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## Local Community Mitigation Advisory Committee Region B Meeting Minutes

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**Date/Time:** November 13, 2018 – 2:00 p.m.

**Location:** UMass Center at Springfield  
Tower Square, 1500 Main Street  
Springfield, MA 01115

### **Members**

**Present:** Jill McCarthy Payne, Chair    Steven Marantz  
Ellen Patashnick                      Kate Kane  
Judith Theocles                        Timothy Brennan  
Andrew Smith                         Jennifer Bonfiglio  
Carmina Fernandes

### **Members**

**Absent:** Richard Sullivan  
Greg Chiecko  
Denise Menard

**Attendees:** John Ziemba                      Mary Thurlow                      Jose Delgado  
Joe Delaney                                      Bruce Stebbins                      Todd Grossman  
Shara Bedard

### **Ethics Training**

2:00 p.m.      Todd Grossman, Deputy General Counsel, presented the Conflict of Interest Training for Special State Employees to the attendees.

### **Call to Order**

2:12 p.m.      Jill McCarthy Payne, Chair, called the meeting to order once quorum was reached, and introduced herself. She asked that everyone present introduce themselves.

### **Approval of Minutes**

2:15 p.m.      *The Chair moved to approve the minutes from October 16, 2018. Ellen Patashnick seconded the motion. The motion was approved unanimously.*

## **Election of Chair and Representative of the Subcommittee on Community Mitigation**

2:16 p.m. *The Committee voted for a Chair for the LCMAC Region B. A motion was made to re-elect Jill McCarthy-Payne as Chair. Timothy Brennan seconded the motion.  
The motion passed unanimously.*

*Kate Kane, representing the Springfield Chamber of Commerce nominated Carmina Fernandes, representing Ludlow to be the Region B Representative of the Subcommittee on Community Mitigation. Ellen Patashnick seconded the motion.  
The motion passed unanimously.*

## **Review of Draft 2019 Guidelines**

2:30 p.m. Ombudsman Ziemba reviewed the draft guidelines with the Committee members, stating that the draft guidelines will go back before the Commission for approval at the December 6, 2018 Commission meeting. Prior to that, there will then be a public comment period that will last through November 19, 2018. He encouraged the members to participate. Upon approval, the Commission will post the guidelines on COMMBUYS procurement record system for the Commonwealth.

The Ombudsman continued, reviewing recommendations made from the previous guidelines. One of the suggestions related to the splitting of funds between the regions. Last year, the Commission included a statement of intent to split funds. Now, there is a proposal for the actual system to split funds during the upcoming year. This proposal would divide the \$5.2 million in remaining dollars that were put into the fund initially from the license fees from the Category 1 and Category 2 licensees. He then explained how a portion of the new taxes generated from MGM Springfield are going into the Mitigation Fund as well.

The Commonwealth is currently in the middle of a comment period regarding a resort casino in Region C. If a project is approved, the Region C licensee would also pay into the mitigation fund.

It was noted that, in the previous year, the treatment of excess funds (e.g. the amount of grants awarded is less than the budgeted spending target) that remain in a region after grants are awarded was discussed. Both regions were concerned about the needs of their areas. A three- year allocation was proposed. The Chair asked if there is a requirement to spend any excess funds first in the following year, before spending under new allocations.

Steven Marantz, representing Longmeadow asked if the communities could create new applications to spend the money that was not spent previously.

Transportation construction projects were discussed. Mr. Ziembra noted that look back studies will be conducted in Region B. Because the results of these studies are not yet know, he noted that there is reason for hesitation in paying for very expensive transportation construction projects.

Thus, the proposal is for the Mitigation Fund to continue to pay for design and permitting of transportation projects, but not the construction of such projects.

The Ombudsman stated that there is currently a proposal in Region A (that is well-supported) for a pedestrian bridge that will connect the Assembly Square T stop and Encore Boston Harbor. This project was the genesis of a proposal to create a new category of grants called transit projects of regional significance that could benefit all of the regions. If there is a project that can have further connections between a facility and local transit, the Commission would consider that application. Under the proposal in the draft, any successful applicant would have to apply each year for funding for projects that involve multiple years.

The Ombudsman stated that connections to transit are essential for economic development and that increasing transit opportunities are generally always good for the environment. He then requested feedback from Committee members on the project. Timothy Brennan commented that transit expansion was previously proposed under the Gaming Economic Development Fund (an Expansion of the Pioneer Valley Transit Authority [PVRTA] service). Since the time of the proposal, the PVRTA was forced to cut 20% of its service to the public. Therefore, Mr. Brennan proposed looking for more stable, enhanced funding. He stated that he is in favor of the pedestrian bridge especially for transit dependent people as well as the economy.

Jose Delgado, representing MGM Springfield commented that the most challenging issue in processing applications for funds is the obligation to establish a connection to a casino, and look back studies will determine the impacts to see if there is a connection to the casino also. Ombudsman Ziembra mentioned the Commission's Mitigation Web page to Mr. Delgado and stated that members could observe all allocations that have been made so far.

The Ombudsman stated that in general, Encore Boston Harbor has been in construction this whole year. Therefore, the Commission continues to be conservative with their approach for targets for the upcoming year.

The Commission added a non-transportation planning grant last year, where one can use the funds to mitigate an impact or use it for planning. It is recommended that this grant category should be included again this year.

However, the guidelines specify that the funds can be used for technical assistance for impacted businesses (groups of businesses). These are public funds and must serve a public purpose. The Commission continues to monitor impacts and felt it was a sound proposal for business impacts.

Ombudsman Ziemba summarized the Workforce Development Pilot Program Grant category. He asked that if communities have any comments about the level of funds being allocated toward this grant, to please submit feedback so it can be brought to the Commission.

### **Next Steps**

3:15 p.m. The Committee should have a meeting in the first quarter of next year to see if any impacts are ascertainable from Springfield. The Ombudsman stated that he is looking for some direct reports or a presentation from MGM Springfield. Also, the Committee should begin focusing on operational impacts and determine what to focus on for the next year. All of the impacts will be evaluated, as there is a need to start looking at all of the policies being discussed, such as housing and schools, when there is data.

Commissioner Stebbins commented that he would like Mark Vander Linden, Director of Research and Responsible Gaming to come in with his research team to conduct a presentation on this data. He then commented on the success of workforce pilot programs and suggested that perhaps some of those folks could come in as well.

3:37 p.m. *There being no further business, the Chair made a motion to adjourn. Kate Kane seconded the motion.  
The motion passed unanimously.*

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

1. Notice of meeting and agenda, posted November 8, 2018
2. Meeting Minutes from the October 16, 2017 meeting
3. State Ethics Commission Documents
4. Draft 2019 Community Mitigation Fund Guidelines
5. M.G.L. c. 23K § 6
6. LCMAC – Region B Committee Member Contacts

/s/ Shara N. Bedard  
Secretary