

To whom it may concern,

I am writing to you to ask that you reject the land into trust application by the Mashpee Wampanoag for the land in Middleboro, Massachusetts.

The Middleboro/Mashpee IGA does not cover the costs we will incur as the host community for this proposed facility. In the end it pays us less than \$9M dollars **about half of what a commercial facility would pay**, and nearly one third of an agreement I refer to as the Whittlesey agreement.

When the Tribe approached the town, then town manager Jack Healey negotiated a deal that was worth about \$7M dollars. Mr. Healey had done NO impact analysis and pulled this number out of thin air. Middleboro then hired a very expensive attorney Dennis Whittlesey who is an expert in IGA and indian law. After doing a thorough impact analysis, Whittlesey created an agreement that would have paid Middleboro \$32M dollars per year. The agreement was rejected outright and the town was forced to start negotiating from the original flawed agreement.

Due to Mr. Whittlesey's expertise, I believe that the agreement he negotiated was very close in the impacts and mitigation it specified. The final agreement does not include any of Whittlesey's mitigation for our costs.

### **The deal we should have received**

Here are the highlights of the Whittlesey agreement along with my estimate of the value.

- Similar pre-trust tax payments
- **\$20M** - 2% of the net win from class 2 and class 3 gaming
- **\$7M** - (no increase due to CPI versus the 3.1 we have)
- **\$4M** - All current and future local sales and use taxes such as a 4% hotel tax. This would **not have been subject to comping**.
- **\$1M** - Personal property tax for all non-tribal entities such as vendors. Total guess.
- All infrastructure improvements(town and road)
- Excise Tax on non-tribal vehicles(vendors etc)
- Monthly payments for municipal services
- Pay for a full time planner and clerk prior to opening
- Any percentage to town from state compact deducted from our 2%
- Tribe will pay for a traffic impact analysis and mitigate all issues
- Pay full retail to Middleboro G&E rather than the favorable rate they got
- **\$520K** - pay for 8 police officers and 2 cruisers - forever w/ cruiser replacement every 5 years.
- A portion of new police station
- The demands of the casino will **require** a town run ambulance service. The tribe will buy 2 ambulances and fund the training and salary of 12 fire/ems workers

According to my calculator, that's **\$32.5M**. And for those of you who believe this was just a starting point for negotiation, Whittlesey's Shabbona agreement paid **2.5%** of the net win versus our **2%**. Surely there would have been some concessions. which would have brought us down to about \$24M **or commercial level fees**.

**Jake Belanger**

**29 Moulton Street Middleboro MA**

