



MASSACHUSETTS GAMING COMMISSION
PUBLIC MEETING# 342

April 26, 2021
10:00 a.m.

VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 112 345 5402



Massachusetts Gaming Commission



NOTICE OF MEETING and AGENDA
April 26, 2021

PLEASE NOTE: Given the unprecedented circumstances resulting from the global Coronavirus pandemic, Governor Charles Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of individuals interested in attending public meetings. In keeping with the guidance provided, the Commission will conduct a public meeting utilizing remote collaboration technology. If there is any technical problem with our remote connection, an alternative conference line will be noticed immediately on our website: MassGaming.com.

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, notice is hereby given of a meeting of the Massachusetts Gaming Commission. The meeting will take place:

Monday, April 26, 2021
10:00 a.m.

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All documents and presentations related to this agenda will be available for your review on the morning of April 26, 2021 by [clicking here](#).

PUBLIC MEETING - #342

1. Call to order.
2. Administrative Update – Karen Wells, Executive Director
 - a. On-site Casino Updates – Loretta Lillios, Director of Investigations and Enforcement Bureau; Bruce Band, Assistant Director, Gaming Agents Division Chief
3. Racing Division – Dr. Alex Lightbown, Director of Racing
 - a. Race Horse Development Fund Split – Commissioner Gayle Cameron; Todd Grossman, General Counsel; Dr. Alex Lightbown, Director of Racing **VOTE**
4. Investigations and Enforcement Bureau - Loretta Lillios, Director of Investigations and Enforcement Bureau
 - a. MGM Springfield Individual Qualifier – Determination of Suitability – Katherine Hartigan, Senior Enforcement Counsel **VOTE**



Massachusetts Gaming Commission

5. Community Affairs Division – Joe Delaney, Community Affairs Division Chief
 - a. Community Mitigation Fund Public Safety Application Reviews – Joe Delaney, Community Affairs Division Chief; Mary Thurlow, Program Manager; Katherine Hartigan, Senior Enforcement Counsel **VOTE**
6. Commissioner Updates
7. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting.
8. I certify that on this date, this Notice was posted as “Massachusetts Gaming Commission Meeting” at www.massgaming.com and emailed to: regs@sec.state.ma.us, melissa.andrade@state.ma.us.

April 22, 2021

Cathy Judd-Stein, Chair

Date Posted to Website: April 22, 2021 at 10:00 a.m.



Massachusetts Gaming Commission

Dear Members of the Horse Racing Committee:

As you all know and appreciate, the sport of thoroughbred racing in Massachusetts has struggled through much of the past decade as the closure of Suffolk Downs first appeared imminent and then became very real in 2019 when it started and finished its final race in June of that year. With the support and investment of the HRC, the New England Horsemen's Benevolent and Protective Association (NEHBPA), the only accredited representatives of New England Horsemen, were able to continue racing at Suffolk Downs with weekend festivals that attracted over 10,000 patrons and reminded racing fans of the track's golden era when the likes of Seabiscuit, Cigar and Skip Away brought record crowds to the East Boston racing shrine.

As noted on the Massachusetts Gaming Commission website, the circa-1935 track had seen it all (including The Beatles) and the NEHBPA, which has represented "horsemen helping horsemen" for over 85 years, has been a steady steward for the sport of racing and the men and women who have given breeding, training and racing their all. "As Chief Commission Steward Susan Walsh said about the closure of Suffolk Downs," the MGC recalled, "Horse racing is in the end so much more than a list of winners or statistics on attendance; it is a crazy quilt of memories that can never be erased from those who have spent the best part of their lives here. They will wrap that quilt around them in years to come and relive those memories for a long time."

With respect to our sport and those who help guide our continuance and success, we submit this paper in support of determining percentage allocations within the purse, health and welfare and breeding categories of the Racehorse Development Fund (RHDF). This executive summary is the result of the HRC expressed and statutory understanding of the need to take action to help support both breeds, Standardbreds and Thoroughbreds.

