



**MASSACHUSETTS GAMING COMMISSION
PUBLIC MEETING #174**

January 7, 2016
10:30 a.m.

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA



Massachusetts Gaming Commission



NOTICE OF MEETING and AGENDA

January 7, 2016

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, notice is hereby given of a meeting of the Massachusetts Gaming Commission. The meeting will take place:

Thursday, January 7, 2016

10:30 a.m.

**Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA**

PUBLIC MEETING - #174

1. Call to order
2. Approval of Minutes
 - a. December 9, 2015
 - b. December 17, 2015
3. Administration – Ed Bedrosian, Executive Director
 - a. General Update
 - b. Investigations and Enforcement Bureau Supervisory Delegation
 - c. Attorney General’s Open Meeting Law Letter Discussion
 - d. Daily Fantasy Sports Update – S. Crosby, Chairman
4. Legal Division – Catherine Blue, General Counsel
 - a. Reference Policy Discussion – C. Blue, General Counsel and T. Banda, Human Resources Manager
 - b. Variance Request Report Discussion
5. Investigations and Enforcement Bureau – Karen Wells, Director
 - a. Key Employee Gaming License Awards – **VOTE**
6. Research and Responsible Gaming – Mark Vander Linden, Director
 - a. Voluntary Self-Exclusion Regulation Amendment Discussion – C. Blue, General Counsel and T. Grossman, Deputy General Counsel

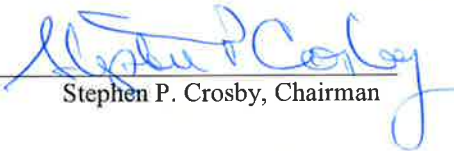


Massachusetts Gaming Commission

7. Racing Division – Alex Lightbown, Director
 - a. Plainridge Park Racecourse Capital Improvement Fund Reimbursement Request – **VOTE**
8. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting.

I certify that on this date, this Notice was posted as “Gaming Commission Meeting” at www.massgaming.com and emailed to: regs@sec.state.ma.us, melissa.andrade@state.ma.us.

1/4/16
(Date)


Stephen P. Crosby, Chairman

Date Posted to Website: January 5, 2015 at 10:30 a.m.



Massachusetts Gaming Commission

101 Federal Street, 12th Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com



Meeting Minutes

Date/Time: December 9, 2015 – 10:30 a.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

**Time entries are linked to
corresponding section in
Commission meeting video**

Call to Order

See transcript page 2

[10:32 a.m.](#) Chairman Crosby called to order the 172nd Commission Meeting.

Approval of Minutes

See transcript page 2

[10:32 a.m.](#) *Commissioner Macdonald moved for the approval of the November 19, 2015 minutes subject to any correction of typographical errors or other nonmaterial matters. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

Workforce, Supplier and Diversity Development

See transcript pages 3-32

[10:33 a.m.](#) Director Jill Griffin provided a brief summary on the Impacted Live Entertainment Venue (“ILEV”) designation process relative to the Region C applicant Mass Gaming & Entertainment. Director Griffin noted that the Commissioners will vote to accept or deny the ILEV petition from the Massachusetts Performing Arts Coalition on behalf of the following venues: South Shore Music Circus, Cape Cod Melody Tent, Lynn Auditorium, and the Zeiterion Theatre. Director Griffin also noted that the petition from Brockton 21st Century Corporation, on behalf of the Campanelli Stadium and the Shaw’s Center, was withdrawn due to an agreement with Mass Gaming & Entertainment.

[10:39 a.m.](#) Lyle Hall, representing HLT Advisory and consultant for MGC, reported on the role of HLT and the factors that the Commission must consider for ILEV designation, such as: proximity to gaming establishment, venue capacity, types of performances, and operating restrictions. Mr. Hall noted that HLT reviewed the statute, petition materials, Mass Gaming & Entertainment application, the November 12th meeting with the applicants, and additional information from the four venues. He stated that HLT did not consider in their analysis the future impact of a Taunton Tribal casino. Mr. Hall concluded that HLT does not believe that any of the four venues [South Shore Music Circus, Cape Cod Melody Tent, Lynn Auditorium, and the Zeiterion Theatre] in the petition qualify as an ILEV.

[11:04 a.m.](#) *Commissioner Cameron moved that as recommended by consultants, the four venues [South Shore Music Circus, Cape Cod Melody Tent, Lynn Auditorium, and the Zeiterion Theatre] are not designated as ILEV's due to the facts laid out in the consultant's report. Motion seconded by Commissioner Zuniga. Commissioner Macdonald amended the motion to include consideration of concerns as conditions at the time of a license award. Motion passed unanimously.*

Administration

See transcript pages 32-217

[11:06 a.m.](#) Ombudsman Ziemba presented on the Region C Surrounding Community process and noted that Mass Gaming & Entertainment has designated, in its RFA-2 application, the following communities as a Surrounding Community: Abington, Avon, East Bridgewater, Easton, Holbrook, Stoughton, West Bridgewater, and Whitman. Ombudsman Ziemba recommended that the Commission vote to issue written designations for those communities. Ombudsman Ziemba noted that the Town of Pembroke was not named in the RFA-2 application but they petitioned for surrounding community status. Ombudsman Ziemba also noted that the Town of Pembroke and Mass Gaming & Entertainment reached an agreement that is scheduled to be reviewed and approved.

[11:08 a.m.](#) *Commissioner Zuniga moved that the Commission officially designate the communities presented in the packet - Abington, Avon, East Bridgewater, Easton, Holbrook, Stoughton, West Bridgewater, and Whitman; (not including the Town of Pembroke), as a Surrounding Community. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

Executive Director Candidate Interviews

[11:10 a.m.](#) Commissioner Stebbins thanked the staff for their assistance with the executive director search. Commissioner Stebbins provided a summary of the recruitment process which included posting resources and candidate backgrounds. He noted that second round candidates met with senior staff and key stakeholders. Commissioner Stebbins stated that two final candidates, Edward Bedrosian, Jr. and Charles LaBoy, have been selected for an interview with the Commissioners.

[11:17 a.m.](#) Chairman Crosby noted that the Commission is required by the Open Meeting Law to conduct the executive director candidate interviews and deliberations in a public meeting.

- [11:18 a.m.](#) Edward Bedrosian, Jr., a final candidate for the executive director position, provided a summary of his personal, educational, and professional background. Mr. Bedrosian responded to interview questions by the Commissioners.
- [12:08 p.m.](#) The Commission took a short recess.
- [12:15 p.m.](#) The meeting resumed and continued with interview questions for Mr. Bedrosian.
- [12:39 p.m.](#) Mr. Bedrosian provided a final statement and thanked candidate Charles LaBoy, the Commissioners, and staff for the opportunity.
- [12:40 p.m.](#) The Commission recessed for lunch.
- [1:15 p.m.](#) The meeting resumed.
- [1:17 p.m.](#) Charles LaBoy, a final candidate for the executive director position, provided a summary of his professional background and responded to interview questions by the Commissioners.
- [2:43 p.m.](#) Mr. LaBoy provided a final statement and thanked the Commissioners for a thorough search.
- [2:44 p.m.](#) The Commission took a short recess.
- [2:49 p.m.](#) The meeting resumed.

Executive Director Finalist Deliberation

- [2:49 p.m.](#) The Commissioners discussed the attributes for final candidates Edward Bedrosian and Charles LaBoy.
- [3:38 p.m.](#) *Commissioner Gayle Cameron moved that the Commission charge Commissioner Stebbins and staff to negotiate a compensation package for Mr. Edward Bedrosian, Jr. and that the candidate shall also submit to a required background check, drug screen and review of references prior to employment by the Commission. Motion seconded by Commissioner Macdonald. [There was a discussion pertaining to salary range]. Commissioner Cameron amended the motion to charge Commissioner Stebbins and staff to negotiate a compensation package without a specified range. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*
- [3:43 p.m.](#) Chairman Crosby congratulated Mr. Bedrosian and offered special thanks to Mr. LaBoy.

Other Business Not Reasonably Anticipated

See transcript pages 217-218

- [3:44 p.m.](#) *Having no further business, a motion to adjourn was made and passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated December 9, 2015
2. Massachusetts Gaming Commission, Draft Meeting Minutes dated November 19, 2015
3. Massachusetts Gaming Commission, ILEV (“Impacted Live Entertainment Venue”) Petition Analysis, dated December 9, 2015
4. Letter from Troy Siebels, Massachusetts Performing Arts Coalition, to the Massachusetts Gaming Commission, dated November 9, 2015 regarding ILEV designation
5. Letter from Anita Walker, Massachusetts Cultural Council, to the Massachusetts Gaming Commission, dated December 2, 2015 regarding Region C Surrounding Community / ILEV Petitions
6. Letter from Charles Le Ray, Dain Torpy, to the Massachusetts Gaming Commission, dated October 23, 2015 regarding Request by MPAC (Massachusetts Performing Arts Council) for ILEV Designations
7. Letter/Report from Lyle Hall, HLT Advisory, to the Massachusetts Gaming Commission, dated December 4, 2015 regarding MPAC ILEV Petition
8. Mass Gaming & Entertainment Surrounding Community Agreement document
9. Massachusetts Gaming Commission, Notices of Designation Pursuant to 205 CMR 125.01(1)(a)(2): Town of Abington, Town of Avon, Town of East Bridgewater, Town of Easton, Town of Holbrook, Town of Stoughton, Town of West Bridgewater, and Town of Whitman.
10. Massachusetts Gaming Commission, Memorandum dated December 7, 2015 regarding Screening for Executive Director / Interviews of Finalists
11. Resume of Edward R. Bedrosian, Jr.
12. Resume of Charles LaBoy
13. Massachusetts Gaming Commission, Region C Estimated Category 1 (Resort-Casino) Timeline, Last updated 11/30/2015

/s/ Catherine Blue

Catherine Blue, Assistant Secretary





Meeting Minutes

Date/Time: December 17, 2015 – 10:30 a.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

**Time entries are linked to
corresponding section in
Commission meeting video**

Call to Order

See transcript page 2

[10:31 a.m.](#) Chairman Crosby called to order the 173rd Commission Meeting.

Approval of Minutes

See transcript page 2

[10:31 a.m.](#) *Commissioner Macdonald moved for the approval of the December 3, 2015, minutes subject to any correction of mechanical and typographical errors. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

Administration

See transcript pages 3-17

[10:32 a.m.](#) Interim Executive Director Karen Wells provided an update on Mr. Edward Bedrosian, the new executive director, and noted that his paperwork has been filed, a background check is in process, and an anticipated start date for Mr. Bedrosian is the first week in January. Commissioner Stebbins thanked Ms. Wells for her work in the interim period.

[10:33 a.m.](#) Ombudsman John Ziemba provided an update on Region C which included the following: review teams are conducting an ongoing review of the Mass Gaming & Entertainment application, the Town of Pembroke approved its Surrounding Community Agreement, a summary of the host and surrounding community hearing

process, and a tentative date of January 28, 2016 has been selected for the Surrounding Community Hearing.

- [10:37 a.m.](#) Chairman Crosby reported that a letter was received from Tracy Marzelli pertaining to the Taunton Tribal casino and litigation.
- [10:41 a.m.](#) Chairman Crosby provided an update on the Tribal Compact and stated that meetings have been held with the Commission staff and the Tribe to build a regulatory partnership and the Tribe is working quickly to put together a tribal gaming commission.
- [10:43 a.m.](#) Commissioner Zuniga reported that the Commission's annual report is expected to be completed by the end of the year.
- [10:44 a.m.](#) Chairman Crosby reported that the Daily Fantasy Sports forum panel outcomes will be incorporated in a white paper. He noted that the white paper draft is in process and a final paper will be shared with the Legislature.

