



Meeting Minutes

- Date/Time:** November 14, 2013 – 9:30 a.m.
- Place:** Boston Convention and Exhibition Center
415 Summer Street, Room 107A
Boston, Massachusetts
- Present:** Commissioner Stephen P. Crosby, Chairman
Commissioner Gayle Cameron
Commissioner James F. McHugh
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga
- Absent:** None

Clicking on the time posted in the margin will link directly to the appropriate section of the video.

Call to Order

See transcript page 2.

9:30 a.m. Chairman Crosby opened the 90th public meeting.

Racing Division

Report by Director Jennifer Durenberger. See transcript pages 2-21.

9:32 a.m. Director Durenberger provided an overview of the 2014 Racing License Applications that the Commission reviewed the prior week and is currently voting on.

9:34 a.m. *Motion made by Commissioner McHugh that the Commission award a license to hold or conduct a race meeting for the calendar year of 2014, with the conditions discussed, to Sterling Suffolk Racecourse LLC. Motion seconded by Commissioner Cameron. The motion passed unanimously.*

9:39 a.m. *Motion made by Commissioner Cameron that the Commission award a license to hold or conduct a race meeting for the calendar year of 2014, with the conditions*

discussed, to Springfield Gaming and Redevelopment LLC. Motion seconded by Commissioner McHugh. The motion passed unanimously.

- 9:38 a.m. *Motion made by Commissioner McHugh that the Commission award a license to hold or conduct a race meeting for one day in the calendar year of 2014, with the conditions discussed, to Brockton Racing LLC. Motion seconded by Commissioner Cameron. The motion passed unanimously.*
- 9:42 a.m. General Counsel Blue introduced the issue relative to the complaint against Raynham Taunton by the European Wagering Services. George Carney, on behalf of Raynham Park, provided more information on the issue.
- 9:46 a.m. Director Durenberger presented Plainridge Racecourse's request to cancel live racing days in the calendar year of 2013 and recommended approval.
- 9:49 a.m. *Motion made by Commissioner Cameron that the Commission cancel the seven live race days as requested by Plainridge Racecourse. Motion seconded by Commissioner McHugh. The motion passed unanimously.*

Surrounding Community Petitions – PPE Casino Resorts

See transcript pages 21-74.

- 9:50 a.m. Ombudsman Ziemba introduced the communities petitioning to be designated as surrounding communities with respect to the PPE Casino Resorts LLC application for a category 2 license to open a slots parlor in the City of Leominster.
- 9:54 a.m. Larry Delaney and Don Lowe, on behalf of the Town of Bolton, provided the Town's position on why the Commission should designate the Town of Bolton as a surrounding community.
- 10:02 a.m. Stanley Weinberg, on behalf of the Town of Sterling, provided the Town's position for why the Commission should designate the Town of Sterling as a surrounding community.
- 10:07 a.m. William Devereaux, John Barrett, and Matthew Feher, on behalf of the City of Fitchburg, provided the City's position for why the Commission should designate the City of Fitchburg as a surrounding community.
- 10:12 a.m. Joseph Weinberg, on behalf of the applicant PPE Casino Resorts LLC, provided the applicant's response outlining why the applicant does not support designation of Bolton, Sterling, and Fitchburg as surrounding communities.
- 10:58 a.m. The Commission took a brief recess.

Surrounding Community Petitions – Raynham Park

See transcript pages 75-100.

- 11:16 a.m. Ombudsman Ziemba introduced the communities petitioning to be designated as surrounding communities with respect to the Raynham Park LLC application for a category 2 license to open a slots parlor in the Town of Raynham.
- 11:17 a.m. Michael Dutton, on behalf of the Town of Bridgewater, provided the Town's position for why the Commission should designate the Town of Bridgewater as a surrounding community.
- 11:26 a.m. Jonathan Silverstein, on behalf of the Town of Lakeville, provided the Town's position for why the Commission should designate the Town of Lakeville as a surrounding community.
- 11:30 a.m. Jeff Ritter, on behalf of the Town of Rehoboth, provided the Town's position for why the Commission should designate the Town of Rehoboth as a surrounding community.
- 11:32 a.m. Grace Lee, Tom Bonner, and Tom Carney, on behalf of the applicant Raynham Park LLC, provided the applicant's response outlining why the applicant does not support designation of Bridgewater, Lakeville, and Rehoboth as surrounding communities.

Other Surrounding Community and Impacted Live Entertainment Venue Issues

See transcript pages 100-160.