Our guiding principles are described below:

- The HRC has a duty to determine how distribution of the RHDF will best serve the interests and benefits of the Commonwealth and those who participate in the industry for the long-term interests of both breeds, and not one at the expense of the other.
- The HRC always looks backwards to establish the appointment of the RHDF, but the Committee must also plot a future course for both breeds in order to secure the continuity of the horsemen in Massachusetts. The legislative intent of the RHDF and the creation of the MGC and HRC was not to relegate these agencies to performing a perfunctory role, but to enable these line agencies to make more complex and substantive decisions about the future of horse racing in Massachusetts.
- Historically the HRC has been adjusting the split 5-10% in favor of the Standardbreds

In reaching our split position with regard to Standardbreds, we have consulted both boards of the NEHBPA and Mass Breeders Association and have their consent to proceed. We have also made both the Wareham and Sturbridge Developers aware of the split. We have an agreement in principle, pending the HRC and MGC boards agreement, for a potential two-year split agreement.

Our position, in more detail, is as follows:

Purses - The 80% purse split should change to 92-8 percent split in favor of the Standardbreds.

The closing of Suffolk Downs in 2019 and the outbreak of COVID in 2020 was a devastating one-two punch for the Thoroughbred racing industry in Massachusetts and led us to conclude that a purse split should favor standardbreds through 2021 at a 92-8 percent split.

But the proposed split with the Standardbreds should not be interpreted as the Thoroughbreds raising a white flag but as both a recognition of our current reality and also an expression of optimism that we are well positioned for recovery and future success. The HRC can and should use its legislative authority to request from the MGC that the \$20 million funding already in the Thoroughbred account be escrowed specifically for future of thoroughbred racing and assure any racetrack developers planning construction of a new race track that funding will be available pursuant to 205 CMR 149.

It is our current understanding that during a COVID-shortened gaming calendar in 2020 that \$10 million was deposited into the RDHF and it is reasonable to assume that the proceeds will be higher during 2021 and that even under a reduced split, the thoroughbred purse account will continue to grow and sustain a solid thoroughbred racing calendar once racing resumes.

While purse accounts are an inducement for a racetrack developer, the HRC should take a broader view of the effect of renewed thoroughbred racing with a projected 1,000 jobs and as much as \$100 million in direct and indirect economic stimulation in the local and state economy. Encouraging thoroughbred investment and preserving the thoroughbred industry should be a high priority for the committee at this time.

Escrowed purse funding would support both the short and long-term future of racing even where a 6-12 day meet to start at the proposed 8% would be enough funding to kickstart the TB program as a full-time racing venue becomes operational. Also keep in mind that even at the current split there is not enough funding coming in that could support a 50-day meet, so us escrowing those funds is far more important now for the future of Thoroughbred racing.

Breeding - The 16% Breeding split should be adjusted 75/25% in favor of the Standardbreds.

The Mass Thoroughbred Breeders still have a statutory obligation to pay out incentives to those horses that are still racing but the breeders are confident that they will see passage of their House Bill 1017 that would enable out-of-state thoroughbreds to be qualified as Massbreds up to the age of two if they spend at least six months on a Massachusetts farm. The bill would not only produce a race-ready stable of competitive horses for a 2022 racing season (and beyond) but would be an economic lifesaver for distressed farms that are disappearing from Massachusetts at an alarming rate from developer pressure on farm owners. Racetrack developers are not only looking at the availability of purses but also the strength of the breeding program that can begin now to produce a strong field of thoroughbreds ready to run in two-to-three years. The confidence that our breed

has in the future of our sport is evident by the current population of foals born in that state could exceed 14 foals by the end of the year.

The breeders are also hampered by the loss of revenue in conjunction with the split and COVID-19 and find it challenging to stay within a budget when only being able to allocate 8% of total funding towards administrative cost while also trying to keep the program alive. This arbitrary restriction has created an unintended obstacle for breeders who cannot sustain the kind of breeding program that we see in New York, Pennsylvania and other states which invest heavily in their breeding program as an essential part of their thoroughbred racing industry. The HRC has a substantive, if underutilized, role in allocating funding to “support and promote” both breeds. In so doing, it would also be taking an affirmative stand in support of preserving farms and open space.

Health and Welfare - The 4% split should be 50/50

The decision to restructure the allocations within the three categories allows the HRC to target funding where it is needed most by the two breeds. The loss of gaming revenue from COVID last year was directly felt by the HBPA in its health and welfare fund and that has seen a loss of \$150,000 in our budget that further threatens our beneficiaries who rely on a modest monthly stipend based on their years of service to our industry.

The 50-50 split in this account should remain in place for stability and future planning. Like any program more stability and hopefully an increase in future funding will allow us to offer more to our members or at a minimum stay our course

Thank you for your consideration.

