



Meeting Minutes

- Date/Time:** April 14, 2016 – 10:00 a.m.
- Place:** Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, Massachusetts
- 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

[10:00 a.m.](#) Chairman Crosby called to order the 186th Commission meeting.

Approval of Minutes

See transcript pages 2-3

[10:00 a.m.](#) *Commissioner Macdonald moved for the approval of the March 22nd, March 24th, and March 29th, 2016 Commission Meeting minutes subject to any corrections, typographical errors, or other nonmaterial matters. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

Chairman Crosby noted the absence of Commissioner Cameron.

Research and Responsible Gaming

See transcript pages 3-58

[10:02 a.m.](#) Executive Director Edward Bedrosian, Jr. noted that agenda item number five, vote on key gaming executive license, will be deferred until another day. Executive Director Bedrosian also noted that Executive Director Mark Vander Linden is at a problem gambling conference and he introduced Crime Analyst Christopher Bruce.

10:03 a.m. Crime Analyst Christopher Bruce, a consultant with the MGC, provided the Commission with a crime report update of the first six months following the opening of Plainridge Park Casino. He provided a summary of his professional background. He reported that he has worked with the state police and the police departments in Plainville and the five surrounding communities to collect incident level data. He stated that Foxboro declined to provide data citing concerns about security and privacy. He also reported on previous research and Plainridge Park Casino findings from three sources – Plainville Police, State Police, and Gaming Enforcement. He noted that it is difficult to obtain comprehensive data for everything that happens at a casino because of multiple agencies responding. Mr. Bruce reported that incidents at Plainridge Park Casino haven't been notably higher than other similar sized facilities. He also reported that the numbers are very low for violent crimes, alcohol, drugs, and property crimes.

Mr. Bruce reported that some incidents in the area have increased but they have nothing to do with the casino, such as custodial kidnappings, prostitution, and robberies in North Attleboro by heroin addicts. He also reported on the factors needed to show a relationship of a crime incident to a casino.

Mr. Bruce reported on incidents that are likely related to the casino which include increases in traffic call complaints regarding disabled vehicles, suspicious vehicles, erratic driving and traffic collisions.

Mr. Bruce reported on incidents that are possibly related to the casino which include credit card fraud and identity theft. He stated that he is not sure that this is casino related. He stated that a review of the data showed no offenders had a relationship to the casino and he will monitor this more closely.

Mr. Bruce reported that there are no incident increases in things expected such as robbery, burglary, thefts, and auto thefts.

Mr. Bruce reported on an increase in drunk driving in North Attleboro, with a concentration on Route 1. He stated that there is a spatial relationship to the casino and will conduct a more thorough study over the summer.

10:45 a.m. Police Chief James Alfred, with the Plainville Police Department, thanked the Commission for hiring Mr. Bruce. He stated that it is a great opportunity to have a crime analyst work with the smaller police departments. He noted that gift card thefts, coded as credit card fraud, might account for the spike in credit card fraud. He also noted that traffic increases could be related to increased business activity as a result of the economy recovering. He stated that roadway improvements outside of Plainridge Park Casino have made the area safer. He reported that he has two officers assigned to the Gaming Commission unit and he meets regularly with Lieutenant Brian Connors. He also reported that he has not seen any big crime impact at Plainridge Park Casino, in the surrounding neighborhoods, or at the retail establishments.

Administration

See transcript pages 58-61

[10:53 a.m.](#) Executive Director Bedrosian stated that the Commission's deliberation on Region C is scheduled to begin on April 26th. He noted that the Commission is accepting public comments on Region C until the close of business on April 19th. He went over the draft schedule for the Region C deliberations which will be live-streamed, held in Brockton at the Shaw Center, and will begin at 10:00 a.m. If an additional day for deliberation is needed, it will be held on Friday at the Gaming Commission's office in Boston. He also noted that the Commission will not have a meeting on Thursday April 28th.

Licensing Division

See transcript pages 61-68

[10:57 a.m.](#) Director Paul Connelly reported on Plainridge Park Casino's submission of amendments to their gaming beverage license for four licensed areas. The requested amendments change the hours of operation to maximize the timeframe permitted to serve alcoholic beverages - from 8:00 a.m. until 1:00 a.m. The reason for the change is to allow for coverage of special events. He noted that if they move outside the normal hours of operation, they will notify gaming agents in advance of such events.

