



BOARD OF SELECTMEN
Meeting Minutes
May 13, 2013
Blanchard Memorial School Cafeteria

Approved: June 24, 2013

PRESENT: Les Fox, Chair; Vincent Amoroso, Clerk; Member; Robert Stemple, Member; Frank Powers, Member; and Raid Suleiman, Member

ALSO PRESENT: Selina Shaw, Town Administrator and Cheryl Mahoney, Department Assistant

Chair Fox called the meeting to order at 6:00 P.M. in the Cafeteria of the Blanchard Memorial School, noting that the only item that the Selectmen would be taking up on their agenda would be Item #2b. Gaming in Foxborough and passing over all other items. Chair Fox further noted that the Selectmen would adjourn promptly at 6:45 PM for Town Meeting.

The documents discussed herein have been included with the file copy of the agenda packet for the above referenced date and are hereby incorporated by reference.

OLD BUSINESS

Chair Fox re-opened discussion on gaming in Foxborough. In a prepared statement (attached & incorporated by reference) outlining how this meeting would proceed and the “ground rules” for the discussion. This meeting will conclude with the Selectmen voting on whether or not to further investigate allowing gaming in Foxborough. At this time there have only been presentations and general discussions. No formal proposals have been presented. He referred to a handout (attached & incorporated by reference) which recapped the history, background and resident input results regarding this matter. As of today, the input that the Selectmen have received was 88% opposed to allowing gaming; 12% indicated that they supported further investigation. He referred to other means from which input has been generated: a residents’ petition supporting further investigation, delivered to the Selectmen earlier today, and discussions taking place through social media. Chair Fox explained the process if the Town did move forward to explore a proposal - the Town would need to formally enter into “Host Agreement” negotiations with Cordish Companies. The Town would need to retain consultants, engineers and legal counsel who are experts on gaming developments. A change in the Zoning Bylaw would be needed to allow gaming. Bylaw changes require Town Meeting approval. Then a referendum ballot election would need to take place. Only upon the Town’s successful approval of all three of these actions could Cordish then submit a proposal to the Massachusetts Gaming Commission. Member Amoroso moved that the Selectmen vote on whether they wish to negotiate a Formal Host Community Agreement with the Cordish Company to construct a slots only casino in Foxborough. Seconded by Member Suleiman. Member Amoroso spoke in opposition to gaming, in general, and to further investigation (his statement is attached & incorporated by reference). Member Powers spoke in support gathering more input, information and investigating further before we walk away from this venture. He read from a prepared statement (attached & incorporated by reference) and referred to the Selectmen’s handout. The input received raised some concrete concerns. He also expressed his disappointment with some of these emails; negative comments directed at him personally. There was discussion on the impact of social media on civic activity. Chair Fox invited resident representatives to speak – one opposed and one in favor. Jeanne Kangas spoke in opposition. She referred to a green handout she and others had distributed. A gaming facility is incompatible with our community. She cited the things that would be negatively impacted if this venture was allowed, along with the costs & time involved if we explore this. Mark White spoke in support of further investigation. He doesn’t know whether he would support this venture, but residents want the opportunity to have their questions answered. In Foxborough we talk issues over and work it out. If we don’t have information we can’t make a decision. Chair Fox concluded discussion and polled the Selectmen on the pending motion [*..that the Selectmen vote on whether they wish to negotiate a Formal Host Community Agreement with the Cordish Company to construct a slots only casino in Foxborough..*]
The vote was 1-4. Roll Call Vote: Fox “nay,” Amoroso “nay,” Powers “aye,” Stemple “nay,” and Suleiman “nay.” The motion failed.

ADJOURN

At 6:47 PM, it was moved and seconded to adjourn this meeting. **Approved 5-0.**

BOS Meeting May 13, 2013

Welcome to the Boxborough Board of Selectmen's meeting here in the Blanchard School cafeteria. The seating is the best that could be arranged under the circumstances. Thank you for your understanding.

We appreciate that there has been a great deal of interest in the topic that the board will be discussing tonight – the Cordish Company proposal for a slots-only casino on the Adams Place parcel currently occupied by the Holiday Inn.

We thank everyone who has provided input and comments to the board via email, electronic petition, paper petition, phone, and letter.

This is a regular Board of Selectmen's meeting, not a public hearing.

We have Boxborough Annual Town Meeting starting at 7:00 PM in the school gym in this building. The Selectmen will adjourn the meeting no later than 6:45 PM so that we may attend and participate in ATM.

Some ground rules for our meeting here:

Members of the audience may speak only if recognized by the Chair – this is normal practice. It will not be possible to permit a large number of attendees to speak. If time permits, I may be able to recognize some speakers. If I do, I will ask for speakers on both sides of the question, alternating. ONLY Boxborough residents will be recognized to speak.

Speakers will be strictly limited to 2 minutes. The time keeper will warn you at the 1 minute and 30 second mark.

I will open the discussion with a recap of events leading to the present. I will then call for a motion to be made and seconded. I will recognize other board members to speak. It is during this time that I may ask for speakers. Please be patient. The board will deliberate.

