



## APPLICATION FOR LICENSE TO HOLD OR CONDUCT A RACING MEETING

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APPLICATION OF: **New England Horsemen's Benevolent and Protective Association, Inc.**  
FOR LICENSE TO HOLD OR CONDUCT A RACING MEETING AT  
**Suffolk Downs** FOR CALENDAR YEAR 2015.

Pursuant to the provisions of Chapter 128A of the General Laws of the Commonwealth of Massachusetts, inserted by Chapter 374 of the Acts of 1934, as amended, the Applicant hereby makes application for license to hold or conduct a **Thoroughbred** racing meeting at **Suffolk Downs** County of **Suffolk**.

As used in this application the word "applicant" has the following meanings, respectively: In case of an individual applicant, the applicant. In case of a partnership applicant, all partners, including limited and silent partners. In case of a corporate applicant, all officers, directors, stockholders of record, persons owning the beneficial interest in any stock, subscribers to any stock and persons who voted any of the voting stock at the last stockholders. In the case of an LLC, all members and managers. In the case of a trust, all trustees. In the case of an unincorporated association, all members of the association.

Attached hereto, is a certified check or bank draft payable to the Massachusetts Gaming Commission in the sum of \$ **300** which is the greater of .0013 times the average daily handle for the racing meeting that occurred in 2013 or Three hundred dollars (\$300.00).

Applicant has provided the Massachusetts Gaming Commission with a surety bond issued by surety qualified to do business in the Commonwealth of Massachusetts and approved by the Commission in the amount of \$125,000 in accordance with Section 3(o) of Chapter 128A of the General Laws.

1. The name of the applicant: **New England Horsemen's Benevolent and Protective Association. Inc.**
2. The post office address of the applicant: **P. O. Box 388, Revere, MA 02151**
3. Address of principal office: **525 McClellan Highway, East Boston, MA 02128**
4. Trade name, if any, under which business is or is to be conducted: N/A
5. The location of the race track where it is proposed to hold or conduct such meeting, including street address, municipality and county.  
**525 McClellan Highway, East Boston, Suffolk County, MA 02128**
6. The days on which it is intended to hold or conduct such a meeting, the number of races to be run daily and the minimum purse per race. **July 15, 2015, 7 races, \$9,000/race**
7. The hours of each day between which it is intended to hold or conduct racing at such meeting in accordance with c. 128A §2 (5). **12:45PM to 5:00PM**
8. Name and Address of attorney, if any, of the applicant:  
**Fank J. Frisoli, Esq., 797 Cambridge Street, Cambridge, MA 02141**
9. Applicant is (check one):
  - An individual
  - A limited partnership
  - An unincorporated association
  - A general partnership
  - A trust
  - A corporation
  - An LLC
  - Other (specify)
10. If applicant is an individual, give name, address, place and date of birth.  
 Name \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Place of Birth \_\_\_\_\_ Date of Birth \_\_\_\_\_  
 Submit as Exhibit 10 three personal references including one of a bank.
11. If applicant is a corporation, LLC, partnership or other business entity: **No Shareholders**
  - (a) Submit as Exhibit 11 (a) the name, place, date of birth and legal residence of each shareholder, member, manager, partner and/or officer of applicant and the office held by each. **Anthony Spadea (sole officer), Weymouth, MA,**  
**Members qualified under bylaws are, in general, licensed owners and trainers of Thoroughbred racehorses**

- (b) Submit as Exhibit **11 (b)** a statement showing (a) class of stock issued or to be issued (designate which), (b) par value, (c) vote per share, (d) number of shares authorized, (e) number of shares issued (f) number of shares subscribed, and (g) total number of shares and the percentage of shares owned by each shareholder.  
**No capital stock**
- (c) If applicant is a foreign corporation, LLC or partnership, submit as Exhibit **11 (c)** a statement listing the state of formation, the entity's qualification to do business in Massachusetts and the name and address of the registered agent for service of process in Massachusetts. **N/A**
- (d) If business entity is an LLC or other organized entity that does not issue stock, submit as Exhibit **11 (d)**, a schedule of ownership listing all members/managers and percentage of entity held. **Organized as non-profit organization.**
- (e) If business entity is a partnership or other organized entity, submit as Exhibit **11 (e)** a schedule listing the partners or others holding an interest and the percentage of the entity held. **N/A**
- (f) Is the beneficial owner of any stock or share of business entity a person other than the owner of record or subscriber? If the answer to this question is yes, submit as Exhibit **11 (f)** a statement showing (1) the name of the owner of record, or subscriber, (2) the name of the beneficial owner, (3) the conditions under which the owner or subscriber holds and votes or has subscribed for such stock or share of business entity (4) whether applicant has any other obligations or securities authorized or outstanding which bear voting rights whether absolutely or upon any contingency (5) the nature of such securities, (6) the face value or par value, (7) the number of units authorized, (8) the number of units issued and outstanding, (9) the number of units, if any, proposed to be issued, (10) the conditions or contingency upon which such securities may be voted, and (11) facts showing whether or not such securities have been voted or entitled to be voted in in the period commencing five (5) years prior to this application. **NO**
- (g) Does the applicant have officers, directors, members or managers who are also officers, directors, members, or managers of any other race track that is or has been licensed by this or any other racing or gaming commission? If the answer to this question is yes, submit as Exhibit **11 (g)** a list of such officers, directors, members or managers, the race track or gaming facility involved, the date of licensure, the type of license and the jurisdiction in which such race track or gaming facility is located **No**
12. (a) Has applicant had a race track or gaming license revoked by order of decree of any Federal or State Court or any State Racing or Gaming Commission?  
 Yes  **No**
- If the answer to this question is yes, submit as Exhibit **12 (a)** a list of such licensees, the name of the court or commission that revoked the license, the date the license was revoked and the reason for the revocation.
- (b) Have voluntary proceedings in bankruptcy been instituted by, or have involuntary proceedings in bankruptcy ever been brought against applicant or any officer, director, member or manager of applicant?  
 Yes  **No**

If the answer to this question is yes, submit as Exhibit **12 (b)** a list describing the name of the person or entity filing for bankruptcy, the type of petition filed in bankruptcy, the date of the filing, the court in which filed and the date of final discharge, or if ongoing, indicate the expected date of final discharge.

- (c) Are there outstanding any unsatisfied judgments, decrees or restraining orders against applicant or any officer, director, member or manager of applicant?  
 Yes  No

If the answer to this question is yes, submit as Exhibit **12 (c)** a list describing the type of the judgment, the court or other body entering the judgment, the date of the judgment, the person against whom the judgment is entered, the amount of the judgment and the reason why the judgment is unsatisfied.

13. Does the applicant or any of its officers, directors, members, or managers, have now, or have ever had, any direct or indirect financial or other interest in:

- (a) Any harness horse, running horse, or dog racing meeting conducting legalized pari-mutuel wagering?  
 Yes  No

If the answer to this question is yes, submit as Exhibit **13 (a)** a list describing the name of the officer, director, member or manager having the interest, the type of the interest, the amount of the interest, the name of the entity in which the interest is held, and the location of the entity and the jurisdiction licensing the entity.

- (b) Any application other than this pending before the Massachusetts Gaming Commission?  
 Yes  No

If the answer to this question is yes, submit as Exhibit **13 (b)** a list of all such applications, the type of application, the date such application was filed, the date the application was granted or rejected or whether the application is currently pending.

- (c) Any application for a racing license or a gaming license which has been denied by the Massachusetts Gaming Commission, the predecessor Massachusetts State Racing Commission or any other State Commission or authority?  
 Yes  No

If the answer to this question is yes, submit as Exhibit **13 (c)** a list of all such applications, including the jurisdiction in which it was filed, the type of application, the date the application was denied, the name of the applicant, and the reason for such denial.

- (d) Any racing meeting or gaming establishment, the license for which has been revoked?  
 Yes  No

If the answer to this question is yes, submit as Exhibit **13 (d)** a list of such revoked licenses, the jurisdiction revoking the license, the date the license was revoked and the reason the license was revoked.

- (e) Any harness horse, running horse, or dog racing meeting conducting pari-mutuel

wagering in a State where pari-mutuel wagering, betting, pool making or gambling was not or is not legalized by State law?

Yes  No

If the answer to this question is yes, submit as Exhibit 13 (e) a list of such racing meetings, the jurisdiction where the racing meetings are located and the date such racing meetings occurred.

