

**Minutes of the  
New York State Racing Commission**

**1973**

There was no Commission meeting during the month  
of January 1973.

A meeting of the State Racing Commission was held at the Commission office, 598 Madison Avenue, New York City on Thursday, February 8, 1973, at 10 o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman  
Edmond M. Hanrahan, Commissioner  
Leonard D. Henry, Commissioner

Also present: Harry J. Millar, Secretary; Gerard A. Burke, Steward; Mr. Harry Peterson, Chief Chemist; William H. Welch, Director of the Thoroughbred Breeders Service Bureau; and John S. Clark, Counsel.

On motion duly made and seconded, the Commission approved the Minutes of the December 14, 1972 meeting.

The Chairman welcomed Commissioner Henry to the meeting, stating that he had been informed by the Governor's secretary that Commissioner Henry had been nominated to succeed William L. Pfeiffer as a Commissioner on January 17, 1973 and that the Senate confirmed the nomination of Mr. Henry on January 30, 1973.

The Commission took up the request of The New York Racing Association under date of February 2, 1973 for approval of the following list of racing officials for the '73 racing season:

Steward Appointed by The New York Racing Association  
Warren C. Mehrtens

Racing Secretary and Handicapper  
Kenneth Noe, Jr.

Assistant Racing Secretaries and Handicappers  
Clifford D. McCartney  
Charles P. Sullivan

Starter  
George B. Cassidy

Clerk of the Scales  
John E. O'Hara

Assistant Clerk of the Scales  
James J. Zimmerman

Paddock and Patrol Judge  
Gerard A. Burke

Patrol and Assistant Paddock Judge  
William T. O'Connor

Patrol Judges  
Lucas Dupps  
Robert F. Kelley, Jr.

Placing Judges

William A. Murphy, Jr.  
 Donald L. Peregoy  
 Frederick W. Meinz

Timer

Sentell L. Taylor, Jr.

Deputy Clerk of the Course

William F. Garges

Chief Examining Veterinarian

Manuel A. Gilman, D.V.M.

Examining Veterinarians

Frederick J. Reynolds, D.V.M.  
 Clinton Hartley, D.V.M.

Director of Admissions

David H. Carnahan

Announcer

Dave Johnson

Substitutes to serve in various capacities, other than  
Steward

Frank Calvarese  
 William F. Garges  
 John Hennegan  
 Clifford D. McCartney  
 Harry T. Palmer, Jr.  
 Robert A. Smithers  
 Charles P. Sullivan  
 Bartholomew Sweeney, Jr.

Temporary Steward, if required

Gerard A. Burke  
 Kenneth Noe, Jr.  
 Patrick W. O'Brien  
 William T. O'Connor

Following the discussion in which the Chairman noted that each of the designated officials was known to the Commission and with certain exceptions had been approved in prior years for like positions, the Commission approved the request.

The Commission took up the request of The New York Racing Association under date of February 2, 1973 for approval of the following post times for the 1973 Spring and Summer meetings:

AQUEDUCT

Thursday, March 1 to Saturday, May 12

1:30 P.M.

BELMONT

Monday, May 14 to Saturday, June 16 1:30 P.M.

AQUEDUCT

Monday, June 18 to Saturday, July 28 1:30 P.M.

SARATOGA

Monday, July 30 to Saturday, August 25 1:30 P.M.

The Commission designated William H. Welch, David Malone and Mark Thomas to act as Stewards in the event of the temporary absence of Frances P. Dunne during the 1973 racing season.

The Commission took up the request of The Jockey Club under date of **January 22, 1973 for approval of Mr. Nathaniel J. Hyland** as Steward representing The Jockey Club at the 1973 meetings of The New York Racing Association and its appointment of Mr. John T. Morrissey as Steward representing The Jockey Club at 1973 meetings of the Finger Lakes Racing Association. Following discussion, the requests were approved.

