



**MASSACHUSETTS GAMING COMMISSION
PUBLIC MEETING #203**

November 10, 2016
10:00 a.m.

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



Massachusetts Gaming Commission



NOTICE OF MEETING and AGENDA

November 10, 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, November 10, 2016

10:00 a.m.

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

PUBLIC MEETING - #203

1. Call to order
2. Approval of Minutes
 - a. October 26, 2016 – **VOTE**
3. Administrative Update – Ed Bedrosian, Executive Director
 - a. General Update
 - b. De Minimis Exemption – D. Lennon, Chief Financial and Accounting Officer - **VOTE**
4. Workforce, Supplier and Diversity Development – Jill Griffin, Director
 - a. Association of Black Business & Professionals Grant Approval – **VOTE**
 - b. Veteran's Opportunities and Appreciation – Christopher King, formerly with the Department of Veteran Services
 - c. Diversity Marketing Update – with Elaine Driscoll, Director of Communications
5. Racing Division – Alex Lightbown, Director of Racing/Chief Veterinarian
 - a. 2017 Racing License Determinations – **VOTE**
 - b. Suffolk Downs Capital Funds Request – D. O'Donnell, Senior Financial Analyst – **VOTE**
6. Ombudsman Report – John Ziemba
 - a. Draft 2017 Community Mitigation Fund Guidelines – J. Delaney, Construction Project Oversight Manager
 - b. Springfield Community Mitigation Fund Application – **VOTE**



Massachusetts Gaming Commission

7. Investigations and Enforcement Bureau – Karen Wells, Director
 - a. Plainridge Park Casino Key Gaming Employee – Executive License – **VOTE**
8. Commissioner’s Updates
 - a. Commissioner Reports
9. 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 “Massachusetts Gaming Commission Meeting” at www.massgaming.com and emailed to: regs@sec.state.ma.us, melissa.andrade@state.ma.us.

11/7/16
DATE


Enrique Zuniga, Commissioner

Date Posted to Website: November 8, 2016 at 10:00 a.m.



Massachusetts Gaming Commission



Meeting Minutes

Date/Time: October 26, 2016 – 10:00 a.m.

Place: The Connolly Center
90 Chelsea Street
Everett, MA

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

Absent: Commissioner Gayle Cameron

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

Call to Order

See transcript page 2

[10:01 a.m.](#) Chairman Crosby called to order the 202nd Commission meeting. He noted that the meeting is taking place in Everett and he welcomed Mayor Carlo DeMaria.

Welcome: Everett Mayor Carlo DeMaria

See transcript pages 2-19

[10:03 a.m.](#) Carlo DeMaria, Mayor of Everett, welcomed the Commission and stated that the City of Everett is home to the best football team and Wynn Boston Harbor - the third largest privately financed development project currently underway in the United States. He thanked the Commission for the license award and their transparent process. He stated that Wynn is at the center of Everett's environmental and economic revitalization. He noted that there is a high level of collaboration with Wynn's development team. He stated that the Wynn resort will enhance the landscape and make Everett a world-class destination. He stated that the waterfront is being restored and the project will bring construction and hospitality jobs. He also noted that another blighted area, the former GE site, will be transformed for recreational space. He stated that a good use for community mitigation funds, if directed at workforce development initiatives, would be training for Everett residents. He also noted that a boutique hotel will open in a former factory offering 30 full-time jobs and tax revenue for the community. He asked that the Commission approve the final design of Wynn Boston Harbor.

Approval of Minutes

See transcript pages 19-20

[10:20 a.m.](#) *Commissioner Macdonald moved for the approval of the October 13, 2016 Commission meeting minutes subject to any corrections, typographical errors, or other nonmaterial matters. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

Administrative Update

See transcript pages 20-26

[10:20 a.m.](#) Executive Director Edward Bedrosian, Jr. provided a hiring update which included two new gaming agents - Dallas Denton and Andrew Steffen. He noted that they both come from the casino industry.

Executive Director Bedrosian stated that he wanted to confirm his interpretation of the Gaming Act with respect to the scope of his authority regarding personnel matters and executing contracts. Mr. Bedrosian stated that it is his interpretation in accordance with the statute that he has the authority to hire and take care of personnel matters below the executive director level and enter into contracts in amounts included in the budget approved by the Commission. The Commissioners concurred with his interpretation.

[10:26 a.m.](#) Chairman Crosby inquired about the status of the filing of racing and GPAC (Gaming Policy Advisory Committee) ethics amendment legislation. General Counsel Catherine Blue stated that the legislation will be filed by November 2nd.

Research and Responsible Gaming

See transcript pages 26-75

[10:27 a.m.](#) Director Mark Vander Linden stated that the Commission adopted a responsible gaming framework which included a strategy, the GameSense program, to help casino patrons make informed choices about gambling. The GameSense information center was launched at Plainridge Park Casino and an initial evaluation of the center was conducted by the Division on Addiction at Cambridge Health Alliance. He stated that the Division on Addiction will present their findings on who is going to the GameSense center and what is their understanding of the center.

[10:30 a.m.](#) Howard Shaffer, Director of the Division on Addiction at Cambridge Health Alliance, stated that they will report on issues and results related to the GameSense project such as responsible gambling programs (voluntary self-exclusion, pre-commitment programs and player education), program evaluation (GameSense services, safety, effectiveness, and impact), selected findings (program and evaluation activities that can be revised and improved), conclusions, and future directions.

[10:42 a.m.](#) Layne Keating, Research Coordinator for the Division on Addiction at Cambridge Health Alliance, provided an overview of the GameSense evaluation timeline. She reported that one evaluation tool, an online checklist, was created to record the GameSense Advisors interactions with patrons. She stated that the interactions were classified as simple, instructive, demonstration, and exchange interactions.

She reported that most of the interactions, 71%, were simple. She also reported on data related to the following services provided by the GameSense Advisors: providing information about responsible gambling, PlayMyWay, and voluntary self-exclusion, enrolling visitors in voluntary self-exclusion, and making referrals for professional or self-help resources.

[10:48 a.m.](#) Heather Gray, Associate Director of Academic Affairs for the Division on Addiction at Cambridge Health Alliance, reported on the visitor survey findings and visitor characteristics. She noted that the survey response rate was 85%. She also noted some conclusions about the GameSense program such as it appears to be safe for the visitors and effective in establishing rapport. As for impact, she noted that there were about 52 visitors who visited the GameSense center each day. She also noted some limitations of the survey which included the halo effect and incomplete data. She noted that future work will include responsible gambling knowledge and behavior and a survey of Plainridge Park Casino employees about their perception of GameSense.

Director Mark Vander Linden noted the passion and commitment of the GameSense Advisors and that an 85% survey response rate is a testament to their hard work.

11:20 a.m. The Commission took a brief recess.

11:31 a.m. The meeting resumed.

Racing Division

See transcript pages 76-95

[11:31 a.m.](#) Dr. Alexandra Lightbown, Director of Racing, introduced Christopher McErlean, Vice President of Racing for Penn National Gaming; Micah Lloyd, Vice President & General Manager of Digital eBet Technologies, Inc./Sportech; Josh Pearl, I-Gaming Project Manager for Penn National Gaming; and Steve O'Toole, Director of Racing for Plainridge Park Casino, who will present on Plainridge Park Casino's request for approval to use Hollywood Races/eBet.

[11:32 a.m.](#) Christopher McErlean stated that Penn National Gaming operates a number of racetracks and has experience with account wagering operations. He stated that Hollywood Races, a wagering platform provided by eBet, operates in 18 states and they are looking to implement it in Massachusetts. A slide demonstration was shown of the Hollywood Races online and mobile applications.

[11:52 a.m.](#) *Commissioner Stebbins moved that the Commission approve the request of Plainridge Park Casino to offer account wagering using the eBet Technologies, eBet wagering platform under Hollywood Races. Plainridge will provide the Gaming Commission with a timetable for the orderly transition of account wagering operations from Wynn Line Hollywood Races. If this orderly transition can be completed in 2016, Plainridge may begin using Hollywood Races, eBbet in 2016. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

[11:52 a.m.](#) Chairman Crosby inquired about an update on the Raynham and Suffolk matter. Director Lightbown reported that there are no updates.

Chairman Crosby inquired about an update on the Suffolk Downs racing days income and expense analysis. Director Lightbown reported that there are no updates.

Ombudsman Report

See transcript pages 95-181

- [11:54 a.m.](#) Ombudsman John Ziemba stated that Wynn will present on their quarterly report, proposed opening date, and proposed design for approval by the Commission. He also stated that Construction Project Oversight Manager Joe Delaney will provide brief remarks on the Wynn schedule and proposed design.
- 11:59 a.m. Executive Director Bedrosian raised the issue about Wynn changing the number of gaming positions and the collateral impact to the budget. He stated that the Commission should separate the financial impact of this change when making its determination on the design approval.
- [12:01 p.m.](#) Joe Delaney, Project Oversight Manager for MGC, reported that the Wynn project schedule is aggressive but achievable. He stated that he will continue to review the schedule and update the Commission. He stated that he has reviewed the revised design plans, conducted meetings with Wynn, and the major structure remains the same. He stated that many of the changes are minor. He stated that major changes are the hotel key count, back of house area, modifications to the number of gaming positions, reconfiguration of the parking garage, and elimination of the swimming pool. He also noted that the changes will not affect the LEED certification process.
- [12:06 p.m.](#) Chris Gordon, President of Wynn Design and Development in Massachusetts, provided a quarterly update which included the following: permitting (MEPA, Chapter 91, DEP Massachusetts Contingency Plan, CZM (Coastal Zone Management) Federal Consistency Certification, sediment removal, and federal and local approvals); design work (foundation, garage, tower, podium, site and marine, and lighting plan); construction (300 workers per day, garage foundation wall finished, hotel columns, water and soil removal, pile caps, excavation, precast piles, service road, and utility relocation); off-site infrastructure projects (Mystic Valley Parkway, Wellington Circle, Santilli Circle, Sweetser Circle, Broadway, Sullivan Square, Wellington station, and review of comments); and project schedule (pouring slab, arrival of steel in December, mud mat, garage and hotel slab, and curtain wall. He also announced that June 3, 2019, will be the opening date of Wynn Boston Harbor.
- [12:22 p.m.](#) Robert DeSalvio, President of Wynn Boston Harbor, reported on data for workforce participation and contracts that were awarded to minority, women, and veteran business enterprises for the design and construction phase. He also addressed a news report pertaining to the hiring of Everett residents. He stated that the initial phase of the project required specialized expertise in building the slurry wall and foundation. He stated that the hiring of local residents will grow when the traditional trades are needed for the project. He also noted that 20% of the staff at the local Wynn office is comprised of Everett residents. In response to Commission Macdonald's inquiry about women statistics, Mr. DeSalvio stated that they are active in trying to get more females involved in construction. He also noted that the trade industry is struggling in this area as well.

Mr. DeSalvio also highlighted some of their community outreach events which included: Massachusetts Girls in Trades Annual Planning Summit, apprenticeship events, RAM completion plan public hearing, construction trade fairs, regional chamber meetings, Latino business association, and career trade fair publications.

Mr. DeSalvio provided an update on the final design of Wynn Boston Harbor. Chairman Crosby inquired about the ferries and Mr. DeSalvio reported that Steve Wynn is meeting with marine architects to discuss design options. Mr. DeSalvio reported on project facts and the following design changes: an increase in the number of hotel rooms, square footage of gaming area, food and beverage space, and back of house space; a decrease in gaming positions and the parking garage; and the elimination of the swimming pool. He stated that the overall footprint has not changed, just the shifting of space within the building. He also provided an overview of the site plans.

Mr. Gordon reported on the BIM program (Building Information Management), a computer program that looks for conflicts in the building design. He stated that the program reduces waste and increases speed. He also reported on safety initiatives which includes a full-time safety staff, insurance company inspections, protective equipment enforcement, crisis management communications, and emergency drills. A [video](#) was shown that all on-site workers must view as part of the safety program.

[1:11 p.m.](#) Executive Director Bedrosian reported on a visit to Wynn in Las Vegas and he stated that he was impressed by the back of the house operations. He also stated that the slot fee issue pertaining to Chapter 23K section 56A will be worked out with Mr. De Salvio and reported back to the Commission.

[1:13 p.m.](#) *Commissioner Zuniga moved that the Commission approve the site plan on project design as submitted and represented to the Commission here today, and as submitted and approved by the City of Everett on October 13th of 2015 subject to any changes or updates as may be approved by the City of Everett, provided further that this approval is subject to the approval and conditions, if any, made as part of such approval of any notice of project change that may be submitted by Wynn to the appropriate reviewing authorities, provided further that this Commission approval shall not be construed to amend or supersede any obligations required of Wynn pursuant to the Commission's Section 61 findings. Commissioner Zuniga further moved that the Commission delegate to the staff, the review and approval of construction design plans as they are completed and prepared for use in the construction of the project and if any construction design plans contain any material change from the site plan and project design approved here today, that staff will submit such plans to the Commission for its review and approval. Commissioner Zuniga further moved that the Commission approve the request of Wynn Boston Harbor to set an opening date of June 3, 2019. Commissioner Zuniga further moved that this approval does not constitute the approval of the change in gaming positions as discussed here today. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

1:16 p.m. The Commission took a brief recess.

1:24 p.m. The meeting resumed.

Investigations and Enforcement Bureau (IEB)

See transcript pages 182-189

- [1:24 p.m.](#) Director Karen Wells reported on the results of the suitability investigation for Steven Martinez, a qualifier for MGM Resorts International. Mr. Martinez was hired by MGM as a senior vice president of global security. She stated required forms were submitted and the IEB conducted interviews and a background check. She also provided a summary of his educational and professional background. She stated that the IEB recommends that the Commission find Mr. Martinez suitable as a qualifier for MGM Resorts.
- [1:27 p.m.](#) *Commissioner Stebbins moved that the Commission approve the suitability report for MGM qualifier Mr. Steven Martinez. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*
- [1:27 p.m.](#) Director Wells reported on the results of the suitability investigation for Tony Amado, an applicant for a key gaming employee executive license. Mr. Amado was hired by Penn National Gaming as a surveillance supervisor at Plainridge Park Casino. She stated that the IEB conducted interviews and a background check. She provided a summary of his educational and professional background. She stated that the IEB recommends that the Commission find Mr. Amado suitable for a key gaming executive license.
- [1:29 p.m.](#) *Commissioner Stebbins moved that the Commission approve the key gaming employee executive license for Tony Amado. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

Legal Division

See transcript pages 189-192

- [1:30 p.m.](#) General Counsel Catherine Blue reported on the small business impact statement for 205 CMR 134 and requested approval to start the promulgation process. She stated that a public hearing has been scheduled for November 30th.
- [1:31 p.m.](#) *Commissioner Macdonald moved that the Commission approve the small business impact statement for 205 CMR 134: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations – (amendments setting new requirements for) vendor registration, administrative closure, secondary vendor determinations and scoping, de minimus exemption and such other changes as reviewed by the Commission as included in the packet and authorize the staff to take all steps necessary to begin the regulation promulgation process. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

Commissioner's Update

See transcript pages 192-196

- [1:32 p.m.](#) Commissioner Stebbins reported that he, Director Jill Griffin, and representatives from Wynn, Plainridge Park Casino and MGM conducted a presentation to approximately 150 Veteran Service Officers at their annual training in Leominster.

[1:33 p.m.](#) Commissioner Macdonald reported on the mitigation subcommittee meeting of GPAC (Gaming Policy Advisory Committee) that was directed by Ombudsman John Ziemba. Chairman Crosby noted that members were astounded by the availability of resources for mitigation.

[1:36 p.m.](#) Commissioner Zuniga stated that he attended a community mitigation meeting in Springfield and that there was a real eagerness amongst the members to participate in the process.

Other Business Not Reasonably Anticipated

See transcript page 196

[1:37 p.m.](#) *Having no further business, a motion to adjourn was made by Commissioner 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 October 26, 2016
2. Massachusetts Gaming Commission, Draft Meeting Minutes dated October 13, 2016
3. Summary Analysis of the Plainridge Park Casino GameSense Program Activities & Visitor Survey December 1, 2015-May 31, 2016, Division on Addiction, Cambridge Health Alliance, Division on Addiction, dated July 2016 (Report and PowerPoint)
4. Massachusetts Gaming Commission, Division of Racing, Memorandum dated October 21, 2016 regarding Plainridge Park Casino Hollywood Races eBet Request
5. Massachusetts Gaming Commission, Division of Racing, Memorandum dated October 26, 2016 regarding Approval of eBet Technologies Inc. for Plainridge Park Racecourse
6. Digital Link Customer Service Guide
7. Wynn Boston Harbor, Final Design Update and Quarterly Report as of September 30, 2016
8. 205 CMR 134: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations, Small Business Impact Statement

/s/ Catherine Blue
Catherine Blue, Assistant Secretary



No Documents



MASSACHUSETTS GAMING COMMISSION

MEMORANDUM

To: Chairman Crosby and Commissioners Cameron, Macdonald, Stebbins and Zuniga
From: Edward Bedrosian, Executive Director and Derek Lennon, CFAO
Date: 11/9/2016
Re: Additional Procurement Exception—Small Dollar Procurements

Summary:

The Massachusetts Gaming Commission's (MGC) finance office is requesting to add an exception to the requirement of using the state's procurement regulations. The MGC is not required to utilize 801 CMR 21.00, the state regulation governing procurement of commodities or services, however, in 2013 it voluntarily adopted this regulation, which requires the usage of Requests for Responses (RFRs) or statewide contract vendors for purchases of all goods and services with the exception of six (6) specific types of procurements. Staff is requesting consideration of adding an exception for the purposes of MGC procurements; a three bid requirement for small value procurements rather than full blown RFRs or exhausting statewide contract lists.

Background:

801 of the Code of Massachusetts Regulation (CMR) 21.00 is titled PROCUREMENT OF COMMODITIES OR SERVICES, INCLUDING HUMAN AND SOCIAL SERVICES. The purpose of 801 CMR 21.00 is to provide all Departments with uniform rules and standards governing the Procurement of Commodities or Services, or both, including Human and Social Services for Clients. Procurements will be considered in the best interests, or the Best Value, to a Department and the State when a Procurement supports and balances the following Procurement Principles: the achievement of required outcomes, generates the best quality economic value, is performed timely, minimizes the burden on administrative resources, expedites simple or routine purchases, allows flexibility in developing alternative Procurement and business relationships, encourages competition, encourages the continuing participation of quality Contractors and supports State and Department Procurement planning and implementation.

801 CMR 21.00 applies to all executive branch agencies, boards, departments and Commissions. The MGC determined in fiscal year 2013 it was not required to adhere to the CMR, however, decided to voluntarily follow the regulation. Section five (5) of the regulation allows for the following six specific procurement exceptions in which a competitive procurement is not necessary:

1. Legislative exemptions or legal restrictions due to a general or special law or other existing legal obligation
2. Emergency situations that require the immediate acquisition of a commodity or service
3. Collective purchasing arrangements
4. Interim contracts to prevent a lapse in contract performance
5. Hiring contract employees
6. Incidental purchases



Massachusetts Gaming Commission

Outside of the six (6) exceptions listed above, agencies following 801 CMR 21.00 are required to either utilize statewide contracts or post Request for Responses (RFR) on the Commonwealths electronic procurement system (COMMBUYS). In some cases this can result in burdensome cost to procure, or it can result in pricing that exceeds a current market price. The MGC finance office is requesting an additional exception to be considered for the MGC's procurement rules. The MGC is requesting that a dollar threshold be established where the MGC's staff can seek three quotes from vendors rather than exhausting statewide contract lists or conducting a full scale RFR.

To assist in determining what the correct dollar amount to consider would be, the MGC finance staff looked at accounting system entries for fiscal year 2016 related to the purchase of goods and services. Excluding grants, memberships and subscriptions, the MGC finance staff submitted 518 procurement documents into the accounting system. The chart below depicts the different dollar amounts of procurements and their corresponding percent of the 518 documents.

Total Documents	518	Incremental	% of Total
<= 1,000	141		27%
<= 1,500	163	21.00	31%
<= 2,000	182	19.00	35%
<= 2,500	198	36.00	38%

Conclusion:

The office of finance would like to have discussion with the Commission about the possibility of adding a seventh exception. The seventh exception would still be competitive in nature (requiring three bids), but would not be as administratively burdensome as the current guidelines for small dollar procurements.





TO: Chairman Crosby, Commissioners Cameron, Macdonald, Stebbins, Zuniga
FROM: Jill Griffin, Director of Workforce, Supplier and Diversity Development
CC: Catherine Blue, General Counsel; Ed Bedrosian, Executive Director
DATE: November 10, 2016
RE: Request for Association of Black Business Professionals Grant Approval

Background

The Massachusetts Gaming Commission (MGC) on March 10, 2016 posted an RFR for Diversity Goal/Business Technical Assistance Grants and awarded a total of \$63,000 with a goal of building capacity of small businesses and increasing their success as potential casino vendors. MGC considered funding planning grants or grants for the expansion of business technical assistance programs with a particular focus on economically disadvantaged companies that have a contract or the potential of a contract with a casino.

MGC staff also planned on dedicating funds to target smaller grass roots, innovative and promising programs such as the Association of Black Businesses and Professionals proposal for Springfield, MA but was not able to award the funds as planned without a Federal ID number from the lead grant partner. The application process for a Federal ID number took longer than expected.

The Association of Black Businesses and Professional's proposal to help established small business owners grow and expand their businesses through a growth strategy planning curriculum appeared to have strong partners and a tested strategy. Together with Interise, City of Springfield - Office of Planning and Economic Development, Springfield Regional Chamber of Commerce, US Small Business Association, Webster Bank, Mass Growth Capital Corporation, and Common Capital they planned to launch a technical assistance program with an initial cohort of 15 businesses. The grant was intended to support pre-program planning, materials, events, business outreach and license fees and general support of the seminars in Springfield. The grant recipients are expected to work with MGM regarding potential program participant referrals.

Staff Recommendation: to authorize a Grant Award of \$20,000 from FY17 budget to the Association of Black Businesses and Professionals effort to help Springfield established small business owners to grow and expand their businesses increasing their success as potential casino vendors.



Massachusetts Gaming Commission



November 9, 2016

**Massachusetts Gaming Commission
Attn: Jill Lacey Griffin, Director of Workforce, Supplier and Diversity Development
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110**

Dear Ms. Griffin:

On behalf of the MGM Springfield Construction Diversity Program, I am pleased to provide this letter in support of the proposal submitted by the Association of Black Business and Professionals under the Gaming Commission RFR for the Diversity Goal and Business Technical Assistance Grant Opportunity.

We are working with the Association of Black Business and Professionals to refer women, minority, and veteran owned companies to the Interise Program, which will be done in collaboration with the City of Springfield, MA. The Interise Street Wise MBA Curriculum is a great resource in helping small, established, and diverse businesses to scale in order to prepare them for MGM and other economic growth happening in the City of Springfield.

We are in support of this project and excited about this partnership which will provide needed capacity building resources and technical assistance to diverse programs in the Western Mass. region.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Chelan Brown
Construction Diversity Manager

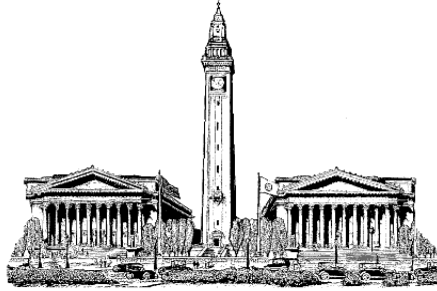
cc: Darryl E. Moss
Deputy Director of Communications
Office of Mayor Domenic Sarno

MGM Springfield Construction Diversity Program
101 State St. - Suite 701
Springfield, MA 01103
413-273-5926

**OFFICE OF PLANNING &
ECONOMIC DEVELOPMENT**

70 TAPLEY STREET
SPRINGFIELD, MA 01104

413-787-6020 413-787-6524 FAX



November 7, 2016

Massachusetts Gaming Commission
Attn: Jill Griffin
101 Federal Street, 12th Floor
Boston, MA 02110

Dear Ms. Griffin:

On behalf of the City of Springfield, Office of Planning and Economic Development, I am pleased to provide this letter in support of the proposal submitted by the Association of Black Business and Professionals under the Gaming Commission RFR for the Diversity Goal and Business Technical Assistance Grant Opportunity.