14. How does applicant control the real property on which the race track is located (indicate by check mark): **Supplemental Submittal – The applicant is currently negotiating purchase or lease of Suffolk Downs racetrack.**

Fee Simple Ownership  Lease  Other Authority

- (a) Submit as Exhibit 14 (a) the exact description, by metes and bounds, number of acres in premises, a plot plan showing the entire premises with all buildings presently on premises or proposed to be erected on said premises, information showing accessibility by highway, railroad and/or other means of public transportation, population within a 50 mile radius, and distances from principal cities, within said 50 mile radius. If applicant does not control the real property on which the race track is located by fee simple ownership, include the name and address of the fee simple owner or lessor of the real property. If the fee simple owner or lessor is a corporation, LLC, partnership or other business entity, also include a list of the officers, directors, managers, member or other persons with an interest in the fee simple owner or lessor. **Supplemental Submittal – Legal description to be furnished by Suffolk Downs.**

- (b) Does the applicant have and maintain control of the personal property necessary to operate and maintain the race track, including equipment and have and maintain control over the entire operation? **Supplemental Submittal – applicant will lease or purchase necessary personal property and equipment.**

Submit as Exhibit 14(b) a list describing all agreements relating to the operation and control of all equipment, personal property or other operational matters. This includes any agreement pertaining to operation of food, beverage, parking or other concessions, printing of programs or other materials, equipment leases, and subcontracting of services necessary to maintain and operate the race track. This also includes any financial interests, such as loans, and any agreement that, in the event of a default under such agreement, would have the consequence of creating a change in control of the race track. **Supplemental Submittal – No present agreement in force or effect. Submission will be updated.**

15. Has applicant's entire premises been approved by local authorities in accordance with Section 13A of Chapter 128A of the General Laws? **Supplemental Submittal – On information and belief, Suffolk Downs has secured such approvals.**

Submit as Exhibit 15 a copy of the applicant's approval. If applicant's premises have not been approved in accordance with c.128A §13A, explain why such approval was not obtained.

16. Is the applicant delinquent in the filing of any report or the payment of any tax as required by Chapter 128A of the General Laws of the Commonwealth of Massachusetts or delinquent in the filing of any other report or the payment of any other tax required by the laws of the Commonwealth of Massachusetts?

Yes  No

If the answer to the question is yes, submit as Exhibit 16 list of all delinquencies, the reason for such delinquencies and when all delinquencies will be cured.

17. Submit as Exhibit 17 a copy of all executed agreements with representative horsemen's organizations. **Supplemental Submittal – The representative horsemen's organization is the applicant.**

18. If license is granted applicant will carry: Check  
**Supplemental Submittal – Appropriate insurance will be purchased.**

Workmen's Compensation Insurance	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Public Liability Insurance	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Jockey Insurance	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Drivers' Insurance	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Submit as Exhibit 18 copies of all policies of insurance carried by applicant as well as a statement setting forth all other types of insurance carried for the protection of employees and patrons.

19. Submit as Exhibit 19 the following information: **Supplemental Submittal – All information will be furnished by Suffolk Downs.**

- (a) Grandstand:
  - (1) Seating capacity
    - Box Seats
    - Reserved Seats
    - General Admission
    - Total seating capacity
  - (2) Is Grandstand enclosed
  - (3) Is Grandstand heated
  - (4) Is any portion of Grandstand Air Conditioned
  - (5) Type of construction of Grandstand
  - (6) Ground area covered by the Grandstand
  
- (b) Club House
  - (1) Seating Capacity
    - Box Seats
    - Reserved Seats
    - General Admission
    - Total seating capacity
  - (2) Is Club House enclosed
  - (3) Is Club House heated
  - (4) Is any portion of the Club House air conditioned
  - (5) Type of construction of Club House
  - (6) Ground area covered by the Club House
  
- (c) Bleachers

- (1) Seating Capacity
- (2) Type of construction of Bleachers
- (3) Ground area covered by the Bleachers

(d) Parking Space:

- (1) Area
- (2) Automobile capacity
- (3) Is parking area lighted
- (4) Is parking area treated - and if so how
- (5) Is parking area numbered
- (6) Is charge made for parking, if so how much
- (7) Are the parking area and walkways cleared of snow and ice

(e) Number of pari-mutuel ticket windows provided:

- |                  |          |          |
|------------------|----------|----------|
| Grandstand:      | Selling: | Cashing: |
| Club House:      | Selling: | Cashing: |
| Other Locations: | Selling: | Cashing: |

(f) Toilet facilities for patrons of each sex in Grandstand, Club House and/or other locations.

(g) System of sewerage disposal. If not connected to main sewerage system give details of system used.

(h) Number of outlets for fresh, pure drinking water for patrons in grandstand, clubhouse and/or other locations.

20. Submit as Exhibit **20** a detailed statement of security measures which will be employed for the protection of patrons, employees, occupational licensees and horses and the control of traffic within the premises and on roads leading to and from the said premises. This statement should include but not be confined to:

**Supplemental Submittal Security measures will be reviewed and**

**implemented.**

- (a) number of uniformed police officers to be on duty each day inside the track;
- (b) whether such police officers will be regular police officers or special officers;
- (c) number of uniformed police officers detailed to traffic within the premises and on roads leading to and from the premises before, during and after racing hours;
- (d) number of plain clothes officers or detectives assigned within the track proper;
- (e) system to be used for the detection and suppression of illegal gambling within the premises of the applicant;
- (f) system to be used in the detection and barring of pick-pockets, touts and other undesirable characters;
- (g) name of person who will be in charge of security within the track proper;

- (h) name of person who will have supervision of traffic control within the premises of the applicant and will act as liaison between the applicant and local police authorities in the control of traffic outside of the premises of the applicant;
- (i) name of police authority that has been consulted in setting up security measures within the track and the control of traffic within and outside of the premises of the applicant.
- (h) system used to protect money received by the track, including security systems protecting the cash room and measures taken to ensure that all wagering equipment is working properly and free from tampering.

21. Submit as Exhibit 21, a description of the following: **Supplemental Submittal – furnished by Suffolk Downs. Items (k) and (l) as maintained by Suffolk Downs during September 2014.**

- (a) Size of Track
- (b) Number of Chutes
- (c) Number of Stables
- (d) Number of Stalls
- (e) Number of Tack Rooms
- (f) Number of Tack Rooms Heated
- (g) Number of Shower baths in stable area
- (h) Toilet facilities in stable area
- (i) Fire protection in stable area including:
  - Number of sprinklers
  - Number of fire alarm boxes
  - Other fire protective measures in stable area
- (j) a detailed statement of measures which will be employed in the policing of the stable area. This statement should include but not be confined to:
  - (1) Is stable area enclosed, if so, describe method of enclosure;
  - (2) Number of gates to enclosure, where located and method of control;
  - (3) system of passes to be issued to persons employed in stable area;
  - (4) method to be followed in allowing persons in and out of stable area;
  - (5) number of uniformed police officers to be assigned to the stable area indicating the number in daytime hours and nights;
  - (6) number of plain clothes officers or detectives to be assigned to the stable area, days and nights;
  - (7) name of person who will be in charge of policing in the stable area.
- (k) Recreation room
- (l) Track Kitchen, including seating capacity
- (m) Size of jockey or driver's room and equipment available including number of shower baths, toilets, hot-boxes, etc.
- (n) List of other accommodations, facilities or services in stable area.



- (o) List any other accommodations, facilities or services for the benefit of the patrons attending.
22. Submit as Exhibit **22** the trade name of any of the following equipment used at the track-date of purchase or the date of present contract or lease and expiration date of said contract: **Supplemental Submittal – furnished by Suffolk Downs**
- (a) Pari-Mutuel Equipment
  - (b) Starting Gate
  - (c) Photo Finish Camera
  - (d) Film Patrol
  - (e) Timing Devices
  - (f) Inter-communication system
  - (g) Public Address System
  - (h) Closed Circuit Television System
  - (i) Horse Shoe Board
  - (j) Scales
23. Submit as Exhibit **23** **Supplemental Submittal – Employee handbook, audit and control policies not yet formulated**
- (a) a copy of applicant’s employee handbook;
  - (b) a copy of all of applicant’s policies and procedures regarding internal controls including but not limited to those policies that deal with the handling of money, or the placing of wagers both in person and via telephone or other methods;
  - (c) a copy of applicant’s audit committee and compliance committee charters as well as a list of the audit and compliance committee members and their relationship to the applicant;
  - (d) any other policies that indicate that applicant meets general industry standards for business and financial practices, procedures, and controls.
24. Submit as Exhibit **24** a copy of the applicant’s most recent audited financial statements, most recent audited or unaudited quarterly financial statement, an audited profit and loss statement for the applicant’s most recent fiscal year, a statement showing the total gross receipts for the past five calendar years received by each concessionaire operating at the race track and the amount paid to the applicant. If the receipts to the applicant are based on other than the gross receipts, explain how the receipts are calculated. Also include a description of any interest held by the applicant or any officer, director, member, manager, majority shareholder or partner in any concessionaire. **Most recent Financial Statement of applicant is enclosed. As applicant has not previously operated a racetrack, applicant intends to contract with an experienced operator.**
25. Submit as Exhibit **25** a statement setting forth the reasons why the applicant believes that the dates applied for will be beneficial to the public, the Commonwealth and the applicant. **Supplemental Submittal Applicant is negotiating to acquire rights that will permit applicant to conduct a 2015 racemeet in accordance with applicable law and preserve and continue thoroughbred racing in Massachusetts**
26. Submit as Exhibit **26** the following information: **Supplemental Submittal**
- (a) Actual amount of purses paid in the last calendar year; **None**

