such wishful thinking – that for every one dollar a community *might* receive in voluntary payments, *three to five dollars* will likely be spent due to increased services and lost quality-of-life (traffic, road repair, police, schools, crime, fire, medical, pollution, prostitution, drugs, gambling addiction, etc.), I was not recognized by the Mayor to speak, but bluntly told, pre-emptively, "*I will not allow this to become a debate!*"

And there you have, in one sentence, much of what is wrong with how the Village runs its meetings and makes decisions. While on the Board, I often criticized the Mayor for his issuing such arbitrary and autocratic commands, and asked how one could make a parliamentary appeal if we had no parliamentary rules that all could know and proceed under, fairly and uniformly. (The Village Code states: "The Village Board of Trustees shall determine and prescribe the rules for the conduct of its meetings and the order of business thereat," yet no copy of such rules could be brought forth when I asked to see them.) He's dismissed such "niceties" with quips like "That's the way we've *always* done it," and "*I* run the meetings," oblivious to the fact that a Mayor should merely *preside over* a meeting that follows established rules, and not *run it* as a monarch who makes up or changes *his* unknown rules as it suits him. I was clearly being singled out for this treatment; I don't recall, off-hand, anyone else who sought to respond being similarly silenced *in advance*.

Further, the notion that actually *debating* such important issues should be avoided goes against everything that proper representative government should aspire to. (See my previous series on the subject.) Had the original resolution been thoroughly reviewed and debated, with an actively-involved and dogged Board doing more than rubber-stamping whatever the Mayor or Manager puts in front of them – asking hard questions, demanding more evidence and the time to analyze it – such silly and embarrassing resolutions as this one (the Town Board being guilty of similar negligence) might have been avoided, and the Village (and Town) government not held in such low esteem and derision.

A Board, which ultimately must make decisions, needs all the diverse information it can get, and restricting it and massaging it to force a desired outcome is a recipe for bad government and bad policy. Fortunately, County Legislator Sheeley was allowed to speak, and managed to say nearly everything I would have said (except for my pointing out the unlikely "free-ride" future the Mayor was spinning, and the real *5-to-1 costs* to us down the road, which I will detail in a future column), much to the chagrin, I'll assume, of the Mayor. Thank you, Mary.

Next: Back to Ronald Roberts and the so-called Western Mohegans and separating the facts from the spin.

Following: Why casino gambling is a loser.