We are working with the Association of Black Business and Professionals to Bring the Interise Program to the City of Springfield, MA. Interise Street Wise MBA Curriculum is the best way to help small established businesses to scale in order to prepare them for MGM and all other economic growth happening in the City of Springfield.

We are in full support of this project and matching this grant with \$20,000 to make sure this program is successful.

Please do not hesitate to contact me if you have any questions.

Sincerely,

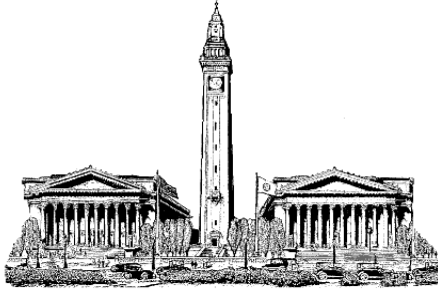
Richard Griffin Jr.

Senior Project Manager & Brownfields Coordinator
Springfield Office of Planning & Economic Development
70 Tapley Street
Springfield, MA 01104

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www.springfield-MA.gov

No Documents



**MGC Access and Opportunity Committee Public Outreach Concept
For GAMING WORKFORCE and DIVERSITY Development in Construction Trades**

Made in Massachusetts: Building Your Future and Ours

Learn a Skill. Master a Trade. Build Massachusetts

Wages.Benefits.Pride

#IBuiltThat #MadeinMassachusetts

September 2016

Last Updated: November 8, 2016

I. BACKGROUND

The Massachusetts Gaming Commission (MGC) is working with licensees, their contractors, vendors, and community leaders to ensure that the state's new expanded gaming industry is inclusive and provides opportunities that reflect the diversity of the Commonwealth.

As part of the casino application process, casino developers set diversity hiring goals and submitted strategic plans for the inclusion of minority, women and veterans in all phases of casino development. To that end, in December 2014, the MGC developed the Access and Opportunity Committee (AOC) to support its ongoing commitment to achieving diversity within the Commonwealth's new expanded gaming industry. The AOC's primary function is to monitor the diversity of the construction workforce and supplier base of the state's resort-casino licensees as they begin the approximate three year construction phase of their facilities. The AOC is also tasked with recommending actions to increase the number and percentage of women, minority individuals and veterans participating as labor on the construction projects.

The committee has statewide representation and is comprised of individuals with expertise in labor, workforce development and supplier diversity. The AOC convenes on a routine basis to carry out its duties and assist licensees with the development and implementation of effective strategies to ensure a diverse workforce during the current construction phase of resort-casinos. It is anticipated that approximately 6,000 construction jobs will be created by Wynn Boston Harbor and MGM Springfield. In related job creation news, there have been numerous recent media reports describing the "building boom" that is occurring within the Commonwealth.

Casino licensees have regularly met and exceeded their goals for hiring of minority and veteran on the projects, but a particular challenge for casino developers and developers in general is the supply of women in construction fields as reports indicate that women are underrepresented in the high wage building trades careers. Recently the [Boston Globe magazine](#) published a story titled "Why women are finally starting to get construction jobs in Mass" that highlighted the underrepresentation of women within the construction trades and detailed the ongoing efforts to address that challenge.

These points are significant because Massachusetts has one of the highest concentrations of poor working women, with nearly half of the state's low-income households headed by single mothers struggling in low-wage jobs according to a 2015 study by the Crittenton Women's Union. The Gaming Act of 2011 places a priority emphasis on increasing opportunities for the unemployed and underemployed.

In January 2016, the Boston Business Journal reported that Boston is in the midst of the largest building boom in the city's history. The Boston Business Journal also reported in August 2016 that the Greater Boston region in June 2016 employed 71,800 construction industry workers, up 10% from the 65,000 a year prior. These and other news reports indicate that there will be a very high demand for building and construction in Greater Boston and the entire Commonwealth occurring for the foreseeable future.

The expanded gaming industry is arguably at the forefront of the state's building boom. Wynn Boston Harbor is the largest single phase construction project in the history of the Commonwealth. The expectation that resort-casinos will bring approximately 6,000 construction jobs to the Commonwealth over a multi-year period combined with the gaming industry's commitment to achieving and setting the standard for a diverse workforce, presents enormous opportunity to impact a recruitment challenge that has long affected the construction trades. It has been well-documented both nationally and globally that skilled trades are a non-traditional career path for diverse individuals, especially for women. This historical issue combined with an unprecedented need to fill the training pipeline to ensure the state's ability to meet the future needs of the construction industry presents an optimum opportunity for collaboration on a comprehensive recruitment and communications outreach campaign with a focus on women in the low income areas of the host and surrounding communities of the casino.

The right effort at the right time has the potential to significantly move the needle on this historic issue; case studies featured in this concept paper demonstrate the undeniable tangible impact of effective recruitment campaigns. With the expanding gaming industry leading the way, a coordinated and collaborative program has the power to inspire and achieve a more diverse workforce within the construction trades and, most importantly, be the catalyst for a future of economic security and pride for a largely un-tapped and underutilized pool of diverse workers. A strategic and high-profile recruitment campaign also has the potential to reach a younger demographic who are currently not considering a career in the construction trades.

Lastly, this initiative provides the AOC an opportunity to collaborate with those who wish to better align the supply of diverse skilled construction workers with the demand by launching a coordinated effort that will provide better opportunity for diverse workers, more skilled employees for construction businesses, and ultimately enhanced economic opportunity for Massachusetts – a key mandate of the Expanded Gaming Act.

In closing, the AOC is recommending that a pipeline navigator is identified to implement a focused effort to increase the number of women within the construction trade. In addition, that initiative will be supported by the development and implementation of a comprehensive recruitment and communications outreach campaign through a combination of marketing and advertising, grassroots, traditional media outreach, and by maximizing the use of the newest technologies available including digital platforms and other innovative methods of new media.

II. OBJECTIVES

- Increase diversity within the Commonwealth’s construction trades to the benefit of the expanded gaming industry and beyond
- Educate the public, with a special focus on underrepresented groups (particularly minority women), about the opportunities available and economic benefits to choosing a career in construction
- Inform underrepresented groups in the host and surrounding communities of the casino regarding the opportunities in the building trades.
- Direct and navigate underrepresented individuals through the admissions and enrollment procedures of the various of pre-apprentice programs, state approved apprentice programs, or into directly the building trades.
- Highlight expanded gaming’s impact on job creation and industry commitment to diversity
- Maximize the ability for gaming licensees to achieve diversity goals during the construction phase
- Increase awareness of efforts by the MGC, the AOC and gaming licensees to positively impact diversity within the construction trades and to ensure economic opportunities for all

III. TARGET AUDIENCE

All communication initiatives will be developed and executed with the intention of reaching the following potential job seekers, constituents, stakeholders and key decision-makers:

- Job seekers
- Women
- Minority individuals
- Industry Groups
- Industry Participants
- Government and Economic Development Agencies
- Educational Institutions
- Project Owners
- Labor organizations
- Faith-based organizations
- Community-based organizations
- Veterans

IV. DRAFT KEY MESSAGES

A collaborative creative process would more fully inform the recruitment campaigns 'Key Messages'. Here are a few potential examples:

1. **INCOME:** Joining the building and construction trades can bring a lifetime of economic security and satisfaction.
2. **BENEFITS:** A career in the union construction trades offers great wages and benefits including health insurance, a pension and annuity fund.
3. **EDUCATION:** Training is FREE.

4. **DIVERSITY:** Women can/should consider construction as a career choice; many are successful in this field. Women, minorities and veterans are strongly urged to apply.
5. **OPPORTUNITY:** The state is experiencing a building boom and opportunity is bountiful.
6. **PRIDE:** YOU can be a part of building the state's future and your own, by constructing important and high-profile projects in the community. You can drive by a majestic landmark, i.e. Wynn Boston Harbor, and say: #IBuiltThat!

V. STRATEGY

- A. Identify a Pipeline Navigator
- B. Create and build a brand identity for the recruiting initiative
- C. Develop and implement a targeted comprehensive communications and outreach plan to include a website, marketing, advertising, digital, grassroots and media relations components

VI. BRANDING CONSIDERATIONS

Taking into consideration research conducted on various case studies on similar recruiting initiatives, as well as anecdotal feedback from AOC members, this recruitment effort would require the development of a brand that inspires individuals, specifically females and minorities, to consider exploring a career in the construction trades, something that they may never have believed possible.

The vast majority of previous recruitment efforts appropriately focus on key 'call to action' selling points: wages and benefits. Few campaigns focus on a key point: sense of pride. This concept paper recommends building a brand strategy that features images of diverse construction workers currently on the job at the resort-casino construction sites.

These images will reinforce the collective commitment to diversity of all stakeholders, highlight current employment opportunities and increase awareness of the state's building boom with gaming as a key catalyst.

An advertising and marketing company will further assist to define brand goals and develop a “look and feel” that will be applied to all collateral materials.

VII. TACTICS

A. Identify and establish a Pipeline Navigator to support administration of a comprehensive recruiting effort

The AOC must identify all collaborative partners and sources of funding to build the infrastructure required prior to any promotional efforts. An individual or entity must be designated as Pipeline Navigator/administrator(s) of the recruitment program prior to the launch of a communications effort.

Action Steps:

1. **ISSUE RFP TO SOLICIT POTENTIAL PIPELINE NAVIGATORS:**
2. **SELECT PIPELINE NAVIGATOR:** Identify the recruitment program administrator. The pipeline Navigator will:
 - a. Establish an infrastructure to receive contacts, make referrals to the appropriate part of the pipeline based on experience and need. (I.e. Pre-apprenticeships, apprenticeship, direct union referrals or other service referrals for needed prerequisites.
 - b. Oversee coordination and collection of defined program metrics
 - c. Participate with MGC in the gathering of content and development and implementation of a Marketing campaign
3. **FUNDING SOURCES:** Identify funding.
 - a. Funding will be required to develop the comprehensive communications campaign
 - b. Other funding needs require further discussion with AOC members

B. Strategy: Create and build a brand identity for the recruiting initiative

The AOC team would work collaboratively to draft and execute a Request for Proposal (RFP) to identify and secure an advertising firm to assist with the creation and execution of a marketing and advertising strategy.

Action Steps:

1. **REQUEST FOR PROPOSAL:** Draft and issue an RFP to identify an advertising firm to design a brand identity for the recruiting campaign and develop the overall marketing, digital and advertising materials and strategy. The components required include:
 - a. Logo and tagline
 - b. Website
 - c. Marketing collateral – signage, brochure
 - d. Advertising and Media Buy
 - e. Digital components – videos, social media graphics

C. Strategy: Develop and implement a targeted comprehensive communications and outreach plan to include a website, marketing, advertising, digital, grassroots and media relations components

Once the brand identity is established, the AOC team would work closely with the advertising firm to develop and implement the components of a comprehensive communications outreach campaign designed to launch the recruitment initiative and drive diverse job seekers to explore training and employment within construction trades.

Action Steps:

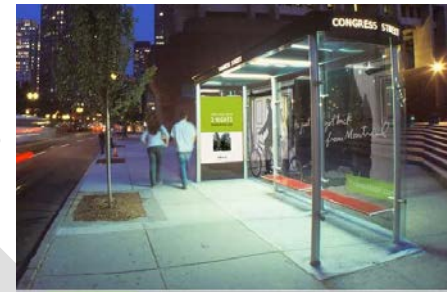
1. **WEBSITE DEVELOPMENT:** Design and develop a website that will function as the “hub” of the recruitment initiative. Design a mobile-friendly, easy-to-navigate, one-stop-shopping information center of union construction trade information. The website should be hosted on a platform that is easy to administrate and update. Elements of the branded website would likely include:
 - a. Why construction?
 - b. About the union trades and contact information
 - c. Training available, schedules

- d. FAQs
 - e. Events calendar – career fairs and other news
 - f. Links to employment opportunity at Wynn, MGM and other projects
 - g. Links to relevant resources
 - h. Construction outlook in Massachusetts
- 2. MARKETING:** Apply the established brand identity to develop a collection of marketing materials that drive job seekers to the website. Required collateral include:
- a. Brochure (multi-lingual)
 - b. Posters – easily converted into various spec requirements (multi-lingual)
 - c. Pull-up banners
 - d. Palm cards
 - e. Bus Ads?
- 3. ADVERTISING AND MEDIA BUY:** Develop multiple video segments that could be used both across digital platforms and potentially as TV advertisements. The secured advertising firm will be tasked with defining the best advertising and media buying strategy to reach target demographics. Advertising and media buy strategy to include:
- a. Several video segments for digital and TV use
 - b. Radio spot
- 4. DIGITAL COMPONENTS:** Advertising firm to develop a fleet of digital elements for promotional use by all stakeholders. Potential digital elements include:
- a. Video testimonials
 - b. Social media graphics
 - c. Infograph detailing the “inquiry – to- training-to-employment” process
- 5. GRASSROOTS:** AOC participants to coordinate on more grassroots-focused initiatives:
- a. Job fairs
 - b. Ambassador programs
- 6. MEDIA RELATIONS:** The media relations components of this campaign will be designed to support the above initiatives. Some media relations activities would include:
- a. Recruitment campaign launch press conference and advertising unveil: AOC team members and identified collaborators will hold a recruitment campaign launch event and unveil the advertising campaign.

- b. Draft and distribute press releases on various storylines and announcements:
 - i. Website launch
 - ii. Human Interest story pitches
- c. Editorial page visits to highlight this collaborative effort and explain program goals
- d. Announce job fairs
- e. Routine release of testimonial videos to media

7. TARGET CONSIDERATIONS FOR MARKETING AND ADVERTISING PLACEMENT: The AOC team will collaborate with the advertising firm to inform a highly targeted marketing and advertising placement strategy. Some placement targets for consideration include high visibility signage in highly-trafficked areas:

- Bus Shelters
- Street furniture
- City information panels
- Kiosks
- MBTA/PVTA
- Billboard
- YMCAs/Gyms
- Government assistance offices
- Municipal community buildings
- Job placement offices
- Courthouses
- Laundromats
- Community-based organizations

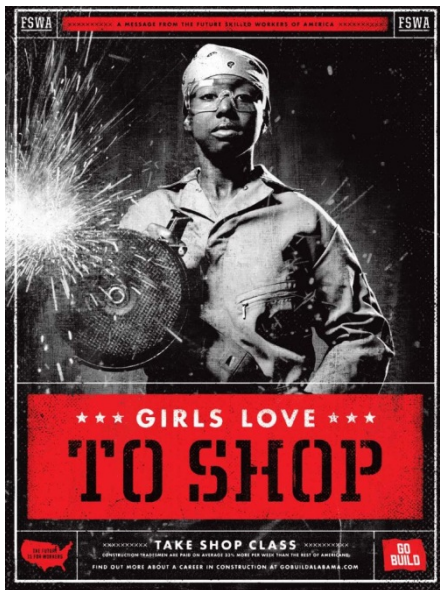


VIII. IMPLEMENTATION PLAN

ACTION	STEPS REQUIRED	TIMING	PARTICIPANTS	STATUS
DRAFT and Issue RFP for Pipeline Navigator	<ol style="list-style-type: none"> 1. Draft RFP 2. Issue RFP 3. Bidders Conference 4. RFP Responses Due 5. Conduct eval process and identify Pipeline Navigator and funding sources 	<ol style="list-style-type: none"> 1. Oct. 24-Nov. 14 2. By Nov. 14 3. Nov. 18 4. Dec. 19 5. Dec. 20-Jan. 9 	<ol style="list-style-type: none"> 1. MGC and selection committee 	Pending
Draft and Issue RFP for Marketing and Advertising vendor	<ol style="list-style-type: none"> 1. Draft RFP 2. Seek group approval 3. Issue RFP 4. Conduct eval process and identify vendor 	<ol style="list-style-type: none"> 1. October 24- November 1 2. By November 10 3. November 11 4. November 11- December 16 	<ol style="list-style-type: none"> 1. Elaine D. 2. Jill and Elaine 3. Jill and Elaine 4. AOC group 	Pending
Develop brand identify	<ol style="list-style-type: none"> 1. Host creative meeting and focus group 	<ol style="list-style-type: none"> 1. January 2016 	<ol style="list-style-type: none"> 1. AOC group 	Pending
Develop and implement Comms Plan	<ol style="list-style-type: none"> 1. Finalize website and marketing materials 2. Continue media relations plan 3. Launch website and ad placement 	<ol style="list-style-type: none"> 1. By February 17 2. Ongoing 3. By March 1 	<ol style="list-style-type: none"> 1. Identified vendor 2. AOC group 3. Identified vendor 	Pending
Maintain campaign visibility	<ol style="list-style-type: none"> 1. Maintain ad buy 	<ol style="list-style-type: none"> 1. March 2017 - September 2017 	<ol style="list-style-type: none"> 1. Vendor/AOC group 	Pending

XI. CASE STUDIES

GO BUILD ALABAMA



SITUATION: In 2010, the Alabama Construction Recruitment institute (ACRI) launched “[Go Build Alabama](#)”, a marketing and communications campaign to enhance the image of the construction trades and to inform young people, parents, educators and others who influence career decisions, about futures in the construction trades. The Go Build Alabama campaign, designed by Big Communications, is a comprehensive marketing and recruitment campaign that utilizes mass media, grassroots, social media and public relations components. The campaign media and activities are designed to enhance the image of the construction industry and skilled trade professionals and direct people to the Go Alabama website. The website allows visitors to learn about construction careers, locate construction training programs, and begin a job search.

Through the GO Build Alabama campaign, ACRI placed a special focus on promoting diversity in the skilled trades and industry. All of the campaign material and programs, from its “student of the month” program to television spots, highlight diversity, and they are scrutinized to ensure the inclusion of appropriate race, age, and gender representative and messaging. A significant effort has been placed in program resources to educate and inspire women to choose a career in the construction industry. The Go Build Alabama campaign includes two television commercial spots

exclusively focused on women in construction as well as other video assets. From May 2013 to May 2014, the campaign aired 5,384 television and 736 radio spots, one spot aimed at women and another at a younger demographic. In 2014, Go Alabama also introduced an e-textbook, mobile app and website. Check out this [VIDEO](#).

RESULTS: ACRI and GO Build Alabama have demonstrated success in establishing an industry-wide partnership to address a core issue that was negatively impacting the availability of a future workforce. Since the launch of Go Build Alabama the Alabama Community College System has seen a 70% increase in enrollment in technical skills programs, with over 90% of students citing Go Build as the reason for their enrollment.

Based on the success of Go Build Alabama, Go Build has been launched in Georgia and was reportedly implemented in 14 other states.

FUNDING: The Alabama Construction Recruitment Institute is supported by the construction trade groups and unions and its marketing is funded by a fee on construction payrolls authorized by the Alabama Legislature.

NEW – Nontraditional Employment for Women, New York City, 2006



SITUATION: In July of 2006, a non-profit organization known as Nontraditional Employment for Women (NEW) launched an advertising campaign on bus and subway lines. The advertising campaign was in response to a severe shortage of labor workers in New York City. This campaign had strong support by then-Mayor Michael Bloomberg, the city's Commission on Construction Opportunity and the Metropolitan Transportation Authority. The Commission funded the campaign's production cost and the MTA offered free ad space. The ad campaign was displayed on bus shelters and phone kiosks from November 2005-March 2006. At the time, NEW's goal was to increase the percentage of women in the crafts from less than 2% to 7%.

RESULTS: The first month of the campaign resulted in a 400% increase in phone calls from women interested in the trades – 761 compared to 144 a year earlier. Enrollments in the training program increased from 115 participants to 244.

New Zealand: Getting it done - Utilizing women's skills in the workforce, 2015

SITUATION: In 2010 and 2011 Canterbury endured a series of earthquakes. At the time, labor statistics indicated that despite the high and increasing demand for labor during the rebuild, women's employment in the construction industry remained flat. A report issued in 2013 indicated that there was a "hidden" or underutilized female labor force available for the rebuild of Canterbury during a post-earthquake recovery effort.

New Zealand sources report that the key tactic has been to increase women's visibility in the rebuild. Actions promoting women's visibility in the rebuild have included profiling women in construction and highlighting women as a source of labor. Media stories about women in the rebuild have celebrated their successes.

Canterbury's Ministry for Women convened a working group of stakeholders and each entity agreed to raise the visibility of women working on the rebuild. For example, organizations held member events. The working group primarily focused on changing perceptions about opportunities for women to work on the rebuild. The working group focused on coordinating interaction with the media, building a library of images and stories about women in construction, and identifying opportunities for events to increase women's visibility in the rebuild. It also hosted a Facebook page. The working group also encouraged recruiters to include language on job advertisements to make it explicit that women were welcome to apply.

New Zealand offers 5 TIPS:

- Go Develop and communicate your business case
- Go Collaborate: Identify allies and get a core of influential people and organizations together
- GO Visibility: Make women in trades visible
- GO Treasure what you measure: Measure baselines and set targets to increase understanding and drive accountability
- GO Leading from where you are: Make the most of your leaders wherever they are

RESULTS: A 2014 labor force survey in New Zealand indicated that both the number and proportion of women working in construction in Canterbury increased. In addition, the Christchurch Polytechnic Institute of Technology reported 414 female enrollments in trades training in 2014, compared to 50 in 2011.



Division of Racing

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

FROM: Alexandra Lightbown, Director of Racing

CC: Ed Bedrosian, Executive Director
Catherine Blue, General Counsel

DATE: November 7, 2016

RE: Applications to conduct live horse racing in 2017

Dear Commissioners:

The Commission has received two applications to conduct live horse racing in Massachusetts in 2017:

- Plainville Gaming and Redevelopment, LLC (Plainridge Racecourse) to conduct 125 days of harness racing from April 10th through November 24th;
- Sterling Suffolk Racecourse, LLC (Suffolk Downs) to conduct 6 days of running horse racing on July 8th and 9th, August 5th and 6th, and September 2nd and 3rd, with the possibility of adding six more days.

In order to grant a racing license, the Commission must take into consideration the criteria provided in Chapter 128A Section 3 (i), "in addition to any other appropriate and pertinent factors". Those criteria are:

- The financial ability of the applicant to operate a race track;
- The maximization of state revenues;
- The suitability of racing facilities for operation at the time of the year for which the dates are assigned;
- That large groups of spectators require safe and convenient facilities;
- Having and maintaining proper physical facilities for racing meetings;



Massachusetts Gaming Commission

- According fair treatment to the economic interest and investments of those who in good faith have provided and maintained the facilities

In order for the Commission to determine if the criteria are met, the Commission can consider the application materials provided by the applicant and the testimony and comments received from the public.

Plainville Gaming and Redevelopment, LLC (Plainridge Racecourse) meets the requirements of Chapter 128A Section 3(i) and is the only facility to apply for harness racing. With 125 days of live racing, they will also meet the requirements of Massachusetts General Laws Chapter 23K Section 24 and Chapter 128C Section 2, requirements for their gaming license and ability to simulcast, respectively.

Recommendation: The Racing Division recommends the Commission approve the application of Plainville Gaming and Redevelopment, LLC (Plainridge Racecourse) for live harness horse racing in 2017, with the addition of Virginia Equine Alliance to Exhibit 28, and with the condition that they have an independent expert review the track surface prior to racing for safety.

Sterling Suffolk Racecourse, LLC (Suffolk Downs) meets the requirements of Chapter 128A Section 3(i) and is the only facility to apply for Thoroughbred racing. With six days of live racing, they will also meet the requirements of Massachusetts Session Laws, Acts of 2015 Chapter 10 Section 35, for their ability to simulcast.

Recommendation: The Racing Division recommends the Commission approve the application of Sterling Suffolk Racecourse, LLC (Suffolk Downs) for live running horse racing in 2017, with the following conditions:

1. Suffolk Downs will have an independent expert review the track surface prior to racing.
2. After each two days of racing, Suffolk will report to the Commission the numbers and percentage of recent Suffolk horsemen and horses that benefited from their races.
3. Suffolk Downs will request in writing to the Commission how much money they would like from the Race Horse Development Fund and how it will be spent, and provide the Commission with their purse agreement.
4. Suffolk Downs will notify the Commission in writing if they are going to race more than the six days, at least 30 days before the races are conducted.
5. bspot will not be considered part of the vote on the Suffolk Downs license application. If Suffolk Downs wishes to pursue approval of bspot, they will notify the Commission in writing, and it can be considered at future Commission meeting.



Massachusetts Gaming Commission



PLAINRIDGE PARK
CASINO

November 7, 2016

Alexandra Lightbown DVM
Director of Racing
Massachusetts Gaming Commission
101 Federal Street, 23rd Floor
Boston, MA 02110

Director Lightbown:

Plainridge Park Casino wishes to add the following off track wagering site to the previously submitted Exhibit 28 for the 2017 race meet.

