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## Massachusetts Gaming Commission Meeting Minutes

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**Date/Time:** January 27, 2022, 10:00 a.m.  
**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
PARTICIPANT CODE: 112 331 1748

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 Bradford Hill  
Commissioner Eileen O'Brien

### **1. Call to Order ([00:02](#))**

Chair Judd-Stein called to order the 368th Public Meeting of the Massachusetts Gaming Commission. Roll call attendance was conducted, and all four commissioners were present for the meeting.

### **2. Approval of Meeting Minutes ([00:38](#))**

a. January 12, 2022

Commissioner O'Brien moved approve the January 12, 2022, Public Meeting minutes, included in the meeting packet, subject to necessary changes for typographical errors or edits.  
Commissioner Cameron seconded.

*Roll Call Vote:*

*Commissioner Cameron: Aye.*  
*Commissioner O'Brien: Aye.*  
*Commissioner Hill: Aye.*  
*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

### **3. Administrative Update ([01:24](#))**

#### **a. On-Site Casino Updates ([01:40](#))**

Executive Director Karen Wells introduced Assistant Director of the Investigations & Enforcement Bureau Bruce Band to give a report about the three gaming establishments. Assistant Director Band reported that MGM's companywide loyalty program M Life is being changed to "M Rewards," to include more amenities for casino patrons. MGM Springfield is also opening their South End Market to people under 21 years of age. MGM is also in the process of relocating their GameSense center to another location in their establishment. There were not any updates related to Plainridge Park Casino.

Assistant Director Band continued that Encore Boston Harbor ("EBH") is preparing to re-open their poker tables Monday through Thursday, 10 p.m. to 8 p.m. Commissioner O'Brien inquired as to how many tables would be included at EBH when it would re-open. Mr. Band reported 12 tables would be restored. Chair Judd-Stein then asked how many poker tables MGM had resumed, and Director Band stated they likewise had 12 tables. In response to the Chair's question Director Band confirmed that 50 jobs at the MGM property were restored when they re-opened their poker tables earlier this year.

Commissioner Cameron inquired about the GameSense center relocation at MGM. Executive Director Wells confirmed that the relocation was a collaboration between Research and Responsible Gaming Director Mark Vander Linden and the MGM staff to find a more optimal location for patrons. Commissioner O'Brien asked Director Band if EBH intended to ramp up the number of poker tables and how many other casinos such as Mohegan Sun offered. Director Band did not know the future plans in that regard or the current numbers at Mohegan Sun.

*Later in the meeting, Assistant Director Band was provided with information that 22 dealers and 25 supervisors- across 12 tables- would be returning to work upon the EBH table games re-opening, for a total of 47 jobs. (11:18)*

**b. Covid-19 Updates (06:08)**

Executive Director Wells reported that the re-opening date of the Boston office was tentatively set for February 14th, but that there is a public meeting on the February 12<sup>th</sup>, to discuss this date if there are recommended changes. The Return-to-Work Group is meeting regularly, and monitoring cases, and the positivity rate while planning its re-opening efforts. Executive Director Wells explained that the data will contribute to both re-opening efforts, as well as mask-wearing determinations made by the Commissioners.

Commissioner Cameron, as a member of the Working Group, explained that the group is keeping a close eye on the most current numbers and is going to make their decision as close to the tentative date as possible, while also trying to provide a certain date so that staff has adequate time to prepare. Commissioner Cameron discussed the value of having a meeting and providing a certain date as February 14th approaches. Commissioner O'Brien, who also sits on the Working Group, confirmed that they are tracking the numbers and will try to provide people with as much notice as possible, but that a meeting may need to be convened as the re-opening date draws closer.