Research and Responsible Gaming

See transcript pages 17-126

- [10:49 a.m.](#) Dr. Rachel Volberg, SEIGMA Principal Investigator at UMass Amherst, presented an overview of the Social and Economic Impacts of Gambling in Massachusetts ("SEIGMA") study which included the primary goal, study structure in three research areas (social & health impacts, economic & fiscal analysis, and problem gambling services evaluation), and data collection timeline.
- [10:54 a.m.](#) Dr. Mark Melnik, Director of Economic and Public Policy Research at the UMass Donahue Institute, presented on the SEIGMA economic and fiscal research agenda which included the following: goal and objective, phases of economic analysis (baseline, development/construction, and operations), economic and fiscal measurements, data collection, secondary data recent work, and host community profiles (industry trends, employment, socioeconomic indicators, educational attainment, unemployment, labor force participation, and fiscal indicators.)
- [11:21 a.m.](#) Rod Motamedi, Research Manager of Economic and Public Policy Research at the UMass Donahue Institute, presented on the SEIGMA primary data collection which included a new employee survey, data collection relationships with operators, construction spending data (vendors, workers, wages), employment impacts, and economic activity. He also reported on next steps which included data deliveries and data collection.
- [11:44 a.m.](#) Mr. Motamedi presented on the Plainridge Park Casino new employee survey and provided a summary of the survey tools, protocols and results. He noted that about 720 people were surveyed and the survey results showed hiring frequency, work status prior to hire, reasons for seeking employment, previous gaming work experience, origins of new employees, training and next steps (refine and review survey instrument.)
- [12:02 p.m.](#) Dr. Melnik reported on SEIGMA next steps which included a patron survey, real estate analysis, and community comparison analysis.

- [12:04 p.m.](#) The Commission took a short recess.
- [12:11 p.m.](#) The meeting resumed.
- [12:12 p.m.](#) Marlene Warner, Executive Director of the Massachusetts Council on Compulsive Gambling, presented an update on the GameSense program which included the following: hiring of a new GameSense Advisor, ongoing promotion of GameSense, meetings with legislators, drafting of an operations manual, delivery of materials, development of new games for patrons, presentation and engagement techniques for advisors, purchase of swag products, increased presence in racing area, pre shift meetings with casino staff, updated training with employees, installation of clock, evaluation projects and partnerships, survey tools, Voluntary Self-Exclusion protocol, and Play Management training.
- [12:27 p.m.](#) Amy Gabrila, GameSense Advisor at the GameSense Information Center in Plainridge Park Casino, provided a summary of her professional background in the casino industry and her role as an advisor.
- [12:32 p.m.](#) Terence Murphy, GameSense Advisor at the GameSense Information Center in Plainridge Park Casino, provided a summary of his professional background in the casino industry and his role as an advisor.

Ombudsman

See transcript pages 127-215

- [12:45 p.m.](#) Ombudsman John Ziemba provided introductory remarks pertaining to the request by the Town of Mansfield to use community mitigation reserve funds.
- [12:46 p.m.](#) Town Manager William Ross, from the Town of Mansfield, provided a summary of his background and noted there are some good points in the (Commission's) memorandum from staff.
- [12:47 p.m.](#) Police Chief Ronald Sellon, from the Town of Mansfield, noted some negative aspects of gambling and stated that data from Crime Analyst Christopher Bruce is slightly flawed and lacking narrative information. He stated that the Mansfield Police Department hired a crime analyst. He also proposed that his department will use mitigation money to offset the impact of collecting data.
- [12:52 p.m.](#) Town Manager Ross stated that they want to change the law enforcement paradigm and look at prevention rather than reaction. He stated that an onsite analyst will be able to provide more accurate data. He also stated that they find the proposal by the Commission staff acceptable. He noted that they are working on a regional dispatch system.
- [1:05 p.m.](#) Chairman Crosby noted that a letter dated September 9, 2015, was received from Heath Hobson, a Mansfield Veterans Service Officer, that made reference to a claim that Plainridge Park Casino cashed a Veteran's benefit check. General Counsel Blue reported that the claim was investigated and it did not happen.

- [1:08 p.m.](#) *Commissioner Cameron moved that the Commission approve the Community Mitigation Reserve request by the Town of Mansfield as outlined in the staff recommendation - which is a portion of the crime analyst's salary, 25 percent of the overall expense which is \$10,500, and other reasonably incurred expenses with the certifications from the Town Manager and the Police Chief to those reasonable expenses. Motion seconded by Commissioner Zuniga. Commissioner Stebbins amended the motion to include continual updates from the Town Manager and the Police Chief on their work and regional efforts. Commissioner Macdonald noted for clarification that the motion is being advanced by reference to the third paragraph on page four of Ombudsman Ziemba's memorandum to the Commissioners. Motion passed unanimously.*
- [1:10 p.m.](#) The Commission recessed for lunch.
- [2:02 p.m.](#) The meeting resumed.
- [2:02 p.m.](#) Ombudsman Ziemba presented on the draft Section 61 Findings for MGM Springfield which included a summary of the process and introduction of the Massachusetts Gaming Commission ("MGC") consultant groups. Ombudsman Ziemba also thanked the consultant groups for their reviews.
- [2:08 p.m.](#) Project Manager Mike Fitzgerald, representing Pinck & Co. and a consultant to the MGC, provided an update on the City of Springfield which included an upcoming City Council hearing for the approval of the casino overlay district and site plan reviews scheduled for January. Mr. Fitzgerald also introduced members of the consultant team.
- [2:10 p.m.](#) Rob Scarpelli, representing HLT Advisory and a consultant to the MGC, presented on the MGM design change and its impact on facility appeal, retail, food and beverage, operational changes, and reduction in parking spaces. Mr. Scarpelli stated that HLT does not anticipate that the changes will have a material impact on the appeal of the casino to the customer or gaming revenue potential. He also stated that based on the budget increase, they do not see MGM failing to meet the \$500 million capital requirement. He also noted that the design changes will impact economic development with a decrease in employees and payroll due to replacement of the buffet with a food market concept.
- [2:19 p.m.](#) Rich Maher, representing Perry Associates and a consultant to the MGC, presented on the MGM schedule for design and construction and stated that they believe the MGM schedule is reasonable and achievable.
- [2:22 p.m.](#) Commissioner Zuniga inquired about short term challenges. Mr. Maher responded that they need a final sign off from the Massachusetts Historical Commission, final approval for the casino overlay, and construction permits. He also noted that mainly demolition and site preparation will occur in 2016.
- [2:24 p.m.](#) Wing Wong, representing Green International Affiliates and a consultant to the MGC, presented on traffic and transportation recommendations. He stated that based upon their review, they recommend the following three actions: speed control measures at Bliss Street and East Columbia Avenue; implement off-site

mitigations as early as possible for construction on I-91; develop a plan for construction employee parking.

- [2:47 p.m.](#) General Counsel Catherine Blue presented on two motions in the packet for the Commissioners consideration – (1) a motion to adopt the Section 61 Findings, and (2) a motion to issue a final license. General Counsel Blue noted that Commissioner Macdonald will abstain from voting on the motions because he was not present for the review process.
- [2:52 p.m.](#) *Commissioner Zuniga moved that the Commission adopt the MGM Springfield Section 61 Findings Pursuant to M.G.L. c. 30, § 61 and M.G.L. c. 23k as provided in the commission packet, with authority for staff to make any scrivener's change. Motion seconded by Commissioner Cameron. Commissioner Macdonald abstained from the vote because he did not participate during the initial licensing period. Motion passed unanimously. SEE ATTACHED MOTION*
- [2:54 p.m.](#) *Commissioner Zuniga moved that the Commission take final agency action on the Region B Category 1 Gaming License as provided in the commission packet, with authority for staff to make any scrivener's changes. Motion seconded by Commissioner Cameron. Commissioner Macdonald abstained from the vote because he did not participate during the initial licensing period. Motion passed unanimously. SEE ATTACHED MOTION*
- [2:56 p.m.](#) Ombudsman Ziemba presented on the draft 2016 Community Mitigation Reserve Fund Guidelines and noted the comments that were received. Ombudsman Ziemba recommended that communities be allowed to request a matching grant waiver, subject to the Commission's approval. He also noted that the Guidelines are evolving and will be refined.
- [3:10 p.m.](#) *Commissioner Stebbins moved that the Commission approve the 2016 Community Mitigation Reserve Fund Guidelines as presented in the packet, with authority for staff to make any scrivener's changes. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*
- [3:11 p.m.](#) Ombudsman Ziemba provided an update on the Sullivan Square working group and stated that one meeting was held, which included a number of agencies, to discuss long term transportation improvements and funding options. He also noted that more meetings are planned for the new year. Chairman Crosby stated, and the Commissioners concurred, that the Commission is committed to traffic improvement at Sullivan Square.

Racing Division

See transcript pages 216-258

- [3:18 p.m.](#) Director Alexandra Lightbown reported on a request from a new organization, the Massachusetts Thoroughbred Horsemen's Association, for recognition by the Commission as a group representing the horsemen in Massachusetts.
- [3:18 p.m.](#) General Counsel Blue presented on the memorandum in the Commissioner's packet pertaining to recognition of thoroughbred horsemen's group. She noted that there are two thoroughbred horse racing groups that want recognition. She also provided

a jurisdictional survey pertaining to the matter of recognition and stated that the purpose of recognition is to govern the payment of purse money and the payment of health and welfare benefits to the horsemen. She stated that the Commission is under no obligation to recognize the horsemen's groups but she recommended that the Commission make changes to regulations.

[3:28 p.m.](#) Commissioners discussed racetrack determination of purse agreements and horsemen group recognition.

[4:02 p.m.](#) Chairman Crosby instructed General Counsel Blue to begin drafting regulations.

[4:02 p.m.](#) The Commission took a short recess.

[4:05 p.m.](#) The meeting resumed.

Legal Division

See transcript pages 259-262

[4:05 p.m.](#) General Counsel Blue presented on the Small Business Impact Statements for the following regulations: 205 CMR 129: Review of a Proposed Transfer of Interests; 205 CMR 116: Persons Required to be Licensed or Qualified; 205 CMR 102: Construction and Application (Transfer of interests); 205 CMR 134: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations (Temporary Licenses); 205 CMR 134: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations (Term of Licenses); and 205 CMR 116: Persons Required to be Licensed or Qualified (Assumption of duties by new qualifiers).

[4:08 p.m.](#) *Commissioner Stebbins moved that the Commission approve the Small Business Impact Statements, as included in the packet, for 205 CMR 129: Review of a Proposed Transfer of Interests; 205 CMR 116: Persons Required to be Licensed or Qualified; 205 CMR 102: Construction and Application (Transfer of interests); 205 CMR 134: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations (Temporary Licenses); 205 CMR 134: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations (Term of Licenses); and 205 CMR 116: Persons Required to be Licensed or Qualified (Assumption of duties by new qualifiers). Motion seconded by Commissioner Cameron. Motion passed unanimously.*

Other Business

See transcript page 263

[4:09 p.m.](#) Chairman Crosby noted that the agenda item pertaining to Voluntary Self-Exclusion will be postponed and taken up at a later meeting.

