



Massachusetts Gaming Commission Meeting Minutes

Date/Time: June 18, 2020 – 10:45 a.m.

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5293
MEETING ID: 112 031 9597

Present: Chair Cathy Judd-Stein
Commissioner Gayle Cameron
Commissioner Enrique Zuniga
Commissioner Bruce Stebbins
Commissioner Eileen O'Brien

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.

Call to Order

10:45 a.m. Chair Cathy Judd-Stein called to order public meeting #308 of the Massachusetts Gaming Commission (Commission). She noted that due to technical difficulties, the Commission meeting is starting 45 minutes after its scheduled start time.

The Chair confirmed a quorum for the meeting with a Roll-Call Vote.

Commissioner Cameron: Aye.

Commissioner O'Brien: Aye.

Commissioner Zuniga: Aye.

Commissioner Stebbins: Aye.

Chair Judd-Stein: Aye.

Approval of Meeting Minutes

10:46 a.m. *Commissioner Stebbins moved to approve the minutes from the Commission meeting of June 4, 2020, subject to correction for typographical errors and other*

nonmaterial matters. The Chair requested that a reference to the Massachusetts Cultural Counsel be amended to state its formal title for uniformity.

Commissioner Cameron seconded the motion.

Roll-Call Vote:

Commissioner Cameron: Aye.

Commissioner O'Brien: Aye.

Commissioner Zuniga: Aye.

Commissioner Stebbins: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, pending the edit.

Administrative Update

10:49 a.m. Racing Legislation Update

Director of Racing Dr. Alex Lightbown provided the Commission with an update on the racing legislation. She noted that the law authorizing live racing and simulcasting expires on July 1, 2020, and that all licensees are aware and will respond by June 30, 2020.

Next, Dr. Lightbown directed the Commission to the reopening plans in the [Commissioners' Packet](#) that were submitted by Sterling Suffolk Racecourse ("Suffolk") and from Raynham Park Simulcast Center ("Raynham") for reopening their simulcast facilities.

10:51 a.m. Suffolk/Raynham Simulcasting Update

Chip Tuttle, Chief Operating Officer of Suffolk, was present to answer any questions from the Commissioners regarding Suffolk. Commissioner Cameron asked Mr. Tuttle if there are any unique challenges to opening Suffolk that he may want to discuss with the Commission. He reported that Suffolk has begun reconfiguring the first floor and proposing a limitation of 250 people allowed on that floor's indoor and outdoor space. He added that Suffolk is following all state guidelines and that he is in contact with the City of Boston regarding the Boston Public Health Commission's guidelines. There will be signage in place and employees providing hand sanitizer and masks to patrons at designated entrance areas. In addition to the security team, there will be employees traversing the floor to remind patrons of the protocols.

10:54 a.m. The Chair stated that she would like consistency across all licensed properties with the incorporation of uniform language in their protocols stating that masks are required (not optional), but with specific medical exceptions to be granted. Mr. Tuttle will edit this language in Suffolk's reopening plan.

10:57 a.m. Commissioner Stebbins asked if there is adequate protection at the parimutuel windows for employees. Mr. Tuttle stated that they installed plexiglass at the windows and spaced operated windows to open every third, to ensure approximately eight feet of separation.

[10:58 a.m.](#) Mr. Tuttle reported that occupancy limitations would be set at 50 percent. He then clarified that they would enforce social distancing at the clubhouse via marked areas for standing in front of televisions and para-mutual windows. There will be more televisions on the first floor and outside to allow people to view easier.

[11:02 a.m.](#) Next, Commissioner Zuniga asked Mr. Tuttle to describe his protocols concerning beverage service. Mr. Tuttle stated that there would only be servers outdoors for outdoor service, consistent with Boston's Department of Public Health guidelines. Patrons will be required to follow mask protocols concerning food and beverage (remain seated with mask down to eat/drink, and then raise the mask to leave the table, and without any food or beverage hand). There will be no bar service.

[11:06 a.m.](#) Mr. Tuttle will return to the Commission with an amended plan and ask for permission to raise the occupancy limit, should demand over the summer create the need to open the second floor of the property. The Chair asked that Mr. Tuttle add language in his plan to designate that consumption of food or drink will be limited to a designated seating area.

