

**NEW JERSEY RACING COMMISSION  
WEDNESDAY, MARCH 19, 2025  
NEW MEADOWLANDS RACETRACK  
SKYBOX SUITES – GRANDSTAND BUILDING – 3<sup>RD</sup> FLOOR  
1 RACETRACK DRIVE, EAST RUTHERFORD, NEW JERSEY**

A public meeting of the New Jersey Racing Commission (“NJRC” or “Commission”) was held on Wednesday, March 19, 2025 at New Meadowlands Racetrack in the Skybox Suites, Grandstand Building, 3<sup>rd</sup> Floor located at 1 Racetrack Drive in East Rutherford, New Jersey.

The following were present:

Jennifer Beck, Commissioner  
Lawrence DeMarzo, Commissioner  
Arlene Quinones Perez, Esq., Commissioner  
Charles E. Tomaro, Commissioner  
Michael Venturo (virtually)  
Glen Vetrano, Commissioner  
Sara Ben-David, Acting Executive Director  
Levi Klingler-Christiansen, Deputy Attorney General  
Samuel Kovach-Orr, Associate Counsel, Governor’s Authorities Unit  
Alessandra Baldini, Sr. Counsel, Office of the Attorney General

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 distribution of the remaining Casino Simulcasting Special Fund monies (accumulated in 2023) totaling \$75,084.56.
2. Legal advice concerning the initial decision in *Per Engblom v. New Jersey Racing Commission*, OAL Docket No. RAC 06114-24.
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 12:32 p.m. There was a delay in beginning the Executive Session due to technical difficulties. The meeting started at 12:40 p.m.

Commissioner Perez motioned to move back to the public session. Commissioner Vetrano seconded the motion. All of the Commissioners agreed.

Acting Executive Director Ben-David opened the public session of the meeting with some announcements. She first acknowledged and welcomed new commissioner, Michael Venuto who was nominated by Governor Phil Murphy to serve as a member of the Racing Commission. Commissioner Venuto was confirmed by the Senate on December 19, 2024 and has taken his oath of office so he is able to join in the meeting in his new capacity.

Acting Executive Director Ben-David then advised that the meeting was being live-streamed for the first time. She explained that through our website, the New Jersey Racing Commission has made a link 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 and transcribe 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, going forward, it is the intent of the New Jersey Racing 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.

Acting Executive Director Ben-David thanked Ryan Brady and the IT team who went through a few demonstrations with Racing staff, answered questions, and helped prepare for today's launch. She also thanked the Racing Commission's Executive Assistant Nanci Reid for agreeing to take on the challenge of acting as the moderator and Secretary Trudy San Jose for her willingness to be trained as Nanci's backup moderator.

**CONSIDER APPROVAL OF THE PUBLIC AND EXECUTIVE SESSION MINUTES OF THE JANUARY 22, 2025 MEETING.**

Commissioner Tomaro made a motion to approve the public and executive minutes of the January 22, 2025 Commission meeting. Commissioner Venuto abstained. Commissioner Beck seconded the motion, and all other Commissioner voted yes.

CONSIDER RATIFICATION OF THE CANCELLATION OF RACING AT MEADOWLANDS RACETRACK ON FEBRUARY 8, 2025

Acting Executive Director Ben-David advised that, on February 8, a winter storm was forecast to hit East Rutherford with snow accumulation of 7 to 9 inches. General Manager and Chief Operating Officer Jason Settlemoir requested approval to cancel racing at Meadowlands Racetrack that evening because the height of the storm was predicted to be during live racing, and travel from the property could be dangerous. Mr. Settlemoir met with representatives from the Standardbred Breeders and Owners Association of New Jersey on the morning of February 8, and in the best interest of all involved, decided to cancel that evening's live racing.

Acting Executive Director Ben-David stated that she approved the cancellation of racing subject to ratification by the Commission at today's public meeting.

Commissioner DeMarzo made a motion that the Commission approve the cancellation of racing on February 8, 2025. Commissioner Vetrano seconded the motion, and all Commissioners voted yes.

CONSIDER APPROVAL OF THE RACING AND WAGERING FORMAT FOR THE MONMOUTH PARK MEET

Acting Executive Director Ben-David stated that Monmouth Park has been allocated 60 race days in 2025. The thoroughbred meet at Monmouth Park will take place over the course of 50 days beginning on May 10 and continuing through September 14. Acting Executive Director Ben-David advised that a 9-day thoroughbred meet also will be conducted at Meadowlands Racetrack in September and October, and the Far Hills steeplechase meet will take place on Saturday, October 18 at Moorland Farm.

