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## Massachusetts Gaming Commission Meeting Minutes

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**Date/Time:** September 23, 2021, 10:00 a.m.  
**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
PARTICIPANT CODE: 111 713 1742

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 Gayle Cameron  
Commissioner Brad Hill  
Commissioner Eileen O'Brien

#### 1. [Call to Order](#) (0:00)

Chair Judd-Stein called to order the 356<sup>th</sup> public meeting of the Massachusetts Gaming Commission. Roll call attendance was conducted, and all four commissioners were present for the meeting.

#### 2. [Welcome Commissioner Brad Hill](#) (2:49)

Chair Judd-Stein introduced Commissioner Brad Hill as the newest member of the Commission and the Commissioners welcomed him to the role. Commissioner Hill thanked the Commission and staff for a smooth onboarding process and stated that he was looking forward to working with everyone.

#### 3. [Administrative Update](#) (10:01)

##### a. On-Site Casino Updates

IEB Director Loretta Lillios provided a brief update on the properties. She noted that all three properties have continued to comply with all updates to Covid-related orders, provided updates related to venues at the properties, and informed the Commission of hiring events at MGM and

Plainridge Park Casino. Assistant Director of Investigations & Enforcement Bureau/Gaming Agents Division Chief Bruce Band also provided an update related to slot machines and table games at the properties, as well as the status of poker at MGM Springfield.

Commissioner Cameron asked if reopening plans for any property venues were delayed due to staffing difficulty. Director Lillios stated that there is a general difficulty in staffing food and beverage positions.

The Commission thanked Director Lillios and Assistance Director Band for their updates.

b. [Internal Re-Opening Plan Update](#) (20:10)

Executive Director Karen Wells provided an update on the Boston office reopening plan, which is slated to reopen on November 1<sup>st</sup>. She provided some highlights from the working group, including a preparation of the policy for requested exemptions from the Covid vaccination requirements, creation of a hybrid work schedule request form, and discussions regarding technology for hybrid public meetings.

Chair Judd-Stein asked about equipment to optimize both home setups and office setups. Executive Director Wells stated that people may have to bring some equipment back to the office so that they have a full office setup, but there may also be discretion for providing equipment as resources permit. She noted that it is largely dependent on resource allocation and the amount of money that the Commission chooses to invest in equipment.

4. [Independent Monitor Report](#) (31:48)

a. Update from Independent Compliance Monitor (Wynn Resorts)

Chair Judd-Stein welcomed Alejandra Montenegro Alamonte and her team from Miller & Chevalier to provide their compliance monitor update on Wynn Resorts. Ms. Montenegro Alamonte introduced the other members of her team: Ann Sultan, Katherine Pappas, Nicole Gokcebay, Alexis Zhao, and Preston Pugh. The team presented their Phase Three interim report, with a PowerPoint included in the Commissioners' Packet, including how the company business has shifted in the last approximately six months, a summary of review and testing activities that the team has conducted, overall observations under each hallmark of the compliance program, and general observations and next steps.

Commissioner Cameron noted that Millier & Chevalier is giving the company a roadmap to mitigate risk and engage in productive culture and asked if there is a sense from the Board of senior leadership team that they recognize the value it will provide to the company. Ms. Montenegro Alamonte stated that the company appreciates what it means to develop a living and sustainable program and is starting to think outside the four corners of the report. Commissioner O'Brien asked if the company is beginning to move toward implementing programs beyond just ramping back up post-Covid. Ms. Montenegro Alamonte stated that while there are areas where they are seeing this change, it has not fully manifested across all areas of the company.

Commissioner O'Brien asked about implementation of the company's preventing harassment and discrimination training and if the monitor team had any concerns about the delta between the training completion level in Boston versus Las Vegas. Ms. Montenegro Alamonte stated that there were no existing concerns but that it is something they will continue to monitor.

Commissioner O'Brien asked if the monitor team has seen an improvement in the company's appreciation of conflict-of-interest issues and improvement in terms of investigations and policies. Mr. Pugh stated that conflict-of-interest issues were not as prevalent during this period of review but that it is something they will continue to monitor. Commissioner O'Brien noted that she looked forward to hearing more on this moving forward and Chair Judd-Stein echoed that sentiment.

Commissioner Hill sought confirmation that the monitor's report indicates that policies and procedures related to harassment are being implemented well at the staff and middle management level and with third parties but still need work at the upper management level. Ms. Montenegro Alamonte confirmed that the monitor team has not yet seen transformational change throughout all levels of the organization and is looking for executive management to find ways to concretely demonstrate its commitment.

The Commission thanked the monitor team for their extensive and valuable report.

#### 5. [Legal Division](#) (2:08:16)

##### a. Table Game Rules – Ultimate Texas Hold ‘Em

Associate General Counsel Carrie Torrisi presented draft changes to the rules of the game for Ultimate Texas Hold ‘Em which will bring the game rules in line with current GLI standards related to dealing procedures from automated shufflers. Regulatory Compliance Manager Sterl Carpenter explained that game protection has evolved due to players cheating and those game protections have changed the ways in which the shuffler operates, resulting in the need for these changes.

Commissioner Cameron asked if it is more difficult for players to cheat with this new methodology in place. Mr. Carpenter confirmed that the new procedures make it more difficult to cheat and explained in detail how the new procedures work.