Anthony Spadea
President
NEHBPA

To the Members of the Horse Racing Committee:

Since 2012 Peter M. Goldberg has sat on the Horse Racing Committee (HRC) as the Standardbred Industry representative. There have been voluminous discussions, debates and data that has been painstakingly reviewed and re-reviewed by the committee in order to best follow the mandate of the Massachusetts Gaming Statute as it applies to the Horse Racing Industries and its efforts to support the Horse Racing Industries in Massachusetts. The support of the Horse Racing Industries in Massachusetts has a two-pronged positive effect: 1. Enables the horsemen and horsewomen in Massachusetts to continue to “ply their trade” in spite of the addition of legalized gaming with its Casinos and added amenities. 2. Ensures that much of the open space (green space) within the Commonwealth remains “open” and along with this encourages the development and continuation of numerous agricultural activities and professions. Keeping horse racing thriving in Massachusetts helps not only the horsemen & women, but the veterinarians, feed dealers, blacksmiths, hay producers, electricians, carpenters and so on.

In 2012, while the Standardbred Industry raced over 100 days, the initial split gave only 25% of the total Racehorse Development Fund (RHDF) to the Standardbred Industry. At that time, not a lot was known about the Standardbred horse or industry by most folks in Massachusetts, nor on the HRC. As a result of the HRC’s many meetings, public hearings and discussions, this committee (and many others throughout the Commonwealth) have come to understand the Standardbred Industry as a viable, thriving and financially stable industry with many, many hard working stakeholders who have dedicated their lives to Standardbred racing within the Commonwealth of Massachusetts.

It is important to note that when we talk about horsemen and horsewomen and their positive effects on the Commonwealth (and they are numerous), we do not differentiate between Standardbred horse “people” and Thoroughbred horse “people.” By Statute, the Standardbred Industry is represented by the HHANE & Standardbred Owners of Massachusetts (SOM, Inc.) (breeders) and the Thoroughbred Industry by the NEHBPA and the Massachusetts Thoroughbred Breeders Association. The duly appointed Standardbred and Thoroughbred representatives on this committee have been asked repeatedly by other members of this committee, by the Mass Gaming Commission and others to “try to work

together” for the good of the Horse Racing Industry and the Commonwealth of Massachusetts. While we have tried to do this in the past with the Thoroughbred representatives, it is only now, that the two sectors of the Massachusetts Horse Racing Industry have been able to come together, in agreement, for the better good of **both** the Standardbreds and the Thoroughbreds.

The metrics from 2020, *although skewed due to the COVID-19 pandemic* are crystal clear. The split proposed at the end of this memo is fair and most importantly, will enable **both** industries to move forward and utilize the RHDF in a fashion for which it was designed.

The Numbers for 2020:

	<u>Standardbreds</u>	<u>Thoroughbreds</u>
Purses:	\$6,878,750.00	\$ 0.00
Employment #'s:¹	1,506	88
Live Racing Handle:	\$ 551,676.00	\$ 0.00
Breeding:		
Stakes Starters:	74	23
MA Bred Purses:	\$1,400,750.00	\$ 280,000.00
Reg. Broodmares:	122	2
Live Race Days:	68	0

Relative Needs:

The Standardbred Industry (SB) in Massachusetts in on an upward trend. The RHDF deposits to the purse account, breeders and Health & Welfare have done

¹ This includes 1099's, W2's & occupational licenses. This does not include staff such as IT, Security etc. that provide support for Racing at Plainridge.

precisely what the Gaming Statute intended. It has supported the SB Industry and allowed it to grow.

- Purse increases have kept Massachusetts' horsemen & women working and able to upgrade their operations.
- The increases have encouraged horsemen & women from outside Massachusetts to bring their horses into Mass to race, thereby further helping Mass residents. These out of state folks are spending money in Massachusetts and paying taxes in Massachusetts.
- The SB Breeding program has blossomed. Mass-bred broodmares, foals and racehorses have steadily increased. As Mass-breds continue to be economically viable, more investment from new sources will continue to flow into the Commonwealth.
- The HHANE has been able to develop a retirement plan, funded with RHDF dollars, that encourages participation **in Massachusetts** by all trainers and drivers. For the first time, these horsemen & women have "a light at the end of the tunnel" due to the RHDF and the amazing hard work and forethought of the HHANE.