Acting Executive Director Ben-David explained that the request seeks approval to offer up to fourteen live races per day in 2025. Post-time on Fridays would be 2:00 p.m. Post-time on Saturday and Sunday as well as Monday, May 26 and Monday, September 1 would be 12:50 p.m. with the exception of Sunday, July 19, which is Haskell Day, when the post time would be 12:00 p.m.

Acting Executive Director Ben-David stated that the operating officials would remain the same as those the Commission approved for last year's thoroughbred meet, with a few exceptions. Bill Knauf, who had served as Vice President Business Operations, left Monmouth Park in September. A few changes were made as a result of Bill's departure from Monmouth Park. Bill Anderson is now the President and Chief Operating Officer. John Heims is now the General Manager in addition to serving as In-house Counsel. Gerry Stanislawzyk is now the Racing Secretary, and Troy Matty is the Assistant Racing Secretary. Michael Redwood will be the Starter.

Acting Executive Director Ben-David stated that the wagering format also will be the same as last year. Wager types, minimum wagering amounts, and takeout rates are all the same. She advised that all races will offer win, place, show, exacta, trifecta, double, pick 3, and superfecta at management's discretion. Pick 4s will be available on various races. Monmouth Park is once again requesting permission to conduct advance wagering on stakes races previously approved by the Commission for the 2025 season. Monmouth Park will import simulcast races during its live card and through its evening simulcast program. Mobile wagering also will be available.

Acting Executive Director Ben-David stated that, in addition, Monmouth Park is requesting permission to offer a handicapping contest called "Survival at the Shore" through its website. In the event exchange wagering becomes available, Monmouth Park expressed its intent to offer wagering through that system as well.

Commissioner DeMarzo made a motion to approve the racing and wagering format for the Monmouth Park Meet. Commissioner Perez seconded the motion, and all Commissioners voted yes.

CONSIDER THE DISTRIBUTION OF THE REMAINING CASINO SIMULCASTING SPECIAL FUND MONIES (ACCUMULATED IN 2023) TOTALING \$75,084.56.

Acting Executive Director Ben-David explained that the Commission has discussed on two prior occasions the money in the Casino Simulcasting Special Fund which was accumulated in 2023 and remains undistributed. She explained that, as it has done in past years, the Commission contacted the racetrack permit holders and horsemen's associations to inform them of the monies available and to ask them to file written submissions setting forth the amount of funds they are seeking and the reasons why.

Acting Executive Director Ben-David stated that, this year, submissions were received from Monmouth Park, Meadowlands Racetrack, and Freehold Raceway as well as the Thoroughbred Horsemen's Association, Thoroughbred Breeders' Association, and Standardbred Breeders and Owners Association. She stated that the submissions were distributed to the racetracks and horsemen's associations. They are given the opportunity to submit further written comment, and no further comments were submitted.

Acting Executive Director Ben-David stated that, at the public meeting on October 2, 2024, the Commission formed a CSSF Committee to review the submissions. The CSSF Committee is composed of Commissioner DeMarzo and Commissioner Vetrano. She advised that, in the past, the CSSF Committee has consistently recommended that 80% of the CSSF monies should be distributed equally among the racetracks, with the remaining 20% to be distributed equally among the horsemen's organizations and that, this year, the CSSF Committee recommended the same formula, with one exception. Since Freehold Raceway had announced its intent to cease operations at the end of the year, the Committee recommended that portion of the CSSF monies that would have been allocated to Freehold Raceway should be tabled until the input of interested parties is received.

Acting Executive Director Ben-David stated that, at a public meeting on November 20, 2024, the Commission decided to follow the Committee's recommendation. Monies were distributed to the permit holders and horsemen's associations 80% and 20% respectively, with the exception of the portion that in past years would have been allocated to Freehold Raceway. She further explained that on December 12, 2024, the CSSF Committee sent a letter seeking input regarding the following two questions: "(1) Should Freehold Raceway receive these funds given the fact that it will no longer operate a racetrack? (2) If not, how should these funds be allocated?"

Acting Executive Director Ben-David stated that submissions were received from Meadowlands Racetrack, Monmouth Park, the Thoroughbred Horsemen's Association, the Thoroughbred Breeders Association, and the Standardbred Breeders and Owners Association.