[11:08 a.m.](#) Mr. Tuttle then confirmed for Commissioner Stebbins that patrons do pay for beverages at Suffolk. Commissioner Stebbins stated the need for initial communication to patrons stating that they will not be able to take their drink with them elsewhere (like the other casinos). Mr. Tuttle also stated that he plans for employee and communication plan training in anticipation of phase three on July 8, 9, and 10.

[11:09 a.m.](#) Acting General Counsel Todd Grossman stated that Mr. Tuttle could make edits to his reopening plan in response to this discussion and bring it back to the Commission for review before the intended opening.

[11:12 a.m.](#) Sue Rodrigues, Assistant General Manager of Raynham Park Simulcasting Center, reviewed Raynham's proposed guidelines. Owner George Carney and his team were also present. Ms. Rodrigues described the facility's reconfiguration, noting the installation of plexiglass in front of the parimutuel lines, and glass in front of the concession stand. She described the Personal Protective Equipment (PPE) requirements and queuing around the property and physical distancing requirements.

Commissioner O'Brien left the meeting at 11:15 a.m.

[11:18 a.m.](#) Next, Ms. Rodrigues described the planned operations for the concession stand and the seating configuration around televisions. She also stated that there would be a Raynham police officer present to help enforce safety protocols. Ms. Rodrigues is confident that the implementation of the guidelines will be smooth. She also stated that expectations and protocols have been published on the

Center's [Facebook page](#) and [website](#). They will also have an outgoing message on their telephone system for callers. There will be staff and signage at the entrance of the facility.

[11:26 a.m.](#) The Commission will vote on this matter at the next Commission meeting, as soon as possible.

Investigations and Enforcement Bureau (IEB)

[11:30 a.m.](#) Plainridge Park Casino License Renewal

Ms. Wells thanked IEB Chief Enforcement Counsel Loretta Lillios, Construction Project Oversight Manager Joe Delaney, Licensing Manager Bill Curtis, and their teams for their work on this project. She then stated that the agenda item today is for a vote on the completeness of the application.

[11:32 a.m.](#) Ms. Lillios stated to the Commission that PPC's five-year license term expires on June 24, 2020. She then summarized the timeline and process of the suitability portion of PPC's application. She stated that the licensee had made a timely submission of all required documents in the application. The IEB's financial report is almost complete, and Ms. Lillios intends to prepare a summary memorandum for the Commission that will accompany this report.

Ms. Lillios requested that the Commission deem the suitability portion of the application timely and complete and that a date for the suitability portion of the renewal is set at the next agenda-setting meeting.

[11:34 a.m.](#) Mr. Delaney reported the overall application status and the timeliness of the submission of the documents. PPC's application is complete. He recommends that the Commission accept the application as timely and sufficient. Early next week, there will be a meeting to determine a schedule for the deliberations. The Chair requested a timeline to discuss at the agenda-setting meeting next week.

[11:36 a.m.](#) *Commissioner Stebbins moved that the Commission find that Plainville Gaming & Redevelopment has made timely and sufficient application for renewing its Category 2 gaming license consistent with the procedures established in the February 28, 2020 letter. Accordingly, under General Law chapter 30A, section 13, the gaming license shall not expire until the Commission has made a final determination of whether to renew the license. Commissioner Zuniga seconded the motion.*

Roll-Call Vote:

Commissioner Cameron: Aye.

Commissioner Zuniga: Aye.

Commissioner Stebbins: Aye.

Chair Judd-Stein: Aye.

The motion passed 4-0 as Commissioner O'Brien was not present.

11:38 a.m. **MGM Suitability Qualifier**

IEB Enforcement Counsel Katherine Hartigan summarized the IEB's investigation of Mahmoud Sleiman, Executive Director of Development Operations for MGM Resorts International, and reviewed his qualifications with the Commission. Ms. Hartigan recommended that the Commission find Mr. Sleiman suitable as a qualifier for MGM Springfield.

