

TOWN OF LAKEVILLE
Joint Board of Selectmen and Casino Advisory Committee Meeting
January 13, 2014 - 7:00 PM

On January 13, 2014, the Casino Advisory Committee held a meeting at 7:00 PM at the Town Office Building. The meeting was called to order by Chairman Winters at 7:00 PM. Members present: Donna Winters, Linda Grubb, Joseph Chamberlain, John Powderly, Scott Belliveau, Maureen Candito, Robert Dunn, Nelson Pratt and Mark Downing. Members absent: Daniel Cooney, Brian Hoeg, Aaron Burke, and Frank Kuzia. Also present: Rita Garbitt, Town Administrator, and Christine Weston, Recording Secretary. LakeCAM was present recording the meeting.

Discuss Comments for Submission to the Bureau of Indian Affairs regarding the Newly Released Draft Environmental Impact Statement (DEIS) Mashpee Wampanoag Tribe Fee-to Trust Acquisition

Mr. Pratt distributed a copy of a prior letter from the Gaming Commission to the Town. Mr. Pratt stated that he feels that it is very important to bring this up, since it is the sum and substance of what Lakeville's options would be for mitigation, if the casino was ever developed. The last paragraph by Steve Crosby (Chairman of the Massachusetts Gaming Commissioners) on page 2 reads:

Therefore, if a tribal casino is one day operating under the jurisdiction of the Tribal-State Compact, the Commission would have the ability to distribute monies from the Community Mitigation Fund to municipalities considered "Surrounding Communities" pursuant to Part 12.2 of the Compact. Because there is not now an approved and operative Compact, the Commission has not yet issued regulations on how it would determine "surrounding communities" in the Compact, or otherwise implement Part 12.2. The proposed Phase 2 regulations currently being considered by the Commission relate to commercial applications under the Expanded Gaming Act, an act that is materially different than the Compact under consideration by the Legislature.

Mr. Crosby was responding to correspondence he had received from Chairman Winters, and it was not accurate. The original compact had some ambiguities, and the second compact clarified some of the issues. Mr. Pratt stated that in his opinion Lakeville will have avenues for mitigation. The DEIS (Draft Environmental Impact Statement) was to proceed the discussion. The Town does need to submit something, even though it is not known if it will have any teeth. Ms. Garbitt noted that she had provided the original letter to Chairman Winters, and it was distributed to all the Members back in May 2013. This letter deals with the compact that has recently been ratified.

Mr. Pratt stated that the letter reads, "the mitigation opportunities will be coming from the State, not the tribe". Mr. Chamberlain asked, if we have the "floating term" of "surrounding community", how will the State say whether Lakeville is or is not a surrounding community? Didn't Lakeville have a letter early on in the process saying nay to Lakeville as a surrounding community? Chairman Winters explained that that was with Raynham Park. Ms. Candito added that was also the tribe's take on it, not the State's take on it. Mr. Pratt explained that this is clarified with Mr. Crosby's letter. Everyone operating under 12.2, and that clarifies Lakeville's

role, is still undetermined. Mr. Pratt stated that the Committee should submit something indicating Lakeville's concerns as potential problems and addressing the major areas, so that they will have it in writing. He stated that after this evening he will be away, however, he will modify the letter Ms. Garbitt had written and email the document to someone else on the Committee to finalize and send it in. The letter dated January 17, 2013 to Franklin Keel, Regional Director addresses the major issues and with some editing can be submitted as is on Town letter head.