- (b) Estimated amount of purses to be paid in the next calendar year; **\$109,000 per race day**
- (c) Actual handle generated by applicant on its live races in the last calendar year (all sources); **Actual handle in 2014 was not under applicant's control.**
- (d) Direct employment numbers attributable to applicant in the last calendar year as evidenced by the number of people who received a Form W-2 and / or Form 1099 MISC and direct employment numbers of employees who are citizens of the Commonwealth; **Five**
- (e) Indirect employment numbers attributable to applicant in the last calendar year as evidenced by statements from sub-contract companies (such as concession workers, security guards, tote personnel, etc.) as to employees assigned to applicant's facility; **None**
- (f) Number of occupational licenses attributable to applicant in the last calendar year 2013; estimated at **825 being the membership of applicant**
- (g) Amount of tax revenue and other revenues paid to the Commonwealth in the last calendar year including total Massachusetts income tax withheld from employees, Massachusetts sales taxes paid to the Commonwealth, Massachusetts corporate taxes actually paid or payable for the most recent fiscal year, and real estate taxes, as evidenced by appropriate source documents such as Forms W-2, M941, sales tax remittance forms, etc.; **\$3,083**
- (h) Total pari-mutuel revenue generated and paid to the Commonwealth in the last calendar year including state commissions, assessments, association license fees, occupational license fees, fines, penalties and miscellaneous revenues, other than unclaimed wagers, paid to the Massachusetts State Racing Commission and Massachusetts Gaming Commission. **None**
27. Include as Exhibit **27** a master list of requested simulcast imports. A new form ("Licensee Request for Simulcast Import") MUST be completed for EACH signal and submitted to the Commission no later than November 29 of each calendar year. Approval letters from the host racetrack's regulatory authority and both representative horsemen's groups must be on file with MGC by the close of business on the day prior to the first day of import. **Supplemental Submittal - Supplied by Suffolk Downs**
28. Include as Exhibit **28** a master list of requested simulcast export outlets with this application. Such list should identify all secondary, satellite, and/or guest sites serviced by the primary outlet. In addition, a new form ("Licensee Request for Simulcast Export") MUST be completed for each signal and submitted to the Commission, along with an approval letter from the applicant's representative horsemen's group, no later than 30 days before the first scheduled day of the live race meet. **Supplemental Submittal – Supplied by Suffolk Downs**
29. Include as Exhibit **29** a request for authorization for a system of account wagering in accordance with 205 CMR 6.20: General Account Wagering. The request shall include

information related to any planned, non-monetary, incentive programs and account security plans. If a service provider is used, include copies of any and all agreements between the service provider and the applicant regarding the services to be provided by the service provider to the applicant in respect to the applicant's account wagering operations **Supplemental Submittal – Supplied by Suffolk Downs**

30. General Conditions

- (1) Approval of a race meeting by the Commission does not establish the Commission as the insurer or guarantor of the safety or physical condition of the association's facilities or purse of any race.
- (2) By submitting this application, applicant agrees to indemnify, save and hold harmless the Commission from any and all liability arising from unsafe conditions at the applicant's premises and default in payment of purses.
- (3) Applicant shall provide the Commission with a certificate of liability insurance as required by the Commission.
- (4) Applicant shall maintain in an approved depository, those amounts deducted from the pari-mutuel handle for distribution for the purposes specified in the Ch. 128A, 128C, and Commission rules.
- (5) Applicant and its managing officers are jointly and severally responsible to ensure that the amounts retained from the pari-mutuel handle are distributed according to the Ch. 128A, 128C, and Commission rules and not otherwise.
- (6) Applicant and its managing officers shall ensure that all purse monies, disbursements and appropriate nomination race monies are available to make timely distribution in accordance with Ch. 128A, and Commission rules.

The applicant agrees, if a license is issued, to abide by and comply with the provisions of Chapters 128A and 128C of the General Laws now in effect or as hereafter amended and any rules and regulations heretofore or hereafter promulgated by the Massachusetts Gaming Commission. The applicant agrees that that if a license is granted, it will become the duty of the applicant as long as the license shall remain in effect, to file with the Massachusetts Gaming Commission such reports as may be required by Chapters 128A and 128C of the General Laws now in effect or as hereafter amended and such rules and regulations as it has adopted or may hereafter adopt, and to make such payments as may be required by law, and for failure so to do, the licensee shall incur the penalties set forth in Chapters 128A and 128C of the General Laws, or in such rules and regulations as said Massachusetts Gaming Commission has adopted or may hereafter adopt.

The applicant agrees to comply with all federal, state or local laws, rules, regulations or ordinances, now in effect or hereafter adopted applicable to applicant's activities allowed under a license granted by the Commission.


The applicant agrees that any construction on the premises covered by a license granted by the Commission shall be subject to the inspection of Commission and to that end further agrees that the Commission, its agents, representatives or employees, shall have access to the

same during construction, and further agrees to so construct in strict accordance with such plans and specifications as may hereafter be approved by the Commission and to pay for the cost and expense incurred for the study and approval of the plans and specifications and inspection of the construction by said Massachusetts Gaming Commission. The applicant agrees that all buildings erected or to be erected on the premises here involved may be inspected by the Massachusetts Gaming Commission and their duly authorized agents, representatives or employees at any time, with or without prior notice to applicant.

Applicant agrees that all exhibits, statements, plans reports, papers, etc. submitted with the application are made a part hereof and are incorporated into this application as if set forth herein in full.

Applicant states under penalty of perjury that the answers provided in this application are true and correct. Applicant agrees that any license which may hereafter be granted is predicated upon statements and answers herein contained and that if the Commission determines that any information provided herein is false or misleading said license may be revoked.

Applicant: **New England Horsemen's Benevolent and Protective Association, Inc.**

By:  Anthony Spadea, President

Date: September 30, 2014

WITNESS: 

WITNESS: 

ATTEST:  Bruce Patton, Executive Director  
Secretary (Affix Corporate Seal)

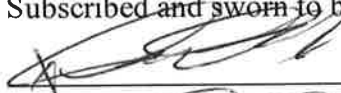
AFFIDAVIT BY INDIVIDUAL APPLICANT

Commonwealth of Massachusetts, County of Suffolk \_\_\_\_\_

Anthony Spadea, being duly sworn, upon his oath deposes and says that:

The answers, statements and declarations made in the foregoing application are true.

Subscribed and sworn to before me this 30th day of September 2014

 \_\_\_\_\_ Signature of Affiant

 \_\_\_\_\_  
Signature of officer administering oath

Frank J. Frisoli, Notary Public My commission expires 6/10/16  
Title of such officer

AFFIDAVIT BY CORPORATE APPLICANT

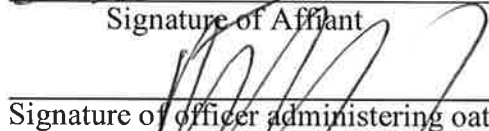
Commonwealth of Massachusetts, County of Suffolk

Anthony Spadea, being duly sworn, upon his oath deposes and says that:

- 1 He is the President of the corporation named as the applicant and signed the foregoing application.
- 2. He was duly authorized by the Board of Directors of said corporation to sign said application in its name and in its behalf.
- 3. He has read and fully understands all of the questions pertaining to such applicant corporation and that all of the foregoing answers, statements and declarations made thereto are true.

Subscribed and sworn to before me this 30th day of September

  
\_\_\_\_\_  
Signature of Affiant

  
\_\_\_\_\_  
Signature of officer administering oath

Frank J. Frisoli, Notary Public My commission expires 6/10/16  
\_\_\_\_\_  
Title of such officer

AFFIDAVIT BY PARTNERSHIP APPLICANT

Commonwealth of Massachusetts, County of \_\_\_\_\_

\_\_\_\_\_, each being duly sworn say on  
their respective oaths that:

1. They are the partners of the partnership named as the applicant in the foregoing application.
2. They have read and fully understand all of the questions pertaining to such applicant partnership and are authorized by all of said partners to make this affidavit.
3. That all of the foregoing answers, statements and declarations made thereto are true.