The Commission took up the request of the Finger Lakes Racing Association under date of January 16, 1973 for approval of a Daily Double, three Exactas and one Superfecta race on each racing day. The request was approved. The Commission also approved the request of Finger Lakes Racing Association Inc. for leave to have a tenth race on Memorial Day, July 4th and Labor Day in 1973.

The request of Finger Lakes Racing Association Inc. under date of January 16, 1973 for approval of a post time of 1:30 P.M. during 1973 was approved.

The Commission took up the request of Finger Lakes Racing Association Inc. under date of February 1, 1973 for approval of its appointment of the following racing officials for the 1973 racing season:

Steward

Arthur E. Langmayer

Racing Secretary

Bennett Parke

Assistant Racing Secretary and Paddock Judge

John H. Morrissey

Clerk of Scales and Patrol Judge

Raymond D. Royston

Placing Judges  
Harold O'Keefe  
Robert H. Dygert  
J. R. Hill

Patrol Judges  
Michael Millan  
Timothy O'Keefe

Examining Veterinarian  
Dr. Ramon Umana

Assistant Examining Veterinarian  
Dr. David M. Davis

Starter  
Oscar Mackey

Following discussion, the request was approved.

The Commission appointed the following per diem staff for the 1973 racing season, March 1st through December 15, 1973:

<u>Name</u>	<u>Title</u>
Francis P. Dunne	Steward
James Ziccardi	Assistant to Steward
James Brewer, VMD	Sup. of Drug Tests
Aldo Sagrati	Inspector
Thomas Reitano	"
Howard Gotterup	"
Christopher Santa Donato	"
Neil Cifichiello	"
Charles Barsa	"
Norman Richardson	"
William J. Nertney	"
Joseph C. Wagner	"
Angelo Tartaro	"
Eugene Donaldson	"
Ted Guzikowski	"
George Blunt	"
Raymond Delano	"
Albert P. Schmidl	"
Vacancy	"

Other matters of importance were discussed.

There being no further business on hand, the meeting was adjourned.

Respectfully submitted

  
Harry J. Millar  
Secretary

A meeting of the State Racing Commission was held at the Commission office, 598 Madison Avenue, New York City on Thursday, March 8, 1973 at 10 o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman  
Edmond M. Hanrahan, Commissioner  
Leonard D. Henry, Commissioner

Also present: Harry J. Millar, Secretary; Gerard A. Burke, Steward; Mr. Harry Peterson, Chief Chemist; William H. Welch, Director of the Thoroughbred Breeders Service Bureau; and John S. Clark, Counsel.

On motion duly made and seconded, the Commission approved the Minutes of the February 8, 1973 meeting.

The Chairman informed the Commission that applications for owner's licenses had been received from Mrs. Frank Caldwell and John Mattox. Following discussion, the Commission directed that a hearing on each be held.

The Chairman brought to the attention of the Commission that Owner Alfred J. Hemlock had recently been indicted for fraud and conspiracy to defraud. Following discussion, the Commission requested that the Steward, Francis P. Dunne, suggest to Mr. Hemlock that he voluntarily withdraw from racing activities until the matter has been resolved.

The Commission approved the appointment of Jack Basilotta to the Commission Staff in the capacity of an Inspector.

The Commission approved the appointment by the National Steeplechase and Hunt Association, Inc. of Mr. John E. Cooper, as a Steward at the 1973 Saratoga meeting.

The Commission designated Martha Oberlies and Dr. Norman F. Lewis to act as Steward at Finger Lakes Race Track, in place of Gerard A. Burke, in the event of the absence or incapacity of Mr. Burke.

