



Massachusetts Gaming Commission Meeting Minutes

Date/Time: May 25, 2022, 10:00 a.m.

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 112 526 6753

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 Eileen O'Brien
Commissioner Brad Hill
Commissioner Nakisha Skinner

1. [Call to Order](#) (0:29)

Chair Judd-Stein called to order the 380th public meeting of the Massachusetts Gaming Commission. Roll call attendance was conducted. Commissioners O'Brien, Hill, and Skinner as well as Chair Judd-Stein were all present. Before proceeding, Chair Judd-Stein explained to participants that the agenda had been updated, and that a presentation from the Research and Responsible Gaming Division, would not go forward today to accommodate some scheduling changes of other presentations.

2. [Approval of Meeting Minutes](#) (4:09)

Commissioner Hill confirmed there were no minutes to approve for today's meeting.

3. [Administrative Update](#) (4:25)

a. On-site Casino Updates

Executive Director Wells introduced Bruce Band, Assistant Director of Investigations & Enforcement Bureau and Gaming Agents Division Chief, to provide an onsite Casino Update. Assistant Director Band reported that construction had begun at MGM Springfield to move the

GameSense center to its new location within the gaming establishment. Assistant Director Band also shared that Encore Boston Harbor will increase its poker room from 13 tables to 15 tables, and making the necessary staffing adjustments. The Commission thanked Director Band for his report.

4. [Research and Responsible Gaming](#)

- a. “Bridging the Research to Practice Gap: Context Matters! Understanding the Life Circumstances of Hispanic Residents of a Casino Neighborhood.” - Dr. Rodolfo R. Vega

Chair Judd-Stein explained that this matter had been rescheduled to a future Public Meeting due to existing scheduling conflicts.

5. [Community Affairs Division](#) (6:08)

- a. [MGM Springfield Quarterly Report](#) (6:25)

Joe Delaney, Community Affairs Division Chief, introduced the following MGM Springfield representatives to present their first quarter report: Daniel Miller, Director of Compliance; Arlen Carballo, Executive Director of Finance; and Gus Kim, General Counsel. MGM Springfield’s quarterly report is included in the Commissioner’s packet on pages 1 through 20.

Ms. Carballo provided an update on the first quarter finances of MGM Springfield, including gaming revenues, lottery sales, vendor diversity, and a breakdown of expenditures on minority, women, and veteran businesses. Mr. Miller presented on the compliance issues in quarter one, including the number of minors intercepted in the gaming area and prevented from gambling. Mr. Miller shared that the number this quarter was 80 % lower than the number of minors intercepted and prevented from gambling in the first quarter of 2020. Mr. Miller was happy to report that no minors were served alcohol during the first quarter reporting period.

Commissioner O’Brien requested Licensee to begin to differentiate between underage patrons (under 21) and minors (under 18) in their reports to the Commission moving forward. Mr. Miller confirmed. Commissioner Skinner inquired about the instances on page 10 of the presentation regarding how long an underage patron was on the floor before being intercepted. Mr. Miller stated that the figure provided was an average, with the shortest and longest times reported as outliers. He confirmed that they could also provide median data in the future. Commissioners agreed that this figure would be useful. Mr. Miller then provided an update on the “Play My Way” program at MGM Springfield which launched March 31st. Mr. Miller shared that over 1,700 patrons had enrolled in the program, and over 99.7% of patrons continued to use and stay enrolled in the program.

General Counsel Kim provided an update on 31 Elm Street project; sharing that MGM had fulfilled its 16-million-dollar commitment to the project. He also shared the Springfield City Council had approved the funding gap, and that construction was moving forward at the site. Commissioner Hill asked Mr. Kim if the convention centers in town had been receiving more

requests for use with the rollback of COVID-19 safeguards. Mr. Kim shared that both convention centers in Springfield appear to be coming back online and that the MGM Convention Center had been booking out nearly every single month for use by trade shows. Chair Judd-Stein asked Mr. Miller if he could provide an update on the poker room. Mr. Miller shared that MGM Springfield had increased from 12 to 14 tables in their poker rooms approximately two to three weeks ago. Mr. Miller added that MGM's poker room added an additional hour of operation in the morning; now opening at 10 am and closing at 3 am daily. Chair Judd-Stein asked if the licensees could provide an updated number of the amount all table games in the gaming establishment after the reopening. Ms. Carballo confirmed she would send the Commission an update shortly after the meeting. Mr. Miller also updated the Commissioners regarding an ongoing initiative to provide 24-hour table game service, which would also increase the number of jobs available at the licensees.

