

THE COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS GAMING COMMISSION  
PUBLIC MEETING #86

CHAIRMAN

Stephen P. Crosby

COMMISSIONERS

Gayle Cameron

James F. McHugh

Bruce W. Stebbins

Enrique Zuniga

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October 29, 2013, 3:00 p.m.

BOSTON EXHIBITION AND CONVENTION CENTER

Room 151B

415 Summer Street

Boston, Massachusetts

## P R O C E E D I N G S:

CHAIRMAN CROSBY: We are ready to convene our special meeting of the Massachusetts gaming Commission on Tuesday, October 29 at three o'clock.

Just a couple of quick comments, the Commissioners at least some of the Commissioners felt that there has been enough happening in the last few days about the circumstances surrounding the Suffolk Sterling Racecourse, LLC application and the makeup of its team with the impending referendum in Boston and in Revere only a week from today that there were some clear uncertainties about what was going on, what the conditions were. And that it was important enough that the Commission at least take an opportunity to think about some of the issues associated with this to see whether there's anything that we can do to contribute to making sure that people are as well informed as possible when have the opportunity to vote.

We do take two starting points. One is the Secretary of the State, Secretary Galvin

1 has said that in his view the issue of the  
2 election is set and the authority is with him  
3 not with us. And under the circumstances, we  
4 agree with that judgment. Similarly, the ballot  
5 question itself, the question on the ballot is  
6 beyond discussion as that is cast in stone and  
7 suits what we think the appropriate criteria are  
8 anyway.

9           Beyond that there are some issues  
10 about what transpires to make sure that this  
11 series of transactions that have gone on are  
12 transparent and understandable. And that people  
13 who are offered the opportunity to vote on  
14 November 5 in Revere or in Boston have the  
15 greatest access to the most information to give  
16 them the tools to make as informed vote as  
17 possible.

18           It may be, that all of that has been  
19 done but we thought it was important enough that  
20 the Commissioners should at least have an  
21 opportunity to think about it. So, thank you  
22 all for coming.

23           We did provide an opportunity to  
24 several parties to speak. We mentioned to the

1 applicant and to the two cities involved and to  
2 the organization, no Eastie Casino that they  
3 would have an opportunity to speak to us about  
4 this if they wanted to. We will start with  
5 either John Stefanini or Chip Tuttle from the  
6 applicant, Suffolk Sterling Racecourse.

7 MR. TUTTLE: Thank you, Mr. Chairman  
8 and members of the Commission and Commission  
9 staff. Good afternoon, I am Chip Tuttle from  
10 Sterling Suffolk Racecourse, also known as  
11 Suffolk Downs.

12 Not to cover old ground, but I guess  
13 it may be worthwhile to review some of what I  
14 entered as testimony this morning on our public  
15 communication efforts to inform voters and the  
16 residents in our two host communities of the  
17 change in our gaming management partner. So, if  
18 you would beg the indulgence of me repeating  
19 some of those steps that were took upon formally  
20 asking Caesars to withdraw on Friday, October  
21 18. I'll get my glasses on.

22 So, having sent the letter to  
23 Caesars asking the company to withdraw, the  
24 evening of Friday the 18th we distributed a copy

1 of that letter with a statement, an accompanying  
2 statement to all of the major local news outlets  
3 and to community leaders in East Boston and  
4 Revere. We made several phone calls that  
5 evening as well to let leaders in the community  
6 know what was happening.

7 We sent 12,046 emails that evening  
8 to individual addresses in our database. We  
9 posted a notice and the letter to Caesars on the  
10 homepage at the Suffolk Downs website and two  
11 other campaign websites, Friends of Suffolk  
12 Downs, and also on the Spanish-language version  
13 of that site. We utilized social media with  
14 Facebook postings and utilized the Friends of  
15 Suffolk Downs Twitter account and my personal  
16 Twitter account. Those tweets were picked up  
17 and re-tweeted by members of the local media  
18 amplifying their effect.

19 On Saturday, October 18 I attended a  
20 public meeting at Revere City Hall that was  
21 simulcast on local public access cable and has  
22 been replayed since, where I explained in detail  
23 our decision to ask Caesars to withdraw. The  
24 same day we posted a video explaining the

1 change, our change in gaming managers on the  
2 Suffolk Downs website, Friends of Suffolk Downs,  
3 Amigos de Suffolk Downs. And we posted it to  
4 YouTube. In a one-week period, it was viewed  
5 more than 40,000 times.

6 In addition to the letter and the  
7 statement to the media released on October 18,  
8 we did several briefings, media briefings and  
9 granted print, radio and television interviews.  
10 I believe we have given you exhibits of a  
11 compilation of some of the stories that have  
12 been published on that. That is the very thick  
13 book.

14 You also have this, which is a lot  
15 of our advertising and mailing materials that we  
16 have sent to members of the host communities.  
17 This has been picked up by all of the local news  
18 affiliates with extensive coverage in the Globe,  
19 the Herald, the Wall Street Journal, and also in  
20 our local papers the Revere Journal Transcript  
21 and the East Boston times. We set up a specific  
22 briefing for the editors and reporters of those  
23 papers on Monday, October 21 so that the  
24 weeklies would have the best, most up-to-date

1 information for voters in the community as well.

2 I do several neighborhood meetings  
3 and public meetings as part of our outreach  
4 efforts. On Monday the 21st we had two. We had  
5 a meeting at Suffolk Downs and we also had -- I  
6 was a guest at the Orient Heights Neighborhood  
7 Association monthly meeting where I covered in  
8 detail our decision to ask Caesars to withdraw  
9 and the chronology behind that decision. I  
10 attended three other public forums last week  
11 where the issue was discussed in depth as well.

12 We started local television  
13 advertising on Tuesday, October 22 on both cable  
14 systems that cover East Boston and Revere. We  
15 supplemented the cable buy with Spanish-language  
16 spot on Univision and UniMas Hispanic TV and  
17 with local networks spots in Fox's pregame  
18 coverage of the World Series.

19 On Wednesday the 23rd and Thursday  
20 the 24th we ran print ads in the East Boston  
21 Times, the Revere Journal, the Revere Advocate,  
22 El Planeta and El Mundo newspapers. With copies  
23 of those are in the materials that we have  
24 submitted to you.

1           Those same two days we leafleted  
2   6,242 households in East Boston and 10,896  
3   households in Revere. We mailed 19,497  
4   postcards to residents of both communities. We  
5   released to the media this past weekend our plan  
6   and principles as we work toward securing a new  
7   gaming partner.

8           We are mailing a formal notification  
9   to East Boston voters on the removal of Caesars  
10   as a partner to ensure maximum awareness. This  
11   week, we are doing that so that it gets to them  
12   prior to November 5. There's a copy of the  
13   draft of that in your materials as well.

14          So, in short since October 18, we  
15   have worked tirelessly and around-the-clock to  
16   communicate the change to local residents. I'm  
17   happy to answer any questions as always. And I  
18   will defer to one of our attorneys, John  
19   Stefanini, on issues as to the language of the  
20   summary of the ballot question and things like  
21   that.

22          CHAIRMAN CROSBY: Questions? You  
23   mentioned in your -- I guess one of the letters  
24   that you hand distributed or mailed out -- How



1 did this get delivered?

2 MR. TUTTLE: I believe that is the  
3 city of Boston.

4 CHAIRMAN CROSBY: I'm sorry. This  
5 is from Boston. This relates to you actually.  
6 It refers to there being four places in the  
7 summary of the HCA, the host community  
8 agreement, which is actually printed on the  
9 ballot. At least two of them are kind of  
10 substantive. And the letter from the city says  
11 to ignore those because Caesars is no longer  
12 involved.