Virginia Equine Alliance

250 West Main Street, Suite 100
Charlottesville, VA 22902
Hub: Amtote, Maryland
Wagering Code: VEA

Wagering Locations:

Breakers Sports Bar & Grill
9127 W Broad Street, Suite V
Henrico, VA 23294

Pints & Ponies
110 N. 18th Street
Richmond, VA 23223

Thank you for your consideration of this request. Please let me know if you have any questions regarding this matter.

Sincerely,

David Koepp
Simulcast Manager
Penn National Gaming, Inc.
PO Box 250848
Plano, TX 75025
(405) 816-9117
Fax (972) 618-4357
david.koepp@pngaming.com

cc: Christopher McErlean
Steve O'Toole



November 7, 2016

Chairman Stephen Crosby
Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 20110

Dear Chairman Crosby and Commissioners:

Following up on the discussion at the recent public hearing for our supplemental request for dates in 2017, please find attached the following exhibits:

- 1) Income and expense summary of Suffolk Downs racing and simulcasting operations through September 30, 2016;
- 2) Summary of our 2016 Live Racing Expenses (per our 2016 purse agreement with NEHBPA); and
- 3) Estimate of Monthly Cost to Open Suffolk Downs Barn Area for Stabling and Training

The summary of racing and simulcasting operations does not include other non-racing and non-simulcast income associated with the property such as our short-term parking agreements and ground leases for events like Cirque du Soleil. It also does not include other expenses, most significantly interest on our mortgage. It shows earnings before such interest, income taxes and depreciation of just under \$300,000.

The second exhibit summarizes expenses directly incurred as part of the live racing operations in 2016 or directly attributable to those operations. This is a more detailed review of expenses that is required per our purse agreement with the NEHBPA, a copy of which has previously been provided to the Commission. That agreement, consistent with changes in the racings statutes enacted in 2015, allows us to offset these expenses with some funding that previously would have been allocated to the purse account. As you know, the Legislature made that statutory change as the Race Horse Development Fund became available to fund purses.

The third exhibit is our estimate of monthly expenditures to re-open the Suffolk Downs barn area for training and stabling for an extended period of time. Please note that the figure of \$520,000 per month does not include the initial cost of restoring several additional barns and related structures, which we estimate at an additional \$500,000 to 600,000. Our current festival schedule

Telephone: 617-567-3900
525 McClellan Highway, East Boston, Massachusetts 02128

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requires minimal stabling and thus we have not been required to use the many barns, stalls and support structures that would need to be restored and brought back on-line in order to re-open the barn area on an extended basis.

Finally, to help answer some of your questions about why additional live racing would not be helpful to the bottom line, we examined the income and expenses from our festival weekends as compared to other weekends this year on which only simulcasting occurred without live racing. The variances were informative and, unfortunately, consistent with our experience over the last decade. Due to the additional crowds drawn by live racing, pari-mutuel revenue for live racing weekends was more than double the simulcast only-weekends, an average of \$160,000 per weekend vs \$65,000 per weekend. However, expenses for each of those weekends were approximately \$300,000 to \$350,000 more than the comparable simulcast only weekends. So the additional revenue does not come close to covering the additional expenses. And please note that this is with the barn area open for only four days each weekend.

As always, I am happy to answer any questions you may have.

Sincerely,

Chip Tuttle
Chief Operating Officer

cc: Edward R. Bedrosian, Jr., Executive Director
Catherine Blue, General Counsel
Alexandra Lightbown, Director of Racing

Sterling Suffolk Racecourse, LLC
Live Racing Expenses
Expenses Type 2016

Activates for Event (Face Painters/Magici
Advertising
Ambulance
Ambulance (training)
Banners
Barn Area Commissary
Boom Rental
Boston Water (Storm Water Sewerage)
CCTV
IT maintenance
Three new computers & set up
Cleaners
Cleaners extra Cleaning to open
Comcast
Direct G&A 7.5%
Ditch Clean out
Barn bedding
Dorm Restoration
Dorm supplies
Live program books
Propane
Environmental Permit
EPA
Fertilizer
Flowers
Marketing/promotions

Sterling Suffolk Racecourse, LLC
Live Racing Expenses
Expenses Type 2016

Fuel Diesel
General liability horse legal
Golf Cart Batteries
Helmet Covers
Horse Trailer Registration
Racing accounting Software
Live onsite coordinator
Jockey Guild
Jockey Insurance
Live Music
LJR Consulting
Maintenance Employees Payroll
Maintenance Employees Payroll G&A
Manure Removal
Medication & Testing
Necropsy Transportation
Electricity
NTRA Accreditation
Office Supplies
Permits for Scales & Clock
Pest Control
Portable Restrooms
Racing Payroll
Racing Payroll Taxes
Radio Batteries
Receptionist Payroll

Sterling Suffolk Racecourse, LLC

Live Racing Expenses

Expenses Type

2016

Receptionist Payroll G&A

Fire Detail

Backside Water

Uplink

Security - add'l for barn area, racing

Shipping

Starting Gate

Stone Dust

Teletimer

Phone line for Uplink

Totalisator charges

Track Announcer

Tractor parts and supplies

Tradesmen Payroll

Tradesmen Payroll G&A

Trophies

Turf Club expenses

Turf Rail Supplies

Dumpsters

Water Coolers - racing

Window Insulation

Backside restrooms/supplies

Sterling Suffolk Racecourse, LLC
Live Racing Expenses

Expenses Type

2016

Total Expenses

Activates for Event (Face Painters/Magici	5
Advertising	38
Ambulance	7
Ambulance (training)	2
Banners	2
Barn Area Commissary	20
Boom Rental	
Boston Water (Storm Water Sewerage)	11
CCTV	24
IT maintenance	
Three new computers & set up	1
Cleaners	14
Cleaners extra Cleaning to open	4
Comcast	1
Direct G&A 7.5%	92
Ditch Clean out	5
Barn bedding	5
Dorm Restoration	5
Dorm supplies	4
Live program books	2
Propane	
Environmental Permit	8
EPA	147
Fertilizer	18
Flowers	
Marketing/promotions	33

Sterling Suffolk Racecourse, LLC
Live Racing Expenses

<u>Expenses Type</u>	<u>Total Expenses</u>
Fuel Diesel	4
General liability horse legal	22
Golf Cart Batteries	1
Helmet Covers	
Horse Trailer Registration	
Racing accounting Software	4
Live onsite coordinator	4
Jockey Guild	3
Jockey Insurance	27
Live Music	2
LJR Consulting	100
Maintenance Employees Payroll	77
Maintenance Employees Payroll G&A	8
Manure Removal	1
Medication & Testing	2
Necropsy Transportation	
Electricity	4
NTRA Accreditation	10
Office Supplies	2
Permits for Scales & Clock	
Pest Control	
Portable Restrooms	3
Racing Payroll	146
Racing Payroll Taxes	11
Radio Batteries	
Receptionist Payroll	1

Sterling Suffolk Racecourse, LLC
Live Racing Expenses

<u>Expenses Type</u>	<u>2016</u>	<u>Total Expenses</u>
Receptionist Payroll G&A		
Fire Detail		16
Backside Water		8
Uplink		30
Security - add'l for barn area, racing		28
Shipping		
Starting Gate		6
Stone Dust		1
Teletimer		2
Phone line for Uplink		1
Totalisator charges		1
Track Announcer		2
Tractor parts and supplies		3
Tradesmen Payroll		9
Tradesmen Payroll G&A		1
Trophies		
Turf Club expenses		4
Turf Rail Supplies		
Dumpsters		4
Water Coolers - racing		
Window Insulation		1
Backside restrooms/supplies		2
		1,033

Sterling Suffolk Racecourse, LLC
Racing / Simulcast Operations
YTD September 30, 2016
Unaudited (in 000s)

	2016
Handle - Pari-mutuel wagering	\$ 36,313
Winnings, state fees, breakage	(29,537)
	6,776
Simulcast commissions, source market fees, legislative premiums	3,081
Host track commission expense	(1,863)
CIF/PTF recovery	244
Net pari-mutuel revenue	8,238
Other revenue:	
Admissions (teletheater seating)	1
Concessions (not including Cirque)	3
Programs	119
Other income	83
Ancillary revenues	206
Net Revenues	8,444
Operating expenses:	
Administrative (executive, acctg, legal, consultants, etc)	1,823
Backstretch/Barn Area	614
Building (maintenance, utils, cleaning, craftsmen, repairs)	989
Racing (Racing dept personnel, ambulance, other)	762
Security	374
Mutuels	709
Admissions	236
Marketing, PR and Community Relations	202
Television, uplink, totalisator	303
Real estate taxes (Boston and Revere)	1,180
Insurance	345
License & Assessments (includes some state fees)	429
Environmental	181
Total Operating Expenses	8,147
Earnings before interest & depr (EBITDA)	297

Sterling Suffolk Racecourse, LLC
Monthly Barn Area Costs
Calendar 2017

Salaries, Benefits, Union Dues	\$	205,000
Security		110,000
Fire Detail		60,000
Utilities		45,000
Repairs & Maintenance		45,000
EPA		30,000
Manure Removal		17,500
Ambulance		7,500
		<u>7,500</u>
	\$	<u>520,000</u>

In addition to the estimated monthly charges listed above it is anticipated that the average barn repairs would be \$50,000 to \$75,000 per barn to repair the roofs, block houses and individual stalls which have fallen into disrepair.

**Massachusetts Thoroughbred Horsemen's
Association, Inc.
189 Squire Road, #251
Revere, Ma. 02151**

November 9, 2016

**Chairman Stephen Crosby
Massachusetts Gaming Commission
101 Federal Street, 12th floor
Boston, Ma. 02110**

**cc. Commissioners, Gayle Cameron, Bruce Stebbins, Enrique
Zuniga, Lloyd Macdonald, Director Edward Bedrosian, Dr. Alex
Lightbown.**

Chairman Crosby,

**As the Commission vote on the Suffolk Downs 2017 racing
application approaches I ask that you carefully weigh all the options
and how they impact the future of racing in the Commonwealth. This
year's decision will set the tone for the future.**

**Suffolk, with the help of a small portion of the HBPA Board continues
to exploit the horsemen's simulcast simulcast signal and all its
revenues. On October 17th at the Commission hearing on the Suffolk
application some interesting and confusing issues were raised. Chip
Tuttle said "he was pleased with the festival results the past two
years and the handle for this year's six days averaged \$732,000 per
day".**

Commissioner Cameron stated to Mr. Tuttle that one of the biggest concerns she hears “is about the number of race days”.

Chairman Crosby asked Mr. Tuttle “you would obviously be running more days if you could make money running more days, so that’s a critical issue”. Chairman Crosby asked Mr. Tuttle to give a thumbnail sketch of the arithmetic involved in putting on more days.

Mr. Tuttle responded “happy to do that and happy to provide the Commission with a breakdown as an exhibit of our live racing costs and sort of where the money comes from and where the money goes”.

Mr. Tuttle stated “to date, as of the end of the month of September, right through the first three quarters, we have revenues of about 8.2 million dollars and expenses of 8.1 million dollars”. He further stated that “the vast majority of the expenses revolve around live racing: the maintenance of the facility, the barn area, the track itself, literally the labor and man hours that goes against that is substantial. It makes perfect sense because that’s when you need a hundred-people working at the facility instead of 15 or 20 or 30 or 40 when your simulcasting and not racing”. Mr. Tuttle continued by saying “we’re able to operate now on this limited schedule with funding from The Race Horse Development Fund that pays the bulk in overnight purses, and based on the legislation that passed the end of March in 2015, it gave us the ability to use statutory purse, the smaller percentage of purse that comes from the handle, toward racing expenses by agreement between us and the horsemen”.

“We’re pretty much able to cover the live racing costs with that funding. So, we use the --- this year it was 2.4 million that we requested and received from the Race Horse Development Fund, and I believe we paid almost all of that at about 2.3, and then the money that formerly went to purse to cover the expenses of racing.

Chairman Crosby asked “So the money that used to go to purses now pretty much covers your daily racing expenses?”

Mr. Tuttle answered “Almost, so last year, I believe, I might not have this exactly right, but our agreement with the horsemen allowed \$850,000 that was formerly pursued”.

Commissioner Zuniga asked “but the ratio doesn’t keep more race days, more simulcast money to contribute to your expenses? There’s a divergence of that ratio?”

Mr. Tuttle responded “when we were contributing more by statute and by contract to purse, you know, it was even more daunting. Now that we’ve got a good balance, we think, between the two, but extra live we were not – if you took each of the individual live race dates and the handle and the business in the facility---- and we again, would be happy to do that---- my strong suspicion is we did not operate on break even on any of those days, that live racing days are essentially a loss leader for the ability to simulcast and the ability to conduct ADW wagering and other things we do as part of our license”.

When you operate a real race-meet you would take your live handle and the normal statutory take out and couple that with your simulcast and ADW revenues for that day to come up with a profit and loss number. Mr. Tuttle has conveniently left out all the ingredients involved in a day of racing revenue. The example of a \$732,000-dollar handle, given everything is paid for by agreement and the fact that he believes those days weren’t even a breakeven is nonsense and more smoke and mirrors.

Chairman Crosby asked “I’d be interested in knowing how --- you know, what that delta would look like. If you’re going to do three racing days but you wanted to look at 17 more. Given what you know your variable income and your variable costs are, what is the delta per day or ten days or however you want to measure it?”

Mr. Tuttle responded “Mr. Chairman, while we’ve given you lots of financial data, I don’t think we’ve given it to you in the way that you just asked for it, but we’d be happy to do that”.

Chairman Crosby responded “Prior to it coming up before the Commission to talk about this, I’d be interested in having that data”.

Mr. Chairman, the inconsistencies in Mr. Tuttle's testimony are abounding. 8.2 million in revenue through three quarters and 8.1 million in expenses that he attributes to live racing expenses. The same live racing that in his testimony he states the costs are covered by the Race Horse Development Fund and some formerly statutory purse money. Suffolk Downs doesn't pay for a roll of toilet paper during the six live race days and they make that clear in their purse agreement with the NEHBPA yet the claim is that the live racing is the bulk of the 8.1 million in alleged expenses, how is that possible?

Suffolk Downs has found a formula that works on a one-way street. Mr. Tuttle calls live racing a "lost leader" and a way to facilitate his way to the horsemen's simulcast and ADW monies. In the real-world racetracks put on a solid live racing program and split the live handle revenue with the horsemen and in return the horsemen negotiate a split of the lucrative simulcast monies with the racetrack. This formula worked for years at Suffolk and is still used at every other track in the country, it works and they make money.

This is clearly a case of voodoo economics and it's killing our industry. Suffolk spent a great deal of money in their quest for the Region A casino license and are trying to pin those losses on the racing industry, that's simply not the case. An example of this is the fact that Suffolk s Downs still owes Caesar's Palace 28.5 million dollars and as part of their June 2015 default on the call of that loan Mr. Tuttle signed an agreement in January of 2016 with Caesars Palace that's on file with the Suffolk County Registry of Deeds. In that agreement Suffolk Downs is not permitted to engage in any gaming on the 161-acre property for ten years. They can only participate in pari-mutual wagering both live and simulcast and the agreement can be terminated upon payment of those past due monies.

Chairman Crosby, we need to return full-time racing as soon as possible, the window of opportunity is closing. The Commission has within its powers the right to refuse an application based on its merit and the fact that it does nothing to advance or promote the thoroughbred industry.

Suffolk Downs told all ears they were leaving the racing business and moving on to develop the property in 2014, yet at the October 17th hearing Mr. Tuttle stated that they had no development plans on the table and were happy to move slowly. He said Suffolk management was happy with their current situation, why not, they're taking all the horsemen's revenue and spending only Race Horse Development monies....

The question I hear often is, it better to let the industry limp along rather than pull the plug and force the issue? Absolutely not, It's killing the industry and rewarding a racetrack that has done its best to kill a 500 million dollar a year industry.

I ask the Commission to take a good hard look at Mr. Tuttle's arithmetic, including his contention that the Suffolk backside operates at \$500,000 a month when they stable full-time. That number runs 60% higher than the Aqueduct Race Track in Jamaica New York, making that number highly unlikely.

The next issue is the festival format which has left tracks on the east coast, including Delaware, Monmouth Park and Finger Lakes upset with the fact that they provide their horsemen with stalls, training and in some cases workman's compensation in return for filling their race cards and operating a full-time meet. Having horses ship to Boston for three weekends is a slap in the face to those tracks. One track even imposed sanctions which were eventually lifted after a suspect donation to the New Jersey thoroughbred retirement fund of \$60,000. Delaware and Monmouth ended their meets early in October yet allowed horsemen to remain on the backside and train on the track well into November, how do they do it?

In 2015 Stronach offered Suffolk a 3 to 4 million- dollar triple net lease of their property. Suffolk blew enough smoke out to the media and the Commission to deflect that offer. Why would they accept that offer when they have open season on all the horsemen's revenue? By Tuttle's own math Suffolk has a \$100,000 profit after three quarters of 2016 and management is content with that, yet they're not interested in a 3 to 4-million-dollar triple net lease, is that possible?

It's time to stop the bleeding and refuse the application for a few days while seeking an operator who wants to run at least a 50-day meet, it's the industries only chance and it's in your hands. If the fear is that Suffolk can simulcast with the Wonderland license without live race days, I say let them. The Wonderland license would make Suffolk just another simulcast outlet and would erase their hold as the host thoroughbred track. That would release and make available control of the simulcast industry to an operator who wants to provide live full-time thoroughbred racing.

Sincerely,

Bill Lagorio, President MassTHA

www.masstha.com williamlagorio@comcast.net

**Massachusetts Thoroughbred Horsemen's
Association, Inc.
189 Squire Road, #251
Revere, Ma. 02151**

Massachusetts Gaming Commission

101 Federal Street, 12th Floor

Boston, Ma. 02110

Commissioner Gayle Cameron

cc. Commission Chairman Stephen Crosby, Commissioners, Bruce Stebbins, Enrique Zuniga and Lloyd Macdonald.

October 17, 2016

Commissioner Cameron,

Today is the hearing on the Suffolk Downs / NEHBPA request for six racing days in 2017. As the overall condition of thoroughbred racing in Massachusetts continues to deteriorate I ask you to take a step back and look what three days of racing in 2015 and six days of racing in 2016 have done for our industry.

The real breeding and boarding farms across the state continue to struggle to stay alive and the horsemen who have worked and supported racing for generations struggle to make ends meet. We have seen tracks across the northeast express their dissatisfaction with the festival format, as those tracks provide a full training and stabling facility for the horses applying for stalls to operate their full-time race meets.

We have seen the split on the Race Horse Development Fund drop from 75% to 45% based on the lack of a real and meaningful race meet and this November it could drop even further.

As a horseman in Massachusetts since 1981 I can tell you at this point the least of my worries is the split of the RHDF. My concern is bringing back full-time thoroughbred racing. In listening to Commissioner Zuniga at a hearing this summer he said “escrowing the RHDF monies might lure in an investor”, I think there is strong merit to that idea. We continue to give away crazy money to mostly out of towners while the locals are left with runners up monies.

Suffolk Downs continues to drain our industry dry by using the horsemen’s simulcast signal as their own piggy bank. While we continue to work hard on legislative changes on Beacon Hill the Commission still possess the discretionary power to not grant an application request based on its overall effect on the industry. In reading their application Suffolk made it pretty clear that they are calling the shots, they’re not. By not granting the festival application you’re allowing the industry a chance to move forward and while it might leave us with no live racing for a season it’s our best chance. By not giving Suffolk a day of racing in 2017 it will open the gates to real investors who are willing to provide a full-time race meet in return for the rights to the lucrative simulcast business.

Now we turn to the NEHBPA who did their very best to undermine the efforts of the MassTHA in our efforts to bring back a small race meet to our local farmers and horsemen. They went to social media this past summer to disparage me personally as well as our group and its efforts. They phoned the Jockey Club in Kentucky to notify them of the unsafe conditions at the Brockton Fair Grounds, the same fairgrounds they sanctioned in 2001. They made it as difficult as possible for MassTHA to obtain the badly needed Fontana safety rail and then in desperation filed a frivolous law suit in Federal Court which we defended and the case was eventually dismissed.

These were all speed bumps thrown out to delay our efforts until they were beyond the time frame which would allow us to move forward. It has never been about racing with the HBPA, it's about the money. Their biggest fear was that MassTHA would be funded and they would lose 2% of the 4% of the RHDF which is supposed to provide horsemen's benefits. MassTHA has close to 500 members who defected from the HBPA and are currently receiving no benefits. In the HBPA's effort to move forward in Federal Court their attorney made it clear to Judge Saylor that they were not happy with the decision making of the Gaming Commission and were seeking Federal intervention in some of recent definitions that were amended or clarified by the Commission. While they are receiving the spoils the HBPA continues to publicly and privately disparage the commission's decision making.

On Thursday October 13th the Commission voted in favor of Suffolk Downs in their dispute with Raynham over the 3% premiums. I respect that decision and believe the host racetrack needs those premiums as part of their overall purse structure. The problem is that Suffolk and the HBPA have supported changes to chapters 128A & 128C which undermine the makeup of a normal purse pool. The reduction in the pari-mutual takeout works against the normal standards nationwide and the elimination of the 3% premium to support the host thoroughbred track does the same. I hate to say it but in the end the additional monies of the RHDF, which was created to pump up our industry have created this unhealthy bond between Suffolk and the HBPA at the expense of all of us.

I ask the Commission to move beyond the festival concept and mandate that any commercial applicant must apply for at least 50 days of racing. Our only chance to move the industry out of this tailspin lies in your hands. If it means 2017 will be without a few live race days, so be it. Let's follow the suggestion of Commissioner Zuniga and escrow the monies to allow a real investor to revive our industry. We gave the festival two years and it's time to move on.

The breeders have three tracks which have been approved to hold Mass Bred races and we should no longer feel that Suffolk is the only place they can race. Let them race where they stable and train and they can ship between those three racetracks. The Mass Bred premiums are being paid at any track in the United States where a Mass Bred races and this is certainly enough to cover their needs while we seek a permanent solution in the Commonwealth. As for the split, my hope would be that it would remain 45% for another year and allow that money to escrow in the hopes of a new investor, it's our only real chance to bring racing back. As always I'll respect the final decision of the Commission.

Sincerely

Bill Lagorio, President MassTHA

www.masstha.com williamlagorio@comcast.net

617-593-2982



Division of Racing

MEMORANDUM

TO:	Massachusetts Gaming Commission / State Racing Division
FROM:	Doug O'Donnell, Senior Financial Analyst
SUBJECT:	Request for Consideration, Suffolk Downs Capital Improvement Trust Fund
DATE:	November 10, 2016

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

The trustees may expand without appropriation all or any part of the capital trust fund to the appropriate track licensee in proportion to the amount deposited in each fund for use 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 architectural and engineering consultants as they deem appropriate to advise them and to evaluate proposed capital improvements. The following capital fund requests have been reviewed.

Project # SDCITF2014:

• # 1	\$22,928.45
• # 2	\$2,300.00
• # 3	\$16,885.01
• # 4	\$24,277.50
• # 5	\$15,195.19
• # 6	<u>\$8,890.00</u>

Total Request for Consideration: \$90,476.15

Current balance in Fund \$956,652.68

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 approve scope of work to be completed at the licensee facility.



Massachusetts Gaming Commission



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

October 11, 2016

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

RE: Suffolk Downs
CIF Project SD 2014-1
New Upgrade to Computer System
Request for Consideration

2016 OCT 14 PM 12:41
MASSACHUSETTS GAMING
COMMISSION

Dear Mr. O'Donnell:

Attached please find one copy of a Request for Consideration from Suffolk Downs to the Massachusetts Gaming Commission/Racing Division in the amount of \$22,928.45 for the New Upgrade to Computer System at Suffolk Downs.

The project involved the upgrade of the existing computer system by replacing outdated computer system components at Suffolk Downs.

Based upon the above, it is the opinion of this office that the project is an appropriate Capital Improvement Fund Project and we recommend that this Request for Consideration be approved by the Massachusetts Gaming Commission/Racing Division in the amount of \$22,928.45.