The Commission thanked MGM Springfield for their presentation and asked to be updated regarding the progress of the 31 Elm Street project.

b. [Encore Boston Harbor Quarterly Report](#) (33:17)

Chief Delaney then introduced: Jacqui Krum, Senior Vice President, and General Counsel; Juliana Catanzariti, Executive Director of Legal; and Damien O'Riordan, Executive Vice President of Operations to present their first quarter report. The Report was also inclusive of a special discussion and presentation on accessibility by David D'Arcangelo, Commissioner of Massachusetts Commission for the Blind. Encore Boston Harbor's quarterly report is included in the Commissioner's packet on pages 21 through 49.

Ms. Catanzariti presented a fiscal overview of the first quarter, including gross gaming revenue, lottery sales, and workforce spend. Ms. Cantanzariti shared that 90% of the Encore Boston Harbor ("EBH") workforce were Massachusetts residents; 46% of employees were minorities; 44% were female; and 6% were veterans. She added that 8% of the 20-million-dollar discretionary spend in the first quarter was spent with minority business enterprises; 2% with veterans and 14% was spent with women-owned business enterprises. Commissioner O'Brien inquired what efforts EBH had been utilizing to reach their intended goal of 50% female employees. Ms. Krum shared that EBH has approximately 200 open positions, and that they are focusing on attracting more women to apply for them. She elaborated that EBH is partnering with local community groups and local trade organizations to reach additional communities. Commissioner O'Brien subsequently inquired about the type of positions offered at EBH. Ms. Krum clarified that many of the positions were in food and beverage industry, but that when the conventions return to the premises, the flexibility of those positions will appeal to women who have childcare needs and are able to rejoin the workforce. Chair-Judd Stein asked if the childcare center was available for EBH employees, and Ms. Krum confirmed that spots were still available for employees' children during work hours.

Moving next to compliance, Ms. Cantanzariti shared those 13 underage patrons were intercepted on the gaming floor during the first quarter. She also differentiated how many minors (under 18) versus underaged people (under 21) for the Commissioners within the presentation.

From there, Ms. Krum provided an update on the ticket redemption units where patrons - seeking to redeem their tickets for cash - could select one of four charitable organizations, to donate the remaining change to. Ms. Krum shared that the feature was quite popular, and that the gaming establishment will rotate in new organizations that patrons can select on July 1st. Ms. Krum also provided a short update on the project developing on East Broadway; explaining that they are continuing to work on the design and layout of the pedestrian bridge and aim to submit their materials by mid-June. Mr. O’Riordian also shared the positive news that EBH had been named a five-star hotel and spa by Forbes. Commissioners and Chair Judd-Stein congratulated Mr. O’Riordian, and the entire EBH team and staff for their incredible efforts.

Commissioner D’Arcangelo then provided an update on the available accommodations for the Visually Impaired at Encore Boston Harbor both during the check-in process to the hotel and within guest accommodations. On the casino floor, staff are available to assist during table game play by reading card and tile values to guests, and by announcing the outcome of a decision where a visually impaired guest has made a wager. Commissioners thanked EBH and Commissioner D’Arcangelo for their presentations and contributions.

Commissioners took a short recess for 5 minutes. Meeting [resumed](#). All Commissioners were present.

c. [Community Mitigation Fund Applications](#) (01:31:35)

Chief Delaney then provided a brief overview of the Community Planning applications received by the Community Mitigation Fund’s Review Team (“Review Team”). The Division provided the Commissioners with a summary memorandum of the applications received, inclusive of their analysis and recommendation for whether the Commission should approve or deny the application. The memorandum is included in the Commissioners’ Packet on pages 50 through 61. Chief Delaney presented the following applications:

- i) Everett – Industrial District Design – \$100,000

Chief Delaney and the Review Team recommended that the Commission award the full amount of \$100,000 to the City of Everett to refine zoning policies and develop design guidelines in the Industrial District.