13 Two of them, one refers to standards  
14 of quality, Caesars's standards of quality and  
15 one refers without using the word Caesars to the  
16 World Series of Poker, both of which have some  
17 substantive value to the voter.

18 How do you propose to deal with the  
19 fact that the referenced Caesars's asset won't  
20 be there?

21 MR. TUTTLE: We have been  
22 communicating as strongly as possible that all  
23 of the commitments in the host community  
24 agreements are ours. The host community

1 agreements with Revere and Boston actually  
2 contemplated that at some point we may not have  
3 the same gaming management partner, though  
4 clearly we didn't think that might happen as  
5 soon as it did.

6 So, those commitments remain in  
7 effect. That's our point of view is that those  
8 commitments remain in effect and we are  
9 obligated to honor those. If we're not able to  
10 honor those with the exact same brand, we have  
11 to have standards that are the same or higher.  
12 That's our commitment. That's what we've been  
13 communicating to voters and to residents.

14 MS. STEFANINI: I would just add to  
15 that, Mr. Chairman, the second reference you  
16 mentioned relative to the quality of the  
17 development that remains a commitment that is in  
18 full force and effect and that we will honor.  
19 It is not Caesars specific, it is the standard  
20 set by them.

21 CHAIRMAN CROSBY: In the letter that  
22 was a Suffolk Downs letter, which you gave us as  
23 the piece which I guess was leafleted. Is this  
24 letter the one that was leafleted, Dear East

1 Boston neighbor?

2 MR. TUTTLE: That's the one that will  
3 go out this week.

4 CHAIRMAN CROSBY: It hasn't gone out  
5 yet?

6 MR. TUTTLE: Hasn't gone out yet.

7 CHAIRMAN CROSBY: Which leaflet was  
8 delivered?

9 MS. STEFANINI: The other material  
10 you have all have been distributed.

11 CHAIRMAN CROSBY: These are the  
12 10,000 door-to-door leafleting? All of those  
13 colored flyers, is that what was dropped off?

14 MR. TUTTLE: The leaflet was the one  
15 -- this one here.

16 CHAIRMAN CROSBY: With that good-  
17 looking guy on the front?

18 MR. TUTTLE: Thank you very much, Mr.  
19 Chairman.

20 MS. STEFANINI: Each of the pieces  
21 you have in front of you have gone out to  
22 voters. If you'll notice, none of them mentions  
23 Caesars, the ones that are not specific to the  
24 issue itself, the ones that deal with host

1 community agreement, the benefits all are from  
2 Suffolk to voters.

3 CHAIRMAN CROSBY: The reason I am  
4 pressing, Mr. Stefanini is because when Suffolk  
5 was talking about the steps they were taking, it  
6 seemed to me the very, very important one was  
7 where a piece of paper with an explanation or  
8 something was actually put in the hands of the  
9 voter. It wasn't a brochure on a wall. It  
10 wasn't an ad. It wasn't in the newspaper. It  
11 actually delivered on a door-to-door basis.  
12 That seemed to me to be a pretty significant way  
13 to do the best to make sure that every household  
14 gets a fair shot to understand what has  
15 transpired.

16 From what I have seen, there has not  
17 been something that is as explicit as you are  
18 now being, Mr. Tuttle, about assuming the  
19 obligations of Caesars in your activities. This  
20 does not refer to that, it does not specifically  
21 refer to your taking over those things which are  
22 in the HCA.

23 The issue of concern, if there is an  
24 issue of concern and I am not sure that there is

1     that great an issue of concern, but if there is  
2     an issue of concern, it is the extent to which  
3     the summary of the HCA on the ballot might in  
4     any way be misleading or provide insufficient  
5     information to a voter. So, having you take the  
6     initiative to neutralize that I think is  
7     important.

8                 And an important part of that is  
9     taking full responsibility for any Caesars's  
10    commitments, quality you can do explicitly,  
11    World Series of Poker you can do your best. I  
12    haven't seen that happen yet.

13                MS. STEFANINI: In each of the ads,  
14    you'll see we made clear that all of the  
15    responsibilities, obligations of the HCA are  
16    ours. So, the letter you are looking at, as you  
17    may know we decided to sever our relationship  
18    with Caesars Entertainment and change our gaming  
19    operators to work to earn a gaming license.  
20    What hasn't changed? Our plans to develop a  
21    world-class resort destination, our commitment  
22    to creating 4000 good jobs with hiring  
23    preferences for local residents, our agreements  
24    with Boston and Revere to invest millions of

1 dollars for roads, parks, schools, public safety  
2 and community programs. And it goes on to talk  
3 about that.

4 Each of these documents speaks to  
5 the fact that the commitments are ours. They  
6 are from us. So, the communication from the  
7 community has always been from Suffolk.

8 In terms of the HCA, the four  
9 references you are referring to in this four-  
10 page document, the document itself refers to the  
11 obligations being those of Suffolk. The four  
12 that are mentioned are the operator, the total  
13 rewards, the World Series of Poker, and the  
14 standard of Caesars Palace Las Vegas.

15 The last one is a standard. The  
16 rewards programs is actually in the HCA as the  
17 operator, which is subject to change within the  
18 agreement. So, it's the designation of the  
19 operator and it is the World Series of Poker.

20 MR. TUTTLE: Notwithstanding John's  
21 explanation, Mr. Chairman, we certainly are open  
22 to being more explicit in our communications  
23 this week and doing anything we can that would  
24 alleviate any potential confusion.

1           CHAIRMAN CROSBY: Just take this for  
2 what it's worth. It does seem to me like it's a  
3 legitimate concern. Caesars has been a big part  
4 of the presentation. I understand it's been  
5 Suffolk. Technically it's been Suffolk, but  
6 Caesars has been a big part of it for perfectly  
7 understandable and appropriate reasons. But  
8 that might now leave some confusion in people's  
9 minds to be as explicit and direct and  
10 foursquare as you can about what was a Caesars's  
11 promise and what you intend to do about it would  
12 seem to me to be worth considering.

13           MR. TUTTLE: Thank you.

14           CHAIRMAN CROSBY: Our live Web  
15 stream is down. Given how much we've invested  
16 in making this an important part of our  
17 transparency, rather than go ahead on an  
18 important topic like this, let's take a quick  
19 break and hope our crack technology team can get  
20 it up and running.

21  
22           (A recess was taken)

23  
24           CHAIRMAN CROSBY: We are back in

1 operation. I believe somebody was talking. Who  
2 was talking?

3 MR. TUTTLE: I think we were done. I  
4 was kicking John under the table to stop.

5 CHAIRMAN CROSBY: Any other  
6 questions for the applicants, Mr. Stefanini or  
7 Mr. Tuttle? Okay, thank you.

8 COMMISSIONER MCHUGH: Thank you.

9 MR. TUTTLE: Thank you.

10 CHAIRMAN CROSBY: Ms. Della Russo  
11 and Brian Falk from the city of Boston, either  
12 or both?

13 MR. FALK: Thank you, Mr. Chairman.  
14 My name is Brian Falk attorney from Mirick,  
15 O'Connell serving as special -

16 CHAIRMAN CROSBY: I just want to be  
17 sure you can be heard in the back.

18 MR. FALK: -- serving as special  
19 counsel to the city of Revere on the Suffolk  
20 Downs project. I am here on behalf of Mayor Dan  
21 Rizzo, city solicitor Paul Capizzi who are  
22 unable to be here today due to prior  
23 commitments.

24 As you know, Revere is a host



1 community and is holding a referendum on the  
2 Suffolk Downs project at its regular city  
3 election on November 5. Revere has complied  
4 with all requirements of the Gaming Act and the  
5 Gaming Commission as set forth in the letter  
6 from Attorney Capizzi, which I have submitted to  
7 the Commission.