Among these stakeholders, the response to the first question was unanimous that Freehold Raceway should not receive a distribution. All stakeholders were of the view that the intent of the CSSF distributions is to support ongoing operations and breeding programs, and a distribution to Freehold Raceway (now closed) would not serve this purpose. The permit holders also point to language in NJRC's regulations that allows for distributions only to "interested parties" which are defined as permitted racetracks and certain horsemen's organizations.

Acting Executive Director Ben-David indicated that Freehold Raceway also made a submission. She stated that Freehold Raceway pointed out that it was licensed and in good standing in 2023 when these monies were accumulated and that it does not believe circumstances in the year of distribution should be relevant to the decision-making process. She stated that Freehold believes that they meet the qualifications for distribution as a racetrack as listed in the statute, i.e. its financial well-being was negatively impacted by casino simulcasting and it was in financial distress.

Acting Executive Director Ben-David advised that the CSSF Committee has considered these points, and the Committee agreed with most stakeholders that the purpose of the CSSF is to support ongoing operations and breeding programs which is reflected in the language of NJRC's regulation. The Committee's recommendation was that Freehold Raceway should not receive a distribution of the CSSF funds.

Acting Executive Director Ben-David stated that assuming the Commission agrees with that recommendation, the CSSF Committee next considered who should be the recipients of the money instead of Freehold and how much each recipient should receive.

Acting Executive Director Ben-David noted that, in response to this second question, the responses from stakeholders were varied. Some advocated for the money to be split between the two breeds. Others suggested an equal distribution. Another suggestion was to redistribute the funds based on the allocation and percentage previously used by the Commission, which would presumably result in the two tracks receiving 80% and the horsemen's associations receiving 20%.

Acting Executive Director Ben-David advised that the CSSF Committee concluded the most equitable approach was to distribute the remaining portion of the CSSF equally among the remaining entities that are still in operation. The amount of money which remains in the CSSF at this time is \$75,084.56. She explained that if the CSSF Committee's recommendation is followed, Meadowlands Racetrack, Monmouth Park, the Thoroughbred Horsemen's Association, the Thoroughbred Breeders Association, and the Standardbred Breeders and Owners Association would each receive \$15,016.91. Acting Executive Director Ben-David then asked the CSSF Committee members if she accurately summarized the findings and recommendations. Commissioners DeMarzo and Vetrano said yes.

Acting Executive Director Ben-David concluded by pointing out that the statute requires distributions to the horsemen's associations to be used "to fund a project that the commission determines will be beneficial to the racing industry." As a result, staff recommended that the Commission should require the horsemen's associations to use their distributions to fund the same projects described in their initial submissions, meaning the Thoroughbred Horsemen's Association would be required to use its distribution for the health benefit program, the Thoroughbred Breeders' Association would be required to use its money for the 2024 New Jersey-bred incentive program, and the Standardbred Breeders and Owners Association would be required to use 85% of its funds for the health benefit program, 12% for the Standardbred Retirement Fund, and 3% for Horse Rescue United.

Commissioner Beck made a motion to adopt the findings of the CSSF Committee and to distribute the remaining Casino Simulcasting Special Fund monies in the amounts recommended by the Commission and subject to the project funding requirements recommended. Commissioner Vetrano seconded the motion, and all Commissioners voted yes.

CONSIDER THE ADOPTION OF AMENDMENTS TO *N.J.A.C. 13:70-29.52* TO ALLOW PERMIT HOLDERS TO FOLLOW A WRITTEN REQUEST PROCESS TO DISTRIBUTE THE PICK (N) CARRY-OVER

Acting Executive Director Ben-David advised that she would like to announce a change in the Racing Commission's usual programming. She explained that, in the time she has served as Acting Executive Director, she has found the staff at the New Jersey Racing Commission to be of the highest caliber. She observed that they approach their work seriously and with the utmost dedication and care. Acting Executive Director Ben-David stated that although she does review all meeting memos before they are given to the Commissioners, and she will continue to do so, she would like to give the staff the opportunity to present these matters to the Commissioners directly since they are the ones who are closest to the information.

Acting Executive Director Ben-David advised that Regulatory Officer Beth Laurenzano would be spearheading that effort by presenting item A6 for the Commissioners' consideration.

Regulatory Officer Beth Laurenzano stated that, at its July 24, 2024 public meeting, the Commission voted to propose amendments to *N.J.A.C. 13:70-29.52*, The Pick (N), for thoroughbred racing. She explained that this rulemaking is the result of a petition for rulemaking filed by John F. Heims, Esq., In-House Counsel for Monmouth Park.

