

**NEW JERSEY RACING COMMISSION
WEDNESDAY, JULY 13, 2016
“LIBRARY ROOM”
MONMOUTH PARK
OCEANPORT, NEW JERSEY**

A meeting of the New Jersey Racing Commission was held on Wednesday, July 13, 2016 in the Library Room, located at Monmouth Park, Oceanport, New Jersey.

The following were present:

Pamela J. Clyne, Chairman
Anthony T. Abbatiello, Commissioner (by phone)
Michael J. Arnone, Commissioner (by phone)
Peter J. Cofrancesco, III, Commissioner (by phone)
Francis X. Keegan, Jr., Commissioner
Frank Zanzuccki, Executive Director
SDAG George Cohen

The following were absent:

Peter T. Roselle, Commissioner

Executive Director Frank Zanzuccki read the following statement:

“This meeting today conforms with Chapter 231, P.L. 1975, called 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 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 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 approval to advertise in the New Jersey Register proposed new Claiming rules and amendments to N.J.A.C. 13:70-12.1 et seq. and N.J.A.C. 13:71-14.1 et seq.; and
2. Other matters requiring the advice of counsel.

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."

Chairman Clyne motioned to adopt the resolution to adjourn. Commissioner Keegan seconded the motion. All of the Commissioners present voted to affirm. The Commission then adjourned to Executive Session.

It was noted that Commissioner Abbatiello, Commissioner Arnone and Commissioner Cofrancesco were participating by telephone.

Commissioner Cofrancesco made a motion to adjourn from Executive Session into the Public Session. Commissioner Keegan seconded the motion and the Commissioners voted to affirm. The Executive Session ended. During the public session, Commissioner Abbatiello joined the meeting by telephone.

CONSIDER APPROVAL OF THE PUBLIC AND EXECUTIVE SESSION MINUTES OF THE JUNE 15, 2016 COMMISSION MEETING

Commissioner Arnone made a motion to approve the public and executive minutes of the June 15, 2016 public meeting. Chairman Clyne seconded the motion and all Commissioners voted yes with the exception of Commissioner Cofrancesco who had been temporarily disconnected from the phone call.

CONSIDER APPROVAL TO ADVERTISE IN THE NEW JERSEY REGISTER PROPOSED NEW CLAIMING RULES AND AMENDMENTS TO N.J.A.C. 13:70-12.1, ET SEQ. AND N.J.A.C. 13:71-14.1, ET SEQ.

Executive Director Zanzuccki briefly explained the four broad areas of change to the claiming rules. Those areas included: 1) alteration to the testing rule for a claimed horse; 2) expansion of circumstances which deem a claim void or voidable; 3) exempting a horse from a claim; and 4) delivery of corticosteroid records to a claimant.

Michael Musto, Executive Director of the NJTHA and Dennis Drazin, Esq., consultant to Darby Development, LLC, asked to comment on the proposal. The Executive Director explained that subsequent to the proposal appearing in the New Jersey Register, there will be a 60-day period in which comments can be forwarded to the Commission.

Chairman Clyne made a motion to approve the proposed new claiming rules and amendments for advertisement in the New Jersey Register. Commissioner Keegan seconded the motion and all Commissioners voted yes, including Commissioner Cofrancesco who had rejoined the conference call.

ITEMS FOR DISCUSSION AND INFORMATION

Dennis Drazin, Esq., on behalf of Darby Development, LLC, asked the Commission if approval is required to conduct one Arabian race in New Jersey in connection with a proposed sponsorship for Monmouth Park. The Executive Director indicated that the statute is likely broad enough to permit the Commission to approve such a request if one is filed with the Commission.

There being no further discussion or comments from the public, Commissioner Keegan moved that the meeting be adjourned. Chairman Clyne seconded the motion and it was approved unanimously.

ATTEST:



Executive Director Frank Zanzuccki