



Massachusetts Gaming Commission Meeting Minutes

Date/Time: July 10, 2023, 10:00 a.m.
Place: Massachusetts Gaming Commission

VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 111 357 9645

The Commission conducted this public meeting remotely utilizing collaboration technology. The 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 Bradford Hill
Commissioner Nakisha Skinner
Commissioner Jordan Maynard

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

Chair Judd-Stein called to order the 464th Public Meeting of the Massachusetts Gaming Commission ("Commission"). Roll call attendance was conducted, and all five Commissioners were present for the meeting.

2. [Review of Interim Executive Director Selection Process](#) (00:47)

Chair Judd-Stein expressed appreciation for the two candidates willing to interview for the role of Interim Executive Director in the public meeting in order to comply with Massachusetts' Open Meeting Law. She stated that each interview would be approximately thirty minutes, and that the Commission would then deliberate and select a candidate to appoint.

Chair Judd-Stein stated that while meeting with the Executive Director's direct reports to gauge interest in the interim position, she was made aware that the Director of the Investigations and Enforcements Bureau, ("IEB") Loretta Lillios had planned to retire later in the summer.

Commissioner O'Brien sought a discussion regarding the scope of the expected responsibilities for the Interim Executive Director position. She expressed that she did not envision the Interim Executive Director to be able to hire the deputy executive director position, which should be a position hired by the permanent Executive Director.

Commissioner Skinner stated that it would behoove the Commission to consider the responsibilities of the Interim Executive Director and whether responsibilities would shift on an interim basis in any other capacity. Commissioner Hill agreed. Commissioner Maynard stated that the Interim Executive Director should keep operations running smoothly until the permanent Executive Director was identified. He stated that it was important for the Commission to understand and identify the duties of the role, so that the candidates could better understand the role.

Chair Judd-Stein inquired how the role of Interim Executive Director would differ from the current duties. Commissioner O'Brien stated that the Commission would likely have to be more involved in approval for hiring for senior staff positions.

Commissioner Skinner sought clarification regarding how much authority Interim Executive Directors had held in the past. Chair Judd-Stein stated that there was shorter notice in the process of shifting authority to Executive Director Karen Wells. Chair Judd-Stein stated that the Commission typically has input on hiring higher level positions at the Executive Director's request, but that she did not believe Commission input was necessary for hiring all positions.

Commissioner Skinner stated that the Interim Executive Director would be in that role for months, as it would take time to search for a permanent Executive Director. She stated it would be beneficial for them to be able to have the authority to make decisions relative to filling interim roles. She posited that assistance could be provided by having an Interim Deputy Executive Director and someone to step into their current role.

Commissioner Maynard stated that anyone who steps into the role should have the latitude to do the business of the Commonwealth. He expressed a need for stability and stated that changing the structure of roles too much could affect long term stability when the permanent Executive Director is hired and has authority to effectuate changes in a different way. Commissioner Skinner agreed.

Commissioner O'Brien stated that the individuals who serve as Deputy Executive Director and Director of The IEB were substantially tied to who the permanent Executive Director would be. She noted that historically, Executive Director Wells had continued to serve in her role as Director of the IEB while she was the Interim Executive Director.

Commissioner Hill agreed that the Interim Executive Director should not be making those hiring decisions, as whoever was the Interim Executive Director may not be the permanent Executive

Director. He expressed the importance of the permanent Executive Director's relationships with their direct reports.

Commissioner Skinner stated that the concept of the Interim Executive Director serving in a dual capacity was new information to her. She questioned whether the candidates were aware that they would have to maintain their current duties in addition to the Interim Executive Director role. She stated that this information should have been communicated to the applicants. She further stated that she was in favor of stability and that the permanent Executive Director should make high-level hiring decisions.

Chair Judd-Stein echoed Commissioner Skinner's comments and stated that she looked forward to hearing from the two candidates. She stated that she trusted the candidates to understand the purpose of the interim position, and exercise correct judgment but suggested raising these concerns with the applicants during their interviews.

