



Meeting Minutes

Date/Time: June 25, 2015 – 10:30 a.m.

Place: Boston Convention and Exhibition Center
415 Summer Street Room 102B
Boston, Massachusetts

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

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

Call to Order

See transcript page 2

[10:31 a.m.](#) Chairman Crosby called to order the 156th Commission Meeting, the first meeting of the Massachusetts Gaming Commission after a casino has opened.

Approval of the Minutes

See transcript pages 2-3

[10:31 a.m.](#) *Commissioner McHugh moved for the approval of the June 18, 2015 minutes with reservation of power to change mechanical and typographical errors. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

Research and Responsible Gaming

See transcript pages 3-39

[10:32 a.m.](#) Director Mark Vander Linden noted it was a great opening day at the Plainridge Park Casino and that GameSense employees interacted with patrons on the game floor and at the information center. He also noted partnership with the MA Department of Public Health for community prevention, intervention and recovery support services.

[10:37 a.m.](#) Steve Keel, Director of Problem Gambling Services at the MA Department of Public Health, provided an overview of the strategic planning process for supportive services and background on the Public Health Trust Fund.

[10:41 a.m.](#) Emily Bhargava, representing MassTAPP, provided a summary of the Plainville Problem Gambling Services Assessment and Interim Plan, which included: perceived needs and service gaps; existing resources and services; programs and services that are in development; prevention and recovery support services; sustainability; monitoring and evaluation.

Investigation and Enforcement Division

See transcript pages 39-61

[11:12 a.m.](#) Deputy IEB Director/Gaming Agents Division Chief Bruce Band noted that Penn's operations were reviewed and they are ready to move forward. He also noted that conditions were put in place for any deficiencies that were observed.

[11:19 a.m.](#) *Commissioner Cameron moved that the Commission approve the permanent operations certificate to Plainville Gaming and Redevelopment, LLC. Motion seconded by Commissioner McHugh. Motion passed unanimously.*

[11:22 a.m.](#) Chief Operating Officer Jay Snowden, Penn National, thanked the Commissioners and staff and highlighted the Plainridge Park Casino opening day successes and challenges which included: 70-80% occupancy, parking and staffing challenges, approximately 10,000 visitors, patron demographics, restaurants had good volume, and it was the strongest business day in the history of the B Good restaurant.

[11:32 a.m.](#) Director Karen Wells presented an update on the Penn National temporary key gaming employee licenses issued to 24 individuals.

11:33 a.m. The Commission took a short recess.

11:48 a.m. The meeting resumed.

Racing Division

See transcript pages 61-87

[11:48 a.m.](#) General Counsel Blue presented on the status of the Suffolk Downs racing application which included public comments received and a list of questions being compiled for Suffolk Downs. General Counsel Blue stated she will come back before the Commission in July with a recommendation on the application.

[11:51 a.m.](#) Interim Director of Racing Dr. Alexander Lightbown presented on the request of Steve O'Toole, Director of Racing at the Plainridge Park Casino, to approve cancellation of live racing scheduled for June 25,

2015, and to approve post time change to 11:00 a.m. due to expected post opening day crowds at the casino and for the safety of the horses.

[11:55 a.m.](#) *Commissioner Cameron moved that the Commission approve the request of Steve O'Toole to cancel the live racing day for June 25th and to move the post time next week to 11:00 am. Motion seconded by Commissioner McHugh. Motion passed unanimously.*

[11:56 a.m.](#) Interim Director of Racing Dr. Alexander Lightbown, and Senior Financial Analyst Doug O'Donnell, presented on the 2014 Racing Division Annual Report which included highlights on the following: occupational licensing, rulings, lab accreditation, blood gas testing at Suffolk Downs, decreased overages, adoption of control therapeutic medication schedules, financial revenues and expenditures.

Ombudsman

See transcript pages 87-194

[12:20 p.m.](#) Attorney Jed Nosal, Brown Rudnick/MGM Springfield, introduced the Wynn team and provided an overview of the MGM Springfield Quarterly Status Report ending March 2015 and project schedule.