8 I wanted to stress to you Revere's  
9 position that the Caesars's departure does not  
10 affect the ballot being used in the November 5  
11 election and has no material effect on the  
12 Revere host community agreement. As you may  
13 know, Caesars is not a party to the Revere host  
14 community agreement. It did not sign our host  
15 community agreement and has no independent legal  
16 obligations under our host community agreement.

17 The Revere host community agreement  
18 is between Sterling Suffolk Racecourse, LLC and  
19 the city of Revere only. As a result, the  
20 summary of the host community agreement that was  
21 published and appears on the November 5 ballot  
22 makes no mention of Caesars. Our ballot is in  
23 the same position now as it was before Caesars's  
24 departure.

1           Revere is confident that the voting  
2 public will face no confusion at the polls based  
3 on the city's outreach, substantial media  
4 coverage and Suffolk Downs's extensive  
5 informational campaign, which was described in  
6 detail by Chip Tuttle this afternoon as well as  
7 this morning's adjudicatory hearing.

8           With that I am happy to answer any  
9 questions that the Commission may have.

10           COMMISSIONER MCHUGH: Is the city  
11 itself doing anything to address the fact that  
12 there has been a significant change?

13           MR. FALK: We held, as luck would  
14 have it, we had an informational session on the  
15 host community agreement scheduled for October  
16 19, the day after the Caesars's news broke.  
17 During that two-hour meeting, probably half of  
18 it was devoted to discussing the topic of the  
19 day, Caesars's departure where again we made it  
20 clear to the residents in attendance and those  
21 watching on cable that Caesars wasn't a party to  
22 our agreement. It doesn't appear on the  
23 summary. It only appears in a tangential  
24 fashion in a few places in our host community

1 agreement.

2 COMMISSIONER MCHUGH: I know that.  
3 It doesn't. But we started this meeting with  
4 the thought that people reading the papers and  
5 watching television might be understandably  
6 confused as to the parameters of the deal now  
7 that Caesars has withdrawn.

8 So, my question was what if anything  
9 has Revere done to attempt to alleviate that  
10 confusion or has it left it entirely up to  
11 Suffolk Downs?

12 MR. FALK: We have another  
13 informational session tomorrow. We will bring  
14 that point across to the voters again at the  
15 meeting and watching at home. We have been  
16 impressed with the outreach that Suffolk Downs  
17 has undertaken so far and continues to undertake  
18 to make it clear.

19 Again, to the administration we felt  
20 pretty confident that the departure of Caesars  
21 again has no real effect on the agreement we  
22 entered because they are not a party and have no  
23 legal obligations under the agreement. The deal  
24 is the same as it was before Caesars's departure

1 for the city of Revere.

2 COMMISSIONER MCHUGH: Yes, in a  
3 legal sense the deal is the same. But the value  
4 of the deal may be affected to citizens, to  
5 others. But I take your point. You are leaving  
6 it to Suffolk.

7 CHAIRMAN CROSBY: And there's a  
8 material difference that I hadn't really focused  
9 on until just now, which is that the summary of  
10 the host community agreement, which appears on  
11 the ballot in Revere mentions Caesars not at  
12 all.

13 It's mentioned four times in the  
14 summary on the ballot for Boston, which we  
15 talked about earlier. And in my view the  
16 content of the summary is a significant variable  
17 here. And the fact that it doesn't appear in  
18 yours is non-trivial in terms of the potential  
19 for confusion and so forth.

20 But I do also think what is sort of  
21 implicit in Judge McHugh's comments that it  
22 probably would behoove the city to assume an  
23 affirmative obligation to do whatever you can to  
24 try to explain to people what's going on as

1 widely as you can. So everybody has -- Nobody  
2 knows better than I who lives and breathes this  
3 stuff and my friends don't have any idea what's  
4 going on. When they ask questions, it's clear  
5 that people's knowledge is this deep. So,  
6 anything you can do to help people understand  
7 what is happening, what is not would seem to me  
8 be time well spent.

9 MR. FALK: A point well taken. I'll  
10 take that back to the Mayor, absolutely. Thank  
11 you.

12 CHAIRMAN CROSBY: Okay, anybody  
13 else? Thank you. Ms. Della Russo.

14 MS. DELLA RUSSO: Good afternoon.

15 CHAIRMAN CROSBY: Good afternoon.

16 COMMISSIONER MCHUGH: Good  
17 afternoon.

18 MS. DELLA RUSSO: Elizabeth Della  
19 Russo for the city of Boston. I'm joined today  
20 by Mary Marshall and William Kennedy from  
21 Nutter, McClennen and Fish. Thank you Chairman  
22 Crosby and members of the Commission. Boston is  
23 pleased to participate in this process here  
24 today. The city really welcomes this

1 opportunity. Thank you.

2 The city's paramount interest is in  
3 the integrity of this process, in the integrity  
4 of the vote. In furtherance of that, we wanted  
5 to bring your attention certain notices that the  
6 city has prepared. I think in your packet you  
7 will have two notices. One is in color. It  
8 says host community advisory committee at the  
9 top. I think Chairman Crosby had that letter a  
10 little earlier. Another is titled notice to  
11 voters. Correct, that's it.

12 These are two notices that the city  
13 has prepared. The one titled notice to voters  
14 is a notice that will be given to everybody who  
15 votes, every Ward 1 voter. So, that would be  
16 when you go to the polls, you get handed a copy  
17 of this notice to voters. This explains the  
18 four references to Caesars in the summary that  
19 is printed on the ballot as required below the  
20 ballot question.

21 This notice informs you to disregard  
22 these four references to Caesars. This notice  
23 will -- Approximately 200 absentee voter votes  
24 have been requested from the city of Boston in

1 Ward 1. A number of those, not even half have  
2 already been returned to the city. Any other  
3 absentee voters that are trying to vote will be  
4 handed this notice as well. This notice is  
5 being translated into Spanish, into Vietnamese,  
6 into Chinese, which is the city's practice in  
7 Ward 1.

8           There is a secondary notice that you  
9 have which is a letter to the community. I  
10 believe this letter to the community, and we  
11 welcome feedback from this Commission, our hope  
12 is that this deals with some of the questions  
13 that were raised earlier. That this notice also  
14 informs the voters and informs the community,  
15 excuse me, to disregard references to Caesars in  
16 the summary of the host community agreement,  
17 which will be attached to this letter. This  
18 summary will be attached to this letter.

19           CHAIRMAN CROSBY: This will be  
20 attached to this?

21           MS. DELLA RUSSO: The summary of the  
22 host community agreement. That summary has been  
23 posted on the city's website as is required  
24 since after reaching the agreement, a few days

1 after reaching the agreement.

2 So that summary is a public  
3 document, it's a matter of the public. It's been  
4 posted in the paper. We want to inform people  
5 of the withdrawal of Caesars. This notice,  
6 which is a community letter, it also talks about  
7 the host community agreement. We want the  
8 public to understand what Caesars's withdrawal  
9 means to the host community agreement.

10 Boston is interested and looks  
11 forward to a new operator. We're interested in  
12 a new suitable operator. Boston wants to do its  
13 own diligence on that operator in meeting the  
14 terms of the host community agreement. Boston  
15 feels that it has reached the host community  
16 agreement it wanted to reach. And we're  
17 interested in the process with that new  
18 operator. We want the community to be alert to  
19 that.

20 In the host community agreement  
21 itself, there are certain terms regarding  
22 reopeners which another word I think I could use  
23 there is amendment. Those terms are summarized  
24 in the summary of the host community agreement,



1    which will go out with this letter.  So,  
2    therefore those terms are also printed on the  
3    ballot following the question.

