

## NOTICE OF MEETING AND AGENDA

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, and Chapter 22 of the Acts of 2022, notice is hereby given of a meeting of the **Massachusetts Gaming Commission**. The meeting will take place:

**Thursday | March 31, 2022 | 10:00 a.m.**  
**VIA CONFERENCE CALL NUMBER: 1-646-741-5292**  
**MEETING ID/ PARTICIPANT CODE: 111 076 8444**

Please note that the Commission will conduct this public meeting remotely utilizing collaboration technology. Use of this technology is intended to ensure an adequate, alternative means of public access to the Commission’s deliberations for any interested member of the public. If there is any technical problem with the Commission’s remote connection, an alternative conference line will be noticed immediately on [www.massgaming.com](http://www.massgaming.com).

All documents and presentations related to this agenda will be available for your review on the morning of the meeting date by visiting our website and clicking on the News header, under the Meeting Archives drop-down.

### **PUBLIC MEETING - #375**

1. Call to Order
  
2. Approval of Meeting Minutes
  - a. May 26, 2021 **VOTE**
  - b. July 15, 2021 **VOTE**
  - c. July 29, 2021 **VOTE**
  - d. August 19, 2021 (NO VOTE)
  - e. August 26, 2021 **VOTE**
  
3. Administrative Update - Karen Wells, Executive Director
  - a. On-site Casino Updates – Bruce Band, Assistant Director, Gaming Agents Division Chief
  - b. Recognition of Scott Helwig’s Departure – Katrina Jagroop-Gomes, Chief Information Officer
  - c. Pacesetters Update – Crystal Howard, Chief Administrative Officer to the Chair and Special Projects Manager
  - d. Organizational Chart and Major Policymaking Position Designation **VOTE**
  - e. Office Lease Discussion
  - f. Play My Way Launch at MGM

4. Business Technical Assistance Grantee Presentation – Crystal Howard, Chief Administrative Officer to the Chair and Special Projects Manager; Amine Benali, Managing Director – Strategy and Development at Local Enterprise Assistance Fund (LEAF)
  
5. Racing Division – Dr. Alex Lightbown, Chief Veterinarian and Director of Racing
  - a. Plainridge Park Racecourse Request for Approval of Racing Officials and Key Operating Personnel **VOTE**
  - b. Plainridge Park Racecourse Request for Waiver of 205 CMR 3.12(6)- Qualifying Race Requirement – Steve O’Toole, Director of Racing, Plainridge Park Casino **VOTE**
  - c. Racing Annual Report – Chad Bourque, Financial Analyst
  
6. Community Affairs Division – Joe Delaney, Chief of Community Affairs; Mary Thurlow, Senior Program Manager
  - a. Ludlow Reserve Application **VOTE**
  - b. Community Mitigation Fund Workforce Development Grants **VOTE**
  
7. Commissioner Updates –
  - a. Annual Report Update– Crystal Howard, Chief Administrative Officer to the Chair and Special Projects Manager **VOTE**
  - b. Farewell to Commissioner Gayle Cameron
  
8. Executive Sessions
  - a. The Commission anticipates it will meet in executive session in accordance with G.L. c.30A, §21(a)(3) to review the status of, and discuss strategy with respect to *City of Revere, and Mohegan Sun Massachusetts, LLC v. Massachusetts Gaming Commission* as discussion at an open meeting may have a detrimental effect on the litigating position of the Commission.
  - b. The Commission anticipates it will meet in executive session in accordance with G.L. c.30A, §21(a)(3) to review the status of, and discuss strategy with respect to *FBT Everett Realty, LLC v. MGC v. Wynn MA, LLC* as discussion at an open meeting may have a detrimental effect on the litigating position of the Commission.
  - c. The Commission anticipates it will meet in executive session for purposes of reviewing and approving draft minutes of previously held executive sessions as conducting such review in public would contravene the intended purpose of convening the executive sessions. **VOTE**

The public session of the Commission meeting will not reconvene at the conclusion of the executive sessions.

9. Other Business - Reserved for matters the Chair did not reasonably anticipate at the time of posting.

I certify that on this date, this Notice was posted as “Massachusetts Gaming Commission Meeting” at [www.massgaming.com](http://www.massgaming.com) and emailed to [regs@sec.state.ma.us](mailto:regs@sec.state.ma.us).

March 28, 2022

*Cathy Judd-Stein*

*Chair*

Posted to Website: March 29, 2022 | 10:00 a.m.



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## Massachusetts Gaming Commission Meeting Minutes

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**Date/Time:** May 26, 2021, 10:00 a.m.  
**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
PARTICIPANT CODE: 112 122 1716

The Commission conducted this public meeting remotely utilizing collaboration technology. Use of this technology was intended to ensure an adequate, alternative means of public access to the Commission's deliberations for any interested member of the public.

### Commissioners Present:

Chair Cathy Judd-Stein  
Commissioner Gayle Cameron  
Commissioner Eileen O'Brien  
Commissioner Enrique Zuniga

#### 1. [Call to Order](#) (0:00)

Chair Judd-Stein called to order the 345<sup>th</sup> public meeting of the Massachusetts Gaming Commission. Roll call attendance was conducted, and all four commissioners were present for the meeting.

#### 2. [Review of MGC Covid-19 related orders for gaming establishments](#) (5:53)

IEB Director Loretta Lillios discussed three orders issued by the Commission relative to Covid-19 related restrictions. A copy of each order is included in the Commissioners' Packet. The first order dated 6/23/2020 is entitled *Minimum Requirements for the Initial Phase 3 Opening of Gaming Establishments*, the second dated 10/8/2020 is entitled *Minimum Requirements for the Reintroduction of Roulette at the Category 1 Gaming Establishments*, and the third dated 3/11/2021 is entitled *Minimum Requirements for (1) Expanding Blackjack-Style Tables to Include a 4th Player Position and (2) the Reintroduction of Craps at the Category 1 Gaming Establishments*. Director Lillios reported that the licensees have been in compliance with these orders.

Jacqui Krum from Encore Boston Harbor addressed the Commission and requested that the policies be adjusted to reflect the present state of CDC and state related orders. She indicated that

the licensee will be able to monitor the vaccination status of its employees via a badging system. Employees who are not fully vaccinated will be required to wear a mask. However, there cannot be any formal system to verify the vaccination status of every patron though signage will be posted. She further addressed the property's sanitation and masking measures throughout the property, communication measures with guests, security measures, operation of poker including the 'bad beat' jackpot, and the reopening plans for its amenities including the conference and outdoor spaces. She requested that occupancy levels be returned to previous levels.

Seth Stratton and Daniel Miller addressed the Commission on behalf of MGM Springfield. Mr. Stratton indicated that MGM's plan will be similar to that described for Encore Boston Harbor. Mr. Miller advised that MGM has an incentive program for its employees to become vaccinated. Vaccination status will be monitored via a badging system. Mr. Miller indicated that MGM is prepared to reopen all its games and amenities. Mr. Stratton clarified that MGM was interested in having discretion to do so in accordance with all applicable guidelines. Mr. Miller further discussed communications of policies and protocols with guests, the IEB, and local board of health, as well as plans for the service of food and beverage, and for the return of poker and handling of the 'bad beat' jackpot.

North Grounsell addressed the Commission on behalf of Plainridge Park Casino. He sought approval to resume 'normal' operations at the facility consistent with Governor Baker's and the CDC's guidelines and orders. He reviewed the differences in the new operations standards as compared to the pre-pandemic standards. He discussed that face coverings for fully vaccinated individuals, both employees and guests, would not be required, that PPC has an incentive program for employees to become vaccinated though no proof will be required, the sanitation measures including the offering of masks and hand sanitizer, the alcoholic beverage service program returning to prior standards, the plan for the return of the food and beverage program, and the manner in which the license will communicate the rules and expectations to guests and with employees.

Commissioner Zuniga inquired about the plexiglass approach for each property, specifically whether there was a plan to remove partitions and whether it would affect the occupancy levels. Ms. Krum responded and discussed customer preferences. Mr. Stratton similarly responded and discussed the customer preferences relative to both slots partitions and those at table games. Mr. Grounsell indicated that customer preference is looked at in making decisions relative to configuration and need for plexiglass.

Commissioner O'Brien inquired about the plexiglass dividers as they apply to the employees and employee preferences. She further inquired about the lifting of occupancy limits and the associated messaging. Ms. Krum and Mr. Stratton indicated that occupancy is closely monitored. They further generally acknowledged the importance of messaging to patrons in areas like the availability of amenities and occupancy limits for purposes of setting expectations and controlling the volume of patrons at any one time. Bruce Band indicated that the occupancy is unlikely to be problematic.

Commissioner Cameron inquired about the verification of vaccination status for employees of the facilities. Ms. Krum indicated that approximately 50 percent of the Encore staff is fully

vaccinated and others who are partially vaccinated. Mr. Grounsell indicated that while PPC is not verifying vaccination status he had reason to believe that the numbers are likely consistent with those of the general population. Mr. Miller offered similar sentiments.

Chair Judd-Stein inquired relative to the Commonwealth Bar including the staffing levels. Mr. Stratton indicated that the space would continue to be used for slot machines and drink service for the time being though it will be reevaluated in the future, and that the staffing is usually around 10 employees.

Commissioner Zuniga inquired about the buffet at Encore. Ms. Krum indicated that the buffet is gone and that the programming has changed for the area.

Commissioner O'Brien inquired about the status of the poker dealers and the plan moving forward. Ms. Krum indicated that the licensee continues to offer a dealer school and has made efforts to offer the dealers other positions at the property. Mr. Miller indicated that cross-training for poker dealers has been discussed so that they may return in different roles.

Mr. Stratton discussed the difficulties associated with staffing certain parts of the facility including food and beverage. Ms. Krum similarly discussed the difficulty and how the licensee is managing the issue. Mr. Grounsell echoed the prior comments.

All licensees reported that they intend to keep their pandemic officer in place and report relevant numbers. It was further noted that the licensees' internal control submissions would need to be updated to reflect the present masking requirements.

All commissioners indicated a comfort level with the plans described by the licensees. The IEB indicated that it is closely monitoring the status of matters at the properties and has not identified any major concerns.

*Commissioner O'Brien moved for the reasons discussed at the meeting, I move that the following three Commission orders be rescinded effective May 29, 2021, at 12:01 a.m.:*

- (1) *the June 23, 2020, order entitled Minimum Requirements for the Initial Phase 3 Opening of Gaming Establishments;*
- (2) *the October 8, 2020, order entitled Minimum Requirements for the Reintroduction of Roulette at the Category 1 Gaming Establishments; and*
- (3) *the March 11, 2021, order entitled Minimum Requirements for (1) Expanding Blackjack-Style Tables to Include a 4th Player Position and (2) the Reintroduction of Craps at the Category 1 Gaming Establishments.*

*These orders are being rescinded subject to the gaming licensees' agreement to do the following:*

- (1) *they shall conduct business in accordance with all Covid-19 related orders and advisories issued by the Governor and the Commonwealth of Massachusetts that remain in effect, as well as any applicable CDC guidelines;*
- (2) *they will ensure that a pandemic safety officer remains in place until further notice;*
- (3) *they will report any positive Covid-19 tests related to the gaming establishment to the IEB and the respective local boards of health; and*

- (4) *the licensees will continue to work cooperatively with the IEB to ensure that all relevant guidance and practices are being followed.*

*Commissioner Cameron seconded the motion.*

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

3. [Review of MGC Covid-19 related plans for horseracing and simulcasting facilities](#) (1:58:10)

Steve O'Toole addressed the Commission relative to the racing and simulcasting operation on behalf of Plainridge Park Casino. He indicated that the protocols previously discussed by Mr. Grounsell will equally apply to the racing operation. He noted that the minimum age for entry will remain at 21, that cleaning and disinfecting of the racing areas and paddock will be a focus, and that he would like for owners to be allowed into the paddock area as well as the winner's circle. In response to inquiries by Commissioner Cameron and Commissioner Zuniga, he discussed the plexiglass status for the protection of the employees, as well as the use of the betting terminals, and the spacing at the bar area. Commissioner O'Brien inquired relative to social distancing measures to which Mr. O'Toole responded that there would be options available for patrons who desired to be able to maintain social distancing including the ample availability of self-serve, stand-alone betting terminals. Chair Judd-Stein inquired into each of the Commission's dedicated spaces at the property. Dr. Lightbown described the status of the Commission's office facility and the vaccination status of individuals who may occupy or use the building as well as the status of the outdoor spaces, test barn, and the judges stand. There was discussion about the executive branch requirements and the application to the spaces at PPC.

*Commissioner Cameron moved that for the reasons discussed at the meeting the Commission allow the racing licensee at Plainridge Park Casino to rescind its Commission approved Covid-19 related reopening plan provided as follows:*

- (1) they shall conduct business in accordance with all Covid-19 related orders or advisories issued by the Governor and the Commonwealth of Massachusetts that remain in effect, as well as any applicable CDC guidance;*
- (2) they will ensure that a pandemic safety officer remains in place until further notice;*
- (3) they will report any positive Covid-19 tests related to the racing facility to the director of racing and the respective local board of health; and*
- (4) they will continue to work cooperatively with the racing division to ensure that all relevant guidance and practices are being followed.*

*Commissioner Zuniga seconded the motion.*

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

Sue Rodriguez, the assistant general manager of Raynham Park, addressed the Commission on behalf of Raynham Park. Ms. Rodriguez expressed a desire to lift certain restrictions and resume full operations at the facility consistent with Governor Baker's order. Specifically, she addressed the wearing of masks (on the honor system based on vaccination status), social distancing, communication with patrons, the pandemic safety officer, and reporting of positive tests. She requested that seating be returned at all bars, full bar service be resumed, consumption by patrons while moving about the facility be permitted, the return of self-service wagering machines. Ms. Rodriguez further addressed the sanitation plan for the facility, use of hand sanitizer and plexiglass barriers, use of entrances and exits, and placement of signage. She indicated that there was some labor shortage though most of their employees have been with them for many years and remain with them.

*Commissioner Zuniga moved that for the reasons discussed at the meeting the Commission allow the racing licensee at Raynham Park to rescind its Commission approved Covid- 19 related reopening plan provided as follows:*

- (1) they shall conduct business in accordance with all Covid-19 related orders or advisories issued by the Governor and the Commonwealth of Massachusetts that remain in effect, as well as any applicable CDC guidance;*
- (2) they will ensure that a pandemic safety officer remains in place until further notice;*
- (3) they will report any positive Covid-19 tests related to the racing facility to the director of racing and the respective local board of health; and*
- (4) they will continue to work cooperatively with the racing division to ensure that all relevant guidance and practices are being followed.*

*Commissioner Cameron seconded the motion.*

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

Chip Tuttle addressed the Commission on behalf of Suffolk Downs. He indicated that the facility planned to lift the face covering requirement, consistent with Governor Baker's order, for individuals who are fully vaccinated, that employees will be allowed to remove coverings if fully vaccinated, there will be social distancing measures in place, that plexiglass barriers will remain

at betting windows, there will be a thorough sanitation and disinfectant plan in place, they will return to their fully licensed capacity limits, and there will be a signage and communications plan in place for patrons.

*Commissioner Cameron moved that for the reasons discussed at the meeting the Commission allow the racing licensee at Suffolk Downs to rescind its Commission approved Covid- 19 related reopening plan provided as follows:*

- (1) they shall conduct business in accordance with all Covid-19 related orders or advisories issued by the Governor and the Commonwealth of Massachusetts that remain in effect, as well as any applicable CDC guidance;*
- (2) they will ensure that a pandemic safety officer remains in place until further notice;*
- (3) they will report any positive Covid-19 tests related to the racing facility to the director of racing and the respective local board of health; and*
- (4) they will continue to work cooperatively with the racing division to ensure that all relevant guidance and practices are being followed.*

*Commissioner O'Brien seconded the motion.*

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

#### 4. [Legal Division and Legislative Affairs](#) (2:52:48)

Jill Griffin addressed the Commission relative to a letter to be sent to legislative leadership in support of changes to G.L. c.30A, s. 20(d) regarding the requirement that members of a public body be physically present at an open meeting for purposes of establishing a quorum. Mr. Grossman offered an overview of the Open Meeting Law and associated regulations including quorum requirements, the accessibility of public meetings, voting requirements, and other provisions. He then described the measures Governor Baker put in place in response to the pandemic and the sunseting of the orders on June 15, and then noted publicly reported activity underway to amend the actual law to incorporate some, or all, of the principles addressed by the emergency order. Ms. Griffin indicated that she would circulate the draft letter to the commissioners for comment prior to sending it out. It was noted that the provisions in place likely gave the public greater access to Commission proceedings. Each commissioner offered perspective and agreed that it would be beneficial to send the letter as described.

*Commissioner Cameron moved that the Commission issue a letter in support of amending the Open Meeting Law to legislative leadership as discussed at the meeting.*

*Commissioner Zuniga seconded the motion.*

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

5. [Extension of horseracing and simulcasting authorization](#) (3:11:30)

Jill Griffin addressed the Commission relative a letter to be sent to legislative leadership in support of HB337 relative to extending live horse racing and simulcasting. Dr. Lightbown explained that the present authorization runs through July 31. This matter effects jobs at the respective facilities, the horsemen, as well as the funding for the Commission's racing operations. Each commissioner offered perspective and agreed that it would be beneficial to send the letter as described.

*Commissioner Cameron moved that the Commission issue a letter in support of extending the live horse racing and simulcasting authorization to legislative leadership as discussed at the meeting.*

*Commissioner O'Brien seconded the motion.*

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

Commissioner O'Brien [moved to adjourn](#) (3:18:38). The motion was seconded by Commissioner Zuniga.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Chair Judd-Stein: Aye.*

*Commissioner Zuniga: Aye.*

*The motion passed unanimously.*

**List of Documents and Other Items Used**

1. Notice of Meeting and Agenda dated May 26, 2021
2. [Commissioners' Packet](#) from the May 26, 2021, meeting (posted on massgaming.com)



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## Massachusetts Gaming Commission Meeting Minutes

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**Date/Time:** July 15, 2021, 10:00 a.m.  
**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5293  
PARTICIPANT CODE: 111 482 3961

The Commission conducted this public meeting remotely utilizing collaboration technology. Use of this technology was intended to ensure an adequate, alternative means of public access to the Commission's deliberations for any interested member of the public.

### Commissioners Present:

Chair Cathy Judd-Stein  
Commissioner Gayle Cameron  
Commissioner Eileen O'Brien  
Commissioner Enrique Zuniga

### 1. [Call to Order](#) (0:00)

Chair Judd-Stein called to order the 349<sup>th</sup> public meeting of the Massachusetts Gaming Commission. Roll call attendance was conducted, and all four commissioners were present for the meeting.

### 2. [Approval of Minutes](#) (5:30) a. December 12, 2020

*Commissioner O'Brien moved that the Commission approve the minutes of December 12, 2020, subject to any necessary changes due to typographical errors or non-material matters. The motion was seconded by Commissioner Cameron.*

*Roll call vote:*

*Commissioner Cameron: Aye.  
Commissioner O'Brien: Aye.  
Commissioner Zuniga: Aye.  
Chair Judd-Stein: Aye.  
The motion passed unanimously.*

### 3. [Tribute to Detective Captain Brian Connors](#) (6:30)

Executive Director Wells and Executive Staff of the Commission shared their gratitude and appreciation for departing Detective Captain Brian Connors and congratulated him on his promotion within the Massachusetts State Police. Executive Director Wells recognized his many accomplishments during his tenure at the Gaming Commission, as well as his many contributions to the gaming industry. Executive Director Wells also commended his personal integrity and the integrity of the officers he recruited trained and hired at the Commission. IEB Director Loretta Lillios also expressed her gratitude to Detective Captain Connors and thanked him for assisting her throughout the years. The Commissioners and Chair Judd-Stein each personally thanked Detective Captain Connors for his numerous achievements, commitment to the Commission and his leadership- from the start of the Commission in its earliest days, to present.

The Commission then presented a Distinguished Service Award to Detective Captain Connors for his service as the Commanding Officer of the Gaming Enforcement Unit of the Massachusetts State Police from November 2021 to June 2021. Detective Captain Connors provided brief remarks and thanked the Commissioners as well as his fellow officers for their contributions and partnerships.

### 4. [Administrative Update](#) (40:28)

#### a. On-Site Casino Updates

IEB Director Lillios updated the Commission regarding the on-site activities at the three gaming establishments. Director Lillios noted that the IEB is continuing to work with operational teams at all three properties to ensure enhanced cleaning protocols are occurring in the front and the back of the house. Encore Boston Harbor, (“EBH”) and MGM Springfield (“MGM”) are still requiring employees to wear masks but have not yet implemented a vaccine mandate. Director Lillios noted that Plainridge Park Casino (“PPC”) was following the directives of the CDC and the Massachusetts Department of Public Health, requiring that non-vaccinated employees wear masks as well. She shared that the vaccine clinic at EBH closed on July 2021, however the licensee is continuing their relationship with the Cambridge Health Alliance. So, it is anticipated that Cambridge Health Alliance will return to the property if boosters are ultimately recommended. Director Lillios shared that casino patrons are required to wear masks on shuttles to and from the casino in compliance with existing public transportation mandates. She also shared that MGM has opted to provide a free meal for employees coming into the property for their shift, and that EBH has an existing practice of this policy as well, given the hardships many have faced throughout the COVID-19 pandemic.

Assistant Director of Investigations & Enforcement Bureau/Gaming Agents Division Chief Bruce Band reported that the properties have all been very busy and operations have been going well with no operational issues. Mr. Band did note, however, an increase in complaints about the poker rooms at both MGM and Encore Boston Harbor; with patrons feeling disappointed about the poker rooms remaining closed, despite the surrounding casino being open. The Commissioners thanked Director Lillios and Assistant Director Band for their reports and asked supplemental questions.

Commissioner Cameron asked Director Band why poker rooms remained closed. Director Band stated that both properties announced that they will have a public decision on the re-opening of their poker rooms by December 31, however, there were related aspects like the ongoing pandemic, and the size of the gaming floor that the licensee ultimately needed to consider. Commissioner Zuniga stated that he would like to hear from the licensees about the existing layout of the gaming establishment, as well as the proposed layout when the room and area would be re-opened pursuant to COVID-19 considerations. Ms. Lillios and Assistant Director Band thanked Commissioners and concluded their presentations.

b. [MGC Return to Work Update](#) (48:40)

Executive Director Wells presented an update from the MGC Working Group with a focus on the return to working in the Boston office. She explained for the benefit of the public that the Massachusetts State Police (“MSP”), gaming agents and racing team had all been working in person throughout the pandemic, but that staff had limited access to the Boston office. The working group has been examining state agencies, with focus on the executive branch and the executive branch agencies for best practices. Executive Director Wells stated the group has been utilizing a lot publicly available information, and it has been an ongoing conversation about how to best return to the workplace. Ms. Wells announced that the proposed return to work date is September 13 in a hybrid model. Staff will have the opportunity to work a certain number of days from home and a set number of days in the office. She expects to provide a detailed proposal with specifics with the Commission to consider at the next public meeting, on July 29, 2021.

Executive Director Wells stated that part of productivity management requires an examination of IT solutions as technology has become vitally important to effectively working in the pandemic. Chief Information Officer, Katrina Jagroop-Gomes then provided an update on the IT portion of the hybrid option before the Commission. CIO Gomes shared that the IT team has been researching and analyzing hybrid options for Commission Meetings. Once initial testing is complete, the IT team will invite the Commissioners for further testing and practice to ensure efficacy and comfort.

Executive Director Wells concluded her presentation and welcomed questions from the Commissioners. Commissioner Zuniga inquired whether the ultimate policy developed and disseminated by the Commission would have some flexibility for different employees with unique health needs. Executive Director Wells acknowledged that different individuals would have differing needs and requirements and confirmed that the Commission wants to accommodate its staff by encouraging anyone with concerns to reach out to HR or their supervisors. Executive Director Wells agreed with Commissioner Zuniga that from an operational perspective, the rollout of the hybrid work environment will likely require adaptation and modification as things change and develop. Commissioner Cameron expressed her gratitude to Executive Director Wells for the report and shared that the Working Group has been very considerate, discussing many thoughtful options for MGC Staff members during its meetings. Commissioner O’Brien added that while she had just joined the working group this past week

that she was impressed with the level of work that had gone into the plan and while it was a work in progress she believed they were well on their way to a plan.

Chair Judd-Stein thanked Executive Director Wells and asked if she could also provide an update on the progress of IT advancements and an update about the current leasing arrangement at the next meeting, inclusive of the physical layout that the Commission occupies in Boston, any the possible equipment needs a hybrid arrangement would require to be successful.

## 5. [Research and Responsible Gaming](#) (1:00:50)

### a. GameSense Quarterly Update

Mark Vander Linden, Director of Research and Responsible Gaming, gave a presentation on the GameSense Quarterly Update. Mr. Vander Linden was joined by Chelsea Turner, Director of Responsible Gambling from the Massachusetts Counsel Gambling and Health, and Phil Sherwood, Director of Communications and Marketing, as well as a GameSense Advisor.

Director Vander Linden provided background that GameSense and Responsible Gaming were required by the enabling legislation of the Gaming Act and subsequently embodied in G.L. c. 23K which required an onsite space for independent substance abuse, compulsive gambling, and mental health counseling services, to be provided to patrons. He then introduced Ms. Turner to begin the first half of the presentation about GameSense operations at the casino including patrons' interactions with GameSense agents, and employees from the three properties who have received awards for their excellence in providing service in partnership with GameSense agents. Ms. Turner then introduced Mr. Sherwood to discuss existing communications and marketing strategies to assist patrons inside and outside of the casino, including the Live Chat feature, Social Media campaigns, Earned Media placements in existing publications and Community Outreach programs. Lastly, the presenters noted that there have been two new GameSense agents hired at both MGM and EBH and shared their excitement for the upcoming National Council for Problem Gaming Convention being hosted in Boston in July of 2022.