After the Board's deliberations I will call for a vote. We will then vote, concluding business for this meeting.

I will then ask for a motion to adjourn.

Adjourn

BOS Reports

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Board of Selectmen

Why you are hearing about a casino proposal

- The Selectmen never proposed, never advocated and do not support a casino in Boxborough.
- On April 2, The Cordish Company, a Casino developer, met with a representative of the BOS and asked if Boxborough would consider a slots only casino.

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When you first heard about a casino proposal

- The Selectmen invited Cordish to make a public presentation at the next regularly scheduled BOS meeting on April 22.
- The agenda was publicly posted before the meeting. The presentation was the first appointment at 7:30 PM. It was televised.
- The presentation lasted an hour. The PB and a few residents attended, **with little comment.**

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When you next heard about a casino proposal

- After the presentation, during the open meeting, the BOS asked residents to comment in person at the next scheduled BOS meeting, or via email, letter, phone, etc. That invitation was published in the Beacon on April 25.
- "Gaming" was again publicly posted on the agenda in advance of the May 6 BOS meeting.

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When you last heard about a casino proposal

- It was discussed for about 45 minutes at the May 6 meeting. **No members of the public expressed an opinion on the proposal.**
- A motion was then made and seconded to reject the proposal. However, because the Cordish Company had an open house scheduled for the next day, the motion was tabled until May 13 to allow for more input.

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What You Said

- Before the petition initiative we received 217 letters and emails from Boxborough residents.
- 88% opposed any further consideration, and opposed a slots casino, no matter what revenue might result.
- 12% said they would like to learn more.
- Total response today, including pro petition is still 88% against, 12% for further investigation.

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Further Investigation and Timing

- “Further investigation” means BOS would need to negotiate a Formal Host Community Agreement with the developer.
- That defines the money deal – revenue sharing, etc. All else is speculation.
- Start by end of May to mid-June. Estimated 3 months needed to complete.

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Role of Gaming Commission

- Gaming commission schedule requires a quick decision on whether to begin negotiations in order to meet state deadlines.
- Gaming Commission requires both successful STM and referendum votes before it can consider the developer’s application.

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A Supermajority is Required

- The Formal Host Community Agreement must be approved by a town referendum ballot question, not a vote at Town Meeting.
- Zoning changes to the Adams Place parcel will be necessary.
- **Zoning changes require a 2/3 Supermajority vote at STM for approval.**

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BOS Diligence and Deliberation

- BOS sought input from residents to see if further effort was warranted.
- We considered:
 - Our own judgment on the suitability of a casino for Boxborough
 - Constraints of the process and timeline
 - Input received from Boxborough residents
 - Likelihood of the necessary zoning change passing STM with the required 2/3 supermajority vote
 - Likelihood of a successful referendum vote

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Statement on Casino Issue – F. Powers

The Board of Selectmen has had a great deal of email input from residents on this issue. There is no question that a great majority of emails received on this topic are negative. But there is also a small but not insignificant number expressing uncertainty about the proposal and requesting more details about what this would really mean to Boxborough. Many of the emails are charged with emotion and that is perfectly understandable for this topic. Several key themes are common to many of those emails. Those are crime, impact on real estate values and traffic. These are important factors that need to be evaluated in considering what to do about the facility proposed by Cordish Company. A few comments on these important issues. First - crime. The predominant theme of many emails is that crime in Boxborough will increase if this facility is built. That, of course, would be a concern to all residents. To address this topic, I contacted Chief Ryder and asked if he could check with law enforcement authorities in areas with casinos to get a sense of the impact on crime. It so happens that the Chief had already contacted the police chief in Maryland where a Cordish casino had recently opened. The fact of the matter is that the Maryland police chief reported that crime went down in the area, not up, following the opening of the casino. That being the case, in my view, it is not accurate to simply state that a casino means higher crime. FYI, Chief Ryder has indicated that if further consideration of this proposal is approved, he will do a thorough evaluation of the public safety impact of the proposed facility and provide that to the community. *I will prepare a comprehensive law enforcement evaluation of this proposal and the potential effects to Boxborough and surrounding communities.*

Second - property values. The predominant theme of emails on this issue is that this proposed casino would reduce property values in Boxborough, another obvious serious concern. I will point out that based on some limited research, my findings are that there is not a direct correlation between casinos and property values. One report I saw concluded that undesirable casinos (i.e. low end casinos) resulted in decreases in property values but that desirable casinos (i.e. high end casinos) have actually resulted in property value increases. My conclusion from the limited research is that we simply don't know what would happen to property values without further evaluation. Other issues such as traffic also appear uncertain, and in my view require further study. Members of the community may not realize that over the past several years, there have been a number of mixed martial events (aka cage fights) at the Holiday inn. These events have drawn several thousand spectators and, to the best of my knowledge, there have been no complaints about traffic resulting from these events. My overall sense is that it is difficult to draw

definitive conclusions about the impact of this proposed project on our community from the very limited information that we have on this proposed project.