Mr. Chamberlain noted that he would like to suggest, in light of the article published in the Sunday Standard Times of the projected population increases, to include that there will be more and more vehicles added to the transportation mix, since this is a growing area. Mr. Pratt noted that he had changed the ENF (Environmental Notification Form) to DEIS from Ms. Garbitt's letter. Ms. Grubb mentioned that they did expand it to include the intersections which the Committee had talked about before. It is part of the expanded area. Ms. Candito mentioned that #6 now has Assawompsett Pond, whereas previous versions only read the Pond Complex. Mr. Powderly mentioned that the letter is well done, but he didn't know how much the Committee wanted to get involved in #4 regarding the water park etc. Maybe edit some of that out, but #3 would stand. Ms. Grubb suggested adding a line about the schools. They are saying that the other children will be spread out throughout the region, thus there will not be an impact, however, we don't know if that will be true. They will be giving a large amount of funds to the Taunton schools. Mr. Powderly suggested that #4 be about SERPDD and how the expected growth and population of Lakeville is going up between 10-17%.

Ms. Candito suggested including a map, since actually Lakeville is less than three miles (2.87) from the entrance to the casino. Thus, Lakeville is closer than the far side of Taunton or even Taunton Center to the casino. Mr. Chamberlain mentioned that the two (2) casinos in Connecticut show that the children are not spread out in the area schools, they are clustered among a few. Mr. Powderly mentioned that Lakeville's school enrollment is down about 300. Mr. Chamberlain stated that for every one (1) person working in the offices of the casino, there will be about 350 other people out working on the floors. Mr. Chamberlain spoke of how #7 does tie into #6, if there is a lot of draw constantly on the Ponds Complex, and how it is impossible to comment on the full impact to Lakeville's natural resources at this time. (This comment will be added.) It was also suggested to change the wording to clean drinking water rather than simply a water source. The word "Lakeville" will be written in as much as possible.

A comment will be added about adequately considering the traffic impacts that this project will have on Lakeville, since it speaks of Routes 18 and 79, Routes 18 and 495, but it does not speak of Routes 140 and 79. Mr. Downing mentioned that they could say that there is no water to provide to a sovereign nation. Mr. Powderly stated that the Town is looking for income for its water resource, and that could be where it is derived from. Presently, there is no agreement to provide water to a sovereign nation. This is a true statement, along with, the fact that there is no water for another nation. They cannot get land into trust, until they are a sovereign nation, and that is another country. There was a brief discussion about Super Water Rights.

Upon a motion made by Mr. Pratt and seconded by Ms. Candito, it was:

VOTED: To send the draft to Chairman Winters to revise from the points discussed, and then she will forward it to Ms. Garbitt so that she can both mail and email it for Friday, January 17, 2014.
Unanimous in favor.

Ms. Garbitt will also forward the letter to Chairman Stephen Crosby, Representative Orrall and Senator Rodrigues.

Approve Meeting Minutes for December 2, 2013

Mr. Chamberlain pointed out a few corrections to the Meeting Minutes of December 2, 2013. The first bold heading should read "tribe" not "trice", on the next page, the third line quoting Mr. Chamberlain, should be "anecdotal", not "antidotal".

Upon a motion made by Mr. Dunn and seconded by Mr. Powderly it was:

VOTED: To approve the Casino Advisory Committee Meeting Minutes for December 2, 2013 as amended.
In favor 6, Against 0, Abstain 3 (Mr. Belliveau, Mr. Powderly, and Mr. Pratt)

Any other business that may properly come before the meeting

Ms. Garbitt then spoke with the Committee about the Membership of the Committee in the original Charge. At this time the Committee may want to change the membership from fifteen (15) Members to seven (7) or nine (9) Members.

After a brief discussion, upon a motion made by Ms. Grubb and seconded by Mr. Chamberlain, it was

VOTED: To make a recommendation to the Board of Selectmen to reduce the Committee by two (2) Selectmen, one (1) Planning Board Member, and the Building Commissioner, and that the Committee consist of nine (9) members.
Unanimous in favor.

Ms. Garbitt will put this request on the Selectmen's next Agenda. Mr. Belliveau asked Ms. Garbitt to poll those who do not typically attend the meetings to see if they will resign.

Adjournment

Upon a motion made by Mr. Dunn; seconded by Mr., Pratt it was:

VOTED: To adjourn the Casino Advisory Committee meeting at 8 PM.
Unanimous in favor.