4               The question as you know that is on  
5    the ballot comes directly from the Gaming Act.  
6    I can read that question here today if you'd  
7    like.  We welcome any questions either on these  
8    forms of notice or any other questions you may  
9    have.

10              COMMISSIONER MCHUGH:  I had one  
11    question.  I'm just trying to read through the  
12    four references now.  But we heard this morning  
13    that the commitment remains to have a project of  
14    the quality of Caesars.  So, that Caesars  
15    remains in the host community agreement as a  
16    measuring stick, if you will.  One of the  
17    references in the summary, the first-class  
18    project standards, has Caesars as a measuring  
19    stick.

20              I haven't read the other three -- I  
21    haven't been able to find quickly the other  
22    three.  Maybe it's cutting it too fine but do  
23    you really want people to disregard the Caesars  
24    as a measuring stick aspect of the host

1 community agreement or the summary?

2 MR. KENNEDY: It may not be  
3 achievable. It's a standard of Caesars that we  
4 used in this, Caesars Las Vegas. We would like  
5 to retain that standard. But sitting here  
6 today, a successor operator may or may not  
7 accept that. I don't think today we can say  
8 with certainty that that will be something that  
9 another operator will be able to accept.

10 COMMISSIONER MCHUGH: But if that's  
11 the case, then the host community -- then the  
12 commitments undertaken by the applicant in the  
13 host community agreement, i.e., a facility of  
14 the quality of Caesars, may not be achievable is  
15 what you're saying.

16 MR. KENNEDY: I couldn't say with  
17 certainty that it would be. There could be a  
18 potential and that's why in our letter it says  
19 there are some terms or change of terms that  
20 could trigger even a revote, according to the  
21 reopener standards, according to the reopener  
22 provisions that are in the agreement.

23 MS. MARSHALL: Commissioner McHugh,  
24 it is intended though to set a bar, much like

1 first-class say office space in the greater  
2 Boston area. That was the intention. And my  
3 colleague, Mr. Kennedy is correct. We  
4 anticipate consistent with what Sterling Suffolk  
5 has filed with the Commission in terms of its  
6 plan to find a new operator that it will meet  
7 the requirements of a heavily negotiated host  
8 community agreement. I think none of us want to  
9 repeat the last six months.

10 COMMISSIONER MCHUGH: Right, right.  
11 I'm just putting myself in the position of -- I  
12 can't put myself in the position of voter. But  
13 I'm thinking about a voter who looks at this and  
14 says okay, Caesars is gone as a participant. But  
15 you are also telling me Caesars is gone as a  
16 measuring stick. And that's a little bit  
17 different deal.

18 MS. DELLA RUSSO: I think this is an  
19 excellent point. The first-class standards, and  
20 I can read that line of it, was a very important  
21 standard. And our hope is that that remains.  
22 We need to know the new operator that's clear.

23 What Boston wants in these  
24 notifications is to assist the voter. We are

1     trying to add clarity. It seemed to us that if  
2     we were to say disregard Caesars that may be a  
3     clearer point than disregard three references to  
4     Caesars, leave in the standard. That may just  
5     lead to more confusion. It's not perfect. I  
6     would like to see that same standard, not a  
7     lesser standard certainly.

8                     So, I think that's why you have  
9     notification to voter, which is saying  
10    disregard.

11                    COMMISSIONER MCHUGH: I understand  
12    that and that's why I say it may be cutting  
13    things too fine. But an affirmative statement  
14    that the commitment to first-class standards or  
15    the commitment to Caesars's standards remain in  
16    the agreement notwithstanding Caesars's  
17    withdrawal. I just throw that out for your  
18    consideration.

19                    MS. MARSHALL: Thank you. And the  
20    definition does include, it has to get to the  
21    Bureau's and the city's standards for  
22    excellence. I sort of see the Caesars's  
23    standard as sort of being the base or the bottom  
24    of that standard, not the top. Thank you.

1 COMMISSIONER MCHUGH: All right.

2 CHAIRMAN CROSBY: Anybody else? How  
3 is this distributed?

4 MS. DELLA RUSSO: A number ways.  
5 So, the community letter, Boston has a number of  
6 online resources. Many people in the community  
7 have signed on to the host community advisory  
8 committee notification system, so, distribution  
9 lists. So, electronically this can go out today  
10 with the potential clarification on the first-  
11 class standards.

12 Also, it can be distributed through  
13 all the many online tools which people who are  
14 good at Twitter and such, not me, know more  
15 about, we have a large distribution list. We  
16 also have a very large separate East Boston  
17 distribution list. But we also can have this go  
18 to and our anticipation is we would have this go  
19 to every registered voter with the attached  
20 summary to it.

21 CHAIRMAN CROSBY: By mail or by  
22 hand?

23 MS. DELLA RUSSO: Potentially both.

24 CHAIRMAN CROSBY: Are you doing that

1 would you say or you might do that?

2 MS. DELLA RUSSO: Yes. We wanted to  
3 present here today for things like Judge  
4 McHugh's comments, Commissioner McHugh's  
5 comments.

6 CHAIRMAN CROSBY: Okay. I think  
7 that would be a good idea if you could do that.  
8 I think more is better here in this situation.  
9 Anybody else? I think those are good steps.  
10 And I think handing somebody to each person who  
11 votes that is clean simple and short to the  
12 point is helpful. I think that's a good idea.  
13 Great. Thank you.

14 Mr. Cameron, Counsel for No Eastie  
15 Casino. I didn't have anybody else signed up.

16 MS. MYERS: Good afternoon. My name  
17 is Celeste Myers. I'm co-chair of No Eastie  
18 Casino, one of the founding members. Thank you  
19 for having us here today and providing us with  
20 this opportunity to speak.

21 I just want to start off very  
22 briefly by saying that naturally prior to the  
23 latest revelation about Caesars, we had our  
24 misgivings. Once they were announced as partner

1 for Suffolk Downs, we described some concerns  
2 over their debt, over discord with existing host  
3 communities and the like.

4 Naturally, we had major concerns  
5 when we learned about the same revelations that  
6 you folks found with regard to their  
7 suitability. And our immediate response the  
8 following Monday was to submit a letter, I  
9 believe you folks were cc'd on it, to Chip Tuttle  
10 and Suffolk Downs and the Sterling Suffolk  
11 organization respectfully asking them to  
12 withdraw, because we have major concerns about  
13 their ability to select a suitable partner. As  
14 you know this is the second partner that has  
15 either excluded themselves or forced exclusion  
16 from the project.

17 And going forward, whether or not  
18 there's confusion about whether or not Caesars  
19 is still involved, the reality is that we have a  
20 25 percent gap now on ownership and operations  
21 responsibility and management. So, we have some  
22 major concerns.

23 And as we hear representatives from  
24 the city and the representative from Suffolk

1 Downs describe their notification methodologies,  
2 they really don't seem sufficient. I've  
3 actually yet to receive a piece of paper from  
4 anyone.

5 But the most alarming is the  
6 description that folks will be handed a letter  
7 and also a summary on their way into the polls.  
8 And there's an expectation that they'll be able  
9 to digest that and make a decision and come to  
10 terms with that will really mean in terms of the  
11 agreement.

12 It is very true that throughout all  
13 Suffolk Downs's advertisements, throughout every  
14 outreach endeavor that they aspire to a  
15 partnership not unlike one that existed with the  
16 Caesars plan and strategy.

17 Going through the BRA filing over  
18 the last couple of weeks in preparation for the  
19 recent meeting, there's over 2000 pages. Having  
20 just tabbed through the first 100 pages, Caesars  
21 is referenced over 30 times. That's not  
22 including headers and footers. So, one would  
23 assume that removing Caesars from the equation,  
24 will negate the whole nature of the plan and the



1 strategy, the promises and actually the  
2 agreement.