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: Chip Tuttle, CFO Suffolk Downs
Enclosure: Suffolk Downs, Request for Considerations CIF Project SD 2014-1 (RFC)



August 3, 2016

Mr. Neil R. Dixon
Dixon Salo Architects, Inc.
501 Park Avenue, Suite 210
Worcester, MA 01610-1221

Dear Mr. Dixon:

In reply to your e-mail re Suffolk Downs, 2014 CIF Projects, please be advised as follows:

Project SD 2014-1 (RFC) \$22,928.45
New Upgrade to Computer System

Dell 320 6 core Hot plug server
Windows server 2012 R2 64 bit
HP ML310 Gen 8 Server, hot plug sata, 1TB array, hot PWR Supply
Exchange Server License
Exchange Server 2013
HP Pro3500 work station, 13 process, 4Gb Ram, Windows 7 Pro,
keyboard and mouse
Tax and shipping
Above total..... \$16,753.45
Onsite Technician services..... 2,660.00
Remote Support..... 380.00
Onsite services..... 1,140.00
Onsite services..... 1,995.00
TOTAL..... \$22,928.45

Project SD 2014-2 \$2,300.00
New Parking Lot Lights

This project involved changing out two lights with new 400 watt Cobra heads and repairing one other light in the general parking lot.

Project SD 2014-5 \$15,195.19
2011 Ford Taurus

This project involved the purchase of a motor vehicle to aid in the transportation and delivery, back and forth and to and from the track, of mail, persons, etc., in every day duties on the racetrack.



RECEIVED

JUL 21 2016

Dixon Salo Architects, Inc.

July 11, 2016

Mr. Neil R. Dixon
Dixon Salo Architects, Inc.
501 Park Avenue, Suite 210
Worcester, MA 01610-1221

Dear Neil:

RE: CIF Project SD 2014-1 (RFC)

Enclosed are three copies of a Request for Consideration from the Running Horse Capital Improvement Trust Fund for Project SD 2014-1 (New Upgrade Computer System).

New upgraded computer system was needed to replace current obsolete systems.

Should you have any questions please call me at (617) 568-3327.

Thank you for your consideration of this matter.

Sincerely,

Chip Tuttle
Chief Operating Officer

Encs.
CT:jf

Telephone: 617-567-3900
525 McClellan Highway, East Boston, Massachusetts 02128

Made in Massachusetts



The Commonwealth of Massachusetts

MASSACHUSETTS GAMING COMMISSION

CAPITAL IMPROVEMENT TRUST FUND PROMOTIONAL TRUST FUND

101 Federal Street, 12th Floor
Boston, Massachusetts 02110
Telephone (617) 979-8400 • Fax (617) 725-0258

★ *All information must be complete before any requests (RFC or RFR) can be processed.*

- 1. Date July 11, 2016
- 2. Association Making This Request Suffolk Downs
- 3. Project # 2014-1 (unique project number)
- 4. Project New Upgrade Computer System unique descriptive title of this project)

5. Type of Request (indicate RFC or RFR)

RFC / Request for Consideration RFR / Request for Reimbursement

Capital Improvement Fund Promotional Trust Fund

6. Total Project Amount Requested: \$ 22,928.45 Estimate / RFC ♦ Actual / RFR

7. *RFC only* – 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.

New upgraded computer system was needed to replace current obsolete systems at Suffolk Downs.

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

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.

By Track Official: Chip Tuttle Title: Chief Operating Officer Date: July 11, 2016
Chip Tuttle

RFR approval by the Trustees (signature and date) _____



QUOTE

Number AAAQ1002

Date May 12, 2014

t. f.

Sold To

Sterling Suffolk Racecourse LLC
 David Lanzilli
 525 McClellan Highway
 East Boston, MA 02128

Phone 617-568-3255
Fax 617-567-5140

Ship To

Sterling Suffolk Racecourse LLC
 David Lanzilli
 525 McClellan Highway
 East Boston, MA 02128

Phone 617-568-3255
Fax 617-567-5140

Your Sales Rep

Administrator

Terms P.O. Number Ship Via

Line	Qty	Description	Unit Price	Ext. Price
1	1	Dell 320 6 core Hot plug server	\$3,582.00	\$3,582.00
2	1	Windows Server 2012 R2 64 bit	\$861.99	\$861.99
3	1	HP ML310 Gen8 Server, hotplug sata, 1TB array, hot PWR Supply,	\$3,228.92	\$3,228.92
4	27	Exchange Server License	\$77.99	\$2,105.73
5	1	Exchange Server 2013	\$737.39	\$737.39
6	8	HP Pro3500 workstation, i3 processor, 4Gb Ram, Windows 7 Pro, keyboard and mouse.	\$619.00	\$4,952.00

SubTotal	\$15,468.03
Tax	\$1,005.42
Shipping	\$280.00
Total	\$16,753.45

Vendor Number	CEN1001
Distribution	1505-100
Voucher Number	118698
Check Code	
Approved By	

PRICES SUBJECT TO CHANGE - PRICES BASED UPON TOTAL PURCHASE - ALL DELIVERY, TRAINING OR CONSULTING SERVICES TO BE BILLED AT PUBLISHED RATES FOR EACH ACTIVITY INVOLVED - GENERALLY ALL HARDWARE COMPUTER COMPONENTS PROPOSED ABOVE ARE COVERED BY A LIMITED ONE YEAR WARRANTY, COVERING PARTS AND LABOUR FOR HARDWARE ONLY AND ON A DEPOT BASIS - WE SPECIFICALLY DISCLAIMS ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OR WITH REGARD TO ANY LICENSED PRODUCTS. WE SHALL NOT BE LIABLE FOR ANY LOSS OF PROFITS, BUSINESS, GOODWILL, DATA, INTERRUPTION OF BUSINESS,

CEN Associates, Inc.
P.O.Box 122
East Derry, NH 03041
1-877-239-1219

RECEIVED
JUN 23 2014

CEN
ASSOCIATES

BY:

Bill To:
Sterling Suffolk Racetrack LLC
525 McClellan Highway
East Boston, MA 02128

Date	Invoice
06/20/2014	1953
Account	
Suffolk Downs Racetrack	

Terms	Due Date	PO Number	Reference
Net 30 days	07/20/2014		

Billing Method: Actual Rates
Detail: Thu 6/19/2014/12:39 PM EDT/ Rick Frizzell-

Company Name: Sterling Suffolk Racetrack LLC
Contact Name: Jim Costello
Ship To Address: 525 McClellan Highway
East Boston, MA 02128
United States

Services	Work Type	Staff	Hours	Rate	Amount
Billable Services					
Technician	Onsite	Michael Mullen	28.00	95.00	2,660.00
Total Services:					2,660.00
Make checks payable to CEN Associates, Inc.			Invoice Subtotal:		2,660.00
			State Sales Tax:		0.00
			Invoice Total:		2,660.00

Thank you for your business!

OK
Ch

1505-100

Vendor Number	CEN 001
Distribution	1505-100
Voucher Number	119247
Check Code	
Approved By	

Ch

Invoice Time Detail

Invoice Number: 1953
Company: Sterling Suffolk Racetrack LLC

Member: Mullen, M Date: 6/13/2014

Staff	Notes	Bill	Hours	Rate	Ext Amt
Mullen, M	Installed 3 new workstations in the money room, jim alcott, and jackie.	Y	8.50	95.00	807.50
9:00 AM - 5:30 PM					

Subtotal: 807.50**Member: Mullen, M Date: 6/16/2014**

Staff	Notes	Bill	Hours	Rate	Ext Amt
Mullen, M	Installed new workstations for Steve Pini. Also fixed minor issues with the previous clients installations.	Y	8.00	95.00	760.00
9:00 AM - 5:00 PM					

Subtotal: 760.00**Member: Mullen, M Date: 6/17/2014**

Staff	Notes	Bill	Hours	Rate	Ext Amt
Mullen, M	Installed new workstations for Paul Evans and Dorris. Also Fixed more minor issue with the other client workstations.	Y	7.00	95.00	665.00
9:00 AM - 4:00 PM					

Subtotal: 665.00**Member: Mullen, M Date: 6/18/2014**

Staff	Notes	Bill	Hours	Rate	Ext Amt
Mullen, M	Fixed printing issues for Steve Pini and Jackie.	Y	2.00	95.00	190.00
9:00 AM - 11:00 AM					

Subtotal: 190.00**Member: Mullen, M Date: 6/19/2014**

Staff	Notes	Bill	Hours	Rate	Ext Amt
Mullen, M	Fixed another printing issue for Jackie. Also set up Jason Ruggiero to be able to print from his Macbook and mapped a network drive for him.	Y	2.50	95.00	237.50
11:00 AM - 1:30 PM					

Subtotal: 237.50**Invoice Time Total:****Billable Hours: 28.00**

CEN Associates, Inc.
P.O.Box 122
East Derry, NH 03041
1-877-239-1219

RECEIVED
JUL 14 2014



BY:

Bill To:
Sterling Suffolk Racetrack LLC 525 McClellan Highway East Boston, MA 02128

Date	Invoice
07/08/2014	1958
Account	
Suffolk Downs Racetrack	

Terms	Due Date	PO Number	Reference
Net 30 days	08/07/2014		

Billing Method	Actual Rates
Detail	Tue 7/8/2014/1:59 PM EDT/ Rick Frizzell-
Company Name	Sterling Suffolk Racetrack LLC
Contact Name	Jim Costello
Ship To Address	525 McClellan Highway East Boston, MA 02128 United States

Services	Work Type	Staff	Hours	Rate	Amount
<u>Billable Services</u>					
System Engineer	Remote Support	Rick Frizzell	4.00	95.00	380.00
System Engineer	Onsite	Rick Frizzell	12.00	95.00	1,140.00
Total Services:					1,520.00
Make checks payable to CEN Associates, Inc.				Invoice Subtotal:	1,520.00
				State Sales Tax:	0.00
				Invoice Total:	1,520.00

Thank you for your business!

OK
[Signature]

Vendor Number	<i>CEN1001</i>
Distribution	<i>1505-100</i>
Voucher Number	<i>119614</i>
Check Code	
Approved By	

GL #
1505-100

[Signature]

Invoice Time Detail

Invoice Number: 1958
Company: Sterling Suffolk Racetrack LLC

Member: Frizzell, Rick Date: 6/27/2014

Staff	Notes	Bill	Hours	Rate	Ext Amt
Frizzell, Rick	Assembled hardware. Loaded VMWARE5.1 Created vmware client PC. Create image to proxy client. Transferred image to new hardware.	Y	12.00	95.00	1140.00
8:00 AM - 8:00 PM					

Subtotal: 1,140.00

Member: Frizzell, Rick Date: 6/28/2014

Staff	Notes	Bill	Hours	Rate	Ext Amt
Frizzell, Rick	Decommissioned old server. Transferred roles to VM. Installed Terminal Services, Tested connectivity.	Y	4.00	95.00	380.00
9:00 AM - 1:00 PM					

Subtotal: 380.00

Invoice Time Total: Billable Hours: 16.00

CEN Associates, Inc.
P.O.Box 122
East Derry, NH 03041
1-877-239-1219

RECEIVED
JUL 14 2014



BY:

Bill To:
Sterling Suffolk Racetrack LLC 525 McClellan Highway East Boston, MA 02128

Date	Invoice
07/08/2014	1961
Account	
Suffolk Downs Racetrack	

Terms	Due Date	PO Number	Reference
Net 30 days	08/07/2014		

Billing Method	Actual Rates
Detail	Tue 7/8/2014/1:06 PM EDT/ Rick Frizzell-Exchange server upgrade.
Company Name	Sterling Suffolk Racetrack LLC
Contact Name	Jim Costello
Ship To Address	525 McClellan Highway East Boston, MA 02128 United States

Services	Work Type	Staff	Hours	Rate	Amount
<u>Billable Services</u>					
System Engineer	Onsite	Rick Frizzell	21.00	95.00	1,995.00
Total Services:					1,995.00
Make checks payable to CEN Associates, Inc.				Invoice Subtotal:	1,995.00
				State Sales Tax:	0.00
				Invoice Total:	1,995.00

Thank you for your business!

OK
Ch

Vendor Number:	<i>CEN1001</i>
Distribution:	<i>1505-100</i>
Voucher Number:	<i>119613</i>
Check Code:	
Approved By:	

GL#
1505-100

Ch

Invoice Time Detail

Invoice Number: 1961
Company: Sterling Suffolk Racetrack LLC

Member: Frizzell, Rick Date: 6/20/2014

Staff	Notes	Bill	Hours	Rate	Ext Amt
Frizzell, Rick	Assembled HP Proliant ML320e Installed server os. Promoted to domain controller. Updated Active directory to 2008 mixed mode. Updated Schema, replicated security roles.	Y	11.00	95.00	1045.00
8:00 AM - 7:00 PM					

Subtotal: 1,045.00

Member: Frizzell, Rick Date: 6/23/2014

Staff	Notes	Bill	Hours	Rate	Ext Amt
Frizzell, Rick	Created media for Exchange 2010. Installed all Service packs for OS. Installed Exchange server 2010 Joined to exchange infrastructure. Replicated security roles between old and new mail servers. Edited Group policy objects for domain access. Modified port forwarding on Barracuda.	Y	10.00	95.00	950.00
8:00 AM - 6:00 PM					

Subtotal: 950.00

Invoice Time Total:

Billable Hours: 21.00



**DIXON SALO
ARCHITECTS
INCORPORATED**

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

October 11, 2016

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

RE: Suffolk Downs
CIF Project SD 2014-2
New Parking Lot Lights
Request for Consideration

Dear Mr. O'Donnell:

Attached please find one copy of a Request for Consideration from Suffolk Downs to the Massachusetts Gaming Commission/Racing Division in the amount of \$2,300.00 for the New Parking Lot Lights at Suffolk Downs.

The project involved the replacement of two 400 watt Cobra head parking area lights and repair of another parking area light in the general parking area at Suffolk Downs.

Based upon the above, it is the opinion of this office that the project is an appropriate Capital Improvement Fund Project and we recommend that this Request for Consideration be approved by the Massachusetts Gaming Commission/Racing Division in the amount of \$2,300.00.

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: Chip Tuttle, CFO Suffolk Downs

Enclosure: Suffolk Downs, Request for Considerations CIF Project SD 2014-2 (RFC)



August 3, 2016

Mr. Neil R. Dixon
Dixon Salo Architects, Inc.
501 Park Avenue, Suite 210
Worcester, MA 01610-1221

Dear Mr. Dixon:

In reply to your e-mail re Suffolk Downs, 2014 CIF Projects, please be advised as follows:

Project SD 2014-1 (RFC) \$22,928.45
New Upgrade to Computer System

Dell 320 6 core Hot plug server
Windows server 2012 R2 64 bit
HP ML310 Gen 8 Server, hot plug sata, 1TB array, hot PWR Supply
Exchange Server License
Exchange Server 2013
HP Pro3500 work station, 13 process, 4Gb Ram, Windows 7 Pro,
keyboard and mouse
Tax and shipping
Above total.....\$16,753.45
Onsite Technician services.....2,660.00
Remote Support.....,380.00
Onsite services.....1,140.00
Onsite services.....1,995.00
TOTAL.....\$22,928.45

Project SD 2014-2 \$2,300.00
New Parking Lot Lights

This project involved changing out two lights with new 400 watt Cobra heads and repairing one other light in the general parking lot.

Project SD 2014-5 \$15,195.19
2011 Ford Taurus

This project involved the purchase of a motor vehicle to aid in the transportation and delivery, back and forth and to and from the track, of mail, persons, etc., in every day duties on the racetrack.

Telephone: 617-567-3900
525 McClellan Highway, East Boston, Massachusetts 02128

Made in Massachusetts



July 11, 2016

Mr. Neil R. Dixon
Dixon Salo Architects, Inc.
501 Park Avenue, Suite 210
Worcester, MA 01610-1221

Dear Neil:

RE: CIF Project SD 2014-2 (RFC)

Enclosed are three copies of a Request for Consideration from the Running Horse Capital Improvement Trust Fund for Project SD 2014-2 (New Parking Lot Lights).

New parking lot lights were needed to replace old, non-working lights and improve the lighting conditions at Suffolk Downs.

Should you have any questions please call me at (617) 568-3327.

Thank you for your consideration of this matter.

Sincerely,

Chip Tuttle
Chief Operating Officer

Encs.
CT:jf

Telephone: 617-567-3900
525 McClellan Highway, East Boston, Massachusetts 02128

Made in Massachusetts 



The Commonwealth of Massachusetts

MASSACHUSETTS GAMING COMMISSION

CAPITAL IMPROVEMENT TRUST FUND PROMOTIONAL TRUST FUND

101 Federal Street, 12th Floor
Boston, Massachusetts 02110
Telephone (617) 979-8400 • Fax (617) 725-0258

★ *All information must be complete before any requests (RFC or RFR) can be processed.*

1. Date July 11, 2016
2. Association Making This Request Suffolk Downs
3. Project # 2014-2 (unique project number)
4. Project New Parking Lot Lights (unique descriptive title of this project)
5. Type of Request (indicate RFC or RFR)

<input checked="" type="checkbox"/> RFC / Request for Consideration	<input type="checkbox"/> RFR / Request for Reimbursement
<input checked="" type="checkbox"/> Capital Improvement Fund	<input type="checkbox"/> Promotional Trust Fund
6. Total Project Amount Requested: \$ 2,300.00 Estimate / RFC ♦ Actual / RFR

7. *RFC only* – 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.

New parking lot lights were needed to replace old, non-working lights and improve the lighting conditions at Suffolk Downs.

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

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.

By Track Official: Chip Tuttle Title: Chief Operating Officer Date: July 11, 2016
Chip Tuttle

RFR approval by the Trustees (signature and date) _____

New England Utilities, Inc.
20 Crystal Street
Wakefield, MA 01880
neutilities@hotmail.com

Date	Invoice #
2/10/2014	276

Bill To
Suffolk Downs Steve Pini 111 Waldemar Avenue East Boston, MA 02128

RECEIVED
FEB 25 2014

BT

P.O. No.	Work Order Number

Quantity	Description	Rate	Amount										
1	2/7/14 - Change out two lights with new 400watt Cobra heads and repair one other light.	2,300.00	2,300.00										
<div data-bbox="344 1081 868 1291" data-label="Form"> <table border="1"> <tr> <td>Vendor Number</td> <td>NEW 025</td> </tr> <tr> <td>Distribution</td> <td>7015-400</td> </tr> <tr> <td>Voucher Number</td> <td>117573</td> </tr> <tr> <td>Check Code</td> <td> </td> </tr> <tr> <td>Approved By</td> <td> </td> </tr> </table> </div>		Vendor Number	NEW 025	Distribution	7015-400	Voucher Number	117573	Check Code		Approved By			
Vendor Number	NEW 025												
Distribution	7015-400												
Voucher Number	117573												
Check Code													
Approved By													
<div data-bbox="609 1470 950 1753" data-label="Text"> <p>7015-400 S Pini</p> </div>													
		Total	\$2,300.00										

CH



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

October 11, 2016

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

RE: Suffolk Downs
CIF Project SD 2014-3
Loader Repairs
Request for Consideration

Dear Mr. O'Donnell:

Attached please find one copy of a Request for Consideration from Suffolk Downs to the Massachusetts Gaming Commission/Racing Division in the amount of \$16,885.01 for Loader Repairs at Suffolk Downs.

The project involved the repairs to the rear brakes, rear axle and other parts of the existing loader at Suffolk Downs.

Based upon the above, it is the opinion of this office that the project is an appropriate Capital Improvement Fund Project and we recommend that this Request for Consideration be approved by the Massachusetts Gaming Commission/Racing Division in the amount of \$16,885.01.

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: Chip Tuttle, CFO Suffolk Downs
Enclosure: Suffolk Downs, Request for Considerations CIF Project SD 2014-3 (RFC)



July 11, 2016

Mr. Neil R. Dixon
Dixon Salo Architects, Inc.
501 Park Avenue, Suite 210
Worcester, MA 01610-1221

Dear Neil:

RE: CIF Project SD 2014-3 (RFC)

Enclosed are three copies of a Request for Consideration from the Running Horse Capital Improvement Trust Fund for Project SD 2014-3 (Loader Repair).

For repairs to the rear brakes, rear axle and other parts for the loader.

Should you have any questions please call me at (617) 568-3327.

Thank you for your consideration of this matter.

Sincerely,

Chip Tuttle
Chief Operating Officer

Encs.
CT:jf

Telephone: 617-567-3900
525 McClellan Highway, East Boston, Massachusetts 02128

Made in Massachusetts 



The Commonwealth of Massachusetts

MASSACHUSETTS GAMING COMMISSION

CAPITAL IMPROVEMENT TRUST FUND PROMOTIONAL TRUST FUND

101 Federal Street, 12th Floor
Boston, Massachusetts 02110
Telephone (617) 979-8400 • Fax (617) 725-0258

All information must be complete before any requests (RFC or RFR) can be processed.

1. Date July 11, 2016

2. Association Making This Request Suffolk Downs

3. Project # 2014-3 (unique project number)

4. Project Loader Repair unique descriptive title of this project)

5. Type of Request (indicate RFC or RFR)

[X] RFC / Request for Consideration [] RFR / Request for Reimbursement

[X] Capital Improvement Fund [] Promotional Trust Fund

6. Total Project Amount Requested: \$ 16,885.01 [X] Estimate / RFC [] Actual / RFR

7. RFC only - 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.

For repairs to the rear brakes, rear axle and other parts for the loader.

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

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.

By Track Official: [Signature] Title: Chief Operating Officer Date: July 11, 2016
Chip Tuttle

RFR approval by the Trustees (signature and date)



CONTRACTORS' EQUIPMENT

200 Merrimac Street, Woburn, MA 01801
(781) 935-1919 Fax (781) 937-9809

Avon, MA
140 Wales Ave.
(508) 584-8484

Johnston, RI
60 Shun Pike
(401) 942-9191

Whately, MA
102 State Rd.
(413) 665-7009

Westbrook, ME
84B Warren Ave.
(207) 854-0615

REMIT TO
C.N. WOOD CO., INC.
DEPARTMENT 1660
P.O. BOX 4110
WOBURN, MA 01888-4110

Account#	Work Ord	Br	Sls
087122	10010066	001	115

**W O R K O R D E R
I N V O I C E**

Date	Invoice #	Page
05-14-14	01481383	1

old To: 000
STERLING SUFFOLK
RACE COURSE L.P.
111 WALDEMAR AVENUE

Ship To:
STERLING SUFFOLK
RACE COURSE L.P.
111 WALDEMAR AVENUE

EAST BOSTON MA 02128

EAST BOSTON MA 02128
Ship Via:

Purchase order	Date 04-05-14	Job Number	Job Contact
----------------	------------------	------------	-------------

WE ACCEPT VISA, MASTERCARD & AMEX

eg# 000 Mfr:KM Model:WB140-2 S/N:F10883 Meter: 7454
Equip ID:KM2661

RONNIE 508-414-4236
525 MCCLELLEN HYW RTE 1A
SUFFOLK DOWNS
PICK BRING TO WOBURN.

RECEIVED
MAY 16 2014

BY:.....

REAR BRAKES
4 W AXEL
CHECK END PLAY ON PINION.
CYLINDERS LEAKING
CHECK OVER MACHINE

Vender Number	01481383
Distribution	8060-200
Voucher Number	118704
Check Code	
Approved By	

5/1/14
CHECKED BRAKE OPERATION & PRESSURE
BRAKE PRESSURE IS IN SPEC
PROBLEM IS IN REAR AXLE/BRAKES

UNLOCKED MACHINE & REMOVED REAR TIRES
REMOVED REAR AXLE ASSEMBLY FROM MACHINE
REMOVED AXLE HOUSINGS FORM DIFFERENTIAL HOUSING
REMOVED ALL BRAKE DISKS & PISTONS
INSPECTED ALL PARTS, BRAKE DISKS WERE WORN
INSTALLED NEW BRAKE DISKS & PLATES
REINSTALLED PISTONS WITH REINSTALLED BRAKE PISTONS WITH NEW SEALS
ASSEMBLED REAR AXLE WITH NEW SEALS/O-RINGS
REINSTALLED REAR AXLE IN MACHINE & FILLED WITH OIL
REAR BRAKES
REPLACED LOOSE INPUT YOKE ON REAR AXLE

WOOD COMPANY, INC.
PARTS RETURNS AFTER 30 DAYS OF INVOICE.

