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## Local Community Mitigation Advisory Committee Region A Meeting Minutes

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**Date/Time:** September 24, 2019 – 1:30 p.m.

**Location:** **MGC – 101 Federal Street, 12<sup>th</sup> Floor Boston, MA**

**Members Present:** David Bancroft                      Vincent Panzini    **Members** John DePriest  
Richard Caraviello                      Paul Sheehan    **Absent:** Mayra I. Negron-Rivera  
Alison Felix                                      Keith Slattery                      Brad Rawson  
Ron Hogan                                      Alexis Tkachuk

**Attendees:** Joe Delaney                                      Mary Thurlow  
Jill Griffin                                      John Ziemba  
Bruce Stebbins

### Call to Order

The Chair called the meeting to order the 10<sup>th</sup> Local Community Mitigation Advisory Committee (LCMAC) Region A meeting and thanked all those in attendance. Members then introduced themselves. He then turned the meeting to Mr. Ziemba.

Ombudsman Ziemba mentioned that at the next proposed meeting would be the election for Chair and Subcommittee representatives. He gave a brief overview of the Commission’s current research and noted how pleased the Commission was with the smooth opening at Encore. He reminded members that the Commission continues to monitor the licensees. He then turned the meeting to the Chair for the approval of the minutes.

### Approval of Minutes

The Chair *motioned to approve the minutes from the LCMAC Region A meeting of April 23, 2019. The motion was seconded by the quorum at the Chair’s request. The motion passed unanimously.*

### Meeting

The Chair then turned the meeting to John Ziemba who reviewed the agenda items.

Mr. Ziemba then gave a brief overview of the Commission’s current research involving its licensees.

Mr. Ziemba noted that Plainridge Park has been steady with employment and has worked hard to meet their commitments. He noted that revenues are being reviewed all the time; and that it does take a while to get marketing efforts optimized. He noted that MGM Springfield recently broke ground on the Walburgers.

Mr. Ziemba then turned the meeting over to Joe Delaney to discuss Project monitoring and research as they relate to traffic and transportation related studies and their deadlines.

Mr. Delaney noted that at the grand opening and as part of Encore's MEPA filing and Section 61 findings there is a whole host of items to be monitored. Encore had to hire a designated transportation coordinator. This designated transportation coordinator, Jim Folk, spearheaded a traffic planning effort which worked out well for the grand opening. Mr. Delaney discussed the independent organization to undertake transportation monitoring program – STV Inc. that was approved by both MassDOT and MGC. The baseline traffic counts were conducted in early June. Twice annually STV will conduct traffic counts. They have to meet with MassDOT to finalize details of the studies, which continue for 10 years. Results will be submitted to MassDOT and to MGC.

Mr. Delaney discussed that the original scope of the lookback study did not include the new parking lots across the street. These will have to be added to the scope of the studies. Encore has provided premium park and rides; water transportation, Orange Line shuttles and a neighborhood bus route, and is keeping counts of all the riders. These should give us a good idea of how they are doing with mode share and getting people out of their cars. The first traffic study is to be done in December 2019. The study done in the spring will include the evaluation of the Transportation Demand measures. It makes the most sense to do that study closer to anniversary of opening when those measures are more well developed.

He also discussed the additional Encore obligations regarding transportation monitoring. The additional obligations are: twice annual traffic counts must be done in accordance with scope outlined in MassDOT Section 61 Findings – both ATR counts for 7 days and manual turning movement counts Friday 4-6 PM and Saturday 2-5 PM – 10 year duration of studies; Annual parking occupancy observations within the parking garage on Thursday, Friday and Saturday between 6 AM and 10 PM – also evaluate bike parking, utilization of carpool/vanpool spaces, car sharing, alternatively fuel vehicle spaces, and usage of vehicle charging stations. Annually Encore will collect boarding and alighting information for: Premium Park and Ride; Water Transportation; Tour buses; Orange Line shuttle; Neighborhood shuttle; Bus Routes 99, 90, 100 and 134. He noted that Encore will also: annually conduct a survey of patron and employee travel modes; with first monitoring to be done in December – MGC will coordinate with Encore on dates, etc.

Mr. Delaney then moved to discuss MGM Springfield Transportation Monitoring. MGM Springfield was required to hire a designated transportation coordinator. The transportation coordinator would have oversight on: annually conducting a traffic monitoring program in accordance with the scope outlined in MassDOT's Section 61 Findings – both ATR counts for 7 days and manual turning movement counts Friday 4-6 PM and Saturday 2-5 PM – 7 year duration. The first study is being done now. This monitoring will compare traffic data to EIR data to evaluate actual traffic vs. projected traffic; evaluate Transportation Demand Management plan; collect parking demand counts during peak demand periods; and prepare a memo summarizing the results.

Mr. Delaney noted that Surrounding Community Agreements also have baseline, one and five year look back requirements. Baseline studies were done before the project opened. The first year lookback studies are being done now and include more than just traffic. The scope includes: construction impacts; net substitution of existing commercial/retail activity; traffic improvement needs related to project site; utility infrastructure needs related to project; crime rates and public safety; residential real estate values; public education; public health including addiction; and additional municipal administrative burdens. These studies look at both the positive and negative impacts of the casino and attempt to put a dollar value on these impacts.