[4:10 p.m.](#) *Having no further business, a motion to adjourn was made by Commission Zuniga. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated December 17, 2015
2. Massachusetts Gaming Commission, Draft Meeting Minutes dated December 3, 2015
3. Letter from Tracy Marzelli to the Massachusetts Gaming Commission, dated December 9, 2015 regarding Region C Casino Licensing
4. SEIGMA (Social and Economic Impacts of Gambling in Massachusetts) Project Overview – PowerPoint Presentation, dated December 17, 2015
5. Massachusetts Gaming Commission, Memorandum dated December 15, 2015 regarding Mansfield 2015 Community Mitigation Reserve Fund
6. Report by Ronald Sellon, Chief of Police, Mansfield Police Department
7. Town of Mansfield Council on Aging Memorandum from Gale Farrugia to Mansfield Town Manager Bill Ross, dated August 31, 2015 regarding Gambling – seniors/community clients
8. Letter from Heath Hobson, Town of Mansfield Veteran Service Officer, to the Massachusetts Gaming Commission, dated September 9, 2015 regarding Veterans
9. Letter from the Massachusetts Gaming Commission to Mansfield Town Manager William Ross, dated October 16, 2015 regarding 2015 Mitigation Fund Application
10. Report from Christopher Bruce regarding Assessing the Impact of Gaming Facilities in Massachusetts Cities and Towns
11. Town of Mansfield Police Department Memorandum from Erika Baburins to Chief Sellon, dated November 10, 2015 regarding Gaming Commission
12. Town of Mansfield 2015 Community Mitigation Fund Application
13. Massachusetts Gaming Commission Form - Vote to Adopt Section 61 Findings Pursuant to M.G.L. c. 30, § 61 and M.G.L. c. 23K
14. Massachusetts Gaming Commission Form - Vote to Take Final Agency Action on Region B Category 1 Gaming License
15. Massachusetts Gaming Commission – Draft Findings to be Issued Pursuant to M.G.L. c. 23K and M.G.L. c. 30, § 61
16. Memorandum from Green International Affiliates, Inc. to the Massachusetts Gaming Commission, dated December 16, 2015 regarding Section 61 Reviews – Traffic and Transportation
17. Letter from HLT Advisory to the Massachusetts Gaming Commission, dated December 15, 2015 regarding MGM Springfield Project Revisions Review
18. Memorandum from City Point Partners to the Massachusetts Gaming Commission, dated December 10, 2015 regarding MGM Springfield Changes and Section 61 Findings, Water, Wastewater and Drainage
19. Massachusetts Gaming Commission, Memorandum dated December 15, 2015 regarding 2016 Community Mitigation Fund Guidelines
20. Massachusetts Gaming Commission, Draft 2016 Community Mitigation Fund Guidelines
21. Massachusetts Gaming Commission, Draft 2016 Community Mitigation Fund Reserve Specific Impact Application and Instructions
22. Massachusetts Gaming Commission, Draft 2016 Community Mitigation Fund Transportation Planning Grant Application and Instructions
23. Commonwealth of Massachusetts Procurement/Contracts Policy dated July 1, 2004
24. Massachusetts Gaming Commission, Memorandum dated December 17, 2015 regarding Recognition of Thoroughbred Horsemen’s Group
25. Letter from the New England Horsemen’s Benevolent and Protective Association to the Massachusetts Gaming Commission, dated December 15, 2015 regarding Horsemen Group Recognition
26. Letter from the Massachusetts Thoroughbred Horsemen’s Association to the Massachusetts

- Gaming Commission, dated September 28, 2015 regarding Horsemen Group Recognition
27. Small Business Impact Statement for 205 CMR 102.00: Construction and Application; 205 CMR 116.00: Persons Required to be Licensed or Qualified; and 205 CMR 129.00: Review of a Proposed Transfer of Interests
 28. Small Business Impact Statement for 205 CMR 134.00: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations (Temporary Licenses)
 29. Small Business Impact Statement for 205 CMR 134.00: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations (Term of Licenses)
 30. Small Business Impact Statement for 205 CMR 116.00: Persons Required to be Licensed or Qualified (Assumption of duties by new qualifiers)
 31. 205 CMR 133: Voluntary Self-Exclusion

/s/ Catherine Blue

Catherine Blue, Assistant Secretary

DRAFT

Massachusetts Gaming Commission

Vote to Adopt Section 61 Findings Pursuant to M.G.L. c. 30, § 61 and M.G.L. c. 23K

PROJECT NAME: MGM Springfield (the "Project")
PROJECT LOCATION: Springfield, Massachusetts
PROJECT PROPONENT: Blue Tarp reDevelopment LLC ("MGM")
EOEEA NUMBER: 15033
AGENCY ACTION: Category 1 Gaming License

I move that the Massachusetts Gaming Commission:

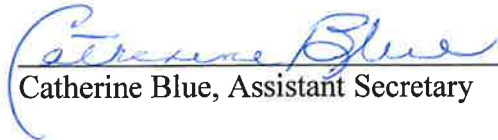
1. Find, pursuant to G.L. c. 30, § 61 and 301 CMR 11.12(5), that all feasible measures have been taken to avoid or minimize impacts to the environment of Blue Tarp reDevelopment LLC's MGM Springfield Project for the reasons stated in the proposed Findings attached hereto;
2. Adopt the proposed Findings regarding the Project pursuant to the Massachusetts Environmental Policy Act G.L. c. 30, §§ 61-62I, G.L. c. 23K, § 15(12), 301 CMR 11.12, and 205 CMR 120.02 in the form attached hereto;
3. Authorize the Commission's Chair to execute the Findings in the form attached hereto; and
4. Authorize the Commission's General Counsel to take all necessary procedural actions to effectuate the Findings in accordance with the Environmental Policy Act, the Gaming Act, and the regulations implementing each statute.

DATED: December 17, 2015
MOVED BY: Commissioner Enrique Zuniga
SECONDED BY: Commissioner Gayle Cameron

RECORD OF VOTE:

Commissioner	In Favor	Opposed	Abstained	Recused
Stephen Crosby	X			
Gayle Cameron	X			
Enrique Zuniga	X			
Bruce Stebbins	X			
Lloyd Macdonald			X	

Attest:


Catherine Blue, Assistant Secretary

Massachusetts Gaming Commission

Vote to Take Final Agency Action on Region B Category 1 Gaming License

PROJECT NAME: MGM Springfield (the "Project")
PROJECT LOCATION: Springfield, Massachusetts
PROJECT PROPONENT: Blue Tarp reDevelopment LLC ("MGM")
EOEEA NUMBER: 15033
FINAL AGENCY ACTION: Category 1 Gaming License

WHEREAS the Massachusetts Gaming Commission has found pursuant to G.L. c. 30, § 61 and 301 CMR 11.12(5) that all feasible measures have been taken to avoid or minimize impacts to the environment of Blue Tarp reDevelopment LLC's MGM Springfield Project for the reasons stated in the approved Section 61 Findings regarding the Project attached hereto

NOW THEREFORE I move that the Massachusetts Gaming Commission take the following final agency action regarding the Category 1 Gaming License for Region B:


1. Grant to Blue Tarp reDevelopment LLC the Region B Category 1 Gaming License for the Project pursuant to G.L. c. 23K and the Commission's regulations including 205 CMR 120.02(1), subject to all of the terms and conditions stated in the Commission's conditional award of said license dated November 6, 2014, as modified and amended by the terms and conditions, mitigation measures and other requirements identified in the Section 61 Findings for the Project;
2. Incorporate by reference, pursuant to 301 CMR 11.12(5)(b) and 205 CMR 120(1), the Section 61 Findings into Blue Tarp reDevelopment LLC's License for the Project and require, as a condition of the License, compliance with the terms, conditions, mitigation measures and other requirements identified in the Section 61 Findings;
3. Incorporate by reference as a condition of Blue Tarp reDevelopment LLC's Category 1 Gaming License for the Project any mitigation measures identified by the City of Springfield as part of its review and permitting process and any amendments to the Host Community Agreement required by the City of Springfield; and
4. Require as a condition of the License a regular quarterly review by the Commission of compliance with the Section 61 Findings and the terms and conditions of the License.

DATED: December 17, 2015

MOVED BY: Commissioner Enrique Zuniga
SECONDED BY: Commissioner Gayle Cameron
RECORD OF VOTE:

Commissioner	In Favor	Opposed	Abstained	Recused
Stephen Crosby	X			
Gayle Cameron	X			
Enrique Zuniga	X			
Bruce Stebbins	X			
Lloyd Macdonald			X	

Attest:


Catherine Blue, Assistant Secretary

No Documents

Hiring

Hiring Goals & Objectives

The Commission, the Executive Director or their designee shall create an organizational chart outlining the positions that will be necessary for the Commission to carry out its mission and a job description for each position in the organizational chart.

Hiring Process

Accepting Applications: All persons expressing interest in employment with the Commission will, without exception, be directed to the Human Resources Department.

The Human Resources Department will review all applications to determine if each applicant has the minimum qualifications and experience demanded by the job description and shall forward the names and resumes of all candidates who meet the minimum qualifications and experience requirements to the hiring manager or her/his designee.

A listing of current job openings will be made available on the Commission website and intranet, although, the Commission reserves its right not to post a particular opening. The position postings allow the Commission to inform employees of openings that may afford them opportunities for advancement or transfer.

Hiring Manager: The Commission or the Executive Director shall designate a Hiring Manager for each vacant position. The Executive Director or any of the commissioners may serve as a Hiring Manager and each may serve as a Hiring Manager for more than one vacant position at the same time. Another employee of the MGC may also serve as a Hiring Manager. The Commission may designate a Hiring Manager for one or several positions at any time, and/or may also designate a Hiring Manager for certain positions as long as a hiring plan has been previously approved by the Commission.

The Hiring Manager will develop and draft a detailed job description, which shall be reviewed by the Human Resources Department for compliance with hiring policies and procedures, and overall structure and fit within the organization. The job description shall include minimum qualifications, level of experience being sought and both general descriptions of the typical tasks and detailed examples of those tasks.

The Hiring Manager will review the resumes and choose candidates to interview based on their qualifications and experience. After interviews are conducted, the interviewer will fill out a written assessment of each candidate and forward the assessment to the Commissioners or the Executive Director, as they direct.

Selection: Based on the application materials and the written interview assessment, the Commissioners or the Executive Director, or her/his designee, will choose a final candidate or a short list of final candidates. The final candidate or candidates must provide references and permission for a background/CORI/SORI/credit check in accordance with the Commission's Background Check Policy. In coordination with the Human Resources Department, the Hiring Manager may cause to request a background check on an individual or individuals prior to an offer

of employment or in the alternative, issue a conditional offer of employment subject to background check. If the Hiring Manager issues a conditional offer of employment, she/he shall clearly notify the applicant that the offer is conditioned on successful completion of the investigation background check.

References and Recommendations: Final candidates must provide at least three references; the number and type of references will be based upon the position involved and will be determined by the Human Resources Department. All recommendations/references must be in writing and directed to the Human Resources Department. Verbal recommendations references will not be considered. A reference check will be completed and documented. Letters of recommendation for the candidate who is hired will become a matter of public record. Written recommendations for employment submitted by third parties in support of candidates prior to determination of the final candidates for the position applying for employment, shall not be considered by the hiring manager or human resources until the applicant has met all other qualifications and requirements for the position to be filled. Other application materials for that candidate and all application materials for unsuccessful candidates, including the resume, will not be public records.

Firm Offer: When the reference and background/CORI/SORI credit checks are complete, the Commissioners or the Executive Director, or his designee, in consultation with the Human Resources Department, shall choose whether to make an offer of employment and to which candidate. If the decision maker Executive Director, the Hiring Manager or the Human Resources Department feels that additional interviews are required to make this determination, additional interviews may be conducted. When an offer of employment is made, it shall be made in writing by the Human Resources Department to the successful applicant.

Equal Employment Opportunity

The Commission is committed to the principle of equal employment opportunity. Applicants for employment are evaluated on their individual qualifications for a position. The Commission provides equal employment opportunities for all applicants and employees and does not unlawfully discriminate on the basis of age, race, color, religion, gender, sexual orientation, national origin, ancestry, veteran or active military status, physical or mental disability, gender identity or expression, genetic information or any other category covered by federal, state or local law. The Commission's policy regarding equal employment opportunity applies to all aspects of employment, including but not limited to recruitment, hiring, job assignments, promotions, working conditions, scheduling, benefits, wage and salary administration, disciplinary action, and termination. For more information, see the Commission's Discriminatory Harassment Policy in the Employee Handbook.

In accordance with the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, the Commission undertakes affirmative action to employ and advance in employment qualified special disabled veterans, veterans of the Vietnam era, recently separated veterans, and any other veterans who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized. The Commission will strive to list all of its employment openings, with the appropriate local employment service office as well as on its website, www.massgaming.com. Such action will include, but not be limited to, employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

The Commission will not tolerate any form of unlawful discrimination. All employees are expected to cooperate fully in implementing this policy. In particular, any employee who believes that any other Commission employee may have violated the Equal Employment Opportunity Policy should report the possible violation to his/her manager and the Human Resources Department.