11:40 a.m. *Commissioner Cameron moved that the Commission find Mahmoud Sleiman, Executive Director of Development Operations for MGM Resorts International, suitable as a Qualifier for Blue Tarp reDevelopment, LLC. Commissioner Stebbins seconded the motion.*

Roll-Call Vote:

Commissioner Cameron: Aye.

Commissioner Zuniga: Aye.

Commissioner Stebbins: Aye.

Chair Judd-Stein: Aye.

The motion passed 4-0 as Commissioner O'Brien was not present.

11:41 a.m. **Encore Boston Harbor Suitability Qualifier**

Ms. Hartigan then summarized the IEB's investigation of Marcus Alexander Trummer, Senior Vice President and Chief Audit Executive for Wynn Resorts Ltd. and reviewed his qualifications with the Commission. Ms. Hartigan recommended that the Commission find Mr. Trummer suitable as a qualifier for Encore Boston Harbor.

11:43 a.m. *Commissioner Stebbins moved that the Commission find Marcus Alexander Trummer, Senior Vice President and Chief Audit Executive for Wynn Resorts Ltd., suitable as a Qualifier for Wynn MA, LLC. Commissioner Cameron seconded the motion.*

Roll-Call Vote:

Commissioner Cameron: Aye.

Commissioner Zuniga: Aye.

Commissioner Stebbins: Aye.

Chair Judd-Stein: Aye.

The motion passed 4-0, as Commissioner O'Brien was not present.

Community Mitigation Fund

11:44 a.m. **Community Mitigation Fund (CMF) Application Review – Group 1**

Construction Project Oversight Manager Joseph Delaney, with the CMF Review Team, reviewed the team's analysis of the applications for funding under the different components of the 2020 Community Mitigation Fund with the Commission.

Mr. Delaney noted that the team is being conservative with recommendations for 2020 in anticipation of fiscal effects in 2021 from the casino closings this year.

Mr. Delaney reported target amounts for the grant categories, noting that some projects had to go unfunded or be funded at a reduced rate due to the requests totaling more than funds available. Now that casinos are open, the Review Team asks grant applicants to demonstrate the casino's impact on their community as required by statute.

The Review Team received 37 grant applications, totaling over \$13M, which is higher than the Commission has ever received before; up 50 percent from the previous year. The CMF team sent the applications to the licensees and MassDOT for comments. The team is recommending awards totaling \$6,688,000.00.

[11:47 a.m.](#) Commissioner Stebbins noted going forward the commission could consider the potential for applying a clawback provision to unused reserve amounts and awards made in previous years that have not been utilized yet.

[11:48 a.m.](#) Mr. Delaney outlined that today the Commission will review Workforce Development Grants, Non-Transportation Planning Grants, and Transportation Planning Grants. The next meeting will cover the remainder of the Transportation Planning Grants, also Specific Impact Grants, and Transportation Construction Project Grants.

[11:50 a.m.](#) **Holyoke Community College (HCC)**
Director of Workforce Development Jill Griffin reviewed this grant application with the Commission. HCC initially requested \$450,000 to continue the Work Ready program into 2021, which was revised to \$350,000 in the supplemental information response. Work Ready 2021 is a collaborative effort of Holyoke Community College (HCC), Springfield Technical Community College (STCC), Springfield Public Schools (SPS), MGM Springfield, and the region's workforce development partners. The project proposes to provide a combination of Adult Basic Education (ABE), work readiness preparation, and occupational skills training to connect the un-/underemployed to employment opportunities currently available in the marketplace, including MGM Springfield's urgent need for line cooks, dealers, and hospitality workers.

Ms. Griffin stated that the Review Team is not recommending awarding the gaming school or the culinary/hospitality portions of the grant. They are, however, recommending awarding \$199,000 for the Hamden Prep and Springfield Public Schools part of the grant.

[11:56 a.m.](#) The Chair asked if students will be able to learn remotely, and Ms. Griffin replied in the affirmative. The Chair stated that she is pleased that the Commission can continue to support the adult education portion of the grant application, as it will allow people to study during this time.

[Mr. Delaney and the Chair noted that the Commission will vote at the next Commission meeting for all of the grant applications considered today and the remaining items discussed at that meeting.]