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Signature of officer administering oath

\_\_\_\_\_  
Title of such officer

Commonwealth of Massachusetts, County of \_\_\_\_\_

\_\_\_\_\_, being duly sworn, upon \_\_\_ oath deposes and says that:

1. \_\_\_ is the \_\_\_\_\_ of the Limited Liability Company named as the applicant and signed the foregoing application.
2. \_\_\_ was duly authorized to sign said application in its name and in its behalf.
3. \_\_\_ has read and fully understands all of the questions pertaining to such applicant and that all of the foregoing answers, statements and declarations made thereto are true.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Signature of officer administering oath

\_\_\_\_\_  
Title of such officer



## EXHIBITS

**Exhibit 14(a)**

**PROPERTY DESCRIPTION**

A certain parcel of land located in Boston and Revere, Massachusetts, bounded and described as follow:

Beginning at a point on the easterly sideline of McClellan Highway, said point being the southwest corner of the herein described parcel;

Thence running N 31°00'24"E, a distance of 680.72 feet by said sideline of McClellan Highway;

Thence turning and running S 72°33'26"E, a distance of 102.09 feet;

Thence turning and running N 31°00'24"E, a distance of 35.00 feet;

Thence turning and running S 72°33'26"E, a distance of 143.76 feet;

Thence turning and running S 58°33'36"E, a distance of 615.50 feet;

Thence turning and running S 55°44'26"E, a distance of 304.47 feet to a point of curvature;

Thence turning and running northeasterly by a curve to the left having a radius of 120.00 feet, a distance of 155.68 feet to a point of tangency;

Thence running N 49°55'39"E, a distance of 311.11 feet;

Thence turning and running N 44°34'24"E, a distance of 473.63 feet;

Thence turning and running N 48°00'24"E, a distance of 169.84 feet;

Thence turning and running N 42°21'20"E, a distance of 112.90 feet;

Thence turning and running N 50°42'54"E, a distance of 426.66 feet;

Thence turning and running N 78°31'34"E, a distance of 106.63 feet;

Thence turning and running N 37°30'51"E, a distance of 1203.44 feet;

Thence turning and running N 19°23'15"W, a distance of 533.10 feet to Sales Creek;

Thence turning and running northeasterly a distance of about 366 feet by Sales Creek to a point on the southwesterly sideline of Winthrop Avenue;

Thence turning and running S 50°25'53"E, a distance of 1663.00 feet by said sideline of Winthrop Avenue;

Thence turning and running S 26°12'32"W, a distance of 2453.13 feet by the westerly sideline of Washburn Avenue;

Thence turning and running southwesterly by a curve to the right having a radius of 2688.79 feet, a distance of 566.66 feet;

Thence turning and running southwesterly by a curve to the right having a radius of 148.18 feet, a distance of 144.65 feet by the northerly sideline of Waldemar Road to a point of tangency;

Thence running N 85°47'32"W, a distance of 70.19 feet by said sideline of Waldemar Avenue to a point of curvature;

Exhibit 14(a) (cont.)

Thence turning and running westerly by a curve to the right having a radius of 288.22 feet, a distance of 18.23 feet by said sideline of Waldemar Avenue;

Thence turning and running N 07°49'54"E, a distance of 100.00 feet;

Thence turning and running westerly by a curve to the right having a radius of 188.22 feet, a distance of 78.37 feet to a point of tangency;

Thence turning and running N 58°18'48"W, a distance of 1050.00 feet;

Thence turning and running S 31°41'12"W, a distance of 100.00 feet to a point on the northerly sideline of Waldemar Avenue;

Thence turning and running N 58°18'48"W, a distance of 150.68 feet by said sideline of Waldemar Avenue to a point of curvature;

Thence turning and running westerly by a curve to the left having a radius of 1465.00 feet, a distance of 712.00 feet by said sideline of Waldemar Avenue to a point of reverse curvature;

Thence turning and running westerly by a curve to the right having a radius of 828.45 feet, a distance of 182.45 feet by said sideline of Waldemar Avenue to a point of tangency;

Thence running N 73°32'28"W, a distance of 663.79 feet by said sideline of Waldemar Avenue to a point of curvature;

Thence turning and running southwesterly by a curve to the left having a radius of 740.61 feet, a distance of 210.98 feet by said sideline of Waldemar Avenue to a point of tangency;

Thence running N 89°51'48"W, a distance of 385.00 feet by said sideline of Waldemar Avenue;

Thence turning and running N 00°08'12"E, a distance of 90.00 feet;

Thence turning and running N 89°51'48"W, a distance of 108.90 feet to the point of beginning.

The above described parcel contains an area of about 7,024,060 square feet (about 161.2 acres.)

**PARCEL C-4(2)**

A certain parcel of land located in Revere, Massachusetts, bounded and described as follows:

Beginning at the intersection of the southerly sideline of Diner Road with the southeasterly sideline of Lee Burbank Highway;

Thence running S 86°04'16"E, a distance of 56.33 feet by the southerly sideline of Diner Road,

Thence turning and running S 66°54'16"E, a distance of 812.18 feet by said southerly sideline of Diner Road;

Thence turning and running southwesterly a distance of about 14 feet;

Thence turning and running N 64°35'16"W, a distance of 259.00 feet;

Thence turning and running N 89°41'19"W, a distance of 59.65 feet;

Thence turning and running N 59°53'59"W, a distance of 35.26 feet;

Thence turning and running N 48°46'31"W, a distance of 65.24 feet;

Thence turning and running N 86°36'43"W, a distance of 71.17 feet;

Exhibit 14(a) (cont.)

Thence turning and running N 63°33'11"W, a distance of 111.19 feet;

Thence turning and running N 71°32'24"W, a distance of 74.24 feet;

Thence turning and running N 67°20'36"W, a distance of 76.36 feet;

Thence turning and running N 78°06'16"W, a distance of 50.97 feet;

Thence turning and running N 72°55'16"W, a distance of 74.60 feet to a point on the southeasterly sideline of Lee Burbank Highway;

Thence turning and running N 30°27'59"E, a distance of 24.52 feet by said sideline of Lee Burbank Highway to the point of beginning.

The above described parcel of land contains an area of about 14,895 square feet.

Information Showing Accessibility by Highway, Railroad and/or other Means of Public Transportation, Population within a 50 - Mile Radius and Distances from Principal Cities within said 50 - Mile Radius:

Suffolk Downs is easily accessible on foot from the "Suffolk Downs" station of the Massachusetts Bay Transit Authority located beyond the three-quarter mile chute of the track. The M.B.T.A. service to Suffolk Downs is available from all other stations of the M.B.T.A..

Suffolk Downs is contiguous to two well-traveled highways - the Revere Beach Parkway to the north and the McClellan Highway (Route 1A) to the west. The track is accessible from downtown Boston via either the Callahan Tunnel, Ted Williams Tunnel or the Tobin Bridge. It is also accessible from other points via the Southeast Expressway, Central Artery, Northeast Expressway, Storrow Drive. From Lynn and the North Shore, Suffolk Downs is accessible via Routes 1 and 1A; from Portland, Maine, via Route 1; from Lawrence, Massachusetts and Manchester, New Hampshire, via Route 93; from Nashua, New Hampshire and Lowell, Massachusetts, via Route 3; from Fitchburg and Concord, via Route 2; from Marlboro via Route 20, from Springfield and Worcester; via the Massachusetts Turnpike and/or Route 9; from Providence, via Route 1; from Taunton and Fall River, via Route 24 and from Quincy and Plymouth, via Route 3.

Plane service to Logan International Airport is provided from the United States and elsewhere in the world by various U.S. and foreign carriers.

Population Within a 50-mile Radius

The Total Population of all Cities and Towns within a 50 -Mile Radius of Suffolk Downs is over 4,000,000, of which over 400,000 persons are residents of Rhode Island, and over 200,000 are residents of New Hampshire.

Exhibit 14(a) (cont.)

Distances to Principal Cities Within a 50-Mile Radius of Suffolk Downs:

<u>City</u>	<u>Miles</u>	<u>City</u>	<u>Miles</u>	<u>City</u>	<u>Miles</u>
Chelsea	3	Belmont	12	Attleboro	37
Everett	6	Cambridge	8	Newburyport	36
Somerville	10	Salem	16	Worcester	42
Brookline	10	Beverly	16	Fitchburg	49
Lynn	5	Brockton	25	Leominster	48
Quincy	12	Peabody	21	Fall River	50
Waltham	12	Marlboro	27	Woonsocket, RI	37
Medford	8	Lawrence	28	Providence, RI	47
Malden	7	Lowell	28	Cranston, RI	49
Newton	14	Gloucester	30	Bristol, RI	50
Arlington	12	Haverhill	31	Nashua, NH	36
Melrose	10	Taunton	36	Portsmouth, NH	49

Plot Plan

Please see attached.

Exhibit 14(b)

Agreements in effect with the following:

1.) Natural Gas Service for Buildings:

- a.) Hess Corporation  
Written agreement in effect from 10/1/13 to 9/30/14.
- b.) National Grid (for delivery from city gate)  
No written agreement.