It remains critical to the future success and continued upward trend of the SB Industry for it to be able to continue to increase purses for the overnight races as well as the Mass Bred stakes races, and to continue the amazing work of the HHANE regarding the Health & Welfare of all SB horsemen and women.

Currently, the Thoroughbred (RHDF) purse account is in excess of \$20,000,000.00. With absolutely no racing last year, and no racing to be held this year, the addition of any more substantial funds would be tantamount to a dereliction of the HRC's duties. **The SB Industry supports the need to escrow these purse funds so that they cannot be used for any other purpose.** The Massachusetts Thoroughbred breeders still have aged Mass Bred horses to incentivize. The Health & Welfare for the Mass Thoroughbreds should maintain stability.

The numbers during the past two (2) years have shifted dramatically. With the cessation of live Thoroughbred racing and the increase associated with

Standardbred racing in Massachusetts, the RHDF split in fairness to the Industries and the Commonwealth of Massachusetts needs to be adjusted. (See 2020 & 2019 Massachusetts Horse Racing Reports attached hereto).

For all of the reasons embedded within M.G.L. ch. 23K §60(b), the RHDF split for 2021 should be adjusted as follows:

Purses: (80%)

Standardbreds – 92% Thoroughbreds – 8%

Breeders: (16%)

Standardbreds – 75% Thoroughbreds- 25%

**Health & Welfare:
(4%)**

Standardbreds- 50% Thoroughbreds-50%

Respectfully submitted,

HHANE & SOM, Inc.
(On behalf of the Standardbred Industry in Massachusetts.)

2020

Massachusetts Horse Racing

	<u>Plainridge/SB</u>	<u>Suffolk/TB</u>
Number of Race Days	68	0
Number of Races (w/o SS)	673	0
Number of Starts (w/o SS)	5,191	0
Average Field Size (w/o SS)	7.71	0
Purses (w/o SS)	\$6,878,750	0
Average Daily Purse (w/o SS)	\$101,158	0
Number MassBred/Sire Stakes Races	35	8 (Ft. Erie)
Number of MassBred/Sire Stakes Starters	74	23
Number of MassBred/Sire Stakes Starts	239	41
Average Field Size MassBred/S. Stakes	6.83	5.13
Purses MassBred/Sire Stakes Races	\$1,400,750	\$280,000
Average Purse per Race/MB-SS	\$40,021	\$35,000
Live Handle (on track)	\$ 551,676	0
Number of W2 Employees*	47	69
1099s	561	19
Number of Occupational Licenses	898	

*This does not include staff such as IT, Security etc. that provide support for Racing at Plainridge

**This does not reflect multi-year licenses taken out in previous years. Plainridge licensees often take out multi-year licenses. It also does not reflect security and parimutuel clerks at the two tracks.

2019 Horse Racing in Massachusetts Updated 2/2020

	<u>Plainridge</u>	<u>Suffolk</u>
Number of Race Days	108	6
Number of Races	1131	68
Number of Starts	8532	493
Average Field Size	7.54	7.3
Total Purses (includes MassBred/Sire stakes)	\$11,139,900	\$2,971,601
Average Daily Purse	\$86,896	\$495,267
Number MassBred/Sire Stakes Races	35	12
Number of MassBred/Sire Stakes Starters	58	24
Number of MassBred/Sire Stakes Starts	217	55
Average Field Size MassBred/S. Stakes	6.2	4.58
Purses MassBred/Sire Stakes Races*	\$1,755,100	\$600,000
Average Purse per Race/MB-SS	\$50,766	\$50,000
Live Handle	\$1,537,450	\$1,275,926
Number of W2 Employees	50	125
1099 Employees	552	296
Number of Occupational Licenses**	974	849

*In addition, breeder bonuses etc. and purse money for races at Finger Lakes were paid out

**This does not reflect multi-year licenses taken out in previous years. Plainridge licensees often take out multi-year licenses.