Ms. Turner then concluded the presentation and took questions. Commissioner Zuniga inquired about whether the Live Chat feature could be utilized by a patron at one casino property, or entirely off site - with a GameSense Agent who is not in the casino. Mr. Sherwood stated that the GameSense Agent could receive and answer texts anytime and from anywhere in the country. He elaborated that often there are multiple agents that can answer a chat when it comes in, and that the technology is set up to refer specific requests to the most qualified agent depending on the needs of the patron. Commissioner Zuniga asked a follow up question about whether the live chat would be accessible via the Massachusetts Gaming website. Mr. Sherwood stated he would find out and report back. Lastly, Commissioner Zuniga asked about the recognition of employees at the three properties. Ms. Turner shared the gifts that employees typically receive, inclusive of handwritten notes from the Chair, and GameSense branded items, and went on to explain that some properties go as far as having small ceremonies to recognize the employees who have been awarded by GameSense. The Commissioners thanked all parties for the presentations and the work that they do every day.

*The full presentation was included in the Commission Meeting packet on pages 12 – 37.*

b. [General Research Update](#) (1:53:30)

Before the start of the presentation, Director Vander Linden provided an overview of the Division of Research Responsible Gaming’s research agenda. He explained that G. L. 23K, § 71 requires that the Commission develop an annual research agenda to examine the social and economic effects of gaming in the Commonwealth and obtain scientific information relative to the diverse aspects surrounding gaming. The research agenda is advised by the Gaming Policy Advisory Committee (“GPAC”). Mr. Vander Linden stated that the fiscal year 2022 agenda before the Commission was previously presented to GPAC and received their feedback as well.

Mr. Vander Linden began the presentation by stating that the objectives and accomplishments of the Division of Research and Responsible Gaming are incredibly important and diverse, as they want to know and understand the psychological, sociological, epidemiological effects of gaming. He then introduced Research Manager, Ms. Flores-Pajot who has been instrumental in handling the contracts necessary for research facilitation as well as the day to day needs of the Division. With that, Mr. Vander Linden began his presentation on the research activities of the presentation covering the areas of: Responsible Gaming Evaluation; Social and Economic Research; and Public Safety Research; and Community Engaged Research. Mr. Vander Linden shared that there were 16 new or ongoing projects across these four research areas. He and Ms. Flores-Pajot then introduced the studies, explained their objectives and additional relevant factors such as size, population considerations and participant identity, as well as whether a study was new, or follow-up to a previous study.

Mr. Vander Linden concluded the presentation and then opened the discussion to receive questions from the Commissioners. Commissioners thanked Mr. Vander Linden and Ms. Flores-Pajot for their contributions. Commissioner Zuniga expressed his gratitude to Director Vander Linden and Ms. Flores-Pajot for their work. Chair Judd-Stein noted and appreciated the Division’s broad research agenda and thanked the team for their commitment to equity and inclusion across different research areas, and how it was a true embodiment of the Commission’s larger commitment to diversity. Chair Judd-Stein inquired whether any studies would examine the impact of COVID-19 on women in the workforce and related diversity issues. Mr. Vander Linden responded that the study would examine the role of both women in the workforce before and during the pandemic, but also raised the matter of the Research Agenda having one “ad-hoc” research topic annually to explore a pressing issue of the day; and that perhaps that topic could be considered. Mr. Vander Linden thanked the Commission for their time.

*The full presentation was included in the Commission Meeting packet on pages 38 – 57. A Research Update detailing existing and anticipated publications by the Division of Research and Responsible Gaming was also included in the Commission Meeting packet on pages 58 – 66.*

6. [Diversity and Legislative Affairs](#) (3:02:58)

a. MGC Employee and Vendor Diversity Update

Executive Director Wells began the presentation by providing an overview of the Commission's commitment to equity and inclusion and its renewed focus in the Equity Inclusion Working Group. She thanked Jill Griffin, Director of Diversity and Legislative Affairs, Derek Lennon, Chief Financial and Accounting Officer and Trupti Banda, Human Resource Manager and General Counsel Todd Grossman, who have been instrumental in MGC's Equity and Inclusion Working Group (Working Group), convened by Chair Judd-Stein in 2020. Executive Director Wells briefly discussed the purpose of the Working Group, as well as the the pandemic's impact on the spending of vendors. She then introduced Ms. Griffin to provide a summary and update of the Working Group's initiatives.

Ms. Griffin then gave an overview of the diversity objectives of the Commission including Diversity in Hiring, Recruiting, Interviewing, Employee Demographics and Supplier Diversity. She then introduced Mr. Lennon to discuss MGC Supplier Diversity Data and Related Benchmarks, included on the last page of the presentation. Mr. Lennon explained that the lower numbers are attributed to not being in the office, as a large component of the spend is related to the purchase of office supplies from women owned businesses. Mr. Lennon also expressed that they wanted to continue to support Women and Veteran-owned businesses and work towards the goal of spending what has been benchmarked for those groups; and explained that those goals have not yet been met by the Commission.

Procurement Review was then discussed by General Counsel Grossman. He shared that the legal department was in the process of reviewing and standardizing procurement protocols for all procurements issued by MGC. Mr. Grossman explained that diversity could be considered at the forefront of the Request for Proposal evaluation criteria to guide the decision-making process. Ms. Griffin also explained that newer partnerships between the Commission and external affinity groups, and universities could contribute to bringing more vendors to the table and expanding information about diversity initiatives offered by the Commission.

Commissioner Cameron inquired as to whether IGT had been contacted to see if they would be interested in retaining diverse sub-vendors to assist in MGC's spending goals, as a part of their contract. Mr. Lennon explained that the matter is worthy of an internal discussion but does require more consideration in relation to associated spending increases. Chair Judd-Stein recognized the team's commitment to this process and appreciated CFAO Lennon's transparency. Commissioner Zuniga added that the procurement process was very thorough and pointed out that the Independent Monitor, brought on by the Commission was a diverse company as well. Mr. Lennon agreed and stated that the language from the Monitor's RFP has been added to their existing form. The segment concluded, and the Chair thanked the parties for their presentation.

*The MGC Diversity Update Report is included in the Commission Meeting Pack on pages 67 – 71.*

b. [Impact Report](#) (3:35:18)

Director Griffin introduced the 2019 Impact Report. She explained that the report had a particular focus on diverse populations, given that the legislative intent was to create jobs and

business opportunities for Massachusetts' citizens. This project illustrates the success of the economic development mandate and in particular, the success related to the inclusion of diverse populations in those opportunities. Ms. Griffin then introduced Crystal Howard, Program Manager, who spearheaded the effort. Ms. Howard shared that the report's intended release date was in February of 2020 but acknowledged that the pandemic caused a delay in being able to collect and analyze the data from the licensees. Ms. Howard shared that when the casinos re-opened, more data became available, and they were able to bring the report to its fruition. Ms. Howard then shared the report's highlights.

Upon conclusion of the report, Commissioners were invited to ask questions by Ms. Howard. Commissioner Cameron thanked Ms. Howard and asked if the Commission has done the analysis to see what exactly the licensees did to improve their numbers, so that there could be a best practice so that other industries can do the same thing. Ms. Howard explained that it would not fit exactly into the policy analysis of the report, but that the Division was continuously monitoring the numbers on a quarterly basis and having discussions about what may be happening and whether the licensee is holding procurement fairs, as they have done those in the past. Ms. Howard also acknowledged that the data is from 2019 as well. Ms. Howard also pointed out the Grant program run by the Division. One grantee, LEAF is interested in business development and working with small businesses. Chair Judd-Stein thanked Ms. Howard for her presentation and its clarity. She also asked Ms. Griffin to provide the report to the GPAC members. Chair Judd-Stein echoed Ms. Howard's gratitude to the licensees for their collaboration in providing the necessary data used in the report.

*The 2019 Impact Report Review and Corresponding Research Update are included in the Commission Meeting Pack on pages 82 – 85.*

## 7. [Investigations and Enforcement Bureau](#) (3:53:38)

### a. Civil Administrative penalty report

Director Lillios notified the Commission of a Civil Administrative penalty that the IEB issued regarding Fratelli's, a restaurant within the gaming establishment at Encore Boston Harbor ("EBH"). Ms. Lillios cited the statutory and regulatory provisions that were violated, which led to the assessment, including having employees working at the restaurant without being under the proper registration credentials issued by the Commission. Ms. Lillios explained that Fratelli's is a vendor company, and is registered as a non-gaming vendor. The restaurant is located adjacent to the gaming floor. She further explained that pursuant to G. L. c. 23K, § 30(c), and 205 CMR 134.00, as employees at the establishment, they were required to be registered as service employees.

Fratelli's had been notified on numerous occasions, starting at the beginning of 2020, reminding them of the registration requirements of non-gaming vendors, and that consequences, including fines could be incurred. Director Lillios explained that this was not a routine letter, and it was ultimately sent because the Gaming Agents and the State Police Gaming Enforcement Unit ("GEU") had raised concerns verbally with Restaurant management. IEB later issued a formal written notice of non-compliance in February of 2021 after subsequently identifying an

individual working in a restaurant security role at the establishment with no credentials. In March of 2021, it was discovered that another employee had been working at the restaurant for an estimated period of 18 months, without credentials.

Ms. Lillios explained that G. L. c. 23K expressly states that ensuring public confidence in the integrity of the licensing process, and the strict oversight of the gaming establishment as a key objective of the gaming law, so it was incumbent upon the IEB to pay attention to these registration requirements. Ms. Lillios shared that the fine to Fratelli's was issued in the amount of five thousand dollars. (\$5,000.00), with additional conditions for the company. The restaurant must maintain a log indicating any shift or change in who was working at the restaurant, as well as retaining an employee who would be responsible for ensuring staff are properly registered with the Commission. Director Lillios further clarified that while G. L. c. 23K does criminalize actions by the employer, and actions by the individual for working at a gaming establishing without being properly credentialed, these were not criminal penalties, but civil. She added that the 5,000-dollar fine was intended to reflect a serious violation, and a potential risk to the integrity of the licensing process. Director Lillios stated that the company has taken this matter seriously and that they have had fruitful discussions about this matter. She shared that the company does intend to retain someone who will ensure staff are properly licensed and registered. In the interim, the attorney for the restaurant has taken on this responsibility. She also shared that EBH assisted in the review of this matter and provided the IEB with documents that aided their fact-finding.

Commissioner Cameron thanked Director Lillios for her thorough report and the hard work done by her and her team. Commissioner O'Brien then inquired about the timeline of the process and whether it was one person who failed to ensure individuals needed to register. Ms. Lillios stated that there may have been confusion amongst restaurant management as to whom would be responsible for handling registration and licensure, and as a result it did not come to fruition but was not certain. Commissioner O'Brien then clarified that she was seeking to understand if this was a situation that will be adequately remedied with education and training or could be attributed due to high turnover rate of staff. Director Lillios stated that it was her belief that it was more of a lack of prioritization of getting employees registered, but she was more confident now that restaurant management understood the requirements necessary to remain in compliance.

Chair Judd-Stein asked Director Lillios to share the timeline of the violation once more. She explained that the first letter was sent in January of 2020; the second letter was sent roughly one year later, in February of 2021. Director Lillios explained that the period between these two letters included on-site communications with management and on-site staff. Chair Judd-Stein then inquired how the non-compliance was detected. Director Lillios confirmed that it was the Gaming Agents and GEU who were checking credentials, and that registrants and staff are held to a high standard of compliance. Chair Judd-Stein thanked Ms. Lillios for the update.

8. [Community Affairs Division](#) (4:10:50)

- a. HCC Workforce Grant Amendment

Joe Delaney, Chief of the Community Affairs Division, joined by Jill Griffin, Director of Diversity and Legislative Affairs, and Crystal Howard, Diversity and Legislative Affairs Program Manager, provided a brief overview of why the Division was seeking an amendment to a previous grant. Massachusetts Casino Career Training Institute (MCCTI), a gaming school and original grant recipient has been closed since the pandemic. MGM does not have a need to reopen the gaming school at this time, as they have indicated they are not hiring dealers, so the Holyoke Community College is asking that the funds be reallocated to another purpose. Mr. Delaney introduced Ms. Howard, who provided additional details as well as the amount of the request, \$16,983, which was requested to be rolled over from the previous grant to be used for gaming school scholarships. Ms. Howard clarified it was the desire of Holyoke Community College to reallocate the funds toward culinary training, which was approved for the current grant year as well by the Division. Ms. Howard stated that the amended purpose is consistent with the initiative to provide training to individuals, and that the culinary training program will still allow students to access the program at no cost. Lastly, Ms. Howard reiterated that the Division supports the reallocation of the grant. Mr. Delaney explained that a vote is not ordinarily required, but they were seeking the Commission’s approval in the current case, as it exceeds the \$10,000 limit that the Division is authorized to amend internally.

*Commissioner Zuniga moved that the Commission approve Holyoke Community College’s request to reallocate funding originally specified for scholarships at MCCTI’s dealer school to culinary programming at HCC, in the amount of \$16,183. Commissioner O’Brien Seconded.*

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O’Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

*The 2020 Community Mitigation Fund - Workforce Development Proposal for repurposing MCCTI funding is included in the Commissioner’s Packet on page 86 -87*

[9. Discussion of Draft Commission Letter to Massachusetts Peace Officer and Training Commission](#) (4:16:50)

*Prior to the start of this agenda item, Commissioner Zuniga indicated that after speaking with General Counsel Grossman, he would not be participating in this agenda item and would be leaving the meeting. He further explained that he would return for discussion of later agenda items but would not be in the meeting to discuss this agenda item. Chair Judd-Stein noted for the record there were still three Commissioners present for this agenda item, however.*

Chair Judd-Stein thanked Commissioner O’Brien for taking the lead on this issue in partnership with Associate General Counsel Torrisi. Commissioner O’Brien explained that since this matter was last discussed, the Commission has come to an agreement and consensus and wanted to memorialize their understanding of how the new law enforcement officer training conditions

interplay with G. L. c. 23K and the Commission’s existing obligations and security. She stated that Attorney Torrisi drafted a letter and Commissioner O’Brien made some minor edits and disseminated the letter for Commissioner review and discussion here today.

Commissioner Cameron thanked Commissioner O’Brien and Attorney Torrisi for the letter and stated she has no issues as it was currently drafted. Chair Judd-Stein thanked Attorney Torrisi for her work with Commissioner O’Brien and her research. After reaching consensus, Chair Judd-Stein inquired if the letter would be signed by all Commissioners. Commissioner O’Brien clarified that Commissioner Zuniga would be removed from the letter and that the three remaining Commissioners would sign it, as he had recused himself from participation in the matter.

10. [Commissioner Updates](#) (4:20:25)

*Commissioner Zuniga re-joined the meeting at the start of this item.*

a. Legislative Update

Chair Judd-Stein shared that she had one update that Director Griffin and General Counsel Grossman met with legislative staff regarding horseracing bill and the upcoming deadline of July 31st. The legislative team thought it would be helpful that the letter previously sent by the Commission in support of the earlier bill was part of the new record. Staff suggested that the Commission update their letter of support with the new bill’s identification number and send it to certain members at the legislature as a reminder of the Commission’s support of the effort. Director Griffin agreed with Chair Judd-Stein’s summary and decision to have the letter re-drafted, signed by the Commission and re-sent to the legislature.

b. NCPG Conference

Commissioner Zuniga shared that he is participating in a virtual conference for the National Council for Problem Gaming this week and next week and there have been some great discussion and a lot of interest in the future conference, which will be held in person in Boston in 2022.

11. Other business

*Commissioner Zuniga moved to adjourn. The motion was seconded by Commissioner Cameron.*

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O’Brien: Aye.*

*Chair Judd-Stein: Aye.*

*Commissioner Zuniga: Aye.*

*The motion passed unanimously. Meeting Adjourned.*

**List of Documents and Other Items Used**

1. Notice of Meeting and Agenda dated July 13, 2021
2. [Commissioners' Packet](#) from the July 15, 2021, meeting (posted on massgaming.com)
3. Meeting Minutes – December 12, 2020



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## Massachusetts Gaming Commission Meeting Minutes

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**Date/Time:** July 29, 2021, 9:00 a.m.  
**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5293  
PARTICIPANT CODE: 112 035 3035

The Commission conducted this public meeting remotely utilizing collaboration technology. Use of this technology was intended to ensure an adequate, alternative means of public access to the Commission's deliberations for any interested member of the public.

### Commissioners Present:

Chair Cathy Judd-Stein  
Commissioner Gayle Cameron  
Commissioner Eileen O'Brien  
Commissioner Enrique Zuniga

#### 1. [Call to Order](#) (0:00)

Chair Judd-Stein called to order the 350<sup>th</sup> public meeting of the Massachusetts Gaming Commission. Roll call attendance was conducted, and all four commissioners were present for the meeting.

#### 2. [Approval of Minutes from March 11, 2021](#) (1:21)

*Commissioner O'Brien moved to approve the minutes from the Commission's public meeting of March 11, 2021, subject to correction for typographical errors or other nonmaterial matters. Commissioner Cameron seconded.*

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

### 3. Administrative Update

#### a. [Diversity and Legislative Affairs](#) (29:45)

Director of Diversity and Legislative Affairs Jill Griffin and Program Manager Crystal Howard presented a PowerPoint to the Commission describing the role of the Diversity and Legislative Affairs division of the Commission. The PowerPoint is included in the Commissioners' Packet. Each Commissioner shared sentiments relative to the presentation and the division's excellent work.

Ms. Griffin introduced Segun Idowu, President and CEO of the Black Economic Council of Massachusetts to the Commission. She noted his contribution to the vendor advisory team, and his commitment to ensuring a diverse vendor base, amongst others.

Mr. Idowu described his organization, its efforts and goals, its origins, and its close work with the Commission. Commissioner Cameron inquired as to how the Commission's work can be a model to others. Mr. Idowu pointed to the fact that the Commission set specific goals and required regular public reporting as important components. Commissioner Zuniga, Commissioner O'Brien, and Chair Judd-Stein shared their impressions and the importance of the described efforts.

#### b. [On-site casino update](#) (2:57)

Director of the IEB Loretta Lillios provided the Commission with an overview of the Covid measures in place at the gaming establishments. She indicated that it was status quo from the last report 2 weeks prior. She described the ongoing efforts of the licensees relative to sanitization, masking protocols, vaccination of employees, reporting to the IEB and boards of health, the hiring of employees who are 18 years old, and awareness of the applicable CDC guidance. Assistant Director of the IEB Bruce Band offered an update as to the plexiglass at the properties, the hours of operation at the properties, and indicated that all three properties are operating smoothly.

#### c. [MGC Return to Work Update](#) (10:39)

Executive Director Karen Wells offered the Commission an overview of the plans and considerations relative to the staff return to the office. She noted that several large employers have delayed a return to the office and referenced the federal masking guidance. Ms. Wells indicated that the internal working group has been reviewing return to the office related matters and proposed postponing the return to the Boston office back to October. Commissioner Zuniga discussed a consideration of reconfiguring the office space. Commissioner Cameron described concerns raised relative to working alongside unvaccinated individuals and supported postponing the return date. Commissioner O'Brien noted that there was unanimity in the working group to postpone the return date and supported the change. Chair Judd-Stein noted that things are in flux and suggested an agency-wide survey of return related issues given the uncertainty of the timing of the return. Ms. Wells further noted that the option to work in the office is available to

employees who desire to do so. There was a general consensus in support of postponing the return date. Ms. Wells will inform the staff of the postponed date.

d. [Recognition of Jill Griffin](#) (1:17:39)

Executive Director Wells and the Commissioners offered words of farewell, praise, and congratulations for Jill Griffin in recognition of her departure from the Commission. Ms. Griffin expressed thanks and reflections upon her time at the Commission.

4. [Plainridge Park Casino Quarterly Report](#) (1:46:33)

Community Affairs Division Chief Joe Delaney introduced North Grounsell, General Manger from PPC, for purposes of presenting its Q2 quarterly report from 2021. Mr. Grounsell and PPC staff presented a PowerPoint which describes the quarterly highlights. The PowerPoint is included in the Commissioners' Packet. The presentation included information relative to the licensee's gaming revenue and taxes, lottery sales, vendor spend by state, local spend by municipality, vendor diversity goals and actual spend, diverse spend, compliance related figures, employment figures overall and in positions designated as supervisor and above, a description of the PPC Cares program and associated activity, and the licensee's marketing efforts.

Commissioner Cameron inquired as to when certain amenities would be open as it relates to being able to recruit new employees. Ms. Lucas and Mr. Grounsell discussed the plans for the property and hiring efforts. Each Commissioner offered brief thoughts about the presentation.

5. [Encore Boston Harbor Quarterly Report and status of poker](#) (2:09:12)

Community Affairs Division Chief Joe Delaney introduced Jacqui Krum, General Counsel from Encore Boston Harbor, for purposes of presenting its Q2 quarterly report from 2021. Ms. Krum and EBH staff presented a PowerPoint which describes the quarterly highlights. The PowerPoint is included in the Commissioners' Packet. The presentation included information relative to the licensee's gaming revenue and taxes including a year over year comparison, lottery sales, employment figures, operating spend, compliance related figures (it was noted that EBH will launch a campaign to reeducate its team members as to the importance of preventing minors from accessing the gaming floor and associated responsibilities), promotions and marketing efforts including the frontline hero giveaway, and change for charities, the second anniversary celebration, master classes offered at the property, and the opening of Night Shift beer garden.

Commissioner O'Brien inquired as to the breakdown of the ages of underage versus minors on the gaming floor, specifically those under 21. Ms. Catanzariti indicated that there were 4 minor children including 2 under 18. It was a 20-year-old individual, whose identification was not checked, who had been on the floor for 2 hours and 54 minutes. The security officer responsible for that oversight was disciplined and the matter served as the impetus for the aforementioned reeducation training.

[EBH Poker Discussion](#) (2:22:05)

Ms. Krum proceeded to address the status of EBH's poker offering. She began the discussion by stating they did not say "never" but rather "not at this time" in connection with resuming poker at EBH. She noted that the licensee makes efforts to be responsive to patron needs. In this case, the poker area is presently occupied by certain slot machines. She indicated that the licensee has experienced difficulties in actually finding dealers. Because of this, opening poker would require the closure of certain other table games as staff is not presently available to do both. While they do recognize the impact on poker players, she indicated that they also have obligations to shareholders and to the Commonwealth. A return to poker is part of the daily consideration as to how best to fully reopen the property.

General Counsel Grossman offered an overview of the legal principles that would guide any decision making in this arena. He referenced G.L. c. 23K and the Commission's broad authority to resolve these types of matters, the definition of a category 1 gaming license, and of a table game. He then discussed certain provisions of section 18 including building a gaming establishment of high caliber, and offering the Commonwealth the highest and best value. Mr. Grossman then discussed section 21 which governs conditions attached to the gaming license. Specifically, he discussed the requirement that a gaming licensee has an affirmative obligation to abide by every statement made in its RFA-2 application. He then discussed the spots in the application that referenced poker. Though there were a few places that mentioned poker, he discussed the language in the licensee's answer to question 4-10. Therein, the licensee described its plans for poker as part of the gaming program. Mr. Grossman added for context that the statements were made as part of a broader description of the gaming program itself that was envisioned at the time the application was submitted and should be considered in that context.

Commissioner O'Brien asked Ms. Krum whether they had specifically renewed the offer to retrain poker dealers which EBH made to the in June 2020. Ms. Krum stated that they had not renewed a specific reach-out to poker dealers since that time but reiterated that the retraining offer still stands. Ms. Krum described the offer that have been made to that group of individuals. Commissioner Cameron asked Mr. Band about the complaints that have been submitted to the Commission. Mr. Band indicated that he has shared the complaints with Ms. Krum and that there were 40-50 individual complaints in the past month relative to bringing poker back and that the number had gone up from 4 or 5 a month. Commissioner Cameron commented that that was a significant number. Commissioner Zuniga asked Ms. Krum whether there had been consideration as to bringing poker back in a more limited way than previously. Ms. Krum indicated that it had been considered but that there were still operational issues with that approach. Everything remained on the table though. Commissioner Zuniga suggested that as a matter of principle that the Commission should be deferential to the gaming licensee expertise in making these types of operational business decisions. That is the reason they were selected for the award of the license in the first place. Chair Judd-Stein stated that we are not interested in micro-managing. She also highlighted the statutory objectives in the law relative to granting a license which includes generating revenues but also drew the distinction between categories 1 and 2 noting that table game offerings are a part of that analysis for the category 1 license and that included poker offerings. She also referenced the impact that this decision may have on the number of available jobs given the more limited need to operate slot machines versus table games. Commissioner O'Brien and Commissioner Zuniga suggested that the subject be revisited in the near future. Mr. Band presented a multi-state survey as to where poker rooms were

presently open across the United States. The Commission agreed to revisit the matter in the near future.

6. [MGM Gaming Beverage License renewal](#) (3:00:33)

Licensing Division Chief Nakisha Skinner presented a request by MGM Springfield to renew its gaming beverage license. The application is included in the Commissioners' Packet and was reviewed at the meeting. Ms. Skinner indicated that the application was timely submitted and deemed administratively complete. The application included a request for 24 licensed areas though Ms. Skinner made specific reference to area 17 for which the licensee was not seeking renewal. She further noted that there are 2 areas that are operated by jointly licensed areas. Ms. Lillios the discussed MGM Springfield's historic compliance with the alcoholic beverage service regulations. She then turned to Angela Smith, senior supervising gaming agent at the property, to further discuss the compliance. Ms. Smith described the manner in which the gaming agents perform compliance checks in this regard. She indicated that the property is in broad compliance and recommended renewal. Ms. Skinner also recommended renewal of the license.

Commissioner Zuniga inquired as to the status of the Kringle Candle space which is area 17. Commissioner O'Brien agreed that area 17 should not be licensed at the moment as there is insufficient information provided in the application. The chair inquired as to the status of the Commonwealth Lounge where it is presently stocked with slot machines. Ms. Smith indicated that there is currently alcoholic beverage service in the area and the waitstaff does make drinks via the smart bar, though there is no actual bartender in the area.