3 So, we have some huge concerns about  
4 whether or not it's as simple as a brand change  
5 as Mr. Tuttle would have us think. He said it's  
6 the same thing as switching the Hyatt from the  
7 Marriott. That also leaves room to his  
8 assumption that the Four Seasons operates the  
9 same way as the Best Western. That is simply  
10 just not the case.

11 So, we have huge concerns. And I  
12 just want to reiterate here that we don't think  
13 they're capable of following through on their  
14 agreement. We certainly don't think that  
15 they're capable of notifying folks in an  
16 adequate way so that they can make an adequate  
17 decision.

18 Just to reiterate that we would  
19 respectfully request that they withdraw their  
20 application. And on that note, I'm going to  
21 hand it over to Matt Cameron.

22 MR. CAMERON: Just very briefly.  
23 Thank you. Again, thank you for this  
24 opportunity. This is of vital public importance

1 today. As you know, we are a registered ballot  
2 question committee, the only organized  
3 opposition to this casino at Suffolk Downs.

4 Commissioners, the church has been  
5 booked. Suffolk Downs put a deposit down on the  
6 caterers and the band has been hired. They sent  
7 out save the dates to everyone they know for  
8 November 5. The date of their choosing. Again,  
9 the city and Suffolk Downs did choose that date.

10 And they've spent the past two year  
11 bragging to us about the bride that they found.  
12 On October 18 that engagement was broken. And  
13 Suffolk Downs informed us immediately that  
14 they'd be seeking to find a new bride within two  
15 weeks. If that happened in my family, we'd call  
16 it a fiasco.

17 CHAIRMAN CROSBY: Call it what?

18 MR. CAMERON: A fiasco, a disaster,  
19 other words maybe. But we are here today to  
20 consider what we can do to move forward from  
21 this fiasco. I understand that this date is  
22 fixed.

23 In April 2013, this Commission  
24 passed emergency regulations which are now

1 promulgated which permitted any jurisdiction to  
2 go forward in the absence of the Legislature's  
3 required suitability investigation. You heard  
4 the results of that investigation this morning.  
5 And we were very impressed by the IEB's work, by  
6 its incredibly detailed report, by the  
7 thoroughness that is evidenced just all of the  
8 way through it. And we really completely  
9 support their findings.

10 But our position at the time was  
11 that there was just too much uncertainty, both  
12 with the entire suitability process before it  
13 was complete for us to be comfortable to go  
14 forward with a vote until the IEB was done.

15 We filed a formal objection with the  
16 City Council. We put them on notice at least  
17 three times that they were about to schedule the  
18 election in violation of the Gaming Commission's  
19 regulations, the regulations I just mentioned.

20 Then another objection when this  
21 Commission had to pass a variance to get around  
22 that after they had made that mistake.  
23 Furthermore, the issues surrounding Caesars is  
24 real well known, at a minimum it is knowable for

1 anyone who cared to look.

2 This morning's hearing for me, and I  
3 was there, easily underscored the complete  
4 dereliction of duty and their requirements of  
5 due diligence and to know with whom they were  
6 partnered.

7 I know this isn't a suitability  
8 hearing. I know that we've already had that  
9 this morning. But I would just emphasize again  
10 that our first preliminary position is that  
11 Suffolk Downs is unsuitable given their history  
12 with Caesars and given everything that's going  
13 on.

14 They're unsuitable by statute  
15 because they have no experience whatsoever at  
16 running a gaming facility. They have to have  
17 that experience by statute and they have to  
18 identify a partner who has that experience  
19 before they can become a suitable applicant.  
20 So, on their face at this point, our position is  
21 that their application is incomplete and must be  
22 denied.

23 But I understand that this only to  
24 discuss the vote, and I'll try to keep it to

1 that. Mr. Chairman, just a few hours ago, Mr.  
2 Baker essentially asked this Commission to trust  
3 Suffolk Downs that they would find a new partner  
4 and that they would do all of their due  
5 diligence and they'd get everything done before  
6 this December 31 deadline, which by the way we  
7 insist they meet. In fairness to the other  
8 applicants and in fairness to this process that  
9 this December 31 deadline should be firm.

10 We respectfully suggest that that  
11 trust has been given years to build. We've not  
12 had that trust. We've not seen it. Everything  
13 that we learned this morning about the way in  
14 which Suffolk Downs turned over all of its  
15 compliance over to its and trusted them to get  
16 it done rather than running simple background  
17 searches on some of the issues that we now know  
18 are so apparent in this application.

19 Mr. Crosby, you asked a very  
20 insightful question this morning to Mr. Tuttle.  
21 You asked him what should we expect is in the  
22 mind of the average East Boston voter? What do  
23 they actually know about this process? I've  
24 brought in the flyer I received at my house.

1 And I think you probably have a copy of it in  
2 the record. I believe it is right there. I see  
3 it on the table.

4 As was pointed, there is a very nice  
5 picture of Mr. Tuttle of the flyer. And I would  
6 suggest to this Commission that that is only  
7 piece of information on this flyer that we can  
8 rely upon that this is a picture of Chip Tuttle.  
9 Everything else on this flyer is now in  
10 question.

11 Suffolk Downs has continued to --

12 COMMISSIONER MCHUGH: It's in  
13 question because you don't think it can be  
14 achieved?

15 MR. CARMERON: As we just heard from  
16 the city, we're not sure that we can even  
17 guarantee a first-class operator will take over.  
18 It's in question because our position remains  
19 that portions of this host community agreement  
20 are going to have to be renegotiated that it can  
21 just simply whiteout and replace a new name.

22 It's in question because if it were  
23 to be renegotiated, we'd have to reset the 60-  
24 day clock. And I think at that point, we've

1 gone the deadline as far as I know. So, we are  
2 just here to make sure that these issues are out  
3 there.

4 Celeste mentioned our letter. I  
5 just want to read very quickly. It's in the  
6 record. We did send it in advance. I am just  
7 going to read one quick paragraph from it  
8 because I do think this is an important point.  
9 As of the date of this letter, which was a week  
10 ago, so as of today it's seven days residents of  
11 East Boston will be called to vote in 14 days on  
12 a casino plan for Suffolk Downs, which former  
13 city Councilor and now Herald columnist John  
14 Lucci says is now in total chaos. Even if  
15 Sterling Suffolk is able to secure a new  
16 operating partner on short notice, our community  
17 will be forced to decide on a proposal which  
18 will now be fundamentally and materially  
19 different from the original Caesars's  
20 partnership in dozens of critical respects.  
21 Given the serious questions raised above, a vote  
22 in this matter would constitute a fundamentally  
23 undemocratic bait and switch, a fragrant abuse  
24 of the trust which Suffolk Downs has enjoyed in

1 this community for generations. Moreover, this  
2 fundamental change in the East Boston casino  
3 proposal at the 11th hour flies in the face of  
4 transparency and the democratic process  
5 contemplated by the Expanded Gaming Act.

6           Commissioners, two years ago Suffolk  
7 Downs went to the betting window, pulled out its  
8 wallet, took out millions of dollars and put  
9 down a lot of money on a horse called Caesars  
10 Entertainment. We're now in the home stretch of  
11 that race. This horse was never fit to triumph.  
12 Suffolk Downs has been to the barn horse, it  
13 doesn't get to change its bet now. Thank you.

14           COMMISSIONER CAMERON: I have a  
15 question. Ms. Myers, you mentioned that 25  
16 percent gap in ownership.