**c. MGC IT Equipment International Travel Policy (12:09)**

Executive Director Wells introduced Chief Information Officer Katrina Jagroop-Gomes and provided a summary of the Commission’s International Travel policy. Best practices for use of equipment include using equipment safely and protecting users’ security while they are traveling. The IT Department, in conjunction with Executive Director Wells sought the Commission’s approval of the policy before its implementation. CIO Jagroop-Gomes shared that depending on the risk rating of the country, it may not be feasible for a staff member to take their equipment with them. Chair Judd-Stein inquired as to how much notice would be required to inform the MGC IT Department before a staff member travels abroad with their equipment. Senior Engineer Kevin Gauvreau confirmed that two weeks' notice would be optimal for the department.

Commissioner Hill moved that the Commission adopt the IT Equipment International Travel Policy. Commissioner O’Brien Seconded.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O’Brien: Aye.*

*Commissioner Hill: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

*The Travel Policy is included in the Commissioner’s Packet on pages 6-8.*

**d. MGC Security Awareness Training and Testing Policy (16:30)**

Next, Executive Director Wells provided a summary of the Commission’s Security Awareness Training and Testing Policy. Director Wells explained that the training would serve as an internal mechanism to ensure a reduction of errors. Director Wells clarified that the policy includes the Commissioners in the training and testing mechanisms, however it does not reference or include Commissioners in the penalty provisions of the policy, as the statute does not provide that authority. She then turned the presentation over to CIO Jagroop-Gomes for questions from the Commissioners.

CIO Jagroop-Gomes further emphasized that the training was intended to be inclusive of modules on data, personally identifying information (“PII”), security, exercises for users to recognize attempts to steal data, otherwise known as “phishing,” and would also include intermittent assessment of Commission employees. She elaborated that a Security Awareness Training and Testing policy is continual and intended to serve as an ongoing reference point.

With that, Commissioner Cameron moved that the Commission adopt the Security Awareness Training and Testing Policy. Commissioner O’Brien Seconded.

*Roll call vote:*

*Commissioner Cameron: Aye.*

Commissioner O'Brien: Aye.  
Commissioner Hill: Aye.  
Chair Judd-Stein: Aye.

*The motion passed unanimously.*

*The Security Awareness Training and Testing policy is included in the Commissioner's packet on pages 9-15.*

**4. Racing Division ([21:25](#))**

**a. Update on Suffolk Downs Compliance with City of Boston "Be Together" COVID Vaccine Requirement**

Dr. Lightbown reported that the city of Boston's vaccine mandate has been implemented at Suffolk Downs Racecourse. Patrons are required to be fully vaccinated with two doses by February 15, 2022. Businesses are required to post information about the policy and check patrons and employees as they enter the property. Suffolk has been compliant in this effort. Dr. Lightbown reports that thus far, there have been no major issues, but the property has had some patrons turned away. She added that proof of vaccination can be shown by patrons on paper documentation, or via their smartphones. Suffolk also has an equitable vaccine implementation to ensure that patrons are not being excluded based on race, ethnicity, or national origin. Dr. Lightbown shared the website for more information on the vaccination policy in her presentation as well, [Introducing B Together | Boston.gov](#)

**b. 2020 Plainridge Park Racecourse Unpaid Winnings ([24:15](#))**

Dr. Lightbown began her next presentation on unpaid winnings by explaining that a patron has one calendar year to cash-out or redeem a ticket from the date of their winning, and these unpaid winnings amounts were from 2020. Dr Lightbown and Senior Analyst Chad Bourque requested a vote for \$93,620.08 to be returned to the Commission, and that the CFAO be authorized to deposit such funds into the purse account at Plainridge in accordance with G.L. c. 128A, section 5A.

Commissioner Hill moved approve the amount of \$93,620.08 as the unclaimed winnings from the calendar year 2020 at Plainridge Park as described in the memorandum in the Commissioners' Packet. Commissioner Cameron Seconded.

*Roll call vote:*

Commissioner Cameron: Aye.  
Commissioner O'Brien: Aye.  
Commissioner Hill: Aye.  
Chair Judd-Stein: Aye.