*Commissioner O'Brien moved that the Commission renew the gaming beverage license issued to MGM Springfield, including all licensed areas described and depicted in the application contained in the Commissioners' packet and reviewed at the meeting, with the exception of area 17 previously occupied by Kringle Candle, and incorporating all terms and conditions described in chapter 23K, 205 CMR, and included in the submitted applications, for a term of three years ending on August 15, 2024, in accordance with 205 CMR 136.06(1).*

*Commissioner Zuniga seconded the motion.*

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously*

7. [MGC Annual Salary Review](#) (3:40:43)

Executive Director Wells requested that the Commission approve salary adjustments for the Commission employees in the amount of 4%. She noted that there were no adjustments the previous year. She also discussed offering a one-time Covid bonus. Ms. Wells indicated that the recommendation was arrived at in consultation with the CFAO as a cost-of-living adjustment and recognition that there was no increase last year. Commissioner O'Brien noted a potential concern

given the difficulties faced by the licensees. She also noted the potential for hazard pay for certain front facing employees. Commissioner Cameron agreed that racing employees in particular faced a specific hardship given the cancelling of part of the racing season. Both suggested a tiered approach to the bonus- possibly \$1000 for racing employees and \$500 to gaming agents. Commissioner Zuniga noted that there may be other employees whose personal situations we are not aware of in support of a flat bonus to everybody. Chair Judd-Stein noted that this was an extraordinary year and supported separating out the COLA increase from the bonus. She further noted that there were costs associated with working from home that should be considered. The chair suggested that all bonuses be the same with special consideration for racing employees. Ms. Wells indicated that there is money in the budget to implement a tiered approach as discussed. There was discussion relative to that third tier and leaving it within Ms. Wells discretion to distribute the funds equitably. The chair reiterated a concern for individuals who were not forward facing but still faced unknown challenges working from home.

*Commissioner O'Brien moved that the Commission adopt the recommendation proposed by the Executive Director and Chief Financial and Accounting Officer and approve a 4% increase to all Commission employees' base salaries, as well as the one-time bonus, described in the memorandum included in the Commissioners' Packet and as further detailed and discussed at the meeting.*

*Commissioner Cameron seconded the motion.*

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously*

8. [PPC Qualifier review](#) (4:13:59)

Kate Muxie-Hartigan presented the results of the IEB's investigation into a Felicia Hendricks who is the Chief Financial Officer of Penn National Gaming, Inc. and accordingly a qualifier to the gaming licensee. Ms. Muxie-Hartigan advised that Ms. Hendricks submitted all requested documentation and was interviewed by IEB staff. She then proceeded to describe Ms. Hendricks' career and her responsibilities with Penn National and advised that she is licensed in other jurisdictions. Ms. Muxie-Hartigan recommended that the Commission find Ms. Hendricks suitable. Commissioner Zuniga noted that he was familiar with Ms. Hendricks' work as an analyst.

*Commissioner Cameron moved that the Commission issue a positive determination of suitability to Felicia Rae Hendrix in her capacity as Executive Vice President and Chief Financial Officer to Penn National Gaming, Inc.*

*Commissioner O'Brien seconded the motion.*

*Roll call vote:*  
*Commissioner Cameron: Aye.*  
*Commissioner O'Brien: Aye.*  
*Commissioner Zuniga: Aye.*  
*Chair Judd-Stein: Aye.*  
*The motion passed unanimously*

9. [Racing Quarterly Local Aid Payments](#) (4:20:58)

Chad Bourque, Financial Analyst, presented a request for distribution of local aid quarterly payments for the second quarter of 2021. The proposal, calculations, and figures are fully set out in his memorandum to the Commission included in the Commissioners' Packet.

*Commissioner Cameron moved that the Commission authorize the local aid quarterly distribution payments to the City of Boston, Town of Plainville, Town of Raynham, and City of Revere in the amounts reflected in the memorandum included in the Commissioners' Packet and discussed at the meeting.*

*Commissioner Zuniga seconded the motion.*

*Roll call vote:*  
*Commissioner Cameron: Aye.*  
*Commissioner O'Brien: Aye.*  
*Commissioner Zuniga: Aye.*  
*Chair Judd-Stein: Aye.*  
*The motion passed unanimously*

10. [Legislative update](#) (4:26:21)

Jill Griffin advised that HB3976, an act extending the authorization for horse racing and simulcasting, was signed into law by the Governor.

Ms. Griffin further advised that the House of Representatives passed HB 4993 which was a sports wagering related bill. The bill was sent to the Senate Ways and Means Committee.

11. [Commissioner Updates](#) (4:30:24)

Commissioner Zuniga suggested that the Commission offer comment relative to a pending bill related to slot machines being permitted at remote locations.

Chair Judd-Stein discussed an international gaming conference coming to Boston and mentioned that the Commission had been asked to contribute certain resources. She noted that there had been outreach to Ethics Commission staff to inquire as to the propriety of certain activities. If certain state resources are to be utilized, notices may need to be submitted to appointing

authorities. Mr. Grossman was asked to be prepared to address the matter along with Commissioner O'Brien.

Commissioner Zuniga [moved to adjourn](#) (4:40:55). The motion was seconded by Commissioner O'Brien.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Chair Judd-Stein: Aye.*

*Commissioner Zuniga: Aye.*

*The motion passed unanimously.*

#### **List of Documents and Other Items Used**

1. Notice of Meeting and Agenda dated July 29, 2021
2. [Commissioners' Packet](#) from the July 29, 2021, meeting (posted on massgaming.com)




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## Massachusetts Gaming Commission Meeting Minutes

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**Date/Time:** August 19, 2021, 10:00 a.m.  
**Place:** Massachusetts Gaming Commission  
 VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
 PARTICIPANT CODE: 111 787 6452

The Commission conducted this public meeting remotely utilizing collaboration technology. Use of this technology was intended to ensure an adequate, alternative means of public access to the Commission’s deliberations for any interested member of the public.

**Commissioners Present:**

Chair Cathy Judd-Stein  
 Commissioner Gayle Cameron  
 Commissioner Enrique Zuniga

1. [Call to Order](#) (0:46)

Chair Judd-Stein called to order the 352<sup>nd</sup> public meeting of the Massachusetts Gaming Commission. Roll call attendance was conducted, and all four commissioners were present for the meeting.

2. [Approval of Minutes](#) (1:35)  
 a. May 20, 2021

Commissioner Zuniga moved that the Commission approve the minutes of May 20, 2021, subject to any necessary changes for typographical errors or ministerial changes. The motion was seconded by Commissioner Cameron.

*Roll call vote:*  
 Commissioner Cameron: Aye.  
 Commissioner Zuniga: Aye.  
 Chair Judd-Stein: Aye.  
 The motion passed unanimously.

### 3. [Administrative Update](#) (2:47)

Executive Director Karen Wells noted as a preliminary matter that there was discussion at the previous agenda setting meeting around including in today's agenda updates on the Boston office reopening, the hybrid work policy, and the MGC vaccination policy, but that those items would be moved to a future meeting next week. She noted that the review team is reviewing all relevant information and best practices so that the Commission can have the latest information and make informed decisions. Chair Judd-Stein noted that the meeting during which the working group will come back with proposals and recommendations will be limited to this subject matter.

#### a. [Acknowledgement of Massachusetts State Police Captain Michael Banks as Commander of the Gaming Enforcement Unit](#) (4:39)

IEB Director Loretta Lillios acknowledged the installation of Captain Michael Banks as the Commander of the Gaming Enforcement Unit. Director Lillios provided background on the GEU and its officers as well as Captain Banks' background. The Commissioners and Executive Director Wells each provided remarks welcoming Captain Banks to the role and thanking him for his years of service. Captain Banks provided an update recognizing several officers assigned to the GEU.

#### b. [Acknowledgement of Elaine Driscoll, Director of Communications Service to MGC](#) (15:08)

Executive Director Karen Wells recognized Elaine Driscoll's work with the MGC as Director of Communications and provided her with a Distinguished Service Award. The Commissioners each reflected on Director Driscoll's work with the Commission, thanked her for her years of service, and wished her luck in her new role at EOPSS. Director Driscoll expressed her gratitude for her time with the Commission.

#### c. [On-site Casino Updates](#) (37:19)

IEB Director Lillios updated the Commission on Covid-related issues since the Commission's meeting on August 4<sup>th</sup>. She noted that since that time, the licensees have been operating in accordance with all Covid-related orders and advisories in the Commonwealth and in consideration of all applicable CDC guidelines. In addition, the IEB has confirmed appropriate signage and enhanced cleaning protocols. Director Lillios further noted that PPC has begun requiring proof of vaccination from its employee workforce and MGM, as a matter of corporate policy, will soon be requiring all new hires and salaried employees to show proof of vaccination. Director Lillios also provided operational updates regarding amenities at the properties.

Assistant Director Bruce Band reported that operations at the properties have been going smoothly and provided updates on the number of operational slot machines and table games at each property.

Chair Judd-Stein noted that following the Commission's previous discussion, DPH Associate Commissioner Lindsey Tucker reached out to her to see if she could be introduced to leadership

at each property so that DPH could offer any additional help to increase vaccination rates at the properties. Chair Judd-Stein expressed her gratitude to DPH for that outreach, and Director Lillios noted that MGM has been in active dialogue with DPH regarding mobile vaccination units.

The Commission thanked Director Lillios and Assistant Director Band for this report.

#### 4. [Research and Responsible Gaming](#) (44:16)

##### a. Problem Gambling Initiatives to Serve Asian American and Pacific Islander Communities

Director of Research and Responsible Gaming Mark Vander Linden introduced Ben Hires, Executive Director of Boston Chinatown Neighborhood Center, and Victor Ortiz, Director of the Office of Problem Gambling Services at the Department of Public Health. Director Vander Linden, Mr. Hires, and Mr. Ortiz presented a collaborative paper outlining programs and services in place to address problem gambling and to promote equity.

Commissioner Cameron commended the partnership and its benefit to the Commonwealth. Commissioner Zuniga noted that we are fortunate in the Commonwealth to have the resources to address these issues. Chair Judd-Stein thanked Director Vander Linden, Mr. Ortiz, and Mr. Hires for producing this paper collaboratively which addresses important issues and acknowledges that there is continuing work to be done to address inequities with respect to problem gambling.

#### 5. [Community Affairs Division](#) (1:09:17)

##### a. MGM Springfield Quarterly Report

Division of Community Affairs Chief Joe Delaney introduced Daniel Miller, Director of Compliance at MGM Springfield, along with Arlen Carballo, MGM Springfield Director of Finance; Jason Randall, MGM Springfield Director of Human Resources; Beth Ward, MGM Springfield Community Affairs Director; and Amanda Gagnon, MGM Springfield Entertainment Director, to present MGM Springfield's quarterly report. The quarterly report addressed gaming revenues and taxes; lottery sales; compliance with respect to minors on the gaming floor; local and diverse operating spend; employment numbers including minority, women, and veteran; progress on hiring goals; workforce initiatives; community outreach, special events, and entertainment; development updates; and Play My Way updates.

Commissioner Cameron posed a question regarding employment numbers and whether there are positions available at the property that MGM has been unable to fill. Mr. Randall noted that some positions are challenging to fill such as cook positions, but that MGM has a training program partnership with Holyoke Community College that it recruits from and is always working on ways to revise recruiting methods and attract candidates.

Chair Judd-Stein congratulated MGM on their success with veteran and minority hiring and asked if the challenges in hiring women in particular might be the result of the impact of Covid

on women as they are often the primary caretaker of children. Mr. Randall agreed that this was a contributing factor as employees wishing to return to work are seeking childcare.

Chair Judd-Stein noted that there was a large drop in lottery sales from MGM's last report and asked if they were working on additional strategies to support sales of lottery products. Ms. Carballo noted that they have not yet done so and that she has not identified any specific explanation for the drop in sales.

The Commission thanked MGM for their comprehensive report.

b. [MGM Springfield Poker Status](#) (1:43:04)

Division of Community Affairs Chief Joe Delaney introduced Daniel Miller, Director of Compliance at MGM Springfield, and Gus Kim, Vice President and Legal Counsel at MGM Springfield, to provide a status update with respect to poker at the facility. Mr. Miller reported that poker will be returning to MGM Springfield in the fourth quarter, likely with a reduced number of tables. Chair Judd-Stein asked if there was a date set for the return and Mr. Miller noted that they had not yet set an exact date.

6. [Research and Responsible Gaming](#) (1:45:31)

a. MGM Springfield Play My Way Update

Director of Research and Responsible Gaming Mark Vander Linden provided an update on the implementation of Play My Way at MGM Springfield. He provided background on the timeline for implementation of Play My Way at each of the licensee facilities and noted that Play My Way is anticipated to launch at MGM Springfield during Responsible Gaming Education Week, September 19-15. Director Vander Linden provided additional background on Play My Way and the MGC's responsible gaming framework. Gaming Technical Compliance Manager Scott Helwig provided a technical update on the implementation of Play My Way; Director of Communications Elaine Driscoll provided an update on the communication objectives and tactics for the implementation of Play My Way; and Research Manager Marie-Claire Flores-Pajot provided an update on the Play My Way evaluation plan study that will be conducted in conjunction with the launch.

Commissioner Zuniga commended the team for using similar branding while also creating nuanced differences in the launch that will continue to inform the use of Play My Way, particularly with respect to the option for patrons to opt-out of early notification. He noted that it could provide useful feedback as to whether PPC's program should be modified. Commissioner Cameron asked if individuals who are unenrolling are asked questions as to their reason for unenrollment and Director Vander Linden confirmed that a brief set of questions is asked. He noted as well that the unenrollment rate is approximately 10-15%.

The Commission thanked MGM for its partnership and for embracing GameSense and Play My Way.

b. [NCPG Responsible Gaming Award Acknowledgments](#) (2:16:34)

Director Vander Linden presented regarding the National Council on Problem Gambling's annual awards to individuals and organizations for their work on problem gambling and responsible gaming issues. He noted that Massachusetts was well-represented among awardees in a number of different categories, including an award to Plainridge Park Casino, an award to a GameSense supervisor at Encore Boston Harbor, and an award to Commissioner Zuniga for his contributions to the NCPG. Director Vander Linden noted as well that a lifetime award was presented to Dr. Rachel Volberg, who is the Commission's principal investigator for the SEIGMA and MAGIC projects. Dr. Volberg thanked the Commission and provided remarks on her background and experience with problem gambling research.

Chair Judd-Stein and Commissioner Cameron congratulated Commissioner Zuniga on his award and thanked him for his efforts. They further thanked Dr. Volberg for her work and continued leadership and congratulated her on her award. Additionally, they congratulated Plainridge Park Casino on their award.

7. [Investigations and Enforcement Bureau](#) (3:04:32)

Before beginning the next agenda item, Chair Judd-Stein noted that prior to the Commission's break, Governor Baker announced that he will be instituting a vaccine mandate for all state employees, which will extent to in-person as well as telecommuting workers. She noted that she had spoken with Executive Director Wells and that this issue would be discussed by the working group as they prepare the Commission's own return to office plan.

a. [Status of Encore Boston Harbor Request to Amend its Floor Plan \(205 CMR 138.07\(3\)\)](#) (3:06:27)

Director Lillios noted that Encore Boston Harbor has been engaged in renovation and repurposing of space at its facility. Specifically, Encore is repurposing the former buffet space to be reintroduced as a sports lounge and bar along with countertop gaming devices, and repurposing a portion of the second floor into a VIP lounge with countertop gaming devices. In total, the renovation will add 18 gaming positions to these two areas. Director Lillios noted that the target date for launch is September 4, 2021. Director Lillios explained that this would require advance approval from the IEB under the regulatory provisions related to amendments to the gaming establishment floor plan.

Associate General Counsel Caitlin Monahan presented the four-step process for implementing a floor plan amendment pursuant to 205 CMR 138.07(3). Director Lillios noted that Encore understands the process and the IEB expects to be in communication with them in the coming days.

In addition, Director Lillios noted that Encore will be introducing two new food amenities as part of its floor plan change and has submitted a request for alcoholic beverage amendments, which the IEB will begin to review.

The Commission thanked Director Lillios for her update.

b. [MGM Springfield \(Wahlburgers\) Service Exemption Request](#) (3:12:09)

Licensing Division Chief Nakisha Skinner presented one position for the Commission for consideration for exemption from the service employee registration requirement, that being the server position at Wahlburgers restaurant at MGM Springfield. Chief Skinner noted that the Wahlburgers is located in a standalone building and has no connection to the gaming area. Chief Skinner noted that this exemption would be consistent with what the Commission has done in the past and recommended the Commission vote to approve this exemption.

Commissioner Zuniga moved that the Commission exempt the position of Server to the Wahlburgers, job profile number 1802-W, from the service employee registration requirements as presented in the Commissioners' packet and discussed here today. The motion was seconded by Commissioner Cameron.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Chair Judd-Stein: Aye.*

*Commissioner Zuniga: Aye.*

*The motion passed unanimously.*

8. [Racing Division](#) (3:16:58)

a. Spirit of Massachusetts Horse Race Update

Director of Racing Dr. Alexandra Lightbown provided an update on the Spirit of Massachusetts Day, which was attended by Chair Judd-Stein, Commissioner Cameron, and Commissioner Zuniga. She noted that the track increased the number of big races and that the Racing Division processed close to 100 licenses for the event. Steve O'Toole, Director of Racing at Plainridge Park Casino, provided additional comments and updates on the Spirit of Massachusetts event. The Commission thanked the MGC's racing staff as well as Plainridge's racing staff for all of their efforts in executing this event and congratulated the teams on its success.

b. [Horse Racing Annual Report](#) (3:33:57)

Director of Racing Dr. Alexandra Lightbown and Financial Analyst Chad Borque presented on the 2020 Annual Report for racing. Dr. Lightbown noted that Covid delayed the track reopening from April to July 2020 and that significant effort went into putting Covid protocols in place. She noted that the track lost about 40% of the days that racing would have been held as a result of the temporary closure due to Covid. Financial Analyst Borque provided an overview of the Racing Division's financials.

Commissioner Cameron noted that the percentages of overages and/or positive tests are very low and commended both the racing team and the horsemen and women. The Commission thanked Dr. Lightbown and Mr. Borque for their report.

9. [IAGR/IMGL Conference](#) (3:44:44)

a. Status Report

Commissioner Cameron provided an update on the status of the IAGR/IMGL joint conference slated for September in Boston. She noted that there will be a hybrid model for those who are unable to attend in person and provided examples of some of the panel discussions and speakers that will be on the agenda.

b. [Designation of Appointing Authority for Purposes of Conference-Related Matters](#) (3:54:11)

General Counsel Todd Grossman presented on the notion of an appointing authority in the context of conflict of interest matters and associated ethics issues. He noted that for Commission staff, the appointing authority is the Executive Director. Regarding the conference, Director Wells has recused herself from the internal decision-making process given that she is a member of the Board of Directors of IAGR. As a result, there is a hole in the process for resolving certain matters and making decisions where it comes to staff involvement with the conference. General Counsel Grossman explained that he is seeking Commission review of this matter and for the Commission to designate an appointing authority for the limited purpose of deciding conference-related matters that would otherwise have fallen to Director Wells to handle. He noted that there were several options for the Commission to consider including designating the Commission, designating an individual Commissioner to fill the role on behalf of the Commission, or designating the Director of the IEB, who is also the Deputy Director by statute.

General Counsel Grossman noted that there are a limited number of issues to be resolved and Chair Judd-Stein asked for clarification on what those issues are and what actions would need to be taken. General Counsel Grossman noted that, for example, if the conference were to waive admission fees for any Commission staff participating in their official capacity or if staff members were to assist with conference planning or execution, their appointing authority would need to determine that those actions served a legitimate public purpose. Chair Judd-Stein sought clarification that the responsibility falls to the appointing authority and not the Commission; General Counsel Grossman confirmed that fact.

Director Lillios noted that she had been briefed on this item and was comfortable with this role.

Commissioner Cameron moved with regard to the designation of the appointing authority in consideration of Director Wells' recusal that the Commission designate Loretta Lillios as she is the Deputy Director to serve in the capacity of the appointing authority for Commission staff and to make associated decisions relative to the upcoming IAGR/IMGL conference. The motion was seconded by Commissioner Zuniga.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Chair Judd-Stein: Aye.*  
*Commissioner Zuniga: Aye.*  
*The motion passed unanimously.*

10. [Commissioner Updates](#) (4:05:19)

Chair Judd-Stein asked Commissioner Cameron if there was a Horse Racing Committee Meeting on the agenda. Commissioner Cameron that nothing had been scheduled yet for the upcoming year.

11. [Other business](#) (4:07:35)

Commissioner Zuniga moved to adjourn. The motion was seconded by Commissioner Cameron.

*Roll call vote:*  
*Commissioner Cameron: Aye.*  
*Chair Judd-Stein: Aye.*  
*Commissioner Zuniga: Aye.*  
*The motion passed unanimously.*

**List of Documents and Other Items Used**

1. Notice of Meeting and Agenda dated August 19, 2021
2. [Commissioners' Packet](#) from the August 19, 2021, meeting (posted on massgaming.com)



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## Massachusetts Gaming Commission Meeting Minutes

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**Date/Time:** August 26, 2021, 10:00 a.m.  
**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
PARTICIPANT CODE: 111 258 0312

The Commission conducted this public meeting remotely utilizing collaboration technology. Use of this technology was intended to ensure an adequate, alternative means of public access to the Commission's deliberations for any interested member of the public.

### **Commissioners Present:**

Chair Cathy Judd-Stein  
Commissioner Gayle Cameron  
Commissioner Eileen O'Brien  
Commissioner Enrique Zuniga

### **1. [Call to Order](#) (0:00)**

Chair Judd-Stein called to order the 353<sup>rd</sup> public meeting of the Massachusetts Gaming Commission. Roll call attendance was conducted and all four commissioners were present.

### **2. [Licensing Division](#) (0:51)**

#### **a. Encore Boston Harbor Gaming Beverage License Agreements 205 CMR 136.03(i)**

IEB Director Loretta Lillios introduced recommendations regarding requests from Encore Boston Harbor for three amendments to its gaming beverage license for new establishments that will operate in the sports lounge area which has been under construction. Director Lillios noted that she had presented on the gaming aspects of the opening of the sports lounge at the last meeting and today is presenting on the non-gaming aspects of the sports lounge area, including a sports bar, Shake Shack, and Frank and Nick's pizzeria.

Director Lillios reported that the sports bar will be operated by Encore, that the manager of the area has a key standard license that is in good standing, that the gaming agents have performed inspections including the areas where alcohol will be stored and secured, and that the team has also inspected to ensure adequate surveillance camera coverage. Director Lillios recommended that this amendment be allowed.

Director Lillios reported that the license amendment for Shake Shack would be for beer and wine only; that the company is a registered vendor to Encore and as a result the company, through its General Manager of the site at Encore, is jointly responsible for the license; that the manager has been issued a registration; and that the gaming agent team has conducted security, storage, and surveillance inspections. She further noted that Licensing Division Chief Nakisha Skinner has been in communication with the company regarding its responsibilities under the license. Director Lillios recommended that this amendment be allowed.

Director Lillios reported that the license amendment for the pizzeria would be for beer and wine only, that the company is registered as a non-gaming vendor and as such would be jointly responsible for the beverage license along with Encore, and that the owner/operators and manager are all credentialed and in good standing. She further noted that an attorney has taken on the role of ensuring employee registration requirements are met and that the licensing division will continue to work with them. Director Lillios recommended that this amendment be allowed.

Director Lillios noted that it is critical that employees at all three amenities undergo TIPS training or other credentialed training to be approved by the IEB and that they become certified prior to commencing any duties. She stated that Encore has been proactive in instructing all three operations on the requirements for compliance.

Commissioner Zuniga sought clarification that the buffet that was previously in this area had alcohol service. Director Lillios confirmed and stated although the buffet did have alcohol service, the sports bar is an entirely new amenity, structural area, and method of service.

Chair Judd-Stein asked if Shake Shack is receiving any initial training around employee training requirements. Director Lillios stated that Chief Skinner has been working closely with them and they have been very responsive to the process, and that the IEB has mobilized the GEU to be able to respond to increased fingerprinting needs.

Chair Judd-Stein inquired as to whether the establishments serve food during the entirety of their hours of operation and Director Lillios confirmed that they do.

Commissioner Cameron moved that the Commission approve the Encore Boston Harbor gaming beverage license amendment 205 CMR 136.03(i) to include sports bar and lounge, Frank and Nick's, and Shake Shack. The motion was seconded by Commissioner Zuniga.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

### 3. [Administrative Update](#) (12:58)

- a. MGC Boston Office Re-Opening - Karen Wells, Executive Director

i. Pilot Flexible and Remote Work Arrangements Policy

Executive Director Karen Wells presented a draft policy for flexible and remote work arrangements that was prepared by the working group. She emphasized that this is a pilot program to provide a test period and see how the process works and receive feedback.

Executive Director Wells highlighted particular areas in the draft policy, including recognition that not all positions lend themselves to a hybrid work environment, clarification that the MGC will no longer be mandating that anyone work from home and that remote work option will be granted upon request, identification of core hours in which employees must be available, identification of the number of remote work days that may be requested (3 days for line level and 2 days for managers), issue surrounding equipment and supplies, and issues surrounding internet access.

Chair Judd-Stein sought clarification on core hours with respect to remote days vs. in-office days. Executive Director Wells noted that there is discretion under the policy for the Commission to make determinations with respect to how core hours are applied. She further explained that it is the intent of the policy that each manager take responsibility and work with their staff to ensure that agency needs are met, and that remote work arrangement requests must be approved by the Executive Director.

There was discussion concerning whether any particular days would be designated core days on which staff might come in en masse. Commissioners Cameron and O'Brien noted that the working group discussed this issue but felt that reaching a decision was premature.

There was also discussion surrounding equipment issues and ensuring that employees have adequate setups both at home and in the office. Chair Judd-Stein inquired as to whether the Commission would invest in dual setups and noted that we do not want to disincentivize people from coming into the office. Chief Financial and Accounting Officer Derek Lennon stated that they were working with IT on these issues. Commissioner Zuniga noted that pooling resources may get everyone the optimal setup both at home and in-office, and that perhaps low-cost high-return investments in equipment might be a good solution.

