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## Meeting Minutes

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**Date/Time:** May 28, 2015 – 10:30 a.m.

**Place:** Boston Convention and Exhibition Center  
415 Summer Street Room 107B  
Boston, Massachusetts

**Present:** Chairman Stephen P. Crosby  
Commissioner Gayle Cameron  
Commissioner James F. McHugh  
Commissioner Bruce W. Stebbins  
Commissioner Enrique Zuniga

**Time entries are linked to  
corresponding section in  
Commission meeting video**

### **Call to Order**

See transcript page 2

[10:28 a.m.](#) Chairman Crosby called to order the 153<sup>rd</sup> meeting of the Massachusetts Gaming Commission.

### **Approval of the Minutes**

See transcript pages 2-4

[10:28 a.m.](#) *Commissioner McHugh moved for the approval of the May 6, 2015 minutes with the reservation of power to correct mechanical and typographical errors. Motion seconded by Commissioner Stebbins. Chairman Crosby abstained from the vote as he was absent from the meeting on May 6th. Motion passed four to zero.*

[10:29 a.m.](#) *Commissioner McHugh moved for the approval of the May 14, 2015 minutes with the reservation of power to correct mechanical and typographical errors. Motion seconded by Commissioner Stebbins. Commissioner McHugh abstained from the vote as he was absent from the meeting on May 14th. Motion passed four to zero.*

## **Administrative Update**

See transcript pages 4-154

- [10:30 a.m.](#) Robert DeSalvio, President of Wynn MA, provided an update on the Wynn Project Schedule and Quarterly Report as of March 31<sup>st</sup> which included: permitting, SSFEIR, MBTA land transaction, escrow arrangement, traffic and transportation, response to comments, site plan review application, notice of intent to Everett Conservation Commission, and Chapter 91 application.
- [10:46 a.m.](#) Chris Gordon, Project Manager for Wynn Everett, provided an update on remediation, public input meeting and comment period, detail plans for contractors, building design, offsite infrastructure, RFP process, permitting, project schedule, regulatory work, cost estimates, utilities, fencing, and debris removal.
- [11:04 a.m.](#) Robert DeSalvio provided an update on Wynn project resources and diversity which included representation on the Access and Opportunity Committee and workforce goals. A video was shown highlighting a successful labor fair attracting approximately 800-1000 individuals.
- [11:19 am.](#) The Commission took a short recess.
- [11:26 a.m.](#) The meeting resumed.
- [11:27 a.m.](#) CFAO Derek Lennon provided an update on the Massachusetts Gaming Commission's 3<sup>rd</sup> Quarter FY15 Budget which included: paid licensee assessments, no changes projected for FY15 revenue estimates, proposed spending changes, and status of the indirect waiver request.
- [11:44 a.m.](#) Financial Analyst Agnes Beaulieu reported on the status of spending benchmarks which included exceeding benchmarks set for women-owned businesses and small businesses, and a projection to reach the benchmark set for minority businesses. Ms. Beaulieu also reported that they have reached out to the Secretary of Veterans Services and they will research veteran-owned companies within the Commonwealth.
- [11:54 a.m.](#) Human Resources Manager Trupti Banda provided an update on staffing since December 2014 which included the hiring of 21 gaming employees and 18 seasonal racing employees. Ms. Banda reported that they have reached an agency goal of 25% diversity. Ms. Banda also reported they will continue to build their networks to locate qualified candidates and will implement an applicant tracking system.
- [11:59 p.m.](#) IEB Director Karen Wells provided a Region C update on KG Urban. The IEB has received an unsigned proposed term sheet and a report from KG Urban that they are still in negotiations with GLPI. No forms required as part of the RFA 1 process have been received from GLPI.

