



Massachusetts Gaming Commission Meeting Minutes

Date/Time: August 14, 2018 – 10:00 a.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Present: Chairman Steve Crosby
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga
Commissioner Eileen O'Brien
Commissioner Gayle Cameron

Time entries are linked to
corresponding section in
Commission meeting video

Call to Order

See transcript pages 2 – 3

[10:00 a.m.](#) Chairman Crosby called to order public meeting #250 of the Massachusetts Gaming Commission.

Approval of Minutes

See transcript pages 3 – 4

[10:00 a.m.](#) *Commissioner Stebbins moved to approve the minutes from the July 26th Commission Meeting, subject to correction for typographical errors and other nonmaterial matters. Commissioner Cameron seconded the motion. Chairman Crosby commented that on page three, he would like the section that reads, "think about the broader issues to consider" to be edited to read, "prepare topics that will follow in the broader discussion."*

Administrative Update

See transcript pages 4 – 68

General Update

[10:02 a.m.](#) Executive Director Ed Bedrosian reported that MGM Springfield is scheduled and on track to open in ten days.

Executive Director Bedrosian further reported that the Investigations and Enforcement Unit (“IEB”) is entering the final stage of their investigation into Wynn Resorts’ suitability. Wynn has also announced the completion of an independent review by the board’s special committee. The IEB will evaluate this additional information, and conclude its investigation by the end of this month. It is the goal of the Commission to present these findings to the public in September.

MGM – Opening Update.

Director Bedrosian stated that August 16th and 20th are two formal evaluation times, where guests will be invited to MGM Springfield for test nights, in anticipation of issuing a temporary operations certificate. There will be a press conference on August 23rd, and MGM Springfield’s official opening will be on August 24th.

MGM Springfield Iconic Sign Programming.

[10:06 a.m.](#) Ombudsman John Ziemba addressed the issue of MGM Springfield’s dynamic advertising sign that would be facing I-91, and the public safety concern about distracted driving as a result of the manner in which this sign is used for advertising.

Ombudsman Ziemba also gave an overview of regulations regarding billboards at the federal, state, and local levels. He noted the steps that MGM and Springfield city council took to ensure that there was data collected regarding the effects of the sign, as well as conditions being imposed regarding usage of the sign.

MGM introduced a traffic study conducted by VHB that determined there is no statistically significant correlation between on-site outdoor electronic signs and driver safety or crashes (See item #3 in List of Documents and Other Items Used)

MGM proposed that they could also conduct a study to analyze highway data from I-91 over a six-month period of initial use after opening. This data could be provided to the Commission and to Springfield City Council for evaluation.

A slide show was presented with a video depicting MGM Springfield’s sign. Content of the sign and manner usage was discussed as well as sign content allowed in other jurisdictions.

The Commission discussed the potential issues relating to a sign that displays video and which could result in distracted driving and impact public safety. The consensus of the Commission was against allowing public safety to potentially be compromised in order to conduct a six-month study to measure safety risk. The Commission’s preference was that the sign comply with regulations governing like signage.

[11:06 a.m.](#) *Commissioner O'Brien moved to deny the request to have dynamic movement in MGM Springfield's sign overlooking I-91, without prejudice such that in 90 days after MGM Springfield's opening, the Commission may revisit the issue of allowing dynamic images on the sign. Commissioner Cameron seconded the motion.*
The motion passed 5 – 0.

Investigations and Enforcement Bureau

See transcript pages 68 – 100

Interim Authorization for Plainridge Park Casino REIT Transaction

[11:06 a.m.](#) Loretta Lillios, Chief Enforcement Counsel introduced the IEB's investigative report regarding Interim Authorization for Plainridge Park Casino ("PPC")'s Real Estate Investment Trust ("REIT") transaction.

This transaction is the transfer of real estate from Plainville Gaming and Redevelopment LLC, the owner of PPC to Gaming and Leisure Properties, Inc., ("GLPI"). After the transfer GLPI will be a passive landlord, and PPC will continue to hold the gaming and racing license and be in control of all operations. Counsel Lillios stated that there is an anticipated closing date in the fall for this transaction.

Monica Chang, Financial Investigations Supervisor, highlighted some of the impacts that this series of transactions would have on Penn National, the parent company of PPC.

The IEB recommended that the Commission approve the Interim Authorization allowing for the closing of the PPC REIT transaction with GLPI. The IEB will proceed with its full investigation into this transaction and the associated qualifiers and will issue a full report on suitability as soon as possible and within the time frame provided in the regulations.

[11:45 a.m.](#) *Commissioner Zuniga moved to approve the proposed transaction of the Interim Authorization for the transfer of the real estate associated with Plainridge Park Casino to Gaming and Leisure Properties, Inc. as described. Commissioner Stebbins seconded the motion.*
The motion passed 5 – 0. (This approval included the corresponding approval to transfer the race track in accordance with G.L. c.128A.)

Ombudsman

See transcript pages 100 – 129

Plainridge Park Casino Quarterly Report

[11:50 a.m.](#) Ombudsman John Ziemba introduced the Q2 Quarterly Report for PPC. Ruben Warren, Vice President of Finance gave a slide presentation that illustrated statistics on PPC's spending, sales, diversity hiring, compliance, employment, community outreach initiatives, sponsorships, and marketing.