Commissioner Cameron moved that the Commission approve the amendments to the rules of the game of Ultimate Texas Hold ‘Em as included in the Commissioners' Packet and discussed here today. The motion was seconded by Commissioner O'Brien.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

6. [Finance and Accounting Division](#) (2:17:38)

a. Financial Update – Gaming Position – First Quarter Spending

Chief Financial and Accounting Officer Derek Lennon, Finance and Budget Office Manager Agnes Beaulieu, and Revenue Manager Doug O’Donnell presented the closeout report for fiscal year 2021. Commissioner Hill noted that the Commission may want to look more closely at the IT budget given the need for new hybrid meeting technology which will be quite expensive. Chief Lennon and Executive Director Wells agreed and noted that this issue could come back to the Commission once there are specific estimates for the equipment.

Commissioner O’Brien moved that the Commission approved the request to take the surplus from FY 21 and credit it to the licensees FY 22 assessments. The motion was seconded by Commissioner Cameron.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O’Brien: Aye.*

*Commissioner Hill: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

7. [Research and Responsible Gaming](#) (2:35:26)

a. Recognition of Responsible Gaming Education Week

Director of Research and Responsible Gaming Mark Vander Linden noted that it is Responsible Gaming Education Week, which is part of the Commission’s commitment to promoting positive play and reducing gambling-related harm. He noted further that the annual advocacy week provides an opportunity to strengthen employee training, promote gambling literacy among casino guests, and further advance responsible gaming programs; he provided various examples of ways in which the properties are getting involved in this advocacy week. The Commission thanked Director Vander Linden for this important update.

8. [Community Affairs Division](#) (3:16:06)

a. Community Mitigation Fund Reserve Application Review

Community Affairs Division Chief Joe Delaney presented three requests for the use of reserve fund from the Community Mitigation Fund from Hampden, North Attleboro, and Mansfield, the details of which are included in the Commissioners’ Packet.

Commissioner Cameron moved that the Commission approve the Town of Hampden’s request to use \$100,000 of its reserve funds to implement the pedestrian safety improvements to the area of Somers Road/Allen Street as described in the submitted application and materials included in the

Commissioners' Packet and as discussed here today, and further that the Commission staff shall be authorized to execute a grant instrument commemorating this award in accordance with 205 CMR 153.04. The motion was seconded by Commissioner O'Brien.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

Commissioner Hill moved that the Commission approve the Town of North Attleboro's request to use \$100,000 of its reserve funds to hire a traffic consultant to study the Kelley Boulevard corridor as described in the submitted application and materials included in the Commissioners' Packet and discussed here today, and further that the Commission staff shall be authorized to execute a grant instrument commemorating this award in accordance with 205 CMR 153.04. The motion was seconded by Commissioner O'Brien.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

Commissioner O'Brien moved that the Commission approve the town of Mansfield's request to use \$45,000 of its reserve fund to train every officer of the police department in the concepts of inclusion, diversity and sensitivity, as well as the fundamental concepts contained in the Massachusetts Reform Law, as described in the submitted letter and the materials included in the Commissioners' Packet and discussed here today, and further that the Commission staff shall be authorized to execute a grant instrument commemorating this award in accordance with 205 CMR 153.04. The motion was seconded by Commissioner Hill.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

b. [Community Mitigation Fund Policy Questions Discussion](#) (3:32:56)

Chief Delaney presented various policy questions for discussion related to the 2022 Community Mitigation Fund guidelines, a memorandum of which is included in the Commissioners' Packet. Chief Delaney explained that development of the guidelines is a three-step process which

includes reviewing policy questions, drafting guidelines, and sending them out for public comment.

Chief Delaney presented the Commission with the following policy questions, which will be discussed by the Local Community Mitigation Advisory Committees and the Subcommittee on Community Mitigation: should the limitation on grant amounts be increased; should target spending caps be raised or eliminated; should the number of grants per community be limited; should the Commission pursue an expansion of Community Mitigation Fund eligibility via either a statute change or within the current framework; should the Commission authorize the use of funds for large transportation projects or economic development projects; should a separate category be added for public safety grants and should any new limits be placed on such; should local match provisions be reconsidered; should the Community Mitigation Fund use a fiscal year rather than a calendar year; should any reserves be allowed to carry over to FY 22.

There was discussion around the recommendation to increase the limits on grant amounts, and the Commission agreed with the recommendation given existing needs. Commissioner Hill and Chair Judd-Stein asked if larger awards would equate to fewer recipients. Chief Delaney stated that there is capacity for increases without reducing the number of grant awards. There was also discussion surrounding workforce development grants, which are awarded per region and benefit from collaboration.

There was discussion surrounding inserting language into the guidelines affirmatively stating that there is an impact from the casinos on certain industries which would relieve the burden of communities having to prove said impact. The Commission agreed that this would be a practical addition to the guidelines.

There was also discussion surrounding creating a separate public safety category. Chief Delaney noted that if the Commission were to create a public safety category it would be in addition to the specific impact category. The Commission agreed with this recommendation.

Chief Delaney explained what would happen with the guidelines next and the Commission thanked him and his team for their work.

#### 9. [Commissioners Update](#) (4:30:37)

Chair Judd-Stein noted that the Commission had not had an opportunity to have a formal farewell to Commissioner Enrique Zuniga and that the Commission would be inviting him back at some point in the near future to do so.

Commissioner Cameron provided an update on the recent IAGR conference and thanked everyone who participated as a volunteer, attendee, or presenter.

#### 10. [Other Business](#) (4:34:45) - none

Commissioner Cameron moved to adjourn. The motion was seconded by Commissioner O'Brien.

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

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

1. Notice of Meeting and Agenda dated September 23, 2021
2. [Commissioners' Packet](#) from the September 23, 2021, meeting (posted on [massgaming.com](http://massgaming.com))