



Massachusetts Gaming Commission
101 Federal Street, 12th Floor, Boston, MA 02110

Appendix C

2018 COMMUNITY MITIGATION FUND

Specific Impact Grant Application

BD-18-1068-1068C-1068L-22137

Please complete entire Application

1. NAME OF MUNICIPALITY/GOVERNMENT ENTITY/DISTRICT
2. NAME AND TITLE OF INDIVIDUAL AUTHORIZED TO COMMIT FUNDS ON BEHALF OF MUNICIPALITY/GOVERNMENTAL ENTITY
3. ADDRESS OF INDIVIDUAL AUTHORIZED TO COMMIT FUNDS ON BEHALF OF MUNICIPALITY/GOVERNMENTAL ENTITY
4. PHONE # AND EMAIL ADDRESS OF INDIVIDUAL AUTHORIZED TO COMMIT FUNDS ON BEHALF OF MUNICIPALITY/GOVERNMENTAL ENTITY
5. NAME AND TITLE OF CONTRACT MANAGER RESPONSIBLE FOR HANDLING OF FUNDS ON BEHALF OF MUNICIPALITY/GOVERNMENTAL ENTITY
6. ADDRESS OF CONTRACT MANAGER RESPONSIBLE FOR HANDLING OF FUNDS ON BEHALF OF MUNICIPALITY/GOVERNMENTAL ENTITY
7. PHONE # AND EMAIL ADDRESS OF CONTRACT MANAGER ON BEHALF OF MUNICIPALITY/GOVERNMENTAL ENTITY
8. NAME OF GAMING LICENSEE

1. IMPACT DESCRIPTION

Please describe in detail the impact that is attributed to the construction of a gaming facility. Please provide support for the determination that the construction of the gaming facility caused or is causing the impact.

2. PROPOSED MITIGATION

- a) Please identify the amount of funding requested.
- b) Please identify below the manner in which the funds are proposed to be used.
- c) Please provide documentation (e.g. - invoices, proposals, estimates, etc.) adequate for the Commission to ensure that the funds will be used for the cost of mitigating the impact from the construction of a proposed gaming establishment.
- d) Please describe how the mitigation request will address the specific impact indicated. Please attach additional sheets/supplemental materials if necessary.

3. CONNECTION TO GAMING FACILITY

Please provide specificity/evidence that the requested funds will be used to address issue or impacts directly related to the gaming facility.

4. IMPACT CONTROLS/ADMINISTRATION OF IMPACT FUNDS

Please provide detail regarding the controls that will be used to ensure that funds will only be used to address the specific impact. If non-governmental entities will receive any funds, please describe what reporting will be required and how the applicant will remedy any misuse of funds.

5. RELEVANT EXCERPTS FROM HOST OR SURROUNDING COMMUNITY AGREEMENTS

Please describe and include excerpts from any relevant sections of any Host or Surrounding Community Agreement. Please explain how this impact was either anticipated or not anticipated in that Agreement.

CERTIFICATION BY MUNICIPALITY/GOVERNMENTAL ENTITY

On behalf of the aforementioned municipality/governmental entity I hereby certify that the funds that are requested in this application will be used solely for the purposes articulated in this Application.

Signature of Responsible Municipal
Official/Governmental Entity

Date

Request for Waiver/Variance

The Community Mitigation Fund Guidelines indicate that a waiver or variance may be granted under certain circumstances. The Hampden District Attorney's Office respectfully requests a waiver to allow the consideration of our application for 2018 Community Mitigation Funds Under the guidelines the 2018 Mitigation Funds for category 1 Gaming "may not be used for mitigation of impacts that have not occurred by February 1, 2018." However, the waiver or variance may be granted if four conditions are met. The circumstances outlined below show that we have satisfied each of the enumerated factors and should be granted a waiver/variance.

1. The waiver/variance is consistent with the purposes of M.G.L. c. 23K as the District Attorney's Office is specifically referenced as a recipient of funds... "The commission **shall** administer the fund and, without further appropriation, shall expend monies in the fund to assist the host community and surrounding communities in offsetting costs related to the construction and operation of a gaming establishment including, but not limited to....public safety, **including the office of the county district attorney**, police, fire and emergency services."
2. Granting the waiver to the District Attorney's Office to apply for funds will not interfere with the ability of the commission to do its duties. The Commission will be fulfilling its duties to provide funds that affect the community due to the casino presence.
3. The public interest will be positively affected by the granting of the waiver/variance. The Hampden District Attorney's Office is charged with serving the public interest in the prosecution of crime throughout the county. In order to satisfy our obligations to the public we must be able to continue to provide efficient and effective prosecutions and serve the victims of crimes and their families. The casino presence will have an immediate impact on the city of Springfield and surrounding areas. It is important, therefore, to allow this office to present its application to demonstrate why the funds are necessary now in the interest of public safety. Funds have been awarded to public safety departments such as the Springfield Police, State Police based upon projected and predicted impacts. The District Attorney's Office should not be foreclosed from requesting funds as the projected and predicted impacts on this office in particular and public safety in general will be immediate.
4. Not granting the waiver would be a substantial hardship for this office. Both Springfield District Court and Superior Court are consistently the busiest in the State. With our very limited budget, this office cannot absorb the impact of additional cases without compromising public safety. Victims of crime and the public deserve to have justice without delay. Other local public safety departments have been awarded funds to proactively plan for the casino impact. This office should also be given the opportunity

to demonstrate why these funds are needed now as opposed to months after the casino has been in operation. Justice cannot be accomplished retroactively.

For the forgoing reasons Office of Hampden District Attorney asks that the commission grant a waiver/variance and accept the application for Community Mitigation Funds.