A few observations and then my position on this issue:

- In my view, however, there is a great deal of emotion in many of the emails received and several factors portrayed as facts may not be true and therefore deserve further evaluation and debate. One resident took the time to submit a very detailed response that listed numerous aspects of the proposal and labeled them as potential +s and -s and recommended furthermore evaluation to flesh out these factors and determine more specifically the nature of each.

- Social media has played a significant role in determining community response and I caution that many in the community either don't have access to social media or choose not to access those media. Consequently, I believe there are many in the community who have not had an opportunity to express their views. Furthermore, I think the very brief time period allotted to providing responses is inadequate for gathering community-wide input on this topic. In my opinion, use of social media is fine in advising certain segments of the community of various issues, but I feel quite strongly that public policy decisions need to be made based on much more comprehensive opinion gathering mechanisms. I believe the sample input we have received is too limited and reflects the views of a very vocal but limited segment of our community. If we are to act as a truly democratic society, then I believe we MUST involve a broader segment of the town.

- I personally am not a gambler (except for navigating MA roadways most days) but I do not view casinos as the Resident Evil that some others do. There are several aspects of the Cordish proposal that appeal to me, primarily the potential revenue that may accrue to the town and the possibility of some decent restaurants in town. I also feel the Holiday Inn property is tired and in need of development. I would very much like to see something like a British Pub available to residents to serve as a social meeting place and entertainment facility. Nobody I knows goes to the Holiday Inn and it is not a prime asset to our community.

- For those many reasons, I would like to see further evaluation of this proposal capitalizing on the offer from Chief Ryder to investigate the public safety aspects of this proposed facility. At this point, I am neither for nor against this proposal but I feel we should do our due diligence in determining some important details that are currently not defined. Many of our citizens are likely familiar with the book and movie "Rush to Judgment". I feel that if we terminate this proposal at this juncture, the Board of Selectmen will be rushing to judgment and aborting a broader democratic process that I believe we owe to our community. Finally, I want to emphasize that, even if this proposal proceeds to further evaluation, the residents will have multiple opportunities to approve or disapprove this project.

Statement on Casino Issue – V. Amoroso

Mr. Chairman, I oppose a casino in Boxborough.

Here's why.

I believe gambling is a destructive business.

I agree with George Washington, who said "*few gain by this abominable practice... while thousands are injured.*"

That may sound out of touch in 2013, when gambling is legal almost everywhere and we no longer legislate morality.

But my opposition is not about **LE**gality.

It's not about **MOR**ality.

It's about **RE**ality.

It's not illegal, nor is it immoral, to put your hand on a hot stove. But the reality is that if you do it you'll get burned.

The same goes for gambling. If you put your hand on a slot machine you **WILL** get burned. **THAT's why they build them.**

What's worse is, I don't think it will stop with slots.

And I've done the research to back that up. Four years ago Maryland passed its first ever law allowing slots only casinos. For several years, that's all they were. Then, last year, the gaming interests lobbied for more. They said that Maryland gamblers, whose appetite had been whetted with slots, were looking for more action. And they were taking their gambling dollars to Delaware, Pennsylvania, and West Virginia, where they could find full blown casinos with gaming tables. They said Maryland had to compete, or it would lose the revenue it had come to depend on. After a \$100 million ad blitz, the law was changed and last month The Cordish Company and others added full gaming tables to what started as slots only casinos just 4 years ago. And if you think "That won't happen here", I say "**Don't bet on it**". Because that \$100 million campaign was 5 times what was spent on the entire governor's race in Maryland in 2010.

Finally, I don't think Boxborough can afford a casino, no matter how you run the numbers.

If the dollars we get from a gambling casino are less than the increased costs of police, emergency, and social service personnel, the wear and tear on infrastructure, and the drop in property values, Boxborough will lose money.

But, if the reverse is true, Boxborough will lose even more. We will lose our independence, because **we will lose our ability to say "NO"**.

That's because the gambling industry is in the addiction delivery business. Its product is the thrill of getting something for nothing. That goes for the gamblers, but it also goes for the towns that host them. They get used to that easy money, depend on it, until the day comes when the casino demands more concessions, or wants to expand, and the town is faced with an offer it can't refuse. That's when it realizes that when it sat down to play this game, **it anteed up its freedom**. That just happened to Maryland. I don't want it to happen to us.

It has been said that:

The only gambling tip which amounts to anything is "Don't play the game."

That goes for gamblers, and it goes for Boxborough, too.

But something good CAN come of this.

Millions of people who never heard of Boxborough now know that Cordish came here because Boxborough has so much to offer. We are wonderfully located on 495, close to the Turnpike and Rte. 2, with easy access to both Northern and Southern New England. We have a highly educated, stable population that has built a wonderful environment in which to live, to work, and to raise kids. And the flood of comments has shown two things: first that Boxborough will not host a casino, but, just as important, that it has a keen interest in hosting other businesses that are consistent with our values and will add to our quality of life.

Our job going forward is to work together to find those compatible businesses, and show them how welcome they'll be here in Boxborough.