2.) Electricity

- a.) TransCanada Power Marketing Ltd.  
Contract in effect through December 1, 2013.
- b.) NStar (for delivery of electric power)  
No written agreement.

3.) Food and Beverages:

- a.) Dining rooms, stands, etc. –  
  
Boston Culinary Group, Inc. (Centerplate)  
55 Cambridge Parkway, Suite 200, Cambridge, MA 02142  
Contract dated 12/1/1991, as amended
- b.) Track Kitchen (stable area) –  
  
Robert Kelly – Back Track Kitchen  
17 Constance Street, Malden, MA 02148  
Contract in effect for 2013 racing season, but in no event longer than 12/1/2013
- c.) Jock's Room Kitchen –  
  
Susan Morgan – Back Track Kitchen  
133 Stevens Street, Revere, MA 02151  
Contract dated May 31, 2013 in effect for 2013 racing season, but in no event longer than 12/1/2013

4.) Programs:

- a.) Daily Racing Form  
Department CH17138  
Palatine, IL 60055  
Contract in effect dated March 2013 and continuing through March 2015

Exhibit 14(b) (cont.)

- b.) G & S Delivery  
50 Lowe Street  
Tewksbury, MA 01876  
Unwritten agreement on at-will basis.

5.) Valet Parking:

VPNE Parking Solutions, LLC  
343 Congress Street, 3rd Floor  
Boston, MA 02108  
Agreement dated 5/01/2013 and continuing through 4/30/14.

6.) Other Concessions/Contractors:

a) Feed Service

At-will arrangement with supplier.

b) Rubbish Removal

Waste Management  
Contract in effect dated 1/1/13 through 12/31/15.

b) Recycling

At-will arrangement with service provider; prior written agreement has expired.

b) Manure Removal

At-will arrangement with service provider; prior written agreement has expired.

b) Cleaning

At-will arrangement with service provider; continuing to operate under terms of expired prior agreements.

b) Shuttle Buses

Written agreement with service provider in place for July 1, 2013 to December 31, 2014

c) Ambulance Service

Action Ambulance  
Written agreement in effect until March 31, 2015.

d.) Sprinkler System Service & Testing

SimplexGrinnell  
At will arrangement; prior written agreement expired.

Exhibit 14(b) (cont.)

e.) Stable Area Men's Clothier –

Waldeck and Veterinarian Supplies  
c/o EE Waldeck Turf Supply  
55 Burdick Drive  
Cranston, RI 02920  
Unwritten agreement on at-will basis

f.) Handicap cards

Various entities on file with the Racing Division

g.) The applicant notes that it: (i) will also have understandings with advertising professionals, accountants, attorneys, consultants, engineers, insurance agents and like professional and service persons; (ii) expects to purchase tickets and other supplies; (iii) has entered collective bargaining agreements with its various employee unions; (iv) has purse and recognition agreements with its horsemen; (v) expects to make arrangements for protection of its funds while in transit and of its patrons and property while racing meetings are in progress, and for direction of traffic during such meetings; (vi) expects to make arrangements for maintenance, repair, refurbishing and improvement of its premises and for the purchase of equipment, materials and supplies therefor; (vii) operates pursuant to its limited liability company agreement; (viii) licenses use of its premises for banquets, functions and various special events; (ix) has various other agreements with vendors that do not relate to functions or services that are material to the operation of the racetrack.

7.) Financial Interests, such as Loans

The applicant has a first mortgage loan from Bank of America, N.A., evidenced by various loan documents.

8.) Agreements With Potential to Effect a Change of Control

None.



**Exhibit 15**

Local Authority Approvals  
in Accordance with M.G.L. c. 128A, § 13A

Please see attached.

4/22/1935

267

6. Petition presented by J. S. Connors as follows:

"The undersigned respectfully petitions that under Section 27 (and/or any other section applicable thereto) of the Zoning Ordinance of the City of Revere there may be granted an amendment to said zoning ordinance changing a certain parcel of filled land from "general residence district" to "business district". The area referred to is bounded and described as follows:

NORTHEASTERLY by Winthrop Avenue;

SOUTHEASTERLY by Washburn Avenue and land of the Eastern Massachusetts Street Railway Co.

SOUTHWESTERLY by the boundary line between Revere and Boston and other land of the Boston Port Development Company within the City of Boston zoned as "industrial area";

NORTHWESTERLY by other land of the Boston Port Development Company in Revere zoned as "heavy industrial area";

containing about 750,000 square feet as shown on plan entitled "Zoning Plan, Revere, Mass." by Whitman & Howard, Civil Engineers, dated April, 1935, blue print of which is attached hereto.

Referred to the Committee on Legal Affairs.

7. Four petitions presented as follows:

268

Petition of Joseph Gallo, of 44 Mill St., Revere, for a permit for the renewal of a poolroom license two (2) tables to be located at 390 Broadway, Revere, Mass.

269

Petition of Frank Purdy of 385 Beach St., Revere, for a permit for two (2) taxi cab stands at the northeast corner of Shirley and Ocean Avenues.

272

Petition of Eastern Racing Ass'n Inc., (By Charles H. Innes, Clerk & Attorney of Boston), 108 Water St., Boston, Mass., for approval and consent to the location of a Race Track for horse racing in that part of Revere known as Suffolk Downs as more particularly appears in an application granted by the State Racing Commission of Massachusetts adjoining Revere Beach Boulevard.

273

Petition of Jacob Haffer of 39 Walnut Ave., Revere, for a permit for the renewal of one (1) taxi stand on Ocean Avenue near Shirley Ave.

All referred to the Committee on Licenses & Permits.

271

8. Petition presented by Samuel J. Aronson, of 104 Bradstreet Ave., Revere, Mass., for the renewal of an Auctioneer's License.

Referred to the Committee on Legal Affairs.

243

9. The Standing Committee on Licenses and Permits to which was referred the petition of the Beachmont Taxi, signed by A. McKeen, of 27 Crescent Ave., Revere, for a permit for a taxi stand for one cab to be located at 2 Unity Ave., Revere, Mass. (Consent attached), reporting and recommending that the same be granted; which was objected to by Councilman Armstrong on the first reading at the previous meeting and the report held until this meeting.

Councilman Armstrong with-draws his objection. The report ordered accepted and adopted under the suspension of rules.

268

10. The Standing Committee on Licenses and Permits to which was referred the petition of Joseph Gallo, of 44 Mill St., Revere,

A TRUE COPY ATTEST:  
John P. Sullivan  
CITY CLERK  
OCT 17 1889

4/22/1935

permit for a renewal of a poolroom license (two located at 390 Broadway, Revere, Mass., would and recommend that the same be granted, subject to the approval of the Chief of Police.

ORDERED accepted and adopted under the suspension of

The Standing Committee on Licenses & Permits to whom was referred the petition of the Eastern Racing Ass'n Inc., (by H. Innes, Clerk & Attorney of Boston) of 108 Water St., Boston, Mass., for the approval and consent to the location of a track for horse racing in that part of Revere known as "Cork Downs" and more particularly appears in an application granted by the State Racing Commission of Massachusetts adjoining Revere Beach Boulevard, would report and recommend that the Council of the City of Revere consent to the location of a track for racing horses in that part of Revere, known as "Cork Downs", bounded by Washburn Avenue, the Radial Highway, the Revere Beach Parkway, more specifically as described in an application made to the State Racing Commission and granted to the Eastern Racing Associates, Inc.

272 ✓



ORDERED accepted and adopted under the suspension of rules.

The Standing Committee on Legal Affairs to whom was referred the petition of J. S. Connors for the rezoning of a certain parcel of filled land from "general residence district" to "business district". The area referred to is bounded and described as follows:

267 ✓

NORTHEASTERLY by Winthrop Avenue;

SOUTHEASTERLY by Washburn Avenue and land of the Eastern Massachusetts Street Railway Co.;

SOUTHWESTERLY by the boundary line between Revere and Boston and other land of the Boston Port Development Company within the City of Boston zoned as "industrial area";

NORTHWESTERLY by other land of the Boston Port Development Company in Revere zoned as "heavy industrial area";

A TRUE COPY ATTEST:

*John J. Conway*  
CITY CLERK

containing about 750,000 square feet as shown on plan entitled "Plan, Revere, Mass.", by Whitman & Howard, Civil Engineers, dated April, 1935, blue print of which is attached hereto, would report and recommend that a public hearing be held in the Council Chamber on Monday, May 20th, 1935, at 8:00 P. M., & the owners of real estate abutting the same be notified by registered mail, return receipt requested, same to be advertised in the Revere Herald, all at the expense of the petitioner; the petitioner to be present at the hearing to give any information the Councilmen may desire. Further that a copy of the petition be referred to the Planning Board for their report or recommendations to the Council.