Mr. Ziamba mentioned to members that a number of research activities are on the MGC website. Members can go to research agenda section of website. There is a lot of information available throughout the website.

Mr. Ziemba noted that some reports are coming shortly. Baselines reports on crime and incidents in Everett and surrounding communities, are going to be released on November 7<sup>th</sup>. The commission's research team is also evaluating information on Springfield's economy such as real estate values. The Commission may need to consider what type of for mitigation would be reasonable for housing impacts if the area appears to be gentrifying?

He referenced two Economic Reports: (i) The real Estate impacts of MGM Springfield in Springfield and Surrounding Communities (September 26, 2019) and (ii) Real Estate Impacts of the Plainridge Park Casino on Plainville and Surrounding Communities (October 11, 2018). He mentioned that the 4 month MGM Springfield Public Safety Reports came out in May 2019, roughly 5 months after the 4 month period. The Commission has been asked how it can get studies out quicker. However, our research involves independent researchers, independent people to study reports; and numerous research committees. Generally the Commission is very careful to ensure that its research statistically sound.

The Chair then moved the attention of the meeting to the policy questions.

### **2020 Community Mitigation Fund Policy Questions Review**

Mr. Ziemba reviewed the anticipated schedule for this year. He mentioned to members that it was a good idea to counsel your communities to think about their applications for next year. On Thursday (September 26), the Commission will be asked for other questions they may want to resolve before the December date on the vote for the Guidelines.

The Subcommittee on Community Mitigation is meeting next week. The staff is trying to have 2 meetings of each committee. The MGC will try to get out the Guidelines by the end of October and then will engage in a few weeks of comment period; another round of the LCMAC and Subcommittee meetings, then meet again with Commission.

The draft policy question memo is for discussion purposes only. The big question is how big should the funding target be for this year. Approximately \$16M out of \$17.5M has been allocated in some form.

Mr. Ziemba indicated that the MGM generated additional funding last year into the CMF by 12/2018. The clock stopped at December 31, 2018 for the purposes of estimating available funding for the 2019 program. To be conservative revenues were placed at \$1.50M.

Mr. Ziemba then explained that the casino revenues are reported on Commission's website. The revenue section on the website shows how much has been generated by all licensees. He noted that on top of that revenue, a fine in 2019 resulted in additional funding being placed into all the areas specified in the Statute, including the Community Mitigation Fund. The fine resulted in \$2.3M being added onto the revenues that we can count on this year for the Community Mitigation Fund. He stated that one other factor is regional distribution of the Community Mitigation Fund. If a region does not fully use available funding in one grant year, the communities can use unused portions from prior year. The CMF was previously estimated at \$18M a year. However, that was a figure that reflected the status of facilities once the licensees optimize and stabilize their marketing, usually a three year period. He noted that the program for 2020 may not be significantly different from last year. He noted that the Community Mitigation Fund awards made in 2019 exceeded the spending target in workforce guidelines. Ms. Griffin mentioned that for the hospitality businesses, many employees were fleeing to Encore for better wages. Commissioner Stebbins has seen challenges in filling gaming positions including dealers. He noted that 18 year olds are allowed as dealers at Encore.

Chief Paul Sheehan expressed his concern about trying to help out local businesses.

Ms. Griffin explained the workforce development program portion of the Community Mitigation Fund focuses on hospitality, and job readiness.

The Chair noted that it had been reported to him that there has been a turnover of 1500 employees at Encore. He asked is that number somewhat accurate? Ms. Griffin stated that she had not heard that number. She noted new employees discover the job is not what was expected and people sometimes don't know what they're going into.

Chief Sheehan asked whether the work schedules were tough. Ms. Griffin said that the casinos make the work schedule clear. However, sometimes once an employee has to work a holiday he or she never had to work before, it become more of an issue. The Chair noted that the general workforce is used to working the normal shifts. Ms. Griffin said that turnovers are very much expected.

Mr. Bancroft asked whether there was any tracking of what is turning over and whether people are going back to where they came from instead of working at casino. Ms. Griffin said that we don't have that information. Tips sharing is also a tension point.

The Chair asked why someone would pay to go to dealer school? He noted that if reimbursement is available, the word needs to come out. People don't know about the scholarship programs. He also stated that the last round of classes the schools didn't offer scholarship or a loan program for schools.

Mr. Ziembra then broke down the categories of grants and their target amounts: \$500,000 for specific impacts waivable by the Commission; \$200,000 transportation planning grants; 2 or more communities get bonuses; a \$300,000 workforce grant in reach region and last year the Commission authorized two in the Eastern Region; \$50,000 Non transportation; \$200,000 in Tribal technical assistance and \$500,000 Transit Project(s) of Regional Significance. Mr. Hogan thought these limits were reasonable expectations. Mr. Bancroft agreed that they were reasonable.