- ii) Foxborough/Plainville/Wrentham – Regional Destination Marketing – \$136,000

Chief Delaney explained that intent of this initiative is to attract visitation to the region by leveraging the presence of three major draws – Plainridge Park Casino (PPC), Wrentham Village Premium Outlet Mall and Patriot Place/Gillette Stadium. Chief Delaney and the Review Team recommended awarding the full amount of \$136,000 to Foxborough, Plainville and Wrentham to further develop a regional marketing initiative.

- iii) Lynn – Marketing Campaign (*withdrawn*) – \$100,000

Chief Delaney clarified to the Commission that Lynn had withdrawn its application for a 2022 Community Planning Grant.

iv) Malden – Arts Center – \$100,000

The City of Malden requested \$100,000 to perform a study to convert the former Malden District Courthouse into the Malden Center for Arts & Culture. The ultimate reuse of the courthouse is aimed at attracting new visitors to Malden Center and creating a ripple effect by encouraging new visitors to patronize Malden’s shops and restaurants. Chief Delaney and the Review Team recommended that the Commission award the full amount of \$100,000 to the City of Malden to complete the Malden District Courthouse Reuse Study. The Review Team further recommended that the grant not be awarded until the City can demonstrate that it has taken possession of the property. Chief Delaney confirmed to the Commissioners that if they did ultimately vote to approve the grant, he would work with the Legal Department to determine the appropriate next steps before the grant was distributed.

v) Medford – Wellington Rail Trail Study – \$100,000

The City of Medford requested \$100,000 to complete a community planning study for the revitalization of the Wellington area within Medford. The study will examine land use; redevelopment; urban design; infrastructure; and economic development recommendations. Chief Delaney and the Review Team recommended the Commission award the full amount of \$100,000 to the City of Medford for the Wellington Transformation Study.

vi) Northampton – Marketing Program – \$75,000

The Review Team recommended awarding the full amount of \$75,000 to the City of Northampton for the ongoing development of the “Northampton Live” website. The Review Team further recommended that the city develop and provide to the Commission a plan that outlines the specific steps that Northampton will take to transition the website into a self-sustaining platform, with assurances that the grant not go towards operational costs. Chief Delaney recommends that the City’s plan should be submitted with their first quarterly report on October 1, 2022.

vii) Revere – Place Making & Branding – \$100,000

The City of Revere requested \$100,000 to analyze opportunities and develop best practices to establish Broadway as a full service and viable commercial destination for residents and visitors. Their goal is to advance initiatives related to district identity, brand association, improved public realm and cross marketing campaigns. Chief Delaney and the Review Team recommended awarding the full amount of \$100,000 to the City of Revere for place making and branding for the Broadway corridor.

viii) Springfield/ West Springfield/ Holyoke – Tourism Hotel Promotion– \$315,000

The Cities of Springfield, Holyoke and West Springfield are seeking \$315,000 to fund a tourism hotel promotion called, “The Fun’s on Us.” Chief Delaney stated that the “Fun’s on Us” program is designed to encourage overnight hotel stays and boost hotel occupancy in the

Springfield area. After careful consideration and multiple meetings regarding this application, Chief Delaney and the Review Team did not ultimately recommend that the Commission award funding for this application. Chief Delaney explained that while this application was certainly tourism related, only a very small portion of the application appeared to be planning related. The \$15,000 identified for creative development would appear to qualify under this provision, however the remainder of the funds were primarily for program implementation. The 2022 CMF guidelines state that “[e]ligible planning projects must have a defined area or issue that will be investigated as well as a clear plan for implementation of the results.” Chief Delaney clarified further that the Review Team has always interpreted this provision as requiring the development of an implementation plan, not the actual funding of implementation. Additionally, Chief Delaney shared that there was a question raised within the Review Team as to whether the distribution of gift cards raises issue under the Massachusetts Constitution’s Anti-aid amendment that prohibits the expenditure of public funds to private entities where the expenditure substantially benefits the private entity. While the surrounding community could benefit from the increase in tourism, ultimately the hotels, as private entities would likely be the primary beneficiaries. For those reasons, Chief Delaney and the Review Team did not recommend this application for approval by the Commission.