Commissioner O'Brien stated that the two issues that needed to be clarified to the applicants were the expectation that the applicant would be fulfilling their current role in addition to the Interim Executive Director role, and that the Interim Executive Director may not be given the authority for hiring certain positions such as the Director Of The IEB and the Deputy Executive Director role.

Chair Judd-Stein offered clarification that the Director of the IEB role reports to the Chair and not to the Executive Director. Commissioner O'Brien responded that while the reporting structure was different, the hiring structure was not different. She stated that she was not as concerned about the Interim Executive Director hiring certain roles such as gaming agents, but that the Deputy Executive Director should be hired by the permanent Executive Director.

Chair Judd-Stein stated that Executive Director Wells indicated that it was difficult to both perform the role of Interim Executive Director and her previous position. She stated that interim positions were not traditionally backfilled; and that the Commission should ask the candidates if they were comfortable fulfilling the responsibilities of both roles during the interview.

Commissioner Maynard agreed with Commissioner O'Brien that any Senior Director or Deputy Director position hired should be reviewed by the Commission. He stated that when the permanent Executive Director was hired, the Commission could step back and not be involved.

Commissioner O'Brien stated that there seemed to be a Commission consensus that candidates should be made aware that they would be expected to fulfill both their current position and the Interim Executive Director position. She stated that there also seemed to be a consensus that the Deputy Executive Director position would not be hired until the permanent Executive Director was in place.

Chair Judd-Stein stated that she would not expect the Interim Executive Director to hire the deputy role and suggested that the Commission might want to be involved in hiring for that position. Commissioner Skinner proposed allowing the Interim Executive Director to appoint an Interim Deputy Director. She stated that this could be an internal growth opportunity and would provide support to the Interim Executive Director. She agreed that the permanent Executive Director should then be the one to hire the Deputy Executive Director.

Commissioner Hill cautioned against creating more interim positions, though he expressed an interest in the staff having opportunities. He asked if limiting the authority of the Interim Executive Director overstepped any statutory requirements. Outside Counsel from the law firm Anderson and Krieger, Attorney David Mackey stated that limiting the authority in the interim period would not circumvent the statute. He stated that if the Commission believed it made more sense for the permanent Executive Director to hire the Deputy Executive Director Position, then it would be appropriate and sensible.

Chair Judd-Stein stated that these two issues should be raised to the candidates during the process and asked that Commissioner O'Brien describe them to the candidates as she was the one who raised the issue.

Outside Counsel from Anderson and Krieger Attorney Mina Makarious noted that the Screening Committee had met twice and reviewed internal candidates who had expressed interest in the Interim Executive Director role. He stated that the Screening Committee had forwarded two names to the Commission who were willing to have interviews in a public setting. He stated that the interviews would be thirty minutes for each candidate. He noted that potential questions had been sent to Chief People and Diversity Officer David Muldrew, but that these questions did not need to be used. He stated that the two interviewees identified were General Counsel Todd Grossman, and Director of Racing and Chief Veterinarian Dr. Alex Lightbown.

Commissioner Skinner noted that the Screening Committee was presented with two interested applicants and that those were the two individuals referred to the Commission for this process. Commissioner O'Brien asked if the Screening Committee conducted any interviewing. Commissioner Skinner replied that it had not. Commissioner Skinner stated that her understanding was that the Screening Committee was charged with providing two names for the interview process.

Mr. Makarious noted that other candidates had appeared before the Screening Committee, but they had withdrawn upon learning about the public process. Mr. Makarious noted that all five Commission members would be reviewing these candidates for the first time in the upcoming interview.

3. [Interview and Consideration of Interim Executive Director Candidates](#) (59:09)

a. Candidate 1 Interview

Chair Judd-Stein greeted the first candidate for the Interim Executive Director position, General Counsel Todd Grossman. She thanked him for his willingness to interview in the public setting.