[12:00 p.m.](#) Commissioner Stebbins suggested that the Review Team continue to work with the Workforce applicants as the employment landscape becomes clearer over time. He noted that the Commission should be able to give the rest of this particular application serious consideration.

[12:05 p.m.](#) Ms. Griffin stated that the Review Team would likely request the Commission's approval to rollover funds from FY19 to be used this fiscal year.

[12:07 p.m.](#) **Masshire Metro North Workforce Board (MNWB) and the City of Boston** Next, Ms. Griffin stated that this grant application addresses hospitality sector needs. The Metro Boston Regional Gaming and Hospitality Consortium are proposing a project where residents are provided services that prepare them for careers in the hospitality sector, focusing on the hotel industry.

The Review Team recommends that the Commission does not fund the New England Center for Arts and Technology and BEST Hospitality Training portion of the proposal, resulting in a grant to the Metro Boston Regional Gaming and Hospitality Consortium in the amount of \$172,000 for the Community Engagement, Career Advising, and Employment Services as well as the Regional Need portions of the grant application.

Commissioner O'Brien returned to the meeting at 12:15 p.m.

The Commission meeting took a 20-minute recess to reconvene at 12:50 p.m.

[12:50 p.m.](#) The Commission reconvened. Mr. Delaney introduced the Non-Transportation Planning Grant applications to the Commission.

City of Everett Designated Port Area Study

The City of Everett is requesting \$100,000 for a Designated Port Area Study that will help them understand the district's impact on the local and regional economy, especially as it relates to the abutting entertainment district where Encore Boston Harbor is located. He described the Review Team's analysis. The Chair noted that Encore Boston Harbor supports this study, and thanked them for their continued collaboration.

The Review Team recommends the Commission award \$100,000 to the City of Everett for the Designated Port Area study.

[12:54 p.m.](#) **Medford Business Technical Assistance Program** Next, the City of Medford is requesting \$100,000 for a Business Technical Assistance Program grant to contract a consultant to establish a business technical

assistance program that should help local businesses secure additional business with Encore Boston Harbor.

The Review Team recommends a one-time award of \$100,000 to the City of Medford for an economic business development consultant to create a local business technical assistance program. Commissioner Zuniga stated that he is in favor of a one-time grant.

[12:59 p.m.](#)

The Chair asked Mr. Delaney to explain what the follow-up for feedback would be on a grant of this nature to learn how these services would assist the relationship and coordination with Encore to achieve its goal. She stated that feedback would help if this grant is useful and could then be replicated for other cities. Mr. Delaney replied that the City of Medford's longer-term plan would be to hire an economic development director responsible for implementing this plan. He added that the other piece is building relationships, and the capacity to participate in contracts with Encore. The document would establish a framework for extensive use. The Chair requested that the Review Team solicit feedback on this grant's effectiveness to determine if it should be replicated for others.

[1:02 p.m.](#)

Northampton Marketing Program 2020

Northampton is seeking \$100,000 to continue operating and managing "northampton.live." Mr. Delaney recapped the analysis for this grant application, stating that this grant is not intended for continued operational funding.

The Review Team recommends that the Commission award \$50,000 to the City of Northampton to understand that these funds may only be used for the further development of the platform and not for routine operational costs.

[1:06 p.m.](#)

Mr. Delaney clarified for the Chair that the guidelines do not expressly prohibit the use of the CMF for operational costs. However, it is implied throughout that the applications are for a specific item, and that there should be a clear plan of implementation for that item.

The Chair would like a collaboration between the casinos and Northampton, leveraging this grant to enable further communication of cross-marketing efforts reflective of the current pandemic situation. There was a discussion around the recommendation. Mr. Delaney suggested that the Acting General Counsel Todd Grossman opines on any legal issues concerning the Commission's ability to utilize these funds for other purposes outside of planning.

[1:16 p.m.](#)

Revere Hospitality Advocate

The City of Revere is requesting \$100,000 to establish and sustain for 18 months, a new position in the Department of Strategic Planning and Economic Development to coordinate and facilitate business to business connections between Revere hospitality venues, regional travel and tourism, and Encore Boston Harbor.