March 24, 2021

The Honorable Michael D. Hurley
Clerk of the Senate
State House, Room 335
Boston, MA 02133
(VIA EMAIL: house.clerk@state.ma.us)

The Honorable Steven T. James
Clerk of the House of Representatives
State House, Room 145
Boston, MA 02133
(VIA EMAIL: senate.clerk@state.ma.us)

RE: Race Horse Development Fund distribution percentages

Dear Mr. Hurley and Mr. James,

Please accept this filing as required in accordance with G.L. c.23K, §60(b). The Horse Racing Committee convened a public meeting on March 22, 2021 at which it voted on recommended distribution percentages from the Race Horse Development Fund as follows:

80% distributions for purses for live races (§60(c)(i)):
92% to Standardbred, 8% to Thoroughbred

16% distributions for breeding programs (§60(c)(ii)):
75% to Standardbred, 25% to Thoroughbred

4% distributions for health and pension benefits (§60(c)(iii)):
50% to Standardbred, 50% to Thoroughbred

For your reference, you may view a recording of the March 22, 2021 meeting via this link: <https://massgaming.com/news-events/article/horse-racing-committee-meeting-march-22-2021-2/>. We would be happy to provide any further information requested. Thank you for your consideration.

HORSE RACING COMMITTEE

By:

/s/ Brian Fitzgerald
Chair



Massachusetts Gaming Commission



TO: Chair Cathy Judd-Stein, Commissioners Gayle Cameron, Eileen O'Brien, and Enrique Zuniga

FROM: 2021 Community Mitigation Fund Review Team

CC: Karen Wells, Executive Director

DATE: April 26, 2021

RE: 2021 Community Mitigation Fund – Specific Impact Applications

This memorandum provides an analysis of the Specific Impact applications related to public safety issues for funding under the 2021 Community Mitigation Fund (“2021 CMF”). Copies of the applications can be found at <https://massgaming.com/about/community-mitigation-fund/>.

The Community Mitigation Fund Review Team (“Review Team”) reviewed the grant applications to ensure that the applications are in compliance with the 2021 Guidelines. As part of this review process, copies of the applications were sent to the licensees for their review and comment. Requests for supplemental information were submitted to the applicants so they could provide further clarification on their application. If necessary, the Review Team held follow-up meetings with the applicants to obtain clarifications on the application and supplemental materials. Numerous meetings were held by the Review Team to ensure a thorough review of every application.

Recommendations of the Review Team

To effectuate a consistent and efficient system to analyze the applications, the Review Team utilized the review criteria specified in the 2021 Guidelines. This summary will mention some significant factors for these applications. The Review Team also compiled charts demonstrating how each of the criteria is reflected in the applications. Among the criteria are:

- A demonstration that the impact is being caused by the proposed gaming facility;
- The significance of the impact to be remedied;
- The potential for the proposed mitigation measure to address the impact;
- The potential for the proposal to maximize the economic impact of the gaming facility; and
- The feasibility and reasonableness of the proposed mitigation measure.

The following chart shows the anticipated spending targets in the 2021 Guidelines compared to the funding requests received by the deadline and the potential recommended awards. A more detailed chart follows for individual applications.

Guidelines Targeted Spending		Applications Received	Awards
Specific Impact	No Target Set	\$1,982,889	Pending

Applicant	Category 2/ Tribal	Region A	Region B	Recommendation of Review Team
Everett – Fire Department		\$156,753		\$157,000
Everett - Police		\$215,220		Pending
Everett - Lighting Smart Controls		\$30,000		\$30,000
Foxborough - Police Department	\$283,130			Pending
Hampden County DA			\$75,000	\$75,000
Hampden County Sheriff			\$400,000	\$400,000
Plainville	\$95,341			\$95,500
Springfield - Blueprint			\$400,000	Pending
Springfield - Fire			\$21,945	\$22,000
Springfield - Police			\$105,500	\$22,500
West Springfield - Police & Fire			\$200,000	Pending
Total:	\$378,471	\$401,973	\$1,202,440	Pending

EVERETT - Fire Department

Summary: The Everett Fire Department is seeking funding to supplement the increased staffing levels and service calls resulting from the operation of Encore Boston Harbor. The total of funds requested has been rounded to \$157,000. The funds are allocated for the following specific costs; Emergency Medical Technician (EMT) Training for 20 firefighters at a total cost of \$25,000, Portable Radios at a cost of \$99,000, and an Inspection Vehicle at a cost of \$32,753.

Analysis: The Review Team is recommending full funding of this grant in the amount of \$157,000. The Everett Fire Department (EFD) has demonstrated an increase in calls which is directly attributable to the operation of Encore.