*The motion passed unanimously.*

*Unclaimed Winnings from Plainridge Racecourse are detailed in Commissioners' Packet, on pages 16, and 20.*

**c. 2020 Suffolk Unpaid Winnings ([27:13](#))**

Dr Lightbown stated that there were \$90,864.66 in unclaimed winnings from Sterling Suffolk Racecourse in 2020. She asked that the Commission vote to return the funds to the Commission and that the CFAO be authorized to deposit such funds into the purse account at Sterling Suffolk in accordance with G.L. c. 128A, section 5A.

Commissioner Cameron moved that the Commission approve the amount of \$90,864.66 as the unclaimed winnings from the calendar year 2020 at Sterling Suffolk Racecourse as described in the memorandum in the Commissioners' Packet. Commissioner Hill seconded.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

*Unclaimed Winnings from Sterling Suffolk Racecourse are detailed in Commissioners' Packet, on pages 17, and 20.*

**d. 2020 Wonderland Park Unpaid Winnings ([29:25](#))**

Dr. Lightbown stated that there were \$1,740.02 in unclaimed winnings at Wonderland Park in 2020 and requested a vote to return these funds to the Commission and that the CFAO be authorized to deposit the funds to the Racing Stabilization Fund Pursuant to G.L. c. 128, section 5a. Commissioner O'Brien inquired about the use of a Racing Stabilization Fund instead of a purse account for this action. Dr. Lightbown explained that there was a statutory requirement to pay into the Greyhound Racing Stabilization Fund.

Commissioner O'Brien moved that the Commission approve the amount of \$1,740.02 as the unclaimed winnings from the calendar year 2020 at Wonderland as described in the memorandum in the Commissioners' Packet. Commissioner Hill Seconded.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

*Unclaimed Winnings from Wonderland Greyhound Park are detailed in Commissioners' Packet, on page 18, and 20.*

**e. 2020 Raynham Park Unpaid Winnings ([31:10](#))**

Dr. Lightbown stated that there were \$117,920.92 in unclaimed winnings at Raynham/Taunton track in 2020 and requested a vote to return these funds to the Commission and that the CFAO be authorized to deposit the funds to the Racing Stabilization Fund.

Commissioner O'Brien moved that the approve the amount of \$117,920.92 as the unclaimed winnings from the calendar year 2020 at Raynham/Taunton as described in the memorandum in the Commissioners' Packet and discussed at the meeting, and further that upon receipt of the funds, the CFAO be authorized to deposit such funds into the Racing Stabilization Fund. Commissioner Cameron Seconded.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

*Unclaimed Winnings from Raynham Taunton Massasoit Greyhound Associations are detailed in Commissioners' Packet, on pages 18, and 20.*

**f. Authorization for CFAO to Pay Out Funds Once Approved by Commission ([33:06](#))**

Dr. Lightbown explained that item had been approved by the previous votes based on the motions made by the Commissioners in items a through e.

**5. Research and Responsible Gaming ([33:48](#))**

**a. Assessment of the Casinos' Impacts on Operating Under the Influence (OUI) and OUI-Involved Traffic Collisions – Christopher Bruce, Crime Analysis Consultant**

Marie-Claire Flores-Pajot, Research Manager of the Responsible Gaming Division, offered introductory remarks of the report furnished by the Division titled *Assessment of the Casinos' Impacts on Operating Under the Influence (OUI) and OUI-Involved Traffic Collisions* to examine the relation of Casinos and rates of Operating Under the Influence. Ms. Flores-Pajot introduced Christopher Bruce, Crime Analysis Consultant and thanked him for all the work he has done for the Commission since 2015. Mr. Bruce has produced 14 reports for the Commission since 2015, and this will be his final report for the Commission. Commissioner Cameron and Commissioner O'Brien also extended their gratitude to Mr. Bruce for his collaborative working

style with multiple police divisions, commitment to public safety in the Commonwealth, as well as his dedication to providing accurate and high-quality work products.