Mr. Delaney stated that the Review Team does not recommend this award, based on the City's inability to establish an impact from the casino that this application would address.

[1:20 p.m.](#)

Commissioner Stebbins initiated a discussion around the purpose of Non-Transportation Planning Grants, noting that they were established to try to maximize the presence of the casino itself. He ultimately agrees with the recommendation but hopes that eventually, all of the host and surrounding communities will work with licensees to establish strong communication lines, including the Regional Tourism Council.

[1:23 p.m.](#)

The Chair suggested roundtable training that will allow applicants to exchange ideas with the Review Team. She added that the legislature has contemplated using the funds in this way and that the Commission wants to ensure that people can obtain these awards. The Review Team will work on creating a series of meetings and have a workshop stating requirements for a successful application.

[1:27 p.m.](#)

Saugus Casino Related Business Development Specialist

The City of Saugus is requesting \$100,000 to fund a Business Development Specialist position in the Planning and Development Department for a period of two years. The staffer will be responsible for growing business connections between Saugus businesses and Encore Boston Harbor. After two years it will then be included in the Town budget. Mr. Delaney reviewed the Review Team's analysis of the application with the Commission.

The Review Team was unable to establish a firm connection between the businesses in Clifftondale Square and Encore. Therefore, the Review Team does not recommend the award of a grant to the Town of Saugus for a Business Development Specialist.

[1:30 p.m.](#)

West Springfield Marketing and Video Campaign

The Town of West Springfield is requesting \$50,000 to create a series of videos to market West Springfield's Attractions, Businesses, and Amenities. Mr. Delaney explained the Review Team's analysis. He stated the concerns with this application, saying that [similar to Revere and Saugus] there is again no firm connection to an impact from a casino. It was noted in the written recommendation that the completion of a look-back study, demonstrating any impacts from the casino, would benefit this application. He then asked Commissioner Stebbins to provide feedback.

[1:33 p.m.](#)

Commissioner Stebbins stated that he would favor a regional approach in collaboration with licensees to strategize the development of a more comprehensive planning grant application that would help the applicants articulate their connection to the licensees. The Chair noted that this could be included in the guidelines.

[1:34 p.m.](#) Commissioner Zuniga then contributed ideas that might incentivize for a regional approach, and there was more discussion around this. There was discussion around the potential addition of another category in this application to promote regionalization.

[1:39 p.m.](#) Commissioner Cameron asked when the first look-back study would be completed, and Mr. Delaney stated that he will follow-up with Vice President and Legal Counsel of MGM Springfield Seth Stratton for status.

The Commission will address the remainder of the Non-Transportation Grants and the remaining grant categories at the next Commission meeting.

Research and Responsible Gaming

[1:48 p.m.](#) **Gambling Formats, Involvement and Problem Gambling**
Director of Research and Responsible Gaming Mark Vander Linden introduced UMass School of Public Health & Health Sciences Research Analyst Dr. Rachel Volberg's study entitled, "Which Types of Gambling are More Risky in Massachusetts?"

Mr. Vander Linden first described two studies previously conducted by Dr. Volberg (first was a general population baseline study of approximately 10,000 participants. The second was a baseline online panel of nearly 5,000 participants) where the resulting data sets afforded a more in-depth look into the causes of problem gambling. Mr. Vander Linden also noted that this paper had been published in BMC Public Health, a peer-reviewed journal.

[1:53 p.m.](#) Dr. Volberg led the Commission through a slide presentation that described the study. She described the factors involved with the different formats of gambling that individuals are engaged in.

[2:04 p.m.](#) Next, she reviewed and discussed four hypotheses with the Commission. The first hypothesis predicts that problem gambling is more closely related to some gambling formats than others. There was a discussion around the proportion of lottery vs. casino gambling.

She then reviewed their second hypotheses, which describes how problem gambling is positively related to high involvement in gambling.

The third hypothesis predicts that involvement in gambling is positively related to the intensity of gambling. Dr. Volberg stated that while not as strong, Massachusetts' results suggest that there is a positive relationship between involvement and intensity.

The fourth hypothesis estimates that gambling format mediates the relationship between involvement and problem gambling.