ORDERED accepted and adopted under the suspension of

The Standing Committee on Legal Affairs to whom was referred the petition of Forest E. Toward of 329 Broadway, Revere, for a renewal of an Auctioneer's License, would report and recommend that the same be granted.

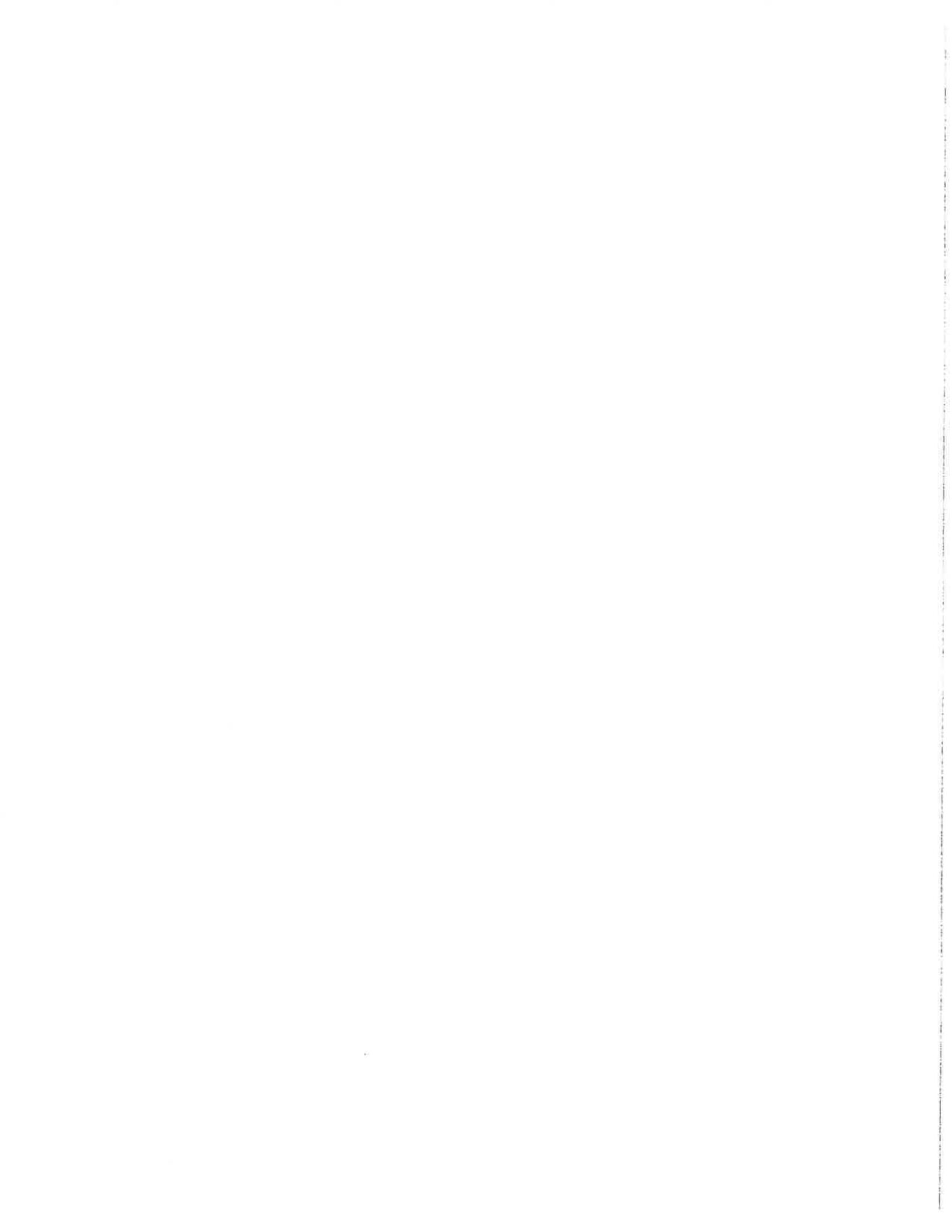
104 ✓

ORDERED accepted and adopted under the suspension of

The Standing Committee on Legal Affairs to whom was referred the petition of Samuel J. Aronson of 104 Bradstreet, Revere, for a permit for an Auctioneer's License, would report and recommend that the same be granted.

271 ✓

ORDERED accepted and adopted under the suspension of



REPORTS OF PROCEEDINGS

OF THE

CITY COUNCIL OF BOSTON

FOR THE YEAR

COMMENCING JANUARY 7, 1935, AND ENDING JANUARY 4, 1936



CITY OF BOSTON  
PRINTING DEPARTMENT  
1936

## PETITIONS RECEIVED.

The following petitions were received and referred to the committees named, viz.:

## Claims.

- James Baird, for compensation for damage to car by city truck.  
 Kieran Duffy, for compensation for damage to property at 15 Hunnewell avenue, Brighton, caused by ash collector.  
 Marguerite Farren, for compensation for damage to car caused by an alleged defect in Teddy street, Dorchester.  
 O. L. Johnson, for compensation for damage to truck by ash truck.  
 Grace L. Kimball, for compensation for injuries caused by an alleged defect at 554 and 556 Newbury street.  
 Catherine Kolosin, for compensation for injuries caused by an alleged defect at 5 Congress street.  
 Catherine F. Laing, for compensation for damage to property at 15 Calvia road, caused by garbage truck.  
 Mary Lynam, for compensation for damage to property at 194, 196 and 198 Shawmut avenue, caused by broken water pipe.  
 Annie Miller, for compensation for damage to property at 170 Quincy street, caused by break in water pipe.  
 Edward Miller, for compensation for damage to property at 160 Quincy street, caused by break in water pipe.  
 Bridget E. Monahan, for compensation for damage to property at 525 and 527 Gallivan Boulevard, caused by construction of sidewalk on Leonard avenue.
- Executive.
- Petitions for children under fifteen years of age to appear at places of public amusement, viz.:
- Yvonne Baron, Recital Hall, June 5.  
 Lillian F. Hoac, Repertory Theatre, June 12.  
 A. Maria Govone, Repertory Theatre, June 4.  
 Katherine G. O'Gorman, Shubert Theatre, May 17.  
 Florence W. Russell, Repertory Theatre, June 1.  
 Mary V. Hayes, Repertory Theatre, May 31.  
 Lilla Viles Wyman, Repertory Theatre, May 11.  
 Gertrude Dolan Dolcitra, Repertory Theatre, June 20.

## RECESS.

The Council voted at 2:37 p. m., on motion of Coun. GALLAGHER, to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber at 3:30 p. m. and were called to order by President FITZGERALD.

## CONFIRMATION OF APPOINTMENTS.

President FITZGERALD called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor April 15, 1935, of minor officers, watchmen of coal, etc., for the term of one year, beginning with the first day of May, 1935; as contained in City Document 48.

The question came on confirmation: Committee, Coun. Selvitella and Agnew. Whole number of ballots 22; yeas 19, nays 3, and the appointments were confirmed.

## EAST BOSTON RACE TRACK.

Coun. SELVITELLA offered the following:

Ordered, That the City Council of the City of Boston consent to the location of a track for racing horses in that part of East Boston known as Suffolk Downs, bounded by Bennington street, the Radin highway, Waldemar avenue and the Revere Beach Parkway, more specifically described in an application made to the State Racing Commission by the Eastern Racing Association, Inc.

Passed under suspension of the rule.

## INFORMATION RE SPECIAL NURSES.

Coun. GOLDMAN offered the following:

Ordered, That his Honor the Mayor request the trustees of the Boston City Hospital to inform the members of the City Council as to the following:

1. Funds expended during the last fiscal year for special nurses provided at the hospital without charge to the patient.
  2. The budget for the current fiscal year for such special nurses.
  3. The amount of money still unexpended in the current budget for such special nurses.
- Passed under suspension of the rule.

## VACANCIES IN SANITARY DIVISION.

Coun. GOLDMAN offered the following:

Ordered, That his Honor the Mayor replace existing vacancies in the Sanitary Division of the Public Works Department.

Passed under suspension of the rule.

In connection with the order Coun. GOLDMAN submitted the following:

City of Boston,  
 Public Works Department,  
 Sanitary Division, April 2, 1935.  
 Councilor Maurice M. Goldman,  
 Council Chamber, City Hall.

My dear Councilor,—In reply to your communication of April 1, relative to the cleaning of streets, I beg to state that the Welfare men upon whom we have been relying for the past three years to assist our regular workers have fallen in number to a point where we have been unable to keep up with our regular schedule. This is due to the fact that the policy of the Welfare Department has been to place as many able-bodied men as possible upon E. R. A. projects; in fact, in my own department the average number of Welfare men per day has fallen from 1,000 to 300, 500 and 600. At the same time our regular city forces have not been replaced as vacancies occurred.

