

**NEW JERSEY RACING COMMISSION
WEDNESDAY, DECEMBER 17, 2025
SPECIAL VIRTUAL MEETING**

A special virtual meeting of the New Jersey Racing Commission (“NJRC” or “Commission”) was held on Wednesday, December 17, 2025.

The following were present virtually:

Jennifer Beck, Senator Emerita, Commissioner
Lawrence DeMarzo, Commissioner
Arlene Quinones-Perez, Commissioner
Charles E. Tomaro, Commissioner
Michael Venuto, Commissioner
Glen Vetrano, Commissioner
Sara Ben-David, Acting Executive Director
Levi Klinger-Christiansen, Deputy Attorney General
Blair Gerold, Associate Counsel, Governor’s Authorities Unit

Acting Executive Director Ben-David read the following resolution:

This meeting today conforms with the Open Public Meetings Act and as per the requirements of the statute, notification of this meeting has been filed with the Secretary of State and with the following newspapers: Daily Racing Form, Bergen Record, Asbury Park Press, Courier-Post and the Star Ledger.

WHEREAS, in order to protect the personal privacy and to avoid situations wherein the public interest might be disserved, the Open Public Meetings Act permits bodies to exclude the public from that portion of a meeting at which certain matters are discussed.

NOW, THEREFORE, BE IT RESOLVED that consistent with *N.J.S.A. 10:4-12(b)*, the Commission will now adjourn to executive session to obtain legal advice protected from disclosure by the attorney-client privilege on the following matters:

1. Legal advice concerning the allocation of purse subsidies to the thoroughbred and standardbred racing industries for fiscal year 2026.
2. Legal advice concerning the initial decision in *Brandon Mongiello v. New Jersey Racing Commission*, OAL Docket No. RAC 10012-23.
3. Other legal advice.

Discussion of the above matters falls within the exceptions under the law; specifically, matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the Commission’s attorney to exercise his ethical duties as a lawyer, and/or matters involving pending or anticipated litigation.

Commissioner DeMarzo motioned to adjourn into Executive Session. Commissioner Vetrano seconded the motion. All of the Commissioners voted to adjourn.

The Commission then adjourned to Executive Session at 2:07 p.m.

Commissioner Beck motioned to move back to the public session. Commissioner Venuto seconded the motion. All of the Commissioners agreed.

Acting Executive Director Ben-David opened the public session of the meeting by welcoming everyone. She advised that the meeting was being conducted virtually. She explained that through its website, the New Jersey Racing Commission (“NJRC” or “Commission”) has made a link and phone number available that members of the general public may use to attend the meeting virtually through Microsoft Teams. She also pointed out, for everyone’s awareness, that Microsoft Teams was being used to record the meeting. Minutes will be available on the Commission’s website following the Governor’s review period, as required by *N.J.S.A. 5:5-22.1*.

Acting Executive Director Ben-David stated that it is the intent of the Commission to continue to conduct in-person meetings, with virtual attendance available as an option for members of the public to utilize as well as for any Commissioner who is unable to attend in person. She explained that this meeting was being conducted as a virtual-only meeting because it is a special meeting, and there were only a few items to consider.

CONSIDER APPROVAL OF THE 2026 BACKSTRETCH ADVISORY COMMITTEE BUDGET

Assistant Director Tom Salerno presented this item. He stated that the Backstretch Advisory Committee has submitted its proposed 2026 budget for the Backstretch Community Assistance Program (“BCAP” or “Program”) for Commission approval. Assistant Director Salerno explained that the Program is funded through the Backstretch Benevolency Programs Fund, which receives revenue from charity race dates, percentages of live and off-track wagering, a portion of the Racing Industry Special Fund, and monetary penalties collected by the Commission. These funds must support the health, safety, and welfare of backstretch employees. Regulations require the annual budget to be submitted by December 1.

Assistant Director Salerno advised that Commission staff met with Dr. Chris Samaha, who operates the BCAP in November and December to review the Program’s needs and address ongoing funding shortfalls tied to declining handle, the closure of Freehold Raceway, and the transfer of many fines and penalties to the Horseracing Integrity and Safety Authority. The Backstretch Advisory Committee subsequently voted on December 5 to approve the proposed 2026 budget.

Assistant Director Salerno stated that the total request of \$217,700, is identical to last year’s budget. Recreational programming remains stable, with a continued emphasis on cost-effective on-site activities. BCAP also provides counseling services, medical clinics, and mobile health screenings for both thoroughbred and standardbred communities, all of which continue at levels similar to 2024 and 2025.

Assistant Director Salerno advised that for 2026, projected funding from all available sources totals \$200,000. The Standardbred Breeders and Owners Association (“SBOA”) and the Thoroughbred Horsemen’s Association (“THA”) have agreed to subsidize the \$17,700.00 deficit for the 2026 budget to fully fund the Program.

Assistant Director Salerno stated that staff recommends approval of the 2026 budget, with quarterly payments totaling the available \$200,000 and the balance to be covered by the SBOA and THA. He also stated that the Commission is actively exploring additional long-term funding options to support these important and worthwhile programs.

