

**NEW JERSEY RACING COMMISSION
WEDNESDAY, DECEMBER 22, 2010
RACING COMMISSION OFFICE
140 EAST FRONT STREET, FOURTH FLOOR
TRENTON, NEW JERSEY**

A meeting of the New Jersey Racing Commission was held on Wednesday, December 22, 2010, in the Racing Commission office located at 140 East Front Street, in Trenton, New Jersey.

The following were present:

Dennis A. Drazin, Chairman
Anthony T. Abbatiello, Commissioner
Anthony R. Caputo, Commissioner
Peter J. Cofrancesco, III, Commissioner
Noel Love Gross, Commissioner
Francis X. Keegan, Jr., Commissioner
Frank Zanzuccki, Executive Director
DAG Judith A. Nason

Executive Director Frank Zanzuccki read the following statement:

“This meeting today conforms with Chapter 231, P.L. 1975, called the “Open Public Meeting Law,” 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 Newark 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 the provision of N.J.S.A. 10:4-12(b), the New Jersey Racing Commission will now adjourn to executive session to obtain legal advice protected from disclosure by the attorney-client privilege on the following matters:

Consider allocation of 2011 thoroughbred and standardbred racing dates for the New Jersey Sports and Exposition Authority;

Consideration of the application filed by the New Jersey Sports and Exposition Authority requesting that the Racing Commission deny renewal licenses for the Toms River and Vineland off-track wagering facilities and invalidate the Master Off-Track Wagering Participation Agreement, in whole or part;

Consider the petition of the permitted racetracks and related entities for approval to renew the off-track wagering licenses for Woodbridge Township, Toms River Township, Vineland City and Bayonne City; and

Other matters requiring legal advice and update concerning pending litigation.

Discussion of the above matters fall 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 her ethical duties as a lawyer and/or matters involving pending or anticipated litigation."

Chairman Drazin motioned to adopt the resolution to adjourn. Commissioner Abbatiello seconded the motion. The Commission then adjourned to Executive Session.

The Commission ended the execution session and Chairman Drazin moved to reconvene the public session. Commission Abbatiello seconded the motion and the Commission concurring, the public session resumed. It was noted that Commissioner Caputo, Commissioner Cofrancesco and Commissioner Gross were participating by telephone.

CONSIDER ALLOCATION OF 2011 THOROUGHBRED AND STANDARD BRED RACING DATES FOR THE NEW JERSEY SPORTS AND EXPOSITION AUTHORITY

Lennon Register, Senior Vice President for Racing of the New Jersey Sports and Exposition Authority addressed the Commission concerning the application of 2011 racing dates. Mr. Register indicated that 104 thoroughbred dates will be conducted at Monmouth Park pursuant to the Authority's thoroughbred permit for Monmouth Park and 37 dates will be run at Monmouth Park pursuant to the Authority's thoroughbred permit for the Meadowlands' Racetrack under the Meadowlands' permit. Mr. Register acknowledged that the Meadowlands thoroughbred meet will not be eligible to participate in casino simulcasting.

Michael Musto, Executive Director of the New Jersey Thoroughbred Horsemen's Association indicated the horsemen's desire to see a full race meet conducted at the Meadowlands Racetrack.

Thomas Luchento, President of the New Jersey Standardbred Breeders' and Owners' Association stated that the anticipated lease of the Meadowlands may not include thoroughbred racing at the facility.

Mr. Register addressed the Commission concerning the standardbred dates. He stated that the permit holder has applied for 141 dates in conjunction with the Governor's office with the understanding that legislation is currently under way to allow for 100 days of racing. Mr. Register stated that it is also his understanding that the Governor's office is on board with the application as submitted.

The S.B.O.A. had no comment.

Commissioner Abbatiello motioned to approve the 2011 dates as submitted by the NJSEA. Commissioner Keegan seconded the motion and all Commissioners voted yes with the exception of Chairman Drazin who recused himself in regard to the allocation of thoroughbred dates and abstained from voting on the standardbred dates.

CONSIDERATION OF THE APPLICATION FILED BY THE NEW JERSEY SPORTS AND EXPOSITION AUTHORITY REQUESTING THAT THE RACING COMMISSION DENY RENEWAL LICENSES FOR THE TOMS RIVER AND VINELAND OFF-TRACK WAGERING FACILITIES AND INVALIDATE THE MASTER OFF-TRACK WAGERING PARTICIPATION AGREEMENT, IN WHOLE OR PART

Executive Director Zanzuccki indicated that the parties involved in this matter have an opportunity to present oral comment at this time. Ralph Marra, Esq., General Counsel to the NJSEA, stated that it is his understanding this subject is under further review, therefore, NJSEA is deferring their comments at this time.

Lawrence Cohen, Esq., Counsel for Freehold Raceway off-track facility, indicated his reliance on his written submission to the Commission.

John Pellechia, Esq., Counsel for the Vineland off-track facility, deferred any comment and will rely on his written submission.

Comment was heard from Robert Liguori, President of Local 137, who voiced the organization's concern that the off-track wagering facilities remain open.

Chairman Drazin moved to defer decision on the NJSEA's application so that the Commission may give further consideration to the litigation pending in federal court. Commissioner Keegan seconded the motion and all Commissioners voted yes.

CONSIDER THE PETITION OF THE PERMITTED RACETRACKS AND RELATED ENTITIES FOR APPROVAL TO RENEW THE OFF-TRACK WAGERING LICENSES FOR WOODBRIDGE TOWNSHIP, TOMS RIVER TOWNSHIP, VINELAND CITY BAYONNE CITY

The Executive Director noted that the application to renew the off-track wagering license for Bayonne City seeks Commission approval for the balance of the year 2010, *i.e.*, November 18, 2010 to December 31, 2010, as well as renewal for January 1, 2011 to December 31, 2011. Staff recommended that approval to renew the off-track wagering licenses for all facilities be subject to the usual conditions imposed by staff.

The Executive Director also informed that the Commission that he received a letter from Senator Jeff Van Drew in support of the application to renew the off-track wagering license of the Vineland City off-track wagering facility. A copy of the Senator's letter is appended to these minutes.

Chairman Drazin moved to approve the extension of the renewal license for the off-track facilities, specifically, Woodbridge Township from 1/1/11 to 12/31/11; Toms River from 1/1/11 to 12/31/11; Vineland from 1/1/11 to 12/31/11 and Bayonne from 11/18/10 to 12/31/10, as well as 1/1/11 to 12/31/11. Commissioner Abbatiello seconded the motion and all Commissioners voted yes.

There being no further discussion or comments from the public, Chairman Drazin moved that the meeting be adjourned subject to the provisions of the “Open Public Meeting Act.” Commissioner Keegan seconded the motion and it was approved unanimously.

ATTEST:

Executive Director Frank Zanzuccki