17           MS. MYERS: Sure.

18           COMMISSIONER ZUNIGA: Where do you  
19 get that figure?

20           MS. MYERS: There is still the  
21 Vornado gap. It's still in blind trust and we  
22 don't know what actions are being taken to cover  
23 that or to force them to submit to the  
24 background check, which is why I believe they



1 pulled back. And now the four percent added, so  
2 roughly.

3 COMMISSIONER ZUNIGA: Thank you.

4 CHAIRMAN CROSBY: Thank you, for  
5 your comments. We are here because we think  
6 this is not a simple matter. Oddly, I think the  
7 confusion that you allude to probably makes it  
8 -- it operates more to the benefit of people who  
9 are opposed to casinos than people who are in  
10 favor of casinos. But I guess that's anybody's  
11 conclusion. I hear your concerns. We will  
12 think about that.

13 Does anybody else have any more  
14 questions? Thank you very much.

15 MR. CAMERON: Thank you.

16 CHAIRMAN CROSBY: There are several  
17 people who have signed up. And in an effort to  
18 try to give everybody a shot, I'm going to ask  
19 people to go ahead. Please don't be repetitive.  
20 Please be very quick. Mr. Brian Gannon.

21 MR. GANNON: Hello, thanks for  
22 having me. As a resident of East Boston and  
23 also a founding member of No Eastie Casino, I'm  
24 also a City Council candidate as a result of

1 this issue. I have several concerns I'd like to  
2 ask about Suffolk Downs, Caesars and especially  
3 about the vote on the fifth.

4 I think as No Eastie Casino had  
5 stated, I also agree that they should withdraw  
6 their application for the casino. And I'd like  
7 to address a few issues why. First of all, you  
8 had discussed the mailers that were sent out to  
9 the community. I'd like the Commission to  
10 review the list that it was sent to because I  
11 know as Celeste had mentioned, I was not on that  
12 list either.

13 These were more of a marketing  
14 nature. So, it was targeted towards the yes  
15 votes or the undecideds that have been culled  
16 from their voter database. So, I don't think it  
17 was something that is in receipt of all of the  
18 residents of East Boston.

19 I'd also like to know that that was  
20 actually sent out in both English and Spanish  
21 and any of the other languages that are spoken  
22 in the neighborhood. I don't believe it has.

23 Secondly, as we learned this  
24 morning, Caesars is not going to be fully

1     divested or we're not going to know how that's  
2     going to be fully divested by the time we go to  
3     vote. So, essentially we're going to be voting  
4     with both Vornado and Caesars Entertainment as  
5     partners on the fifth.

6             So, we have two failed partnerships  
7     that are arrangements that Suffolk Downs has  
8     entered into. And I think as you alluded to  
9     earlier this morning, what we are essentially  
10    doing is we are voting on the ability for  
11    Suffolk Downs to choose a good partner for  
12    Boston and a good partner for themselves. And  
13    they've clearly shown the inability to do so.

14            We also learned this morning the  
15    fact that they had chosen this partner and they  
16    retained this partner even with knowing of the  
17    civil suit from Mr. Wantanabe in the case where  
18    he was given 14 million markers, was clearly  
19    intoxicated on cocaine, marijuana and alcohol.  
20    And this is the type of partner that seems and  
21    appears to be still suitable for Suffolk Downs  
22    since they continued this partnership after  
23    acknowledging that they knew of this incident.

24            So, I ask the standard -- I ask that

1 if we are going to be voting on their ability to  
2 choose a partner, the standard that they set  
3 clearly is pretty low. And I think for a world-  
4 class city such as Boston, I think we should  
5 seek a higher level of partnership. Because in  
6 turn, if we become partners with them, their  
7 partners will become our partners.

8 Again, I ask that they withdraw  
9 their agreement. I'd even say that the  
10 agreement that was signed by the city would be  
11 in question as well based on these partnerships.

12 CHAIRMAN CROSBY: Thank you.  
13 Questions anybody? Thank you Mr. Gannon. Angie  
14 Preston.

15 MS. PRESTON: Good afternoon. My  
16 name is Angie Preston and I am long-time East  
17 Boston resident. It's hard not to repeat what  
18 others have said. But Suffolk Downs has not  
19 satisfied the issues of suitability or  
20 sustainability in my eyes as well as others'  
21 eyes based on the fact that I also did not  
22 receive the mailer. I don't know what it looks  
23 like. I think that is something that is going  
24 to be confusing regardless of what type of

1 mandate they try to put on the issue.

2 I also feel that they have  
3 consistently used poor judgment in their choice  
4 of partners as well as business practices. I  
5 cannot imagine that they left it to a handshake  
6 or to someone's word rather than doing some  
7 research and finding out what the implications  
8 were of the partners that they were trying to  
9 partner with, specifically Vornado and Caesars.

10 Despite the fact that Caesars is out  
11 of the picture, as the others have said, they  
12 really are not out of the picture. East Boston  
13 is an overburdened community. This decision is  
14 way too difficult for us to have to vote on an  
15 incomplete proposal. We do not know who is  
16 going to operate this. We cannot leave this up  
17 to the possibility that they find another  
18 manager in time for the December deadline.

19 And I would hope that this  
20 Commission would realize that Caesars is  
21 hemorrhaging money based on the fact that they  
22 spent \$2.8 million to try and lobby this issue.  
23 They have also not trying to find a viable  
24 project for East Boston, because horseracing is

1 a dying industry, I think it peaked in like  
2 1945. So, they should be looking in another  
3 direction.

4 Residents have numerous times let  
5 them know that this is not a good project. And  
6 I would also like to say that this is not moving  
7 forward for East Boston. This type of project  
8 would not be a good one for East Boston and I  
9 hope you guys realize that they are not suitable  
10 for this project at this time. Thank you.

11 CHAIRMAN CROSBY: Thank you. Diane  
12 Modica from East Boston Chamber.

13 MS. MODICA: Good afternoon. Again,  
14 Diane Modica, I am the president of East Boston  
15 Chamber of Commerce. Born and brought up and  
16 still live in East Boston. So, this issue is  
17 very near and dear to my heart not only as a  
18 resident, but as the president of an  
19 organization that represents close to 200 local  
20 businesses in East Boston.

21 And we know that the passions are  
22 running high on both sides of the issue. But  
23 less this Commission get the sense that maybe  
24 this issue of what will be at Suffolk Downs has

1 not been vetted. Let me just set the record  
2 straight and give a little bit of history very  
3 brief, history of our involvement.

4 I've been on this board for seven  
5 years. And for the last I would say five years  
6 we have been involved with learning more about  
7 Suffolk Downs. Also making certain that our  
8 local businesses not only survive but thrive.

9 And to that end, we have worked  
10 closely with Suffolk Downs. And I personally  
11 and members of my board have attended about 60  
12 meetings over the last couple of years.  
13 Meetings that have been sponsored by Suffolk  
14 Downs, sponsored by the city, and meetings of  
15 our own where we invited our membership to come  
16 and learn more about the elements of this local  
17 business proposal that we've made to the city of  
18 Boston.

19 Last year, we actually created and  
20 produced the prosperity agenda because that is  
21 our main focus is to make certain that  
22 prosperity is delivered through this project.  
23 We published it, released it. I have done  
24 speaking engagements in the community. All of

1 our members received it. And what we said was  
2 if there is going to be a casino at Suffolk  
3 Downs, we want to make sure that our local  
4 business community is taken care and protected  
5 and promoted.

6 To that end, we met with Suffolk  
7 Downs as well as with the host advisory  
8 committee probably close 15 times with the city  
9 stressing with them the kinds of programs that  
10 we would like to see as part of the community  
11 benefits agreement. To their credit, and  
12 hopefully to ours as well, they did incorporate  
13 a number of those elements in the community  
14 benefits agreement. And when you look at the  
15 ballot question, you will see that in fact the  
16 business improvement program is very much  
17 reflective of what we discussed with them.