Commissioner O'Brien stated that two issues had been discussed by the Commission prior to the interview. She stated that the Commission expected the Interim Executive Director to continue to fulfill the responsibilities of their current position. She noted that historically, the Interim Executive Director had fulfilled the duties of both roles. She stated that while the Deputy Executive Director role was included in the Commission's budget, the Commission expected that role to be hired by the permanent Executive Director. She noted that the Commission also expected to be involved with the hiring of any director level positions and above. General Counsel Grossman stated that he appreciated the information conveyed by Commissioner O'Brien.

Commissioner Hill asked how General Counsel Grossman planned to use his experience to direct an agency of more than one-hundred individuals as compared to overseeing a department with far fewer employees. General Counsel Grossman stated that he had diverse experience in his career as he was a member of boards and commissions, a prosecutor, a civil litigator, and now in a regulatory space. He stated that he had managed in a variety of different contexts. He stated that while he had not managed this many people, he had managed successful and high-performing groups. He stated that in the course of his work with the Commission, he had worked closely with three executive directors and gained a sense of what it takes to be a great leader and manage effectively.

General Counsel Grossman stated that employees need attention to make them as effective as possible. He noted that he had managed a team of attorneys during his time at the district attorney's office. He stated that the Interim Executive Director role was heavily management focused. He stated that a management position like this required proficiency with connecting with the subject matter as well as the training of staff and management of personnel. He stated that this would be his first foray into managing a team this large, but that his experience prepared him for that. He stated that he would work with the Commissioners to ensure the staff advances the right philosophies and tone at the top.

Commissioner Hill asked how General Counsel Grossman would be able to create a positive work environment. General Counsel Grossman stated that a change in leadership provides the opportunity to reflect on positive leadership qualities, and what can be improved. He stated that ensuring a positive work environment was based upon having great communication processes in place and allowing staff the autonomy to make decisions that were required. He stated that he would be open and available for discussion. He added that engagement leads to better decision-making and a more thoughtful approach.

Commissioner Skinner asked what leadership principles demonstrated by Executive Director Wells could be used in the Interim Executive Director role. General Counsel Grossman stated

that Executive Director Wells had an innate ability to connect with and understand people. He stated that it takes time to reach out to people and be present, and that he tries to emulate that quality. He stated that it was important to be able to share conflicting views on complex topics and invite others to challenge his point of view.

Commissioner O'Brien asked what the largest group General Counsel Grossman had supervised was. General Counsel Grossman replied that the legal department at the Commission and his work with the Attorney General's Office at the Malden District Court were the largest equivalents.

Commissioner O'Brien asked how he planned to balance the duties of Interim Executive Director, General Counsel, and the needs of the Commission. General Counsel Grossman stated that it would take planning and the management of a complicated schedule. He stated that he trusted the Legal Division, and that some of his work as General Counsel would fall onto the staff there. He said that he believed additional staffing would be required, and that the search process had already begun. He stated that scheduling meetings with the Commissioners and Senior Staff, and having clearly calendared time to be available would be the centerpiece of success for the Interim Executive Director position.

Commissioner Maynard stated that bridgebuilding was important for communication and asked how General Counsel Grossman planned to use his experience to build bridges between staff members, stakeholders, and the Commission. General Counsel Grossman stated that there was a lot of room to coordinate communications efforts. He stated that it was important to communicate with the Licensees of the new industry being regulated by the Commission. He stated that communication starts with the tone at the top for senior management, and that he would meet with senior leadership regarding communication with staff.

Commissioner Hill inquired as to how General Counsel Grossman would react when strategies do not go as planned. General Counsel Grossman stated that confidence was required for roles such as this, and that he offered a steady hand that would not be shaken by big issues that arose. He stated that he would be conscientious and consider the Mission Statement of the Commission. He added that if a strategy does not go as planned, there was room to pivot and find a different way to get from one point to another. He stated that it was also important to identify why something did not work as expected.