Commissioner Zuniga requested an addition to the policy regarding protecting information if an employee is working in a public place rather than at home. Chair Judd-Stein inquired as to whether the policy allows the Executive Director to call all staff into the office for training or an in-person event, and Commissioner Zuniga suggested adding explicit language to that effect.

Chair Judd-Stein raised the issue of commuting costs and Chief Financial and Accounting Officer Lennon confirmed that that Commission would not reimburse employees for commuting costs should they be required to go to the office on a day that was not scheduled to be in-office, and noted that this is because the hybrid work option is a privilege and not a requirement.

Commissioner O'Brien moved that the Commission approve the proposed pilot program for flexible and remote work arrangements as included in the Commissioners' packet and as further

discussed and amended here today subject to insertion of the start date and end date at a future time. The motion was seconded by Commissioner Zuniga.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

ii. [Massachusetts Gaming Commission Vaccination/Mask Wearing Policy](#) (1:03:36)

Executive Director Wells introduced the issue of an MGC vaccination policy, noting that the working group has been tracking vaccination policies implemented by other government agencies and through Governor Baker's executive order. She explained that the MGC has been tracking the executive branch policy regarding vaccination and has been requiring any employees not vaccinated to wear a mask while working in any MGC office space unless seated alone in an office or at a workstation. She noted that the MGC does not currently require proof of vaccination. Executive Director Wells recommended that the MGC follow the executive branch and Attorney General policies to require vaccination of employees of the MGC and recommended establishing a policy requiring proof of vaccination along with mask wearing and weekly testing for any employee with a presence in any MGC office space until all employees are vaccinated. She noted that the policy would also need to account for potential medical and religious exemptions to be addressed. Commissioner Cameron added that there was a consensus in the working group that this was the appropriate way to move forward.

Chair Judd-Stein asked what the timeframe would be for implementation. Executive Director Wells stated that the process of checking vaccination cards could begin immediately and would provide guidance on what percentage of employees are vaccinated. Chair Judd-Stein emphasized that there is a degree of urgency around this implementation. Commissioner O'Brien suggested setting a deadline for two weeks from today by which employees must have either submitted proof of vaccination, proof of an appointment, or a request for a waiver. Executive Director Wells noted that the challenging part will be establishing a policy regarding religious and medical waivers.

There was discussion regarding what the process will be if anyone has lost their vaccination card, and the Commission noted that such an issue will be addressed if it becomes a problem.

Executive Director Wells emphasized that this policy and process will be taken very seriously and there will be consequences for providing false information up to and including termination.

Commissioner O'Brien moved that the Commission establish a policy requiring proof of vaccination against Covid-19 and require mask wearing and weekly testing for any employee with a presence in any MGC office space until such time as all employees are able to be vaccinated and, in furtherance of this objective, recommended that full vaccinations be concluded within 60 days and that documentation be submitted to Human Resources by close of

business within two weeks of today, which is September 9<sup>th</sup>, either offering proof of full vaccination, a scheduled appointment to commence vaccination, or any request to be exempt from the vaccination requirement. The motion was seconded by Commissioner Cameron.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

Associate General Counsel Carrie Torrisi provided an overview of the recent order from the Boston Public Health Commission regarding mask-wearing. She explained that it requires face coverings or masks in places that are open to members of the public and identifies some examples of what those places would include. She noted that while it explicitly includes municipal buildings, it does not explicitly include state buildings or other office buildings. She explained that areas open to members of the public would apply to areas of the building to which the public has access but not to the internal office space, and that it was within the Commission's direction to decide whether to require masks within the MGC office space.

Commissioner Cameron noted that there was a strong recommendation from the City of Boston that the masks be worn in private offices. Chief Financial and Accounting Officer Lennon confirmed that the recommendation is found in language on the City's website but is not in the order itself.

Chair Judd-Stein expressed that it would be best to follow the Mayor's guidance and noted that individuals may, of course, always choose to wear a mask. There was agreement with this statement.

iii. [Boston Office Re-Opening Date](#) (1:41:49)

Commissioner Cameron presented the working group's suggestion that the MGC match its reopening date with today's decision about vaccination requirements so that the office would reopen in 60 days. Commissioner O'Brien noted that the 60-day date falls within the middle of the week and suggested November 1<sup>st</sup> as the reopening date. The Commission was comfortable with that date.

Chair Judd-Stein noted that there is a current proposal for new technology for public meetings that still needs to be worked out and that opportunities to convene and get training on the new technology would be helpful prior to the office reopening.

Commissioner Zuniga moved that the Commission determine that return to the office will be on November 1, 2021, in accordance with the discussion today. The motion was seconded by Commissioner Cameron.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

4. [Commissioner Updates](#) (1:50:32)

There were no Commissioner updates.

5. [Other business](#) (1:51:03)

Commissioner Zuniga moved to adjourn. The motion was seconded by Commissioner Cameron.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

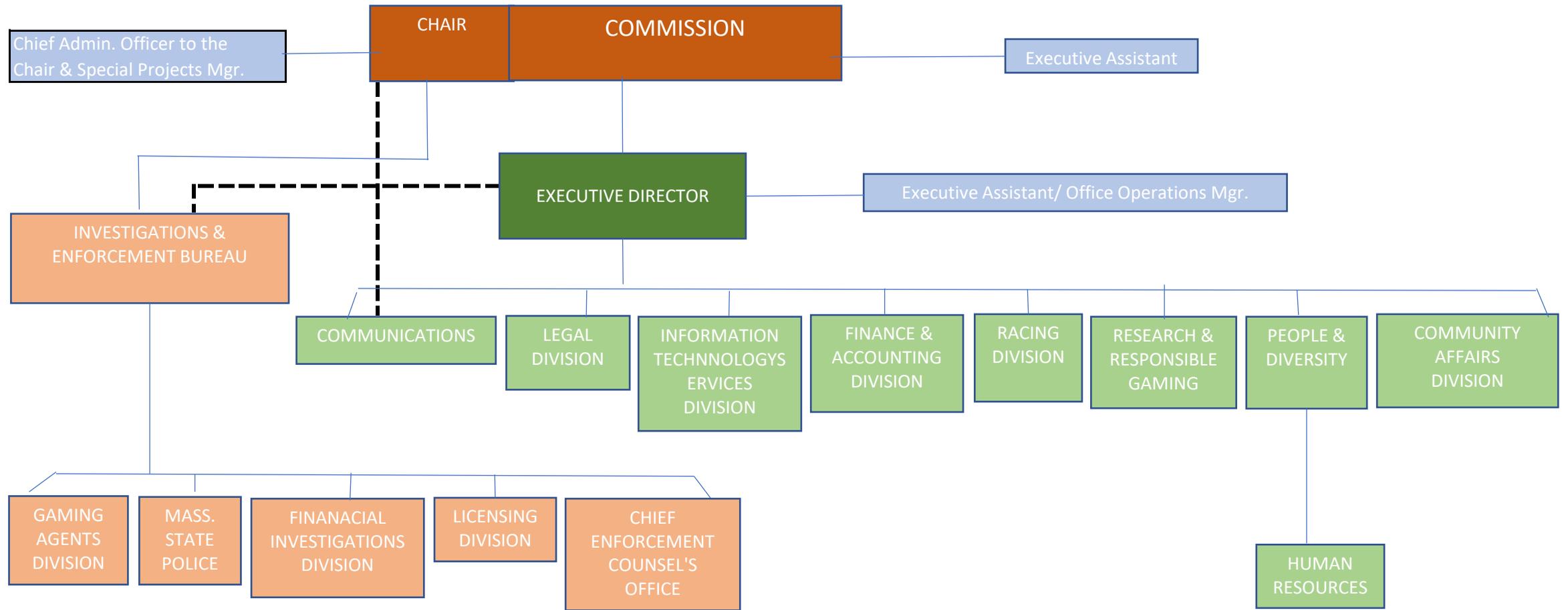
*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

**List of Documents and Other Items Used**

1. Notice of Meeting and Agenda dated August 26, 2021
2. [Commissioners' Packet](#) from the August 26, 2021, meeting



TO: Chair Judd-Stein, Commissioners Cameron, O'Brien, Hill and Skinner

FROM: Crystal Howard, Chief Administrative Officer to the Chair and Special Projects Manager

CC: Executive Director Karen Wells

DATE: March 23, 2022

RE: Small Business Technical Assistance Grant Update

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**Background:** The Massachusetts Gaming Commission (MGC) launched funding to support business technical assistance programming beginning in 2016. A specific grant program developed in FY19 focused on procurement diversity initiatives, awarding grants supporting business technical assistance via one-on-one advisory services to small, local entities able to compete for and/or maintain contracts with Massachusetts casinos; as well as assistance with acquiring certification as MBE, VBE or WBEs. The Local Enterprise Assistance Fund (LEAF) was one of two recipients of the first iteration of the FY19 grant, later selected to be the sole awardee for continuing the efforts based on the organization's successes.

They were granted \$100,000 in funding for FY21. Though the pandemic created challenges to the program, LEAF responded by shifting focus, "adapting its activities under the grant program to support local minority, women, and veteran-owned businesses (collectively referred as DBEs) to receive the financial and business advisory support they needed to maintain operations. It joined several community groups and small business support organizations to reach out to as many as 1,200 disadvantaged business enterprises (DBEs) that as a result received more than \$17 million in EIDL, PPP, and grant capital available due to pandemic relief funding."

(Further detail is available in the attached November 2021 grant report.)

**Update:**

Upon the reopening of the casinos, LEAF has had great success in continuing its efforts to understand the procurement needs and processes of the licensees and working to ensure MBE, VBE, WBEs and local small businesses could compete for and/or maintain contracts. Aside from aiding in the maintenance of small, local business contracts identified by MGC or the casinos as ones that would benefit from technical assistance, they provided services to at least 175 businesses, of which 88 were Minority Business Enterprises (MBEs) and 54 were Women Business Enterprises (WBEs). Of those, 109 were MA-based. They further

identified 48 top contenders as casino procurement matches and provided capability statements for each to the licensees. Continuing this work solidified necessary relationships between LEAF and the licensees which better enables the diverse supplier pipeline. As a result, a new initiative developed. LEAF established that a more accessible, robust tool for communication and housing capability statements would be beneficial and began initial discussions with the licensees as a result.

LEAF accumulated a substantial body of knowledge about the needs of institutional procurement departments and set out to create the tools required to facilitate increasing procurement allocations to local disadvantaged business enterprises. Those tools included gathering and cataloguing actionable information that procurement teams deemed robust and reliable, as well as creating the online information portal ([upliftprocure.org](http://upliftprocure.org)) that those teams would use to search, screen, and access information about potential vendor candidates.

LEAF's scope of work has now expanded far beyond the initial intent of the grant program, having identified the need of a cumulative procurement database tool to enable a more streamlined process in which the casinos can identify and vet small, local and diverse-owned businesses that may be qualified to compete for contracts. As such, the grant funding for 2022 intends not only to steward business technical assistance, certification guidance and coordinating opportunities with the state's casino procurements, but will focus on development and management of such a procurement tool ("the portal".)

Having received positive and productive feedback from procurement teams and MGC, LEAF will now continue to develop its initiative along three tracks:

1. Expand the universe of MBE, VBE and WBE vendors included in its universe.
2. Accelerate the development and rollout of the online portal.
3. Provide training and instructional material to the casino staff on the use of the portal.

For 2022, LEAF has been granted \$150,000 to continue this project.

### **Scope of Work for 2022:**

Grow the DBE database:

- a. Increase outreach efforts to recruit more vendors to the MBE, VBE and WBE universe.
  - i. Direct contact via phone and electronic communication as well as in-person visits and meetings as appropriate.
  - ii. Seek partnership assistance in recruiting MWVBES. LEAF is a founding member of the Coalition for an Equitable Economy and intends to leverage its relationships to reach a broader set of local businesses.

- b. Support required local and state certification programs to qualify businesses for MBE, VBE and WBE designations.
  - c. Continue to expand the portfolio of Capability Statements made available to the institutional users.
- 2. Accelerate portal development
  - a. Complete the personalized User Portfolio module.
  - b. Improve user interface and data reliability.
- 3. User Training
  - a. Finalize the User's Manual.
  - b. Schedule teach-in sessions for users and for member businesses.



# Massachusetts Gaming Commission Technical Assistance Grant Program

UPDATE REPORT – NOVEMBER 22, 2021  
LOCAL ENTERPRISE ASSISTANCE FUND

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- IV. Conclusion.....8

The Local Enterprise Assistance Fund (LEAF) is pleased to provide this update report of its activities under the Massachusetts Gaming Commission Technical Assistance Grant program. The grant was awarded in February 2021. LEAF has been a partner to MGC since February 2020 under the previous year's Massachusetts Gaming Commission Technical Assistance Grant program. We are grateful to have been given the opportunity to partner with MGC once more this year.

We have organized this report in three parts: 1) a background of our activities this year as extensions of the work we performed last year, 2) a description of our proposed online solution to provide gaming establishments with the tools and material they require to make procurement decisions that support disadvantaged business enterprises (DBEs), and 3) a review of specific assistance we provided to businesses at the request of casino staff.

## I. BACKGROUND

---

The activities of LEAF under the current year's Technical Assistance grant program constitute an extension of our efforts during the previous year to build a portfolio of DBEs that matched the requirements of the casinos that operate in the state. We established those requirements based on the matrices of product and services that the casinos routinely purchase to operate their establishments. Those requirements were also informed by comments from casino procurement staff members during several meetings and communications.

We concluded early in our engagement with the procurement diversity challenge that the solutions centered on having a good understanding of the local business marketplace with which the casinos had to interact. As such, we felt that a rich information set was essential to advancing robust solutions to the problem. Building that rich information set relied on our ability to connect with business owners at a level that enlisted their trust and cooperation, and our relief activities during the pandemic created the conditions for us to build that trust.

In the early phase of the previous year's program, which occurred before the COVID-19 health emergency impacted the economy, LEAF had committed to providing one-on-one advisory services to companies that were current vendors to the casinos in the Commonwealth and to companies that had been identified by the casinos as potential vendors. In response to the economic crisis that resulted from the health emergency, LEAF adapted its activities under the grant program to support local minority, women, and veteran-owned businesses (collectively referred as DBEs) to receive the financial and business advisory support they needed to maintain operations. It joined several community groups and small business support organizations to reach out to as many as 1,200 disadvantaged business enterprises (DBEs) that as a result received more than \$17 million in EIDL, PPP, and grant capital.

During that period (February 2020 to February 2021), LEAF supported 175 small businesses through one-on-one consultations and groups events such as webinars and workshops. 88 of the businesses were MBE, 54 WBE, and two VBE.

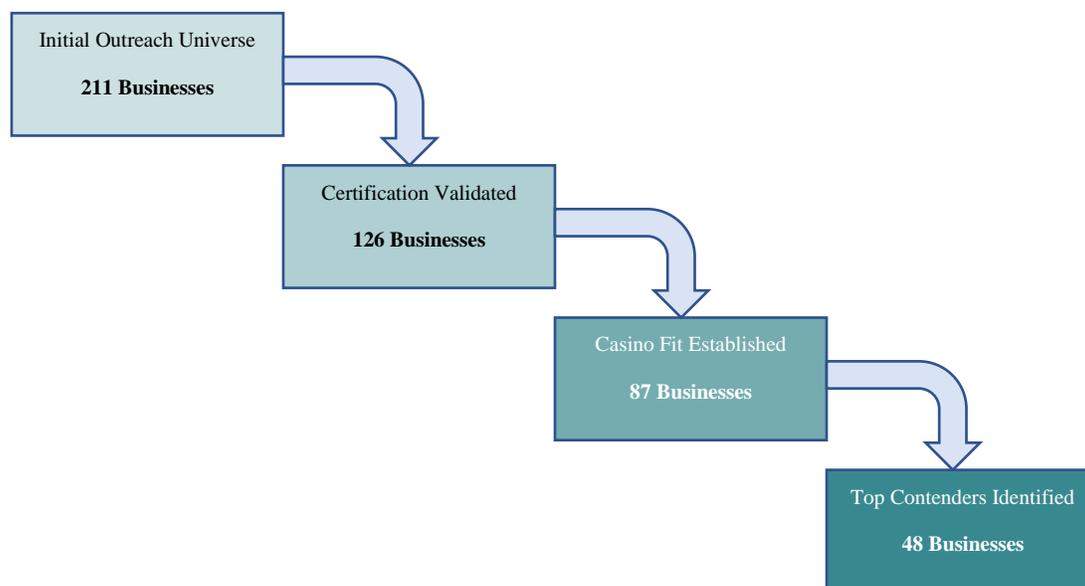
The technical assistance team of LEAF was an early member and supporter of the Massachusetts Equitable PPP Initiative and is a founding member of the [Coalition for an Equitable Economy](#) (CEE) and is represented in the Capital Access Committee and the Business Advisory Committee of the CEE. These partnerships and others with local community groups exposed LEAF to a large number of businesses that it could inform about the potential business opportunities with the casinos in the Commonwealth.

LEAF's numerous meetings with procurement staff at the casinos revealed that a key obstacle to engaging with local small businesses has been the lack of "actionable information," loosely defined as any information that indicates the capacity of the vendor to support a large institutional sophisticated buyer.

This new understanding of the root causes of the problem of limited procurement diversity prompted LEAF to dedicate its resources to canvassing the network of local DBEs to build that actionable information repertoire. As a

result, LEAF designed a process of data collection that focused on personal contact with the business owners to inform them of the benefits of the procurement diversity programs and to enlist their support by providing information about their businesses that a buyer would deem actionable.

The initial pass of the outreach initiative resulted in 48 businesses that were deemed appropriate potential vendors to the casinos. We designed a short business information document, the Capabilities Statements, which contained information about the business, its products and services, existing certifications, a list of prominent past and current customers, and contact information.



We made those Capability Statements available to the casinos and acted as the liaison between the casinos and the business owners when introductions were requested. We received positive feedback on our initiative and on the information in the Capability Statements. We believe it was a success that the procurement staff members provided input about the information they felt was critical and that should be included in the capability statements. We adjusted the reports to reflect the needs of the buyers.

## II. ONLINE INFORMATION ACCESS SOLUTION

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In the spring of 2021, encouraged by the warm reception that the initiative received, we concluded that it was more practical to provide that information through a platform that allowed easy access and provided advanced search and screening options. We designed a pilot website to host the information and provide secured access to the buyers. We created the web address [www.upliftprocure.org](http://www.upliftprocure.org), branded the Initiative for Uplifting Local Procurement.

We provide details about the website functionality below. We should mention that we introduced the web functionality to the three casino and received strong endorsement. We felt it was important to have the buy-in from the anticipated users to ensure the website was a true solution to the problem.

The website will provide several levels of support to the casinos.

1. Search functionality.

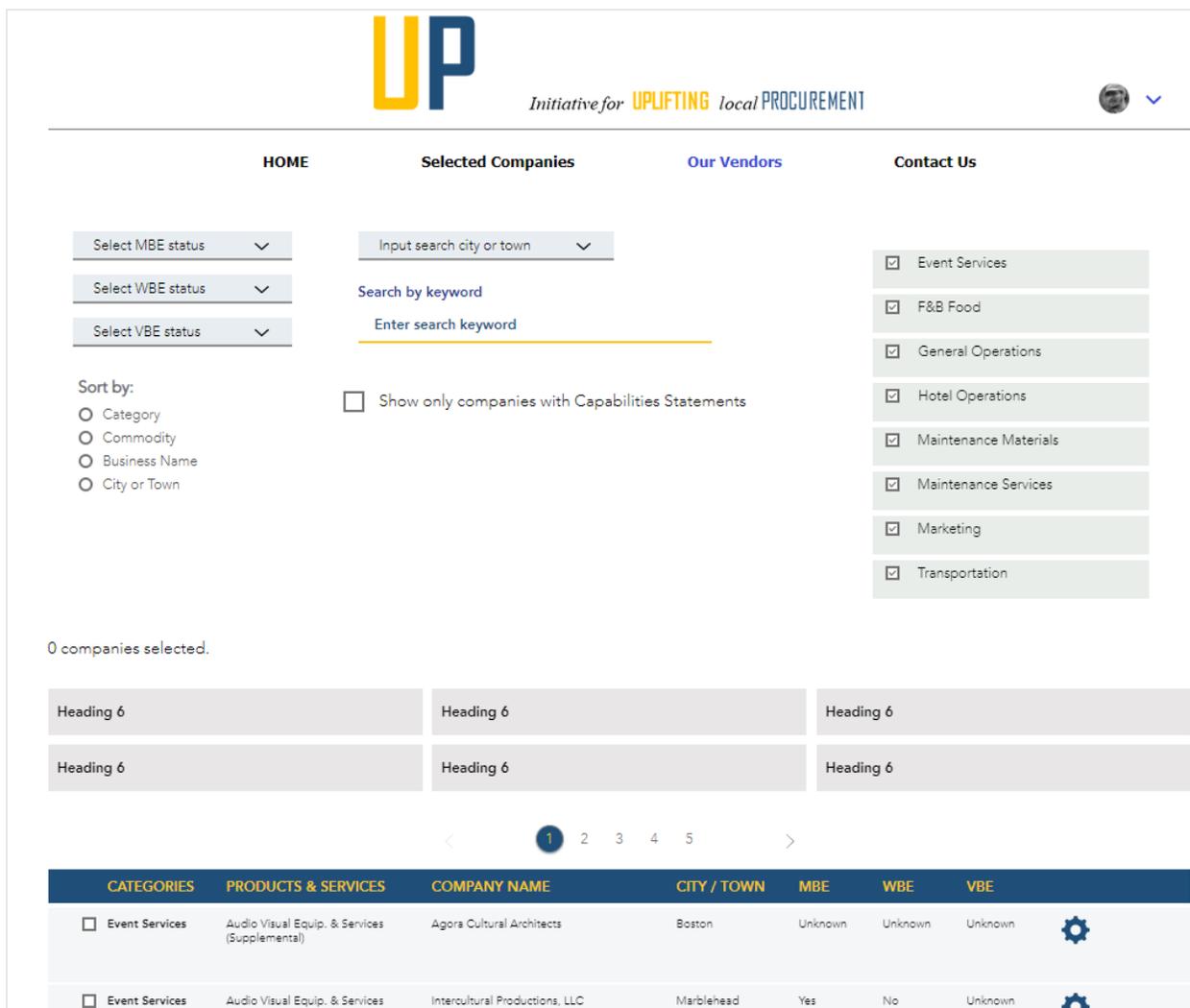
2. Capability Statements repository.
3. Vendor portfolio design.
4. Benchmarking and progress reports.
5. Seamless assignment of technical assistance when needed.

**A. Search Functionality**

Several comments informed our decisions regarding search functionality:

- “Where can we find these businesses?”
- “Where can we find the information that we need to make buy decisions?”
- “There are several databases out there, but they are not always up-to-date, nor have the information we need.”

We designed the search capability such that it could accommodate all possible search permutations that a user requires.



All the businesses in the database fall under one or more three DBE categories: MBE, WBE, and VBE. An easy dropdown menu provides instantaneous search results based on the DBE categories selected.

The screenshot shows a search interface with the following elements:

- A dropdown menu on the left with three options: "Yes", "Yes", and "Unknown". This menu is highlighted with a red box.
- An "Input search city or town" dropdown field.
- A "Search by keyword" section with an "Enter search keyword" input field.
- A "Sort by:" section with radio buttons for "Category", "Commodity", "Business Name", and "City or Town".
- A checkbox labeled "Show only companies with Capabilities Statements".
- A list of selected categories on the right, each with a checked checkbox: Event Services, F&B Food, General Operations, Hotel Operations, Maintenance Materials, Maintenance Services, Marketing, and Transportation.
- A section labeled "companies selected." containing a list of company names: Caribbean Tastes Give a Lasting Impression, Inc., Chocolate Therapy, Inc., Delectable Desires Pastries, Indigo Spice, LLC, Vision's Sown, An Ancient Baking Company, Inc., and BrookSCO, LLC.
- A table with the following columns: CATEGORIES, PRODUCTS & SERVICES, COMPANY NAME, CITY / TOWN, MBE, WBE, VBE, and a gear icon for settings.

CATEGORIES	PRODUCTS & SERVICES	COMPANY NAME	CITY / TOWN	MBE	WBE	VBE	
<input checked="" type="checkbox"/> F&B Food	Specialty Foods	Caribbean Tastes Give a Lasting Impression, Inc.	Malden	Yes	Yes	Unknown	
<input checked="" type="checkbox"/> F&B Food	Specialty Foods	Chocolate Therapy, Inc.	Framingham	Yes	Yes	Unknown	
<input checked="" type="checkbox"/> F&B Food	Specialty Foods	Delectable Desires Pastries	West Roxbury	Yes	Yes	Unknown	

At least one casino procurement team indicated their need to find vendors within specific geographies of the Commonwealth. We added another search functionality to allow for localized searches based on specific cities and towns.

**B. Capability Statements Repository**

We designed the capability statements with three priorities in mind:

- The information in the reports had to be useful.
- The information had to be succinct and easy to find in the report.
- The reports needed to be standardized to facilitate comparisons of vendors in similar product categories.

The two snapshots of capability statements below illustrate the content and format of those reports. The website allows the users to view and download PDF file versions of the reports to support the case for procuring from a particular vendor.

**C. Vendor Portfolio Design**

The users will have the option to build portfolios of vendors for further research and diligence. This feature will allow the users to select vendors and review analytic information. Examples include statistics that

illustrate the proportions of various DBEs in the selected set of vendors. That information will be presented by DBE status, geography.