- [12:02 p.m.](#) Managing Partner Andrew Stern, KG Urban, provided an update on the status of negotiations with GLPI. He stated that they do not have a signed term sheet however drafts have been provided to the IEB to show progress made. He also reported that GLPI's position is that they will act as a funding source and will not have a role in operational matters. He further reported that the project was at a standstill for 18 months, the design team had to make new changes due to a footprint change, they had to reorganize in a 45 day crunch, and they are now close to signing the term sheet all as an explanation as to why they have not submitted additional materials to the IEB.
- [12:47 p.m.](#) *Commissioner McHugh moved that the Commission consider the application of KG Urban substantially complete provided that KG Urban submits to the IEB no later than 5:00 p.m. on Tuesday, June 9, 2015 a completed signed term sheet signed by all parties to the contract. Motion seconded by Commissioner Cameron. The motion was withdrawn by Commissioner McHugh.*
- [12:48 p.m.](#) *Commissioner McHugh moved that the Commission consider the application of KG Urban substantially complete provided that no later than 5:00 p.m. on Tuesday, June 9, 2015 they submit to the IEB a term sheet signed by all parties to the contract and further provided that if they fail to provide a term sheet of that description by that date and time that the Commission deem their application not substantially complete. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*
- [12:50 p.m.](#) Commissioner Stebbins raised a question about costs for the City of New Bedford in preparing for the referendum vote.
- [12:52 p.m.](#) Attorney Jonathan Silverstein stated that they have provided cost estimates for the election to KG Urban and KG Urban has committed to paying those costs.
- [12:54 p.m.](#) The Commission took a short recess.
- [1:03 p.m.](#) The meeting resumed.
- [1:03 p.m.](#) Director Rick Day provided an update on Plainridge Park Casino which included: submission of 60 internal controls, weekly pre-opening meetings, licensing events, discussion regarding the ABCC license, DOR MOU, operational tests, operations certificate and grand opening.
- [1:06 p.m.](#) Director Karen Wells introduced Paul Connelly, the new Director of Licensing and provided a summary of his professional background.
- [1:07 p.m.](#) Director of Licensing Paul Connelly provided comments about the staff, his easy transition, an overview on vendor applications, licensing event in Plainville, and applications received to date.

- [1:15 p.m.](#) Director Rick Day presented on RFA -2 application revisions designed to streamline the review process, minimize repetition, and bring into conformance with the regulations.
- [1:18 p.m.](#) Project Coordinator Nancy Stack, from Pinck & Company, acknowledged work done by Stan Elkerton, Commissioners, and others on the application revisions.
- [1:26 p.m.](#) *Commissioner Bruce Stebbins moved that the Commission adopt the changes as provided in the packet to the RFA-2 application subject to edits or changes as directed between the individual Commissioners and staff. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

### **Investigations and Enforcement Division**

See transcript pages 154-161

- [1:27 p.m.](#) Director Karen Wells acknowledged Bruce Band for the great work done on the Gaming Agents training plan.
- [1:29 p.m.](#) Assistant IEB Director Bruce Band provided an overview on the Gaming Agents training areas which included: gaming cases, report writing, slot machines, table games, Attorney Generals' Office crime training, responsible gaming, active shooter scenarios, internal controls, and surveillance.
- [1:33 p.m.](#) Director Karen Wells presented an update on temporary Key Gaming Employee licenses issued to: Christine Slick, Slot Shift Manager at Plainville; Jamie Lee Fromal, Slot Shift Manager at Plainville; and Roberta Lynn Gregorie, Compliance Manager at Plainville. She also reported on temporary Primary Vendor licenses issued to: Global Cash and Central Credit.

### **Legal Division**

See transcript pages 161-196

- [1:34 p.m.](#) General Counsel Blue provided an update on the Suffolk Downs application requesting 3 days of live racing. She reported a public hearing has been scheduled for June 11th, the notice of hearing and application has been posted, and public comments are being collected.
- [1:35 p.m.](#) General Counsel Blue reported on 205 CMR 101 - M.G.L. C. 23K Adjudatory Proceedings, the hearings regulation, and noted that no comments were received and no changes were made to the regulation since it was last before the Commission.
- [1:36 p.m.](#) Deputy General Counsel Todd Grossman provided a summary on the following regulations and noted any comments received and changes made: 205 CMR 136 – Sale and Distribution of Alcoholic Beverages at Gaming Establishments; 205 CMR 150 – Protection of Minors & Underage Youth;

205 CMR 151 – Requirements for the Operations and Conduct of Gaming at a Gaming Establishment; and 205 CMR 152 – Individuals Excluded from a Gaming Establishment.