Chair Judd-Stein extended gratitude to General Counsel Grossman for his work in the Legal department, and asked him what he was proudest of in his role this past year. General Counsel Grossman stated that he had pride in accomplishing the implementation of sports wagering under challenging circumstances. He stated that it took thoughtful planning, teamwork, and compromise.

Chair Judd-Stein asked if General Counsel Grossman had any concluding statements. General Counsel Grossman stated that regardless of who the Commission chooses the role will be in

great hands. He stated that he could offer leadership and know-how to ensure the Commission continues to move ahead and that there was no disruption in the Commission's responsibilities.

b. [Candidate 2 Interview](#) (1:46:26)

Chair Judd-Stein greeted the second candidate for the Interim Executive Director position, Director of Racing and Chief Veterinarian Dr. Alex Lightbown. Chair Judd-Stein thanked Dr. Lightbown for her work and being willing to interview in a public meeting.

Commissioner O'Brien stated that two issues had been discussed by the Commission prior to the interview. She stated that the Commission expected the Interim Executive Director to continue to fulfill the responsibilities of their current position. She noted that historically, the Interim Executive Director had fulfilled the duties of both roles. She stated that while the Deputy Executive Director was included in the budget, the Commission expected that role to be hired by the permanent Executive Director. She noted that the Commission also expected to be involved with the hiring of any director level positions and above.

Commissioner O'Brien noted that Dr. Lightbown had previously served as the Interim Director Of Racing for seven months, and asked if there were any challenges in assuming both job positions during that time period. Dr. Lightbown stated that the racing staff supported her duties and that some of the duties had overlapped. She stated that the biggest difficulty was time management and prioritizing issues.

Commissioner O'Brien noted that in addition to the duties of the Director of Racing and Interim Executive Director role, the Interim Executive Director would have to answer to the five Commissioners. She asked how Dr. Lightbown would intend to balance those responsibilities. Dr. Lightbown stated that she would first meet with each Commissioner to set out expectations and figure out what level of communication each Commissioner preferred.

Commissioner Hill asked how Dr. Lightbown's experience would translate to managing a department of more than one hundred employees. Dr. Lightbown stated that when she was the Director Of Racing under the State Racing Commission, she managed a group of fifty people. She stated that it was a tumultuous time, but that she was able to manage prioritization of issues and discovered how efficiencies could be made.

Commissioner Hill asked how Dr. Lightbown's experience could help create a positive workplace environment. Dr. Lightbown stated that communication was really important for the interim period. She explained that the Racing Division did periodic check-ins rather than performance reviews. She stated that she would check in with as many staff members as possible on a regular basis.

Commissioner Skinner asked what leadership principles exhibited by Executive Director Wells would serve an Interim Executive Director well. Dr. Lightbown stated that Executive Director

Wells was a good listener who would listen to understand problems, and be thoughtful in developing solutions to resolve the issue.

Commissioner Maynard asked how Dr. Lightbown would build bridges with stakeholders if she was selected for the interim position. Dr. Lightbown stressed the importance of communication with stakeholders. She stated that when medication changes were implemented for racing, she ensured that the stakeholders were informed of the changes a year before they were made. She stated that this built a sense of trust and that the Commission was also keeping the stakeholders' interests in mind. She stated that she also had extensive meetings with horsemen's groups, and racetrack employees. She stated that she received scientific information and policies from other jurisdictions. She opined that organizations were more effective with open lines of communication.

Commissioner Hill asked Dr. Lightbown to elaborate on her work with other jurisdictions and agencies. Dr. Lightbown stated that she had worked with the Department of Agricultural Resources, the Board of Registration in Veterinary Medicine, and the Department of Public Health. She stated that she was comfortable collaborating with other state agencies. She noted that she had worked with other jurisdictions regarding racing rules, and the Jockey's Guild which was a national organization. She stated that she was the Chair of the Standardbred Committee for the Association of Racing Commissioners International. Commissioner O'Brien asked if fifty employees were the largest group Dr. Lightbown had overseen. Dr. Lightbown confirmed that was correct.