The E. R. A. regulations preclude the acceptance of any project for either street cleaning or waste collection, so that it is impossible to get any Governmental assistance. However, in the present emergency we have combined forces with the Highway Division and have divided the city into emergency street cleaning districts until the city is cleaned up.

We have just had a conference with the Welfare Department, and beginning next week we hope temporarily, at least, to augment our forces so that we can be able to show something in the way of streets actually cleaned.

Very truly yours,  
 ASHLEY J. POOR,  
 Division Engineer, Sanitary Division.

## ROPEING OFF UNION PARK STREET.

Coun. DOWD offered the following:

Ordered, That the City Messenger be, and he hereby is, authorized to rope off Union Park street, between 2:30 and 4:30 p. m., on Saturday, April 27, for the cross-country run of the Cathedral Club, the expense incident thereto to be charged to the appropriation for City Council, Flags, Ropes and Stakes.

Passed under suspension of the rule.

## DEMOLITION OF ELEVATED STRUCTURE.

Coun. DOWD offered the following:

Resolved, That the City Council of Boston hereby favors the immediate demolition of the present Boston Elevated structure and requests his Excellency the Governor and his Honor the Mayor to ask the proper authorities in Washington to provide for a grant of \$12,000,000 to cover the expense of the demolition of said structure and to provide for the construction of a tunnel to take the place of said elevated structure throughout the entire system.

Coun. DOWD—Mr. President, during the last two years this Council has gone on record no less than six different times requesting that the present Elevated structure be demolished. But evidently no attention has been given to that stand taken by this body until within the last month or two when the people of Roxbury and Charlestown have gathered together and over 50,000 signatures have demanded that some such action be taken. We have heard a lot of talk about 10,000, 20,000, 30,000 or 40,000 people now unemployed being engaged in work on schoolhouses, sewers and

**Exhibit 19**

(a) Grandstand:

(1) Seating Capacity:

Box Seats -	340
Bench Seats -	1,200
General Admissions -	3,050
<u>TV areas -</u>	<u>350</u>
Total Seating Capacity -	4,940

(2) Is grandstand enclosed? **Yes**

(3) Is grandstand heated? **Yes**

(4) Is any portion of grandstand air-conditioned? **No**

(5) Type of construction of grandstand:

**Reinforced concrete and steel. First-class construction**

(6) Ground area covered by grandstand?

**Grandstand and Clubhouse – 130,000 square feet**

(b) Clubhouse:

(1) Seating Capacity:

3rd Function Room	400
Turf Club	180
Terrace Dining Room	400
Lounge	600
Boxseats	900
<u>TV Areas</u>	<u>480</u>
Total Seating Capacity	2,960

(2) Is Clubhouse enclosed? **Yes**

(3) Is Clubhouse heated? **Yes**

(4) Is any portion of Clubhouse air-conditioned?

**1st floor, 2nd floor Lounge and 3rd floor**

(5) Type of construction of Clubhouse? **Steel and concrete**

(6) Ground area covered by Clubhouse:

**Clubhouse and grandstand - 130,000 square feet**

(c) Bleachers: **None**

**Exhibit 19 (cont.)**

(d) **Parking Space:**

- (1) **Area - 990,800 square feet (22.75 acres) (not including overflow parking)**
- (2) **Automobile capacity - approximately 6,000 parking spaces.**
- (3) **Is parking area lighted? Yes**
- (4) **Is parking area treated -- and if so, how? The principal areas are hot-topped.**
- (5) **Is parking area numbered? No**
- (6) **Is charge made for parking, if so how much? No charge contemplated.**
- (7) **Are the parking area and walkways cleared of snow and ice? Yes.**

(e) **Number of pari-mutuel windows provided:**

Grandstand: Terminal windows - **60**  
Clubhouse: Terminal windows - **90**  
Self Bet locations: **70**

(f) **Toilet facilities for patrons of each sex in grandstand, Clubhouse and/or other locations:**

Grandstand - **3 men, 3 ladies**  
Clubhouse - **3 men, 3 ladies**

(g) **System of sewerage disposal: If not connected to a main sewerage system, give details of system used:**

**Connected to the city main sewers**

(h) **Number of outlets for fresh, pure drinking water for patrons in grandstand, Clubhouse and/or other locations:**

<u>Grandstand</u>	<u>Clubhouse</u>
<b>3 - first floor</b>	<b>2 - first floor</b>
<b>3 - second floor</b>	<b>1 - second floor</b>



**Exhibit 21**

- (a) Size of track: **one mile (dirt), 7/8 of a mile (turf)**
- (b) Number of chutes: **two chutes (3/4 chute) (1/4 chute) - running horse**
- (c) Number of stables: **32 and 1 pony barn**
- (d) Number of stalls: **1,217**
- (e) Number of tackrooms: **243**
- (f) Number of tackrooms heated: **all heated (in barns)**
- (g) Number of showerbaths in stable area:

<b>Building A</b>	<b>6</b>
<b>Building B</b>	<b>2</b>
<b>Building C</b>	<b>2</b>
<b>Drivers Lounge</b>	<b>4</b>
<b>Ladies Building</b>	<b>3</b>
<b>Total</b>	<b>17</b>

- (h) Toilet facilities in stable area:

<b>Locations</b>	<b>Water Closets</b>	<b>Basins</b>	<b>Urinals</b>
<b>Building A</b>	<b>8</b>	<b>4</b>	<b>0</b>
<b>Building B</b>	<b>7</b>	<b>4</b>	<b>3</b>
<b>Building C</b>	<b>6</b>	<b>4</b>	<b>3</b>
<b>Racing Bldg. – men</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Racing Bldg. – ladies</b>	<b>1</b>	<b>1</b>	<b>0</b>
<b>Drivers Lounge - men</b>	<b>2</b>	<b>2</b>	<b>3</b>
<b>Drivers Lounge - ladies</b>	<b>2</b>	<b>2</b>	<b>0</b>
<b>Ladies Building</b>	<b>2</b>	<b>2</b>	<b>0</b>
<b>Track Kitchen</b>	<b>2</b>	<b>2</b>	<b>1</b>
<b>TOTAL</b>	<b>31</b>	<b>22</b>	<b>11</b>

- (i) Fire protection in stable area:

Number of sprinklers - 12

Number of fire alarm boxes - 8

Exhibit 21 (cont.)

Other Fire Protective Measures in the Stable Area:

**Number of hydrants - 9**

**Water pressure is 65-70 pounds**

**Fire Patrol on 24-hour basis**

**One outlet with 200 feet of 1 1/2" fire hose between every barn**

**Two fire breaks in each barn segregating them into thirds**

**Barns constructed 50 feet apart for fire safety**

**"Smoke Sentinel" in each barn**

**Smoke turns on red roof light and alarm**

**Fire protection is subject to change as conditions are regularly reviewed**

(j) A detailed statement of measures which will be employed in the policing of the stable area. This statement should include but not be confined to:

(1) Is stable area enclosed, if so, describe method of enclosure:

**Yes, area is enclosed by 10ft. chain link and wood fence.**

(2) Number of gates to enclosure, where located and method of control:

**Two gates: Main Gate on Waldemar Ave., and Gap gate located near the track quarter chute. There is a uniformed security officer stationed at the Main Gate on a 24-hour basis [REDACTED] The Gap gate in stable area is attended by a uniformed security officer [REDACTED]**

**Entrance is only via the Main gate. Washburn Ave. gate remains locked.**

(3) System of passes to be issued to persons employed in stable area:

**An identification pass with bearer's Polaroid photograph laminated thereon is issued by the Massachusetts Gaming Commission only to employees, owners, and others for proper admission to the area in conduct of business, and only after such persons are licensed by the Massachusetts Gaming Commission. All vehicles must be owned and operated by duly licensed persons and must be displaying a valid windshield sticker.**

Exhibit 21 (cont.)

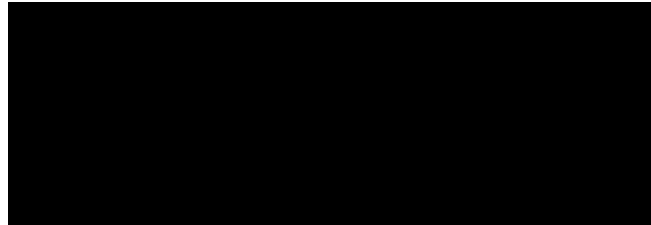
- (4) Method to be followed in allowing persons and vehicles in and out of the stable area:

**Only persons with proper credentials, and vehicles with valid stickers as outlined in (j)(3), above, are permitted in the stable area. All individuals are required to have proper credentials. Visitors must be signed in and issued visitor passes.**

- (5) Number of uniformed police officers to be assigned to the stable area indicating the number in daytime hours and nights:



**Sterling Suffolk Racecourse, LLC assigns [REDACTED] uniformed security officers to the stable area during the day. The uniformed officers are assigned to the stable area during the below listed hours:**



- (6) Number of plainclothes officers or detectives to be assigned to the stable, days and nights:



- (7) Name of person who will be in charge of policing in the stable area:

**Paul F. Evans, Jr., Exec. Vice President for Security and Compliance**

**We expect to continue our close working relationship with the State Police Racing Unit, through which information is exchanged to protect the best interests of the public, Suffolk Downs and the integrity of racing, including by ejecting undesirables and arraigning offenders before proper authorities for their disposition.**

- (k) Recreation Room: **New enlarged room in track kitchen**

- (l) Track Kitchen: **Seating capacity - 225**

Exhibit 21 (cont.)