Regulatory Officer Laurenzano advised that the petitioner asked the Commission to add a new subsection (p), which would allow the racetrack, upon 48-hour notice to the Commission, to elect to pay out an entire Pick (N) pool, including the carry-over, on a selected day in accordance with subsection (l) of the rule. She further advised that this adoption is one of two, thoroughbred and harness, that is the result of that petition.

Regulatory Officer Laurenzano indicated that specifically, subsection (n) is proposed for amendment to require permit holders to submit a written request for permission to distribute the Pick (N) carry-over on a specific performance for a specified date no greater than one (1) year from the date the request is submitted. She further explained that the request must contain justification for the distribution and an explanation of the benefit to be derived.

Regulatory Officer Laurenzano stated that, in addition, subsection (o) is proposed for amendment to require that if the Pick (N) carry-over is designated for distribution on a specified date and performance in which there are no wagers selecting the first place finisher in each of the Pick (N) contests, the entire pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of Pick (N) contests. She indicated that the Pick (N) carry-over shall be designated for distribution on a specified date and performance only upon written approval from the Commission or upon the closing performance of the meet.

Regulatory Officer Laurenzano concluded that the Notice of Proposal was published for public comment in October, and the Commission received one comment that was outside the scope of this rulemaking.

Commissioner Perez made a motion to adopt amendments to *N.J.A.C. 13:70-29.52*. Commissioner DeMarzo seconded the motion, and all Commissioners voted yes.

CONSIDER THE ADOPTION OF AMENDMENTS TO *N.J.A.C. 13:71-27.56* TO ALLOW PERMIT HOLDERS TO FOLLOW A WRITTEN REQUEST PROCESS TO DISTRIBUTE THE PICK (N) CARRY-OVER

Acting Executive Director Ben-David asked Regulatory Officer Beth Laurenzano to present this item.

Regulatory Officer Laurenzano explained that this rule is the standardbred (harness) version of the rule that concerns distributing the Pick (N) carry-over. For the reasons just discussed, and to ensure consistency with thoroughbred and harness racing, the Commission

proposes to amend *N.J.A.C. 13:71-27.56* relating to harness racing. She stated that the proposed amendments require permit holders to follow the same written request process described in Agenda Item A6 to distribute the Pick (N) Carry-Over for harness racing. The Notice of Proposal was also published for public comment in October, and the Commission received one comment that was outside the scope of this rulemaking.

Commissioner Perez made a motion to adopt amendments to *N.J.A.C. 13:71-27.56*. Commissioner Vetrano seconded the motion, and all Commissioners voted yes.

CONSIDER THE INITIAL DECISION IN *PER ENGBLOM V. NEW JERSEY RACING COMMISSION*, OAL DOCKET NO. RAC 06114-24

Acting Executive Director Ben-David explained that the initial decision concerns a violation of the Commission's medication rules. On April 29, 2023, the horse "Mon Amour," trained by the petitioner Per Engblom, finished first in the sixth race at Meadowlands Racetrack. Post-race testing identified the presence in the horse's system of Oxycodone as well as Carisoprodol and Meprobamate.

Acting Executive Director Ben-David stated that, after conducting a hearing, the Board of Judges found that the petitioner violated *N.J.A.C. 13:71-7.29(a)13*, *N.J.A.C. 13:71-23.1(a)* and (b)1, and *N.J.A.C. 13:71-23.6(a)(b)(c)(d)*. The judges imposed a 365-day suspension and a fine of \$5,000 for the finding of Oxycodone plus a 15-day suspension and fine of \$1,000 for the finding of Carisoprodol, amounting to a total suspension period of 380 days and a total fine of \$6,000. Since Meprobamate is a metabolite of Carisoprodol, no separate penalty was imposed for that substance. A total of 8 MMV points also were imposed.

Acting Executive Director Ben-David indicated that the petitioner appealed and requested a stay. The stay was granted, and the matter was transmitted to the Office of Administrative Law as a contested case.

Acting Executive Director Ben-David stated that, on January 2, 2025, the ALJ issued an initial decision which affirmed the Judges' finding of a violation but reduced the suspension period from 380 days to 90 days. In reaching his conclusion that the original suspension period was too severe, the ALJ relied on the testimony of Dr. Clara Fenger, whom he found to be a credible expert witness and whose testimony he considered to be mitigating circumstances. Dr. Fenger opined in her report and during her testimony that Oxycodone and Carisoprodol metabolize rapidly in horses to the point that their metabolites should exceed their parent compounds in 30 minutes.