Mr. Bruce then began his presentation on the report's findings and explained the three data sets utilized in the report: (1) Agency complaints for OUI occurring as arrests and summons; (2) last drink locations as reported at adjudication; and (3) [motor vehicle] crashes involving impaired driving.

Mr. Bruce concluded his presentation by stating that OUI rates are consistent with rates of casino attendance. Commissioner O'Brien inquired about the "last drink question" being asked in guilty dispositions in court. Commissioner Cameron thanked Mr. Bruce and inquired about the information in the report about the bias of large locations and its impact on his research. Mr. Bruce clarified that it does not affect the overall research, but that it does affect the ranking of the top 10 locations cited, as there are more patrons in those locales as well.

*Mr. Bruce's presentation on the report, "Assessment of the Casinos' Impacts on Operating Under the Influence (OUI) and OUI-Involved Traffic Collisions" is included in the Commissioner's Packet on pages 21-35. The Report is included on pages 36 - 59*

*Meeting Suspended for Lunch. Parties Reconvene at 12:26PM*

## **6. Community Affairs Division ([2:24:00](#))**

Joe Delaney, Chief of Community Affairs Division, and Mary Thurlow, Senior Program Manager, introduced three community mitigation fund reserve applications that were submitted to the Commission prior to the end of 2021.

### **a. Community Mitigation Fund Reserve Applications**

#### **i. Cambridge ([2:25:10](#))**

Mr. Delaney presented a request from the City of Cambridge to make use of \$100,000 of its allocated reserve funds for the expansion of the Blue Bikes program in two locations in East Cambridge for the promotion of alternative transportation methods, including associated program costs.

Commissioner O'Brien moved that the Commission approve the use of \$100,000 of reserve funds by the City of Cambridge for the expansion of the Blue Bikes program in two locations in East Cambridge for the promotion of alternative transportation methods as discussed at the meeting and described in the materials in the Commissioners' Packet. And, further, that Commission staff be authorized to execute all necessary grant instruments commemorating this award in accordance with 205 CMR 153.04. The motion was seconded by Commissioner O'Brien.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

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

*A summary memorandum and full application are included in the Commissioner's Packet on pages 60 – 67.*

ii. **East Longmeadow** ([2:30:25](#))

Chief Delaney presented a request from the Town of East Longmeadow to make use of \$100,000 of its allocated reserve funds for development of an online resource portal for business development and permitting assistance, including associated project costs. Commissioner O'Brien inquired as to why the amount of the request was originally \$70,000. Chief Delaney clarified that the applicant was originally reluctant to apply for the full grant amount out of concern that they may not be able to spend it within the required period. After clarification to the requestor by Chief Delaney, they were encouraged to apply for the full \$100,000 grant which is shown in the memo included in the Commissioner's Packet.

Commissioner Cameron moved that the Commission approve the use of \$100,000 of reserve funds by the Town of East Longmeadow for development of an online resource portal for business development and permitting and associated project costs as discussed at the meeting and described in the materials in the Commissioners' Packet. And, further, that Commission staff be authorized to execute all necessary grant instruments commemorating this award in accordance with 205 CMR 153.04. The motion was seconded by Commissioner O'Brien.

*Roll call vote:*

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

*A summary memorandum and the full application are included in the Commissioner's Packet on pages 68 – 77.*

iii. **Longmeadow** ([2:37:23](#))

Chief Delaney presented a request from the Town of Longmeadow to make use of \$96,279.66 of its allocated reserve funds for the final redesign and engineering of the Route 5 corridor, which serves as a commuting corridor connecting different communities to I-91, as well as a substantial amount of traffic to and from the MGM Springfield casino property.