EFD has conducted over 600 emergency medical responses at Encore since it opened. The provision of EMT training will allow firefighters to treat patients at a higher level of care until a paramedic arrives. The proposed accelerated EMT training program will train 20 firefighters as EMTs within a single 31-day period, allowing for more EMTs to be available for service calls at Encore during a crucial time when COVID restrictions are easing and attendance at Encore is increasing. The Review Team agrees that this training is appropriate and recommends approval.

The request for portable radios is to allow for reliable communication between all first responders present at Encore. The radios currently in use are used throughout the City with only minor issues. However, communications at Encore are hampered because of the size, construction type and

electronics in use at Encore. This request will ensure that the 22 members of EFD that respond on major incidents at Encore will be able to communicate with each other, the Gaming Enforcement Unit and the Everett Police Department. The Review Team sees this request as allowing EFD to stay current with the technology used by the other agencies present at Encore and recommends approval.

The Fire Prevention Division of the EFD conducts numerous inspections at Encore including commercial kitchens, lodging facilities, license renewals, code compliance, etc. They have performed 113 inspections at the facility, demonstrating a clear nexus to casino operations. The inspectors share vehicles and this increased workload associated with Encore has placed a strain on the availability of vehicles to perform necessary inspections throughout the City. The Review Team agrees with the need for an additional inspection vehicle to be added to their current fleet.

Licensee Response: “Encore Boston Harbor supports public safety initiatives in the City of Everett. We are appreciative of the collaborative relationship between Encore Boston Harbor and the Everett Fire Department and look forward to working together to ensure the safety of all for years to come.”

EVERETT - Street Light Smart Controls/Surveillance

Summary: The City of Everett in conjunction with the Everett Police Department (EPD) is seeking funding to install Ubicquia lighting controls with closed-circuit monitoring capability “Smart Lights” on Lower Broadway and the surrounding areas adjacent to Encore. The cost of the Smart Lights is \$30,000.

Analysis: The Review Team is recommending full funding of this grant in the amount of \$30,000. The City of Everett has demonstrated an increase in traffic and traffic accidents, as well as calls for service by the EPD in the areas that would be covered by this lighting system.

Provision of this equipment will allow the City to remotely access lighting and cameras in the vicinity of Encore to allow for enhanced monitoring of traffic and security in the area. The City has confirmed that the closed-circuit monitoring capabilities which are described as “surveillance” in their application are actually not that in a functional sense, as they would only be used to help in investigations of incidents that had already occurred, not as a proactive investigative tool, nor do they have any facial recognition capabilities to be used as an aid in investigations. They will be used to remotely ease the flow of traffic during times of congestion or alter traffic light cycles in the area if an accident occurs and requires road closure or diversion from the scene, since they can be operated from EPD headquarters.

Licensee Response: “Encore Boston Harbor supports the City of Everett’s installation of additional lighting controls and surveillance on Lower Broadway and the surrounding areas. The Massachusetts Gaming Commission, through the resources available in the Community Mitigation Fund, has the opportunity to make substantial and lasting improvements to our area. This project is one that could lead to significant regional improvement in the future.”

HAMPDEN COUNTY DISTRICT ATTORNEY’S OFFICE

Summary: The Hampden County District Attorney’s Office is requesting \$75,000 to be used for personnel to mitigate the additional burdens in caseloads that are created directly and indirectly by the influx of people into the downtown area due to the casino presence.

Analysis: Given the additional burdens on the District Attorney’s Office and the provisions in MGL c. 23K that call for offsetting District Attorney costs, the Review Team felt that this application was

warranted. The Review Team recommends that the Commission award a grant to the Hampden County District Attorney's office in the amount of \$75,000.

There is a direct benefit to the citizens of Hampden County when the District Attorney's Office has sufficient resources to absorb the work of additional prosecutions created by the presence of the casino in downtown Springfield. In previous years, the amount of this grant was larger, \$100,000 and a portion of it was unused at the end of the grant term, resulting in a surplus, however in 2020, the amount requested was reduced by the District Attorney's Office to \$75,000 and it appears that this amount allows for the office to absorb the cost of additional prosecutions without creating a surplus. Because this project is done under an Interdepartmental Service Agreement (ISA), any unused funding is returned to MGC unless an amendment to the ISA is made before the end of the fiscal year.