Select MBE status ▼

Select WBE status ▼

Select VBE status ▼

Input search city or town ▼

Search by keyword

Enter search keyword

- Event Services
- F&B Food
- General Operations
- Hotel Operations
- Maintenance Materials
- Maintenance Services
- Marketing
- Transportation

Sort by:

- Category
- Commodity
- Business Name
- City or Town

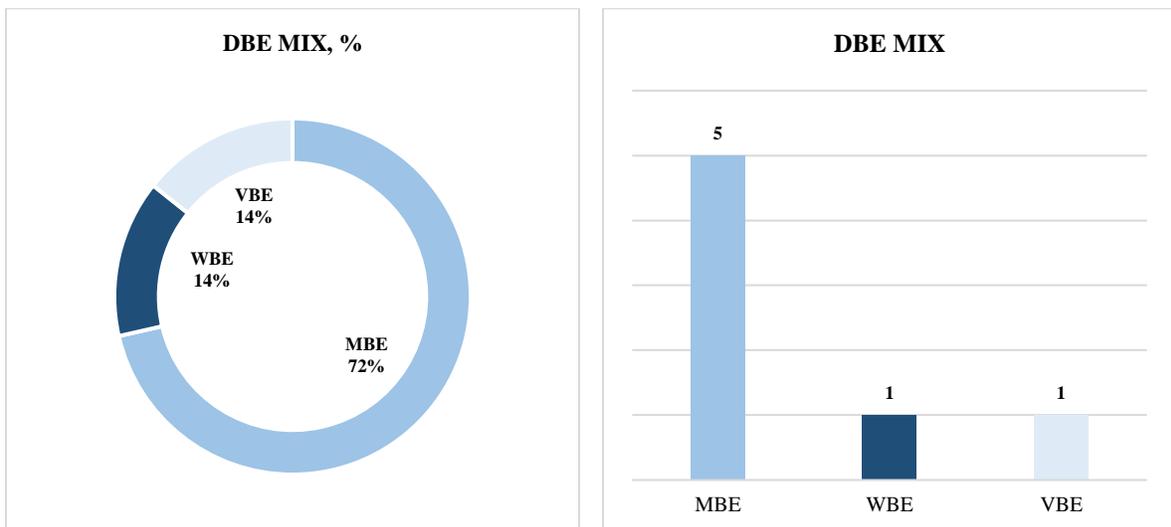
Show only companies with Capabilities Statements

6 companies selected.

Agora Cultural Architects	Intercultural Productions, LLC	Spectrum Broadcasting Corporation
A.J. Williams Event	Corinthian Events	My little Angel decorations

CATEGORIES	PRODUCTS & SERVICES	COMPANY NAME	CITY / TOWN	MBE	WBE	VBE	
<input checked="" type="checkbox"/> Event Services	Audio Visual Equip. & Services (Supplemental)	Agora Cultural Architects	Boston	Unknown	Unknown	Unknown	
<input checked="" type="checkbox"/> Event Services	Audio Visual Equip. & Services (Supplemental)	Intercultural Productions, LLC	Marblehead	Yes	No	Unknown	

An analytics dashboard will show diversity statistics about the portfolios designed and allow the users to adjust their selections in order to match their current diversity procurement needs. The following chart illustrates an example of the analytics reports:



#### **D. Additional Features in Development**

While our team continues to make progress in delivering a functional and secure web tools that offers the features described earlier, the next iteration of the tools will add enhancements that will allow the users to create their own benchmarks and milestones. We will it is important to have clear and visible goals for progress to occur, and we hope that this new feature will offer the users the space to set those objectives.

We recognize that small business owners who have done conducted business with large and sophisticated buyers might lack the expertise and the skills needed to adapt to the procurement practices of those buyers. Our team has been called to provide support to small business owners in the past by providing them with the focused training to navigate complicated procurement systems or to follow up on product and pricing sheets. We intend to add a feature that will enable the users to assign a business to the pool of local technical assistance providers in our ecosystem to build the capacity that the business needs to transact with the casino. The purpose of this feature is to eliminate situations where a small business receives a declination because of a solvable problem.

### **III. ILLUSTRATIONS OF SPECIFIC BUSINESS SUPPORT PROJECTS**

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We have worked on developing our solutions in parallel with supporting small businesses referred to use by the casinos. We provide three illustrations below.

#### **A. Foxy's Gift Baskets**

Following one of our meetings with the staff of MGM in Springfield, MA, the casino staff members introduced us to Toni, the owner of Foxy's Gift Baskets. Toni has built a successful business creating gift baskets for various events and celebrations. MGM had started offering her gift baskets to VIP guests. Toni was a quick learner of the Coupa procurement system and was able to set up her online space within the system. She made deliveries on time and was told her product was well-received by the guests and the staff.

Toni was concerned that her invoices were not being processed as she had received payments for any of her previous deliveries. We contacted Toni and had several remote meetings via Zoom, where our staff reviewed with the ordering and invoicing system and indicated the tasks that she was responsible for in order to have her invoices processed. We identified that several Purchased Orders were missing and confirmed with the casino staff they it was in fact the casino's responsibility to enter the Purchase Orders.

Once the missing Purchase Orders were created in the system, Toni was able to submit her invoices and received confirmation shortly after that her invoices were approved.

The resolution of this challenge resulted in less anxiety and friction on both sides. Foxy's Gift Baskets was able to benefit financially from gaining a large institutional customer, and MGM Springfield gained a new local woman-owned business that it could rely on to deliver high quality products and navigate the internal procurement systems.

#### **B. Landscape Service Providers**

MGM Springfield requested our assistance in identifying a local landscape service provider that could also handle snow removal. The service providers in our network operate along the coastline and focus on the Boston area. The casino required a provider in the Springfield area. Our staff identified several providers and

visited CMJ Paving & Landscaping, an MBE/DBE certified firm, in Springfield to inquire about their capacity and willingness to provide the services.

The business owner, Chuck Mitchell, mentioned that they had provided trucking services to MGM Springfield previously but had not provided landscaping or snow removal services. They mentioned interest in providing services but that current capacity constraints would not allow for adequate servicing of a contract with the casino. These constraints were primarily driven by staffing challenges in the pandemic environment. We discussed potential strategies for addressing current concerns and will continue to explore potential pathways to including them on MGM Springfield's vendor list.

### C. Lyman Island Supply

Following one of our meetings, MGM Springfield also introduced us to Lyman Island Supply, a distributor of packaging, maintenance, and safety supplies including PPE. The business is woman-owned business but does not currently have WBE certification. We connected with the business owners to discuss the process and requirements. They indicated that the primary challenge was scheduling conflicts with certification workshops offered by the MA Supplier Diversity Office.

We directed them towards the online application furnished by the Center for Women and Enterprise which would meet the certification requirement. We also described the process including required documentation and site visit verification requirement. We are hopeful that the business will secure the certification in time for MGM Springfield's next purchasing cycle.

## IV. CONCLUSION

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We share the Commission's desire to ensure that local small businesses, and particularly those that have been traditionally disadvantaged, participate in the success of the gaming establishments in the Commonwealth. Our analysis has identified an information gap in the marketplace, and we have designed and successfully tested a process to produce the required information. We have also designed an easy-to-use web tool that has the support of the gaming establishments and the businesses we seek to support.

We trust that with the completion of our web tool, and the continuation of the information gathering process, we will contribute to a material improvement in the procurement diversity efforts in the Commonwealth.



# Business Technical Assistance Grant

Update to the Massachusetts Gaming Commission

*Thursday March 31, 2022*

Local Enterprise Assistance Fund

Amine Benali



# LEAF Overview

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- LEAF is a non-profit Community Development Financial Institution (CDFI)
- Established in 1983 to support cooperatives and disadvantaged business enterprises
- LEAF provides:
  - Financing solutions (*patient, flexible capital*)
  - Pro bono technical assistance (*financial management, capital advisory*)
- We are guided by our mission to improve the lives of people in the communities we serve



# Partnership with MGC

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February 2020  
Provide technical assistance to current and potential vendors



# Partnership with MGC

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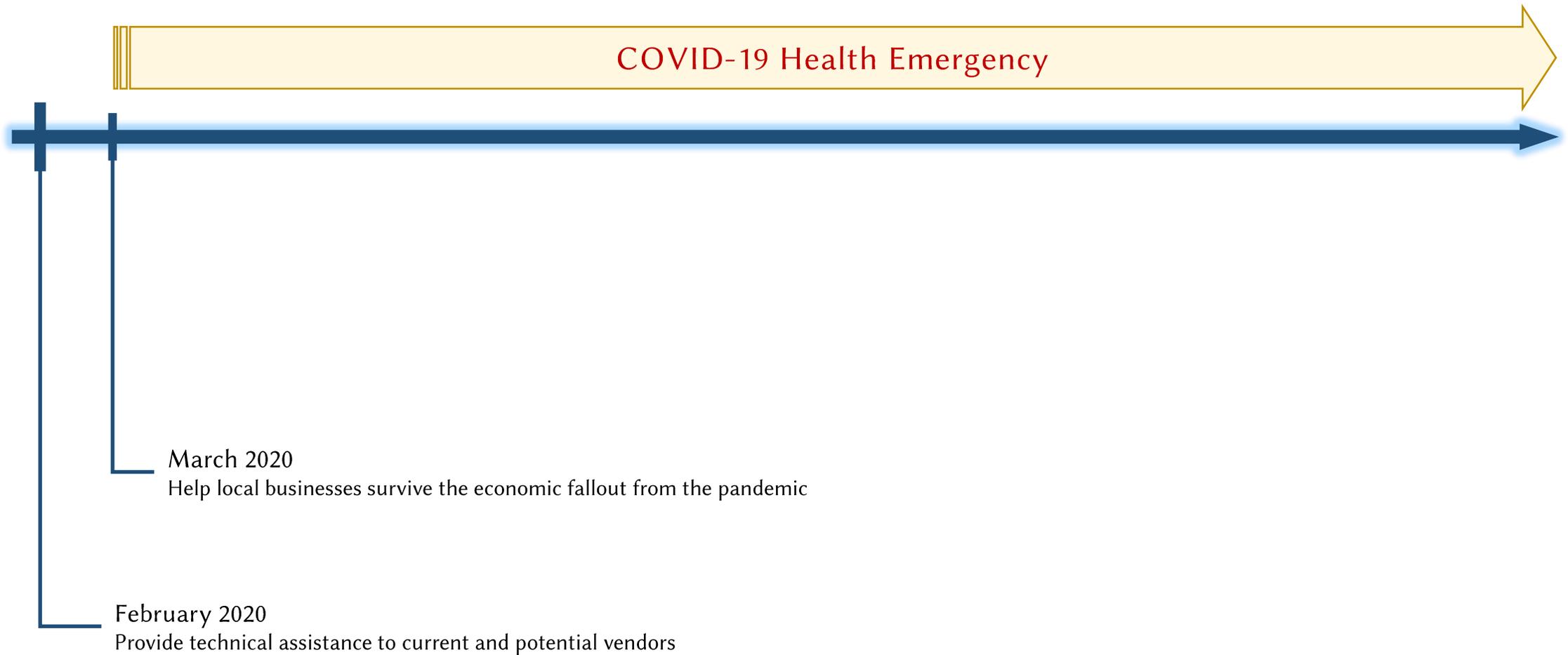


February 2020  
Provide technical assistance to current and potential vendors



# Partnership with MGC

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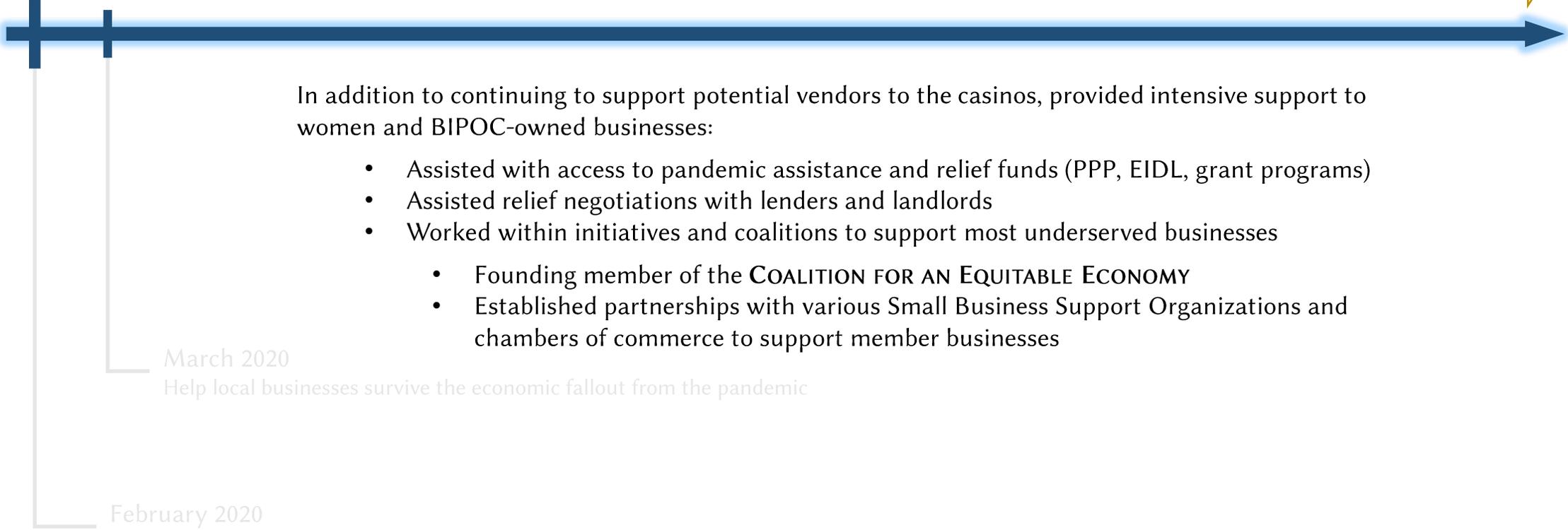


# Partnership with MGC

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## COVID-19 Health Emergency



In addition to continuing to support potential vendors to the casinos, provided intensive support to women and BIPOC-owned businesses:

- Assisted with access to pandemic assistance and relief funds (PPP, EIDL, grant programs)
- Assisted relief negotiations with lenders and landlords
- Worked within initiatives and coalitions to support most underserved businesses
  - Founding member of the **COALITION FOR AN EQUITABLE ECONOMY**
  - Established partnerships with various Small Business Support Organizations and chambers of commerce to support member businesses

March 2020

Help local businesses survive the economic fallout from the pandemic

February 2020

Provide technical assistance to current and potential vendors

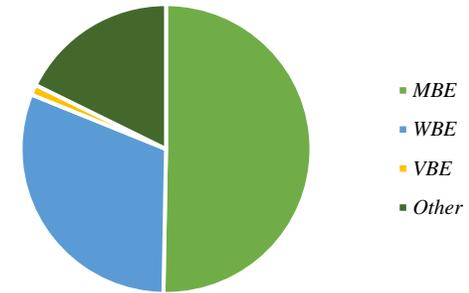


# Pandemic Initiatives

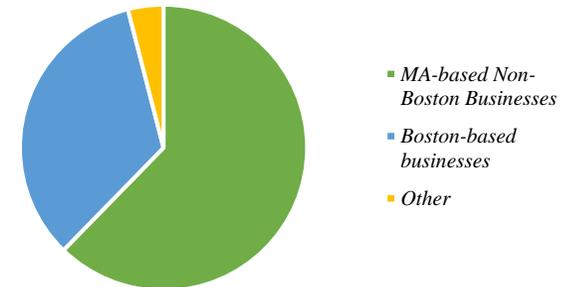
## BUSINESS ENGAGEMENTS

	<u>Actual</u>
Total # Business Engagements	175
Breakout of Businesses Engaged (1:1)	
MBE	88
WBE	54
VBE	2
Non-Boston MA-based Businesses	109
Boston-based businesses	59

**Certification Mix**



**Geographic Mix**



# Pandemic Initiatives Informed LEAF's Work for MGC

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- Overarching objective: Expand the universe of local MWVBE suppliers
- LEAF's work in several coalitions in response to COVID-19 health emergency enabled access to over 1,000 MWVBE businesses



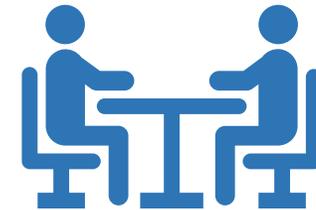
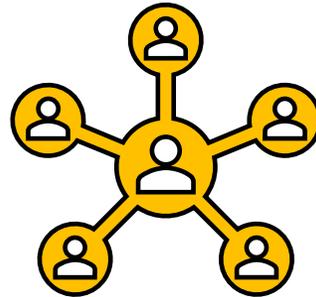
# Common Message from Vendors and Buyers

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# Common Message from Vendors and Buyers

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Tools and information set to  
connect buyers and sellers



# Pandemic Initiatives Informed LEAF's Work

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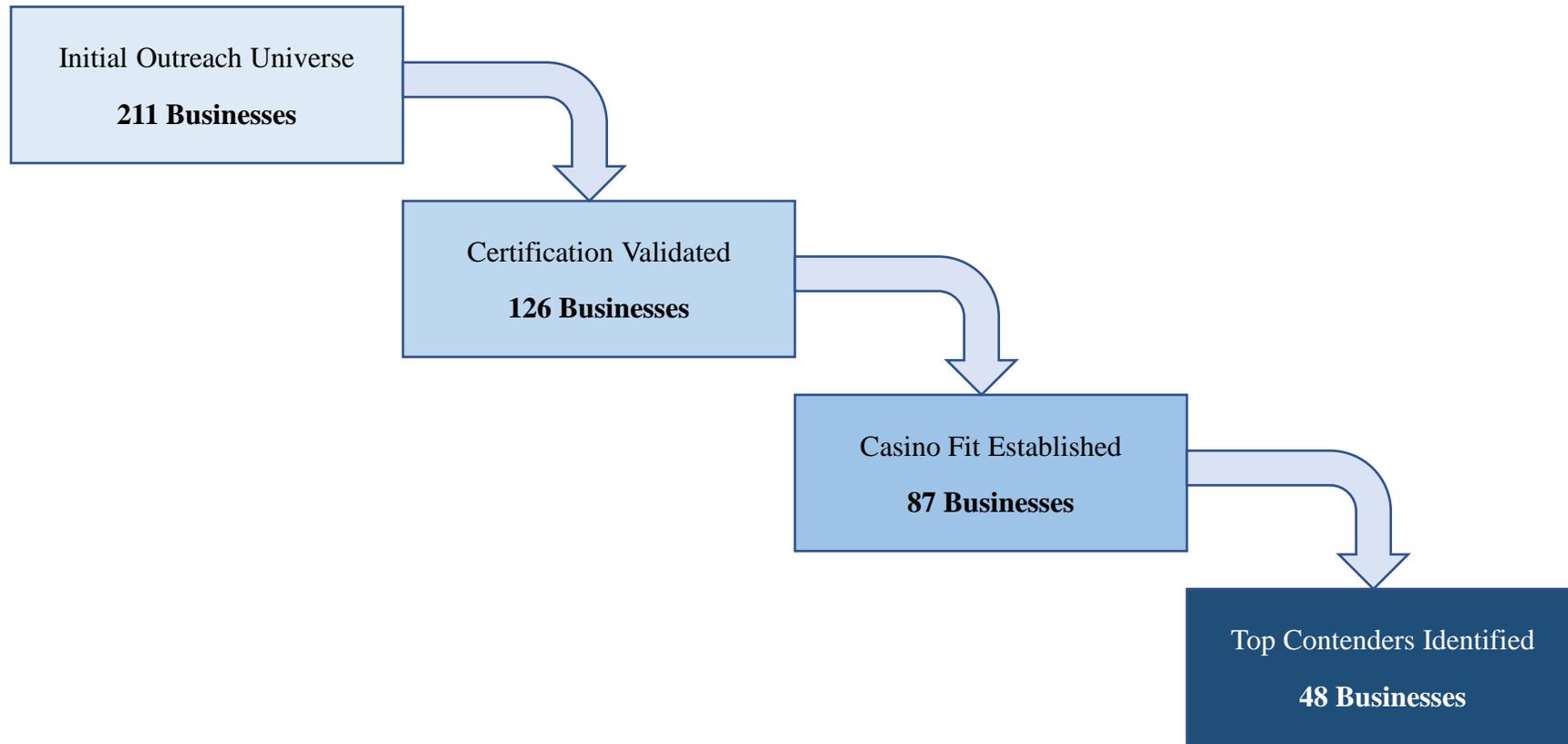
## SCREENING PROCESS

- **Database Identification** – Located and extracted corporate databases from MA SDO, Boston Certified Business Directory, and TA team interactions.
- **Data Cleaning** – identified viable industries based on Casino Product Matrix. Removed firms that did not or could not provide services (as described in databases) relevant to casinos. Removed duplicates between data sources.
- **Commodity Assignment** – input potential casino commodities for each screened firm.
- **Additional Validation** – Conducted additional research into service provision and geographic range of firms. Estimated whether firms were potential fits, possible fits, or not viable based on web content and sources.
- **Outreach list** – Organized firms into list for direct outreach and potential development of capabilities statements



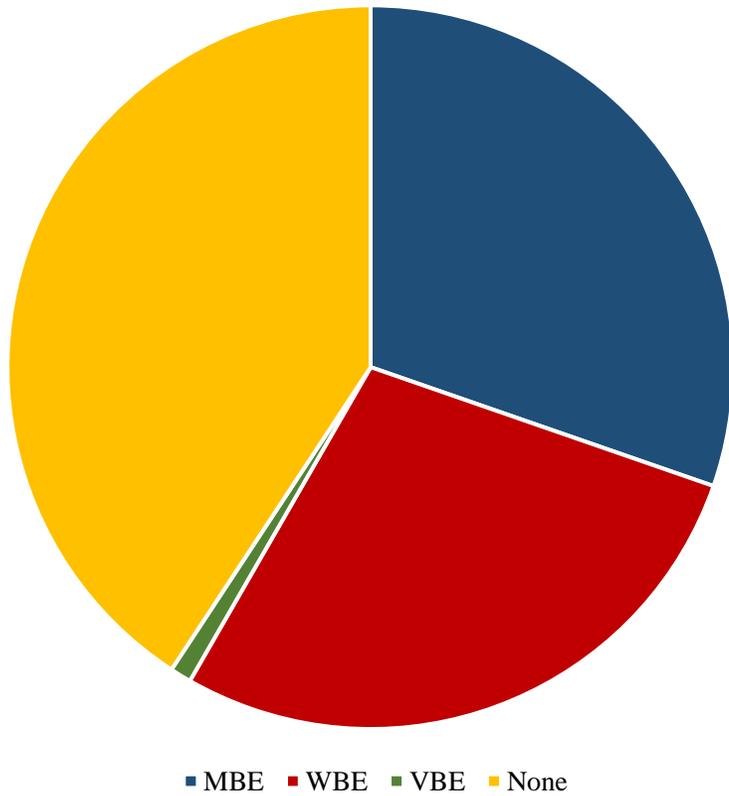
# Supplier Capability Validation Process

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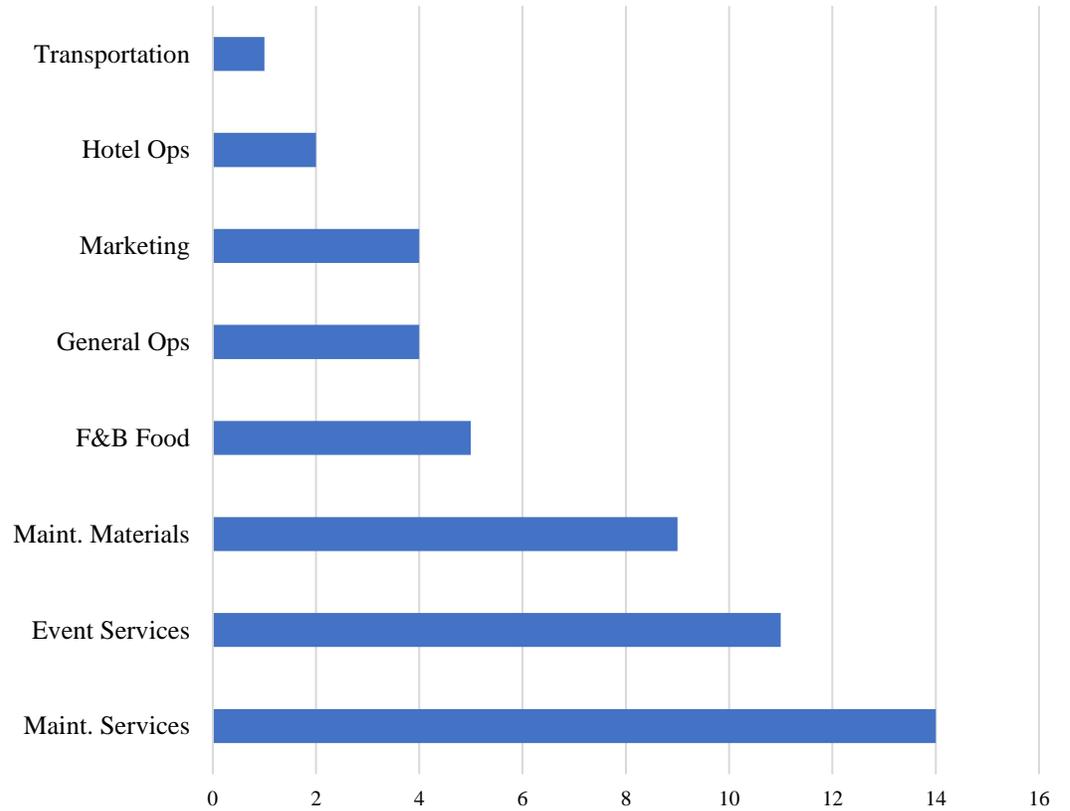


# Supplier Universe Snapshot

**CERTIFICATIONS**



**COMPANY COUNT BY PRODUCT**



# Information Output



SMALL BUSINESSES ARE THE HEART OF THE ECONOMY

<b>CAPABILITY STATEMENT</b>	<b>ABC Specialtees</b>
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## Promotional and Gift Items

### OVERVIEW

ABC Specialtees has been providing promotional marketing products since 1995 such as branded apparel, promotional items, banners, signage and business gifts. Our extensive range of promotional products will ensure that you will find something to suit your needs.

With 1000's of selections, ABC Specialtees offers merchandise that will help showcase your brand.

Put our knowledge of promotional products to work for you with high quality items that we offer, fast delivery times, and prices to fit all budgets. We will provide relevant recommendations to you.

As a Woman Owned Business with Massachusetts WBE certifications, ABC Specialtees is committed to quality, excellence, and creating custom products for institutions and businesses.

What sets ABC Specialtees apart from competition?