Continued

WORKING HOURS: MONDAY - FRIDAY 6 AM TO 5 PM
SATURDAY 7 AM TO NOON



CONTRACTORS' EQUIPMENT

200 Merrimac Street, Woburn, MA 01801
(781) 935-1919 Fax (781) 937-9809

Avon, MA
140 Wales Ave.
(508) 584-8484

Johnston, RI
60 Shun Pike
(401) 942-9191

Whately, MA
102 State Rd.
(413) 665-7009

Westbrook, ME
84B Warren Ave.
(207) 854-0615



Account#	Work Ord	Br	Sls
087122	10010066	001	115

W O R K O R D E R
I N V O I C E

Date	Invoice #	Page
05-14-14	01481383	2

old To: 000
STERLING SUFFOLK
RACE COURSE L.P.
111 WALDEMAR AVENUE

EAST BOSTON MA 02128

Ship To:
STERLING SUFFOLK
RACE COURSE L.P.
111 WALDEMAR AVENUE

EAST BOSTON MA 02128
Ship Via:

Purchase order	Date	Job Number	Job Contact
	04-05-14		

WE ACCEPT VISA, MASTERCARD & AMEX

TEST DRIVE MACHINE & CHECK BRAKE OPERATION

CHECKED FOR PLAY IN FRONT PINION
FOUND LOOSE INPUT YOKE ON FRONT AXLE
REPLACED FRONT INPUT YOKE

RIGHT LOADER BUCKET CYLINDER WAS LEAKING
DISASSEMBLED CYLINDER & INSPECTED ALL PARTS
FOUND ROD WAS BENT
REASSEMBLED CYLINDER WITH NEW ROD, NUT & SEALS
TOPPED OFF HYDRAULIC OIL LEVEL & TESTED

EXTENDABLE DIPPER STICK ON BACKHOE IS LOOSE
CHECKED ALL WEAR PADS/SLIDES
REPLACED ALL WEAR PADS/SLIDES & ADJUSTED
LUBED RAILS

COMPLETE

1	01580-13629	SHOP LABOR		5,457.50
16	01643-32060	NUT	Rp 21.49	21.49
8	21D-09-24240	WASHER	3.70	59.20
4	312339604	NUT	4.98	39.84
4	312339610	SLIDE ROCK,U	155.09	620.36
4	312339610	SLIDE BLOCK,	179.62	718.48
1	395183013	LIFT/DUMCYL.	1,059.04	1,059.04
8	42N-23-11110	SCREW	14.26	114.08
2	42N-856-2830	SPACER	21.56	43.12

. WOOD COMPANY, INC.
PARTS RETURNS AFTER 30 DAYS OF INVOICE.

Continued

URN HOURS: MONDAY - FRIDAY 6 AM TO 5 PM
SATURDAY 7 AM TO NOON



CONTRACTORS' EQUIPMENT

200 Merrimac Street, Woburn, MA 01801
(781) 935-1919 Fax (781) 937-9809

Avon, MA
140 Wales Ave.
(508) 584-8484

Johnston, RI
60 Shun Pike
(401) 942-9191

Woburn, MA
102 State Rd.
(413) 665-7009

Westbrook, ME
84B Warren Ave.
(207) 854-0615

REMIT TO
C.N. WOOD CO., INC. DEPARTMENT 1660 P.O. BOX 4110 WOBURN, MA 01888-4110

Account#	Work Ord	Br	Sls
087122	10010066	001	115

W O R K O R D E R
I N V O I C E

Date	Invoice #	Page
05-14-14	01481383	3

old To: 000
STERLING SUFFOLK
RACE COURSE L.P.
111 WALDEMAR AVENUE

EAST BOSTON MA 02128

Ship To:
STERLING SUFFOLK
RACE COURSE L.P.
111 WALDEMAR AVENUE

EAST BOSTON MA 02128
Ship Via:

Purchase order	Date	Job Number	Job Contact
	04-05-14		

WE ACCEPT VISA, MASTERCARD & AMEX

2	707-52-15230	BUSHING	38.77	77.54
1	707-98-25830	SERVICE KIT	258.91	258.91
2	801880610	NUT Repl's CA002	1.27	2.54
1	878000487	GASKET KIT	95.40	95.40
2	CA0021105	BOLT	1.96	3.92
6	CA0024378	SPLIT PIN	0.52	3.12
2	CA0028121	O-RING	0.99	1.98
1	CA0028527	O-RING	2.57	2.57
2	CA0028557	O-RING	1.43	2.86
6	CA0028632	O-RING	11.10	66.60
2	CA0032990	O-RING	6.41	12.82
2	CA0066616	SELF ADJ KIT	85.61	171.22
2	CA0066748	ADJUST,SELF	69.27	138.54
2	CA0117362	FLANGE	274.28	548.56
6	CA0132690	BRAKE DISC	252.55	1,515.30
2	CA0133758	O-RING	144.25	288.50
2	CA0133759	O-RING	162.39	324.78
2	CA0136137	REACTION PLA Rp	486.32	972.64
6	CA0136139	REACTION PLA	272.79	1,636.74
1	110781	MOBIL 424 HYDRAU	82.31	82.31
1	37479	RED LOCTITE	32.15	32.15
12	5089-1	SINGLE CAN BRAKL	5.00	60.00
5	FREIGHT IN		136.39	681.93
2	WOODCO TRANSPORTATION (5/7/14)		438.75	877.50

Total for segment 15,991.54

MISC. SUPPLIES/ENVIRONMENTAL C 272.88

MASS MASS SALES TAX 620.59

C.N. WOOD COMPANY, INC.
PARTS RETURNS AFTER 30 DAYS OF INVOICE.

Amount Due
Due By:
06/13/14

16,885.01

WORKING HOURS: MONDAY - FRIDAY 6 AM TO 5 PM
SATURDAY 7 AM TO NOON



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

October 11, 2016

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

RE: Suffolk Downs
CIF Project SD 2014-4
Sprinkler Replacement
Request for Consideration

Dear Mr. O'Donnell:

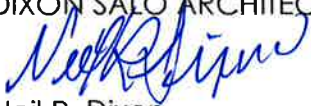
Attached please find one copy of a Request for Consideration from Suffolk Downs to the Massachusetts Gaming Commission/Racing Division in the amount of \$24,277.50 for Sprinkler Replacement at Suffolk Downs.

The project involved labor and material to replace 405 sprinkler heads in the grandstand area at Suffolk Downs.

Based upon the above, it is the opinion of this office that the project is an appropriate Capital Improvement Fund Project and we recommend that this Request for Consideration be approved by the Massachusetts Gaming Commission/Racing Division in the amount of \$24,277.50.

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: Chip Tuttle, CFO Suffolk Downs

Enclosure: Suffolk Downs, Request for Considerations CIF Project SD 2014-4 (RFC)



July 11, 2016

Mr. Neil R. Dixon
Dixon Salo Architects, Inc.
501 Park Avenue, Suite 210
Worcester, MA 01610-1221

Dear Neil:

RE: CIF Project SD 2014-4 (RFC)

Enclosed are three copies of a Request for Consideration from the Running Horse Capital Improvement Trust Fund for Project SD 2014-4 (Sprinkler Replacements).

Replacements were needed for exposed sprinkler painted heads in the Grandstand area, Zone 1-10, at Suffolk Downs.

Should you have any questions please call me at (617) 568-3327.

Thank you for your consideration of this matter.

Sincerely,

Chip Tuttle
Chief Operating Officer

Encs.
CT:jf

Telephone: 617-567-3900
525 McClellan Highway, East Boston, Massachusetts 02128

Made in Massachusetts



The Commonwealth of Massachusetts

MASSACHUSETTS GAMING COMMISSION

CAPITAL IMPROVEMENT TRUST FUND PROMOTIONAL TRUST FUND

101 Federal Street, 12th Floor
Boston, Massachusetts 02110
Telephone (617) 979-8400 • Fax (617) 725-0258

★ *All information must be complete before any requests (RFC or RFR) can be processed.*

1. Date July 11, 2016
2. Association Making This Request Suffolk Downs
3. Project # 2014-4 (unique project number)
4. Project Sprinkler Replacements (unique descriptive title of this project)
5. Type of Request (indicate RFC or RFR)

<input checked="" type="checkbox"/> RFC / Request for Consideration	<input type="checkbox"/> RFR / Request for Reimbursement
<input checked="" type="checkbox"/> Capital Improvement Fund	<input type="checkbox"/> Promotional Trust Fund
6. Total Project Amount Requested: \$ 24,277.50 Estimate / RFC ♦ Actual / RFR

7. *RFC only* – 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.

Replacements were needed for exposed sprinkler painted heads in the Grandstand area, Zone 1-10, at Suffolk Downs.

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

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.

By Track Official: Chip Tuttle Title: Chief Operating Officer Date: July 11, 2016
Chip Tuttle

RFR approval by the Trustees (signature and date) _____



THE FIRE PROTECTION
PEOPLE

ENGINEERING INC

132 Brookside Avenue - P.O. Box 300129 - Boston, MA 02130 - 617-522-6650
Fax: 617-522-9021

I N V O I C E

BILL TO: STERLING SUFFOLK RACE COURSE
ATTN: STEVE PINI
111 WALDEMAR AVE.
EAST BOSTON MA 02128

WORK DONE AT: SUFFOLK-DOWNS
65506

CUST# 74218

JOB NO.	CUST ORDER#	TERMS	INVOICE NUMBER	DATE
68246 -000		NET 30	70712	5/02/14

PROVIDE LABOR AND MATERIAL TO REPLACED PAINTED HEADS IN GRANDSTAND AREA, ZONE 1-10, AS PER JOB INVOICE #65506

MATERIAL		9,720.00
TAX		607.50
90 LABOR	155.00RT	13,950.00
INVOICE TOTAL		\$24,277.50

PLEASE
REMIT THIS
COPY WITH PAYMENT

TERMS: A finance charge of 1 1/2% per month (18% per year) will be charged on all past due accounts over 30 days.

CARLYSLE ENGINEERING, INC.

JOB INVOICE

The Fire Protection People

132 Brookside Ave.

BOSTON, MA 02130

(617) 522-6650 FAX (617) 522-9021

65506

CUSTOMERS ORDER NO.	DATE ORDERED April 25, 2015
ORDER TAKEN BY	DATE PROMISED <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.
PHONE	

BILL TO ADDRESS Sulfolk Downs	MECHANIC <i>John Nelson</i> HELPER John Nelson
CITY E Boston	
JOB NAME AND LOCATION Grand Stand	<input type="checkbox"/> DAY WORK <input type="checkbox"/> CONTRACT <input type="checkbox"/> EXTRA
DESCRIPTION OF WORK Replace exposed painted heads in Grand Stand area Zones 1-10	

QUANT.	DESCRIPTION OF MATERIAL USED	PRICE	AMOUNT
340	200° up wright	24.00	8160 00
65	165° UP wrights	24.00	1560 0
<i>[Signature]</i>			

HOURS 90	man hrs	LABOR	AMOUNT	TOTAL MATERIALS	9720 00
		MECHANICS @ 155.00	13950 00	TOTAL LABOR	13950 00
		HELPERS @			
I hereby acknowledge the satisfactory completion of the above described work.			TOTAL LABOR	TAX	607 50
SIGNATURE			DATE COMPLETED	TOTAL	24277 50



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

October 11, 2016

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

RE: Suffolk Downs
CIF Project SD 2014-5
2011 Ford Taurus
Request for Consideration

Dear Mr. O'Donnell:

Attached please find one copy of a Request for Consideration from Suffolk Downs to the Massachusetts Gaming Commission/Racing Division in the amount of \$15,195.19 for purchase of a 2011 Ford Taurus at Suffolk Downs.

The project involved the purchase of a 2011 Ford Taurus at Suffolk Downs. The vehicle is used to aid in the transportation and delivery of materials, mail, personnel, etc. in the everyday activities at the racetrack.

Based upon the above, it is the opinion of this office that the project is an appropriate Capital Improvement Fund Project and we recommend that this Request for Consideration be approved by the Massachusetts Gaming Commission/Racing Division in the amount of \$15,195.19.

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: Chip Tuttle, CFO Suffolk Downs

Enclosure: Suffolk Downs, Request for Considerations CIF Project SD 2014-5 (RFC)



August 3, 2016

Mr. Neil R. Dixon
Dixon Salo Architects, Inc.
501 Park Avenue, Suite 210
Worcester, MA 01610-1221

Dear Mr. Dixon:

In reply to your e-mail re Suffolk Downs, 2014 CIF Projects, please be advised as follows:

Project SD 2014-1 (RFC) \$22,928.45
New Upgrade to Computer System

Dell 320 6 core Hot plug server
Windows server 2012 R2 64 bit
HP ML310 Gen 8 Server, hot plug sata, 1TB array, hot PWR Supply
Exchange Server License
Exchange Server 2013
HP Pro3500 work station, 13 process, 4Gb Ram, Windows 7 Pro,
keyboard and mouse
Tax and shipping
Above total.....\$16,753.45
Onsite Technician services.....2,660.00
Remote Support.....,380.00
Onsite services.....1,140.00
Onsite services.....1,995.00
TOTAL.....\$22,928.45

Project SD 2014-2 \$2,300.00
New Parking Lot Lights

This project involved changing out two lights with new 400 watt Cobra heads and repairing one other light in the general parking lot.

Project SD 2014-5 \$15,195.19
2011 Ford Taurus

This project involved the purchase of a motor vehicle to aid in the transportation and delivery, back and forth and to and from the track, of mail, persons, etc., in every day duties on the racetrack.

Telephone: 617-567-3900
525 McClellan Highway, East Boston, Massachusetts 02128

Made in Massachusetts 



July 11, 2016

Mr. Neil R. Dixon
Dixon Salo Architects, Inc.
501 Park Avenue, Suite 210
Worcester, MA 01610-1221

Dear Neil:

RE: CIF Project SD 2014-5 (RFC)

Enclosed are three copies of a Request for Consideration from the Running Horse Capital Improvement Trust Fund for Project SD 2014-5 (2011 Ford Taurus).

This vehicle was required for the regular maintenance of the facility.

Should you have any questions please call me at (617) 568-3327.

Thank you for your consideration of this matter.

Sincerely,

Chip Tuttle
Chief Operating Officer

Encs.
CT:jf

Telephone: 617-567-3900
525 McClellan Highway, East Boston, Massachusetts 02128

Made in Massachusetts



The Commonwealth of Massachusetts

MASSACHUSETTS GAMING COMMISSION

CAPITAL IMPROVEMENT TRUST FUND PROMOTIONAL TRUST FUND

101 Federal Street, 12th Floor
Boston, Massachusetts 02110
Telephone (617) 979-8400 • Fax (617) 725-0258

★ *All information must be complete before any requests (RFC or RFR) can be processed.*

1. Date July 11, 2016
2. Association Making This Request Suffolk Downs

3. Project # 2014-5 (unique project number)

4. Project 2011 Ford Taurus (unique descriptive title of this project)

5. Type of Request (indicate RFC or RFR)

- RFC / Request for Consideration RFR / Request for Reimbursement
- Capital Improvement Fund Promotional Trust Fund

6. Total Project Amount Requested: \$ 15,195.19 Estimate / RFC ♦ Actual / RFR

7. *RFC only* – 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.

This vehicle was required for the regular maintenance of the facility.

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

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.

By Track Official: Chip Tuttle Title: Chief Operating Officer Date: July 11, 2016
Chip Tuttle

RFR approval by the Trustees (signature and date) _____

YORK FORD INC.
1481 BROADWAY ROUTE 1 SOUTH
SAUGUS, MA 01906
(781) 231-1945
WWW.YORKFORD.COM

CASH RECEIVED FROM		5673900	RECEIPT NUMBER	93773	SOURCE	56
STERLING SUFFOLK RACE COARSE LLC			RECEIVED BY	JP		
111 WALDEMAR AVE			DATE/TIME PRNT	06/04/2014	15:33	
BOSTON		MA 02128	BATCH DATE	06/04/2014		
			PAYMENT TYPE		AMOUNT	
			BUS CHECK		\$15,195.19	10101
ACCT.	AMOUNT	CONTROL NUMBER				
11100	\$15,195.19CR	5673900	STERLING SUFFOLK RACE COA			
REMARKS	REC'D 2011 TAURUS					

Vendor Number	YORKFORD
Distribution	1905-100
Voucher Number	11942
Check Code	
Approved By	

Legal Disclaimer

This Ford Credit account information is provided for the sole purpose of facilitating a motor vehicle purchase or lease. By accessing this information, you agree that it will not be used for marketing or any other purpose. You also agree to protect the security, confidentiality, and integrity of this information.

Payoff

AcctNbr:	046180409	Finance Label:	Ford Motor Credit Company - US
Status:	EXTENDED	Collat:	2011 FORD TAURS
VIN/SN:	1FAHP2EW9BG119057	Product:	LEASE

Add On Detail

SIF Details		ESP:	Insurance Company
Today's Customer Purchase Price w/o Mark-up ¹ :	\$13,789.97	Credit Life:	
Customer Purchase Price Mark-up ² :	\$0.00	Disability:	
Today's Customer Purchase Price w/Mark-up ³ :	\$13,789.97	Wear Care:	

Quote Details (Net of Rental Security/Reconditioning Reserve)
 Unpaid Cap Cost Good Thru
 \$13,789.97 06/07/2014

Rntl Sec/Recon Res: \$0.00

¹Amount to be remitted to Ford Credit to satisfy lessee's outstanding obligations. It is not the dealer's purchase price.

²Amount included on the original lease agreement \$0 - \$500.

³Amount quoted to the lessee, which includes dealer mark-up, if any.

Buyer info

Last:		Middle Init:		Gen:	
First:					
Business:	STERLING SUFFOLK RACECOURSE, LLC				
DOB:		SSN:	*****7814		
Street:	525 MCCLELLAN HWY		City:	EAST BOSTON	
State:	MA	ZIP:	02128-2280	Phone:	617 5673900

Details

Completed Odometer Page

Account Number 46180409

ODOMETER DISCLOSURE STATEMENT

Federal law (and State law, if applicable) requires that the lessee/transferor disclose the mileage to the lessor/transferee in connection with the transfer of ownership. Failure to complete or making a false statement may result in fines and/or imprisonment. Complete disclosure form below and return to lessor/transferee.

I, STERLING SUFFOLK RACECOURSE, LLC, state that the odometer now reads 53095 miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described below, unless one of the following statements is checked.

- (1) I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage in excess of its mechanical limits.
 (2) I hereby certify that the odometer reading is NOT the actual mileage. **WARNING - ODOMETER DISCREPANCY**

Make FORD

Model TAURS

Body Type SEDAN

Vehicle Identification Number 1FAHP2FW9BG118057

Year 2011

Lessee's / Transferor's Name STERLING SUFFOLK RACECOURSE, LLC Lessor's / Transferee's Name CAB East LLC

Lessee's / Transferor's Address 525 MCCLELLAN HWY

Lessor's / Transferee's Address 1497 BROADWAY

EAST BOSTON, MA 02128-2280

SAUGUS, MA 01906

Lessee's / Transferor's Signature

Lessor's / Transferee's Signature

Title

Date of Statement 06-04-2014

Title Lease Renewal Manager

Date Received by Lessor Transferee 06-04-2014

Customer Signature

I, lessee shown above, am purchasing the above described vehicle.

Note To Dealer

The rights (but not the obligations) with respect to the sale of this vehicle, including any security deposit applied to the purchase, have been assigned to QI Exchange, LLC (acting solely as a qualified intermediary).

YORK002

YORK FORD

102938

06/04/14

19112	2011 FORD T	06/04/14	2011 FORD TAURS	\$15,195.19	\$15,195.19	\$.00	\$15,195.19
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				\$15,195.19	\$15,195.19	\$.00	\$15,195.19
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\$15,195.19

102938

06/04/14

YORK002

Fifteen Thousand One Hundred Ninety Five Dollars And 19 Cents

\$15,195.19

YORK FORD

MOTOR VEHICLE PURCHASE CONTRACT

YORK
FORD, INC.

1481 BROADWAY • SAUGUS, MA 01906
781-231-1945

L.B.O.

STOCK NO. P

DATE OF BIRTH: _____

LIC.#: _____

SALESPERSON: N. F.

PURCHASER'S NAME(S): Steeding Suffolk Racecourse LLC DATE: 5-29-14

PURCHASER'S ADDRESS: 525 McClellan Highway E Boston MA ZIP: 02128

PHONE: (617)-567-3900 EMAIL: j.fawcett@suffolkdowns.com

<input type="checkbox"/> NEW	<input type="checkbox"/> USED	<input type="checkbox"/> DEMO	<input checked="" type="checkbox"/> FORMER LEASED CAR	<input type="checkbox"/> FORMER RENTAL CAR	<input type="checkbox"/> TAXI CAB	<input type="checkbox"/> POLICE CAR		
YEAR <u>2011</u>	MAKE <u>Ford</u>	MODEL <u>Taurus</u>	MOD. NO.	DOORS <u>4</u>	COLOR <u>Blue</u>	INTERIOR <u> Cloth</u>	TOP <u>Hard</u>	MILEAGE <u>53,095</u>
SERIAL NO. <u>1FAHP2EW98G119057</u>			TRANSMISSION STANDARD AUTOMATIC <input checked="" type="checkbox"/>	(SPEEDS)	CYL. <u>6</u>	PASS. <u>5</u>	DELIVERY DATE <u>June</u>	

ORDER CODE	OPTIONAL EQUIPMENT	PRICE	ORDER CODE	OPTIONAL EQUIPMENT	PRICE	PRICE OF VEHICLE		
				REMOTE START		LINE 1 TOTAL	+	13789
				LUXCARE		TOTAL	=	1011 19
				ACC.		DISCOUNT		
				SALES TAX <u>886.19</u>		TRADE A.C.V.		
				PLATES <u>125</u>		TOTAL ALLOWANCE	-	
				LINE 1 TOTAL <u>1011.19</u>		NET DIFFERENCE	=	14800 19
				TITLE TO TRADE <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <u>Trade</u>		CONSUMER SERVICES	+	390 00
						TITLE PREPARATION	+	5 00
						TOTAL	=	15195 19
				TRADE-IN 2		DEPOSIT #	min.	
							\$500 -	
						BALANCE DUE	=	
						EXTENDED SERVICE CONTRACT	+	

~~13,789~~



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

October 11, 2016

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

RE: Suffolk Downs
CIF Project SD 2014-6
Maintenance for Escalators
Request for Consideration

Dear Mr. O'Donnell:

Attached please find one copy of a Request for Consideration from Suffolk Downs to the Massachusetts Gaming Commission/Racing Division in the amount of \$8,890.00 for the Maintenance for Escalators at Suffolk Downs.

The project involved the Maintenance of two escalators at Suffolk Downs. The work involved re-torquing of the brakes of the two South escalators and retesting of escalators.

Based upon the above, it is the opinion of this office that the project is an appropriate Capital Improvement Fund Project and we recommend that this Request for Consideration be approved by the Massachusetts Gaming Commission/Racing Division in the amount of \$8,890.00.

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

Very truly yours,
DIXON SALO ARCHITECTS, INC.

A handwritten signature in blue ink, appearing to read 'Neil R. Dixon', written over the printed name.

Neil R. Dixon,
Principal/Architect
NRD/hs

cc: Chip Tuttle, CFO Suffolk Downs

Enclosure: Suffolk Downs, Request for Considerations CIF Project SD 2014-6 (RFC)



July 11, 2016

Mr. Neil R. Dixon
Dixon Salo Architects, Inc.
501 Park Avenue, Suite 210
Worcester, MA 01610-1221

Dear Neil:

RE: CIF Project SD 2014-6 (RFC)

Enclosed are three copies of a Request for Consideration from the Running Horse Capital Improvement Trust Fund for Project SD 2014-6 (Maintenance for Escalators).

The regular repair and maintenance of the escalators is required for patron safety and convenience.

Should you have any questions please call me at (617) 568-3327.

Thank you for your consideration of this matter.

Sincerely,

Chip Tuttle
Chief Operating Officer

Encs.
CT:jf

Telephone: 617-567-3900
525 McClellan Highway, East Boston, Massachusetts 02128

Made in Massachusetts 



The Commonwealth of Massachusetts

MASSACHUSETTS GAMING COMMISSION

CAPITAL IMPROVEMENT TRUST FUND PROMOTIONAL TRUST FUND

101 Federal Street, 12th Floor
Boston, Massachusetts 02110
Telephone (617) 979-8400 • Fax (617) 725-0258

★ *All information must be complete before any requests (RFC or RFR) can be processed.*

1. Date July 11, 2016
2. Association Making This Request Suffolk Downs
3. Project # 2014-6 (unique project number)
4. Project Maintenance for Escalators unique descriptive title of this project)
5. Type of Request (indicate RFC or RFR)

<input checked="" type="checkbox"/> RFC / Request for Consideration	<input type="checkbox"/> RFR / Request for Reimbursement
<input checked="" type="checkbox"/> Capital Improvement Fund	<input type="checkbox"/> Promotional Trust Fund
6. Total Project Amount Requested: \$ 8,890.00 Estimate / RFC ♦ Actual / RFR

7. *RFC only* – 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.