Reasonable Accommodations for Individuals with Disabilities

The Commission complies with the Americans with Disabilities Act and applicable state and local laws prohibiting discrimination in employment against qualified individuals with disabilities.

In accordance with applicable federal, state and local laws protecting qualified individuals with known disabilities, the Commission will attempt to reasonably accommodate qualified disabled persons unless doing so would create an undue hardship.

A qualified individual who believes that he or she requires a reasonable accommodation to perform the essential functions of her/his job should make a request for an accommodation to a manager, Commissioner, and/or human resources representative. A reasonable accommodation may include any action which enables an individual with a disability to perform the essential functions of her/his position. The Commission generally will engage the employee in a dialogue to better understand her/his request, and ultimately determine the feasibility of the requested accommodation. Before denying a requested accommodation, the Commission will engage the employee in a discussion about her/his request, and obtain any additional and relevant information to attempt to accommodate the employee.

The employee will be informed of the Commission's decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, the employee may appeal the Commission's decision by submitting a written statement to the Executive Director or General Counsel.

Immigration Law Compliance

The employment of non-citizens by the Commission is governed by certain acts of Congress and regulations of the U.S. Immigration and Naturalization Service. The Commission is required by the federal Immigration Reform and Control Act of 1986, to verify the identity and legal authorization to work of all individual applicants and employees.

In meeting this obligation, the Commission must inspect documentation that confirms each person's identity and legal authorization to work in the United States, and each employee must attest to her or his identity and legal authorization to work by completing a federal government form (known as Form I-9) supplied upon hire. Former employees who are rehired must also complete the I-9 form if they have not completed an I-9 with the Commission within the past three years, or if their previous I-9 is no longer retained or valid.

All offers of employment and continued employment are conditional upon an individual's ability to furnish the Commission with satisfactory evidence of both her/his identity and legal authorization to work in the United States.

Employment of Relatives

The employment of an employee's relative, including domestic partners, at the Commission may be allowed subject to the provisions of the Commission's Enhanced Code of Ethics. Insofar as it complies with the Code of Ethics, the Commission could consider employment of the family members of a Commission employee as long as a family member was not placed in a position where she/he would be supervised by another family member. For the purpose of this policy, a relative is defined as an employee's child, parent, spouse, sibling, grandparent, aunt, uncle, cousin, corresponding in-law, or corresponding step-relation.

Employment of Minors

The Commission's policy is not to employ minors. All employees (permanent, temporary, interns, etc.) must be at least 18 years old.

Internal Candidates

Current Commission employees should check the Commission website to view current job openings. Inquiries about posted positions are strongly encouraged from qualified internal candidates. Interested individuals should contact the Human Resources Department for further information and consideration. All internal inquiries will be treated confidentially. To be considered an applicant for an approved posted vacancy, an internal candidate must:

1. Submit a resume to the Human Resources Department specifying the position she/he is applying for and how her/his current experience with the Commission and prior work experience and education qualifies her/him for the position.
2. Be in her/his current position for at least one year and be performing competently in her/his current position. An employee who has received a verbal or written warning, performance improvement plan, or suspension during the six months prior to the date of the job posting is not eligible to apply.

The Commission recognizes the benefit of developmental experiences and encourages managers to talk with their employees about the employee's career plans. Managers are encouraged to support employees' efforts to gain experience and advance within the organization. An employee's manager may be contacted to verify performance, skills, and attendance. Any staffing limitations or other circumstances that might affect a prospective transfer may also be considered in determining the employees' suitability for the position.



MEMORANDUM

Date: November 23, 2015 (Draft)

To: Chairman Stephen Crosby
Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

FROM: Rick Day, Consultant

RE: Variance Report for FY 2015 205 CMR 138.02 (6)

Applicable Massachusetts Gaming Commission Regulation

205 CMR 138.02(6) (a) If a gaming licensee desires to incorporate a provision in its internal controls that is not in conformance with 205 CMR 138.00, or to exclude a provision required by 205 CMR 138.00, it may petition to do so by including its proposal in its internal controls filing, or petition to change a provision of the internal controls in accordance with 138.02(3), along with a citation to the applicable provision of 205 CMR 138.00 and a written explanation as to why the variance is being requested. The Executive Director may allow the variance upon a finding that the proposal is at least equivalent to the relevant provision contained in 205 CMR 138.00 and/or that the proposal is likely to achieve the same outcome as if the provision contained in 205 CMR 138.00 were incorporated. Such variance shall be identified in the written approval issued in accordance with 205 CMR 138.02(2) and a report filed with the commission that identifies the provision of 205 CMR 138.00 that a variance was granted from and provides the general reason the variance was granted. Provided, however, that a gaming licensee may not seek a variance from any of the provisions of 205 CMR 138.40 through 138.47.

<i>Variance Requests Received</i>	
<i>Plainridge Park Casino (PPC)</i>	<i>13</i>
<i>Other</i>	<i>0</i>
<i>Total</i>	<i>13</i>



Massachusetts Gaming Commission

Action on Variance Requests

<i>Granted</i>	5
<i>Granted with modifications</i>	4
<i>Incorrect submission returned</i>	0
<i>Not Necessary</i>	2
<i>Other</i>	0
<i>Denied</i>	2

<i>Average number of days to respond</i>	9.4
<i>Pending for the reporting period</i>	0

Plainridge Park Casino- Report of variances allowed from Internal Controls pursuant to 205 CMR 138.02(6)(a)

#	Date of request	Date request granted	Section of regs variance granted from	General description of the action taken
1	5/8/15	5/26/15	205 CMR 138.02(1)	60 day IC submission requirement relaxed due to timing of opening of PPC
2			205 CMR 138.02(3)	Denied as the requirement for chief legal officer certification is statutory
3			205 CMR 138.02 (4)(h)(i)	Denied as the requirement for chief legal officer certification is statutory
4		5/26/15	205 CMR138.15(1)(a)	[REDACTED]
5		5/26/15	205 CMR 138.19(3)(a)	[REDACTED]
6		5/26/15	205 CMR 138.19(3)(c)	[REDACTED]
7		5/26/15	205 CMR 138.19(11)	[REDACTED]

8		5/26/15	205 CMR 138.33(7)	
9		5/26/15	205 CMR 138.48(12)	
10		5/26/15	205 CMR 138.49	Allows a cage supervisor and/or cage employee to drop the Gaming Voucher Redemption Machines (kiosks)
11			205 CMR 136.07	Following a legal review the ED determined that PPC liability insurance coverage exceeds the requirement and a variance was not necessary
12	5/27/15	6/12/15	205 CMR 138.04(3)	
13			205 CMR 138.20	

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***For tracking purposes letters that included changes to more than one regulation or multiple changes to a single regulation are treated as an individual request. In order to approve a request the variance a must be at least equivalent to the relevant provision of the regulations and likely to achieve the same outcome.**

Summary of Request and Action

By letter dated May 8, 2015, Plainville Gaming and Redevelopment, LLC, d.b.a. Plainridge Park Casino (hereinafter, "PPC"), requested variances from 205 CMR 138.00 pursuant to 205 CMR 102.03(4)(a). However, 205 CMR 138.00 includes a variance process that applies specifically to internal controls. Accordingly, the Massachusetts Gaming Commission Executive Director (ED) response followed the process described in 205 CMR 138.02(6)(a) and includes a portion of each request followed by the response on May 26, 2015:

1. 205 CMR 138.02(1):

PPC: This section requires that a licensee submit to the Commission at least 60 days prior to commencing operations a proposed minimum system of internal procedures and administrative and accounting controls (hereinafter, "internal controls"). Although a verbal approval was granted on April 8, 2015, PPC is seeking formal approval to waive the 60 day requirement.

Response: 205 CMR 138 was not effective until approximately June 5, 2015 when the regulation was published by the Secretary of State. As the regulation was not effective and the PPC submitted a proposed system of internal controls they complied with this section except for 205 CMR 138.02(4)(h)(i) which requires a certification from their "Chief Legal Officer" be included with the initial submission. As sufficient time remained to obtain this certification, the proposal is likely to achieve the same outcome as if the provision contained in 205 CMR 138.00 were incorporated. This variance was granted and identified in the written approval issued in accordance with 205 CMR 138.02(2).

2. 205 CMR 138.02(3) and 138.02(4)(h)(i):

PPC: These sections require that the internal controls submission include a certification by the gaming licensee’s chief legal officer that the submitted procedures conform to M.G.L. c.23K, 205 CMR 138.00 and any applicable regulations referenced therein. PPC does not employ a chief legal officer at the property location; however, the on-site compliance manager is familiar with, and able to certify to, compliance with the internal controls.

Response: G.L. c.23K, § 25(d) provides: “Each applicant for a gaming license shall submit to the commission: (ii) a certification by the applicant’s chief legal officer that the submitted procedures conform to this chapter and any regulations promulgated hereunder”. MGC cannot grant a variance from a statutory requirement. Also, the requirement envisions a legal review of the proposed internal controls by an attorney for compliance with the statute and regulation. Where the individual you have proposed to make the required certification is not a lawyer, she\he does not satisfy the “chief legal officer” requirement. Accordingly, the proposal does not meet the statutory requirement, and is not at least equivalent to the relevant provisions contained in 205 CMR 138.02(3) and 138.02(4) (h)(i) and is denied.

3. 138.02 (4)(h)(i): Denied as noted above.

4. 205 CMR 138.15(1)(a):

PPC: [REDACTED]

Response: [REDACTED]

[REDACTED] The proposal, with the noted modification, is likely to achieve the same outcome as if the provision contained in 205 CMR 138.00 were incorporated. This variance shall be identified in the written approval issued in accordance with 205 CMR 138.02(2).

5. 205 CMR 138.19(3)(a):

PPC: This section requires that access to the count room be controlled by a locking door maintained by the Security department. [REDACTED]

Response: [REDACTED]

[REDACTED]

[REDACTED] The proposal is likely to achieve the same outcome as if the provision contained in 205 CMR 138.00 were incorporated. This variance is granted and shall be identified in the written approval issued in accordance with 205 CMR 138.02(2).

6. 205 CMR 138.19(3)(c):

PPC: This section requires a light system that illuminates one or more lights in the surveillance department and at each count room door, for purposes of maintaining constant surveillance on the entrance and exits to the count room. [REDACTED]

[REDACTED]

Response: [REDACTED]

[REDACTED] The proposal is likely to achieve the same outcome as if the provision contained in 205 CMR 138.00 were incorporated. This variance is granted and shall be identified in the written approval issued in accordance with 205 CMR 138.02(2)

7. 205 CMR 138.19(11):

PPC: This section requires that all persons present in the count room during the counting process, except agents of the IEB, wear as outer garments, only a full-length, one-piece, pocket less garment with openings only for arms, feet, and neck. [REDACTED]

[REDACTED]

Response: [REDACTED]

[REDACTED] The proposal, with the noted modification, is likely to achieve the same outcome as if the provision contained in 205 CMR 138.00 were incorporated. This variance is granted and shall be identified in the written approval issued in accordance with 205 CMR 138.02(2)

8. 205 CMR 138.33(7):

PPC: This section requires that, whenever currency, a gaming voucher, or a coupon is found inside a bill changer but outside of the slot cash storage box during collection of slot cash storage boxes, a form with the date, amount, and asset in which the unsecured drop was found be completed and placed in a locked accounting box in the count room upon completion of the count. [REDACTED]

[REDACTED]

Response: 205 CMR 138(7) actually states, “Whenever currency, a gaming voucher or a coupon is found inside a bill changer but outside of the slot cash storage box (“unsecured drop”) during the collection of slot cash storage boxes, a count team member and a member of the casino security department shall complete and sign a form which includes the asset number in which the unsecured drop was found, the date the unsecured drop was found, and the total value of the unsecured drop. The unsecured drop and the original form shall be transported to the count room and counted and recorded with the contents removed from the corresponding slot cash storage box. The duplicate of the form shall be placed in a locked accounting box. Upon completion of the count, the original form shall be placed in a locked accounting box located in the count room. The accounting department will retrieve the original form and reconcile it to the duplicate.” [REDACTED]

[REDACTED]

[REDACTED] the proposal is likely to achieve the same outcome as if the provision contained in 205 CMR 138.00 were incorporated. This process needs to be consistent with 205 CMR 138 (8). This variance is granted and shall be identified in the written approval issued in accordance with 205 CMR 138.02(2).