- Previous experience with casinos
- 25+ years of industry experience

➤ WBE

### MAJOR CLIENTS

Commercial
❖ Plainridge Park Casino
❖ Federal Reserve Bank of Boston
❖ All Comm Technologies



SMALL BUSINESSES ARE THE HEART OF THE ECONOMY

<b>CAPABILITY STATEMENT</b>	<b>DELECTABLE DESIRES PASTRIES and CAKES</b>
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## Baked Products

### OVERVIEW

Delectable Desires Pastries and Cakes is located in West Roxbury, MA, and supplies institutional and private buyers with baked products and specialty cakes. It can supply Encore with breakfast danishes (scones and brioches) in several varieties: apple, blueberry, mango, peach, pecan, etc. It can supply the products either frozen raw, baked frozen, or baked fresh and delivered.

As a Minority Woman Owned Business with Massachusetts MWBE certifications, DD is committed to quality, excellence, and creating delightful products for institutions and private parties.

What sets DD apart from competition?

- Our people
- Attention to detail
- Obsession with quality
- Always putting clients first

Owner and pastry chef, Carlene O'Garro, has been featured and awarded by The New York Times, Boston Globe, the City of Boston, Accion East, Sam Adams Beer, Cambridge School Culinary Arts, and many other local news organizations. Her love for cakes started at the age of 4 years old when she would spend time on Sunday in the kitchen with her mother.

### STATE CERTIFICATIONS

- Massachusetts
- MBE
  - WBE

### MAJOR CLIENTS

Commercial	Government
❖ Brothers Markets – System Level	❖ City of Boston
❖ WeWork – System Level	❖ Mass Housing Authority
❖ Sam Adams Brewery	❖



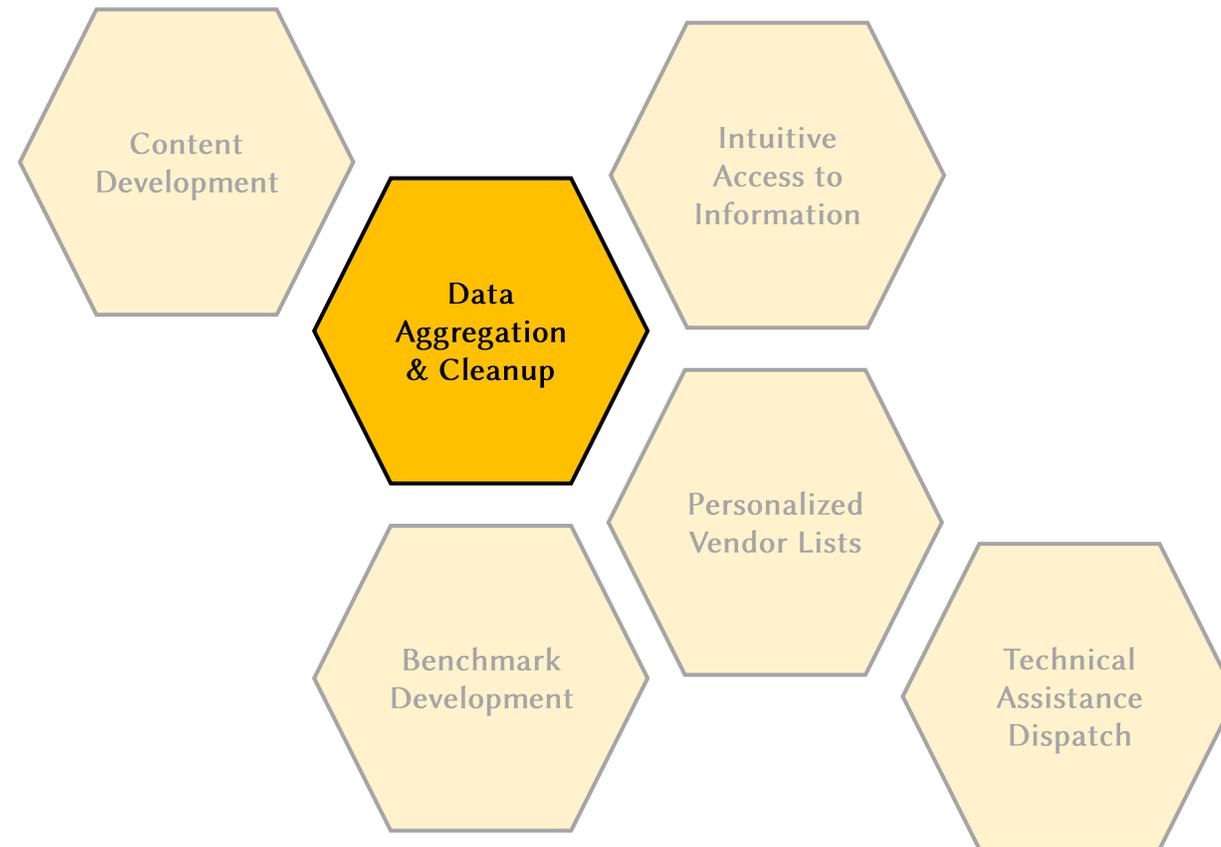
# Concept Solution – Mix of High-Touch and Low Touch

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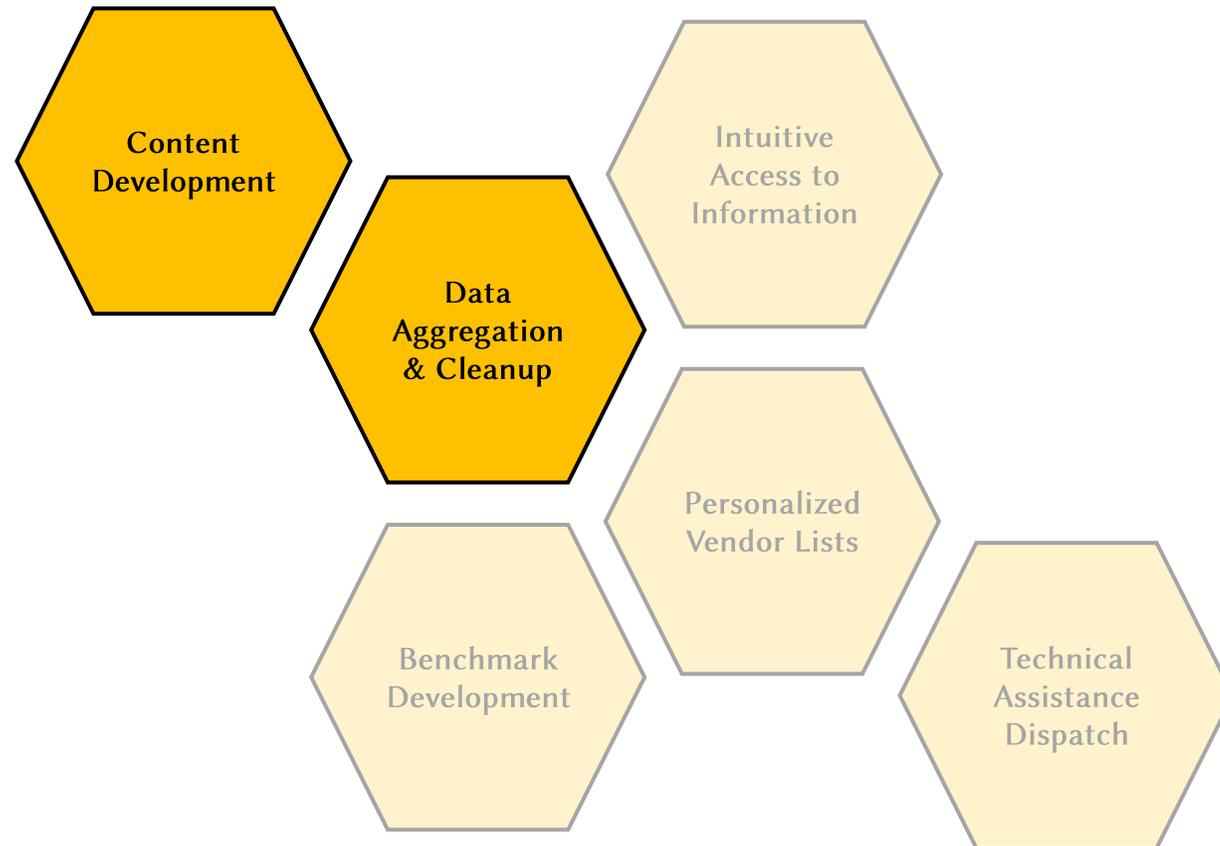
# Concept Solution – Mix of High-Touch and Low Touch

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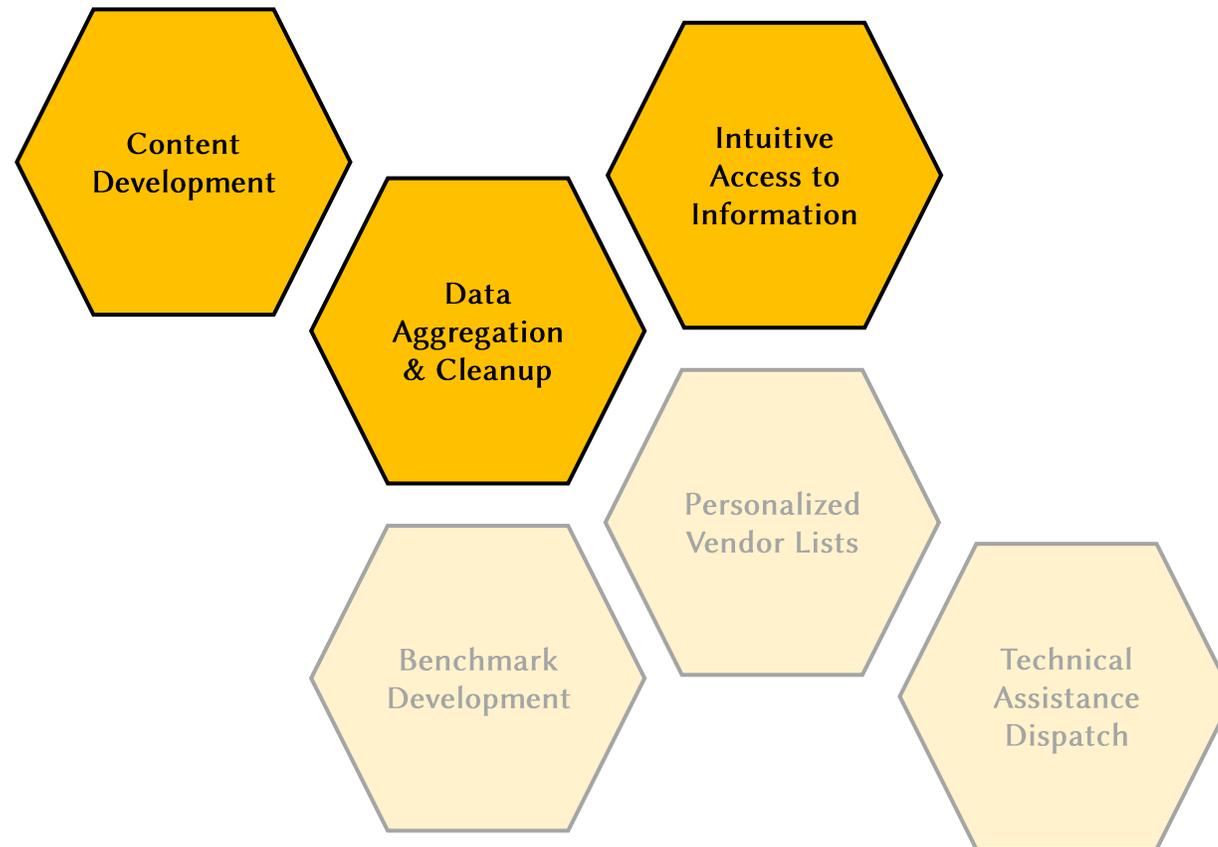
# Concept Solution – Mix of High-Touch and Low Touch

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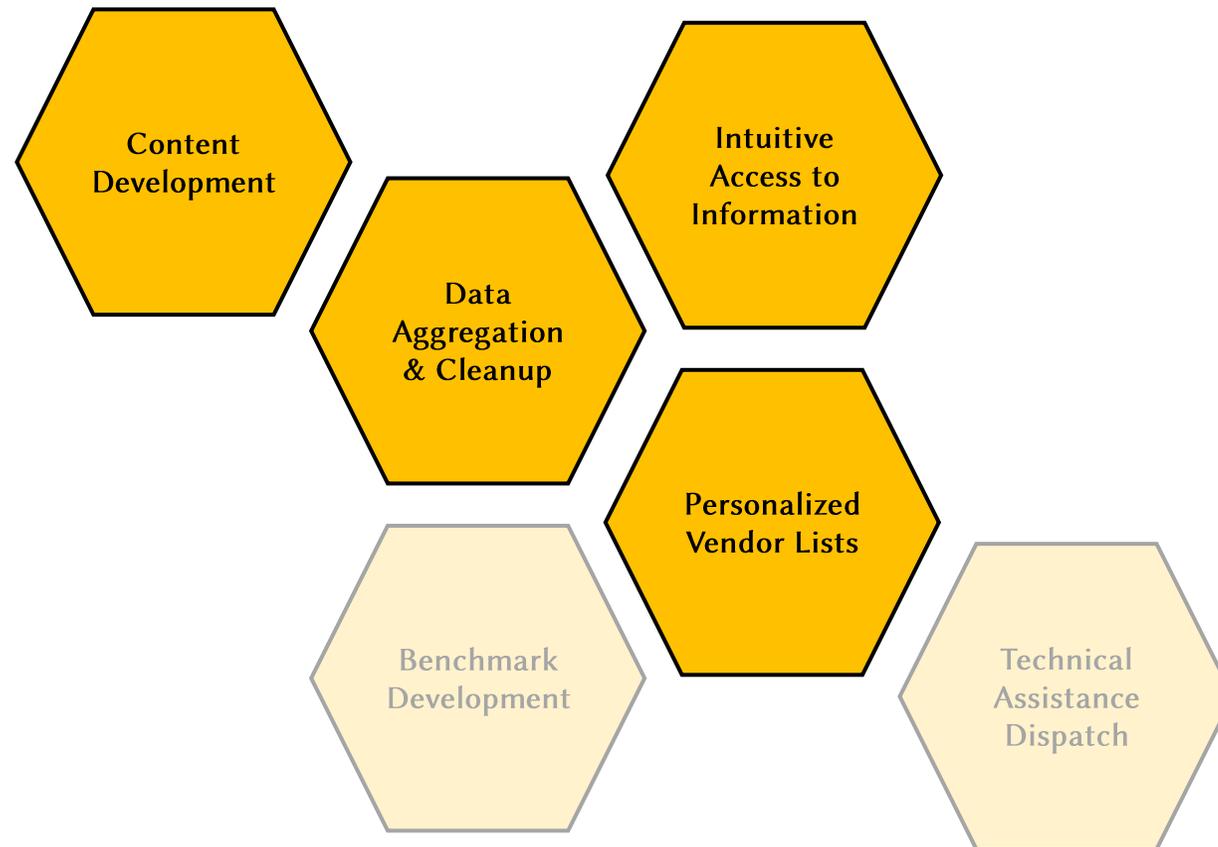
# Concept Solution – Mix of High-Touch and Low Touch

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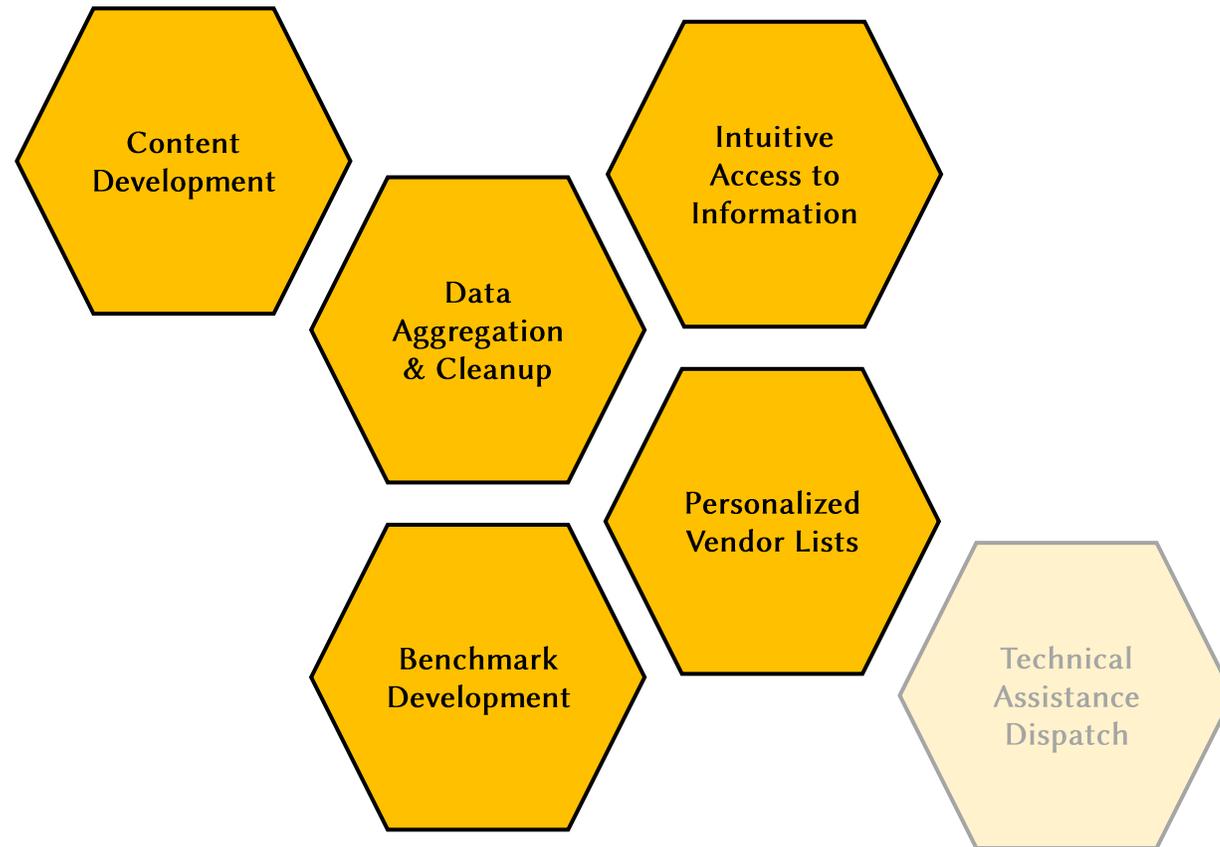
# Concept Solution – Mix of High-Touch and Low Touch

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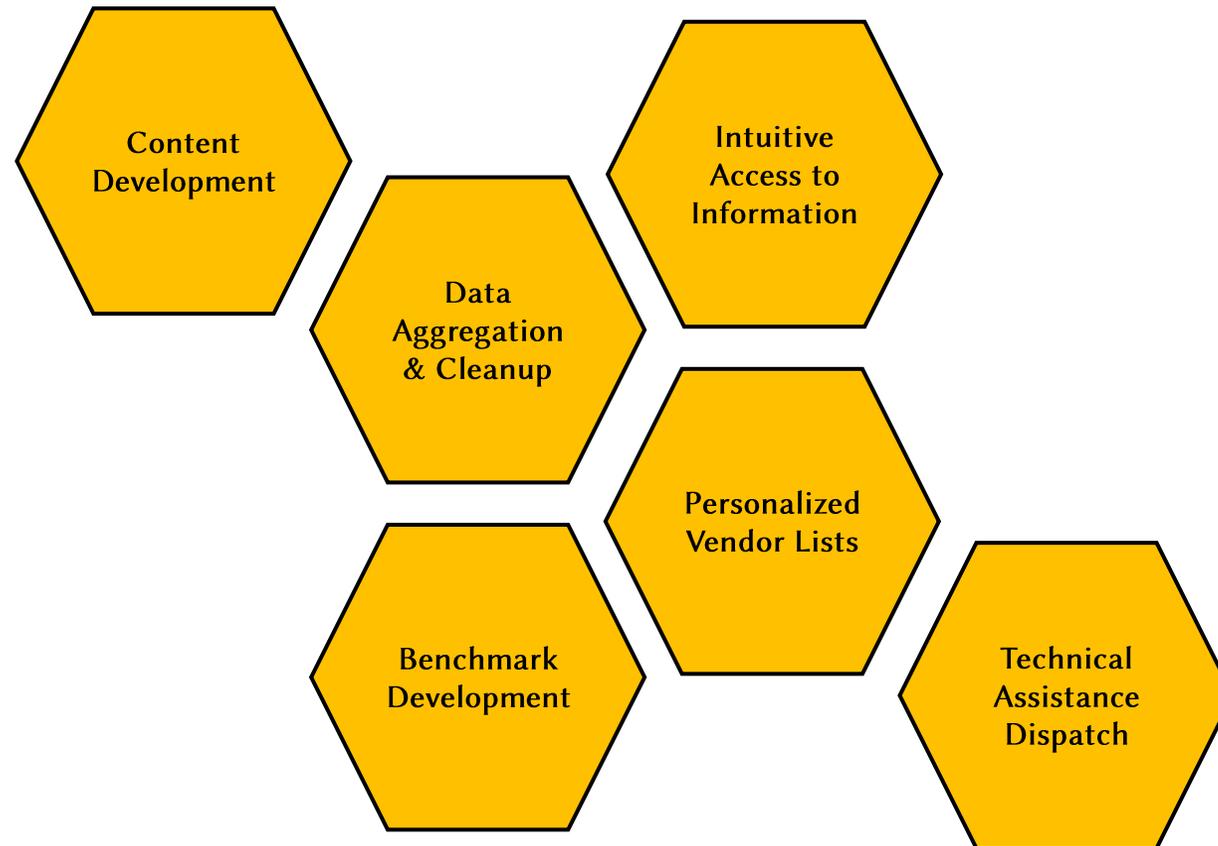
# Concept Solution – Mix of High-Touch and Low Touch

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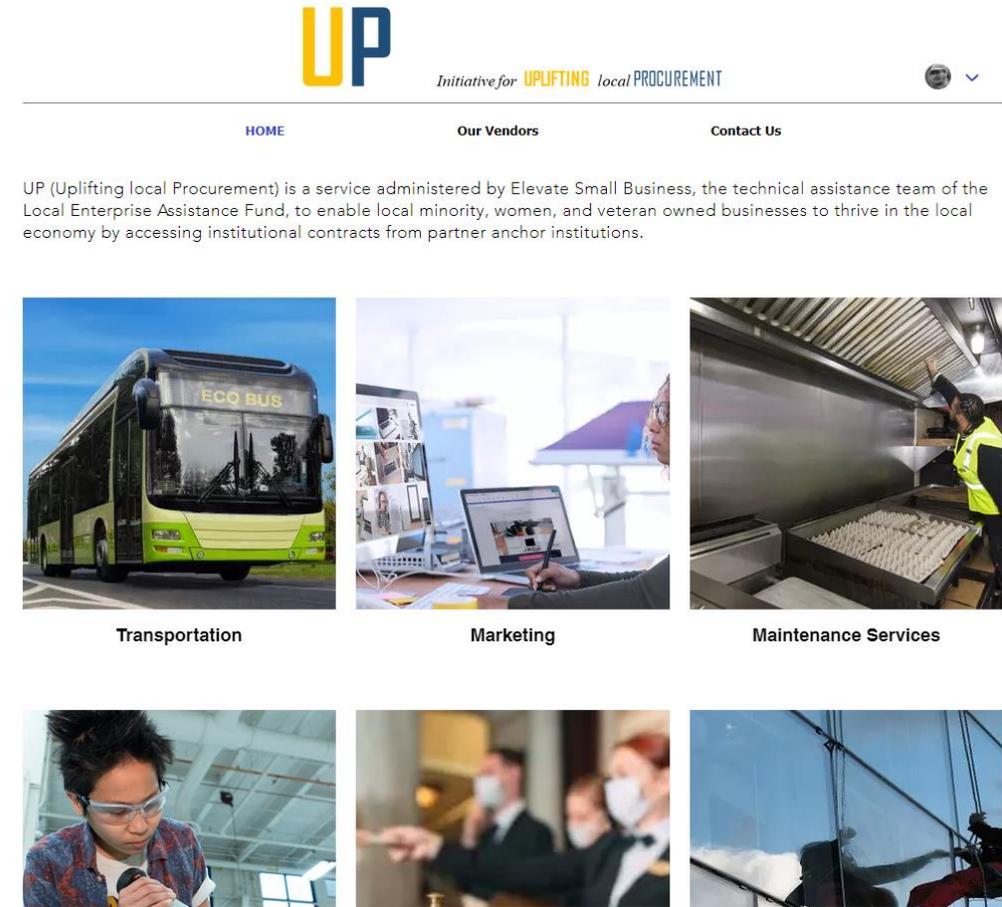
# Concept Solution – Mix of High-Touch and Low Touch

---



# Pilot Portal – **UP**: Initiative for **UPLIFTING** local **PROCUREMENT**

1. Search & Filter functionality
2. Capability Statements repository
3. Vendor portfolio design
4. Benchmarking and progress reports
5. Seamless assignment of technical assistance when needed



# Pilot Portal

HOME
Our Vendors
Contact Us

Select MBE status

Select WBE status

Select VBE status

Input search city or town

Search by keyword

Enter search keyword

- Event Services
- F&B Food
- General Operations
- Hotel Operations
- Maintenance Materials
- Maintenance Services
- Marketing
- Transportation

Sort by:

- Category
- Commodity
- Business Name
- City or Town

Show only companies with Capabilities Statements

Clear all filters

Selected Companies
Add selected companies to my portfolio
Go to my portfolio

109 out of 109 companies displayed. < 1 2 3 4 5 >

CATEGORIES	PRODUCTS & SERVICES	COMPANY NAME	CITY / TOWN	MBE	WBE	VBE	
<input type="checkbox"/> Event Services	Audio Visual Equip. & Services (Supplemental)	Agora Cultural Architects	Boston	Unknown	Unknown	Unknown	Capabilities Statement
<input type="checkbox"/> Event Services	Audio Visual Equip. & Services (Supplemental)	Intercultural Productions, LLC	Marblehead	Yes	No	Unknown	Capabilities Statement
<input type="checkbox"/> Event Services	Audio Visual Equip. & Services (Supplemental)	Spectrum Broadcasting Corporation	Boston	Yes	No	Unknown	Capabilities Statement



# Pilot Portal – Screen and Search Capabilities

HOME
Our Vendors
Contact Us

Select MBE status ▼

Select WBE status ▼

Select VBE status ▼

Input search city or town ▼

Search by keyword

Enter search keyword

Event Services

F&B Food

General Operations

Hotel Operations

Maintenance Materials

Maintenance Services

Marketing

Transportation

Sort by:

- Category
- Commodity
- Business Name
- City or Town

Show only companies with Capabilities Statements

Clear all filters

Selected Companies
Add selected companies to my portfolio
Go to my portfolio

109 out of 109 companies displayed. < 1 2 3 4 5 >

CATEGORIES	PRODUCTS & SERVICES	COMPANY NAME	CITY / TOWN	MBE	WBE	VBE	
<input type="checkbox"/> Event Services	Audio Visual Equip. & Services (Supplemental)	Agora Cultural Architects	Boston	Unknown	Unknown	Unknown	Capabilities Statement
<input type="checkbox"/> Event Services	Audio Visual Equip. & Services (Supplemental)	Intercultural Productions, LLC	Marblehead	Yes	No	Unknown	Capabilities Statement
<input type="checkbox"/> Event Services	Audio Visual Equip. & Services (Supplemental)	Spectrum Broadcasting Corporation	Boston	Yes	No	Unknown	Capabilities Statement



# Pilot Portal – Design Vendor Portfolio

Business Name  
 City or Town

[Clear all filters](#)

Selected Companies [Add selected companies to my portfolio](#) [Go to my portfolio](#)

- Agora Cultural Architects
- Spectrum Broadcasting Corporation
- Corinthian Events
- My little Angel decorations
- Intercultural Productions, LLC

109 out of 109 companies displayed.