[2:28 p.m.](#) Dr. Volberg made closing remarks and recommended a follow-up online panel survey be added at a relatively low cost to replicate this particular analysis. She also is interested in using this data in exploring relationships about age and socioeconomic status.

[2:33 p.m.](#) Commissioner Zuniga will submit this presentation to the Department of Public Health, as it raises some concerns that he described. There was a discussion around a problem gambler's propensity to gamble at anything versus discerning the preferred gambling format. Dr. Volberg maintained that there is something about specific formats of gambling that are associated with particular gambling problems, and it is well documented across many jurisdictions.

Mr. Vander Linden noted that this discussion is connected with the Data Access Project agenda item that will be presented at the Commission meeting next week.

Finance and Accounting

[2:53 p.m.](#) **Budget Year 2021 Discussion**

Chief Financial and Accounting Officer Derek Lennon reviewed and described budget recommendations for the F.Y. 2021 fiscal year for the Commission. With him was Finance and Budget Office Manager Agnes Beaulieu, and Revenue Manager Doug O'Donnell.

Mr. Lennon recommends an FY21 Gaming Control Fund budget of \$32.25M, a Research and Responsible Gaming budget funded from the Public Health Trust Fund of \$4.62M, for the first time, funding \$170K in staff costs from the Community Mitigation Fund, and an FY21 Racing Oversight and Development Fund budget of \$2.68M. He also recommends that the Commission consider providing some relief as to the timing of fees and assessments. Staff recommends posting the budget document for public comment and return to discuss and approve or change at a subsequent public meeting.

[3:00 p.m.](#) Mr. Lennon pointed out for the Commission that the budget presented today does not include estimates for the racing capital and promotional trust funds, or grants from the Community Mitigation Fund.

[3:14 p.m.](#) Mr. Lennon stated that he would like to put this document out for public comment and return to the next Commission meeting for a vote and/or adjustments.

[3:15 p.m.](#) The Chair addressed an issue of overtime in the Gaming Enforcement Unit (GEU). She asked Commissioner Cameron and Commissioner O'Brien to provide regular reporting on this to aid Massachusetts State Police and GEU Captain Brian Connors.

[3:18 p.m.](#) Commissioner Stebbins suggested that the Commission vote on using some of the CMF dollars for administrative purposes before voting on the full budget. There was a discussion around this.

The Chair requested that Ms. Wells follow up with Mr. Grossman for a legal perspective.

This item will be on the agenda for the July 2 Commission meeting, after the public comments have been received.

[3:32 p.m.](#) Next, the Chair allowed Lobbyist for the Harness Horsemen's Association of New England Martin Corry to speak regarding the request of the horsemen concerning the renewal of their license (See letter in the Commissioners' Packet entitled, "**Request for Delay in Class 2 License Renewal of Penn National Gaming for Plainridge Park Casino**"). The Chair then stated that the letter he submitted in the Commission's records and that the schedule for the deliberations on the license renewal will be discussed at the next Commission meeting. She will ensure that Dr. Lightbown is in coordination with Mr. Corry on this.

[3:45 p.m.](#) *With no further business, Commissioner Stebbins moved to adjourn.*

Commissioner Cameron seconded the motion.

Roll Call Vote:

Commissioner Cameron: Aye.

Commissioner O'Brien: Aye.

Commissioner Zuniga: Aye.

Commissioner Stebbins: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously.

List of Documents and Other Items Used

1. Notice of Meeting and Agenda dated June 16, 2020
2. Draft Commission Meeting Minutes dated June 4, 2020
3. Suffolk Downs' letter re: resuming operations dated June 15, 2020
4. Raynham Park Reopening Plan
5. Letter from Martin Corry re: Request for Delay in Class 2 License Renewal of Penn National Gaming for Plainridge Park Casino
6. 2020 Community Mitigation Fund Analysis Memo dated June 15, 2020
7. SEIGMA study: Which types of gambling are more risky in Massachusetts?
8. Research Article: Gambling formats, involvement, and problem gambling: which types of gambling are more risky? – BMC Public Health
9. FY21 Budget Memorandum dated June 18, 2020, with attachments

/s/ Bruce Stebbins
Secretary