Assistant Director Salerno noted that the Financial Management Office recommends two improvements: shifting BCAP to a fiscal-year budget cycle to align disbursements with actual revenue and implementing periodic expense reporting for greater accuracy. To support this, staff recommends required submissions of fixed monthly expenses, quarterly reporting of variable expenses, advance notice if a quarter’s expenses will exceed \$50,000, and carrying forward any unspent funds to offset future deficits.

Assistant Director Salerno stated that staff recommends approval of the 2026 budget with quarterly payments, subject to these conditions.

Commissioner Vetrano made the motion to approve the 2026 Backstretch Advisory Committee budget. Commissioner Beck seconded the motion, and all Commissioners voted yes.

CONSIDER THE REQUEST OF MEADOWLANDS RACETRACK TO AMEND ITS 2026 RACE DATES

Assistant Director Tom Salerno presented this item. He stated that the Commission had received a request from the Meadowlands Racetrack (“Meadowlands”) to amend its previously-approved 2026 race date calendar. Although the Commission approved the original calendar at its November 19, 2025 meeting subject to conditions, Meadowlands submitted an amended version shortly after that day.

Assistant Director Salerno advised that the total number of standardbred race dates remains unchanged at 102. He explained that the distribution of those dates has been modified. Specifically, Meadowlands proposes to eliminate five Thursday race dates in January and replace them with three Sunday race dates in January and one Sunday in February. Assistant Director Salerno advised that those Sunday dates would run on January 11, 18, 25, and February 1, with a 12:30 p.m. post time. In addition, Meadowlands would add one Thursday date on August 6 to begin Hambletonian weekend.

Assistant Director Salerno stated that the amended calendar continues to reflect 90 Meadowlands race dates and 12 designated Freehold race dates. The Freehold dates remain the same as in the original submission: Friday evenings beginning January 2 and running through March 20, 2026.

Assistant Director Salerno reminded the Commissioners that one of the conditions of approval from the November 19, 2025 meeting requires Meadowlands Racetrack to propose a makeup date for each date that it would seek to cancel due to any conflicts with the World Cup soccer games that are scheduled to take place at Met Life Stadium on June 13 and June 27, 2026.

Assistant Director Salerno advised that the SBOA has submitted a letter of consent supporting the amended calendar and the designated Freehold dates.

Assistant Director Salerno concluded that if these amended dates are approved, the 2026 schedule would include 102 standardbred race dates, representing an increase of three dates over the approved 2025 calendar.

Assistant Director Salerno advised that staff recommended approval of the amended 2026 race date request.

Commissioner Vetrano made a motion to approve Meadowlands' request to amend its 2026 race dates. Commissioner Venuto seconded the motion, and all Commissioners voted yes.

CONSIDER THE ALLOCATION OF PURSE SUBSIDIES TO THE THOROUGHBRED AND STANDARD BRED RACING INDUSTRIES FOR FISCAL YEAR 2026

Acting Executive Director Ben-David explained that the State has appropriated \$20 million in purse subsidies for Fiscal Year 2026. This appropriation was made in the appropriations bill for Fiscal Year 2026. In separate legislation, specifically *N.J.S.A. 5:5-99.1*, the State has expressed a commitment to making the same appropriation through fiscal year 2029. *N.J.S.A. 5:5-99.1* specifies how the subsidy should be allocated in each fiscal year.

Acting Executive Director Ben-David advised that the statute specifically requires the \$20 million subsidy to be allocated equally between the thoroughbred and standardbred industries. Of the funds allocated to the thoroughbred industry, 100 percent is meant to go to Monmouth Park overnight purses. Of the funds allocated to the standardbred industry, 60 percent is meant to go to Meadowlands overnight purses; 16 percent to Freehold overnight purses; 12 percent to the New Jersey Sire Stakes purses; 6 percent to purse bonuses for New Jersey sired horses; and 6 percent for breeders' awards purses.

Acting Executive Director Ben-David stated that recipients of purse subsidy money must file a report analyzing the impact of the purse subsidy as a condition of receiving any purse money in a subsequent fiscal year. In the event live racing programs have ceased at Freehold Raceway, the percentage allocated to that racetrack can be re-allocated to Meadowlands Racetrack, provided Meadowlands Racetrack schedules at least 35 standardbred race dates that otherwise would have been conducted at Freehold Raceway or a lesser number of dates with the consent of the SBOA.

Acting Executive Director Ben-David continued that as required by the statute, the Commission is in receipt of a report analyzing the impact of the purse subsidy from the prior

fiscal year. The report includes data for the last six years that purse subsidies have been provided under the statute. It confirms the impact of the purse subsidy on the horse racing industry has been generally positive, especially within the standardbred breeding industry, Sire Stakes Program, and training centers.

Acting Executive Director Ben-David stated that for the portion set aside for Freehold Raceway, Meadowlands Racetrack has obtained the consent of the SBOA to decrease the minimum number of standardbred race dates from 35 to 12. She advised that those dates are: Friday, January 2, 9, 16, 23, and 30; Friday, February 6, 13, 20, and 27; and Friday, March 6, 13, and 20. They are included on the amended calendar which was just approved by the Commission.