ix) Boston – Problem Gambling– \$500,000

Chief Delaney explained that the City of Boston had withdrawn their application for a specific impact grant. Chief Delaney stated there was not much specificity in how the Programs mentioned within the City’s application would work to address the identified impact. The Review Team asked the City of Boston to provide additional information regarding the activities that would be funded and how they would be implemented and evaluated. After receiving the request for supplemental information, the City determined that they had underestimated the level of detail that was needed in the application and that further development of the grant application would extend well beyond the time frame necessary for the Commission to act. At that point, the City asked to withdraw the application. Chair Judd-Stein thanked Chief Delaney and the Review Team for their analysis, and stated that she looks forward to the future opportunities that the Responsible Gaming Division and the Community Mitigation Fund could collaborate on.

x) Hampden County Sheriff Department - \$400,000

Next, Chief Delaney stated that the Hampden County Sheriff’s Department (“HCSD”) is requesting \$400,000 for lease assistance at the Western Massachusetts Recovery and Wellness Center (“WMRWC”). This is the seventh year of a ten-year lease which resulted from the relocation of WMRWC from 26 Howard Street to 155 Mill Street in Springfield. HCSD has experienced a significant lease offset due to this forced move to make way for the MGM Casino. Chief Delaney explained that the Review Team has found a clear nexus to MGM Springfield as the old facility was in the footprint of the casino site, and the cost of the lease at 155 Mill Street is significantly higher than the old lease. Upon review of the application, the Review Team believes that the HCSD has demonstrated its continued need for this funding. Therefore, the Review Team recommends awarding a grant in the amount of \$400,000 to HCSD. Commissioners discussed the lease and how it could impact future applications on how they could be viewed moving forward. Chair Judd-Stein and Commissioner O’Brien discussed prior

applications submitted by HCSD, as well as leasing history of the space and confirmed to Commissioners Hill and Skinner that the HCSD was a year- to-year tenant at will in the original leasing space. After learning that amount requested was not the entire lease payment HCSD needed for their leasing costs, Commissioners agreed that they may need to discuss the future of this application going forward, and the HCSD should be notified that this may be the last year the Community Mitigation Fund is able to assist them.

xi) Saugus Public Safety - \$187,000

The City of Saugus seeks \$187,000 to purchase solar lighting for a section of the Northern Strand rail trail, that runs from the Encore casino area to Saugus. The funds will be used for the purchase and installation of 43 stand-alone solar lights. In this case, it is not the provision of the trail itself, but extending its usable hours by providing lighting to the trail. The provision of lighting on the trail would allow for extended use of the trail; particularly during the times of the year when the sun sets earlier. This would allow casino patrons and employees and other commuters to use the trail later into the evening. The Review Team agrees that extending the use times of the trail has the potential to help reduce the number of cars on the road near the gaming establishment.

After the close of discussion, Commissioner Hill moved that the Commission approve the applications for funding from the Community Mitigation Fund for the purposes described in the submitted applications and materials included in the Commissioners' Packet, and for the reasons discussed at the meeting. They were presented as follows: City of Everett- \$100,000; Towns of Foxborough/Plainville/Wrentham- \$136,000; City of Malden- \$100,000 (upon submission of satisfactory evidence to the Chief of Community Affairs that it has appropriate ownership or control of the subject property); City of Medford- \$100,000; Town of Northampton- \$75,000 on the condition that the City develop and provide to the Commission a written plan that outlines the specific steps that it will take to transition the subject website into a self-sustaining platform. This plan shall be submitted with the first quarterly report to be submitted by October 1, 2022; City of Revere- \$100,000; Hampden County Sheriff's Department- \$400,000; City of Saugus- \$187,000.

