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## Meeting Minutes

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**Date/Time:** November 6, 2014 – 10:30 a.m.

**Place:** Boston Convention and Exhibition Center  
415 Summer Street, Room 151B  
Boston, Massachusetts.

**Present:** Chairman Stephen P. Crosby  
Commissioner Gayle Cameron  
Commissioner James F. McHugh  
Commissioner Bruce Stebbins  
Commissioner Enrique Zuniga

### **Call to Order**

See transcript page 2-6

10:30 a.m. Chairman Crosby called to order the 138<sup>th</sup> Commission Meeting.

### **Approval of the Minutes**

See transcript page 6-9

10:34 a.m. *Commissioner McHugh moved for the approval of the October 23, 2014 minutes. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

### **Administration**

See transcript pages 9-20

10:37 a.m. Director Day presented the Commission with an update on commission staff and the hiring status for open positions.

10:42 a.m. Human Resource Business Partner Dean Ventola, Ed Burke, Managing Director of North Passage Associates, and Joan Kuhn presented the policy manual for approval.

10:48 a.m. *Motion made by Commissioner Zuniga to approve the policy manual and employee handbook as presented in the packet. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

### **Racing Division**

See transcript pages 20-38

10:49 a.m. General Counsel Blue presented on the applications for live harness horse racing with a written recommendation from the Director of Racing, Jennifer Durenberger. Steve O'Toole, General Manager of Racing at Plainridge Racecourse addressed the Commission on the use of the track in the off-season in relation to the construction being conducted at Plainridge and insurance coverage in the off-season.

10:54 a.m. *Motion made by Commissioner Cameron to approve the Springfield Gaming and Redevelopment for the live harness horse racing license. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

10:55 a.m. General Counsel Blue presented on the three one-day "placeholder" applications for live thoroughbred racing received by the Commission with the written recommendations from the Director of Racing, Jennifer Durenberger.

11:04 a.m. *Motion made by Commissioner Cameron to approve the one-day racing license application to the New England Horsemen's Benevolent and Protective Association. Motion seconded by Commissioner McHugh. Motion passed unanimously.*

11:05 a.m. *Motion made by Commissioner Cameron to approve the one-day racing license application to the Brockton Agricultural Society. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

11:05 a.m. *Motion made by Commissioner Cameron to approve the one-day racing license application to the Middleborough Agricultural Society. Motion seconded by Commissioner McHugh. Motion passed unanimously.*

### **Legal Division**

See transcript pages 38-54

11:06 a.m. CFAO Derek Lennon presented on the assessment requirement of the MGM and Wynn license per 205 CMR 121.

11:13 a.m. *Commissioner McHugh moved to waive the 3-5 day payment date in the license agreements as currently drafted and modify it to allow payment by the licensee within three to five days of receipt of an invoice from us. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

- 11:14 a.m. *Commissioner McHugh moved that the Commission formally award the Category 1 Gaming License in Region B as defined in the General Laws Chapter 23K, section 19A(2) to Blue Tarp Redevelopment, LLC. Said license to be effective on November 7, 2014 and to be subject (1) to all terms and conditions contained in the agreement between the Commission and Blue Tarp Redevelopment, LLC dated June 13, 2014 and (2) to acceptance by Blue Tarp Redevelopment, LLC of the license and those conditions. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*
- 11:16 a.m. License accepted by Mike Mathis on behalf of Blue Tarp Redevelopment, LLC and MGM Springfield and MGM Resorts.
- 11:18 a.m. *Motion made by Commissioner Stebbins that the Commission formally awards the Category 1 Gaming License for Region A as defined in the General Laws chapter 23K, section 19A(1) to Wynn MA, LLC. Said license to be effective November 7, 2014 and to be subject to (1) all terms and conditions contained in the agreement between the Commission and Wynn MA, LLC dated September 17, 2014 and (2) to acceptance by Wynn MA, LLC of the license in those conditions. Motion seconded by Commissioner Cameron. Motion passed unanimously. Chairman Crosby was recused from this vote.*
- 11:20 a.m. License award accepted by Mr. DeSalvio on behalf of Wynn MA, LLC.
- 11:23 a.m. Commission in recess.
- 11:50 a.m. Meeting resumed.

### **Ombudsman Report**

See transcript pages 55-128

- 11:50 a.m. Ombudsman Ziemba presented on the community mitigation fund and the associate mitigation committees established by the Expanded Gaming Act.
- 12:15 p.m. Ombudsman Ziemba and Director Wells presented an update on Region C.
- 1:08 p.m. *Motion made by Commissioner Cameron to move the RFA application deadlines back two months to February 1, 2015. Motion seconded by Commissioner McHugh. Motion passed 3-2 with Chairman Crosby and Commissioners Cameron and McHugh in favor; Commissioners Zuniga and Stebbins in opposition.*
- 1:10 p.m. Commission recessed for lunch.
- 2:00 p.m. Meeting resumed.

## **Workforce, Supplier and Diversity Development**

See transcript pages 128-172

2:00 p.m. Director Griffin; Susan Moir, Director of UMass Boston Labor Resource Center; and Liz Skidmore, Business Manager of New England Regional Council of Carpenters presented on establishing an Access and Opportunity Committee.

## **Research and Problem Gambling**

See transcript pages 172-233

2:56 p.m. Director Vander Linden presented an update on the Play Management recommendations.

2:59 p.m. Director Vander Linden and Dr. Rachel Volberg presented an update on the SEIGMA research study.

3:58 p.m. Director Vander Linden presented a recommendation to launch the cohort study.

4:08 p.m. *Motion made by Commissioner Zuniga to approve the recommendation put forward, and issue a notice to proceed to the team from UMass to start the MAGIC cohort study. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

## **Investigation and Enforcement Bureau**

See transcript pages 233-239

4:10 p.m. Director Wells presented the results of a suitability investigation for a Penn National qualifier, Lance Matthew George.

4:15 p.m. *Motion made by Commissioner Cameron to approve Mr. George as suitable and as a key gaming employee. Motion seconded by Commissioner McHugh. Motion passed unanimously.*

## **Information Technology Division**

See transcript pages 239-246

4:16 p.m. CIO John Glennon presented information security policies and procedures for approval.

4:22 p.m. *Motion made by Commissioner Zuniga to adopt the information technology policies as presented in the packet. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

## **Licensing Division**

See transcript pages 246-258

4:23 p.m. Director David Acosta and CIO John Glennon presented an update of the licensing management system.

4:37 p.m. *Motion to adjourn made by Commissioner McHugh. Motion passed unanimously.*

### **List of Documents and Other Items Used**

1. Massachusetts Gaming Commission November 6, 2014 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission October 23, 2014 Meeting Minutes
3. Massachusetts Gaming Commission Human Resource Policy Manual
4. Massachusetts Gaming Commission November 6, 2014 memorandum regarding live racing applications with attachments from Director Durenberger
5. Massachusetts Gaming Commission November 5, 2014 memorandum regarding community mitigation fund
6. Massachusetts Gaming Commission Region C application process update presentation
7. The Massachusetts Gambling Impact Cohort (MAGIC) Study.
8. Massachusetts Gaming Commission November 3, 2014 memorandum regarding the recommendation to authorize UMass Amherst to begin longitudinal cohort study on gambling behavior
9. Massachusetts Gaming Commission November 3, 2014 IEB Qualifier Report of applicant Penn National for Qualifier Lance George
10. Massachusetts Gaming Commission November 3, 2014 memorandum regarding information technology security policies and procedures- DRAFT
11. Massachusetts gaming commission LMS update presentation

/s/ Catherine Blue  
Catherine Blue  
Assistant Secretary