Acting Executive Director Ben-David stated that staff recommends that the Commission allocate the purse subsidy monies in accordance with the percentages required by *N.J.S.A. 5:5-99.1* and that the Commission re-allocate to Meadowlands Racetrack the portion set aside for Freehold Raceway. She explained that using these percentages, the allocation would be:

\$10 million to Monmouth Park,
\$6 million to Meadowlands Racetrack,
plus an additional \$1.6 million to Meadowlands Racetrack,
\$1.2 million to the New Jersey Sire Stakes,
\$600,000 to standardbred purse bonuses for New Jersey sired horses; and
\$600,000 to standardbred breeders awards purses.

Commissioner Beck made a motion to allocate the purse subsidy monies in accordance with the percentages required by *N.J.S.A. 5:5-99.1* and to re-allocate to Meadowlands Racetrack the percentage set aside for Freehold Raceway. Commissioner DeMarzo seconded the motion, and all Commissioners voted yes.

CONSIDER THE INITIAL DECISION IN *BRANDON MONGIELLO V. NEW JERSEY RACING COMMISSION*, OAL DOCKET NO. RAC 10012-23

Regulatory Officer Elizabeth Laurenzano presented this item. She stated that on August 3, 2023, the Board of Judges (“Judges”) at the Meadowlands Racetrack conducted a hearing and determined that trainer Brandon Mongiello (“Petitioner”) violated three instances of *N.J.A.C. 13:71-1.19* (Detriment of Racing), two instances of *N.J.A.C. 13:71-7.29(a)13* (Suspension of Trainer’s License), two instances of *N.J.A.C. 13:71-23.6(c)* and (d) (Trainer is Absolute Insurer), two instances of *N.J.A.C. 13:71-23.9* (Possession of Drugs or Drug Instruments), and one instance of *N.J.A.C. 13:71-7.26(d)* (Licensed Employees). She explained that this was the result of a May 5, 2023 routine inspection of Petitioner’s stabling area by Commission Investigators located at Crystal Brook Training Center, an off-track stabling facility licensed by the Commission.

Regulatory Officer Laurenzano advised that the Meadowlands Judges found that Petitioner possessed hypodermic needles, syringes, and other instruments used for injection, and injectable substances and prescription legend drugs in his stabling area at the training center. Notably, Petitioner stipulated to the fact that the Commission investigators found hypodermic needles, syringes, instruments used for injection, injectable substances, and prescription legend drugs in his stabling area. In total, Commission Investigators discovered twenty-nine separate prohibited items in Petitioner's stabling area.

Regulatory Officer Laurenzano explained that possession of these items by someone other than a veterinarian is in direct violation of Commission regulations. The Judges also found that Petitioner employed an unlicensed individual who had access to and cared for race horses at the training center.

Regulatory Officer Laurenzano stated that the Judges imposed a 395-day suspension and a \$3,000 fine in the aggregate for the violations. Petitioner appealed and requested a stay. The stay was granted, and the matter was transmitted to the Office of Administrative Law ("OAL") as a contested case in September 2023.

Regulatory Officer Laurenzano advised that on October 15, 2025, the Commission received an Initial Decision in this matter from an Administrative Law Judge ("ALJ") at the OAL which affirmed the Meadowlands Judges' findings of violations and imposition of penalties. She advised that on November 3, 2025, the Commission received exceptions from Petitioner, in which he disagreed with the ALJ's findings and penalties. On November 12, 2025, the Deputy Attorney General who represented the Commission filed a reply to the exceptions and maintained that the findings and penalties should be adopted. With the filing of the reply to the exceptions, the record closed.

Regulatory Officer Laurenzano stated that staff recommends adopting the Initial Decision in this matter.

Commissioner DeMarzo made a motion to adopt the Initial Decision in *Brandon Mongiello v. New Jersey Racing Commission*. Commissioner Venuto seconded the motion, and all Commissioners voted yes.

Acting Executive Director Ben-David stated that there were no items for discussion and information and asked if anyone from the public would like to comment or bring new business to the Commission's attention.


Jason Settlemoir from New Meadowlands Racetrack thanked the Commissioners, the Executive Director, and the staff for all their hard work throughout the year. He stated that he appreciates what has been done for the sport of horse racing here in the Garden State and wished everyone a Merry Christmas, Happy Holidays, and Happy New Year.

Al Ochsner from the SBOA thanked the Commissioners for allowing him the opportunity to present their report so the Commission can act on it during this time period. He stated that the SBOA appreciates all the help the Commission has given, and he then thanked Karyn Malinowski, who was also on the call, for getting everything done in time. He stated that the SBOA had the cooperation of thoroughbreds, standardbreds, race tracks, and he hoped the report showed how important the subsidy money still is. He concluded by wishing everyone a very Merry Christmas and happy New Year.

There were no additional comments or questions.

Commissioner Tomaro moved that the meeting be adjourned. Commissioner Beck seconded the motion, and all of the Commissioners voted yes.

ATTEST:


Sara Ben-David, Acting Executive Director