[12:21 p.m.](#) Brian Packer, Vice President for Construction, MGM Springfield, presented a summary of the MGM Quarterly Status Report which included: installation and abatement activities, building permits, bid packages, contractor commitments, diversity update, webcam installation, historic update and project schedule.

[12:43 p.m.](#) President Michael Mathis, MGM Springfield, presented on the viaduct rehabilitation project, proposal of new opening date, and letter of support received from the City of Springfield.

[12:44 p.m.](#) Rebecca Brown, TEC/MGM Springfield, provided an update on the interstate 91 viaduct rehabilitation project which included key features of construction phasing, project schedule, DOT coordination efforts, and traffic conditions.

1:06 p.m. The Commission recessed for lunch.

1:53 p.m. The Commission meeting resumed.

[1:53 p.m.](#) Ombudsman John Ziemba presented on Section 61 Findings and the Commissioner's role to review projects for environmental impacts.

[1:57 p.m.](#) Ombudsman Ziemba presented on the Region C RFA-2 schedule deadline and highlighted schedule proposals for the Commissioners consideration. Ombudsman Ziemba noted that July 10, 2015 was no longer the RFA-2 deadline. He also noted that KG Urban is requesting a deadline date of September 30, 2015, and Mass Gaming and Entertainment is requesting a deadline date of July 24, 2015.

- [2:03 p.m.](#) Commissioner Zuniga inquired as to the status of submission of required documents by KG Urban.
- [2:10 p.m.](#) Commissioners discuss RFA-2 deadline and process.
- [2:22 p.m.](#) *Commissioner Cameron moved that the Commission set the RFA-2 deadline at September 30, 2015. Motion seconded by Commissioner McHugh. Commissioners discuss deadline date. Motion was tabled until Director Karen Wells could provide clarification on IEB deadline preference.*
- [2:29 p.m.](#) Ombudsman Ziemba reported on recommendations regarding appointments to the Local Community Mitigation Advisory Committee and provided brief background information on the representatives from Region A and B. Ombudsman Ziemba also recommended that the Commission appoint these individuals for a one year term.
- [2:36 p.m.](#) *Commissioner Stebbins moved that the Commission approve the following appointments, for a one year term, to the Local Community Mitigation Advisory Committees for Region A: Colin Kelly, Linda Bass, and Ed Powell; and for Region B: Kathleen Kane, Richard Sullivan, and Ellen Patashnick. Motion seconded by Commissioner Cameron. Motion passed unanimously.*
- [2:38 p.m.](#) Ombudsman Ziemba reported on recommendations for representatives for the following Gaming Policy Advisory Committee subcommittees: Public Safety (Commissioner Cameron), Addiction Services (Director Mark Vander Linden), and Community Mitigation (John Ziemba).
- [2:40 p.m.](#) *Commissioner Stebbins moved that the Commission approve the following representatives: Ombudsman John Ziemba for the Community Mitigation Advisory Committee; Mark Vander Linden for the Addiction Services Subcommittee; and Commissioner Cameron for the Public Safety Subcommittee. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*
- [2:41 p.m.](#) Ombudsman Ziemba provided an update on the Gaming Policy Advisory Committee and noted that there was significant debate pertaining to CORI matters.
- [2:48 p.m.](#) Director Wells presented on her assessment of a RFA-2 deadline or target date and noted that it was important for the applicants to adhere to the deadlines and get materials in on time. Director Wells confirmed that she would be comfortable with a September 30th target date.
- [2:56 p.m.](#) *Chairman Crosby stated there was a motion on the table to adopt September 30 as the deadline for submission of the RFA-2, which presumes a target date of the end of September for a suitability decision. No further discussion. Commissioner Zuniga voted no. All other Commissioners voted yes. Motion passed 4 to 1.*