9. 205 CMR 138.48(12):

PPC: This section requires that a count room supervisor complete a Department of Treasury Counterfeit Note Report and place the container and report on the banking table.

[REDACTED]

Response: [REDACTED]

[REDACTED] is at least equivalent to the relevant provisions contained in 205 CMR 138.48(12). It is the responsibility of PPC to confirm the procedures with the Secret Service. The proposal, with the noted modification, is likely to achieve the same outcome as if the provision contained in 205 CMR 138.00 were incorporated. This variance, as modified, is granted and shall be identified in the written approval issued in accordance with 205 CMR 138.02(2)

10. 205 CMR 138.49:

PPC: This section requires that a gaming accounting supervisor and/or member perform the function of the bill validator drop at kiosks. PPC requests a variance that would allow a cage supervisor and/or cage employee to perform this function.

Response: This proposal would allow a cage supervisor and/or cage employee to drop the Gaming Voucher Redemption Machines (kiosks). The proposal is likely to achieve the same outcome as if the provision contained in 205 CMR 138.00 were incorporated. This variance is granted and shall be identified in the written approval issued in accordance with 205 CMR 138.02(2)

11. 205 CMR 136.07

By letter dated May 26, 2015, Plainville Gaming and Redevelopment, LLC, d.b.a. Plainridge Park Casino (hereinafter, "PPC") requested a variance from 205 CMR 136.07 pursuant to 205 CMR 102.03(4)(a). In response, MGC Legal Division reviewed PPC "Certificate of Liability Insurance". As a result, the ED determined that the coverage exceeds the requirement. In a letter dated **June 12, 2015** the ED notified PPC that no variance was needed and requested PPC to immediately provide written notification to the commission if liability insurance coverage changes.

Plainville Gaming and Redevelopment, LLC, d.b.a. Plainridge Park Casino (hereinafter, "PPC"), by letter dated May 27, 2015, requested a variance from 205 CMR 138.04(3) Gaming Licensee's Organization and by letter dated June 9, 2015 a variance from 205 CMR 138.120: Possession of Firearms. Accordingly, the response dated **June 12, 2015** follows the process described in 205 CMR 138.02(6)(a). and included below a portion of the request followed by the response:

12. 205 CMR 138.04(3):

PPC: This section requires that each mandatory department be supervised at all times by at least one individual who has been licensed as a key gaming employee in accordance with 205 CMR 134.00. [REDACTED]

[REDACTED]

Response: [REDACTED]

[REDACTED] PPC must have a specific written protocol that documents the key licensed employee that is subject to being called out to respond to questions or complaints after normal hours is at least equivalent to the relevant provisions

contained in 205 CMR 138.04(3). The proposal, with the noted modification, is likely to achieve the same outcome as if the provision contained in 205 CMR 138.00 were incorporated. This variance shall be identified in the written approval issued in accordance with 205 CMR 138.02(2).

13. 205 CMR 138.20:

PPC: This section prohibits any person from possessing a firearm within or upon the premises of a gaming establishment, with four exceptions: members of the Massachusetts State Police, law enforcement officers of the host community police department assigned to work at PPC, officials specifically authorized to do so by the Commission or IEB, and federal law enforcement officers. [REDACTED]

Response: [REDACTED]

As a result, a variance is not necessary.

No Documents

Mass. Gen. Laws ch. 23K § 45: REGULATION AND PROCEDURE FOR THE EXCLUSION AND SELF-EXCLUSION OF PERSONS FROM GAMING ESTABLISHMENTS.

Section

Section 45(f): The commission shall establish a list of self-excluded persons from gaming establishments. A person may request such person's name to be placed on the list of self-excluded persons by filing a statement with the commission acknowledging that the person is a problem gambler and by agreeing that, during any period of voluntary exclusion, the person shall not collect any winnings or recover any losses resulting from any gaming activity at a gaming establishment. The commission shall adopt further regulations, under section 5, for the self-excluded persons list including procedures for placement, removal and transmittal of such list to gaming establishments. The commission may revoke, limit, condition, suspend or fine a gaming establishment if the establishment knowingly or recklessly fails to exclude or eject from its premises any person placed on the list of self-excluded persons.

205 CMR 133.00: VOLUNTARY SELF-EXCLUSION

Section

- 133.01: Scope and Purpose
- 133.02: Placement on the Self-exclusion List
- 133.03: Contents of the Application
- 133.04: Duration of Exclusion and Reinstatement from the List
- 133.05: Maintenance and Custody of the List
- 133.06: Responsibilities of the Gaming Licensee
- 133.07: Sanctions Against a Gaming Licensee
- 133.08: Collection of Debts

133.01: Scope and Purpose

In accordance with M.G.L. c. 23K, § 45(f), 205 CMR 133.00 shall govern the procedures and protocols relative to the list of self-excluded persons from entering the gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed. The voluntary self-exclusion list shall consist of the names and information relative to those individuals who have complied with the requirement of 205 CMR 133.00 and have been placed on the list by the commission. Placement of one's name on the voluntary self-exclusion list is intended to offer individuals one means to help address problem gambling behavior or deter an individual with family, religious, or other personal concerns from entering the gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed.

For purposes of 205 CMR 133.00, the term 'problem gambler' shall mean an individual who believes their gambling behavior is currently, or may in the future without intervention, cause problems in their life or on the lives of the their family, friends, and/or co-workers.

133.02: Placement on the Self-exclusion List

(1) An individual whose name is placed on the voluntary self-exclusion list shall be prohibited from entering the gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed for the duration of the exclusion period, and shall not collect any winnings or recover any losses resulting from any gaming activity at a gaming establishment. Provided, however, that an employee of a gaming licensee or vendor who is licensed or registered as a key gaming employee, gaming employee, or gaming service employee in accordance with 205 CMR 134.00: *Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations* and who is on the voluntary self-exclusion list may be in the gaming area of a gaming establishment or an area in which pari-mutuel or simulcasting wagers are placed solely for purposes of performing their job functions.

(2) An individual may request to have their name placed on the voluntary self-exclusion list by completing the application and procedure outlined in 205 CMR 133.02. Applications shall be submitted on a form approved by the commission and shall be available on the commission's website and at designated locations on and off the premises of the gaming establishments as determined by the commission.

(3) An application for placement on the voluntary self-exclusion list may only be accepted, and an intake performed, by a designated agent. An individual may only become a designated agent by successfully completing a course of training approved and administered by the commission or its designee. The course of training shall include, at a minimum, instruction on completion of the application, information relative to problem gambling and available resources, and an understanding of 205 CMR 133.00. A designated agent must be a licensed, certified, or registered health or mental health professional or employee thereof, or an employee of a gaming licensee, the commission, a gaming licensee, or other government entity. The commission may refuse to offer training to any individual whose service as a designated agent it determines would be contrary to the aims of 205 CMR 133.00.

133.02: continued

- (4) Upon submission of an application, a designated agent shall review with the applicant the contents and statements contained in the application, as provided by 205 CMR 133.03. If the application is complete, the designated agent shall sign the application indicating that the review has been performed and the application has been accepted.
- (5) A designated agent may not sign an application if (a) any required information is not provided or (b) they are of the belief that the applicant is not capable of understanding the responsibilities and consequences of being placed on the self-exclusion list.
- (6) The designated agent shall forward the signed application for voluntary self-exclusion to the commission within 48 hours of completion in a manner directed by the commission.
- (7) Upon receipt of an application, the commission, or its designee, shall review it for completeness. If the application meets all requirements of 205 CMR 133.02 the application shall be approved and the individual's name shall be added to the voluntary self-exclusion list. If the application is incomplete, the commission, or its designee, may deny the application and make efforts to contact the applicant advising them of such.
- (8) If the gaming licensee utilizes an internal management system to track individuals on the self-exclusion list, they shall update that system at least every 72 hours with names of individuals being added or removed from the self-exclusion list.
- (9) The commission, or its designee, shall add to the list of voluntarily self-excluded persons the name of any individual provided from a gaming jurisdiction outside of Massachusetts, with which the commission has entered into an interstate compact, upon a determination that the individual voluntarily requested that their name be added to the list of the referring jurisdiction and that they were notified, either directly or by operation of law, that their name may be placed on similar lists in other jurisdictions.
- (10) If the applicant has elected the services identified in 205 CMR 133.03(8) the commission, or its designee, shall contact the designated coordinating organization for the provision of requested services.

133.03: Contents of the Application

The application for voluntary self-exclusion shall require provision of, at a minimum, the following content:

- (1) Name, home address, email address, telephone number, date of birth, and social security number of the applicant;
- (2) A passport style photo of the applicant without headwear;
- (3) A statement from the applicant that one or more of the following apply:
 - (a) they identify as a problem gambler as defined in 205 CMR 133.01;
 - (b) they feel that their gambling behavior is currently causing problems in their life or may, without intervention, cause problems in their life; or
 - (c) there is some other reason why they wish to add their name to the list.
- (4) Election of the duration of the exclusion in accordance with 205 CMR 133.04;
- (5) An acknowledgement by the applicant that the individual will not enter the gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed for the duration of the exclusion period (except as provided by 205 CMR 133.02(1)) and that it is their sole responsibility to refrain from doing so;
- (6) An acknowledgment by the applicant that the individual shall not collect any winnings or recover any losses resulting from any gaming activity at a gaming establishment for the duration of the exclusion period;

133.03: continued

- (7) An acknowledgement by the applicant that he or she will forfeit all rewards or points earned through a player reward card program;
- (8) An offer by the commission or the designated agent completing the self-exclusion application to assist the applicant to access information about gambling disorders, self-guided help or counseling services with a clinician approved by the Massachusetts Department of Public Health;
- (9) An acknowledgment of understanding by the applicant that by placing their name on the voluntary self-exclusion list the prohibitions identified in 205 CMR 133.02(1) apply to all gaming establishments licensed by the commission in Massachusetts, any affiliates of the gaming licensee, whether within Massachusetts or another jurisdiction, and that the commission may share the list with other domestic or international gaming jurisdictions resulting in placement on those lists;
- (10) An acknowledgment by the applicant that he or she is submitting the application freely, knowingly, and voluntarily;
- (11) A statement that the individual is not under the influence of a substance or suffering from a mental health condition that would impair their ability to make an informed decision;
- (12) An acknowledgement by the applicant that if they violate their agreement to refrain from entering a gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed during the exclusion period, the applicant shall notify the commission of such violation within 24 hours of their presence within the gaming area of the gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed; and releasing the Commonwealth of Massachusetts, the commission, the licensee, and all affiliated employees from any claims associated with their breach of the agreement; and
- (13) An acknowledgement by the applicant that once their name is placed on the self-exclusion list they may be refused entry and/or ejected from the gaming area of a gaming establishment by the gaming licensee, an agent of the commission, or law enforcement personnel

133.04: Duration of Exclusion and Removal from the List

- (1) As part of the request for voluntary self-exclusion, the individual must select the duration for which they wish to be voluntarily excluded. An individual may select any of the following time periods as a minimum length of exclusion:
 - (a) Six months;
 - (b) One year;
 - (c) Three years;
 - (d) Five years; or
 - (e) Lifetime (An individual may only select the lifetime duration if their name has previously appeared on the voluntary self-exclusion list for at least six months.)
- (2) An individual on the voluntary self-exclusion list may not apply to decrease the duration of exclusion. An individual who is on the list may submit a request to increase the minimum length of exclusion.
- (3) Upon expiration of the selected duration of exclusion, individuals may request that their name be removed from the list or petition for exclusion for a new duration. Individuals shall remain on the list after the expiration of the selected duration of exclusion until such time as they submit a petition for removal in accordance with 205 CMR 133.04(4) and it is approved by the commission or its designee.
- (4) At any time after the expiration of the selected duration of exclusion, an individual may request that their name be removed from the voluntary self-exclusion list by submitting a petition for removal on a form approved by the commission. The petition shall include confirmation from a designated agent that the individual completed an exit session in accordance with 205 CMR 133.04(5). Any petition for removal received by the commission prior to the expiration of the duration of the selected exclusion period shall be denied.