The question of "Do you require a match" was asked of Mr. Ziembra. He explained that a match is required in workforce grants but not planning which has in-kind assistance.

Mr. Ziembra also asked if the 3 year period before unused regional funds are put back into the general CMF was reasonable. He asked if we should continue that guideline on for next year? Mr. Hogan questioned the 3 years build up before being put back in the general mitigation fund, using as an example a buildup in western Massachusetts that then goes unused. Mr. Bancroft questioned whether last year's money should fall off first. Mr. Ziembra said that if a region doesn't use it all, it gets carried for two additional years before going back in the general CMF fund. Mr. Hogan asked to look into spending oldest money first. Mr. Panzini asked whether the 3 years is statutory. Mr. Ziembra said no; it is just something the LCMAC had agreed to use.

Commissioner Stebbins talked about the Gaming Economic Development Fund. Last 2017 Commission engaged stakeholders and that it would be great to look at strategies by the Legislature to keep putting money in local communities. MGC put out a White Paper,. The report received some attention. However, the Legislature is still evaluating the Gaming Economic Fund. The Commission has decided that a refresh on the White Paper may be in order to see if it is still consistent. The plan would be to send to the Legislature some more ideas, and firmer revenue figures to be put into region. The Gaming Economic Development Fund has a lot of money. It currently is being used for general purposes instead of locally based projects.

Commissioner Stebbins also noted that the Gaming Economic Development funding was placed into the Workforce competitiveness Trust Fund competitively managed by Commonwealth Corporation. The budget shows how this was appropriated.

Mr. Ziemba drew the member's attention to question 6. Should we authorize for large transportation projects or economic development? He noted that in western Massachusetts there are likely less roadway projects and that there are less well developed transit services. Should we start thinking of the mitigation fund as a way to fund economic development projects? Do we have the statutory authority? Does it meet the requirements of the fund?

Question 5. Should the fund be used for transportation construction? There was a transit based program for projects last year. However, awards have not been made for construction just for design work. .

Mr. Delaney mentioned that there are projects out there eligible for TIP funding; small scale types of projects.

Mr. Ziemba then asked members how would the CMF manage multiyear projects?

Alexis Tkachuk asked whether it would authorize supplements if a community needed some funding not for an entire project. Mr. Bancroft asked whether if it was a smaller transportation project, would the CMF mostly fund it? An example is covered shelters.

Mr. Panzini spoke of how one can get a smaller project that you can get done, but how do you draw the line on big projects? Chair Carviello noted that transportation issues have not yet really materialized. If you stick to small ones, Mr. Hogan noted taking only that part of a solution could make it make it worse: as an example he used Wellington Circle.

Mr. Ziemba noted that Encore is still seeing a significant amount of vehicles between 9 or 10. To Ron's point we are still generating traffic and the Community Mitigation Fund could play a part?

Mr. Delaney thought that Wellington clearly had some impact from the casino. He stated that there is plenty of needs more than the money available. If transportation projects are paid out of the fund the state would have more money for other projects.

Mr. Ziemba said that some of projects are still in the early levels of planning and that actual spending on construction could be at least 5 years away.

Mr. Hogan noted that we should try to find a way to supplement funds. Mr. Ziemba then turned the members to question 7 and regarding public safety dollars. Mr. Slattery asked about impact on fire departments as this was not specified in the questions.

Mr. Ziemba stated that Host Community Agreements would need to be evaluated in considering public safety issues. Mr. Slattery asked how neighboring communities could apply for funding; what should we do for both police and fire issues. He asked if surrounding communities are experiencing costs.

Mr. Ziemba noted that there are a lot of public safety needs such as the 2 am to 4 am issue; and specific patrols for folks going to casino for a last stop at night. He asked what can be done to combat that? Does it make sense to have more patrols? Should we consider that 70% of traffic through Sullivan Square? Do we encourage regional applications?

Mr. Ziemba then focused members on questions 9. Other communities do their own studies. How should we take them into consideration when they submit their applications. Mr. Ziemba discussed Region C and that the Commission just had a meeting on the Brockton area license.

Mr. Ziemba then reviewed questions 11 through 18 which involved a question on dollar for dollar match; Questions 12 involving Reserves and should a cap on workforce administrative costs be a part of our general applications?

Question 16. Joint application will be continued. We now have two applicants in east and would like them to work together. We should try to encourage them to join together.

In regard to Question 18. Our annual review of grants. He also noted that questions we should explore are: operational impacts, real estate housing, education stating that all those will need to be evaluated, he is not sure what we will have for statistics by grant start.

### **Next Steps**

The Chair noted the next meeting on November 20<sup>th</sup> at this location;

*There being no further business, a motion was made to adjourn. The motion was seconded. The motion passed unanimously.*

/s/ Mary Thurlow  
Secretary

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

1. Notice of meeting and agenda, posted April 19, 2019
2. Meeting Minutes from the April 23, 2019 meeting
3. Draft of Policy Questions For discussion 2020 Guidelines
4. Copy of 2019 Guidelines
5. Calendar of meetings
6. Membership list

/s/ Mary Thurlow  
Secretary