



Meeting Minutes

Date/Time: March 20, 2014 – 9:30 a.m.

Place: Boston Convention and Exhibition Center
415 Summer Street, Room 102B
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 113th public meeting.

Approval of Minutes

See transcript page 2.

9:30 a.m. Commissioner McHugh stated that the minutes for the February 24 and the February 25-28 public meetings are ready for approval.

Motion made by Commissioner McHugh that the minutes of February 24, 2014 and the minutes of February 25-28, 2014 be accepted subject to any mechanical or typographical corrections that may later be made. Motion seconded by Commissioner Cameron. The motion passed unanimously.

Administration

See transcript pages 3-77.

9:31 a.m. Executive Director Day provided an administrative update relative to the employee and vendor licensing process, internal hiring, and background investigations of

employees. Beginning April 3, Commission meetings will start at 10:30 a.m. instead of 9:30 a.m.

- 9:34 a.m. Executive Director Day presented the process for policy improvements at the Commission and stated that the Commission will review updated policies over the next several weeks. He recommended that the Commission currently approve the policies for commuting, travel and parking, and purchases.
- 10:31 a.m. *Motion made by Commissioner Zuniga that the Commission approve the recommendation as set forth by the Executive Director and CFO relative to the travel policy, the P-card policy and the expense reimbursement, the commuting benefits policy as described in the packets and as amended in this hearing. Motion seconded by Commissioner Stebbins. The motion passed unanimously.*
- 10:37 a.m. Director Lennon provided an overview of the results of the procurement process for the project monitoring and oversight of the gaming establishment construction. He recommended that the Commission prequalify both finalists, PMA Consultants and Pinck and Company, and then utilize Pinck and Company for monitoring the construction of the Plainridge slots parlor.
- 10:51 a.m. *Motion made by Commissioner Zuniga that the Commission accept the recommendations relative to the procurement of the oversight project manager and prequalify both the firms of Pinck and Company as well as PMA Consultants to conduct those services for the Commission. Motion seconded by Commissioner Cameron. The motion passed unanimously.*
- 10:52 a.m. The Commission took a brief recess.

Legal Division

See transcript pages 77-107.

- 11:00 a.m. General Counsel Blue presented amendments to the Commission's binding arbitration regulations in 205 CMR 125.01(6)(c).
- 11:32 a.m. *Motion made by Commissioner McHugh that the Commission adopt on an emergency basis 205 CMR 125.01(6)(c) as presented in the Commissioners packet. Motion seconded by Commissioner Zuniga. The motion passed unanimously.*

Racing Division

See transcript pages 107-120.

- 11:33 a.m. Director Durenberger provided an administrative update relative to the racing division's staff recruitment, schedule, background checks, simulcasting, and wager initiatives.

- 11:38 a.m. Director Durenberger stated that she is not recommending that the Commission approve the emergency regulations in the packet at this time and instead consider those regulations as part of a future set of regulations in June or July.
- 11:40 a.m. Director Durenberger presented Suffolk Down's requested racing schedule amendment and recommended its approval.
- 11:43 a.m. *Motion made by Commissioner Cameron that the Commission accept the proposed racing schedule amendment for Suffolk Downs. Motion seconded by Commissioner McHugh. The motion passed unanimously.*
- 11:44 a.m. Director Durenberger presented Plainridge Racecourse's racing schedule amendment to accommodate construction and recommended its approval.
- 11:46 a.m. *Motion made by Commissioner Stebbins that the Commission accept the revised racing schedule for 2014 for Plainridge Racecourse as presented. Motion seconded by Commissioner Cameron. The motion passed unanimously.*

Research and Responsible Gambling

See transcript pages 120-148.

- 11:47 a.m. Director Vander Linden and Marlene Warner discussed problem gambling awareness month and the efforts that Massachusetts has been taking to combat problem gaming.
- 12:14 p.m. Director Vander Linden presented an amendment to the Commission's contract with Problem Gambling Solutions.
- 12:17 p.m. *Motion made by Commissioner Zuniga that the Commission accept the recommendation to amend and extend the contract with Problem Gambling Solutions as stated here in the Commissioner packet. Motion seconded by Commissioner Cameron. The motion passed unanimously.*
- 12:19 p.m. The Commission took a recess for lunch.

Ombudsman Report

See transcript pages 148-192.