Acting Executive Director Ben-David indicated that, in the case of Mon Amour, Meprobamate was present in the horse's urine in a quantity lower than its parent Carisoprodol, and no metabolite was yet present for Oxycodone. From this, Dr. Fenger deduced that the drugs were transferred less than 30 minutes before its urine was collected. She also positioned that the drugs were mostly likely transferred to the horse by mucus membrane contact with a human whose hands were contaminated with these drugs after the horse finished its race and before post-race testing. The expert witness further opined that

the drugs did not factor into the outcome of the race due to the low levels that were identified in the horse's system.

Acting Executive Director Ben-David advised that the initial decision is before the Commission to adopt, reject, or modify. She stated that staff recommends that the Commission reject that portion of the initial decision which reduces the penalty to 90 days and that the Commission re-impose the original suspension period of 380 days. The premise for Dr. Fenger's conclusions is flawed, which caused the ALJ to err in his conclusion that the original penalty was too severe. Her opinion was based on two studies which do not confirm a metabolization rate of precisely 30 minutes. Even if they can be read to confirm such a metabolization rate, neither study involved the mucus membrane contact which Dr. Fenger claims was most likely involved in this case.

Acting Executive Director Ben-David further explained that Dr. Fenger's view that the drugs did not factor into the outcome of the race was not based on any studies involving Oxycodone or Carisoprodol. They are based on studies showing Morphine has no effect at 30 nanograms per milliliter, from which she extrapolates that Oxycodone must have no effect at 10 nanograms per milliliter because Oxycodone is three times more potent than Morphine.

Acting Executive Director Ben-David stated that the Commission cannot enforce its medication rules on the basis of guesses and conjecture. She also stated that the low level of the offending substances that were found is immaterial because Oxycodone and Carisoprodol are non-threshold drugs. *N.J.A.C. 13:71-23.1(a)* states the intent of the Commission's medication rules which is to protect the integrity of horse racing, to guard the health of the horse, and to safeguard the interests of the public and racing participants. The integrity of racing cannot be assured based on guesses and conjecture, and it does not guard the health of the horse to have these substances in its system.

Commissioner Beck made a motion to affirm the ALJ's finding of violations, affirm the imposition of a \$6,000 fine and 8 MMV points, reject that portion of the initial decision which reduced the suspension period to 90 days, and instead modify the suspension period to 380 days, as originally imposed by the Board of Judges. Commissioner Perez seconded the motion, and all Commissioner voted yes.

#### ITEMS FOR DISCUSSION AND INFORMATION

Acting Executive Director Ben-David advised that there were items on the agenda for informational purposes. The first item is drug testing statistics for 2024. Acting Executive Director Ben-David provided a brief summary. In 2024, the New Jersey Racing Commission tested 62 thoroughbred samples, compared to 192 samples in 2023. The Commission tested 12,678 standardbred samples, compared to 12,378 samples in 2023. In total, the Commission tested 12,740 samples which resulted in 17 positives, as compared to 12,570 and 38 positives in 2023. Finally, regarding human testing, the Commission tested 109 samples which resulted in 4 positive results. Last year, a total of 81 samples were tested which resulted in 0 positive results.

Acting Executive Director Ben-David stated that items B2 and B3 are audited financial statements for the year ended December 31, 2024 from the Standardbred Breeders and Owners Association of New Jersey and the Thoroughbred Breeders Association of New Jersey.

Acting Executive Director Ben-David advised that, as the last item for the day, she wanted to acknowledge that the new live stream on Microsoft Teams is not the only milestone the Racing Commission is achieving today. She stated that, on March 19, 1940, 85 years ago today, the first commissioners were appointed, and the New Jersey Racing Commission was officially constituted for the first time. For those attending the meeting in person, there was on display a copy of an article from The New York Times which reported on the appointment.

Acting Executive Director Ben-David explained that the establishment of a New Jersey Racing Commission followed the results of a referendum which took place as part of a special election on June 20, 1939. Acting Executive Director Ben-David explained that in that special election, the people of New Jersey were presented with the question whether to legalize pari-mutuel wagering on live horse races after the activity had been banned for over 40 years. The polls were open that day from 1:00 p.m. to 9:00 p.m. The results did not become official until July 11, 1939. The final tally was 459,646 votes in favor and 302,652 opposed, which caused the measure to pass by 156,994 votes. The following year, the Racing Commission's enabling legislation, the Racing Act of 1940, was passed.