Commissioner Hill asked how Dr. Lightbown would react if a strategy did not go as planned. Dr. Lightbown stated that the first step would be to discern why the strategy did not go to plan and discover a way to correct it. She stated that it was important to have policies in place so that issues that arise could be handled smoothly. She noted that unexpected events, such as Covid-19 could occur, which would require big shifts to assess what was needed and move forward.

Chair Judd-Stein noted that Dr. Lightbown had been dealing with proposals for potential new racetracks, and asked what she was proudest of during her tenure with the Commission. Dr. Lightbown stated that she was proud of her COVID-19 response in modifying regulations to get racing operational again. She stated that racing was able to safely open up again as a result.

Chair Judd-Stein inquired whether there were challenges in managing seasonal staff. Dr. Lightbown stated that it was important to remember seasonal staff often have other jobs and commitments and that it was important to know their availability ahead of time. She stated that seasonal staff have to be flexible and often work weekend days. She stated that there were also challenges as the seasonal staff have to be rehired every year. She stated that Orientation Day helped with the efficiency of the process.

Chair Judd-Stein noted that horse racing re-opened earlier than gaming during the pandemic. She asked if Dr. Lightbown had any concluding statements. Dr. Lightbown stated that she had been

in interim positions during tumultuous times before and thanked the Commission for the opportunity to interview for this position.

4. [Selection of Interim Executive Director](#) (2:19:29)

Commissioner Skinner stated that both candidates seemed well-equipped to take on the responsibilities of the interim position. She stated that structurally based on the responsibilities and role that the General Counsel had a more natural progression to the Interim Executive Director position in terms of breadth and agency exposure. She stated her belief that General Counsel Grossman should be given the Interim Executive Director position.

Commissioner O'Brien stated that she appreciated Commissioner Skinner's points but noted that Dr. Lightbown had more exposure in supervising large groups and that Dr. Lightbown had performed in interim positions in the past. Commissioner O'Brien stated it might be easier for Dr. Lightbown to manage her existing position in addition to the duties of the Interim Executive Director position. Commissioner O'Brien stated that General Counsel Grossman had a breadth of experience with more departments within the Commission, however.

Commissioner Hill stated that both candidates brought different perspectives on how to approach the role. He stated that Dr. Lightbown's experience overseeing a large group of individuals influenced his choice. He stated that Dr. Lightbown exhibited her ability to work with other jurisdictions and agencies. He agreed with Commissioner O'Brien that General Counsel Grossman worked with more departments within the Commission. He reiterated that Dr. Lightbown did well at an interim position where she oversaw fifty people, and that those facts held weight in his decision-making process.

Commissioner Maynard stated that each of the candidates had particular strengths. He stated that General Counsel Grossman touched every piece of the organization. He stated that Dr. Lightbown's experience managing her industry as it was moved across the state government was also a consideration.

Chair Judd-Stein stated that both candidates had made significant contributions to the Commission and had different management styles. She stated that General Counsel Grossman had built important relationships with external stakeholders, which might be new to Dr. Lightbown. Chair Judd-Stein stated that General Counsel Grossman did a superb job in implementing the sports wagering regulations.

Commissioner Skinner stated that she appreciated both individuals bringing different qualities in terms of experience and skillset. She stated that she did not discount Dr. Lightbown's prior interim role and experience leading a large team. Commissioner Skinner stated that General Counsel Grossman's subject matter expertise warranted serious consideration, and that there would be a larger learning curve for Dr. Lightbown. Commissioner Skinner stated that

General Counsel Grossman had experience collaborating with the different departments and that he could provide stability in the Interim Executive Director role.

Commissioner O'Brien stated that Dr. Lightbown had more experience with breadth of management, but that General Counsel Grossman knew more about the stakeholders and issues that may arise. Commissioner O'Brien expressed concern about potential disruption to the Legal Team as it could be difficult to manage the duties of both the General Counsel and Interim Executive Director roles. She noted that it was also the middle of the horseracing season. She stated that as the Interim Executive Director would begin their duties in the following week, she believed General Counsel Grossman to be a slightly better fit.

