



## Massachusetts Gaming Commission Meeting Minutes

**Date/Time:** June 14, 2021 – 9:30 a.m.

**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5293  
MEETING ID: 111 304 5823

**Given the unprecedented circumstances, Governor Charles Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of the public and individuals interested in attending public meetings during the global Coronavirus pandemic. In keeping with the guidance provided, the Commission conducted this public meeting utilizing remote collaboration technology.**

### **00:00:00: Call to Order**

Chair Cathy Judd-Stein called to order public meeting #347 of the Massachusetts Gaming Commission (“Commission”).

*The Chair confirmed a quorum for the meeting with a Roll Call. The following Commissioners were present:*

*Commissioner Cameron  
Commissioner O’Brien  
Commissioner Zuniga  
Chair Judd-Stein*

Chair Judd-Stein offered prepared remarks regarding a new state holiday known as Juneteenth. The Commission also acknowledged the promotion of two members of the Gaming Enforcement Unit.

### **00:10:33: Administrative Update**

#### **On-site Casino Update**

IEB Director Loretta Lillios and Assistant Director, Gaming Agents Division Chief Bruce Band presented the updated. Director Lillios advised that the MGM Springfield hotel had been opened to limited but invited guests. She also provided an update for operations at Encore relative to the

nightclub Memoir. Mr. Band stated that the three properties continued to bring all slot machines back online and continued removing the dividers.

### **00:13:38 Legislative Affairs**

Griffin Jill Griffin, Director of Diversity and Legislative Affairs briefly discussed the responsible gaming framework and sports wagering white papers. Ms. Griffin requested permission to finalize the papers so they can be publicly distributed to stakeholders that include legislative, members gaming policy advisory committee.

Commissioner Zuniga, Commissioner O'Brien, Commissioner Cameron, and Chair Judd-Stein offered several thoughts, comments, and edits relative to each document.

By consensus, the Commission authorized staff to move ahead with the editing and dissemination of the respective documents.

### **00:34:41 Legal Division**

General Counsel Todd Grossman presented a request by Plainridge Park Casino to amend the boundary of the 'gaming establishment.' Mr. Grossman described the present status of the boundary and the history as to how it came into existence, the legal definitions relevant to the decision as included in G.L. c.23K, the 4-part test the Commission established to determine where the boundary should be drawn, and the discretion the Commission is afforded to determine such a boundary. North Grounsell, the general manager of PPC, then presented the proposal to expand the boundary, i.e.- amend the premises, of the gaming establishment to include a new fire pit area adjacent to the racing apron. He asserted that the area met each of the 4 parts of the Commission's test and discussed each of the elements and associated considerations. He further indicated that the Town of Plainville is aware of the plans and that all necessary permits will be obtained. Mr. Grounsell then shared a PowerPoint, which is included in the Commissioners' Packet, to afford the Commission a clear visual as to the proposal.

Commissioner O'Brien inquired as to whether the space may be increased in the future. Mr. Grounsell indicated that he was uncertain at the moment but that depending on the success of the area it was a possibility. Commissioner Cameron inquired about the points of egress which was then discussed. Mr. Grounsell indicated that the space will have surveillance cameras on the area. Members of the IEB indicated that they have been involved in the review and found the adjustments to be workable as a regulatory matter. The chair inquired as to whether this would be a year-round operation to which Mr. Grounsell indicated that it would likely be 7-8 months. The chair also addressed whether the gaming beverage license would cover this expanded apron area.

*Commissioner O'Brien moved that the Commission amend the boundary of the gaming establishment of Plainridge Park Casino to include the area appurtenant to the existing racing apron for the reasons discussed at the meeting and as described and outlined in the Commissioners' Packet. 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.*

### **01:01:50 Licensing Division**

#### **Plainridge Park Casino Gaming Beverage License Renewal**

Nakisha Skinner, Chief of the Licensing Division, presented a request for approval of the renewal of PPC's gaming beverage license. She noted that the application was timely submitted to the Commission and deemed administratively complete. The application was included in the Commissioners' Packet. The renewal request includes the umbrella gaming beverage license for the gaming licensee as well as for the 10 individually licensed areas which were all reviewed by Ms. Skinner. There was discussion by the Commissioners and IEB as to the effect of the expansion and timing of the issuance of the license to include the new area adjacent to the racing apron that was previously discussed by the Commission. Ms. Skinner advised that there will not be any jointly responsible parties involved in the operation of any of the licensed areas, nor is there any bottle service offered. Andrew Steffen, senior supervising gaming agent at PPC, and Director Lillios reviewed the history of the gaming beverage license at PPC, compliance related matters, as well as the review conducted relative to this renewal request. There was discussion relative to the capacity of the new outdoor area to which Mr. Grounsell indicated that the existing capacity load (963) need not be adjusted. Ms. Skinner and the IEB recommended approval of the application.