Acting Executive Director Ben-David stated that the rest, as they say, is history. New Jersey has attracted, and continues to attract, some of the finest horses in the country as well as Hall of Fame trainers, drivers, and jockeys. Over the years, New Jersey has hosted big races like the Haskell Stakes which is held every year at Monmouth Park as well as the Hambletonian which takes place at Meadowlands Racetrack every year. New Jersey also is fortunate to host steeplechase races at the Far Hills Meet every October, which attracts participants from all over the world. Monmouth Park also had the honor of hosting the Breeders' Cup in October 2007. Meadowlands Racetrack enjoys the privilege of hosting the Breeders' Crown every few years, including last year.

Acting Executive Director Ben-David summarized that in the years since the Racing Act of 1940 was passed, opportunities and methods for placing pari-mutuel wagers have evolved and expanded. Simulcasting was legalized in New Jersey in 1985, making it possible for bets to be taken on horse races taking place simultaneously at other tracks both within and outside of New Jersey. In 1990, New Jersey voters approved a constitutional amendment to permit horse races to be simulcast to casinos in Atlantic City and to allow wagering on those races. Pari-mutuel wagering underwent a further expansion after the voters approved the legalization of off-track and account wagering. Each expansion has been a compliment and enhancement for fan engagement with the sport of horse racing.

Acting Executive Director Ben-David stated that across all the races New Jersey has hosted, and with each change that has come about, the New Jersey Racing Commission and its staff have been there to ensure the integrity of the sport and the wagering that takes place upon it. She noted that many of Racing Commission employees were present at the public

meeting, including some of its longest-serving employees. She named some of those long-time employees and their years of service:

- Tom Salerno, formerly Presiding Judge at Meadowlands Racetrack and currently Assistant Director in Trenton (12 years)
- Brian Walling, Associate Judge at Freehold Raceway (22 years)
- Joe Trapanese, former Administrator of Investigations who retired last year (after 23 ½ years)
- Craig Perrelli, State Investigator (25 years, 50 years with the state all together)
- Nanci Reid, Executive Assistant (26 years with Racing, 35 with the state overall)
- Pep Jones, Chief Licensing Inspector here at Meadowlands Racetrack (36 years)
- Debbie Allen, Receptionist in Trenton (38 years)
- Larry Julien, Associate Judge at Meadowlands Racetrack (38 years)

Acting Executive Director Ben-David noted the Racing Commission's veterinary unit has some big numbers:

- Administrative Vet Services Diane Scarpa (10 years)
- Associate Veterinarian Dr. Stacey Romano (10 years)
- Associate Veterinarian Dr. Barbara Greene (no one knows how long!)<sup>1</sup>
- Administrative Vet Services Debbie George (21 years)
- Animal Health Inspector Al Sullivan (21 years)
- Animal Health Inspector Alisa Tavani (20 years)
- Animal Health Inspector John Brittle (23 years)
- Dr. Diane Simoncini who was an Associate Veterinarian and came back to work with the Racing Commission as a per diem vet (25 years all together)
- Chief Veterinarian Dr. Kathy Picciano who started out as a per diem vet (38 years all together)
- Animal Health Inspector Chris Masiello (40 years)
- Administrative Vet Services Jeanette Davis (40 years)

Not present at the public meeting but also worthy of acknowledgment:

- Mel Cortina, analyst at the data center in Mount Laurel (17 years)
- Steve Pagano, Presiding Steward at Monmouth Park (25 years; maybe more)
- Michelle McMullen, Supervisor of Licensing Operations (36 years)

Acting Executive Director Ben-David stated that all of the employees could have chosen to do any number of things professionally. She expressed gratitude on behalf of the Racing Commission that they have chosen to dedicate so much of their lives to the success of the New Jersey Racing Commission. She further expressed that it is because of their work that the Commission is able to perform its statutory responsibilities.

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<sup>1</sup> Dr. Greene has completed approximately 30 years of service.

Acting Executive Director Ben-David concluded that to celebrate its 85th anniversary as an institution, the Racing Commission bought a cake for the occasion. She invited all Racing Commission employees, industry representatives, and anyone else in the room to share in some cake, coffee, and conversation.

Acting Executive Director Ben-David asked if anyone would like to comment or bring new business to the Commission's attention.