Commissioner Hill moved that the Commission approve the use of reserve funds by the Town of East Longmeadow to make use of \$96,279 of its allocated reserve funds for the final redesign and engineering of Route 5 corridor which serves as a means of traffic to and from the casino property as well as for associated project costs as discussed at the meeting and described in the materials in the Commissioners' Packet. And, further, that Commission staff be authorized to execute all necessary grant instruments commemorating this award in accordance with 205 CMR 153.04. The motion was seconded by Commissioner O'Brien.

*Roll call vote:*

*Commissioner Cameron: Aye.*  
*Commissioner O'Brien: Aye.*  
*Commissioner Hill: Aye.*  
*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

*A summary memorandum and the full application are included in the Commissioner's Packet on pages 78 – 85.*

**7. Hiring Authority Policy ([2:41:54](#))**

Executive Director Wells presented on the Commission's Hiring authority policy, that is to be read in conjunction with section 1.03 of the Commission's Human Resources Policy Manual, and intended to clarify the authority of the Executive Director to make certain hiring decisions. Executive Director Wells and Commissioner O'Brien provided a memo that was included in the Commissioners' Packet on pages 86 and 87. Commissioner Cameron expressed her gratitude to Commissioner O'Brien and Executive Director Wells for their work in drafting and codifying the policy.

Commissioner O'Brien moved that the Commission approve the Hiring Authority policy included in the Commissioners' Packet and discussed at the meeting. Commissioner Cameron Seconded.

*Roll call vote:*

*Commissioner Cameron: Aye.*  
*Commissioner O'Brien: Aye.*  
*Commissioner Hill: Aye.*  
*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

**8. Executive Director Annual Review ([2:45:35](#))**

Commissioners engaged in thoughtful discussion of the annual performance of Executive Director Wells. Chair Judd-Stein explained that by statute, compensation of the Executive Director must be openly discussed. Commissioner O'Brien provided an updated memorandum from the HR Department regarding the process of evaluation of the Executive Director. Executive Director Wells also performed a self-evaluation as well. Commissioners thanked

Executive Director Wells for her performance over the past year and expressed gratitude for her diligence during a very trying time.

Next, Commissioners engaged in thorough discussion on compensation, which included, past compensation of prior Executive Directors, other independent state agencies, as well as executive directors across other gaming jurisdictions. As discussed, salary ranges across these other organizations vary from \$129,600 to \$207,400. Ms. Wells' existing salary is \$185,000. Commissioner O'Brien shared comparable compensation of Executive Director roles at the POST and Cannabis Commissions for reference as well as clarification that MGC employees and staff received a 4% increase retroactive to the fiscal year. It was noted, however, that Executive Director Wells did not receive this increase; had she, her salary would have been \$192,750.

After lengthy discussion amongst the Commissioners, Commissioner O'Brien moved to adjust Executive Director Wells' salary beginning January 1, 2022 to \$207,400, as well as providing her a retroactive adjustment to her salary from January 1, 2021, totaling \$11,446.00. Commissioner Cameron Seconded.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

**9. Commissioner Updates ([3:34:28](#))**

**a. Review of job description for Executive Assistant to the Commissioners**

Chair Judd-Stein opened a discussion relative to the details of the job description as well as the prospective salary range for the position of Executive Assistant to the Commissioners. The commissioners were comfortable with the job description itself but recognized that the salary range had to be established in advance of posting the position publicly. By consensus after initial discussion amongst Commissioners, it was agreed that Chair Judd-Stein and Commissioner O'Brien would work with staff to develop a reasonable range before posting the position publicly. Commissioners agreed that this would be the best way to move this issue forward.

**10. Other Business ([3:38:58](#))**

Commissioner Cameron moved to adjourn the meeting. The motion was seconded by Commissioner. O'Brien.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

The meeting was adjourned.

**List of Documents and Other Items Used**

1. Revised Notice of Meeting and Agenda dated January 26, 2022
2. Revised [Commissioners' Packet](#) from the January 27, 2022
3. Meeting Minutes – January 12, 2022