[11:04 a.m.](#) *Commissioner Stebbins moved that the Commission approve the four amended gaming beverage license applications to the licensed areas of Flutie's Sports Pub, Slacks Oyster House, Mountain Skipper Express, and Dark Horse Bar at Plainridge Park Casino as included in the packet. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

11:04 a.m. The Commission took a short recess.

11:09 a.m. The meeting resumed.

Racing Division

See transcript pages 69-98

[11:09 a.m.](#) Dr. Alexandra Lightbown, Director of Racing, reported that opening day at Plainridge went smoothly. She also reported that there have been significant improvements to the paddock area.

[11:10 a.m.](#) Steve O'Toole, General Manager at Plainridge Racecourse, reported that there were 40 entries held over from Monday's opening which is good news. He noted that there was some participation from New York and New Jersey and the purses were very good. Commissioner Macdonald inquired about capital improvements and Mr. O'Toole noted the following improvements: 1600 tons of stone dust was applied to the track surface, drainage work is ongoing, and a new video display board will be installed. He also reported that there will be 115 racing days this year and 125 racing days next year.

[11:15 a.m.](#) Executive Director Bedrosian reported that he attended the opening day at Plainridge Racecourse and stated it was well organized, the barn area was very

clean, there is new technology in the judges stand, he observed a few races, and folks seemed to be enjoying themselves.

- [11:16 a.m.](#) Director Lightbown reported on the following racing highlights: there were 40 more races this week than last year; the purses were bigger than the last opening day; there are new people getting licenses; state police have been able to keep up with fingerprinting; live handle was up; track evaluation was conducted with no concerns; and pre-race meetings were held with racing officials, security, judges and drivers to go over procedures and expectations to ensure a smooth operation. She also noted that Attorney Justin Stempeck presented on fantasy sports at the ARCI (Association of Racing Commissioners International) conference in New Orleans. She noted that his presentation was well received.
- [11:20 a.m.](#) Douglas O'Donnell, Senior Financial Analyst, reported on the 2014 reimbursement of unclaimed tickets for the dog and horse tracks. He noted that unclaimed tickets are paid to the Commission and the money is reimbursed to the stabilization fund.
- [11:23 a.m.](#) *Commissioner Zuniga moved that the Commission authorize the reimbursement of unclaimed tickets to the stabilization fund for the dog tracks as outlined in the packet - Wonderland Greyhound Park for \$21,651.19, and Raynham/Taunton Greyhound for \$156,505.69. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*
- Commissioner Zuniga moved that the Commission approve the reimbursement of unclaimed tickets to the purse accounts for the following horse tracks: Sterling Suffolk Downs \$267,353.48, and for Plainridge Racecourse \$136,716.99. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*
- [11:25 a.m.](#) Mr. O'Donnell reported on local aid payments to cities and towns where racing and simulcasting take place. He noted that this is paid quarterly for six months in arrears and Commission approval is needed to distribute funds.
- [11:26 a.m.](#) *Commissioner Stebbins moved that the Commission authorize the local aid quarterly payment of \$210,749.39 to the appropriate cities and towns as listed in the packet. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*
- [11:27 a.m.](#) Mr. O'Donnell reported on a request for consideration from Plainridge Racecourse for capital improvement reimbursement for renovations to the paddock and shipping barns. He stated that he has a letter from an independent architect, Dixon Salo, who has reviewed the project and met with Mr. O'Toole.
- [11:28 a.m.](#) *Commissioner Zuniga moved that the Commission approve the request for consideration from Plainridge Racecourse for its capital improvement trust for the total of \$123,326 for the scope articulated in the packet. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*
- [11:29 a.m.](#) Mr. O'Donnell reported on a second request for consideration from Plainridge Racecourse for the high-definition video tote board. He stated that the architect reviewed and approved the work to be done.

- [11:31 a.m.](#) *Commissioner Zuniga moved that the Commission approve the request for consideration for the Plainridge Racecourse capital improvement trust for the second project outlined in the packet totaling \$188,980 for the scope articulated. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*
- [11:32 a.m.](#) Director Lightbown reported on the special events request from Plainridge Racecourse. She stated that it is standard operating procedure and in addition to their premium free periods.
- [11:35 a.m.](#) *Commissioner Stebbins moved that the Commission approve the request of Plainridge Park Casino's simulcast 15 races listed in their letter dated March 28, 2016 as special events. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*
- [11:35 a.m.](#) General Counsel Catherine Blue reported on draft amendments to racing regulations 205 CMR 3.00 and 205 CMR 4.00. She noted that the amendments pertain to medication and safety changes. She also noted that a public hearing was held and no comments have been received. She stated that Commission approval is needed to send the amendments to the Legislature for a 60 day review.
- [11:36 a.m.](#) *Commissioner Zuniga moved that the Commission approve the amendments included in the packet for regulations 205 CMR 3.00 the Harness Horse Racing regulations, and 205 CMR 4.00 the Rules of Horse Racing, and send to the Legislature. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*
- [11:37 a.m.](#) Commissioner Stebbins congratulated Douglas O'Donnell on his permanent appointment as a Senior Financial Analyst.