The regular repair and maintenance of the escalators is required for patron safety and convenience.

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

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.

By Track Official: Chip Tuttle Title: Chief Operating Officer Date: July 11, 2016
Chip Tuttle

RFR approval by the Trustees (signature and date) _____



Invoice number: 151090103	Area Office: KONE Inc., Federal
Invoice Date: 09/18/2014	BOSTON - 160 36 2357423
Customer PO No: Kone Signed Proposal	One New Boston Dr
KONE Order No: 340187263	Canton MA 02021
Service Order: 320193020	Ph: 781-828-6355
Date work performed: 09/18/2014	Fax: 781-828-6499

Bill To: STERLING SUFFOLK DOWNS RE: ACCOUNTING DEPT 525 MCCLELLAN HIGHWAY EAST BOSTON MA 02128 USA	Location/Project: SUFFOLK DOWNS RACETRACK SUFFOLK DOWNS RACETRACK EAST BOSTON MA 02128 USA
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Payment Terms: Net 30	BY:
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We provided a KONE Service Technician Team to retourke the break on both of the south escalators. We also performed the retest 2014.

Thank you for choosing KONE.

Contract Price		\$	8,890.00
Previously Invoiced Amount		\$	0.00
Current Billing Amount		\$	8,890.00
Labor		\$	8,890.00
Material		\$	
Total Invoice Amount		\$	8,890.00

KONE 001
 7085-400
 120583

Under Number _____
 Description _____
 Journal Number _____
 Check Code _____
 Approved by _____

Invoices not paid within 30 days are subject to a service charge of 1.5% per month, or the maximum permitted by law

Please return this portion with your payment

PAYMENT ADVICE

We also accept VISA/Mastercard or EFT payments



Payer: STERLING SUFFOLK DOWNS RE: ACCOUNTING DEPT 525 MCCLELLAN HIGHWAY EAST BOSTON MA 02128	Invoice number: 151090103 Invoice Date: 09/18/2014 Customer Number: 152964 KONE Order No: 340187263 Area Office No: U160 Billing Type: YTBF
	Remit to: KONE Inc. P. O. BOX 429 MOLINE, IL 61266-0429

Use this address for payments only. Direct calls and area correspondence to our area office above.



Recommended Changes to the Guidelines for the 2017 Community Mitigation Fund (“CMF”) from the 2016 Guidelines

We recommend that:

1. The Commission place an overall limit of \$4 million on grants for the 2017 CMF subject to the ability of the Commission to determine funding limits above or below this amount. The Commission should reserve the ability to fund only portions of requested projects and to fund only a percentage of amounts requested. The Commission should also continue to reserve the ability to place conditions on any awards as additional contributions to the Community Mitigation Fund will not be made until Category 1 gaming facilities are operational. [We note that the Commission should discuss input of some local Community Mitigation Advisory Committee members to be more cautious about spending next year.]
2. The Commission continue to allocate 20% of funding grants for transportation planning grants. With a new limit of \$4 million in 2017 CMF grants, this new limit would result in \$800,000 for transportation planning grants. We further recommend that no more than \$150,000 per grant be authorized. [In the event the Commission chooses to allocate less than \$4 million in 2017, the Commission could potentially increase the percentage allowed for transportation.]
3. The Commission should place a per grant limit for the 2017 Specific Impact Awards of \$400,000.
4. The Commission should specify factors that it and staff will utilize in evaluating competitive grants. The following are recommended factors to use when the Commission and staff evaluate competitive grants: (i) a demonstration that the impact is being caused by the proposed gaming facility; (ii) the significance of the impact to be remedied; (iii) the potential for the proposed mitigation measure to address the impact; (iv) the feasibility and reasonableness of the proposed mitigation measure; (v) that any programs to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party; (vi) the significance of any matching funds; (vii) regional benefits from a mitigation award; (viii) funds from host or surrounding community agreements are not available to fund the proposed mitigation measure; and (ix) that such mitigation measure is not already required to be completed by the licensee pursuant to any regulating requirements or pursuant to any agreements between such licensee and applicant.



5. The Commission should state that the CMF will fund no application for more than two years for any municipal employee and the CMF will not pay the full cost of any municipal employee. The municipality would need to provide the remaining amount of any employee cost and certify that all such expenses are casino related. For non-personnel costs, municipalities would still be required to demonstrate an in-kind match.
6. The Commission should not provide grants involving private parties without significant matching funding from either the community or the licensee. As in the 2016 program, private non-governmental parties would not be able to directly apply for Community Mitigation Funds. However, governmental entities may apply to the Commission for funds to mitigate impacts to private parties provided that such funding is for a “public purpose” and not the direct benefit or maintenance of the private party; the governmental entity provides a program that ensures that funding will be made only to remedy impacts; and provided that the governmental entity will be responsible for overseeing such funding and complying with all applicable state and municipal laws including but not limited to Art. 46, §2, as amended by Article 103 of the Amendments to the Massachusetts Constitution. We recommend that host communities or licensees match dollar for dollar any and all grants involving private parties.
7. The Commission should not fund requests related to utility outages, such as the mitigation of business interruptions from the CMF.
8. The Commission should make available no more than \$200,000 in technical assistance funding to assist in the determination of potential impacts that may be experienced by communities in proximity to the potential Tribal Gaming facility in Taunton. Said technical assistance funding may be made through Southeastern Regional Planning and Economic Development District (“SRPEDD”) the regional planning agency that services such communities. Such funding will only be made available, after approval of any application by SRPEDD or a comparable regional entity, if it is determined by the Commission that construction of such gaming facility will likely commence prior to or during Fiscal Year 2018. Any such application by SRPEDD or a comparable regional entity must demonstrate that any studies of impacts will address the technical assistance needs of the region which may include but not be limited to the communities that are geographically adjacent to Taunton. Such funding shall not be used to study impacts on or provide technical assistance to Taunton, as funding has been provided in the Intergovernmental Agreement By and Between the Mashpee Wampanoag Tribe and the City of Taunton. Any such program of technical assistance may be provided by SRPEDD or a comparable regional entity or through a contract with SRPEDD or a comparable regional entity.
9. Commission should discuss providing funding of \$200,000 for two pre-employment programs, one in Region A and Region B for a work readiness Pilot initiatives. By the

February 1st deadline, a governmental entity would need to indicate to the Commission the purposes of such assistance and how it would refine its program prior to initiation. Such refinement would include a demonstration of the entities and agencies that would be necessary to help with pilots such as the licensee, communities, and other workforce development and educational agencies. Such refinement would need to occur prior to execution of a grant contract and release of any funds.

10. The Commission shall extend the previously authorized reserves for the 2017 Community Mitigation Fund program. Communities may continue to access whatever portion of the original \$100,000 that remains unexpended.
11. The Commission should state that the cost of the preparation of a grant application cannot be funded by the Community Mitigation Fund.



MASSACHUSETTS GAMING COMMISSION

2017 COMMUNITY MITIGATION FUND GUIDELINES

What is the Community Mitigation Fund?

The Expanded Gaming Act, MGL c. 23K, created the Community Mitigation Fund to help entities offset costs related to the construction and operation of a gaming establishment.

When Is the Application Deadline?

February 1, 2017. MGL c. 23K, § 61 states that “parties requesting appropriations from the fund shall submit a written request for funding to the Commission by February 1.”

Who Can Apply?

MGL c. 23K, § 61 states the Commission shall expend monies in the fund to assist the host and surrounding communities ... “including, but not limited to, communities and water and sewer districts in the vicinity of a gaming establishment, local and regional education, transportation, infrastructure, housing, environmental issues and public safety, including the office of the county district attorney, police, fire, and emergency services.” The Commission may also distribute funds to a governmental entity or district other than a single municipality in order to implement a mitigation measure that affects more than one community.

Private non-governmental parties may not apply for Community Mitigation Funds. However, governmental entities may apply to the Commission for funds to mitigate impacts to private parties provided that such funding is for a “public purpose” and not the direct benefit or maintenance of the private party; the governmental entity provides a program that ensures that funding will be made only to remedy impacts; and provided that the governmental entity will be responsible for overseeing such funding and complying with all applicable state and municipal laws including but not limited to Art. 46, §2, as amended by Article 103 of the Amendments to the Massachusetts Constitution.



Massachusetts Gaming Commission

The Community Mitigation Fund may be used to offset costs related to both Category 1 full casino facilities (MGM Springfield and Wynn Everett), the state’s Category 2 slots-only facility (Plainridge Park), and may be utilized, pursuant to these Guidelines, for a program of technical assistance for communities that may be impacted by the potential Tribal gaming facility in Taunton.

Does a Community Need to Be a Designated Host or Surrounding Community to Apply?

No. The Commission’s regulations and MGL c. 23K, § 61 do not limit use of Community Mitigation Funds to only host or surrounding communities. The Commission’s regulation, 205 CMR 125.01(4), states that “[a]ny finding by the commission that a community is not a surrounding community for purposes of the RFA-2 application shall not preclude the community from applying to and receiving funds from the Community Mitigation Fund established by MGL c. 23K, § 61....”

Status of One-Time 2015/2016 Reserves

In 2015 and 2016, a Reserve Fund was established for communities that may not have been able to demonstrate significant impacts by the submittal deadline date. The Commission reserved \$100,000 for the following communities which were either a host community, designated surrounding community, a community which entered into a nearby community agreement with a licensee, a community that petitioned to be a surrounding community to a gaming licensee, or a community that is geographically adjacent to a host community:

CATEGORY 1 – CASINO/RESORT

Region A

Boston
Cambridge
Chelsea
Everett
Lynn
Malden
Medford
Melrose
Revere
Saugus
Somerville

Region B

Agawam
Chicopee
East Longmeadow
Hampden
Holyoke
Longmeadow
Ludlow
Northampton
Springfield
West Springfield
Wilbraham

CATEGORY 2 – SLOTS

Attleboro

Mansfield

Plainville

Foxborough

North Attleborough

Wrentham

In many cases, communities may not be in a position to access their 2015 or 2016 reserves by the February 1, 2017 deadline. Therefore, the Commission has extended such reserves for the 2017 Community Mitigation Fund Program. Communities may continue to access whatever portion of the original \$100,000 that remains unexpended. The above communities **do not** need to submit any new application to keep their reserves. These reserves have automatically been extended by action of the Commission.

The criteria for the use of the reserve remain the same. This reserve can be used to cover impacts that may arise in 2017 or thereafter. It may also be used for planning, either to determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts.

Funds will be distributed as the needs are identified. Communities that utilize the reserve are not prohibited from applying for funding for any specific mitigation request.

What are the Reserve Amounts?

Can communities apply both for the reserve and for a specific impact?

Yes. However, if a specific impact application is successful, a portion of the reserve will be used as an offset against the amount requested for the specific impact. The reserve amount will be reduced by fifty thousand dollars (\$50,000.00) assuming the specific impact request is at least that amount.

Can a community apply for mitigation of a specific impact even though it has not fully utilized its 2015 or 2016 Reserve?

Yes. However, if a specific impact application is successful, a portion of the reserve will be used as an offset against the amount requested for the specific impact. The reserve amount will be reduced by fifty thousand dollars (\$50,000.00) assuming the specific impact request is at least that amount

What Specific Impacts Can Be Funded?

The 2017 Community Mitigation Fund for mitigation of specific impacts may be used only to mitigate impacts that either have occurred or are occurring as of the February 1, 2017 application date. Although the definition in the Commission's regulations (for the purpose of determining which communities are surrounding communities) references predicted projected impacts, the 2017 program is limited to only those impacts that are being experienced or were experiencing by the time of the February 1, 2017 application date.

The Commission has determined that the funding of unanticipated impacts will be a priority under the annual Community Mitigation Fund. Thus the Commission will review funding requests in the context of any host or surrounding community agreement to help determine funding eligibility.¹ The Community Mitigation Fund is not intended to fund the mitigation of specific impacts already being funded in a host or surrounding Community Agreement. Please note that impacts determined through any look back review likely are unanticipated impacts.

No application for the mitigation of a specific impact shall exceed \$400,000.

Allowable impacts for funding are as follows:

Category 1 Gaming Facility: In recognition that no Category 1 gaming facility will be operational by February 1, 2017, the Commission has determined that *the 2017 Community Mitigation Fund is available only to mitigate impacts related to the construction of Category 1 gaming facilities.* This limitation does not apply to planning activities funded under the 2015/2016 one-time reserve fund, or 2017 Transportation Planning Grants, or 2017 Pre-employment Grants.

The Commission's regulation 205 CMR 125.07 defines construction period impacts as:

“The community will be significantly and adversely affected by the development of the gaming establishment prior to its opening taking into account such factors as noise and environmental impacts generated during its construction; increased construction vehicle trips on roadways within the community and intersecting the community; and projected increased traffic during the period of construction.”

¹ The Commission is aware of the difference in bargaining power between host and surrounding communities in negotiating agreements and will take this into account when evaluating funding applications.

Category 2 Gaming Facility: In recognition that the Category 2 gaming facility in Plainville opened during calendar year 2015, the Commission will make available funding to mitigate operational related impacts that are being experienced or were experienced from that facility by the February 1, 2017 date. The Commission will make available up to \$500,000 in total for applications for the mitigation of operational impacts relating to the Plainridge facility.

The Commission's regulation 205 CMR 125.01 2(b)4 defines operational impacts as:

“The community will be significantly and adversely affected by the operation of the gaming establishment after its opening taking into account such factors as potential public safety impacts on the community; increased demand on community and regional water and sewer systems; impacts on the community from storm water run-off, associated pollutants, and changes in drainage patterns; stresses on the community's housing stock including any projected negative impacts on the appraised value of housing stock due to a gaming establishment; any negative impact on local, retail, entertainment, and service establishments in the community; increased social service needs including, but not limited to, those related to problem gambling; and demonstrated impact on public education in the community.”

Although these definitions include the types of operational impacts that may be funded, it is not limited to those. The determination will be made by the Commission after its review.

What Cannot Be Funded?

2017 Community Mitigation Fund may not be used for the mitigation of:

Category 1 Gaming Facilities:

- any operational related impacts;
- impacts that are projected or predicted but that are not occurring or have not occurred by February 1, 2017;
- impacts that are the responsibility (e.g. contractual, statutory, regulatory) of parties involved in the construction of gaming facilities (such as damage caused to adjoining buildings by construction equipment, spills of construction-related

materials outside of work zones, personal injury claims caused by construction equipment or vehicles);

- The cost of the preparation of a grant application;
- The CMF will not fund requests related to utility outages, such as the mitigation of business interruptions; and
- Other impacts determined by the Commission.

Category 2 Gaming Facilities:

- impacts that are projected or predicted but that are not occurring or have not occurred by February 1, 2017;
- impacts that are the responsibility (e.g. contractual, statutory, regulatory) of parties involved in the construction of gaming facilities (such as damage caused to adjoining buildings by construction equipment, spills of construction-related materials outside of work zones, personal injury claims caused by construction equipment or vehicles);
- Please note that the Commission may determine to expand the eligible uses of funds for the 2017 program or other future programs when impacts are more clearly identifiable. The Commission will also consult with mitigation advisory committees established in MGL c. 23K in determining such uses;
- The cost of the preparation of a grant application; and
- The CMF will not fund requests related to utility outages, such as the mitigation of business interruptions.

Guidance on Funding for Non-Governmental Entities

As noted, communities and other parties may apply for funds to mitigate the impact to non-governmental entities. However, the Commission strongly encourages applicants to ensure the impacts are directly related to the gaming facility. For example, an applicant could limit a request for assistance for impacts to all businesses within 1000 feet of a gaming facility. Further, applicants should demonstrate that the governmental entity, the licensee, or both will also financially contribute to any program of assistance. The Commission will not fund any applications for assistance to non-governmental entities unless the applicant governmental entity or the licensee or both provide

significant funding to match or partially match the assistance required from the 2017 Community Mitigation Fund. Any such application for assistance to non-governmental entities by a host community must demonstrate that the host community, the licensee, or both will match the assistance required from the 2017 Community Mitigation Fund. Communities may ask the Commission to waive this match or partial match requirement. Any community seeking a waiver should include a statement in its application specifying the reason for its waiver request. Please note that as stated by the Commonwealth's Comptroller's Office: "The Anti-Aid Amendment of the Massachusetts Constitution prohibits 'public money or property' from aiding non-public institutions.... Article 46 has been interpreted to allow the expenditure of public funds to non-public recipients solely for the provision of a 'public purposes' [sic] and not for the direct benefit or maintenance of the non-public entity."

Any community seeking funding for mitigation involving non-public entities should provide detail how its planned use is in conformity with this provision of the Massachusetts Constitution and with Municipal Finance Law.

How Much Funding Is and Will Be Available?

In sum, a total of \$17.5 million from the current licensees was deposited in the Community Mitigation Fund for use until Category 1 gross gaming revenues are generated, or thereafter (if all such funds are not used prior to that date). After the deduction of purposes approved in 2015 and 2016, the fund has approximately \$12 million available after accounting for potential future awards of previously authorized grants.

No further contributions will be made to the Community Mitigation Fund until either MGM Springfield or Wynn Everett become operational and generate revenues.² MGM Springfield is currently projected to be operational on September 5, 2018 and Wynn Everett is currently projected to be operational on June 3, 2019. Once operational, MGL c. 23K, § 59 specifies that 6.5% of the revenues from the tax on gross gaming revenues from Category 1 (full casino) licensees shall be deposited in the Community Mitigation Fund.

Once the MGM Springfield and Wynn Everett facilities are operational, approximately \$18 million generated by these two facilities will be annually deposited into the

² These guidelines do not describe revenue estimates from the potential Tribal facility in Taunton or the participation of a Region C facility, as no Region C license or Tribal facility has yet been fully authorized. Further, after the initial deposit, no further contributions from the Slots licensee will be made to the fund.

Community Mitigation Fund using a conservative estimate provided by the Commission's financial consultants.

Limitations

Because the fund needs to be available until the facilities are operational, the Commission anticipates authorizing no more than \$4 million in awards out of the 2017 Community Mitigation Fund, including potential future awards of previously authorized grants. No application for a specific impact grant shall exceed \$400,000.

Of that amount, for 2017, no more than \$500,000 may be expended for operational impacts related to the Category 2 gaming facility, unless otherwise determined by the Commission.

Transportation Planning Grants

For calendar year 2017, the Commission will make available funding for certain transportation planning activities for all communities eligible to receive funding from the Community Mitigation Fund in Regions A & B and for the Category 2 facility, including each Category 1 and Category 2 host community and each designated surrounding community, each community which entered into a nearby community agreement with a licensee, and any community that petitioned to be a surrounding community to a gaming licensee, each community that is geographically adjacent to a host community.

The total funding available for planning grants will likely not exceed \$800,000, approximately 20% of the estimated annual allotment for the fund. No application for a transportation planning grant shall exceed \$150,000.

Eligible planning projects must have a defined area or issue that will be investigated as well as a clear plan for implementation of the results.

Eligible expenses to be covered by the Transportation Planning Grant include, but not necessarily limited to:

- Planning consultants/staff
- Data gathering/surveys
- Data analysis
- Design
- Engineering review/surveys

- Public meetings/hearings
- Final report preparation

The planning projects must be clearly related to addressing transportation issues or impacts directly related to the gaming facility.

Applicants will be required to submit a detailed scope, budget, and timetable for the planning effort prior to funding being awarded.

Pursuant to the Guidelines, the Commission will evaluate requests for planning funds (including both the use of Reserve Planning Funds and Transportation Planning Grant Funds) after taking into consideration input the applicant has received from the local Regional Planning Agency ("RPA") or any such interested parties. Although there is no prerequisite for using RPA's for planning projects, consultation with RPA's is required to enable the Commission to better understand how planning funds are being used efficiently across the region of the facility. Please provide details about the applicant's consultation with the RPA or any such interested parties.

Communities that requested and received reserves in 2015 or 2016 must first expend those funds before accessing any Transportation Planning Grant funds. Transportation Planning Grant funds may be sought to expand a planning project begun with reserve funds or to fund an additional project once the reserves have been exhausted.

In addition to the specific impact grant factors further defined in section "[How Will the Commission Decide on Applications?](#)", the Commission will also consider whether the applicant demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds.

Applicants may, but are not required, to include a description how the project meets the evaluation standards for the Fiscal Year 2017 TIP criteria for the Boston MPO Region or the Pioneer Valley Planning Commission's transportation evaluation criteria, or other regional transportation project evaluation standard, whichever may be most applicable.

Compact Technical Assistance

The Commission shall make available no more than \$200,000 in technical assistance funding to assist in the determination of potential impacts that may be experienced by communities in geographic proximity to the potential Tribal Gaming facility in Taunton. Said technical assistance funding may be made through Southeastern Regional Planning and Economic Development District ("SRPEDD"), the regional planning agency that

services such communities or a comparable regional entity. Such funding will only be made available, after approval of any application by SRPEDD or a comparable regional entity, if it is determined by the Commission that construction of such gaming facility will likely commence prior to or during Fiscal Year 2017. Any such application by SRPEDD or a comparable regional entity must demonstrate that any studies of impacts will address the technical assistance needs of the region which may include but not be limited to the communities that are geographically adjacent to Taunton. Such funding shall not be used to study impacts on or provide technical assistance to Taunton, as funding has been provided in the Intergovernmental Agreement By and Between the Mashpee Wampanoag Tribe and the City of Taunton. Any such program of technical assistance may be provided by SRPEDD itself or through a contract with SRPEDD.

Pre-Employment Grant

For the fiscal year 2018, the Commission will make available funding for certain career pathways workforce development pilot programs in Regions A and B for service to residents of communities of such Regions, including each Category 1 host community and each designated surrounding community, each community which entered into a nearby community agreement with a licensee, any community that petitioned to be a surrounding community to a gaming licensee, and each community that is geographically adjacent to a host community.

The total funding available for grants will likely not exceed \$200,000. No application for a grant in each Region shall exceed \$100,000. One grant will be considered for each Region.

Eligible career pathways workforce development proposals must include a regional consortium approach to improve the skills, knowledge, and credential attainment of each Region A and Region B residents interested in a casino career, focusing on increasing industry-recognized and academic credentials needed to work in the most in-demand occupations related to the expanded gaming Industry or a focus on occupations that could be in high demand from the casino, potentially negatively impacting the regional business community. This could include a focus on hospitality, culinary, cash handling, or customer service, etc.

Goals include:

- To help low-skilled adults earn occupational credentials, obtain well-paying jobs, and sustain rewarding careers in sectors related to hospitality and casino careers.
- To get students with low basic skills into for-credit career and technical education courses to improve their educational and employment outcomes.
- To deliver education and career training programs that can be completed in two years or less and prepare program participants for employment in high-wage, high-skill occupations related to the casino.
- To align and accelerate ABE, GED, and developmental programs and provide nontraditional students the supports they need to enable more low-income adults to complete postsecondary credentials of value in the regional labor market.
- To mitigate a strain in existing resources and a potential impact to the regional labor market

Eligible activities include: a program in Region A or Region B that structures intentional connections among adult basic education, occupational training, and postsecondary education programs designed to meet the needs of both adult learners and employers, post-secondary vocational programs, registered apprenticeships, courses leading to college credits or industry-recognized certificates, Adult Basic Education (“ABE”) and vocationally based English for Speakers of Other Languages (“ESOL”) training programs, Contextualized Learning, Integrated Education & Training, and Industry-recognized Credentials.

A consortium application is required. However, governmental entities eligible to receive funds would include but not be limited to: host communities, communities which were each either a designated surrounding community, a community which entered into a nearby community agreement with a licensee, a community that is geographically adjacent to the host community of a gaming licensee, a community that petitioned to be a surrounding community to a gaming licensee state agencies, state agencies, and Regional Employment Boards.

Applicants should consider leveraging other funding resources.

What Should Be Included in the Applications?

- Applicants are required to complete the 2017 Specific Impact Grant Application, the 2017 Transportation Planning Grant or the 2017 Pre-Employment Grant Application

and may also submit additional supporting materials of a reasonable length.

