



**LOCAL COMMUNITY MITIGATION ADVISORY COMMITTEE (“LCMAC”)  
MEETING MINUTES**

**REGION B - MEETING #2**

Date/Time: June 4, 2015

Place: Pioneer Valley Planning Commission  
60 Congress Street  
Springfield, MA  
3:00 p.m. – 4: 27 p.m.

Present:	<u>MGC:</u> John Ziembra, Ombudsman Gordon Carr Mark Vander Linden Mary Thurlow	<u>LCMAC Members:</u> Timothy Brennan Stephen L. Crane Paul Federici Marcos Marrero Jill McCarthy Payne John Pearsall William Reichelt Thomas John Rooke Gary Roux Marc Strange	<u>Members of the Public:</u> Anthony Abdellahad, MGM
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Absent: Aaron L. Saunders – Ludlow

**Call to Order**

John Ziembra welcomed the members.

After members introduced themselves, Mr. Ziembra clarified that Mr. Sokop was running for the position of Mitigation Committee representative although Mr. Sokop was not present. Mr. Ziembra then read the subcommittee role under 23K, Section 68. Members were then asked if there was any objection to allowing persons who put forth their candidacy after the May 29<sup>th</sup> due date to run for the positions. No objections were heard. Members decided to go directly to a vote. Jill McCarthy Payne put forward her name for chair; Matthew Sokop for representative of mitigation Committee; Mr. Ziembra then asked if any other member wanted to serve in either capacity. Mr. Crane said he would like to run for the mitigation committee.

Ms. Payne then introduced herself and gave a short presentation. A vote was held for the chair position and Ms. Payne unanimously won.

Mr. Crane then gave a short presentation. Mr. Marrero gave some background information on Matt Sokop. A vote was taken there were 8 votes for Mr. Crane and 1 vote for Matt Sokop.

Mr. Brennan asked if the Community Mitigation representative is allowed a designee.

Mr. Ziembra said that he will check with Todd Grossman.

Mr. Crane asked about remote participation and whether that had been adopted by other



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committees.

Mr. Ziemba said no but that will be taking up at the next meeting. At the next meeting will be a vote on the minutes from the prior meeting to enable all members to read the minutes which had been sent out just a day or so prior to the meeting.

Mr. Ziemba lead a discussion of policy issues to be considered. He spoke of developing a range of issues and priorities as they relate to the mitigation fund discussions.

Mr. Carr discussed sequencing of issues for resolution. Mr. Carr then spoke of reserve funds that had been requested or will be released in 2015 and the set amount of money until the casinos are up and funding. Does it make sense to set a cap on the reserve for the next 2, 3 or 4 years?

Mr. Ziemba mentioned the alternative of a soft cap.

Mr. Carr questioned whether it should be a statewide, or a regional cap in which case there needs to be a mechanism on how the caps are going to be rated and measured. What is the rating system or the review process that measures which project get funded in which year? Multi-year projects that are managed through a yearly cap is one approach.

Mr. Ziemba asked what models are available for an application rating system? Possibly various economic development grant programs such as the DHCD or the CDBG small cities grant programs.

Mr. Marrero discussed a cap versus a phasing of money like in historic tax credits, he prefers a cap. The problem with the type of tax credits he is thinking about is that the tax credits are given over a 5 year timeframe and year 5 is when the project would start. He would like the money to flow and get projects moving.

Mr. Crane had concern over what uses will be eligible; he would like a cap because one community, even if more impacted, should not be taking all of the funds for a capital project and other communities cannot access the funds. Mr. Crane would like to educate the Commission about impacts unrelated to traffic and their effect on the budgetary and operations of communities.

Mr. Ziemba discussed the 2015 guidelines and how they were broad to accommodate impacts, and not limit what was applied for. For next year's program, if it were focusing again solely on construction impacts the commission may need to be guided through the MEPA process and the types of impacts that ensue through that process.

Mr. Crane discussed the limitation set through the SCAs on some upfront and annual mitigation money for different communities. Some have discretionary spending while others are limited to specific mitigation such as street intersections.

Mr. Carr then brought up the concept of mitigating anticipatory impacts.

Mr. Ziemba also questioned how does the commission make determinations about predicted impacts? Is there a way for the LCMAC to more efficiently make such determination of whether or not something is more likely than not to happen. He then mentioned the studies that had

been undertaken through PVPC on regional impacts on transportation which consultants then evaluated along with the MGM studies.

Mr. Crane then express how the fund must focus on mitigation matters not just study them.

Mr. Marrero suggested using material previously obtained, not paying anyone additionally. He also suggested using a model from the MPO.

Mr. Carr raised the issue of how to determine which impact is viaduct-related or casino related. He also raised the point of mitigation costs are always thought of as negative impacts however, property values can go up due to the development which is positive but have a negative impact on lower-income residents because their rental costs are going to go up.

Mr. Crane mentioned that this committee is long-term and as things evolve members will be able to hear from select board members and constituents.

Mr. Ziembra mentioned the Community Mitigation Fund and the public health fund and transportation fund and the question of how should various responsibilities flow to these funds. How to fund various activities and what is the appropriate place?

Mr Carr: If there are larger mitigation requests that become multiyear allocations or a reimbursable grant, the Commission has to be judicious about this fund.

Mr. Crane: with respect to town with town meeting, you have to have the money in place to sign the contract for a project thereby bonding the funds; a city with a city council can commit to expenditures at any time; who can front with case and get reimbursed and who needs to have the appropriation from the town by virtue of a twice annual town meeting.

Mr. Brennan: The amount of money is limited, and it's limited over a definable period of time, the period of time is relatively short. A pragmatic approach and determining what purposes fit the amount of funds available then add various controls.

Mr. Carr: What does construction for 2016 look like for the development of the application in 2016.

Ziembra: Review of impacts identified and issues identified and work with the chair about the items for the next meeting.

Mr. Carr: Anyone seen the civic economic baseline studies completed? Those finished studies could be discussed by this group also.

Mark Vander Linden gave an overview of the *Update on the Social and Economic Impacts of Gambling in Massachusetts (SEIGMA) Study*.

Mr. Ziembra asked the members to review potential dates for future meetings and requested a signed copy of the acknowledgement of receipt of the Conflict of Interest law.

Mr. Ziembra moved to close the meeting.

/s/ Mary S. Thurlow  
Mary S. Thurlow, Secretary

Materials distributed at meeting:

1. Notice of Meeting and Agenda
2. List of Proposed Dates of Meetings
3. Draft Minutes of May 4, 2015 meeting
4. Summary of the Conflict of Interest Law for the State Employees and Acknowledgment of Receipt
5. Update on the Social and Economic Impacts of Gambling in Massachusetts (SEIGMA) Study