Jeff Gural, Managing Member, New Meadowlands Racetrack stated that he started going to the track when he was 17 years old in 1982 and bought his first horse 55 years ago. He came to Meadowlands as a customer. He never thought he would be the owner of the track. He stated that Meadowlands is losing money. He just wired \$1 million yesterday to keep the lights on. Mr. Gural stated that he thought if he built a place that was cool and if he ran it right, he could get young people to come. But, he has been unsuccessful in getting young people to come. He explained that horse racing is just too slow. Mr. Gural operates a casino. Someone put it to him like this: imagine if people came to your casino, played for two minutes, then you turned off the slot machines for twenty-two minutes, then turned them back on for two minutes, and then turned them off again. Nobody would stay. Making matters worse, because most of the wagering is done online, Meadowlands drags out the program so online customers can go from track to track. He feels it makes the sport unappealing to start at 6:30 p.m. and end at 11:30 p.m. Where other sports are trying to speed things up, Meadowlands is trying to slow things down. Mr. Gural stated that Meadowlands is going to eliminate the drag for a championship meet and see what happens. He feels that Meadowlands is in trouble. He stated that the judges are not enforcing the rules. Horse racing is the only sport where the rules are not enforced and that hurts the Meadowlands product. He stated there are 7 or 8 drivers who are the best drivers in the world that drive at the Meadowlands who cooperate. One of the big problems in the sport is there is no Commission for the overall sport like baseball or basketball. The other problem is getting rid of the drugs. He stated that he hired a company consisting mainly of ex-FBI and the USTA, and Meadowlands paid over \$2 million, and they were able to get information using wire taps. They arrested 30 people, and 28 pleaded guilty. Some are still in jail; some are out. For the two people who pleaded innocent and went to trial, Mr. Gural stated that he was able to obtain records of who bought what and who used what. He stated that he approached prior Executive Director Judy Nason about the problem and was told there was no proof that they used the drugs, all we know is that they bought the drugs. All of the people who pleaded guilty, pleaded guilty to buying the drugs; no one pleaded guilty to using the drugs. It's a federal crime to buy drugs that are not USDA-approved. These drugs were being used as performance enhancers, and most people knew they were being used. But, no one could catch them because they knew when they would be tested. They would use drugs that would be out of the horse's system prior to the testing time. Mr. Gural stated that the only way to catch them is to use out-of-competition testing, i.e. show up unannounced and ask the trainer to get his horse and take the blood. Mr. Gural stated that he requires everyone who races at the Meadowlands to sign an agreement that they are allowed to do out-of-competition testing. He stated that he employs a former New Jersey State Policeman to do out-of-competition testing and keep his eyes on what's going on. He has excluded a lot of people. Mr. Gural stated that it would really help if someone could look at the information that's out there (who bought the drugs and what drugs are bought) that no

one has done anything about. Mr. Gural said it's bad enough to lose money but it's worse to lose money to people who are dishonest. He stated Meadowlands has excluded customers and is now being sued. Mr. Gural stated he has a list from the transcripts that were obtained and invited those people to come and explain what happened. His only hope right now is to eventually get a casino. He stated the plan is to wait for New York to open. He stated that the referendum that was drafted was shot down. Mr. Gural stated that in order for it to be a win, the casino would have to be at the Meadowlands and the money taken in, he would be willing to distribute statewide. Mr. Gural is hoping that Yonkers will get a casino license. Should this happen, logically the people from northern New Jersey will go there as it will be the closest casino. He thinks people will not be happy sitting in traffic over the George Washington Bridge and paying \$18.00. Meadowlands plan is to wait for that to happen and do some polling. He feels if it loses again, it will never come back. Mr. Gural stated he has spent over \$120 million, and he has lost money. The only thing saving them right now is sports betting. Fan Duel does half the business in the state, and the other nine casinos and Monmouth divide up the other half. This staggering statistic should give an idea of how successful a casino would be. Mr. Gural stated that Meadowlands is the dwarf of the Atlantic City casinos. Mr. Gural stated that someone needs to sit down with the judges and get them to enforce the rules. It would improve the product, and it would be helpful if someone can look at the stuff (the transcripts and wire taps) and see why people who were talking about drugs are still allowed to race. They had no idea they were tapped. Needless to say, Meadowlands was lucky that the federal government agent did it because they are busy, and in order to get this done you need cooperation of the U.S. Attorney. Unfortunately, when people were arrested, it was pushed under the rug. Mr. Gural stated it would really help if the Racing Commission would help him. He stated that half of the standardbred people hate him. Mr. Gural mentioned that Adrienne Hall was the only person who worked with the FBI and cooperated with the FBI. Ms. Hall bought drugs and was using them. She gave the FBI the information to put them in the right direction, but she still hasn't been able to get her license back. Mr. Gural thinks she should at least be able to work as a groom. The FBI had a ton of information, but Mr. Gural was told that there aren't enough judges and courtrooms to try all of the people they could catch. People say he wants to win. If his horses don't win, he is going to lose to someone who is using drugs, and he is out of business.