*Commissioner Cameron moved that the Commission renew the gaming beverage license issued to Plainridge Park Casino effective immediately upon the expiration of the existing license, subject to the revised drawing of the racing apron mentioned earlier in the meeting relative to item 4a, including all licensed areas described and depicted in the application contained in the Commissioners' Packet and reviewed at the meeting, and incorporating all terms and conditions described in G.L. c. 23K, 205 CMR, and included in the submitted applications, for a term of three years ending on June 24, 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*

### **01:23:01: Racing Division**

#### **Plainridge Park Racecourse Request for Approval of Racing Official**

Dr. Alex Lightbown, Director of Racing, came before the Commission to seek approval for new racing officials. The officials included: Joseph Pastella (photo finish and timing), Ed Angel (track superintendent), and Wayne Dunphe (back-up presiding judge). Dr. Lightbown reviewed Mr. Dunphe's background for the Commission to include: two years as a presiding judge and four years as an associate judge, a USTA presiding judge license (though he does not hold a racing accreditation program certification. Due to the pandemic, she explained, the certification program was not offered so there is a shortage of judges. Given Mr. Dunphe's experience, though, Dr. Lightbown recommended his approval as a back-up).

Commissioner Cameron offered thoughts about the certification suggesting that Mr. Dunphe take the course if he intended to continue serving in this capacity. Chair Judd-Stein inquired further about the program.

*Commissioner Cameron moved that the Commission approve the following racing officials at Plainridge Park Casino in accordance with 205 CMR 3.18: Walter Sullivan, Jr. as the Assistant Racing Services Manager, Joseph Pastella as the Racing Supervisor including Photo Finish and Timing, Ed Angel as the Track Superintendent, and Wayne Dunphe as the backup presiding judge. 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*

## **01:20:13: Finance Division**

### **MGC Budget Discussion**

Derek Lennon, CFAO, presented highlights of the fiscal year 2022 budget and a brief overview of the memorandum that is included in the Commissioners' Packet. The materials were originally presented at the June 3 public meeting. He made specific mention of the statutory assessment timing issue and formula relative to the calculation of gaming positions. He noted that on July 1 the projected numbers could be adjusted to reflect actual figures. He also noted that billings would resume to the pre-pandemic timing schedule, and that no public comments were received relative to the proposal.

Commissioner Zuniga inquired as to the manner in which the overall assessment may be adjusted if the number of gaming positions is changed. Mr. Lennon advised that the information will be reviewed by the Commission mid-year at which point the gaming position figures as of January 1 will be reviewed, and then the second half of the year will be reassessed based on those revised counts. There was further discussion relative to the timing of the billings.

*Commissioner Zuniga moved that the Commission approve the fiscal year 2022 budget and associated assessments as outlined in the Commissioners' Packet and discussed at the meeting provided that no public comments against the budget are received by June 15 at 3 p.m. which is the posted closing time for submission of comments. 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*

#### **01:40:09: Commissioner Update**

Commissioner Zuniga advised that he attended a virtual conference at which Mark Vander Linden was on a panel along with other notable individuals in the responsible gaming world. There was a great deal of discussion surrounding sports betting and online gaming in the United States, Europe, and other jurisdictions.

*Commissioner O'Brien [moved to adjourn](#). 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.*

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

1. Notice of Meeting and Agenda dated June 10, 2021
2. Plainridge Park Casino Amendment to the Premises Gaming Establishment PowerPoint
3. Petition to Amend the Premises of the Gaming Establishment for Plainridge Park Casino
4. Plainridge Park Casino Gaming Beverage License Renewal Applications
5. Plainridge Racing Officials Memorandum
6. Fiscal Year 2022(FY22) Budget Recommendations Memorandum