- Applicants will need to describe how the specific mitigation, planning, or pre-employment project request will address any claimed impacts and provide justification of any funds requested. Unlike existing surrounding community agreements which were based on anticipated impacts, any Specific Impact Grant will be based on impacts that have occurred or are occurring, as noted previously.
- Applicants will need to describe if and how such impacts were addressed or not addressed in any host or surrounding community agreements.
- Applicants may include a letter of support from the applicable gaming licensee. However, this is not necessary, as the Commission will request the licensee's opinion regarding each application.

How Will the Commission Decide on Applications?

- Similar to the Commission's surrounding community review process, the Commission will ask each licensee to review and comment on any requests for funding.
- The Commission will evaluate the submittal by the community, any input received from the community and interested parties (such as Regional Planning Agencies), the responses of the licensee, Commission consultant reviews, and any other sources determined by the Commission.
- The Commission will evaluate any funding requests in the context of any host or surrounding community agreements.
- Factors used by the commission to evaluate transportation planning grant applications may include but not be limited to:
 - o A demonstration that the impact is being caused by the proposed gaming facility;
 - o The significance of the impact to be remedied;
 - o The potential for the proposed mitigation measure to address the impact;
 - o The feasibility and reasonableness of the proposed mitigation measure;
 - o The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party;

- o The significance of any matching funds;
 - o Any demonstration of regional benefits from a mitigation award;
 - o A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure; or
 - o A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant.
- The Commission may ask applicants for supplementary materials, may request a meeting with applicants, and reserves the ability to host a hearing or hearings on any application.
 - The Commission's deliberations on Community Mitigation Fund policies will also be aided through input from the Gaming Policy Advisory Committee, the Community Mitigation Subcommittee, and any Local Community Mitigation Advisory Committees, as established pursuant to M.G.L. c. 23K.
 - The Commission reserves the ability to determine a funding limit beyond what is detailed in these Guidelines, as additional contributions to the Community Mitigation Fund will not be made until Category 1 gaming facilities are operational. The Commission also reserves the ability to determine a funding limit above what is detailed in these Guidelines.
 - **The Commission reserves the ability to fund only portions of requested projects and to fund only a percentage of amounts requested. The Commission also reserves the ability to place conditions on any award.**
 - **There is limited funding available. The Commission therefore reserves the right to determine which requests to fund based on its assessment of a broad range of factors including the extent of public benefit each grant is likely to produce.**

When Will the Commission Make Decisions?

The Commission anticipates making funding decisions on any requests for grant assistance before July 2017, after a comprehensive review and any additional information requests.

Is There a Deadline for the Use of the 2015/2016 Reserve?

There is no deadline. Funds may be used on a rolling basis when specific impacts are determined or the specific planning activity is determined. Once known, communities should contact the Ombudsman's Office, which will assist the community in providing the needed information. Communities with specific impacts will, at the time the impacts are known, complete the grayed sections of the 2017 Use of Reserve Grant Application (the grayed boxes 1-4 beginning on page 3). Communities with requests for planning funds will provide similar information to the Commission: a description of the planning activity, how the planning activity relates to the development or operation of the gaming facility, how the planning funds are proposed to be used, consultation with the Regional Planning Agency, other funds being used, and how planning will help the community determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts. Each Community applying for planning funds will also need to provide detail on what it will contribute to the planning project such as in-kind services or planning funds. Please note that such details do not need to be determined by the February 1, 2017 application date. Commission approvals of the use of the 2015/2016 reserve funds will also be on a rolling basis corresponding to the rolling determinations of use by communities.

Who Should Be Contacted for Any Questions?

As the 2017 Community Mitigation Fund program is just in the third year of the program for the Commission, communities and other parties may have a number of questions. They are encouraged to contact the Commission's Ombudsman with any questions or concerns. The Commission's Ombudsman will regularly brief the Commission regarding the development of Community Mitigation Fund policies.

The Commission's Ombudsman, John Ziemba, can be reached at 617-979-8423 or via e-mail at john.s.ziemba@state.ma.us. The Commission's address is 101 Federal Street, 12th Floor, Boston, MA 02110.

Where Should the Applications Be Sent?

Applications **must be sent to** www.commbuys.com. An application received by COMMBUYS by February 1, 2017 will meet the application deadline. Applicants that are not part of the COMMBUYS system should contact Mary Thurlow of the Commission's Ombudsman's Office well in advance of the February 1, 2017 deadline to make

arrangements for submission of the application by the deadline. Mary Thurlow can be contacted at 617-979-8420 or at mary.thurlow@state.ma.us.

If you have any questions or concerns contact the COMMBUYS Help Desk at COMMBUYS@state.ma.us or during normal business hours (8am - 5pm ET Monday - Friday) at 1-888-627-8283 or 617-720-3197.



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MASSACHUSETTS GAMING COMMISSION

20162017 COMMUNITY MITIGATION FUND GUIDELINES

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What is the Community Mitigation Fund?

The Expanded Gaming Act, MGL c. 23K, created the Community Mitigation Fund to help entities offset costs related to the construction and operation of a gaming establishment.

When Is the Application Deadline?

February 1, 2017. MGL c. 23K, § 61 states that “parties requesting appropriations from the fund shall submit a written request for funding to the Commission by February 1.”

Who Can Apply?

MGL c. 23K, § 61 states the Commission shall expend monies in the fund to assist the host and surrounding communities ... “including, but not limited to, communities and water and sewer districts in the vicinity of a gaming establishment, local and regional education, transportation, infrastructure, housing, environmental issues and public safety, including the office of the county district attorney, police, fire, and emergency services.” The Commission may also distribute funds to a governmental entity or district other than a single municipality in order to implement a mitigation measure that affects more than one community.

Private non-governmental parties may not ~~directly~~ apply for Community Mitigation Funds. However, governmental entities may apply to the Commission for funds to mitigate impacts to private parties provided that such funding is for a “public purpose” and not the direct benefit or maintenance of the private party; the governmental entity provides a program that ensures that funding will be made only to remedy impacts; and provided that the governmental entity will be responsible for overseeing such funding and complying with all applicable state and municipal laws including but not limited to Art. 46, §2, as amended by Article 103 of the Amendments to the Massachusetts Constitution.



Massachusetts Gaming Commission

101 Federal Street, 23rd Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com

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The Community Mitigation Fund may be used to offset costs related to both Category 1 full casino facilities (MGM Springfield and Wynn Everett) and the state's Category 2 slots-only facility (Plainridge Park), and may be utilized, pursuant to these Guidelines, for a program of technical assistance for communities that may be impacted by the potential Tribal gaming facility in Taunton.

Does a Community Need to Be a Designated Host or Surrounding Community to Apply?

No. The Commission's regulations and MGL c. 23K, § 61 do not limit use of Community Mitigation Funds to only host or surrounding communities. The Commission's regulation, 205 CMR 125.01(4), states that "[a]ny finding by the commission that a community is not a surrounding community for purposes of the RFA-2 application shall not preclude the community from applying to and receiving funds from the Community Mitigation Fund established by MGL c. 23K, § 61...."

2016 One-Time Reserve

~~As in 2015, the Commission will make available certain funds for Region A, Region B, and Category 2 communities that may not be able to demonstrate significant impacts by February 1, 2016 and had not previously submitted a request for a Reserve fund in 2015, or communities which failed to file their 2015 application on time. For 2016, Host Communities are eligible to submit a request for a \$100,000 reserve in addition to the following communities which were each either a designated surrounding community, a community which entered into a nearby community agreement with a licensee, a community that is geographically adjacent to the host community of a gaming licensee, and a community that petitioned to be a surrounding community to a gaming licensee:~~

~~Attleboro~~

~~Hampden~~

~~Melrose~~

~~North Attleboro~~

~~Revere~~

~~A second reserve is not available for any community that sought and was awarded a reserve in 2015.~~

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This reserve can be used to cover impacts that may arise in 2016 or thereafter. It may also be used for planning, either to determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts.

Communities that choose to utilize the reserve in 2016 and had not previously done so, should simply check the "Check Box If Requesting the Creation of a Mitigation Reserve Fund for a Community" box on the application. No other description is required by the February 1, 2016 deadline. Commission staff will follow up with each community to get the community's description of planned uses. Funds will be distributed as the needs are identified. Communities that utilize the reserve are not prohibited from applying for funding for any specific mitigation request.

Although no specific description as to use needs to be included in an application for the 2016 reserve, communities must apply by February 1, 2016 to get the reserve.

Status of One-Time 2015/2016 Reserves

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In 2015 and 2016, a Reserve Fund was established for communities that may not have been able to demonstrate significant impacts by the submittal deadline date. The Commission reserved \$100,000 for the following communities which were either a host community, designated surrounding community, a community which entered into a nearby community agreement with a licensee, ~~or~~ a community that petitioned to be a surrounding community to a gaming licensee, or a community that is geographically adjacent to a host community:

CATEGORY 1 – CASINO/RESORT

Region A

Boston

Cambridge

Chelsea

Everett

Lynn

Malden

Medford

Melrose ~~Saugus~~

Revere ~~Somerville~~

Saugus

Somerville

Region B

Agawam

Chicopee

East Longmeadow

Hampden

Holyoke

Longmeadow

Ludlow

Northampton

~~West Springfield (used \$98,500 out of \$100,000)~~

West Springfield ~~Wilbraham~~

Wilbraham

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CATEGORY 2 – SLOTS

Foxborough		
<u>Attleboro</u>	Mansfield	<u>Plainville</u>
<u>Foxborough</u>	<u>North</u>	<u>Wrentham</u>
	<u>Attleborough</u>	<u>Wrentham</u>

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In many cases, communities may not be in a position to access their 2015 or 2016 reserves by the February 1, ~~2016~~ 2017 deadline. Therefore, the Commission has extended such reserves for the ~~2016~~ 2017 Community Mitigation Fund Program. Communities may continue to access whatever portion of the original \$100,000 that remains unexpended. The above communities do not need to submit any new application to keep its reserve. The reserve has their reserves. These reserves have automatically been preserved extended by action of the Commission.

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The criteria for the use of the reserve ~~remains~~ remain the same. This reserve can be used to cover impacts that may arise in ~~2016~~ 2017 or thereafter. It may also be used for planning, either to determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts.

Funds will be distributed as the needs are identified. Communities that utilize the reserve are not prohibited from applying for funding for any specific mitigation request.

What are the Reserve Amounts?

Can communities apply both for the reserve and for a specific impact?

Yes. However, if a specific impact application is successful, a portion of the reserve will be used as an offset against the amount requested for the specific impact. The reserve amount will be reduced by fifty thousand dollars (\$50,000.00) assuming the specific impact request is at least that amount.

Can a community apply for mitigation of a specific impact even though it has not fully utilized its 2015 or 2016 Reserve?

Yes. However, if a specific impact application is successful, a portion of the reserve will be used as an offset against the amount requested for the specific impact. The reserve amount will be reduced by fifty thousand dollars (\$50,000.00) assuming the specific impact request is at least that amount

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What Specific Impacts Can Be Funded?

The 2017 Community Mitigation Fund for mitigation of specific impacts may be used only to mitigate impacts that either have occurred or are occurring as of the February 1, 2017 application date. Although the definition in the Commission's regulations (for the purpose of determining which communities are surrounding communities) references predicted projected impacts, the 2017 program is limited to only those impacts that are being experienced or were experiencing by the time of the February 1, 2017 application date.

The Commission has determined that the funding of unanticipated impacts will be a priority under the ~~Annual~~annual Community Mitigation Fund. Thus the Commission will review funding requests in the context of any host or surrounding community agreement to help determine funding eligibility.¹ The Community Mitigation Fund is not intended to fund the mitigation of specific impacts already being funded in a host or surrounding Community Agreement. Please note that impacts determined through any look back review likely are unanticipated impacts.

No application for the mitigation of a specific impact shall exceed \$400,000.

Allowable impacts for funding are as follows:

Category 1 Gaming Facility: In recognition that no Category 1 gaming facility will be operational by February 1, 2017, the Commission has determined that the 2017 Community Mitigation Fund is available only to mitigate impacts related to the construction of Category 1 gaming facilities. This limitation does not apply to planning activities funded under the 2015/~~2017~~2016 one-time reserve fund, or 2017 Transportation Planning Grants, or 2017 Pre-employment Grants.

The Commission's regulation 205 CMR 125.07 defines construction period impacts as:

"The community will be significantly and adversely affected by the development of the gaming establishment prior to its opening taking into account such factors as noise and environmental impacts generated during its construction; increased construction vehicle trips on roadways within

¹ The Commission is aware of the difference in bargaining power between host and surrounding communities in negotiating agreements and will take this into account when evaluating funding applications.

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the community and intersecting the community; and projected increased traffic during the period of construction.”

Category 2 Gaming Facility: In recognition that the Category 2 gaming facility in Plainville opened during calendar year 2015, the Commission will make available funding to mitigate ~~construction and~~ operational related impacts that are being experienced or were experienced from that facility by the February 1, 2017 date. The Commission will make available up to \$500,000 in total for applications for the mitigation of operational ~~or construction~~ impacts relating to the Plainridge facility.

The Commission’s regulation 205 CMR 125.01 2(b)4 defines operational impacts as:

“The community will be significantly and adversely affected by the operation of the gaming establishment after its opening taking into account such factors as potential public safety impacts on the community; increased demand on community and regional water and sewer systems; impacts on the community from storm water run-off, associated pollutants, and changes in drainage patterns; stresses on the community's housing stock including any projected negative impacts on the appraised value of housing stock due to a gaming establishment; any negative impact on local, retail, entertainment, and service establishments in the community; increased social service needs including, but not limited to, those related to problem gambling; and demonstrated impact on public education in the community.”

~~The Commission’s regulation 205 CMR 125.07 defines construction period impacts as:~~

~~“The community will be significantly and adversely affected by the development of the gaming establishment prior to its opening taking into account such factors as noise and environmental impacts generated during its construction; increased construction vehicle trips on roadways within the community and intersecting the community; and projected increased traffic during the period of construction.”~~

Although these definitions include the types of ~~construction or~~ operational impacts that may be funded, it is not limited to those. The determination will be made by the Commission after its review.

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What Cannot Be Funded?

2017 Community Mitigation Fund may not be used for the mitigation of:

Category 1 Gaming Facilities:

- any operational related impacts;
- impacts that are projected or predicted but that are not occurring or have not occurred by February 1, 2017;
- impacts that are the responsibility (e.g. contractual, statutory, regulatory) of parties involved in the construction of gaming facilities (such as damage caused to adjoining buildings by construction equipment, spills of construction-related materials outside of work zones, personal injury claims caused by construction equipment or vehicles); and
- The cost of the preparation of a grant application;
- The CMF will not fund requests related to utility outages, such as the mitigation of business interruptions; and,
- Other impacts determined by the Commission.

Category 2 Gaming Facilities:

- impacts that are projected or predicted but that are not occurring or have not occurred by February 1, 2017;
- impacts that are the responsibility (e.g. contractual, statutory, regulatory) of parties involved in the construction of gaming facilities (such as damage caused to adjoining buildings by construction equipment, spills of construction-related materials outside of work zones, personal injury claims caused by construction equipment or vehicles);
- Please note that the Commission may determine to expand the eligible uses of funds for the 2017 program or other future programs when impacts are more clearly identifiable. The Commission will also consult with mitigation advisory committees established in MGL c. 23K in determining such uses;
- The cost of the preparation of a grant application; and

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- The CMF will not fund requests related to utility outages, such as the mitigation of business interruptions.

Guidance on Funding for Non-Governmental Entities

As noted, communities and other parties may apply for funds to mitigate the impact to non-governmental entities. However, the Commission strongly encourages applicants to ensure the impacts are directly related to the gaming facility. For example, an applicant could limit a request for assistance for impacts to all businesses within 1000 feet of a gaming facility. Further, applicants should demonstrate that the governmental entity, the licensee, or both will also financially contribute to any program of assistance.

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The Commission ~~does will~~ not ~~anticipate funding fund~~ any applications for assistance to non-governmental entities unless the applicant governmental entity or the licensee or both provide significant funding to match or partially match the assistance required from the 2017 Community Mitigation Fund. Any such application for assistance to non-governmental entities by a host community must demonstrate that the host community, the licensee, or both will match the assistance required from the 2017 Community Mitigation Fund. Communities may ask the Commission to waive this match or partial match ~~requirements. Communities requirement.~~ Any community seeking a waiver should include a statement in its application specifying the reason for its waiver request. Please note that as stated by the Commonwealth's Comptroller's Office: "The Anti-Aid Amendment of the Massachusetts Constitution prohibits "public money or property" property from aiding non-public institutions.... Article 46 has been interpreted to allow the expenditure of public funds to non-public recipients solely for the provision of a "public purposes" purposes' [sic] and not for the direct benefit or maintenance of the non-public entity."

Any community seeking funding for mitigation ~~te~~involving non-public entities should provide detail how its planned use is in conformity with this provision of the Massachusetts Constitution and with Municipal Finance Law.

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How Much Funding Is and Will Be Available?

In sum, a total of \$17.5 million from the current licensees was deposited in the Community Mitigation Fund for use until Category 1 gross gaming revenues are generated, or thereafter (if all such funds are not used prior to that date). After the deduction of purposes approved in 2015 and 2016, the fund has ~~\$14.75 approximately~~ \$12 million available—after accounting for potential future awards of previously authorized grants.

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No further contributions will be made to the Community Mitigation Fund until either MGM Springfield or Wynn Everett become operational and generate revenues.² ~~Both MGM Springfield and Wynn Everett is~~ currently ~~project~~projected to be operational ~~in~~on September 5, 2018 and Wynn Everett is currently projected to be operational on June 3, 2019. Once operational, MGL c. 23K, § 59 specifies that 6.5% of the revenues from the tax on gross gaming revenues from Category 1 (full casino) licensees shall be deposited in the Community Mitigation Fund.

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Once the MGM Springfield and Wynn Everett facilities are operational, approximately \$18 million generated by these two facilities will be annually deposited into the Community Mitigation Fund using a conservative estimate provided by the Commission's financial consultants.

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Limitations

Because the ~~\$14.75 million in the~~ fund needs to be available until the facilities are operational, the Commission anticipates ~~expending~~authorizing no more than ~~one third~~\$4 million in awards out of the ~~fund annually~~2017 Community Mitigation Fund, including potential future awards of previously authorized grants. No application for calendar year 2017, and 2018. This amount is estimated to be approximately \$4.91 million per year a specific impact grant shall exceed \$400,000.

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Of that amount, for 2017, no more than \$500,000 may be expended for operational impacts related to the Category 2 gaming facility, unless otherwise determined by the Commission.

Transportation Planning Grants

For calendar year 2017, the Commission will make available funding for certain transportation planning activities for all communities eligible to receive funding from the Community Mitigation Fund in Regions A & B and for the Category 2 facility, including each Category 1 and Category 2 host community and each designated surrounding community, each community which entered into a nearby community agreement with a licensee, and any community that petitioned to be a surrounding

² These guidelines do not describe revenue estimates from the potential Tribal facility in Taunton or the participation of a Region C facility, as ~~the~~no Region C ~~decision on the~~ license or Tribal facility has ~~not~~ yet been made fully authorized. Further, after the initial deposit, no further contributions from the Slots licensee will be made to the fund.

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community to a gaming licensee, each community that is geographically adjacent to a host community.

FundingThe total funding available for planning grants will likely not exceed \$~~982800~~,000, approximately 20% of the estimated annual allotment for the fund. No application for a transportation planning grant shall exceed \$150,000.

Eligible planning projects must have a defined area or issue that will be investigated as well as a clear plan for implementation of the results.

Eligible expenses to be covered by the Transportation Planning Grant include, but not necessarily limited to:

- Planning consultants/staff
- Data gathering/surveys
- Data analysis
- Design
- Engineering review/surveys
- Public meetings/hearings
- Final report preparation

The planning projects must be clearly related to addressing transportation issues or impacts directly related to the gaming facility.

Applicants will be required to submit a detailed scope, budget, and timetable for the planning effort prior to funding being awarded.

Pursuant to the Guidelines, the Commission will evaluate requests for planning funds (including both the use of Reserve Planning Funds and Transportation Planning Grant Funds) after taking into consideration input the applicant has received from the local Regional Planning Agency ("RPA") or any such interested parties. Although there is no prerequisite for using RPA's for planning projects, consultation with RPA's is required to enable the Commission to better understand how planning funds are being used efficiently across the region of the facility. Please provide details about the applicant's consultation with the RPA or any such interested parties.

Communities that requested and received reserves in 2015 or 2016 must first expend those funds before accessing any Transportation Planning Grant funds. Transportation

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Planning Grant funds may be sought to expand a planning project begun with reserve funds or to fund an additional project once the reserves have been exhausted.

Springfield Historic Preservation Trust Fund

~~On August 6, 2015, as part of the consultative process pursuant to 950-CMR 71.00 – Protection of Properties Included in the State Register of Historic Places, the Commission determined that it would provide \$350,000 in Community Mitigation Funds to the Springfield Historic Preservation Trust Fund. The City of Springfield agreed to apply for such funds by February 1, 2016. The provision of the \$350,000 does not limit Springfield’s ability to apply for 2016 Community Mitigation Funds for other purposes.~~

In addition to the specific impact grant factors further defined in section “How Will the Commission Decide on Applications?”, the Commission will also consider whether the applicant demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds.

Applicants may, but are not required, to include a description how the project meets the evaluation standards for the Fiscal Year 2017 TIP criteria for the Boston MPO Region or the Pioneer Valley Planning Commission’s transportation evaluation criteria, or other regional transportation project evaluation standard, whichever may be most applicable.

Compact Technical Assistance

The Commission shall make available no more than \$200,000 in technical assistance funding to assist in the determination of potential impacts that may be experienced by communities in geographic proximity to the potential Tribal Gaming facility in Taunton. Said technical assistance funding may be made through Southeastern Regional Planning and Economic Development District (“SRPEDD”), the regional planning agency that services such communities or a comparable regional entity. Such funding will only be made available, after approval of any application by SRPEDD or a comparable regional entity, if it is determined by the Commission that construction of such gaming facility will likely commence prior to or during Fiscal Year 2017. Any such application by SRPEDD or a comparable regional entity must demonstrate that any studies of impacts will address the technical assistance needs of the region which may include but not be limited to the communities that are geographically adjacent to Taunton. Such funding shall not be used to study impacts on or provide technical assistance to Taunton, as funding has been provided in the Intergovernmental Agreement By and Between the Mashpee Wampanoag Tribe and the City of Taunton. Any such program of technical assistance may be provided by SRPEDD itself or through a contract with SRPEDD.

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Pre-Employment Grant

For the fiscal year 2018, the Commission will make available funding for certain career pathways workforce development pilot programs in Regions A and B for service to residents of communities of such Regions, including each Category 1 host community and each designated surrounding community, each community which entered into a nearby community agreement with a licensee, any community that petitioned to be a surrounding community to a gaming licensee, and each community that is geographically adjacent to a host community.

The total funding available for grants will likely not exceed \$200,000. No application for a grant in each Region shall exceed \$100,000. One grant will be considered for each Region.

Eligible career pathways workforce development proposals must include a regional consortium approach to improve the skills, knowledge, and credential attainment of each Region A and Region B residents interested in a casino career, focusing on increasing industry-recognized and academic credentials needed to work in the most in-demand occupations related to the expanded gaming Industry or a focus on occupations that could be in high demand from the casino, potentially negatively impacting the regional business community. This could include a focus on hospitality, culinary, cash handling, or customer service, etc.

Goals include:

- To help low-skilled adults earn occupational credentials, obtain well-paying jobs, and sustain rewarding careers in sectors related to hospitality and casino careers.
- To get students with low basic skills into for-credit career and technical education courses to improve their educational and employment outcomes.
- To deliver education and career training programs that can be completed in two years or less and prepare program participants for employment in high-wage, high-skill occupations related to the casino.
- To align and accelerate ABE, GED, and developmental programs and provide nontraditional students the supports they need to enable more low-income adults to complete postsecondary credentials of value in the regional labor market.

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- To mitigate a strain in existing resources and a potential impact to the regional labor market

Eligible activities include: a program in Region A or Region B that structures intentional connections among adult basic education, occupational training, and postsecondary education programs designed to meet the needs of both adult learners and employers, post-secondary vocational programs, registered apprenticeships, courses leading to college credits or industry-recognized certificates, Adult Basic Education (“ABE”) and vocationally based English for Speakers of Other Languages (“ESOL”) training programs, Contextualized Learning, Integrated Education & Training, and Industry-recognized Credentials.

