

**RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF TYRE  
ESTABLISHING A RECORDS ACCESS OFFICER FOR THE WHITETAIL 414,  
LLC PROPOSED LAGO RESORT AND CASINO DEVELOPMENT PROJECT**

**JULY 17, 2014**

**WHEREAS**, the Town of Tyre has received numerous document requests pursuant to Sections 84-90 of the New York State Public Officers Law, known as the Freedom of Information Law (~~%FOIL+~~) and pursuant to Sections 100-111 of the Public Officers Law, known as the Open Meetings Law (~~%OML+~~), relating to the Lago Resort and Casino, formerly named the Wilmot Casino and Resort (~~the %Project+~~); and

**WHEREAS**, the Town Clerk for the Town of Tyre is the Town's records access officer; however, the Town Board desires to designate a special records access officer to coordinate responses on behalf of the Town to document requests relating to the Project that are received pursuant to FOIL or the OML provided the services of such special records access officer are paid pursuant to the February 10, 2014 agreement between the Town and Wilmorite Construction, LLC to pay for third-party professional services (~~the %Agreement+~~); and

**WHEREAS**, the Town Board desires to establish a fee schedule for the cost of making paper copies of records and producing electronic records in response to FOIL or OML document requests and to create a Request for Records form;

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. The Town Board designates Brody David Smith of Bond, Schoeneck & King, PLLC to serve as the Town of Tyre's records access officer for the Project, that service to commence after the Town Supervisor shall have received written confirmation from Wilmorite Construction, LLC that the services of Mr. Smith as the records access officer shall be paid pursuant to the Agreement; and
2. The Town Board adopts the fee schedule attached to this resolution as Attachment A for charges for public records; and
3. The Town Board adopts the Town of Tyre Records Request Form in the form attached to this resolution as Attachment B and directs the Town Clerk to make the form available at the Town Clerk's Office and to arrange for its placement on the Town's website for use by persons seeking access to the Town's records.

The adoption of the foregoing Resolution was moved by Reginald Aceto, seconded by James Rogers, and duly put to vote, which resulted as follows:

	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Supervisor Ronald F. McGreevy	[ x ]	[ ]	[ ]	[ ]
Councilman Joseph Delpapa	[ x ]	[ ]	[ ]	[ ]
Councilman James Rogers	[ x ]	[ ]	[ ]	[ ]
Councilman Reginald Aceto	[ x ]	[ ]	[ ]	[ ]
Councilman Thomas Thomson	[ x ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

July 17, 2014