133.04: continued

The commission shall approve a completed petition for removal. An individual who has selected a lifetime duration in accordance with 205 CMR 133.04(1)(e) may not submit a petition for removal of their name from the list. An incomplete application, including one that fails to demonstrate completion of an exit session in accordance with 205 CMR 133.04(5) shall be denied until such time as the application is completed.

(5) To be eligible for removal from the voluntary self-exclusion list the petitioner shall participate in an exit session with a designated agent. The exit session shall include a review of the risks and responsibilities of gambling, budget setting and a review of problem gambling resources should the petitioner wish to seek them. Upon completion of the exit session the designated agent shall sign the individual's petition for removal from the list attesting to the fact that the exit session was conducted.

(6) Upon approval of a petition for removal from the voluntary self-exclusion list, a written notice of removal from the list shall be forwarded by the commission, or its designee, to each gaming licensee and to the petitioner. Notice may be forwarded to the petitioner by email or first class mail to the email address or home address provided by the petitioner in the petition. The petitioner shall be deemed to be removed from the voluntary self-exclusion list when the notice is sent by the commission or its designee.

(7) If a petitioner does not meet the eligibility requirements for removal from the list provided in 205 CMR 133.04(4), the petition shall be denied. The petitioner shall be notified of the denial by email or first class mail to the email address or home address provided by the petitioner in the petition. In the event of a denial of a petition, the individual shall remain on the voluntary self-exclusion list until such time as the eligibility requirements have been satisfied.

(8) An individual whose name has been removed from the voluntary self-exclusion list may reapply for placement on the list at any time by submitting an application in accordance with 205 CMR 133.02;

(9) An individual whose name was added to the voluntary self-exclusion list in Massachusetts in accordance with 205 CMR 133.02(9) shall be removed from the list notwithstanding 205 CMR 133.04(4) through (6) upon receipt of written notice from the referring jurisdiction that the individual's name has been removed from that jurisdiction's list.

133.05 Maintenance and Custody of the List

(1) The commission shall maintain an up-to-date database of the voluntary self-exclusion list. Gaming licensees shall be afforded access to the voluntary self-exclusion list. The voluntary self-exclusion list may only be accessed by individuals authorized in accordance with the gaming licensee's approved system of internal controls in accordance with 205 CMR 13300. All information contained in approved applications for voluntary exclusion may be disclosed to a gaming licensee.

(2) The list of voluntary self-exclusion is exempt from disclosure under M.G.L. c. 66 and shall not be publicly disclosed by a gaming licensee. However, a gaming licensee may share the list with other gaming licensees in Massachusetts or its affiliates in other jurisdictions for the purpose of assisting in the proper administration of responsible gaming programs operated by affiliated gaming establishments.

(3) The commission may disclose de-identified information from the self-exclusion list to one or more research entities selected by the commission for the purpose of evaluating the effectiveness and ensuring the proper administration of the self-exclusion process.

133.06: Responsibilities of the Gaming Licensees

A gaming licensee shall have the following responsibilities relative to the administration of the voluntary self-exclusion list:

133.06: continued

- (1) A gaming licensee shall eject from or refuse entry into the gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed any individual whose name appears on the voluntary self-exclusion list;
- (2) A gaming licensee shall promptly notify the commission, or its designee, if an individual on the voluntary self-exclusion list is found in the gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed;
- (3) A gaming licensee shall not market to individuals on the voluntary self-exclusion list;
- (4) A gaming licensee shall deny access to complimentary services or items, check cashing privileges, player reward programs, and other similar benefits to persons on the list;
- (5) Individuals on the voluntary self-exclusion list shall not be permitted to participate in a cashless wagering system. A gaming licensee shall take steps to ensure that it denies entry into and terminates all access and privileges associated with its cashless wagering program to individuals on the voluntary list of self-excluded persons;
- (6) A gaming licensee shall not extend credit to an individual on the voluntary self-exclusion list;
- (7) A gaming licensee shall not pay any winnings derived from gaming to an individual who is prohibited from gaming in a gaming establishment under 205 CMR 133.00. Where reasonably possible, the gaming licensee shall confiscate from the individual in a lawful manner, notify a commission agent who shall confiscate, or refuse to pay any such winnings including jackpot winnings, chips, tokens, machine credits, ticket vouchers, or any other form of winnings whether in the individual's possession or control while on the premises of a gaming establishment or presented for payment. The monetary value of the confiscated winnings shall be paid to the commission for deposit into the Gaming Revenue Fund within 45 days;
- (8) In cooperation with the commission, and where reasonably possible, the gaming licensee shall determine the amount wagered and lost by an individual who is prohibited from gaming. The monetary value of the losses shall be paid to the commission for deposit into the Gaming Revenue Fund within 45 days.
- (9) A gaming licensee shall submit a written policy for compliance with the voluntary self-exclusion program for commission approval at least 60 days before the gaming establishment opening. The commission shall review the plan for compliance with 205 CMR 133.00. If approved, the plan shall be implemented and followed by the gaming licensee. The plan for compliance with the voluntary self-exclusion program, shall include at a minimum procedures to:
 - (a) Prevent employees from permitting an individual on the voluntary exclusion list from engaging in gambling activities at the gaming establishment;
 - (b) Identify and remove self-excluded individuals from the gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed;
 - (c) Remove individuals on the self-exclusion list from marketing lists and refrain from sending or transmitting to them any advertisement, promotion, or other direct marketing mailing from the gaming establishment more than 30 days after receiving notice from commission that the individual has been placed on the voluntary self-exclusion list;
 - (d) Prevent an individual on the voluntary self-exclusion list from having access to credit, cashless wagering program access, or from receiving complimentary services, check-cashing services, junket participation and other benefits from the gaming establishment;
 - (e) Ensure the confidentiality of the identity and personal information of the voluntarily self-excluded individual;
 - (f) Training of employees relative to the voluntary self-exclusion program to be provided in conjunction with its problem gambling training program.

133.06: continued

(10) A gaming licensee shall notify the commission within ten days if an employee or agent fails to exclude or eject from its premises any individual on the list of self-excluded persons, or otherwise fails to perform a responsibility of the gaming establishment identified in 205 CMR 133.06 including any provision of its approved written policy for compliance with the voluntary self-exclusion program.

133.07: Sanctions Against a Gaming Licensee

The commission may revoke, limit, condition, suspend or fine a gaming licensee in accordance with 205 CMR if the establishment knowingly or recklessly fails to exclude or eject from its premises any individual placed on the list of self-excluded persons. It shall not be deemed a knowing or reckless failure if an individual on the voluntary self-exclusion list shielded their identity or otherwise attempted to avoid identification while present at a gaming establishment. Further, a gaming licensee shall be deemed to have marketed to an individual on the self-exclusion list only if marketing materials are sent directly to an address, email address, telephone number, or other contact identified by the individual on their application.

133.08: Collection of Debts

(1) An individual who is prohibited from gaming in a gaming establishment under 205 CMR 133.00 shall not be entitled to recover losses as a result of prohibited gaming based solely on their inclusion on the list.

(2) Nothing in 205 CMR 133.00 shall be construed so as to prohibit a gaming licensee from seeking payment of a debt from an individual whose name is on the voluntary self-exclusion list if the debt was accrued by the individual before their name was placed on the list.

REGULATORY AUTHORITY

205 CMR 133.00: M.G.L. c. 23K, § 45(f).

(PAGES 437 THROUGH 450 ARE RESERVED FOR FUTURE USE.)



Division of Racing

MEMORANDUM

TO:	Massachusetts Gaming Commission / State Racing Division
FROM:	Doug O'Donnell, Senior Financial Analyst
SUBJECT:	Request for Reimbursement, Plainridge Racecourse Capital Improvement Trust Fund
DATE:	January 7, 2015

In accordance with General Laws of Massachusetts, Chapter 128A, Section 5g.

The trustees may expand without appropriation all or any part of the capital improvement trust funds to the appropriate track licensee in proportion to the amount deposited in each said fund by the track licensee for use as all or part of a capital expenditure for alterations, additions, replacements, changes, improvements or major repairs to or upon the property owned or leased by the licensee and used by it for the conduct of racing, but not for the cost of maintenance or of other ordinary operations. The trustees shall hire the services of architectural and engineering consultants or the services of such other consultants as they deem appropriate to advise them and to evaluate proposed capital improvements. The following capital fund requests have been reviewed.

- Project # HHCITF2015-2
- Total Request for Consideration \$113,390.35

All financial statements required under section 6 shall be accompanied by a statement signed under the pains and penalties of perjury by the manager of the licensee setting forth the capital improvements completed with funds obtained under this section.

After review and confirmation of request, with your authorization, we will make payment to the track from the appropriate trust fund.



Massachusetts Gaming Commission



**DIXON SALO
ARCHITECTS
INCORPORATED**

**Neil R. Dixon, Principal
Wayne O. Salo, Principal
Jesse G. Hilgenberg, Principal**

January 4, 2016

Mr. Douglas A. O'Donnell, Senior Financial Analyst
Massachusetts Gaming Commission/Racing Division
101 Federal Street
Boston, MA 02110

RE: Plainridge Racecourse
Request for Reimbursement
Project HHCITF 2015-2, Tractors and Equipment
\$113,390.35

Dear Mr. O'Donnell:

Attached please find one copy of a Request for Reimbursement from Plainridge Racecourse to the Massachusetts Gaming Commission/Racing Division for reimbursement under the Harness Horse Capital Improvement Trust Fund in the amount of \$113,390.35 for the purchase of two Tractors and Equipment at the above referenced facility.

The project involves the purchase of two new tractors and attachments for use in maintaining the racecourse track, infield and other track areas.

This office did verify that the tractors and equipment are in place at the facility. Please see Dixon Salo Architect's Field Report of December 4, 2015, copy attached.

Copies of the cancelled checks are attached indicating that the vendors have been paid by Plainridge Racecourse.

Mr. Douglas A. O'Donnell, Senior Financial Analyst
January 4, 2016
Page 2.

Please note that the last payment of \$493.75 listed on The Request for Reimbursement was for payment of Massachusetts Sales Tax on the Larcom & Mitchell invoice and was paid directly to the Commonwealth of Massachusetts by Plainridge Racecourse. Please see attached explanation from Plainridge.

Based upon the above, we find the Request for Reimbursement as now presented to the Massachusetts Gaming Commission/Racing Division to be complete and in order and recommend payment in the amount of \$1 13,390.35.

Should you have any questions please do not hesitate to contact this office.

Very truly yours,
DIXON SALO ARCHITECTS, INC.



Neil R. Dixon,
Principal/Architect
NRD:hs

cc: Steven O'Toole, Director of Racing, Plainville Gaming & Redevelopment, LLC, d/b/a Plainridge Park Casino

Enclosures: Plainridge Racecourse, Request for Reimbursement, HHCITF 2015-2 with attachments.
Dixon Salo Architects, Inc. Field Report, 12/4/15 with attachments



Massachusetts Gaming Commission
Harness Horse Capital Improvement Trust Fund
Harness Horse Promotional Trust Fund

- 1. Date: 12/29/2015
2. Association: Springfield Gaming & Redevelopment, LLC d/b/a/ Plainridge Racecourse
3. Project #: Plainridge HHCITF 2015-2
4. Project Description: Tractors & Equipment
5. Type of Request: RFR - HHCITF
6. Total Project Amount: \$113,390.35 RFR
7. RFC - Provide a detailed description of the promotional or capital improvement project including the project objectives, how it will enhance the operations of the association and / or improve attendance and handles at your racetrack: Capital Improvement - tractors and attachments will be used mainly to manicure and maintain the racecourse and infield.