A consortium application is required. However, governmental entities eligible to receive funds would include but not be limited to: host communities, communities which were each either a designated surrounding community, a community which entered into a nearby community agreement with a licensee, a community that is geographically adjacent to the host community of a gaming licensee, a community that petitioned to be a surrounding community to a gaming licensee state agencies, state agencies, and Regional Employment Boards.

Applicants should consider leveraging other funding resources.

What Should Be Included in the Applications?

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- Applicants are required to complete the 2017 ~~Community Mitigation Fund~~Specific Impact Grant Application, the 2017 Transportation Planning Grant or the 2017 Pre-Employment Grant Application and may also submit additional supporting materials of a reasonable length.
- Applicants will need to describe how the specific mitigation ~~or~~, planning, or pre-employment project request will address any claimed impacts and provide justification of any funds requested. Unlike existing surrounding community agreements which were based on anticipated impacts, any ~~community mitigation award~~Specific Impact Grant will be based on impacts that have occurred or are occurring, as noted previously.
- Applicants will need to describe if and how such impacts were addressed or not addressed in any host or surrounding community agreements.
- Applicants may include a letter of support from the applicable gaming licensee. However, this is not necessary, as the Commission will request the licensee’s opinion

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regarding each application.

How Will the Commission Decide on Applications?

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- Similar to the Commission’s surrounding community review process, the Commission will ask each licensee to review and comment on any requests for funding.
- The Commission will evaluate the submittal by the community, any input received from the community and interested parties (such as Regional Planning Agencies), the responses of the licensee, Commission consultant reviews, and any other sources determined by the Commission.
- The Commission will evaluate any funding requests in the context of any host or surrounding community agreements.
- Factors used by the commission to evaluate transportation planning grant applications may include but not be limited to:
 - o A demonstration that the impact is being caused by the proposed gaming facility;
 - o The significance of the impact to be remedied;
 - o The potential for the proposed mitigation measure to address the impact;
 - o The feasibility and reasonableness of the proposed mitigation measure;
 - o The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party;
 - o The significance of any matching funds;
 - o Any demonstration of regional benefits from a mitigation award;
 - o A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure; or
 - o A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant.
- The Commission may ask applicants for supplementary materials, may request a meeting with applicants, and reserves the ability to host a hearing or hearings on any application.

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- The Commission’s deliberations on Community Mitigation Fund policies will also be aided through input from the Gaming Policy Advisory Committee, the Community Mitigation Subcommittee, and any Local Community Mitigation Advisory Committees, as established pursuant to MGLM.G.L. c. 23K.
- The Commission reserves the ability to determine a funding limit beyond what is detailed in these Guidelines, as additional contributions to the Community Mitigation Fund will not be made until Category 1 gaming facilities are operational. The Commission also reserves the ability to determine a funding limit above what is detailed in these Guidelines.
- The Commission reserves the ability to fund only portions of requested projects and to fund only a percentage of amounts requested. The Commission also reserves the ability to place conditions on any award.
- There is limited funding available. The Commission therefore reserves the right to determine which requests to fund based on its assessment of a broad range of factors including the extent of public benefit each grant is likely to produce.

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When Will the Commission Make Decisions?

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The Commission anticipates making funding decisions on any requests for mitigation of specific impacts approximately by grant assistance before July 2017, after a comprehensive review and any additional information requests.

Is There a Deadline for the Use of the 2015/2016 Reserve?

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There is no deadline. Funds may be used on a rolling basis when specific impacts are determined or the specific planning activity is determined. Once known, communities should contact the Ombudsman's Office, which will assist the community in providing the needed information. Communities with specific impacts will, at the time the impacts are known, complete the grayed sections of the 2016 Community Mitigation Fund 2017 Use of Reserve Grant Application (the grayed boxes 1-4 beginning on page 3). Communities with requests for planning funds will provide similar information to the Commission: a description of the planning activity, how the planning activity relates to the development or operation of the gaming facility, how the planning funds are proposed to be used, consultation with the Regional Planning Agency, other funds being used, and how planning will help the community determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts. Each Community applying for planning funds will also need to provide detail on what it will contribute to

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the planning project such as in-kind services or planning funds. Please note that such details do not need to be determined by the February 1, 20162017 application date. ~~Communities must only check the box on the first page of the application to establish the reserve.~~ Commission approvals of the use of the 2015/2016 reserve funds will also be on a rolling basis corresponding to the rolling determinations of use by communities.

Who Should Be Contacted for Any Questions?

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As the 20162017 Community Mitigation Fund program is just ~~in~~ the ~~second~~third year of the program for the Commission, communities and other parties may have a number of questions. They are encouraged to contact the Commission's Ombudsman with any questions or concerns. The Commission's Ombudsman will regularly brief the Commission regarding the development of Community Mitigation Fund policies.

The Commission's Ombudsman, John Ziembra, can be reached at 617-979-8423 or via e-mail at john.s.ziembra@state.ma.us. The Commission's address is 101 Federal Street, 12th Floor, Boston, MA 02110.

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Where Should the Applications Be Sent?

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Applications **must be sent to** www.commbuys.com. An application received by COMMBUYS by February 1, 20162017 will meet the application deadline. Applicants that are not part of the COMMBUYS system should contact Mary Thurlow of the Commission's Ombudsman's Office well in advance of the February 1, 20162017 deadline to make arrangements for submission of the application by the deadline. Mary Thurlow can be contacted at 617-979-8420 or at mary.thurlow@state.ma.us.

If you have any questions or concerns contact the COMMBUYS Help Desk at COMMBUYS@state.ma.us or during normal business hours (8am - 5pm ET Monday - Friday) at 1-888-627-8283 or 617-720-3197.

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MASSACHUSETTS GAMING COMMISSION

2016 COMMUNITY MITIGATION FUND GUIDELINES

What is the Community Mitigation Fund?

The Expanded Gaming Act, MGL c. 23K, created the Community Mitigation Fund to help entities offset costs related to the construction and operation of a gaming establishment.

When Is the Application Deadline?

February 1, 2016. MGL c. 23K, § 61 states that “parties requesting appropriations from the fund shall submit a written request for funding to the Commission by February 1.”

Who Can Apply?

MGL c. 23K, § 61 states the Commission shall expend monies in the fund to assist the host and surrounding communities ... “including, but not limited to, communities and water and sewer districts in the vicinity of a gaming establishment, local and regional education, transportation, infrastructure, housing, environmental issues and public safety, including the office of the county district attorney, police, fire, and emergency services.” The Commission may also distribute funds to a governmental entity or district other than a single municipality in order to implement a mitigation measure that affects more than one community.

Private non-governmental parties may not directly apply for Community Mitigation Funds. However, governmental entities may apply to the Commission for funds to mitigate impacts to private parties provided that such funding is for a “public purpose” and not the direct benefit or maintenance of the private party; the governmental entity provides a program that ensures that funding will be made only to remedy impacts; and provided that the governmental entity will be responsible for overseeing such funding and complying with all applicable state and municipal laws including but not limited to Art. 46, §2, as amended by Article 103 of the Amendments to the Massachusetts Constitution.



Massachusetts Gaming Commission

The Community Mitigation Fund may be used to offset costs related to both Category 1 full casino facilities (MGM Springfield and Wynn Everett) and the state's Category 2 slots-only facility (Plainridge Park).

Does a Community Need to Be a Designated Host or Surrounding Community to Apply?

No. The Commission's regulations and MGL c. 23K, § 61 do not limit use of Community Mitigation Funds to only host or surrounding communities. The Commission's regulation, 205 CMR 125.01(4), states that "[a]ny finding by the commission that a community is not a surrounding community for purposes of the RFA-2 application shall not preclude the community from applying to and receiving funds from the Community Mitigation Fund established by MGL c. 23K, § 61...."

2016 One-Time Reserve

As in 2015, the Commission will make available certain funds for Region A, Region B, and Category 2 communities that may not be able to demonstrate significant impacts by February 1, 2016 and had not previously submitted a request for a Reserve fund in 2015, or communities which failed to file their 2015 application on time. For 2016, Host Communities are eligible to submit a request for a \$100,000 reserve in addition to the following communities which were each either a designated surrounding community, a community which entered into a nearby community agreement with a licensee, a community that is geographically adjacent to the host community of a gaming licensee, and a community that petitioned to be a surrounding community to a gaming licensee:

- Attleboro
- Hampden
- Melrose
- North Attleboro
- Revere

A second reserve is not available for any community that sought and was awarded a reserve in 2015.

This reserve can be used to cover impacts that may arise in 2016 or thereafter. It may also be used for planning, either to determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts.

Communities that choose to utilize the reserve in 2016 and had not previously done so, should simply check the “Check Box If Requesting the Creation of a Mitigation Reserve Fund for a Community” box on the application. No other description is required by the February 1, 2016 deadline. Commission staff will follow-up with each community to get the community's description of planned uses. Funds will be distributed as the needs are identified. Communities that utilize the reserve are not prohibited from applying for funding for any specific mitigation request.

Although no specific description as to use needs to be included in an application for the 2016 reserve, communities must apply by February 1, 2016 to get the reserve.

Status of One-Time 2015 Reserves

In 2015, a Reserve Fund was established for communities that may not have been able to demonstrate significant impacts by the submittal deadline date. The Commission reserved \$100,000 for the following communities which were either a designated surrounding community, a community which entered into a nearby community agreement with a licensee, or a community that petitioned to be a surrounding community to a gaming licensee:

CATEGORY 1 – CASINO/RESORT

Region A

Boston
Cambridge
Chelsea
Lynn
Malden
Medford
Saugus
Somerville

Region B

Agawam
Chicopee
East Longmeadow
Holyoke
Longmeadow
Ludlow
Northampton
West Springfield (used \$98,500 out of \$100,000)
Wilbraham

CATEGORY 2 – SLOTS

Foxborough

Mansfield

Wrentham

In many cases, communities may not be in a position to access their 2015 reserves by the February 1, 2016. The Commission has extended such reserves for the 2016 Community Mitigation Fund Program. Communities may continue to access whatever portion of the original \$100,000 that remains unexpended. The above communities **do not** need to submit any new application to keep its reserve. The reserve has automatically been preserved by action of the Commission.

The criteria for the use of the reserve remains the same. This reserve can be used to cover impacts that may arise in 2016 or thereafter. It may also be used for planning, either to determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts.

Funds will be distributed as the needs are identified. Communities that utilize the reserve are not prohibited from applying for funding for any specific mitigation request.

What are the Reserve Amounts?

Can communities apply both for the reserve and for a specific impact?

Yes. However, if a specific impact application is successful, a portion of the reserve will be used as an offset against the amount requested for the specific impact. The reserve amount will be reduced by fifty thousand dollars (\$50,000.00) assuming the specific impact request is at least that amount.

Can a community apply for mitigation of a specific impact even though it has not fully utilized its 2015 Reserve?

Yes. However, if a specific impact application is successful, a portion of the reserve will be used as an offset against the amount requested for the specific impact. The reserve amount will be reduced by fifty thousand dollars (\$50,000.00) assuming the specific impact request is at least that amount

What Specific Impacts Can Be Funded?

The 2016 Community Mitigation Fund for mitigation of specific impacts may be used only to mitigate impacts that either have occurred or are occurring as of the February 1, 2016 application date. Although the definition in the Commission's regulations (for the purpose of determining which communities are surrounding communities) references projected impacts, the 2016 program is limited to only those impacts that are being experienced by the time of the February 1, 2016 application date.

The Commission has determined that the funding of unanticipated impacts will be a priority under the Annual Mitigation Fund. Thus the Commission will review funding requests in the context of any host or surrounding community agreement to help determine funding eligibility.¹ The Community Mitigation Fund is not intended to fund the mitigation of specific impacts already being funded in a host or surrounding Community Agreement. Please note that impacts determined through any look back review likely are unanticipated impacts.

Allowable impacts for funding are as follows:

Category 1 Gaming Facility: In recognition that no Category 1 gaming facility will be operational by February 1, 2016, the Commission has determined that the 2016 Community Mitigation Fund is available only to mitigate impacts related to the construction of Category 1 gaming facilities. This limitation does not apply to planning activities funded under the 2015/2016 one-time reserve fund or 2016 Transportation Planning Grants.

The Commission's regulation 205 CMR 125.07 defines construction period impacts as:

"The community will be significantly and adversely affected by the development of the gaming establishment prior to its opening taking into account such factors as noise and environmental impacts generated during its construction; increased construction vehicle trips on roadways within the community and intersecting the community; and projected increased traffic during the period of construction."

¹ The Commission is aware of the difference in bargaining power between host and surrounding communities in negotiating agreements and will take this into account when evaluating funding applications.

Category 2 Gaming Facility: In recognition that the Category 2 gaming facility in Plainville opened during calendar year 2015, the Commission will make available funding to mitigate construction and operational related impacts that are being experienced or were experienced from that facility by the February 1, 2016 date. The Commission will make available up to \$500,000 in total for applications for the mitigation of operational or construction impacts relating to the Plainridge facility.

The Commission's regulation 205 CMR 125.01 2(b)4 defines operational impacts as:

“The community will be significantly and adversely affected by the operation of the gaming establishment after its opening taking into account such factors as potential public safety impacts on the community; increased demand on community and regional water and sewer systems; impacts on the community from storm water run-off, associated pollutants, and changes in drainage patterns; stresses on the community's housing stock including any projected negative impacts on the appraised value of housing stock due to a gaming establishment; any negative impact on local, retail, entertainment, and service establishments in the community; increased social service needs including, but not limited to, those related to problem gambling; and demonstrated impact on public education in the community.”

The Commission's regulation 205 CMR 125.07 defines construction period impacts as:

“The community will be significantly and adversely affected by the development of the gaming establishment prior to its opening taking into account such factors as noise and environmental impacts generated during its construction; increased construction vehicle trips on roadways within the community and intersecting the community; and projected increased traffic during the period of construction.”

Although these definitions include the types of construction or operational impacts that may be funded, it is not limited to those. The determination will be made by the Commission after its review.

What Cannot Be Funded?

2016 Community Mitigation Fund may not be used for the mitigation of:

Category 1 Gaming Facilities:

- any operational related impacts;
- impacts that are projected or predicted but that are not occurring or have not occurred by February 1, 2016;
- impacts that are the responsibility (e.g. contractual, statutory, regulatory) of parties involved in the construction of gaming facilities (such as damage caused to adjoining buildings by construction equipment, spills of construction-related materials outside of work zones, personal injury claims caused by construction equipment or vehicles); and
- Other impacts determined by the Commission.

Category 2 Gaming Facilities:

- impacts that are projected or predicted but that are not occurring or have not occurred by February 1, 2016;
- impacts that are the responsibility (e.g. contractual, statutory, regulatory) of parties involved in the construction of gaming facilities (such as damage caused to adjoining buildings by construction equipment, spills of construction-related materials outside of work zones, personal injury claims caused by construction equipment or vehicles);
- Please note that the Commission may determine to expand the eligible uses of funds for the 2017 program or other future programs when impacts are more clearly identifiable. The Commission will also consult with mitigation advisory committees established in MGL c. 23K in determining such uses.

Guidance on Funding for Non-Governmental Entities

As noted, communities and other parties may apply for funds to mitigate the impact to non-governmental entities. However, the Commission strongly encourages applicants to ensure the impacts are directly related to the gaming facility. For example, an

applicant could limit a request for assistance for impacts to businesses within 1000 feet of a gaming facility. Further, applicants should demonstrate that the governmental entity, the licensee, or both will also financially contribute to any program of assistance. The Commission does not anticipate funding any applications for assistance to non-governmental entities unless the applicant governmental entity or the licensee or both provide significant funding to match or partially match the assistance required from the 2016 Community Mitigation Fund. Communities may ask the Commission to waive these match or partial match requirements. Communities seeking a waiver should include a statement in its application specifying the reason for its waiver request. Please note that as stated by the Commonwealth's Comptroller's Office: "The Anti-Aid Amendment of the Massachusetts Constitution prohibits "public money or property" from aiding non-public institutions.... Article 46 has been interpreted to allow the expenditure of public funds to non-public recipients solely for the provision of a "public purposes" and not for the direct benefit or maintenance of the non-public entity."

Any community seeking funding for mitigation to non-public entities should provide detail how its planned use is in conformity with this provision of the Massachusetts Constitution and with Municipal Finance Law.

How Much Funding Is and Will Be Available?

In sum, a total of \$17.5 million from the current licensees was deposited in the Community Mitigation Fund for use until Category 1 gross gaming revenues are generated, or thereafter (if all such funds are not used prior to that date). After the deduction of purposes approved in 2015, the fund has \$14.75 million available.

No further contributions will be made to the Community Mitigation Fund until either MGM Springfield or Wynn Everett become operational and generate revenues.² Both MGM Springfield and Wynn Everett currently project to be operational in 2018. Once operational, MGL c. 23K, § 59 specifies that 6.5% of the revenues from the tax on gross gaming revenues from Category 1 (full casino) licensees shall be deposited in the Community Mitigation Fund.

² These guidelines do not describe revenue estimates from or the participation of a Region C facility, as the Region C decision on the license has not yet been made. Further, after the initial deposit, no further contributions from the Slots licensee will be made to the fund.

Once the MGM Springfield and Wynn Everett facilities are operational, approximately \$18 million generated by these two facilities will be annually deposited into the Community Mitigation Fund using a conservative estimate provided by the Commission's financial consultants.

Limitations

Because the \$14.75 million in the fund needs to be available until the facilities are operational, the Commission anticipates expending no more than one third of the fund annually for calendar year 2016, 2017, and 2018. This amount is estimated to be approximately \$4.91 million per year.

Of that amount, for 2016, no more than \$500,000 may be expended for operational impacts related to the Category 2 gaming facility, unless otherwise determined by the Commission.

Transportation Planning Grants

For calendar year 2016, the Commission will make available funding for certain transportation planning activities for all communities eligible to receive funding from the Community Mitigation Fund in Regions A & B and for the Category 2 facility, including each Category 1 and Category 2 host community and each designated surrounding community, each community which entered into a nearby community agreement with a licensee, and any community that petitioned to be a surrounding community to a gaming licensee, each community that is geographically adjacent to a host community.

Funding available for planning grants will likely not exceed \$982,000, approximately 20% of the estimated annual allotment for the fund.

Eligible planning projects must have a defined area or issue that will be investigated as well as a clear plan for implementation of the results.

Eligible expenses to be covered by the Transportation Planning Grant include, but not necessarily limited to:

- Planning consultants/staff
- Data gathering/surveys
- Data analysis

- Engineering review/surveys
- Public meetings/hearings
- Final report preparation

The planning projects must be clearly related to addressing transportation issues or impacts directly related to the gaming facility.

Applicants will be required to submit a detailed scope, budget, and timetable for the planning effort prior to funding being awarded.

Pursuant to the Guidelines, the Commission will evaluate requests for planning funds (including both the use of Reserve Planning Funds and Transportation Planning Grant Funds) after taking into consideration input the applicant has received from the local Regional Planning Agency ("RPA") or any such interested parties. Although there is no prerequisite for using RPA's for planning projects, consultation with RPA's is required to enable the Commission to better understand how planning funds are being used efficiently across the region of the facility. Please provide details about the applicant's consultation with the RPA or any such interested parties.

Communities that requested and received reserves in 2015 or 2016 must first expend those funds before accessing any Transportation Planning Grant funds. Transportation Planning Grant funds may be sought to expand a planning project begun with reserve funds or to fund an additional project once the reserves have been exhausted.

Springfield Historic Preservation Trust Fund

On August 6, 2015, as part of the consultative process pursuant to 950 CMR 71.00 – Protection of Properties Included in the State Register of Historic Places, the Commission determined that it would provide \$350,000 in Community Mitigation Funds to the Springfield Historic Preservation Trust Fund. The City of Springfield agreed to apply for such funds by February 1, 2016. The provision of the \$350,000 does not limit Springfield's ability to apply for 2016 Community Mitigation Funds for other purposes.

What Should Be Included in the Applications?

- Applicants are required to complete the 2016 Community Mitigation Fund Application and may also submit additional supporting materials of a reasonable length.
- Applicants will need to describe how the specific mitigation or planning project request will address any claimed impacts and provide justification of any funds requested. Unlike existing surrounding community agreements which were based on anticipated impacts, any community mitigation award will be based on impacts that have occurred or are occurring, as noted previously.
- Applicants will need to describe if and how such impacts were addressed or not addressed in any host or surrounding community agreements.
- Applicants may include a letter of support from the applicable gaming licensee. However, this is not necessary, as the Commission will request the licensee's opinion regarding each application.

How Will the Commission Decide on Applications?

- Similar to the Commission's surrounding community review process, the Commission will ask each licensee to review and comment on any requests for funding.
- The Commission will evaluate the submittal by the community, any input received from the community and interested parties (such as Regional Planning Agencies), the responses of the licensee, Commission consultant reviews, and any other sources determined by the Commission.
- The Commission will evaluate any funding requests in the context of any host or surrounding community agreements.
- The Commission may ask applicants for supplementary materials, may request a meeting with applicants, and reserves the ability to host a hearing or hearings on any application.
- The Commission's deliberations on Community Mitigation Fund policies will also be aided through input from the Gaming Policy Advisory Committee, the Community Mitigation Subcommittee, and any Local Community Mitigation Advisory Committees, as established pursuant to MGL c. 23K.

- The Commission reserves the ability to determine a funding limit beyond what is detailed in these Guidelines, as additional contributions to the Community Mitigation Fund will not be made until Category 1 gaming facilities are operational.
- The Commission reserves the ability to fund only portions of requested projects and to fund only a percentage of amounts requested. The Commission also reserves the ability to place conditions on any award.
- There is limited funding available. The Commission therefore reserves the right to determine which requests to fund based on its assessment of a broad range of factors including the extent of public benefit each grant is likely to produce.

When Will the Commission Make Decisions?

The Commission anticipates making funding decisions on any requests for mitigation of specific impacts approximately by July 2016, after a comprehensive review and any additional information requests.

Is There a Deadline for the Use of the 2016 Reserve?

There is no deadline. Funds may be used on a rolling basis when specific impacts are determined or the specific planning activity is determined. Once known, communities should contact the Ombudsman's Office, which will assist the community in providing the needed information. Communities with specific impacts will, at the time the impacts are known, complete the grayed sections of the 2016 Community Mitigation Fund Application (the grayed boxes 1-4 beginning on page 3). Communities with requests for planning funds will provide similar information to the Commission: a description of the planning activity, how the planning activity relates to the development or operation of the gaming facility, how the planning funds are proposed to be used, consultation with the Regional Planning Agency, other funds being used, and how planning will help the community determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts. Each Community applying for planning funds will also need to provide detail on what it will contribute to the planning project such as in-kind services or planning funds. Please note that such details do not need to be determined by the February 1, 2016 application date. Communities must only check the box on the first page of the application to establish the reserve. Commission approvals of the use of the 2016 reserve funds will also be on a rolling basis corresponding to the rolling determinations of use by communities.

Who Should Be Contacted for Any Questions?

As the 2016 Community Mitigation Fund program is just the second year of the program for the Commission, communities and other parties may have a number of questions. They are encouraged to contact the Commission's Ombudsman with any questions or concerns. The Commission's Ombudsman will regularly brief the Commission regarding the development of Community Mitigation Fund policies.

The Commission's Ombudsman, John Ziemba, can be reached at 617-979-8423 or via e-mail at john.s.ziemba@state.ma.us. The Commission's address is 101 Federal Street, 12th Floor, Boston, MA 02110.

Where Should the Applications Be Sent?

Applications **must be sent to** www.commbuys.com. The COMMBUYS bid number is BD-16-1068-1068C-1068L-00000006606. If applicants have any trouble locating this in COMMBUYS under the bid number, applicants should search by the agency name, Massachusetts Gaming Commission.

An application received by COMMBUYS by February 1, 2016 will meet the application deadline. Applicants that are not part of the COMMBUYS system should contact Mary Thurlow of the Commission's Ombudsman's Office well in advance of the February 1, 2016 deadline to make arrangements for submission of the application by the deadline. Mary Thurlow can be contacted at 617-979-8420 or at mary.thurlow@state.ma.us.

If you have any questions or concerns contact the COMMBUYS Help Desk at COMMBUYS@state.ma.us or during normal business hours (8am - 5pm ET Monday - Friday) at 1-888-627-8283 or 617-720-3197.

No Documents

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