Commissioner Maynard stated that because the General Counsel collaborates with the other Commission departments, he supported appointing General Counsel Grossman for this position. He noted that Dr. Lightbown does a fantastic job doing unique and challenging work.

Commissioner O'Brien suggested that General Counsel Grossman could be appointed Interim Executive Director, but that the Racing Division be changed to answer to Commissioner Hill and the Commission rather than the Executive Director for the interim period. She stated that this would allow for a greater balance of duties. Commissioner Hill stated that he was fine with the proposal, but asked why the duties would be split now, when they were not in the past. Commissioner O'Brien stated that in one of the first iterations of the Interim Executive Director period, the Racing Division reported directly to Former-Commissioner Gayle Cameron rather than the Interim Executive Director.

Chair Judd-Stein stated that Commissioners can be assigned by statutory structure to different areas, and that she wanted to ensure there was a clear understanding of how the Racing Division would report to Commissioner Hill. Executive Director Wells stated that during her first tenure as Interim Director, Former-Commissioner Gayle Cameron had the Racing Division report to her rather than the Interim Executive Director. Executive Director Wells noted that this did not occur the second time she was appointed Interim Executive Director.

Commissioner Hill said he would gladly take on this responsibility during the interim period. Commissioner O'Brien and Commissioner Maynard expressed willingness to take up additional responsibilities to ease the process as well. Commissioner Skinner stated that she supported the proposal as it allowed both candidates to get a win. She noted that she would still like the Interim Executive Director to receive updates on any issues that arose related to horseracing. Commissioner O'Brien stated that the Interim Executive Director would be kept in the loop.

Chair Judd-Stein asked if there were any consequences the Commission had not considered. Chief Muldrew stated that this approach allowed for collaboration and would set a fine example for Commission employees. He stated that both candidates had the ability to instill stability.

Commissioner Skinner sought clarification as to whether the arrangement with the Racing Division would be on an interim basis. Commissioner O'Brien stated that she envisioned it would be on an interim basis. Commissioner Maynard stated that the structure of the organization could be reviewed for efficiency purposes. Commissioner Skinner stated that she had hoped a review of the structure of the organization could occur when reviewing the Executive Director job descriptions.

Chair Judd-Stein stated that it was important to understand where Dr. Lightbown would report to regarding the Racing Division. She recommended that Commissioner Hill discuss this with Dr. Lightbown and bring it to Chief Muldrew to ensure responsibilities were clear.

Commissioner O'Brien moved that the Commission designate General Counsel Todd Grossman to serve as the Interim Executive Director to take effect upon the departure of the current Executive Director at the conclusion of the day on July 14, 2023; and further, that Director Alex Lightbown at that same time commence reporting to the Commission and in the first instance to Commissioner Hill during the same time period in which the Commission has the Interim Executive Director. Commissioner Skinner seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Skinner asked when the Commission would discuss compensation for the Interim Executive Director role. Mr. Makarious stated that the topic of compensation could be discussed in the reserved executive session, or Chief Muldrew could develop a recommendation that could be discussed in a later executive session. Commissioner O'Brien stated that it would be difficult to accept the position without knowing the salary, and that the salary would need to be known by the end of the week. Commissioner Skinner expressed an interest in Chief Muldrew's recommendations regarding best practices.

Chair Judd-Stein proposed adding a meeting on Wednesday September 12, 2023, with an executive session. She requested that Chief Muldrew and the outside counsel team meet with General Counsel Grossman to ensure he is all set and allow him the opportunity to provide input regarding compensation.

5. [Other Business](#) (3:46:15)

Hearing no other business, Chair Judd-Stein requested a motion to adjourn.

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.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

List of Documents and Other Items Used

1. [Notice of Meeting and Agenda](#) dated July 6, 2023