Licensee Response: "The Hampden County District Attorney is applying for \$75,000 in mitigation funds. The Hampden County District Court continues to be one of the busiest in the state. We will continue to support their request for funding to ensure their office is more than adequately equipped to keep the residents of Hampden County safe. We believe the more resources our public safety partners have, the better off the region is. A safe region will continue to allow businesses to thrive with increased visitation to Greater Springfield."

HAMPDEN COUNTY SHERIFF'S DEPARTMENT (HCSD)

Summary: HCSD is in its sixth year of a ten-year lease due to the relocation of Western Massachusetts Recovery and Wellness Center (WMRWC) from 26 Howard Street to 155 Mill Street Springfield, MA. HCSD has experienced a significant lease offset due to this forced move to make way for the MGM Casino.

Analysis: The Commission has provided lease assistance for the WMRWC in the amount of \$400,000 per year for the last five years. These grants were based on an agreement reached during the 2016 grant round and expired with the 2020 grant. During the 2020 grant round, the Sheriff's Department asked the Commission to consider renewing this agreement for another five years. After consultation with the Commission, the Subcommittee on Community Mitigation and Local Community Mitigation Advisory Committees, it was determined that the Sheriff's Department would need to apply to the Community Mitigation Fund as would any other eligible entity.

As in previous years, the Review Team acknowledges the vital role of this facility to the Springfield region. There is clearly a nexus to MGM as the old facility was in the footprint of the casino site, and the lease at 155 Mill Street is significantly higher than the old lease. Upon review of the application and the response provided by the HCSD, the Review Team believes that the HCSD has demonstrated its continued need for this funding. Therefore, the Review Team recommends awarding a grant in the amount of \$400,000 to HCSD.

Licensee Response: "MGM supports the Hampden County Sheriff Department's (HCSD) application for a grant of \$400,000 to help reduce the rent obligation for the Western Massachusetts Recovery and Wellness Center (WMRWC) at their 155 Mill Street facility in Springfield. As you are aware, this is the result of WMRWC having incurred a significant increase in rent after relocating from MGM's project site. MGM continues to be consistent in its support of WMRWC over the last few of years and is pleased to support this request again in 2021."

PLAINVILLE – Police Department

Summary: The Plainville Police Department is requesting funding to purchase a multi-purpose transport vehicle and additional traffic mitigation equipment including; an electronic sign board, and an enclosed traffic trailer to house the sign board and other traffic mitigation equipment. The amount of funding requested has been rounded to \$95,500.

Analysis: The Review Team is recommending full funding of this grant in the amount of \$95,500. The Town of Plainville has demonstrated an increase in traffic that is directly attributable to the operation of Plainridge Park Casino (PPC). In its application, the Plainville Police Department (PPD) cited the “Assessing the Impact of Gambling on Public Safety in Massachusetts Cities and Towns” study completed by Christopher Bruce, a Crime Analyst and Consultant to the MGC. The citations support the PPD’s contention that they have had an across-the-board increase in all types of traffic related calls.

The PPD does not currently own any of the traffic mitigation equipment it is seeking to purchase with CMF funds. The result is that officers have to be deployed to manage traffic when a sign board or other equipment could be used more efficiently, avoiding depletion of the number of officers on a given shift. Provision of a transport vehicle will allow for this equipment to be deployed quickly and the accompanying trailer will allow for the vehicle to also be used as a prisoner transport vehicle, so that cruisers do not have to be used for transport and taken out of service for frequent decontaminations. The PPD’s request for a transport vehicle that can also be used to pull the trailer containing its traffic mitigation equipment will build efficiency into the staffing of the department as well as longevity to their current fleet of vehicles.

Licensee Response: “PPC has reviewed the requests submitted by Plainville and Foxborough and we have no comments to provide at this time. We appreciate the MGC’s continued practice to allow licensees to review and provide comments on Mitigation Funding.”

SPRINGFIELD – Fire Department

Summary: The Springfield Fire Department is seeking funding to purchase defibrillators for use in responding to calls at MGM Springfield. These defibrillators will be placed in fire department vehicles used to respond to calls at the casino. The total cost of the equipment has been rounded to \$22,000 and they can be put in service within 120 days of the approval of funding.

Analysis: The Review Team is recommending full funding of this grant in the amount of \$22,000. The Springfield Fire Department (SFD) has presented a statistical analysis that shows an increase of approximately 1000 medical calls per year since the opening of MGM. In 2018 and 2019 the medical call volume was 9,312, whereas prior to opening in 2016 and 2017, the medical call volume was 8,224.