- (m) Size of jockey or drivers' room and equipment available, including number of shower baths, toilets, hot boxes, etc.:

Male:

Working in locker rooms - 72 feet x 62 feet  
Recreation room - 60 feet x 30 feet (air conditioned)  
Toilet and shower room - 17 1/2 feet x 24 feet  
Reducing room - 12 feet x 12 feet  
Cooling out room - 12 feet x 6 feet  
Rubbing room - 14 feet x 24 feet  
Bunk room - 20 feet x 27 1/2 feet (air conditioned)  
Projection room - 20 feet x 16 1/2 feet (air conditioned)  
Process room - 20 feet x 23 feet  
Salt room - 12 feet x 6 feet  
Color room - 16 feet x 24 feet  
One clothes drier  
One washing machine  
One double sink  
Six showers  
Four urinals  
Six toilets  
One whirlpool bath  
One refrigerator  
One sink  
One stove  
Two drinking fountains  
Two scales  
Three double bunk beds  
Four single beds  
One pool table  
One television set  
One ping-pong table  
One icemaking machine

Female:

Enclosed room - 12 feet x 16 feet (air conditioned)  
Sleeping room - 8 feet x 16 feet (air conditioned)  
Sanitary facilities  
One sink  
Two toilets  
Two showers  
Four bunk beds  
One television  
One storage cupboard  
One portable water cooler  
Air conditioned  
Miscellaneous furniture

Exhibit 21 (cont.)

- (n) List of other accommodations, facilities or services in stable area:

**One 20' x 20' blacksmith's shop**  
**Three loading platforms**  
**160 outside feed rooms**  
**40 portable sleeping units (12 rooms to each)**  
**One harness shop**  
**One saliva barn**  
**Seven urine stalls for State Gaming Commission**  
**Four icemaking machines with 1,000 lbs. production in 24 hours**  
**28 hot water heaters - 35 gals. per hour recovery cap. each**  
**8 hot water heaters - 258 gals. per hour recovery cap. each**

- (o) List any other accommodations, facilities or services for the benefit of the patrons attending:

**Grandstand:**

**First floor restaurant**  
**First and second floor bars**  
**Customer service booth**  
**Concession stands on first and second floors**  
**Barber shop on first floor**  
**Commission Office on first floor**  
**Restrooms**  
**First floor first aid room, lost and found and security office**  
**Reserved seating - large screen television, first and second floors**  
**T.V. Replay Booth on first and second floors**  
**Gift shop**

**Clubhouse:**

**First floor snack bar and bar**  
**Second floor lounge, and bar**  
**Third floor dining room, lounge and bar, Turf Club**  
**Restrooms**  
**T.V. Replay Booth**  
**Terrace lounge and dining**

Exhibit 22

- (a) Pari-Mutuel Equipment

**AmTote International, Inc.**  
**Contract dated 2/28/2013, expiring 12/31/2013.**

- (b) Starting Gate

**United Puett Electrical Starting Gate (rental).**  
**Auxiliary Gate – United.**

**Both under contract dated April 2013 through the 2015 Racing Season.**

- (c) Photo Finish Camera

**Headlund Strip-Type Camera - 1970**

- (d) Film Patrol

**International Sound Corp.**  
**Contract dated 1/1/2002, extended through 2013 racing season.**

- (e) Timing Devices

**American Teletimer.**  
**Contract dated 1/16/1996, automatic renewals.**

- (f) Inter-communication System

- 1. Nynex Meridien system switchboard and extension phones: installed in 1992**
- 2. Mutuels Department speaker system and telephone system: owned since or prior to 1997**
- 3. Phone circuit connecting Stewards Stand with Patrol Judges, Winners Circle, Photo Patrol, 3/4 chute, starter at all points, Clerk of Scales, Jockeys Room, Announcer and Teletimer: owned since or prior to 1997**
- 4. Phone between race announcer and Photo Patrol: owned since or prior to 1997**
- 5. Phone between Placing Judges and Photo Patrol: owned since or prior to 1997**
- 6. Speaker system from Racing Secretary to Stable Area and from Stable Gate to Stable Area: owned since or prior to 1997**
- 7. Speaker system between Calculating Room and Placing Judges: owned since or prior to 1997**

**Items 2 and 5 are Stromberg-Carlson equipment, purchased in 1950**

Exhibit 22 (cont.)

(g) Public Address System

**Bogen Amplifying Equipment and Voice Speaker Equipment  
(P/A system renovated in 1970 by East Coast Electronics Co.)**

(h) Closed Circuit Television System

**International Sound Corp. Contract dated 1/1/2002, extended through 2013 racing season.**

(j) Horse Shoe Board

**New Board Construction in 1974**

(k) Scales

**Fairbanks Morse Scales, purchased in 1935 and 1961**

**Exhibit 25**

The thoroughbred race meeting at Suffolk Downs on the dates we have requested will be beneficial to the public, the Commonwealth, and the Applicant for the following reasons:

A. The Public

- 1) The Suffolk Downs facility has been a location for the sport of thoroughbred racing since 1935.
- 2) The facility provides a high quality, clean, pleasant and enjoyable racing experience for the racing industry, sports fan and the public.
- 3) Suffolk Downs is the largest and best equipped racing facility in Massachusetts. It is the Commonwealth's only track with a one-mile racing surface and turf track necessary to attract quality horses and present top-quality horse racing. The turf track uniquely qualifies the facility for the dates the applicant has requested. The track has 1,217 horse stalls.
- 4) The plant is serviced by major highways. It has the unique distinction of having its own MBTA stop on the Blue Line. It is conveniently located near Logan International Airport. The facility is large enough to accommodate holiday and weekend crowds both safely and comfortably.
- 5) The operation of Suffolk Downs provides employment for approximately 1,600 people and an economic spin off of millions of dollars.
- 6) An operating Suffolk Downs facility provides revenue to the state, local communities (Boston and Revere), the horse breeding industry, The Massachusetts Council on Compulsive Gamblers, the racing industry, and the Tufts Veterinary School.
- 7) The applicant has expended over \$20 million in improvements to the facility.
- 8) The security system and management at the track will assure honesty and integrity in the conduct of wagering activity at the facility.
- 9) The applicant has demonstrated the financial ability to operate a racetrack.
- 10) The continued success of thoroughbred horse racing at Suffolk Downs will help strengthen and expand the horse breeding and hay producing industries, thus protecting needed open space.
- 11) The purposes and intent of all relevant Massachusetts statutes, including but not limited to Chapter 114 of the Acts of 1991 and Chapter 128A and Chapter 128C of the General Laws thus will be effectuated.



Exhibit 25 (cont.)

B. The Commonwealth In addition to the benefits to the public stated above, the benefits to the Commonwealth include:

- 1) Suffolk Downs' operation will provide direct and indirect revenue, including revenue generated by increased employment and economic activities in the Commonwealth. This proposal will maximize the receipt of state revenues generated by thoroughbred horse racing.
- 2) The purposes and intent of all relevant Massachusetts statutes, including but not limited to Chapter 114 of the Acts of 1991 and Chapter 128A and Chapter 128C of the General Laws thus will be effectuated.

C. The Applicant

- 1) The Applicant will benefit from its continuation of racing, which creates the ability to attract racing professionals, horses and fans for calendar 2014.
- 2) An operating facility will allow the Applicant to continue to invest in the facility.
- 3) The Applicant is committed to improving the quality of racing in the Commonwealth.

Exhibit 27

MASTER LIST OF REQUESTED SIMULCAST IMPORTS

[TO BE INSERTED UPON FINALIZATION BY MUTUELS DEPARTMENT]

**Exhibit 28**

**MASTER LIST OF REQUESTED SIMULCAST EXPORT OUTLETS**

**[TO BE INSERTED UPON FINALIZATION BY MUTUELS DEPARTMENT]**

**Exhibit 29**

**REQUEST FOR AUTHORIZATION OF ACCOUNT WAGERING SYSTEM**

↵  
The Applicant hereby request approval for a system of account wagering in accordance with 205 CMR 6.20: General Account Wagering, which is conducted through service providers.

The Applicant is filing copies of its confidential agreements with account wagering service providers contemporaneously herewith under separate cover along with a request for confidential treatment pursuant to the Commission's regulations.