

TOWN OF LAKEVILLE
Joint Board of Selectmen and
Lakeville Casino Advisory Committee Meeting
May 22, 2012 – 6:00 PM
Apponequet Auditorium and IMC

On May 22, 2012, the Board of Selectmen held a meeting at 6:00 PM at the Apponequet High School IMC in Lakeville. The Selectmen's Meeting was called to order by Chairman Maksy at 6:01 PM. Selectmen present: Chairman Maksy, Selectman Belliveau and Selectman Powderly. The Lakeville Casino Advisory Committee's Meeting was called to order by Chairman Winters at 6:01 PM. Members present: Donna Winters, Joseph Chamberlain, Linda Grubb, Maureen Candito, Nelson Pratt, Robert Dunn, Brian Hoeg. Members absent: Frank Kuzia, Robert Iafrate, Mark Downing, and Matti Goulart. Also present were: Rita Garbitt, Town Administrator, and Christine Weston, Recording Secretary. No one present was recording the meeting.

Review Answers to the Committee's questions from the presentation

Nelson Pratt had submitted three (3) questions:

1. If the referendum is approved on June 2nd, what is the tribes long term development plan for this property as it relates to housing for tribe members, non-casino facilities and activities, etc....? Please be specific.
2. If the referendum is approved on June 2nd, how does the tribe plan to overcome Gov. Patrick's refusal to negotiate a compact by the 7/31 deadline?
3. If the referendum is approved on June 2nd, how does the Tribe plan to overcome the Supreme Court (Carcieri vs Salazar) decision, which prohibits land being put into trust for the Aquinnah Tribe by the DOI by the 7/31 deadline?

Maureen Candito had submitted seven (7) questions:

1. If the town votes NO. The Tribe stated publicly that it will not pursue a Casino in the town. However, the statement goes on to say that the tribe "still intends on pursuing the land". Can you please specify what exactly that means?

This question was modified to; What if both Towns vote No, will they still pursue a casino?

2. There is high probability that a commercial developer would be interested in the Lakeville/Freetown area to develop a commercial casino. What, if any, benefits towards the town would be gained by having a tribe run casino vs. a commercially operated casino?
3. How many of the Aquinnah Tribe are currently unemployed at this time, and will they be given preference over "existing" Lakeville/Freetown residents when hiring or contracting services for the Casino?

This question was modified to; Will the Aquinnah Tribe be given preference over "existing" Lakeville/Freetown residents when hiring or contracting services for the Casino?

4. How much debt is the Aquinnah Tribe carrying and how was this debt incurred? This is relevant in establishing stability standards and establishing sources of financing under Bill H 3807 Chp 23k (2)

5. The Tribe has stated that the casino is only going to be open until 10pm. What would stop the Tribe to extending that to 24 hrs a day, when the Casino is on Sovereign Land?

This question was modified to; What hours are the Aquinnah Tribe proposing?

6. What currently is the punishment for tribe members who are caught in possession of or distributing drugs?

This question was modified to; What is the legal jurisdiction if a member of the Tribe is caught in possession of or distributing drugs?

7. Would the Tribe issue an express waiver of their sovereign immunity when signing any binding legal agreements with the town?

It was noted that the Tribe may not answer this question.

Donna Winters had submitted four (4) questions;

1. Waive Native American tribes "super rights" over water supplies affecting their reservations.

This question was stricken.

2. Abide by the State regulation of no smoking in public place.

It was noted that the Tribe had responded at a recent "meet and greet" that they would abide by all State regulations.

3. Limit the size of the reservation to the original property.

This question was stricken.

4. Source labor, material locally wherever possible.

It was noted that at a recent "meet and greet" the Tribe had responded that they would use local services and resources wherever possible.

Mark Downing had submitted one (1) question;

1. If the Aquinnah Tribe takes the original parcel of Lakeville land into trust, will they agree not to "annex" or take any additional land into trust until the IGA has been renegotiated.

Additional discussion took place on the questions as presented, and it was felt that each Committee Member who had submitted the questions would ask the questions to the Tribe. It was noted that the current membership of the Tribe is 1200, that is from all around the country. It was further pointed out that Cheryl Andrews-Maltais had stated that, if the Town votes no for a casino, they may still pursue the land for other opportunities, but not for a casino. However, after she has served her time, she cannot guarantee that the next person will not pursue a casino.

Old Business

Board of Selectmen: Authorize Chairman Maksy to work with Town Counsel to finalize the Open Meeting Law Complaint Response

Upon a motion made by Selectman Powderly; seconded by Selectman Belliveau it was:

VOTED: To authorize Chairman Maksy to work with Town Counsel to finalize the Open Meeting Law Complaint response.

Unanimous in favor

Attend informational presentation in Apponequet Regional High School Auditorium regarding proposed Casino

At, 6:12 PM, upon a motion made by Selectman Maksy; seconded by Mr. Chamberlain it was:

VOTED: To continue the Casino Advisory Committee Meeting after the presentation by the Aquinnah Gaming Corporation.
Unanimous in favor

At 6:12 PM, upon a motion made by Selectman Powderly; seconded by Selectman Belliveau it was:

VOTED: To continue the Selectmen's Meeting in the Apponequet Regional High School Auditorium.
Unanimous in favor

The Selectmen left the Auditorium at 8:45 PM and returned to the IMC. Since there was not a quorum present of the Lakeville Casino Advisory Committee, the Board of Selectmen continued their meeting.

Executive Session

At 8:54 PM, a motion was made by Selectman Belliveau and seconded by Selectman Powderly to enter Executive Session and not return to open session to discuss strategy with respect to the Collective Bargaining Agreement with the Fire Union because an open meeting may have a detrimental effect on the negotiating position of the Board. Polled vote: Selectman Belliveau-Aye, Selectman Powderly-Aye, and Selectman Maksy-Aye.