- 1:27 p.m. Ombudsman Ziembra provided a brief overview of the process for surrounding community determinations and the potential host community designation of the City of Boston.
- 1:29 p.m. Mayor Martin Walsh and Tom Frongillo presented the City of Boston's declaration as a host community to the proposals of Mohegan Sun and Wynn Resorts. The Commission discussed the issues briefly and agreed to hold a hearing on host community status at the following public meeting.

2:10 p.m. Ombudsman Ziemba described the process that the Commission has used and the analysis conducted in reviewing the surrounding community petitions.

Everett – Surrounding Community Petition

See transcript pages 192-243.

2:15 p.m. The Commission discussed the surrounding community petition of the City of Everett.

2:53 p.m. *Motion made by Commissioner Zuniga that, based on the evidence and the discussion presented before this Commission, the Commission designate the city of Everett as a surrounding community to the Mohegan Sun application based on the evidence presented here relative to potential traffic impacts on Route 16. Motion seconded by Commissioner Stebbins. The motion passed unanimously.*

2:55 p.m. The Commission discussed the involuntary disbursement petition of the City of Everett.

3:10 p.m. *Motion made by Commissioner McHugh that the Commission approve an involuntary disbursement of 50% of the amount requested by the City of Everett in categories two and three without specifying what the disbursement covers and delegate to the Ombudsman the ability to approve further disbursements to the extent that the parties agree to the disbursements. Motion seconded by Commissioner Cameron. The motion passed unanimously.*

3:12 p.m. The Commission took a brief recess.

Cambridge – Surrounding Community Petition

See transcript pages 243-283.

3:28 p.m. The Commission discussed the surrounding community petition of the City of Cambridge.

4:15 p.m. *Motion made by Commissioner McHugh that the Commission, because of the impact of traffic on the intersection at Land Boulevard and the McGrath and O'Brien Highway, designate Cambridge as a surrounding community. Motion seconded by Commissioner Stebbins. The motion passed unanimously.*

Saugus – Surrounding Community Petition

See transcript pages 283-309.

4:16 p.m. The Commission discussed the surrounding community petition of the Town of Saugus.

- 4:40 p.m. *Motion made by Commissioner McHugh that the Commission deny the petition of Saugus to be designated as a surrounding community. Motion seconded by Commissioner Cameron. The motion passed unanimously.*
- 4:40 p.m. The Commission discussed the involuntary disbursement petition of the Town of Saugus. The Commission postponed making a decision on the petition until it receives further information from the Town.

Ombudsman Report

See transcript pages 309-320.

- 4:45 p.m. Ombudsman Ziembra presented the master licensing schedule for Region C and described the public comments that the Commission has received relative to deadlines and minimum capital investments.
- 4:58 p.m. Meeting adjourned.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission March 20, 2014 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission Minutes of February 24, 2014
3. Massachusetts Gaming Commission Minutes of February 25-28, 2014
4. Massachusetts Gaming Commission March 4, 2014 Memorandum Regarding Policy and Financial Process Recommendations
5. DRAFT Massachusetts Gaming Commission Travel Policy and Guidelines
6. DRAFT Massachusetts Gaming Commission Procurement Card Policy
7. DRAFT Massachusetts Gaming Commission Transportation Commuting Benefits
8. Massachusetts Gaming Commission March 19, 2014 Regarding Oversight Project Manager RFR
9. 205 CMR 125.01(6)(c) as Amended
10. March 14, 2014 Suffolk Downs Letter Regarding Request to Amend Racing Schedule
11. March 15, 2014 Plainridge Racecourse Letter Regarding Request to Amend Racing Schedule
12. Massachusetts Gaming Commission March 20, 2014 Memorandum Regarding Proposed Amendment to Contract with Problem Gambling Solutions, Inc.
13. Commission Analysis Mohegan Sun/MA, Everett
14. Commission Analysis Wynn MA, LLC/Cambridge
15. Commission Analysis Wynn MA, LLC/Saugus
16. Surrounding Community Petition Response: Transportation
17. City of Boston Letter March 19, 2014
18. City of Boston Letter Relative to Host Community Status – Mohegan Sun
19. City of Boston Letter Relative to Host Community Status – Wynn MA, LLC

/s/ Catherine Blue
Catherine Blue

Assistant Secretary