Legal Division

See transcript pages 98-112

- [11:38 a.m.](#) General Counsel Blue reported on the amended small business impacts statements and final draft regulations for 205 CMR 133, 205 CMR 152, and 205 CMR 143. She noted that a public hearing was held, few comments were received, and a vote is needed for final promulgation.
- [11:39 a.m.](#) *Commissioner Zuniga moved that the Commission approve the final draft and promulgation for 205 CMR 133, the voluntary self-exclusion regulation as amended in the packet and direct staff to submit to the Secretary of State for final promulgation. Commissioner Zuniga amended the motion to include the amended small business impact statement. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*
- [11:41 a.m.](#) General Counsel Blue reported on amendments to regulation 205 CMR 152 which clarifies the process by which people can be added to the exclusion list. Deputy General Counsel Todd Grossman noted that the amendment also includes a hearing process. There was a discussion pertaining to the burden of proof and standard of review. Commissioner Macdonald stated that he will review this matter.

11:47 a.m. *Commissioner Zuniga moved that the Commission approve the amendments to 205 CMR 152 and the associated amended small business impact statement for the regulation -individuals excluded from a gaming establishment- as presented in the packet, and direct staff to forward to the Secretary of State for final promulgation. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*

11:48 a.m. Deputy General Counsel Grossman presented on 205 CMR 143 – the open communication protocol regulation.

11:51 a.m. *Commissioner Zuniga moved that the Commission approve the final amendments to regulation 205 CMR 143 for gaming devices and electronic gaming equipment as well as the amended small business impact statement as presented in the packet, and direct staff to forward to the Secretary of State for final promulgation. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*

Other Business Not Reasonably Anticipated

See transcript pages 112-113

11:52 a.m. *Having no further business, a motion to adjourn was made by Commissioner Stebbins. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated April 14, 2016
2. Massachusetts Gaming Commission, Draft Meeting Minutes dated March 22, 2016, March 24, 2016, and March 29, 2016
3. Assessing the Impact of Gambling on Public Safety in Massachusetts, Christopher Bruce, dated April 12, 2016, PowerPoint Presentation and Report
4. Massachusetts Gaming Commission, Draft Evaluation Schedule - Category 1/Region C
5. Massachusetts Gaming Commission, Memorandum dated April 11, 2016, regarding Plainridge Park Casino License Amendment with attachments
6. Massachusetts Gaming Commission, Racing Division Memorandum dated April 14, 2016, regarding 2014 Reimbursement of Unclaimed Tickets to Stabilization Fund – Dog Tracks
7. Massachusetts Gaming Commission, Racing Division Memorandum dated April 14, 2016, regarding 2014 Reimbursement of Unclaimed Tickets to Purse Accounts – Horse Tracks
8. Massachusetts Gaming Commission, Racing Division Memorandum dated April 14, 2016, regarding Local Aid Distribution, with attachment
9. Massachusetts Gaming Commission, Racing Division Memorandum dated April 14, 2016, regarding Request for Consideration Plainridge Racecourse Capital Improvement Trust Fund, with attachments (\$123,326.00- Paddock Building/Barn Renovations)
10. Massachusetts Gaming Commission, Racing Division Memorandum dated April 14, 2016, regarding Request for Consideration Plainridge Racecourse Capital Improvement Trust Fund, with attachments (\$188,980.00-Video Display Board)
11. Massachusetts Gaming Commission, Racing Division Memorandum dated April 11, 2016, regarding Plainridge Special Events Request, with attachments
12. Draft 205 CMR 3.00: Harness Horse Racing and 205 CMR 4.00: Rules of Horse Racing
13. Amended Small Business Impact Statements and Final Draft for regulations: 205 CMR 133: Voluntary Self- Exclusion, 205 CMR 152: Individuals Excluded from a Gaming Establishment, and 205 CMR 143: Gaming Devices and Electronic Gaming Equipment

/s/ Catherine Blue
Catherine Blue, Assistant Secretary