- 11:43 a.m. Ombudsman Ziemba introduced the City of Fitchburg's petition for involuntary disbursement from the applicant PPE Casino Resorts LLC.
- 11:44 a.m. John Barrett, Matthew Feher, and William Devereaux, on behalf of the City of Fitchburg, discussed the reasons for their petition and responded to the Commission's questions.
- 12:14 p.m. Joseph Weinberg, on behalf of the applicant PPE Casino Resorts LLC, responded to the City of Fitchburg's petition.
- 12:23 p.m. General Counsel Blue introduced the South Shore Playhouse Associates' petition to be designated as an impacted live entertainment venue because of the effect Raynham Park LLC's proposed slots parlor would have.
- 12:25 p.m. Peter Martin, Troy Siebels, and Vincent Longo, on behalf of Massachusetts Performing Arts Coalition and South Shore Playhouse Associates, presented their reasons for designation of South Shore Playhouse Associates as an impacted live entertainment venue.

- 12:46 p.m. Grace Lee and Tom Bonner, on behalf of Raynham Park LLC, responded to the impacted live entertainment venue petition.
- 12:48 p.m. General Counsel Blue presented the issue relative to surrounding community timing variances that the Commission discussed at the prior meeting.
- 12:50 p.m. *Motion made by Commissioner McHugh that the Commission grant a variance from the provisions of 205 CMR 125.01 to provide that a community which has executed a surrounding community agreement with an applicant is determined to be a surrounding community although the agreement is submitted after the filing of an RFA-2 application. Motion seconded by Commissioner Stebbins. The motion passed unanimously.*
- 12:51 p.m. *Motion made by Commissioner McHugh that the Commission grant a variance from 205 CMR 125.01(2) to provide that the Commission may hold a public hearing required by G.L. c. 23K § 17(c) less than 30 days after the designation of surrounding communities so long as all designated and petitioning surrounding communities have received at least 30 days' notice of the hearing as required by G.L. c. 23K § 17(c) and provided further that the hearing will not close until all surrounding community agreements in the region have been created and the surrounding communities have had an opportunity to be heard. Motion seconded by Commissioner Cameron. The motion passed unanimously.*
- 12:52 p.m. The Commission took a recess for lunch.

Administration

See transcript pages 160-304.

- 2:13 p.m. Executive Director Day presented a memo recommending an update to the contract of Pinck & Co in order to allow Pinck & Co to utilize outside consulting services.
- 2:17 p.m. *Motion made by Commissioner Zuniga that the Commission delegate to Director Day the authority to enter into subcontracting agreements relative to the evaluation of the Category 2 applications. Motion seconded by Commissioner Cameron. The motion passed unanimously.*
- 2:18 p.m. Executive Director Day opened discussions relative to how the Commission will handle two types of information: (1) information publically presented but not in the RFA-2 application and (2) information presented in the RFA-2 application but not considered in the host community agreement. The Commission also discussed the corollary issue of whether to allow improvements to the application.

The Commission discussed whether to allow temporary facilities and how the costs for building and then demolishing the temporary facility would be accounted for in determining the minimum capital investment.

- 3:46 p.m. Jennifer Pinck presented her recommendations for changing the RFA-2 application for Category 1 applicants. The Commission agreed with the recommendations.
- 4:02 p.m. Executive Director Day presented the master schedule and the Commission discussed the logistics of preparing for a potential slots parlor opening as early as six months after award of the Category 2 license.
- 4:55 p.m. Meeting adjourned.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission November 7, 2013 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission award of license to hold or conduct a racing meeting for the calendar year of 2014 and related materials – Sterling Suffolk Racecourse
3. Massachusetts Gaming Commission award of license to hold or conduct a racing meeting for the calendar year of 2014 and related materials– Springfield Gaming and Redevelopment
4. Massachusetts Gaming Commission award of license to hold or conduct a racing meeting for the calendar year of 2014 and related materials – Brockton Racing
5. Documents relative to the complaint against Raynham Taunton by European Wagering Services
6. Supplement to the Application of Brockton Racing LLC
7. Plainridge Racecourse request to cancel live race days
8. Massachusetts Gaming Commission memorandum relative to the Fitchburg petition for involuntary disbursement
9. Massachusetts Gaming Commission memorandum relative to amending the Pinck & Co contract
10. 205 CMR 122.00
11. Pinck & Co proposed revisions to the RFA-2 application for Category 1 applicants

/s/ Catherine Blue
Catherine Blue
Assistant Secretary