Commissioner Hill further moved, that Commission staff be authorized to execute a grant instrument commemorating this award in accordance with 205 CMR 153.04. Commissioner O'Brien seconded.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously.

Commissioner Skinner moved that the Commission deny the application for funding from the Community Mitigation Fund for safety improvements collectively submitted by the Cities of

Springfield, West Springfield, and Holyoke for the reasons described in the memorandum in the Commissioners' Packet, and discussed today. Commissioner Hill seconded.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously.

d. [Plainridge Park Casino Quarterly Report](#) (02:47:25)

Chief Delaney introduced representatives from Plainridge Park Casino to present their quarterly report, including Mr. Grounsell, General Manager; Ms. Yates-Akbaba, President of Finance; and Ms. Lucas, VP of Human Resources from Plainridge Park Casino ("PPC") to present their quarterly report from the first quarter of 2022. The report is included in the Commissioners' packet on pages 70 through 81.

Ms. Yates-Akbaba presented on gaming revenue and taxes, lottery sales, and local expenditures. Ms. Lucas presented on employee and vendor diversity including expenditures on minority, women, and veteran businesses. Commissioner O'Brien inquired about the lower than desired percentage of female employees at the property in the first quarter. Ms. Lucas explained that due to banquet servers, banquet managers, and serving staff not currently working at the casual dining restaurant, Flutie's, the percentage of female employees at the property was currently lower than the goal of 50%. Commissioner O'Brien asked a follow up question regarding the anticipated opening of the casual dining restaurant, as well as the banquet hall area, Mr. Grounsell explained that the issue is influx, but elaborated that PPC is hoping to recruit and train the staff necessary to re-open those amenities soon.

Commissioner Hill sought information on whether the PPC team had been working with any trade organizations, vocational schools and community colleges in the area to recruit students who have graduated in the area for onboarding. Ms. Lucas confirmed that the team is active within the community and is hopeful that they will be able to share their efforts and successes when they return for their next quarterly report presentation. The Commission thanked the team from PPC for their report, and for their continuous work and engagement in the surrounding community.

6. [Legal Division](#) (03:07:55)

- a. 205 CMR 116.03: Waivers and Small Business Impact Statement, for approval to begin the promulgation process

Associate General Counsel Torrisi provided Commissioners with an update to 205 CMR 116.03. This regulation has been brought forward as part of the Commission's 2022 Regulatory Review Process. Attorney Torrisi presented a cover sheet, a red-lined version of the regulation, and Small Business Impact Statement, included in the Commissioner's packet on pages 62 through 65. She then explained that there was no significant change in the effect of the regulation, but that the

change in language would make the regulation more consistent with the language within the statute, G.L. c. 23K, § 14(c).

Commissioner Skinner moved that the Commission approve the Small Business Impact Statement and amendment to 205 CMR 116.03 as outlined in the Commissioners' Packet, and authorize staff to take all steps necessary to begin the promulgation process. Commissioner O'Brien seconded.

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously.

7. [Commissioner Updates](#) (03:10:43)

a. Legislative Update

Commissioner Hill and Ms. Beauchemin, Chief Administrative Officer to the Chair and Special Projects Manager, provided a summary of the memorandum provided in the Commissioner's Packet on pages 68 and 69. Ms. Beauchemin provided a status update about the existing sports wagering bills in the house and senate. She stated that a conference committee was appointed to discuss the two existing bills to collaborate and report out a final, compromised bill on May 17th. She shared that two racing bills that had received extension orders through June 1st, 2022, had not been updated at this time. Lastly, Ms. Beauchemin provided an update on the law that would permanently allow for remote access to public meetings, and that the Commission had distributed a letter in support of the legislation. Chair Judd-Stein thanked Ms. Beauchemin, Commissioner Hill, and Communications Chief Tom Mills for the update and their work on the letter.

9. [Other Business](#) (57:23)

Having no other business, Commissioner O'Brien moved to adjourn. The motion was seconded by Commissioner Skinner.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, meeting adjourned.

List of Documents and Other Items Used

1. Notice of Meeting and Agenda, dated May 23, 2022
2. [Commissioners' Packet](#) from the May 25, 2022, Public Meeting