PPC will hold an expo for the Women Leading at Penn initiative on September 25th at the Plainridge Park Casino in Plainville, MA.

Jason Gittle, Information Technology Director at PPC gave a presentation on a new feature in the Marquee Rewards website called Monthly Win/Loss Statements. With an account, this website will track loyalty points and win/loss data that patrons can print out in PDF statement and evaluate on a monthly basis from their web player profile.

The new Monthly Win/Loss feature in the Marquee Rewards website is anticipated to launch on September 1st.

Encore Boston Harbor Quarterly Report

[12:20 p.m.](#) Ombudsman Ziemba introduced the Q2 Quarterly Report for Encore Boston Harbor.

Peter Campot, Director of Construction for Wynn Design and Development gave a status update on the construction of the site and presented slides that documented the tracking of progress on the project. He also reviewed offsite infrastructure improvements that are in progress in Medford, Boston, and Everett. Most projects are slated to be completed this fall.

Wynn will commence Phase 1 of work (design and permitting) on the Harborwalk Connector Project. The new bridge (Encore Harborwalk) will connect Encore Boston Harbor to the Assembly Row T Station.

It was reported that contracts awarded to minority, women and veteran business enterprises, in the design phase of the project, have generally exceeded set goals.

Community Outreach initiatives that were carried out throughout the quarter were reported and discussed.

Licensing Division

See transcript pages 156 - 160

MGM Employee/Vendor Exemption Requests

[12:46 p.m.](#) The Commission was asked to consider 11 job positions for exemption from the registration requirement. One of the job positions is employed by MGM, while 10 are employed by Western Mass News to perform work on-site at MGM Springfield.

[12:49 p.m.](#) *Commissioner Stebbins moved that the Commission approve the Gaming Service Employee exemptions as provided in the packet. Commissioner Zuniga seconded the motion.*
The motion passed, 5 – 0.

Racing Division

See transcript pages 160 – 183

Suffolk Downs' Request for Additional Racing Days and Additional Purse Money

[12:50 p.m.](#) The Racing Division recommended that the Commission approve the request of Suffolk Downs for two additional days of racing, September 15 and 16, 2018. It was also recommended that the Commission approve an additional \$1.1 million for purses for these days.

[12:56 p.m.](#) *Commissioner Cameron moved to approve the request of Suffolk Downs for two additional race days of September 15 and 16, 2018, and that the Commission approve the additional \$1.1 million for purses for these days. Commissioner O'Brien seconded the motion.
The motion passed, 5 – 0.*

Massachusetts Breeders Association's Request to Race at Finger Lakes

The Racing Division recommended that the Commission approve the request of the Massachusetts Thoroughbred Breeders Association to run six additional races at Finger Lakes; two in August, two in October, and two in November.

[1:15 p.m.](#) *Commissioner Cameron moved to approve the Massachusetts Thoroughbred Breeders' Association's request to run six additional races. Commissioner Stebbins seconded the motion.
The motion passed, 5 – 0.*

Commissioner's Updates

See transcript pages 183 – 184

[1:16 p.m.](#) Chairman Crosby referenced Commissioner Cameron's earlier update regarding Suffolk Downs. Commissioner Cameron had reported that she and Director Bedrosian had the opportunity to attend the races on the previous Sunday, which included the George Brown Memorial race. Commissioner Cameron added that it was a very nice tribute and race.

Director Bedrosian stated for the record that this was the Commission's 250th meeting.

[1:18 p.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Cameron. Commissioner Zuniga seconded the motion.
The motion passed unanimously.*

List of Documents and Other Items Used

1. Notice of Meeting and Agenda, dated August 14, 2018
2. Meeting Minutes Draft, dated July 26, 2018
3. May 17, 2017 packet from Frank Fitzgerald Regarding the Signage and Specialty Lighting Concept Traffic Study
4. Investigative Report regarding Interim Authorization for PPC REIT Transaction

5. August 9, 2018 letter from Jonathan Albano regarding the Sale/Leaseback of Plainridge Park Real Estate
6. Report – Plainridge Park Casino Q2 2018
7. Report – Encore Boston Harbor Q2 2018
8. August 9, 2018 Memo regarding MGM Employee Exemptions
9. MGC Identification of Potential Positions for Exemption from the Registration Requirement documents
10. August 9, 2018 Memo from Dr. Alexandra Lightbown regarding Suffolk Downs Request for Additional Days and Purse Money from Race Horse Development Fund
11. July 24, 2018 letter from Suffolk Downs Requesting Additional Race Days
12. Public Comment from Paul Sainato regarding racing at Suffolk Downs
13. Public Comment from Mohamed Hassim regarding racing at Suffolk Downs
14. Public Comment from M. Bertoni regarding racing at Suffolk Downs
15. Public Comment from Bruce Na regarding racing at Suffolk Downs
16. August 9, 2018 letter to Dr. Alexandra Lightbown regarding Suffolk Downs 2018 RHDF Request; September Dates
17. August 9, 2018 Memo from Dr. Alexandra Lightbown regarding the Massachusetts Thoroughbred Breeders Association Request to Race at Finger Lakes
18. August 8, 2018 letter from the Massachusetts Thoroughbred Breeders Association regarding racing at Finger Lakes
19. August 9, 2018 Memo to Alexandra Lightbown - Tentative Schedule for Finger Lakes – Autumn 2018

/s/ Catherine Blue
Assistant Secretary