RFR - Requests for reimbursement must contain a listing of all project expenditures by date, paid to and check number. A copy of the invoice and cancelled check must support each expenditure: See attached

Table with 4 columns: Date, Vendor Name, Check Number, Amount. Rows include Big Boys Toys, LLC, Larcom & Mitchell, LLC, MA Sales Tax, and a total of \$113,390.35.

- 8. For Capital Improvement Projects only, RFC's and RFR's must be submitted to the Commission's architect engineer consultant for review. The consultant makes recommendations to the Trustees relative to the cost and nature of the capital improvement project.

9. By Track Official: [Signature] Steve O'Toole Title: Director of Racing Date: 12/29/15

- 10. Trustee Approval and Date:

BIG BOY'S TOYS, LLC

341 Orchard Hill Road (Scenic Route 169)

Pomfret Center, CT 06259

Phone: (860) 928-9778

Fax: (860) 928-0490

www.bigboystoysllc.net



MASSEY FERGUSON

Cub Cadet.

KRONE

WOODS.

SOLD TO
PLAI00 PLAINRIDGE PARK CASINO
301 WASHINGTON ST.
PLAINVILLE, MA 02762

SHIP TO

Sold By: DH PO #: 00002748 Date 9/25/15 EQUIPMENT SALE EA00214
Ship By: Tax #: 12:35:29 PRT: 6 Open

Tax	D	Qty	Description	Price	Amount
EQUIPMENT SALE					
00000*			J82508 MF/AGCO 1759PSL TRACTOR SER#:M17590EJJ82508 WAR:60 EXP: 9/25/20		50732.00
00000*			J84027 MF/AGCO 1759PSL TRACTOR SER#:M17590EJJ84027 WAR:60 EXP: 9/25/20		47227.97
00000*			120129 MF/AGCO 72533778M SUB-FRAME SER#:NSN WAR:12 EXP: 9/25/16		.01
00000*			120130 MF/AGCO 72533782M PYB KIT SER#:NSN WAR:12 EXP: 9/25/16		.01
00000*			120131 MF/AGCO 72533711M WGT BRACKET SER#:NSN WAR:12 EXP: 9/25/16		.01
00000*			120133 WOODS TBW180 TURF MOWER SER#: WAR:12 EXP: 9/25/16		15572.00
00000*			033019 MF/AGCO CB 85 BACKHOE SER#:MCB850FT033019 WAR:12 EXP: 9/25/16		9000.00
** TOTAL EQUIPMENT SALE					122532.00
ADMIN FEE					
00000*			EQUINE SAVINGS DISCOUNT		12279.28
00000*			EQUINE SAVINGS DISCOUNT		15503.32
00000*			MA SALES TAX		6117.47
** TOTAL ADMIN FEE					21665.13
PARTS COUNTER					
00000		6 110	79018782 WEIGHT SHOP 155.00		930.00
00000		2 110	6255415M95 KIT, VALVE 112A1		
00000		2 110	6256152M94 LEVER KIT-2		
** TOTAL PARTS COUNTER					930.00
PARTS SHOP					
00000		300 800	RIM GUARD LIQ BALST SHOP 3.00		900.00
QUICK LABOR					
00000*			FACTORY FREIGHT, PDI, ASSEMBLY		1050.00
TRUCKING ME					
00000*			DELIVERY OF 3 UNITS TO MA		250.00

TERMS: NET 25 DAYS. A late payment service charge of 1.5% per month (18% annual rate) is applied to unpaid balance of 30 days or more past due, plus reasonable attorney's fees in suit if necessary. Returned parts must be accompanied by original sales slip. Parts returned for credit will be subject to a minimum handling charge of 20% of the invoice price of the goods returned. A minimum \$15.00 amount is required per returned part stock number. Parts must be returned within 15 days in new and saleable condition with receipt.
ABSOLUTELY NO RETURNS ON SPECIAL ORDERED AND ELECTRICAL PARTS.

** SUBTOTAL 103996.87

X _____ Cash Sale

87451.35

Phone: (508) 576-4480

PAY THIS AMOUNT

\$103996.87

THIS CHECK IS VOID WITHOUT A COLORED BORDER AND BACKGROUND PLUS A RUBBING & FINGERPRINT WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

Plainridge Park Casino

301 Washington Street
Plainville, MA 02762

Fifth Third Bank

38 Fountain Square Plaza
Cincinnati, OH 45263

101241

053100737

Pay Eighty Seven Thousand Four Hundred Fifty One Dollars and 35 Cents

DATE
Sep 30, 2015

AMOUNT
\$87,451.35

to the Order of:

Big Boy Toys LLC

341 Orchard Hill Road
Pomfret Center, CT 06259

*ok at time
2/10/16*

⑈ 101241 ⑈ ⑆053100737⑆ 7472542625⑈

DEPOSITED TO THE ACCOUNT OF
THE WITHIN NAMED PAYEE
MISSING ENDORSEMENT GUARANTEED
PUMAM BANK
PUMAM, CT
51-7422/2111

05-22

Transaction Type: Check	Customer Reference #: 101241
Transaction Date: 2015-10-06	Bank Reference #: 600475520494
Amount: 87451.35	
Description:	

BIG BOY'S TOYS, LLC



MASSEY FERGUSON



341 Orchard Hill Road (Scenic Route 169)
 Pomfret Center, CT 06259
 Phone: (860) 928-9778
 Fax: (860) 928-0490
 www.bigboystoysllc.net



SOLD TO *** emailed ***
 PLAI00 PLAINRIDGE PARK CASINO
 301 WASHINGTON ST.
 PLAINVILLE, MA 02762

SHIP TO

Sold By: DH PO #: 00002748 Date 11/05/15 EQUIPMENT SALE EAC0284
 Ship By: Tax #: 9:41:15 PRT: 2 Open

Tax	D	Qty	Description	Price	Amount
00000*			EQUIPMENT SALE 120133 WOODS TBW180 TURF MOWER SER#: WAR:12 EXP: 10/15/16		15572.00
00000*			ADMIN FEE MA SALES TAX		973.25
06350*			TRUCKING ME DELIVERY TO PLAINVILLE, MA		

TERMS: NET 25 DAYS. A late payment service charge of 1.5% per month (18% annual rate) is applied to unpaid balance of 30 days or more past due, plus reasonable attorney's fees if suit is necessary. Returned parts must be accompanied by original sales slip. Parts returned for credit will be subject to a minimum handling charge of 20% of the invoice price of the goods returned. A minimum \$15.00 amount is required per returned part stock number. Parts must be returned within 15 days in new and saleable condition with receipt.
 ABSOLUTELY NO RETURNS ON SPECIAL ORDERED AND ELECTRICAL PARTS.

** SUBTOTAL 16545.25

X _____ Charge Sale

Phone: (508) 576-4480

PAY THIS
 AMOUNT

\$16545.25

Serving Connecticut Since 1995!

THIS CHECK IS VOID WITHOUT A COLORED BORDER AND BACKGROUND PLUS A KNIGHT & FINGERPRINT WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

Plainridge Park Casino

301 Washington Street
Plainville, MA 02762

Fifth Third Bank

38 Fountain Square Plaza
Cincinnati, OH 45263

102260

053100737

Pay Sixteen Thousand Five Hundred Forty Five Dollars and 25 Cents

DATE
Dec 2, 2015

AMOUNT
\$16,545.25

to the Order of:

Big Boy Toys LLC

341 Orchard Hill Road
Pomfret Center, CT 06259

John M. Henry
President

⑆ 102260⑆ ⑆053100737⑆ 7472542625⑆

DEPOSITED TO THE ACCOUNT OF
THE WITHIN NAMED PAYEE
MISSING ENDORSEMENT GUARANTEEN
PUTNAM BANK
PUTNAM, CT
51-7422/2111



Transaction Type: Check	Customer Reference #: 102260
Transaction Date: 2015-12-09	Bank Reference #: 600474548690
Amount: 16545.25	
Description:	

Larcom & Mitchell, LLC

6555 Houseman Rd
Ostrander, OH 43061

www.larcom-mitchell.com

740-595-3750



Invoice

Date	Invoice #
11/9/2015	5616

Bill To
Plainridge Race Course Plainville Racing Co. 301 Washington Street Plainville, MA 02762 USA

Ship To
Plainville Racing Co. Tony Ristaino 301 Washington Street Plainville, MA 02762 USA

P.O. Number	Terms	REP	Ship	Via	F.O.B.
3970	Nct 15	AK	11/9/2015		

Quantity	Item Code	Description	U/M	Price Each	Amount
1	HARROW, SQUA...	HARROW, SQUARE- 8' (Diamond) Quoting standard machine, no options.	ea	7,900.00	7,900.00
1	Freight-Customer	Freight -Customer Quote based on Freight truck delivery.		1,000.00	1,000.00

NEW REMIT TO	Fax #	Total	\$8,900.00
1800 Pittsburgh Dr. Delaware, OH 43015	740-595-3752		

493.75
939.75

THIS CHECK IS VOID WITHOUT A COLORED BORDER AND BACKGROUND PLUS A KNIGHT & FINGERPRINT WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

Plainridge Park Casino

301 Washington Street
Plainville, MA 02762

Fifth Third Bank

38 Fountain Square Plaza
Cincinnati, OH 45263

102191

053:00737

Pay Eight Thousand Nine Hundred Dollars and 00 Cents

DATE
Nov 25, 2015

AMOUNT
\$8,900.00

to the Order of:

Larcom & Mitchell, LLC

6555 Houseman Road
Ostrander, OH 43061

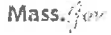
John M. ...
Attendant

⑈ 102191⑈ ⑆ 053100737⑆ 7472542825⑈

For Deposit Only - ATM/C

PAY TO THE ORDER OF
FIFTH THIRD BANK
FOR DEPOSIT ONLY
LARCOM AND MITCHELL, LLC
053100737

Transaction Type: Check	Customer Reference #: 102191
Transaction Date: 2015-12-01	Bank Reference #: 600474322315
Amount: 8900.00	
Description:	



Complete

MENU

Log Off

Home

Back

NAVIGATION

All Accounts

Sales Tax

Request

Request

SALES AND USE TAX FORM ST-9 - CONFIRMATION

Return Confirmation Number: 0-399-011-840
 Taxpayer Name: PLAINRIDGE PARK CASINO
 Amount Due After Payment: \$0.00
 Return Period: 11/30/2015

Payment Amount: \$8,925.05
 Payment Effective Date: 21-Dec-2015

Submitted Date and Time: 12/21/2015 3:34 15 PM

Your return and payment have been filed successfully. You will receive emails shortly containing the above confirmation numbers and other details. Please print this page and save the confirmation number above for your records.

Please *do not* mail in a paper return. The amount above is for the tax due on this return. If your return is filed and/or paid late, you may be subject to additional penalties and/or interest charges.

View Your Submitted Request

This request is available to be viewed at any time. From the account detail screen click the **Activity** tab. From this list you can find your request by using the confirmation number. This list provides the status of your request along with other important information. While a request is still "Pending" you may cancel it by clicking on the confirmation number and then the **Withdraw** button on the top right corner of the page.

Contact Us

If you need further assistance, please contact the Department of Revenue at (617) 897-6367 or toll-free in Massachusetts at (800) 392-6085. Business hours are 9:00AM to 5:00PM Monday - Friday.