[1](#) [2](#) [3](#) [4](#) [5](#)

CATEGORIES	PRODUCTS & SERVICES	COMPANY NAME	CITY / TOWN	MBE	WBE	VBE	
<input checked="" type="checkbox"/> Event Services	Audio Visual Equip. & Services (Supplemental)	Agora Cultural Architects	Boston	Unknown	Unknown	Unknown	<a href="#">Capabilities Statement</a>
<input checked="" type="checkbox"/> Event Services	Audio Visual Equip. & Services (Supplemental)	Intercultural Productions, LLC	Marblehead	Yes	No	Unknown	<a href="#">Capabilities Statement</a>
<input checked="" type="checkbox"/> Event Services	Audio Visual Equip. & Services (Supplemental)	Spectrum Broadcasting Corporation	Boston	Yes	No	Unknown	<a href="#">Capabilities Statement</a>
<input type="checkbox"/> Event Services	Destination Management Companies (DMC)	A.J. Williams Event	Boston	Yes	Yes	No	<a href="#">Capabilities Statement</a>
<input checked="" type="checkbox"/> Event Services	Destination Management Companies (DMC)	Corinthian Events	Boston	No	Yes	No	<a href="#">Capabilities Statement</a>



# Pilot Portal – Review Vendor List Mix



Initiative for **UPLIFTING** local **PROCUREMENT**

Hello Amine Bendil 

---

**HOME**

Name: Amine Bendil  
Company: LEAF  
Number of Companies in Portfolio: 9

**Our Vendors**

**Contact Us**



Category	Count
MBE	6
WBE	5
VBE	0

<b>A.J. Williams Event</b>	<p>Category: Event Services Product: Destination Management Companies (DMC) City: Boston Phone: 6172672244 Web: <a href="http://www.aevt.com">http://www.aevt.com</a></p>	<p><b>Ms. AJ Williams</b></p> <p>MBE: Yes WBE: Yes VBE: No</p>
<b>Agora Cultural Architects</b>	<p>Category: Product: City: Phone: Web:</p>	<p>MBE: WBE: VBE:</p>
<b>Amador Bilingual Voiceovers/Sol &amp; Canto</b>	<p>Category: Event Services Product: Entertainment - Bands, DJs, etc. City: Cambridge Phone: 6174921515 Web: <a href="http://www.solvcanto.com">http://www.solvcanto.com</a></p>	<p><b>Ms. Rosemarie Strajer-Amador</b></p> <p>MBE: Yes WBE: Yes VBE: No</p>
<b>Delectable Desires Pastries</b>	 <p>Category: F&amp;B Food Product: Specialty Foods City: West Roxbury Phone: 6176766201 Web: <a href="http://delectabledesires.net">http://delectabledesires.net</a></p>	<p><b>Ms. Carlene O'Garro</b></p> <p>MBE: Yes WBE: Yes VBE: Unknown</p> 



# Pilot Portal – Instant Capability Statements

**UP** Initiative for **UPLIFTING** local PROCUREMENT Hello Amine Benati

HOME Our Vendors Contact Us Back

## CAPABILITIES STATEMENT

### Delectable Desires Pastries

#### OVERVIEW

Delectable Desires Pastries and Cakes is located in West Roxbury, MA, and supplies institutional and private buyers with baked products and specialty cakes. It can supply floors with breakfast sandwiches and croissants in several varieties such as: sausage, maple, bacon, plain, etc. It can supply the products either frozen raw, baked frozen, or baked fresh and delivered.

As a Minority Women Owned Business with Massachusetts MWBE certifications, DD is committed to quality, excellence, and creating delightful products for institutions and private parties.

What sets DD apart from competition?

- Our taste
- Attention to detail
- Obsession with quality
- Always putting clients first

Owner and pastry chef, Carlene O'Brien, has been featured and awarded by The New York Times, Boston Globe, the City of Boston, Action East, Sam Adams Beer, Cambridge School of Culinary Arts, and many other local news organizations. Her one-of-a-kind cakes started at the age of 4 years old when she would spend time on Sunday in the kitchen with her mother. Graduating from Jacksonville University in 2004 with a degree in Biology and Psychology she was accepted into Suffolk Law School for the Fall of 2008. She decided to forgo her acceptance into law school and to fulfill her dream and passion for baking, and enrolled at Cambridge School of Culinary Arts Fall of 2008. She established Delectable Desires Pastries in March 2007.

#### CERTIFICATIONS

MBE: Yes  
WBE: Yes  
VBE: Unknown

#### MAJOR CLIENTS



#### GENERAL INFORMATION

Registered Company Name: Delectable Desires Pastries  
DBA: Delectable Desires Pastries  
Year Incorporated:  
State of Incorporation:  
Corporation Type:

#### CONTACT INFORMATION

Phone: 6176786001  
Email: carlene@delectabledesires.net  
Web: <http://delectabledesires.net>  
Address: 1755 Centre Street West Roxbury

#### CORE CAPABILITIES

DD facility in West Roxbury, MA, provides:

- High quality breakfast pastries and sweets, baked or frozen, for distribution to wholesalers, direct retailers, and caterers.
- Award-winning specialty designer cakes for special events and occasions.

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## CAPABILITIES STATEMENT

### Fleet Ad Media

#### OVERVIEW

Fleet Ad Media is an LED mobile digital advertising company that promotes its clients' media with targeted display advertising campaigns driven by targeting to maximize impressions. FAM can supply ongoing advertising spots in demographically relevant communities with high visibility potential throughout the Greater Boston area.

As a minority-owned business with Massachusetts MBE certifications, FAM is committed to helping clients access new markets and use a novel approach to out-of-home advertising.

What sets FAM apart from the competition?

- Mobile capabilities that maximize impressions at a fraction of the cost of stationary billboards
- Flexible offerings through shared, lead or exclusive campaigns
- Connections to the community allow us to leverage the best campaign locations, routes and times

Fleet Ad Media's owners and team have decades of experience in marketing, advertising, and business development. We provide a best-in-class customer experience, backed by the expertise and knowledge to maximize impressions and increase your revenue.

#### CERTIFICATIONS

MBE: Yes  
WBE: No  
VBE: No

#### MAJOR CLIENTS



#### GENERAL INFORMATION

Registered Company Name: Fleet Ad Media  
DBA: Fleet Ad Media  
Year Incorporated:  
State of Incorporation:  
Corporation Type:

#### CONTACT INFORMATION

Phone: 8572939865  
Email: [halle@fleetadmedia.com](mailto:halle@fleetadmedia.com)  
Web: <http://www.fleetadmedia.com>  
Address: 31 St James Ave 6th Floor

#### CORE CAPABILITIES

Fleet Ad Media can provide:

- LED Mobile billboards
- Streaming on location
- Spotting (Peak Pricing)
- Retargeting for up to 30 days

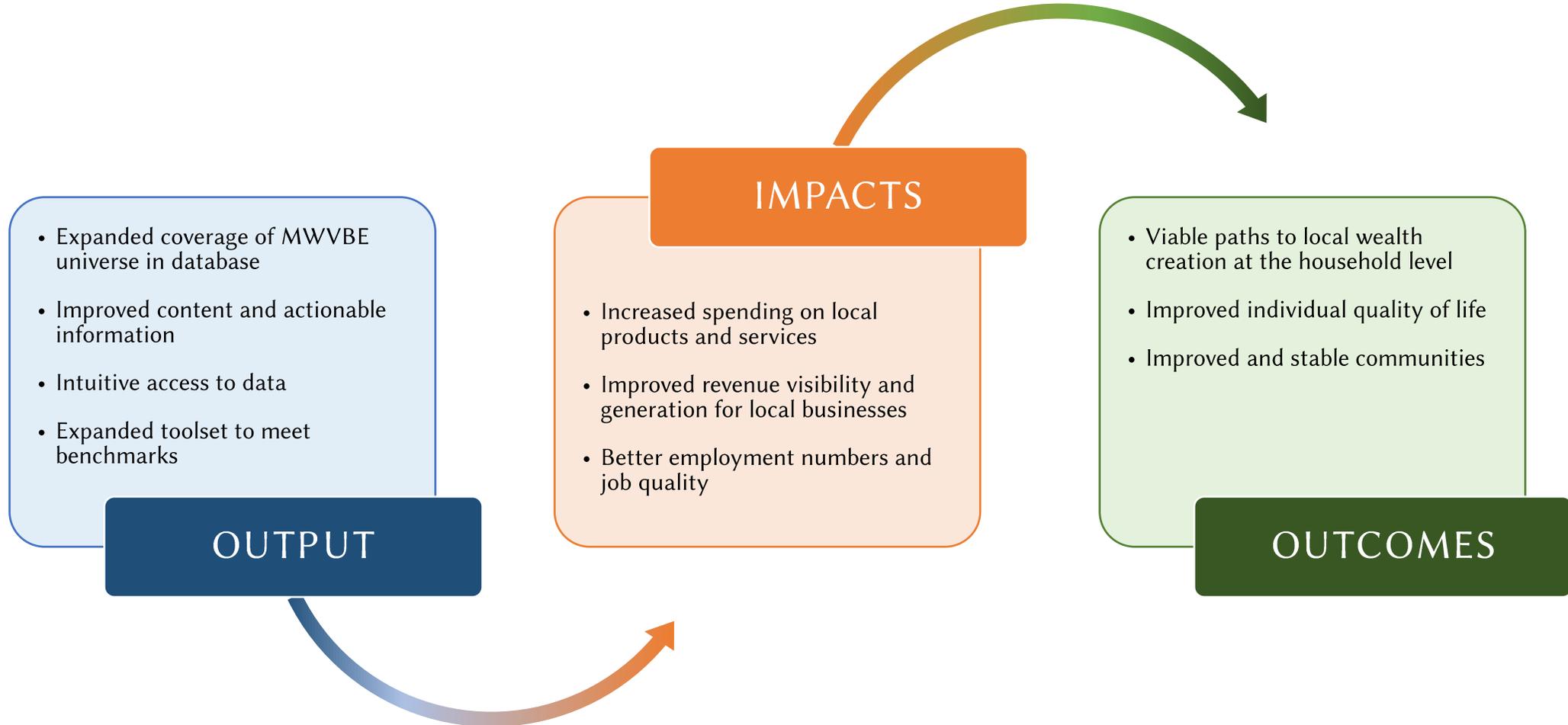


# UP - Portal Demonstration



# Output - Impacts - Outcomes

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Thank you.



TO: Cathy Judd-Stein, Chair  
Gayle Cameron, Commissioner  
Bradford Hill, Commissioner  
Eileen O'Brien, Commissioner  
Nakisha Skinner, Commissioner

FROM: Alexandra Lightbown, Director of Racing

CC: Karen Wells, Executive Director  
Todd Grossman, General Counsel

DATE: March 31, 2022

RE: Plainridge Operating Personnel and Racing Officials

---

Dear Commissioners:

Plainridge Park Casino Director of Racing Steve O'Toole has submitted a request for approval of their Operating Personnel and Racing Officials dated March 24, 2022. They are in the process of applying for their 2022 licenses. The State police will conduct their background checks.

**Recommendation: That the Commission approve the request of Plainridge Park Casino to approve their March 24, 2022 list of Operating Personnel and Racing Officials, pending satisfactory completion of licensure by the Massachusetts Gaming Commission Racing Division and satisfactory completion of their background checks by the Massachusetts State Police.**



PLAINRIDGE PARK  
CASINO

March 24, 2022

Alexandra Lightbown  
Director of Racing  
Massachusetts Gaming Commission  
101 Federal St.  
Boston, MA 02110

Dear Director Lightbown,

Plainridge Park Casino respectfully requests approval of the following operating personnel and racing officials for the 2022 racing season;

OPERATING PERSONNEL

Steve O'Toole	Director of Racing
Lenny Calderone	Racing Services Manager
Andrew Tavares	Mutuel Manager
William Sullivan	Assistant Racing Services Manager
Joseph Pastela	Assistant Racing Services Manager

RACING OFFICIALS

Charles Eaton III	Presiding Judge
Paul Verrette	Racing Secretary
James Tomaso	Clerk of Course
Gregory Brewster	Paddock Judge
Richard Flanders	Starter / Patrol Judge
Lenny Calderone	Announcer
Dr. Jeremy Murdock	Racing Veterinarian
Chrissy Nadeau	Identifier
Joe Pastela	Photo Finish / Timing
Steve O'Toole	Back up Presiding Judge & Starter / Patrol Judge
Andrew Tavares	Back up Photo Finish / Timing
William Sullivan	Back up Photo Finish / Timing
Brenda Faffard	Back up Photo Finish / Timing

Sincerely,

Steve O'Toole  
Director of Racing  
Plainridge Park Casino  
Plainville Gaming and Redevelopment, LLC

TO: Cathy Judd-Stein, Chair  
Gayle Cameron, Commissioner  
Bradford Hill, Commissioner  
Eileen O'Brien, Commissioner  
Nakisha Skinner, Commissioner

FROM: Alexandra Lightbown, Director of Racing

CC: Karen Wells, Executive Director  
Todd Grossman, General Counsel

DATE: March 31, 2022

RE: Plainridge Waiver Request of 205 CMR 3:12 (7)

---

Dear Commissioners:

Plainridge Park Casino Director of Racing Steve O'Toole has submitted a request for approval of a waiver of 205 CMR 3:12 (7) for the 2022 racing season at Plainridge Park Casino.

205 CMR 3:12 (7) reads: "The Judges shall require all horses not showing a satisfactory racing line during the previous 30 days to go a qualifying mile in a race before the Judges. The Association may request a waiver of this requirement".

The requested waiver would change the requirement from 30 days to 45 days. Plainridge has requested this same waiver each year starting in 2018 and the Commission approved it. There have been no issues with this waiver.

**Recommendation: That the Commission approve the request of Plainridge Park Casino of a waiver for the 2022 racing season with respect to 205 CMR 3:12 (7) which would require all horses not showing a satisfactory racing line during the previous 45 days to go a qualifying mile in a race before the Judges.**



PLAINRIDGE PARK  
CASINO

---

March 24, 2022

Alexandra Lightbown  
Director of Racing  
Massachusetts Gaming Commission  
101 Federal St.  
Boston, MA 02110

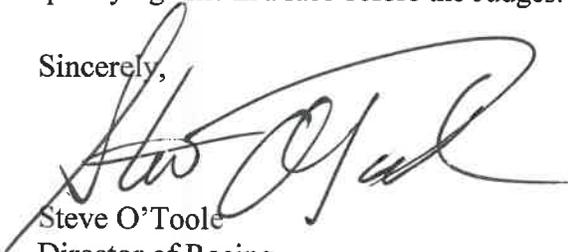
Dear Director Lightbown,

Plainridge Park Casino respectfully requests approval of a waiver for the 2022 racing season with respect to 205 CMR 3:12 (7) which would require all horses not showing a satisfactory racing line during the previous 45 days to go a qualifying mile in a race before the Judges.

205 CMR 3:12 (7) reads as follows;

(7) The Judges shall require all horses not showing a satisfactory racing line during the previous 30 days to go a qualifying mile in a race before the Judges. The Association may request a waiver of this requirement.

Sincerely,



Steve O'Toole  
Director of Racing  
Plainridge Park Casino  
Plainville Gaming and Redevelopment, LLC



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*Division of Racing*

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# **2021 ANNUAL REPORT**

## **YEAR ENDING DECEMBER 31, 2021**

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## **MASSACHUSETTS GAMING COMMISSION COMMISSIONERS**

**Cathy Judd-Stein** Chair

**Gayle Cameron** Commissioner

**Eileen O'Brien** Commissioner

**Bradford Hill** Commissioner

**Enrique Zuniga** Commissioner

## **MASSACHUSETTS GAMING COMMISSION EXECUTIVE STAFF**

**Karen Wells** Executive Director

**Todd Grossman** General Counsel

**Elaine Driscoll** Director of Communications

**Jill Griffin** Director, Diversity and Legislative Affairs

**Derek Lennon** Chief Financial Officer

**Alexandra Lightbown, D.V.M.** Director of Racing and Chief Veterinarian

**Mark Vander Linden** Director of Research and Responsible Gaming

**Loretta M. Lillios** Director of Investigations and Enforcement Bureau

**Bruce Band** Assistant Director, Investigations & Enforcement Bureau

**Joe Delaney** Chief, Division of Community Affairs

**Katrina Jagroop-Gomes** Chief Information Officer

**Nakisha Skinner** Chief, Division of Licensing

## **DIVISION OF RACING**

**Alexandra Lightbown, D.V.M.** Director of Racing and Chief Veterinarian

**Chad Bourque** Financial Analyst

**William Egan** Licensing Coordinator

## **MISSION STATEMENT**

The mission of the Massachusetts Gaming Commission is to create and maintain a fair, transparent, and participatory process for implementing the expanded gaming law passed by the Legislature and signed by the Governor in November, 2011.

The Commission strives to ensure that its decision-making and regulatory systems engender the confidence of the public and participants, and that they provide the greatest possible economic development benefits and revenues to the people of the Commonwealth, reduce to the maximum extent possible the potentially negative or unintended consequences of expanded gaming, and allow an appropriate return on investment for gaming providers that assures the operation of casino-resorts of the highest quality.

The Massachusetts State Racing Commission (“SRC”) was a predecessor agency created by an act of the General Court in 1934. The State Racing Commission, pursuant to Chapter 4 of the Acts of 2009, was transferred to the Division of Professional Licensure (“DPL”), on January 1, 2010. Effective May 20, 2012, all State Racing Commission functions were further transferred to the Massachusetts Gaming Commission, pursuant to Section 89 of Chapter 194 of the Acts of 2011. DPL continued to manage all racing operations through an inter-agency service agreement through the end of calendar year 2012. The Division of Racing of the Massachusetts Gaming Commission assumed control of the fiscal and operational activities of the old State Racing Commission on January 1, 2013.

## **2021 MILESTONES**

Plainridge was able to hold their entire meet in 2021, with fewer COVID-19 protocols than in 2020. Once again, they successfully hosted the \$250,000 Spirit of Massachusetts Trot and the \$100,000 Clara Barton Pace. They also brought back the Bert Beckwith Memorial Pace, which originated at Foxboro Park. The Sire Stakes Program for horses bred in Massachusetts continued to grow, giving out \$2,240,000 in purses.

The Division of Racing thanks Plainridge, Suffolk, Raynham, the horsemen and women and other licensees for their cooperation during an unprecedented pandemic for their help in keeping the industry open.

# PLAINRIDGE PARK CASINO

## MAILING ADDRESS

Plainville Gaming and Redevelopment, LLC  
d/b/a Plainridge Park Casino  
301 Washington Street  
Plainville, MA 02762  
(508) 643-2500



## MEET PERIOD

April 12, 2021 – November 26, 2021

## 2021 RACING STATS

Number of race days:	110
Number of races (excluding Sire Stakes):	1036
Number of starts (excluding Sire Stakes):	7,673
Average field size (excluding Sire Stakes):	7.40
Total purse (excluding Sire Stakes):	\$12,587,370
Average daily purse (excluding Sire Stakes):	\$114,431
Number of Sire Stake Races:	39
Number of Sire Stake Starters:	103
Number of Sire Stake Starts:	245
Average field size:	6.28
Total Sire Stake purses:	\$2,240,000
Average Sire Stake purse per race:	\$57,436

## TRACK STATS

Barn Area Stall Space:	180
------------------------	-----

## RACE TRACK

5/8ths mile  
Pylons

## SUFFOLK DOWNS

### MAILING ADDRESS

Sterling Suffolk Racecourse, LLC  
525 McClellan Highway  
East Boston, MA 02128  
(617) 567-3900



### SIMULCASTING

5 days a week

## RAYNHAM PARK

### MAILING ADDRESS

1958 Broadway  
Raynham, MA 02767  
(508) 824-4071



### SIMULCASTING

7 days a week

## WONDERLAND PARK

### MAILING ADDRESS

d/b/a/ Sterling Suffolk LLC  
525 McClellan Highway  
East Boston, MA 02128  
(617) 567-3900



### SIMULCASTING

5 days a week

# LICENSING

## LICENSING STAFF

**Bill Egan** Licensing Coordinator

**George Carrifio** Contract Licensing Coordinator

**John Gilbert** Contract Licensing Coordinator

One of the Commission's foremost responsibilities is the issuance of occupational licenses to every person who participates in racing, and to associations who operate the Commonwealth's racetracks and simulcast facilities. Licensing Coordinators supervise the operation of the Commission's field offices located at Suffolk Downs, Raynham Park, and Plainridge Park Casino. They work closely with Judges, racing officials, track security, the State Police unit and the Gaming Commission to ensure that operations at each track are efficient and effective

## APPLICATIONS FOR LICENSURE

The licensing process requires that every person who participates in racing complete an application. The application is reviewed for completeness by licensing staff who then forward the application to the Massachusetts State Police Gaming Enforcement Unit, who conduct a background check of the applicant.

Once the background check is completed, the application is sent to the Board of Judges at each track. The Board reviews the application to determine if the applicant has the required integrity, ability, and the eligibility for the license for which the applicant has applied. The Commission also has access to the Association of Racing Commissioners' International (ARCI) files in Lexington, Kentucky and the United States Trotting Association's (USTA) database for violations. These files maintain a record of every racing related offense attributed to an applicant anywhere in the country. The Commission provides reciprocity to other jurisdictions and their licensing decisions.

If the Judges recommend licensing an applicant, the licensing staff collects the required fee and enters the appropriate information in the Commission's computer network. The applicant is issued a license card that entitles him to a photo identification badge. No person may enter any restricted area of a racetrack without a photo identification badge. Occupational's license includes jockeys, drivers, trainers, assistant trainers, owners of racing animals, blacksmiths, racing officials, vendors, stable employees and pari-mutuel clerks. License and Badge Fees. Occupational licenses expire annually on December 31.

In 2021, the Division of Racing issued 1,742 occupational licenses and badges to persons participating in horse racing and simulcasting in the State, collecting a total of \$64,975.

# MA STATE POLICE INVESTIGATIVE UNIT

## MA STATE POLICE

**Scott McCormack** Sergeant

**Robert Miller** Trooper

**Scott Walker** Trooper

The Commission's goals of protecting racing participants and the wagering public as well as maintaining the public's confidence in para-mutual wagering are achieved through the Commission's licensing, revenue collection, and investigative activities.

The Gaming Commission applies to the Department of Public Safety for an assignment of a compliment of police officers. In the performance of their duties, the State Police Investigative Unit investigates violations of the rules of racing and the Massachusetts general laws. The Investigative Unit's extensive responsibilities and activities have resulted in a major improvement in the Commission's regulatory/policing functions.

## INVESTIGATIONS | BACKGROUND CHECKS

The State Police Investigative Unit committed itself to maintain a constant presence at each racetrack, especially during live racing, working closely with the Judges and other Commission and racing officials to help ensure that each track operated with honesty and credibility. Investigations and inspections are conducted by officers assigned to the State Police Racing Unit and aid in preserving the integrity of racing.

The State Police Investigative Unit conducts stable inspections that focus on the detection of safety violations, the presence of unlicensed persons in restricted areas, and the possession of illegal medications, drugs, and contraband. The State Police Investigative Unit conducts investigations relating to hidden ownership of racehorses, larceny, conduct detrimental to racing, and other administrative inspections. The Unit also conducts background checks and fingerprint submissions pursuant to Massachusetts Racing Licenses. These include Gaming Commission Employees, Racing Officials, and all occupational licensees, who participate at Massachusetts Race Tracks.

State Police Racing members work in conjunction with Gaming Enforcement members stationed at Massachusetts casinos, and the Commission headquarters in Boston. Racing Members are often first to arrive on assistance calls ranging from, medical, arrests, ejections, and altercations.

In 2021, The State Police Investigative Unit performed 1,235 background checks for the Division of Racing.

## VETERINARY SERVICES

### VETERINARIANS

**Alexandra Lightbown, D.V.M.** Director of Racing and Chief Veterinarian

**Kevin Lightbown, D.V.M.** Contract Veterinarian

**Rise Sheehan, D.V.M.** Contract Veterinarian

The Commission Veterinarians play an indispensable function in ensuring that the quality and integrity of racing within the Commonwealth remains strong by protecting the health and welfare of the equine athletes in Massachusetts.