Administrative Update

See transcript pages 195-215

- [2:57 p.m.](#) Director Rick Day and CFAO Derek Lennon provided a summary of the Fiscal Year 2016 proposed budget which included a jurisdictional comparison. They also reported that no public comments were received for the FY16 proposed budget.
- [3:11 p.m.](#) *Commissioner Zuniga moved that the Commission approve the budget as presented, discussed, and in the packet for FY16 for the projected cost of \$28,312,000. Motion seconded by Commissioner Cameron. Motion passed unanimously.*
- [3:12 p.m.](#) *Commissioner Zuniga moved that the Commission approve the budget for the Racing Oversight Trust Fund for \$1,579,428. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*
- [3:13 p.m.](#) *Commissioner Zuniga moved that the Commission approve the budget for transfers to cities and towns out of the racing operations for \$1,622,447. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*
- [3:13 p.m.](#) Human Resources Manager Trupti Banda presented on adoption of Red Book Section 2.03 pertaining to vacation status and prior comparable experience.
- [3:16 p.m.](#) *Commissioner Zuniga moved that the Commission adopt procedures for recognizing prior comparable experience for the purpose of determining vacation status as presented and discussed according to the Red Book changes that occurred effective January 28, 2002. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

Workforce Supplier and Diversity Development

See transcript pages 215-238

- [3:17 p.m.](#) Director Jill Griffin provided introductory remarks pertaining to Veteran outreach efforts for contracting and employment opportunities, and questions raised on how to define a Veteran.
- [3:19 p.m.](#) Commissioner Stebbins highlighted outreach efforts to obtain information on definition and status of Veterans. Commissioner Stebbins recommended that the Commission seek public comment on proposed Veteran definition options.
- [3:24 p.m.](#) Chris King, from the Massachusetts Department of Veteran Services, stated he was supportive of inclusion of National Guard and Reserve members in the Veteran definition. He cited an example of an individual who served in the National Guard and had difficulty finding employment.

The proposals pertaining to the definition and status of Veterans are tabled pending further exploration by staff and the Commission.

Other Business Not Reasonably Anticipated

See transcript page 238

3:46 p.m. *Having no further business, a motion to adjourn was made by Commissioner Cameron. 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 June 25, 2015
2. Massachusetts Gaming Commission, Draft Meeting Minutes, dated June 18, 2015
3. MassTAPP – The Plainville Problem Gambling Services Assessment and Interim Plan, dated June 11, 2015
4. Massachusetts Gaming Commission, Temporary Operation Certificate, Permanent Operation Certificate, and Category 2 Gaming License for Plainville Gaming and Redevelopment, LLC with attachments
5. Massachusetts Gaming Commission, Racing Division’s Annual Report for Year Ending December 31, 2014
6. Massachusetts Gaming Commission, Region C RFA-2 Deadline Schedules
7. Region C RFA-2 Application Deadline Comment Letters
8. MGM Springfield 2015 First Quarter Report
9. Letter from Jed Nosal (Brown Rudnick) to Rick Day (Massachusetts Gaming Commission), dated June 22, 2015 regarding Blue Tarp Redevelopment Final Project Schedule
10. MGM Springfield Project Schedule
11. Massachusetts Gaming Commission Memorandum, dated June 23, 2015 regarding Requirements for Staffing Subcommittees under the Gaming Policy Advisory Committee with attachments
12. Massachusetts Gaming Commission FY 16 Budget
13. Massachusetts Gaming Commission Memorandum, dated June 25, 2015 regarding Adoption of Red Book Section 2.03 with attachment
14. Massachusetts Gaming Commission Memorandum, dated June 23, 2015 regarding Definition and Status of Veteran
15. Letter from Steve O’Toole (Plainridge Park Casino) to Alexander Lightbown (Massachusetts Gaming Commission), dated June 24, 2015 regarding request to cancel live racing day and change post time.

/s/ Catherine Blue

Catherine Blue, Assistant Secretary