



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