### EQUINE DRUG TESTING

A Commission Veterinarian supervises the testing areas in order to ensure proper collection and continuity of evidence for blood and urine samples collected from the racing animals.

Commission Veterinarians also testify at hearings and meetings on medication use, drug violations, animal care, new policies and procedures, etc.

## LABORATORY SERVICES

### INDUSTRIAL LABORATORY

In 2016, Massachusetts changed its testing laboratory to Industrial Laboratory in Colorado. Industrial Laboratory is ISO 17025 and Racing Medication Testing and Medication Consortium accredited. They perform testing for several racing jurisdictions. Testing protects the health of the animals and the integrity of races and contests.

Industrial is committed to improving their ability to detect new drugs of abuse. They work closely with the Association of Official Racing Chemists (AORC), Association of Racing Commissioners International, Inc. (ARCI) and Racing Medication Testing Consortium (RMTC). As a result, Industrial Laboratory is a driving force in the application of new technology for the drug testing industry.

In addition to testing urine and blood samples for the presence of drugs, Industrial analyzes syringes, vials, powders and a variety of materials seized as evidence. They also test for drugs in a variety of nutritional supplements.

## **INTEGRITY OF SAMPLES ENSURED**

Special precautions are taken at all Massachusetts racetracks when post-race blood and urine samples are collected to ensure that no tampering can take place. In order to assure the continuity of evidence, every winning horse and all designated horses are under the surveillance of a Gaming Commission employee from the finish of the race until the specimens are obtained.

## **SAMPLES TAKEN AND ANALYZED**

2021 marked the ninth year that the Massachusetts Gaming Commission's Division of Racing participated in the Controlled Therapeutic Medication Program.

There were 1,035 Paired Urine/Blood Samples Analyzed, 1,190 Blood Samples Analyzed, and 2,289 TCO<sub>2</sub> Blood Samples Analyzed.

At Plainridge Park Casino, there were four adverse findings for Aminocaproic Acid, one for Gabapentin, one for Medroxyprogesterone, and one for Tranexamic Acid. There was one overage for Betamethasone, one for Clenbuterol, one for Dantrolene, three for Dexamethasone, two for Furosemide, one for Methocarbamol, one for Phenylbutazone, and one for Triamcinolone.

Items confiscated in the course of investigations are also submitted for analysis. These items may include feed preparations, vitamins, liniments, antibiotics, other pharmaceuticals and medical devices such as needles and syringes.

## **ENFORCEMENT OF RULES & REGULATIONS**

Enforcement of the rules and regulations of racing begins with the investigation of complaints and prosecution of alleged violations by the Board of three Judges at the racetrack. One Judge is appointed by the racetrack and must be approved by the Gaming Commission and licensed as a racing official. Two Judges are appointed by the Gaming Commission.

The Judges are responsible for reviewing all occupational license applications and recommending or not recommending the applicant for a license. The Judges are present at the racetrack each day on which there is live racing and they oversee everything from drawing of post positions to making official the results of every race. In addition, the Judges preside over all hearings conducted at the track and report their rulings and findings to the Gaming Commission.

Before post time of the first race, the Judges review the daily program of races to approve any changes or report errors. Changes are reported to each department that might be affected by the change (i.e., mutuels, paddock judges, patrol judges, starters, clerk of the course, clerk of scales, program director, TV department and announcer). All changes are also reported promptly to the wagering public.

After observing every live race, both live and on television monitors, the Judges mark the order of finish as the horses cross the finish line. They give the first four unofficial finishers to the Mutuel Department, and when necessary, they post an inquiry, review an objection and request a photo finish. If there is an apparent violation of the rules, the Judges review the videotape and then make a decision before making the results of the race official.

If a violation of the rules occurs, the Judges notify all the parties involved in the violation. Sometimes only a warning will be issued but other times the offending horseman may be fined and/or suspended from participating in racing for a certain amount of time. If any party involved contests the decision of the Judges, then a hearing will be scheduled. After conducting the hearing, the Judges determine if any penalty such as a fine or suspension, purse redistribution, or other sanction should be imposed.

If any licensee disagrees with a decision of the Judges, they may appeal to the Gaming Commission, through its designated hearing officer. The Commission affords appellants adjudicatory hearings on the merits of their appeals. If appellants are dissatisfied with the decision of the Gaming Commission, they may appeal to the Superior Court of the Commonwealth in accordance with Chapter 30A of the General Laws.

## **PLAINRIDGE PARK BOARD OF JUDGES**

### **COMMISSION JUDGES**

**Salvatore Panzera** Associate Commission Judge

**Michael Sorentino, Jr** Associate Commission Judge

**Peter Tomilla** Fill-In Associate Judge

**Anmarie Mancini** Association Presiding Judge

### **ADMINISTRATIVE HEARINGS**

The Plainridge Park Board of Judges issued 117 rulings in 2021 resulting in 108 fines and 9 suspensions.

### **APPEALS**

In 2021, there no appeals of Judges' Rulings.

## **COMMISSION BUSINESS**

### **MEETINGS AND HEARINGS**

As required by Chapter 128A of the Massachusetts General Laws, the Commission held a public hearing in the fall of 2021 for the one application for a 2022 harness racing meeting. This was followed by an adjudicatory hearing the next day. The Commission approved the application of Plainville Gaming and Redevelopment, LLC, to conduct harness horse racing in 2022 at Plainridge Park Casino.

One application for a Thoroughbred racing meeting to be held at a new proposed Thoroughbred racetrack was submitted by Sturbridge Equine and Agricultural Center, LLC. The application was withdrawn, so no hearings were held on this application.

### **DECISIONS APPEALED TO THE DIVISION OF RACING**

The Commission has taken extensive precautions to ensure licensees due process throughout the appeal process. The Commission has a Stay-of-Suspension process. These permit licensees suspended by the Judges for a minor violation of the rules that does not compromise the integrity of racing to continue to participate in racing until the licensee has been provided a hearing by the Commission and a decision made. Procedural safeguards were adopted to prevent licensees from abusing the Stay privilege. Hearings are conducted as soon as practicable from the time of the granting of a Stay, thereby preventing a licensee from participating while on a Stay status for an extended period of time. There were no appeals in 2021.

### **DUE PROCESS AFFORDED ALL LICENSEES**

Licensees charged with a violation of the rules that may result in the loss of a license are entitled to a hearing pursuant to the Administrative Procedures Act (APA). Formal disciplinary hearings held by the Racing Division follow the requirements established in the Massachusetts APA. These requirements include issuing timely notice of hearings, providing the opportunity for an appellant to confront witnesses and to be represented by counsel.

### **COMMISSION DECISIONS APPEALED TO SUPERIOR COURT**

In addition to hearing appeals, the Racing Division must prepare a complete record and legal decision for each case that is appealed to the Superior Court. When the record is completed and certified, it is forwarded to the Government Bureau of the Office of the Massachusetts Attorney General and is assigned to an Assistant Attorney General who defends the case in court. The Commission and the Attorney General work closely together to present the best possible case in Superior Court.

The Division of Racing takes this opportunity to thank the Office of the Massachusetts Attorney General for the diligent, professional and expert defense of Commission cases.

## PARI-MUTUEL AUDITING AND COMPLIANCE

Responsibilities of the Commission's auditors include assessing liabilities owed to the Commission and overseeing the calculation of take-out from handle. The handle is the total amount of money wagered at each performance and the take-out percentage of handle is determined by statute.

All money wagered on a horse race goes through the equipment of one of the two Totalisator companies; namely, AmTote and Sportech. These are private companies who sell their services to racetracks. Both Suffolk Downs and Raynham Park use the services of AmTote whereas Plainridge uses Sportech. These companies provide the machines for wagering, those used by the tellers and the self-service terminals. The "tote" system accepts wagers and based on those wagers, it calculates the odds on each betting interest, displays them, produces and configures the payouts following the race and later cashes the tickets given to the bettor. This is all accomplished through very sophisticated computerized equipment that has the ability to combine all wagers placed, no matter where they are coming from, including those placed via computer, live at the track where the race is being conducted and at all guest sites that have contracted to wager with the host track. All these wagers go into a common pool. The term "host" is the track where the race is being run and the term "guest" means any other location where wagers are made on a live race.

Before the start of a race card, all tote companies at the sites that will take wagers on the live product, connect with the tote at the host site. At the start of each individual race, the Steward/Judge at the Host track presses a key/button that locks all the wagering machines. This stops any betting after the start of any race. At the conclusion of a race, the Stewards/Judges determine the order of finish and notify their mutuel department who is linked to the Tote system that the race is going "official" and the numbers of the first 4 finishers are posted along with the payouts for all the different wagers; i.e., win, place, show, daily double, exacta, trifecta, superfecta, or any wager that is offered on the race by the Host track. Printouts from the tote system are audited by the Racing Commission Auditors for accuracy and compliance with current statutes.

A summary sheet, detailing the breakdown of the statutory take-out is prepared by Commission Auditors for each individual racing performance. For live racing, the information is provided by the on-site tote system. For imported simulcast races, a report from the host track is faxed to the guest track. This report is used in conjunction with on-track reports to complete the summary sheet. This activity ensures that the public, the Commonwealth, purse accounts, and all designated trust funds are properly funded. The Commission Auditors prepare a handle reconciliation report on a daily, weekly and monthly basis. This report shows the handle broken down as to live, signal exported and signal imported. Further, the balance of all current unclaimed winning tickets and the liquidity of the mutuel department are audited by the Commission Auditors.

## DIVISION OF RACING FINANCIALS

### RECEIPTS

Commission	\$1,049,557
Assessment	\$750,000
Association License Fees	\$328,200
Licensing	\$64,975
Fines & Penalties	\$23,200
Total	\$2,215,932

### EXPENDITURES

Regular Employee Compensation	\$705,770
Regular Employee Expenses	\$1,183
Contractor Payroll	\$364,273
Pension/Insurance, Expenses	\$272,136
Administration Expenses	\$194,209
Facility Operations	\$5,320
Operational Services	\$604,560
Information Technology	\$3,775
Total	\$2,151,226

### RACING COMMISSION OPERATIONS

Receipts Available for Racing Operations	\$2,215,932
Expenditures for Racing Operations	(\$2,151,226)
Total Commission Operations	\$64,706

### Additional Program Receipts

Unclaimed Tickets	\$304,145
Local Aid Appropriation	\$1,100,918

### Additional Program Expenditures

Unclaimed Tickets	\$304,145
Local Aid Appropriation	\$1,100,918
DPH   Education	\$70,000
Jockey's Guild	\$65,000

# HANDLE

## HANGLES

PPC Live	1,172,301
PPC Export	15,486,083
PPC Simulcast	17,758,947
Suffolk Simulcast	25,269,164
Raynham Park Simulcast	22,092,993
Wonderland Park Simulcast	167,959
Hollywood Races ADW	4,892,809
TVG   FanDuel ADW	110,193,773
NYRA ADW	26,458,285
TwinSpires ADW	47,700,423
Xpressbet ADW	23,003,570
Total	294,196,307

HANDLE VARIANCE	2020	2021	VARIANCE	(+/-) %
PPC Live	608,143	1,172,301	564,158	92.76 %
PPC Export	9,298,059	15,486,083	6,188,024	66.55 %
PPC Simulcast	12,612,857	17,758,947	5,146,090	40.80 %
Suffolk Simulcast	17,979,754	25,269,164	7,289,410	40.54 %
Raynham Park Simulcast	17,414,749	22,092,993	4,678,244	26.86 %
Wonderland Park Simulcast	327,151	167,959	(159,192)	(48.66 %)
Hollywood Races ADW	4,373,849	4,892,809	518,960	11.86 %
TVG   FanDuel ADW	125,648,323	110,193,773	(15,454,551)	(12.29 %)
NYRA ADW	25,985,584	26,458,285	472,702	1.81 %
Twin Spires ADW	45,845,232	47,700,423	1,855,191	4.04 %
Xpressbet ADW	23,371,399	23,003,570	(367,829)	(1.57 %)
Total	283,465,100	294,196,307	10,731,207	3.78 %

# REVENUE

## COMMISSIONS

Plainridge Park Casino	\$74,925
Suffolk Downs	\$94,759
Raynham Park	\$82,848
Wonderland	\$629
ADW's	\$796,396
Total	\$1,049,557

## ASSESSMENTS

Plainridge Park Casino	\$80,796
Suffolk Downs	\$602,228
Raynham Park	\$65,410
Wonderland	\$1,566
Total	\$750,000

## ASSOCIATION LICENSING

Plainridge Park Casino	\$108,900
Suffolk Downs	\$71,700
Raynham Park	\$93,000
Wonderland	\$54,600
Total	\$328,200

## LICENSING AND BADGES

Plainridge Park Casino	\$64,625
Suffolk Downs	\$350
Raynham Park	\$0
Total	\$64,975

## FINES AND PENALTIES

Plainridge Park Casino	\$23,200
Total	\$2,215,932

**COMMISSIONS VARIANCE**

	<b>2020</b>	<b>2021</b>	<b>VARIANCE</b>	<b>(+/-) %</b>
Plainridge Park Casino	\$51,435	\$74,925	\$23,490	45.66 %
Suffolk Downs	\$67,424	\$94,759	\$27,335	40.54 %
Raynham Park	\$65,305	\$82,848	\$17,543	26.86 %
Wonderland	\$1,226	\$629	(\$597)	(48.69 %)
ADW's	\$845,014	\$796,396	(\$48,618)	(5.75 %)
Total	\$1,030,404	\$1,049,557	\$19,153	1.85 %

**ASSESSMENTS VARIANCE**

Plainridge Park Casino	\$117,385	\$80,796	(\$36,589)	(31.17 %)
Suffolk Downs	\$546,258	\$602,228	\$55,970	10.24 %
Raynham Park	\$83,736	\$65,410	(\$18,326)	(21.88 %)
Wonderland	\$2,621	\$1,566	(\$1,055)	(40.25 %)
Total	\$750,000	\$750,000	\$0	0.00 %

**ASSOC. LICENSING VARIANCE**

Plainridge Park Casino	\$75,000	\$108,900	\$33,900	45.02 %
Suffolk Downs	\$49,800	\$71,700	\$21,900	43.97 %
Raynham	\$64,500	\$93,000	\$28,500	44.18 %
Wonderland	\$47,400	\$54,600	\$7,200	15.18 %
Total	\$236,700	\$328,200	\$91,500	38.65 %

**LICENSING | BADGES VARIANCE**

Plainridge Park Casino	\$44,345	\$64,625	\$20,280	45.73 %
Suffolk Downs	\$900	\$350	(\$550)	(61.11 %)
Raynham	\$360	\$0.00	(\$360)	(100.00 %)
Total	\$45,605	\$64,975	\$19,370	42.47 %

**FINES | PENALTIES VARIANCE**

Plainridge Park Casino	\$8,300	\$23,200	\$14,900	179.51 %
Total	\$2,071,009	\$2,215,932	\$58,685	2.93 %

## PURSE

<b>PLAINRIDGE PARK CASINO</b>	<b>2020</b>	<b>2021</b>	<b>VARIANCE</b>	<b>(+/-) %</b>
Race Days	68	110	42	61.76 %
Races	708	1,075	367	51.83 %
Purse Awarded	\$8,279,500	\$14,827,370	6,547,870	79.08 %

## TRUST FUNDS

### PLAINRIDGE PARK CASINO PROMOTIONAL TRUST FUND

Beginning Balance	\$182,012
Program Revenue	\$64,145
Ending Balance	\$246,157

### SUFFOLK DOWNS PROMOTIONAL TRUST FUND

Beginning Balance	\$376,600
Program Revenue	\$299,430
Ending Balance	\$676,030

### PLAINRIDGE PARK CASINO CAPITAL IMPROVEMENT TRUST FUND

Beginning Balance	\$598,582
Program Revenue	\$144,881
Ending Balance	\$743,463

### SUFFOLK DOWNS CAPITAL IMPROVEMENT TRUST FUND

Beginning Balance	\$3,735,018
Program Revenue	\$1,125,140
Ending Balance	\$4,860,158

### RACE HORSE DEVELOPMENT TRUST FUND DISTRIBUTIONS

Thoroughbred Accounts	\$1,219,641
Harness Accounts	\$15,211,640
Total	\$16,431,281

**MASSACHUSETTS GENERAL LAWS CHAPTER 23K SECTION 60.**

The Race Horse Development Fund shall consist of monies deposited under subsection (c) of section 55. The Commission shall make distributions from the Fund to each licensee under chapter 128A. Funds received shall be distributed between Thoroughbred and Standardbred accounts, as approved by the Commission. 2021 is the seventh calendar year that monies have been distributed from the Race Horse Development Fund accounts.

**MASSACHUSETTS GENERAL LAWS CHAPTERS 128A and 128C**

In addition to licensing racetracks and participants, the Racing Division of the MGC has a primary responsibility to collect revenue in accordance with Chapters 128A and 128C of the General Laws. Each licensed racetrack pays a commission as determined by law in addition to license fees and other assessments. Racing Division Inspectors collect occupational license fees, badge fees and fines. The Racing Division collected \$2,520,077 from Massachusetts racetracks in 2021. All Commission activities are revenue driven as Commission expenditures come from Commission revenue and are made in a priority order in accordance with Section 5(h) of Chapter 128A.

# RACING TERMINOLOGY

## OUTS

Outs are the unclaimed winning wagers at each horse track. If the tickets haven't been presented for payment by 90 days after 31 December of the year following the year of the actual wager, they will be distributed to the commission. Subject to the rules and regulations established by the Commission, the Commission shall deposit the unclaimed live wagers into the purse accounts of the racing meeting licensees (Suffolk and Plainridge) that generated those unclaimed live wagers. When the outs come from Wonderland and Raynham, they go to the Racing Stabilization Fund.

## BREAKAGE

Breakage – the difference in the rounding off of the pari-mutuel payoffs. The difference in cents between the winning payouts and the nearest dime or nickel is called the Breakage. These breaks shall be paid to the commission on the day following each day of a racing meeting. The commission then dispenses the breaks as follows: The breaks from Suffolk and Plainridge go to their respective Capital Improvement Funds whereas the breaks from Wonderland and Raynham go to the Racing Stabilization Fund.

## PURSES

Purses are the monies that the horses earn for racing. Each race has a purse amount assigned to it before the race is run. How much each horse earns of that purse depends on where the horse finishes and the amount of the purse. The actual money wagered on the race does not have an immediate impact on the amount of the purse. However, a percentage of every dollar wagered makes its way into the purse account for races at a later date. The average daily purse is the amount of the total purses awarded during a race meet divided by the number of days of racing for that meet.

## SIMULCASTING

Simulcasting is when a racetrack sends a closed-circuit transmission via satellite of its live racing to another location, either in the same state or out of state and sometimes out of the country. The track where the racing is being contested is called the Host and the location where it is viewed is called the Guest. People at the guest site bet on these races in real time. The Guest site customers receive the same payoffs as the customers at the Host track. All the money wagered by both the Host and Guest sites are merged and the odds are computed on the total amount of money wagered into these combined wagering pools. To view their races, the Host charges the Guest a certain percentage of the guest site's handle. This percentage is based on the quality of the racing and by agreement between the Host and Guest.

## HANDLE

Handle is the amount of money wagered at a specific location, by individual race/ day/month or by year.

The following terminology is used in reporting simulcast events:

“Signal Received” is categorized as “Simulcast” as this signal is sent from a remote track being received locally.

“Signal Sent” is categorized as “Export,” as this is the local signal being sent to a remote track.

TO: Chair Cathy Judd-Stein and Commissioners Eileen O'Brien, Gayle Cameron, Bradford Hill and Nakisha Skinner

FROM: Joseph Delaney and Mary Thurlow

CC: Karen Wells, Executive Director, Todd Grossman, General Counsel, Lily Wallace, Program Assistant

DATE: March 24, 2022

RE: Ludlow – Use of Reserve Application

The Town of Ludlow seeks authorization to use their Reserve to purchase equipment that will enhance the capabilities of the police department with general traffic safety and investigations.

**Background**

The Town of Ludlow is a designated surrounding community to MGM Springfield and was awarded a \$100,000 Reserve Grant in 2015. This Reserve Application was received in a timely manner but was accidentally auto-sorted into a Junk Mail folder. Ludlow has not previously applied for any reserve funds

**Purposes Identified in the Grant Request**

The proposed project will fund general traffic safety equipment and training for the police officers in the use of the equipment. Ludlow has requested LPR Cameras which will assist in solving local crimes and whose data can be shared regionally. They have also requested speed and traffic signs. In the application Ludlow states that this will assist in lowering speeds and promoting safe driving of vehicles travelling through its community. The speed and traffic signs will operate as a constant deterrent and reminder wherever it is placed.

According to the MGM Environmental Impact Report, approximately 1% of drivers traveling to and from the MGM Casino drive through Ludlow on local streets with additional casino related traffic passing through Ludlow on I-90. Given this volume of traffic, it is reasonable to assume that Ludlow Police interact with casino patrons and employees in their regular duties. As noted in their application, Ludlow police recently arrested an individual on drug charges who stated he was coming from the MGM Casino.

**Staff Recommendation**

MGC Staff recommends that the Commission approve Ludlow's request to use its \$100,000 Reserve for the purposes outlined in its application. Following the Commission's approval, Commission staff will execute the necessary grant agreement with Ludlow.

TO: Chair Cathy Judd-Stein and Commissioners Eileen O'Brien, Gayle Cameron, Nakisha Skinner, and Bradford Hill

FROM: Joseph Delaney and Mary Thurlow

CC: Karen Wells, Executive Director, Todd Grossman, General Counsel, Lily Wallace, Program Assistant

DATE: March 25, 2022

RE: **2022 Community Mitigation Fund Workforce Development Grant Applications**

This memorandum provides an analysis of the Workforce Development Program applications for funding under the 2022 Community Mitigation Fund ("2022 CMF"). Copies of the applications can be found at <https://massgaming.com/about/community-mitigation-fund/> . The following Workforce Grant Applications were received during the 2022 Grant round:

- **Work Ready 2022** – Holyoke Community College, Springfield Technical Community College and the Springfield Public Schools; and
- **Metro Boston Regional Gaming and Hospitality Consortium (MBRGHC)** – MassHire Metro North Workforce Board and the City of Boston's Workforce Development.

The Community Mitigation Fund Review Team ("Review Team") reviewed the applications to ensure that the applications are compliant with the 2022 CMF 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. Numerous meetings were held by the Review Team to ensure a thorough review of every application.

**Holyoke Community College - Work Ready 2022**

**Summary:** Holyoke Community College (HCC) in collaboration with Springfield Technical Community College (STCC) and Springfield Public Schools (SPS), request \$500,000 to continue the Work Ready program funded by the CMF for the last 4 years with a goal of upskilling the local workforce and closing education gaps.

**Analysis:** The Review Team recommends full funding of this project in the amount of \$500,000.

STCC will continue Hampden Prep emphasizing job readiness, entry-level skills development and increasing reading, comprehension, and math skills. SPS will continue Ahead of the Game, focusing on advancing students through adult basic education courses

(including ESOL programming) and completing their GED/HiSET tests. HCC will continue offering culinary training.

The 2022 proposal indicates the elevated need for culinary training in connection with the decline in the hospitality labor pool (supply gap of cooks in the region with 500+ projected cook openings in the region) and MGM Springfield's anticipated 70+ restaurant openings, including at least 25 for cooks. HCC proposes to train 5 cohorts of 12 students (60 total) in their Line Cook Training program which will include a new component of virtual mock interviews using MGM's HireVue system, and ServSafe certification.

The casino requires a minimum of high school diploma for all jobs, and states that a lack of interview skills, workplace etiquette and digital literacy have created barriers in hiring and high turnover. Both the SPS and STCC programming target those aspects, focused on attaining high school equivalency (HSE), digital literacy, ESOL and soft skills for employment. SPS aims to train 100 low-skilled, low-income adults, with Hampden Prep looking to reach an additional 80-100. Hampden prep will also offer an accelerated, 4-week preparation class for the HSE exam. ServSafe, OSHA 10, and Guest Service Gold certificates are also available for students interested in hospitality careers.

HCC's proposal also includes funding for two part-time Assistant Project Coordinators (one dedicated to the culinary training program) to enhance recruitment efforts and cross-referrals, coordinate the partners, and assist with data and reporting.

### **Metro Boston Regional Gaming and Hospitality Consortium (MBRGHC)**

**Summary:** MassHire Metro North and the City of Boston request \$500,000 to continue the Metro Boston Regional Gaming and Hospitality Consortium grant programming, which enables local unemployed and under-employed individuals with an interconnected pipeline of services via several community partners in Greater Boston.

**Analysis:** The Review Team recommends full funding of this project in the amount of \$500,000.

This year's range of services proposed include ESOL training (some contextualized), occupational skills training, digital literacy, and general career counseling/job readiness. Programming is provided to support an individual's needs utilizing cross-referrals and ensuring transportation, technology and affordability are not barriers.

The 2022 proposal has new partnerships and programs which align with the workforce needs of the region and Encore Boston Harbor. The community partners include the Boston Chinatown Neighborhood Center, Boston Education, Skills and Training (BEST) Corporation, La Colaborativa, Community Works Services (CWS), International Institute of New England (IINE), Somerville Community Corporation (SCC) and the YMCA of Greater

Boston (YGB). They will continue to offer ESOL instruction (including some contextualized training), a focus on the digital literacy and technology, BEST's hospitality/housekeeping pre-apprenticeship program, general career counseling, soft skills and job readiness. New components added to the programming due to the addition of new partnerships include an environmental cleaning/buildings and grounds training program through CWS, (as well as hospitality and culinary training programs), The "Ready, Set, Serve!" hospitality training program from IINE, a culinary specialization program from the YGB and the addition of the First Source Jobs Program with SCC.

Since the casino's re-opened from the Covid shutdown, there has been a continuous need for all categories of workers, but particularly in the food and beverage and hospitality related industries. This application strategically targets the need for a large pool of hospitality workers required for the casino, and the Greater Boston hospitality industry, utilizing interconnected pathways for training and upskilling workers to access a variety of jobs in the sector.