18 And when you look at that ballot  
19 question really all of the elements that are  
20 important to our community are there. The  
21 transportation improvements, the jobs, the local  
22 business connections, the sustainability of the  
23 project, the design of the project, those things  
24 aren't changing. The developer is still



1 responsible for delivering on them. This  
2 Commission, to their credit, had a  
3 responsibility to really scrutinize the  
4 applicants and obviously did your job.

5 We know you have the toughest  
6 standards in the nation. It's been said more  
7 than once. So, that to really pass the vetting  
8 with you would require quite a bit on the part  
9 of any partner to a developer that is an  
10 applicant before this Commission.

11 That being said you did your job. I  
12 think you will do it again. The fact is that we  
13 are not dealing with a stranger here. Suffolk  
14 Downs has been in the community for 78 years.  
15 Over 600 people work at that facility from  
16 Revere and East Boston, other communities, but  
17 primarily from those communities that are host  
18 to the proposed project. So, we feel very  
19 strongly about preserving those jobs.

20 We also feel strongly that they are  
21 a known entity. It's not like they're someone  
22 coming in from the outside that we really don't  
23 know much about that hasn't established a  
24 reputation with the community that hasn't

1 provided philanthropic efforts with the  
2 community. So, we know who they are.

3 They've come this far. This is very  
4 important to the Commonwealth. It's not just a  
5 local issue, it's a state issue and it's a  
6 regional issue. And being able to get the best  
7 projects that you can to review I think is very,  
8 very important and it's consistent with the  
9 mission of this legislation.

10 So, we would suggest that withdrawal  
11 at this point would be crazy. Why throw the  
12 baby out with the bathwater, since metaphors are  
13 being used pretty liberally here today. So, we  
14 urge you to continue forward with your efforts.  
15 And we do know that as far as our membership is  
16 concerned, we continue to inform them through  
17 our Facebook page, through letters and through  
18 one-on-one interactions with them so that they  
19 are well aware of the change in the operator.  
20 And the fact that we are still moving forward  
21 and we hope that the ballot question will  
22 proceed forward.

23 CHAIRMAN CROSBY: Thank you, very  
24 much.

1 COMMISSIONER MCHUGH: Thank you.

2 CHAIRMAN CROSBY: Questions?

3 Maureen White.

4 MS. WHITE: Hello, good afternoon.

5 Thank you for having us. I'm Maureen White.

6 I'm an East Boston resident. And as an East  
7 Boston resident, I've actually been the  
8 recipient of many if not all of the mailings  
9 that Suffolk Downs has sent. I would just like  
10 to point out that those are not informational  
11 mailings but rather promotional mailings.

12 I think that the distinction is  
13 important to make. In fact, neighborhood  
14 residents have never received any impartial  
15 information about the casino proposal and its  
16 impact. In part because an independent cost-  
17 benefit analysis about this particular proposal  
18 was never conducted.

19 I think that if the city of Boston  
20 really wanted to be diligent about assisting and  
21 informing voters regarding this ballot question,  
22 they would adopt the practice that all other  
23 state ballot questions in Massachusetts  
24 undertake, which is to send information weeks in

1 advance to registered voters explaining the  
2 question and including arguments from different  
3 sides of the issue about what the pros and cons  
4 of the proposal are.

5           We have not had the opportunity to  
6 receive any kind of information like that. You  
7 heard the litany of media buys and mailings and  
8 other kinds of PR attempts made by Suffolk  
9 Downs. They did not include on that list the  
10 push pulls that have been done. I know they are  
11 being done because I received four calls a few  
12 months ago that was clearly leading questions  
13 touting the benefits of this proposal. And I  
14 would just point out that push pulling is a  
15 tactic that is largely looked down upon and  
16 criticized in political circles. These are the  
17 kinds of tactics that they are resorting to.

18           The fact that they have done all of  
19 these media buys and sent all of these glossy  
20 mailers and been on the radio and television  
21 points to the fact that they have conducted a \$5  
22 million PR campaign trying to convince the  
23 voters of East Boston to swallow this deal.

24           On the other side trying to inform

1 people about the negative impacts of this  
2 proposal is a ban of residents, a grassroots  
3 group. As of two weeks ago, we spent \$30,000  
4 that we received in grassroots donations. So,  
5 there is not a fair fight here in terms of  
6 talking to people, getting the word out about  
7 what this means and what the real impacts on my  
8 neighbors are going to be.

9 Finally, I would just like to add  
10 two more things. One is that their materials on  
11 their website claim that they are going to be  
12 creating 4000 full-time jobs. As recently as  
13 two weeks ago at a neighborhood association  
14 meeting, Suffolk Downs representative stated  
15 that not all of those 4000 jobs will be full-  
16 time jobs. So, I think there's some truth in  
17 advertising that needs to be cleared up.

18 In addition, they tell us they don't  
19 have the numbers of what the median salary of  
20 these jobs is going to be, but they tell us the  
21 average salary. I'm not a mathematician but my  
22 understanding is that if you can calculate the  
23 average salary, you should be able to calculate  
24 the median salary. They refuse to provide this

1 information to the voters of East Boston.

2 Finally, I will conclude by saying  
3 that earlier this morning we heard repeatedly  
4 from them about how their partners and investors  
5 lied to them he concealed information that was  
6 crucial. How can we trust that we will ever get  
7 a truthful and honest and transparent  
8 understanding of any proposal that goes forward  
9 when they can't even get truthful information  
10 from their own partners? Thank you.

11 CHAIRMAN CROSBY: Thank you. John  
12 Wyatt.

13 MR. WYATT: Good afternoon. My name  
14 is John Wyatt and I am currently an IAG member.

15 CHAIRMAN CROSBY: IAG?

16 MR. WYATT: The Impact Advisory  
17 Group. And I'm also an abutter to Suffolk  
18 Downs. I was born and brought up in East Boston  
19 for 60 years. My back deck overlooks the  
20 starting gate at Suffolk Downs. So with all due  
21 respect to the previous opponents, they weren't  
22 around to see Mass Port bulldoze East Boston  
23 when we weren't given a vote and basically put  
24 us under the bus. And what we have to show for

1 it is Constitution Beach.

2 I think what people are really  
3 getting stuck on is the part of the gaming  
4 management part, which I know is important. The  
5 site development is huge. For this site not to  
6 be developed with the amount of interest in the  
7 community, the open green space, the  
8 restaurants, the pedestrian walkways, future  
9 water shuttles, a highway plan that only Suffolk  
10 can provide because the state has no money.

11 If it was up to me, the highway plan  
12 alone is reason enough to vote for this site  
13 plan. And I really feel bad for people at  
14 Suffolk Downs that have bent over backwards to  
15 explain the traffic problems, the minimum job  
16 wage or the median, whatever they want to call  
17 it. I know right now the average wage in East  
18 Boston is about \$13,000. If you are going to  
19 offer someone \$40,000 a week with benefits, I  
20 don't think that's too bad.

21 Without getting into hashing over  
22 details that have been rehashed and rehashed and  
23 rehashed. And with all due respect Mr. Crosby  
24 you mentioned that you have neighbors that know

1 this much, it's unfortunate the way Suffolk  
2 Downs has been reaching out to the community for  
3 all of these informational meetings. The  
4 majority of the opponents don't attend these  
5 meetings.

6 I've actually butted heads with  
7 people over the traffic issue who have never  
8 even seen the highway plan. But they're telling  
9 me how the traffic is going to hurt me where I  
10 live at 17 Wagamore Ave. All I can say is if  
11 this project doesn't go forward, I dread to see  
12 what the alternative this. Right now, I look  
13 out at a beautiful open racetrack. The proposed  
14 hotels are all within the FAA guidelines.  
15 There's only two of them.