- [1:50 p.m.](#) Deputy General Counsel Grossman and Commissioners discussed 205 CMR 152.10 pertaining to elected officials from a host community being prohibited from placing a wager at the gaming establishment.
- [2:06 p.m.](#) Commissioner McHugh moved that 152.10 be removed from the draft regulation of 205 CMR 152. Motion seconded by Commissioner Zuniga. Commissioner Stebbins voted no. Motion passed four to one.
- [2:08 pm.](#) Chairman Crosby, Commissioner McHugh, Deputy General Counsel Grossman, and General Counsel Blue discussed exclusion list and process for excluding an individual.
- [2:13 p.m.](#) *Commissioner Stebbins moved for the approval of the Amended Small Business Impact Statements and the final adoption process, subject to changes discussed, for the following regulations: 205 CMR 101 - M.G.L. C. 23K Adjudicatory Proceedings; 205 CMR 136 – Sale and Distribution of Alcoholic Beverages at Gaming Establishments; 205 CMR 150 – Protection of Minors & Underage Youth; 205 CMR 151 – Requirements for the Operations and Conduct of Gaming at a Gaming Establishment; and 205 CMR 152 – Individuals Excluded from a Gaming Establishment. Motion seconded by Commissioner Cameron. Motion passed unanimously.*
- [2:14 p.m.](#) General Counsel Blue presented on the Small Business Impact Statements for the following emergency regulations: 205 CMR 102 - Construction and Application (Variance Amendment); and 205 CMR 134 - Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor organizations (Training Assistance Amendment), for approval and to start the promulgation process.
- [2:14 p.m.](#) *Commissioner Stebbins moved that the Commission approve the Amended Small Business Impact Statements for emergency regulations 205 CMR 102 (Variance Amendment) and 205 CMR 134 (Training Assistance Amendment. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

Secretary's Note: While the motion discussed an amended small business impact statement, at this point in the process it will be the small business impact statement.

### **Other Business Not Reasonably Anticipated**

See transcript page 196-197

- [2:15 p.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Cameron. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

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

1. Massachusetts Gaming Commission May 28, 2015 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission May 6, 2015 Draft Meeting Minutes
3. Massachusetts Gaming Commission May 14, 2015 Draft Meeting Minutes
4. Wynn Everett Master Schedule
5. Wynn Everett Quarterly Report as of March 31, 2015 with attachments
6. Massachusetts Gaming Commission May 28, 2015 Memorandum Regarding FY 15 3<sup>rd</sup> Quarter Fiscal Update with attachments
7. Massachusetts Gaming Commission May 27, 2015 Memorandum Regarding RFA-2 Questions with attachments
8. Massachusetts Gaming Commission Gaming Agent Training for IEB Gaming Agents, State Police, Attorney Generals Gaming Unit, Plainville Police and ABCC Agents
9. Massachusetts Gaming Commission May 28, 2015 Memorandum regarding Temporary Primary Vendor and Key Gaming Employee Licenses Issued
10. Draft 205 CMR 101 – Adjudicatory Proceedings and Amended Small Business Impact Statement
11. Draft 205 CMR 136 – Sale and Distribution of Alcoholic Beverages at Gaming Establishments and Amended Small Business Impact Statement
12. Draft 205 CMR 150 – Protection of Minors & Underage Youth and Amended Small Business Impact Statement
13. Draft 205 CMR 151 – Requirements for the Operations and Conduct of Gaming at a Gaming Establishment and Amended Small Business Impact Statement
14. Draft 205 CMR 152 – Individuals Excluded from a Gaming Establishment and Amended Small Business Impact Statement
15. Public Comment (A. Christopher) dated March 3, 2015 regarding 205 CMR 136
16. Public Comment (Blue Tarp reDevelopment) dated May 21, 2015 regarding 205 CMR 136
17. Public Comment (J. Donnelly) dated March 18, 2015 regarding 205 CMR 150
18. Public Comment (Blue Tarp reDevelopment) dated May 21, 2015 regarding 205 CMR 151
19. Public Comment (E. Pikula) dated May 18, 2015 regarding 205 CMR 151
20. Public Comment (Joe) dated April 29, 2015 regarding 205 CMR 152
21. Public Comment (T. Baldwin-Williams) dated April 29, 2015 regarding 205 CMR 152
22. Public Comment (M. Schaller) dated April 23, 2015 regarding 205 CMR 152
23. Public Comment (L. Travis) dated April 14, 2015 regarding 205 CMR 152
24. The Sun Chronicle, State Gaming Commission's Rule an Overreach, dated April 23, 2015 regarding 205 CMR 152
25. Small Business Impact Statement - 205 CMR 102 Construction and Application (Variance Amendment)
26. Small Business Impact Statement - 205 CMR 134 Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor organizations (Training Assistance Amendment)
27. Wynn Presentation (PowerPoint)

/s/ Catherine Blue  
Catherine Blue  
Assistant Secretary