The SFD notes that these defibrillators are compatible with the equipment used by AMR, which is the primary ambulance company in the City of Springfield. This will allow for the cost of additional equipment necessary, like defibrillator pads, to be minimized for the SFD.

Licensee Response: “MGM supports the Springfield Fire Department’s grant application of \$21,945 to fund the purchase of defibrillators and related equipment. There is no basis for the sweeping conclusion that MGM is having an adverse impact on the Springfield Fire Department’s annual budget. And even if there were any such impact, it would be more than offset by the millions of dollars being provided to the City under the Host Community Agreement for public safety. Nonetheless, the health and safety of the residents of Springfield, our patrons and employees are a top priority of MGM. MGM, therefore, supports this request.”

SPRINGFIELD –Police Department

Summary: The Springfield Police Department (SPD) is requesting funding for equipment and technology to support the Gaming Enforcement and Metro Units. Specifically, the SPD would like to purchase equipment totaling \$105,000. The equipment requested includes a Data Link system to allow for improved data connectivity between the Metro Unit and the GEU back to the SPD headquarter, an F150 pick-up truck to be used for logistical ground support, a Connex Box to be used as secure dry storage for traffic control equipment like electronic signboards, protective shields, BOLAWRAP de-escalation equipment to be used as an alternative to tasers, and Traffic Cones.

Analysis: The Review Team is recommending partial funding of this grant application. The team recommends awarding a grant in the amount of \$22,500 for data connectivity improvements, the storage units and the traffic cones.

SPD has identified deficiencies in the connectivity between the Metro Sub-Station, the Gaming Enforcement Unit and the SPD Headquarters. The proposed data link infrastructure will allow for efficiency of communication between these units and SPD headquarters and will eliminate the need for officers to sit in a cruiser and use the laptop in that vehicle to communicate with headquarters. The Review Team agreed that these improvements were appropriate.

The Review Team also agreed that the provision of the storage units and traffic cones were appropriate. The Connex Box will allow for the secure and dry storage of several pieces of important equipment frequently used by the GEU and Metro Units, some of which were purchased using community mitigations grant funds in previous years. The request for funds to purchase additional traffic cones is reasonable considering the last purchase of cones for this particular use was in 2019. Cones are frequently damaged when they are deployed and some attrition over a two-year period is to be expected.

The Review Team is not recommending funding for the BOLAWRAP equipment, protective shields and the F150 pickup truck.

The Review Team failed to see a connection between the operation of MGM and the SPD's need for BOLAWRAP equipment and protective shields. Although there have been some events that have drawn large crowds to downtown Springfield, like the Bernie Sanders rally during the recent presidential campaign, this event was not connected to the casino, but rather to the availability of space in the downtown area that allowed for a rally of this scale to take place. While the Review Team fully understands the need for police to be properly equipped, there needs to be a clear nexus to an impact of the casino in order to award a grant.

In the 2020 grant round, the Commission approved a grant to the SPD for the purchase of a pickup truck. Due to supply chain issues, a pickup truck was not available last year and the SPD asked if an SUV type vehicle could be substituted for the pickup truck. We approved this change with the understanding that this vehicle could still be used for those uses identified in the application (trailer towing, etc.). The 2021 grant application also indicated that SPD was able to obtain a surplus environmental police pickup truck in May of 2020. The Review Team could not identify a specific impact of the casino over and above that which was identified and funded in the 2020 grant.

Licensee Response: "The Springfield Police Department (SPD) is applying for \$105,500 in mitigation funds for investment in equipment and technology for the Departments Metro Unit. MGM does not believe that its facility or operations attract a greater concentration of prolific offenders than otherwise present in the area. To the contrary, MGM's development efforts and

revitalization of a previously challenged urban area push such elements out and away. Nonetheless, this funding would continue to enhance the resources of the SPD even beyond the already significant Annual Community Impact payments MGM is funding under our Host Community Agreement. MGM appreciates the great working relationship and the efforts of the SPD in creating a safe downtown and community. MGM supports any resources that will benefit their efforts to keep residents, businesses and visitors safe. MGM and our security team continue to work closely together with the SPD and other law enforcement to enhance public safety downtown.”