16 The liquor license, it has to abide  
17 by Massachusetts liquor. People can't go there  
18 for last call at three in the morning, because  
19 they can't serve liquor after two. Paul Evans  
20 being the head of the security department, ran  
21 Homeland security in London after 9/11.

22 The abutters are all for this. We  
23 about a beautiful space that's been there for 78  
24 years. To see this get voted down because of a



1 company that only had four percent interest in  
2 the whole project and was in charge for maybe  
3 managing the gaming aspect, which I know Suffolk  
4 can come up with another manager that they can  
5 do just as well. But Caesars is not developing  
6 the site. Thank you very much.

7 CHAIRMAN CROSBY: Thank you. The  
8 last speaker, I'm not quite sure Mr. Mueller or  
9 Ms. Miller?

10 MS. MILLER: Thank you for allowing  
11 us to make a few comments today. I'm a long-  
12 time East Boston resident. My comments will be  
13 very brief, which I'm sure you'll be happy  
14 about.

15 As an opponent of the Suffolk Downs  
16 proposal, I would just like to make it clear  
17 that I am a resident, long-time voter who has  
18 not gotten any of the notices of Suffolk Downs.  
19 Suffice it to say, I am one voter that didn't  
20 get any notices. So, if you want to talk about  
21 legality of them giving notice to residents, I  
22 am off their list.

23 I would like to comment on,  
24 obviously this is probably obvious to you but if

1 the voters that have voted already by absentee  
2 ballot have not been notified by the city of the  
3 little Caesars's proviso, where does that leave  
4 them?

5 I would like to take issue with I  
6 think that the languages that should have been  
7 the host community agreement should have been  
8 translated into many languages. And I'm not  
9 sure it has. I don't think it's even been  
10 translated into Spanish. Although I believe the  
11 summary has. But I don't think that's proper  
12 notification to a community that is pretty much  
13 50 percent immigrant and second language  
14 population.

15 One other comment I think I'd like  
16 to make is the host community organization that  
17 is working on behalf of the city seems to have  
18 been pretty much a one-way street. We have all  
19 been giving them information but there hasn't  
20 really been much of a dialogue with residents  
21 and voters in the neighborhood with that  
22 committee.

23 So, I think it needs to be said that  
24 maybe the legislation has been written that

1 Suffolk Downs has been mandated to be the  
2 purveyor of information in the community, but  
3 that certainly is a one-sided presentation  
4 despite the hundreds of meetings they claim  
5 they've had. So, I would just like to leave you  
6 with those few comments. Thank you.

7 CHAIRMAN CROSBY: Thank you. Okay.  
8 Any other thoughts Commissioners or questions or  
9 conclusions or anything?

10 COMMISSIONER MCHUGH: It seems to me  
11 that this is not an on-off switch. As you said  
12 at the beginning, there is going to be a vote.  
13 There is a summary. We've discussed the kinds  
14 of notices that are going to be sent out. We  
15 made our voices known about it. But that seems  
16 to me only really the beginning.

17 Depending on how the vote comes out,  
18 depending on how our suitability investigation  
19 comes out, there's more that the Commission can  
20 do both to ensure -- both to listen to concerns  
21 from residents and to take those concerns into  
22 account as we will with every application in  
23 making judgments about ultimately what to do.

24 So, I view this as whatever happens

1 or doesn't happen in the next couple of days as  
2 really a starting point rather than the last we  
3 take a look at this. There are powerful  
4 emotions on both sides of this and they're  
5 understandable.

6 But we need to listen and I know we  
7 will listen to both. And take both into account  
8 and take the thoughtful comments we're hearing  
9 from both sides into account as we move forward  
10 and consider whatever emerges from this process.

11 CHAIRMAN CROSBY: Yes. Just to be  
12 explicit about that. There is the suitability  
13 decision. There is the referendum. Then there  
14 is our evaluation during which time we will take  
15 into consideration the community reaction or  
16 support and lack thereof both host communities  
17 and surrounding communities.

18 The nature and quality of the  
19 relationship between the applicants and the  
20 communities around them are something we pay  
21 attention to. How were those handled? There  
22 will be another public hearing during the  
23 evaluation process if the vote is successful.  
24 If it isn't successful, it's over. If it is

1     successful there will be another public hearing  
2     where we will invite everybody to speak about  
3     the pending proposal.

4             Finally there will be a host  
5     community hearing mandated by the Legislature.  
6     So, there are any number of other alternatives  
7     where these issues can continue to be addressed.

8             Other thoughts? I just have my own  
9     personal thoughts. And this is just one person  
10    speaking. But it seems to me that the best shot  
11    to try to give somebody a chance to understand  
12    what's going on is according to the Legislature  
13    really is the summary of the agreement.

14            What I was wondering is whether if  
15    somebody tries hard to figure out what the  
16    issues, reads that summary agreement and can  
17    make a reasonably fair informed decision. In  
18    the case of Revere, Caesars isn't even  
19    mentioned. In the case of Boston, it's  
20    mentioned much less than I had understood and  
21    much less than I had anticipated.

22            And for what it's worth, it doesn't  
23    seem to me that what's in there about Caesars is  
24    the kind of thing that's likely to tip a vote

1 one way or the other. So, in what is clearly an  
2 imperfect situation I'm feeling like it's not so  
3 troublesome.

4 I think we have made it clear that  
5 we think it's important that all potential  
6 voters as well as all voters get as full story  
7 as they can. Again, for it's worth, it does  
8 seem to me the fact that things are somewhat  
9 muddier than they were a while back probably is  
10 a problem for the applicant and therefore it is  
11 all the more in their interest to make sure that  
12 the facts are as well-known as possible.

13 Anything else? Do we have a motion  
14 to adjourn?

15 COMMISSIONER MCHUGH: So moved.

16 CHAIRMAN CROSBY: Second.

17 COMMISSIONER CAMERON: Second.

18 CHAIRMAN CROSBY: All in favor, aye.

19 COMMISSIONER MCHUGH: Aye.

20 COMMISSIONER CAMERON: Aye.

21 COMMISSIONER STEBBINS: Aye.

22 COMMISSIONER ZUNIGA: Aye.

23 CHAIRMAN CROSBY: The ayes have it.

24 Thank you very much, folks, for sticking with

us .

(Meeting adjourned at 4:16 p.m.)

1 SPEAKERS:

2 Matt Cameron, No Eastie Casino

3 Elizabeth Della Russo, City of Boston

4 Brian Falk, City of Revere

5 Brian Gannon, East Boston

6 William Kennedy, City of Boston

7 Mary Marshall, City of Boston

8 Gail Miller, East Boston

9 Diane Modica, East Boston Chamber of Commerce

10 Celeste Myers, No Eastie Casino

11 Angie Preston, East Boston

12 John Stefanini, Suffolk Downs

13 Chip Tuttle, Suffolk Downs

14 Maureen White, East Boston

15 John Wyatt, East Boston

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## C E R T I F I C A T E

I, Laurie J. Jordan, an Approved Court Reporter, do hereby certify that the foregoing is a true and accurate transcript from the record of the proceedings.

I, Laurie J. Jordan, further certify that the foregoing is in compliance with the Administrative Office of the Trial Court Directive on Transcript Format.

I, Laurie J. Jordan, further certify I neither am counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken and further that I am not financially nor otherwise interested in the outcome of this action.

Proceedings recorded by Verbatim means, and transcript produced from computer.

WITNESS MY HAND this 1st day of November, 2013.



LAURIE J. JORDAN

My Commission expires:

Notary Public

May 11, 2018