Commissioner Vetrano thanked Mr. Gural for his comments and stated that he thinks that drag makes for a long night. He thinks of the horsemen who start at the wee hours of the morning and go half the night.

Mr. Gural stated that the drag helps with the betting. People come to their product, then go somewhere else and come back. Mr. Gural stated that he will try anything at this point. He is hoping that the World Cup will want to use the building for events. He feels that when other teams are playing, he's hoping they are watching at his facility because his customers are dying off. He stated that he is 82. In his day, horse racing was more popular than baseball and football. The Meadowlands used to be packed on a Tuesday night. Once they came up with casino gambling and the lottery, things went down, and now you have sports betting. The customers that used to bet on racing have switched. Covid is the other thing that killed it because it taught people how to bet on their phones or computers. The Meadowlands can never retain those customers. If traffic is bad, pull out your phone. The state gives Dennis

Drazin and Jeff Gural \$20 million which they split \$10 million and \$10 million. Yonkers gets \$52 million, and the tracks in PA get \$32 million, so the Meadowlands is competing with them. In order to compete, they need to generate handle. The Meadowlands is the only track that handles \$3 million a night which is gradually going down because people are switching to sports betting. Mr. Gural again stated that the judges really need to crack down and enforce the rules.


Nancy Grbelja started out by thanking the New Jersey Racing Commission for protecting the integrity of horse racing and looking out for the horse owners. She stated she has watched and would like to commend the Commission as a horse owner. She also thanked Mr. Gural for the stand that he has taken to protect the horses. In 2010, Ms. Grbelja had a horse that raced and she stopped racing because the horses were coming out over the cement wall. Mr. Gural took a stand to protect the industry and the horses, and it is appreciated.

Ms. Grbelja stated that as the New Jersey Sire Stakes chairperson, it is her responsibility and the board's responsibility to be able to promote the standardbred industry in New Jersey on both the breeding level as well as the racing level. Ms. Grbelja stated she is concerned with the decline in the industry. She feels we need to take a hard look at what is happening within New Jersey and what could be done to promote harness racing in New Jersey as well as the breeding program. Ms. Grbelja stated that it is important to make sure that we encourage and have every opportunity available in order to have racing for New Jersey bred, owned, and trainer horses. She stated that she was fortunate enough to speak with Mark Ford and also had a conversation with Mr. Settlemoir to express concerns. She is going to try to resolve those issues. She feels that everyone has to work together, the Meadowlands, the SBOA, and the New Jersey Sire Stakes to be able to promote the industry and New Jersey horses within our state. Ms. Grbelja stated that New Jersey has to have as many racing opportunities as we can for our horses if we want to be able to keep it. It not only impacts the horse industry, it impacts the open space, farm lands, and the industry as a whole. She went on to say we need to work together. She agrees with Mr. Gural that getting casinos would be a great thing. She said there are competing entities within the horsemen's groups themselves. Those need to be addressed, and she has put a spotlight on them. If we don't talk about it, things go by the wayside and nothing gets done.

Ms. Grbelja has a vested interest in the breed and the industry. She was a municipal official for 18 years, and she understands the importance open space. Racing is her hobby, and she loves the industry and would like to see it succeed. She will do everything in her power to work with every agency possible to make sure it gets better. That is her commitment to the horsemen. Many people are afraid to speak up because they are afraid of retaliation or retribution. Ms. Grbelja believes if you speak up, you are put down and eliminated. That needs to stop. She does not want to have to go to another state and there are certain places that only allow select people to race there. That's a problem. She feels that it is important when talking about New Jersey horses, we want to be able to maximize as much as we can for New Jersey horses to be able to race in New Jersey to support our industry and our breed. She knows she has the support of the Racing Commission. She will be working with different entities to see what can be done to promote the breed. She would love to work with Mr. Gural to see if they can get casinos as well.

There being no further comments, Acting Executive Director Ben-David asked for a motion to adjourn. Commissioner Tomaro made a motion to adjourn. Commissioner Perez seconded the motion, and all Commissioner voted yes.

ATTEST:

  
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Sara Ben-David, Acting Executive Director