O'Donnell, Douglas (MGC)

From: Steve O'Toole <Steve.O'Toole@pngaming.com>
Sent: Thursday, December 31, 2015 4:53 PM
To: O'Donnell, Douglas (MGC); Neil Dixon (neil@dixonsaloarchitects.com)
Subject: FW: Larcom Mitchell backup to show Sales Tax paid to state
Attachments: DOC123115-12312015160449.pdf

Here is a good start.....

From: Kerry Corriveau
Sent: Thursday, December 31, 2015 3:09 PM
To: Steve O'Toole
Subject: Larcom Mitchell backup to show Sales Tax paid to state

Steve

The only thing I can provide to you for proof that we accrued the sales tax separately and paid MA DOR is the monthly sales tax recon.

This attachment shows our "total" accrual of \$3,407.17 of which \$493.75 is the Larcom Mitchell amount.

All of this accrued payable was remitted to the state with our Dec payment for November 2015

If they need anything else let me know

Kerry A. Corriveau
Accounting Manager
301 Washington Street
Plainville, Massachusetts 02762
Office: 508-576-4464
Fax: 508-643-4487
Kerry.Corriveau@pngaming.com




**PLAINRIDGE PARK
CASINO**



ARCHITECT'S FIELD REPORT

50 Franklin Street
Tel.(508) 755-0533
dsa230@aol.com

Worcester, MA 01608
Fax (508) 799-3862

PROJECT: PLAINRIDGE RACECOURSE
TRACTORS AND EQUIPMENT
PROJECT NO. HHCITF 2015-2

FIELD REPORT NO: 1

PROJECT NO: 20033

DATE: 12/04/15 **TIME:** 9:00 AM **WEATHER:** Fair **TEMP RANGE:** 30-40f **EST. % COMPLETE:** 100

PRESENT AT SITE: STEVE O'TOOLE, PLAINRIDGE RACECOURSE
VINNIE, PLAINRIDGE RACECOURSE
NEIL DIXON, DIXON SALO ARCHITECTS **CONFORMANCE WITH SCHEDULE (+/-)** N/A

WORK IN PROGRESS:
No activity. Project complete.

- OBSERVATIONS:**
1. Viewed tractors and equipment located at track and barn. See attached photos.
 2. Steve advised he is awaiting receipt of one last cancelled check. As soon as he receives he will send Request for Reimbursement along with invoices and cancelled checks to DSA for review.

ITEMS TO VERIFY
3. None

- INFORMATION OR ACTION REQUIRED:**
4. When receive last cancelled check, Plainridge Racecourse to send Request for Reimbursement, copies of invoices and cancelled checks to DSA for review.
 5. Upon receipt of Request for Reimbursement and supporting data from Plainridge Racecourse DSA to review and forward to Massachusetts Gaming Commission/Racing Division with recommendations.

ATTACHMENTS:
6. Photos of tractors and equipment.

<input type="checkbox"/> OWNER	<input type="checkbox"/> CONSULTANT	<input type="checkbox"/> BUILDING INSPECTOR
<input type="checkbox"/> ARCHITECT	<input type="checkbox"/> FIELD	<input type="checkbox"/>

REPORT BY: 
Neil Dixon
Dixon Salo Architects, Inc.



Tractor #1



Tractor #1 with harrow attachment

GCO CORPORATION

DULUTH, GA. USA
MADE IN JAPAN

AG3M17590EJJ84027

MODEL & SERIAL NO.

Tractor #1
Model & Serial Number

MASSEY FERGUSON®

AGCO CORPORATION

DULUTH, GA. USA
MADE IN JAPAN

AG3M17590EJJ82508

MODEL & SERIAL NO.

Tractor #2
Model & Serial Numbere



Lawn Mower Attachment

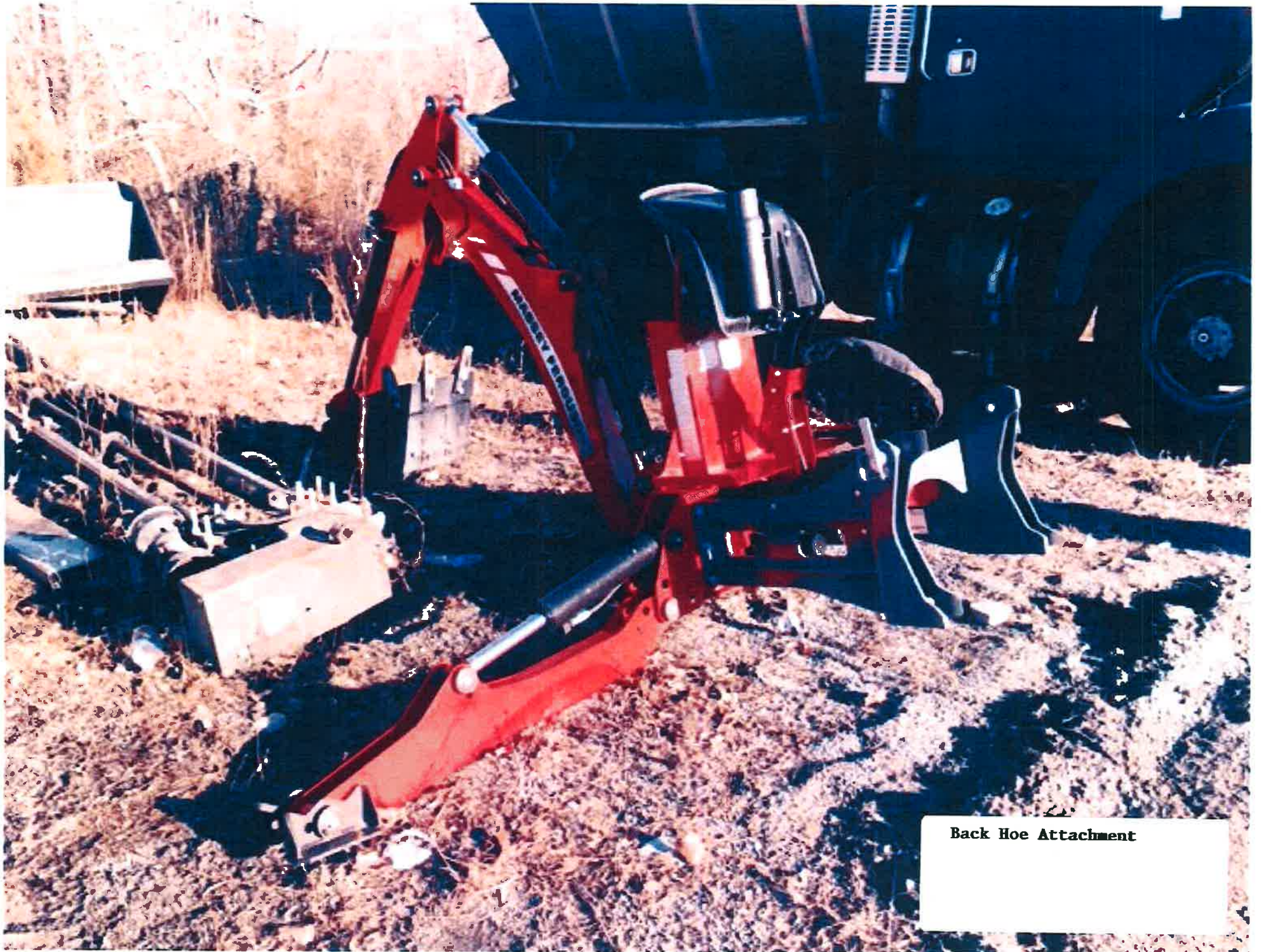
Model# TBW180
Serial# 1320876



WOODS

Woods Equipment Company
Oregon #11061 USA

Lawn Mower Attachment
Model & Serial Number



Back Hoe Attachment

MASSEY FERGUSON

AGCO CORPORATION
DULUTH, GA. USA MADE IN USA



Type
BACKHOE

Ref.No.
72533773

Date
2015-02-02

Serial No.
AG3MCB850FT033019

Weight
Kg



Ref.No.

6100003L01



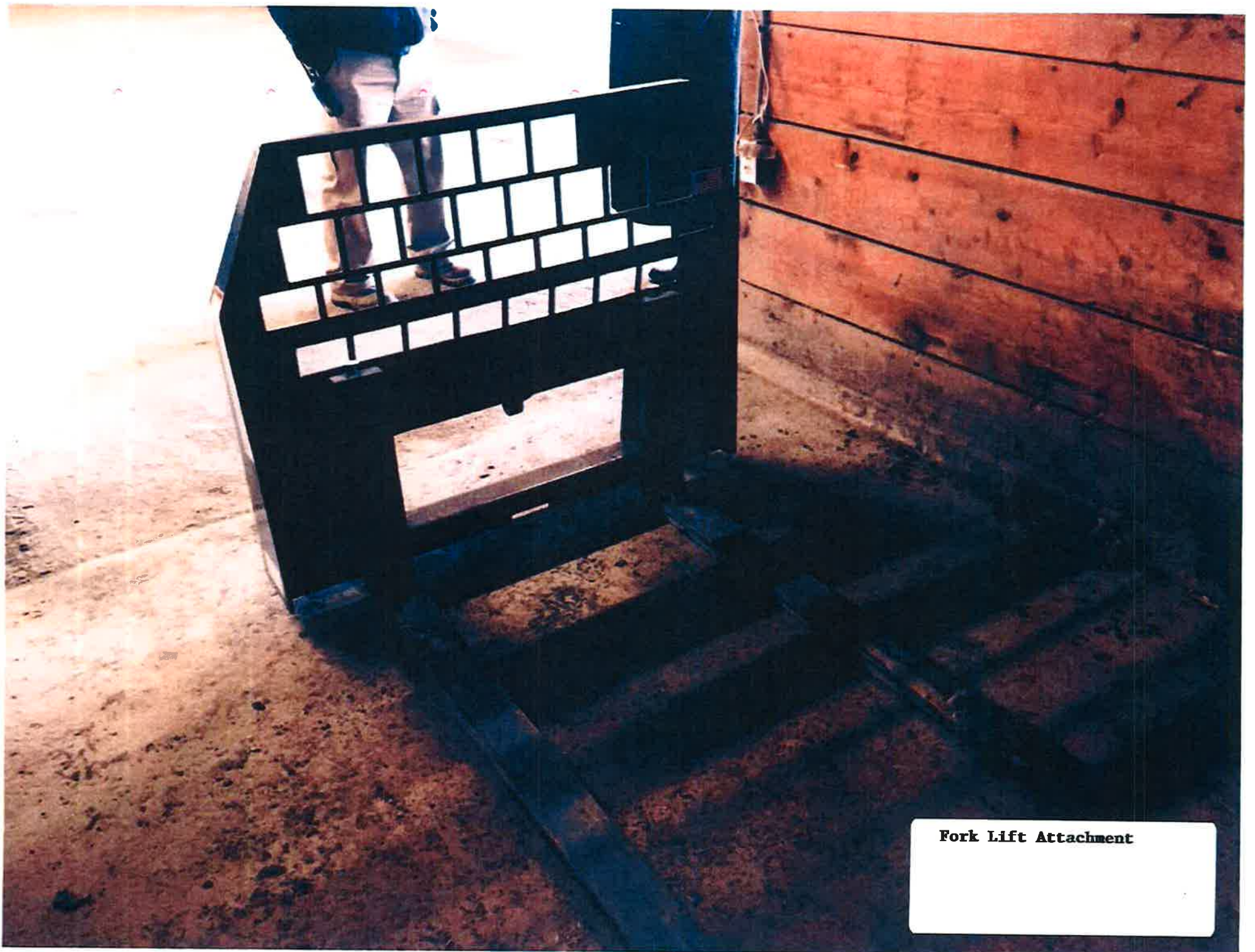
Back Hoe Attachment
Model & Serial Number



Harrow



Harrow serial Number



Fork Lift Attachment

Model# PF4448S

Serial# 1312596



ALITEC

Woods Equipment Company
Oregon, Illinois 61061 USA

Fork Lift Attachment
Model & Serial Number

Ref.No.

6100003L01

Serial No.

1502145027