The Chairman submitted the following list of per diem Commission employees, to be engaged for the 1973 season at Finger Lakes Race Track:

		<u>Start</u>	<u>Finish</u>
Steward	Gerard A. Burke	4/25	11/6
Sup. of Drug Tests	Norman F. Lewis	4/27	11/6
Assistant to Steward	Martha Oberlies	4/21	11/9
Assistant to Steward	Paul Belfiore	4/27	11/6
Asst. sup of Drug Tests	Joseph C. Wagner	4/23	11/8
Inspector-Office	Mary Masick	4/21	11/6
Inspector-Office	Francis E. Laimbeer III	4/21	11/6
Inspector-Office	Raymond J. Hampson	4/21	11/6
Inspector-Clubhouse	James D. Davidson, Jr.	4/27	11/6
Inspector-Lead In	Robert D. Reynolds	4/27	11/6

Inspector-Lead In	John Checho	4/27	11/6
Inspector-Technician	Richard J. O'Brien	4/27	11/6
Inspector-Technician	Leland Gardner	4/27	11/6
Inspector-Technician	William M. MacIntyre	4/27	11/6
Inspector-Technician	Joseph M. Wagner	4/27	11/6
	*Matthew O'Grady NYRA	4/23	11/9

\*Reports to NYRA to replace Mr. Wagner during this period.

Following discussion, appointment of the aforesaid seasonal staff was approved.

The Commission reviewed the report of Stewards' ruling at Aqueduct for the period since the opening of the season.

The Commission directed that its August meeting be held at Saratoga on August 14th.

The Commission reviewed occupational licenses.

Other matters of interest were discussed.

Respectfully submitted,



Harry J. Millar, Secretary



A meeting of the State Racing Commission was held at the Commission office, 598 Madison Avenue, New York City on Thursday, April 12, 1973, at 10 o'clock in the forenoon.

Present: Joseph A. Gimma, Chairman  
Leonard D. Henry, Commissioner

Also present: Harry J. Millar, Secretary; Gerard A. Burke; Steward; Mr. Harry Peterson, Chief Chemist; William H. Welch, Director of the Thoroughbred Breeders Service Bureau; Francis P. Dunne, Steward and John S. Clark, Counsel.

On motion duly made and seconded, the Commission approved the March 8, 1973 Minutes.

The Chairman reported that The New York Racing Association, Inc. had requested permission to permanently display the rules and regulations of the Commission currently reproduced in the daily program, at locations within all betting areas at its tracks. Permission was granted, the Chairman noting that Rule 10.1 had been amended to permit the tracks to carry advertising in the programs in lieu of specified rules.

The Commission ratified its prior oral approval of a request of The New York Racing Association, Inc., to cause to be broadcast from its three tracks, all races, subject to a minimum 30 minutes delay after each race, the races to be announced by the official New York Racing Association announcer Dave Johnson.

The Commission approved the request of The New York Racing Association, Inc. for leave to elect John H. Krumpke as a Trustee.

The Chairman directed that the final draft of the amendment of Rule 25.14 be spread upon the Minutes, the rule having been so amended by the Commission at an earlier meeting.

Delayed entries. The list of entries for all other races shall be closed at the advertised time and no entry shall be admitted after that time unless the nominator can prove to the stewards that the entry was mailed before the advertised time of closing; and starters must be named through the entry box by the usual time of closing on the day preceding the race unless otherwise designated by the stewards.

The Commission approved the appointment by the Finger Lakes Racing Association, Inc. of Tom Smith as Identifier-Timer for their 1973 season.

The Commission approved the appointment by Finger Lakes Racing Association, Inc. of Bennett Parke, John O'Keefe and Robert Dygert to act as Steward in the event of the absence or incapacity of their regularly appointed Steward during the 1973 season.

The Commission reviewed the report of suspensions and fines submitted by Steward Francis P. Dunne for the period since the last Commission meeting.

The Commission reviewed occupational licenses.

Messrs. Milar, Burke, Peterson, Welch and Dunne thereupon withdrew from the meeting.

The Commission proceeded to take up the application submitted on behalf of Apprentice Jockey Kelly Castaneda for an extension of his apprenticeship for the period equal to that in which he allegedly was unable to ride by reason of injuries. The Commission heard Lillian Unger, Esq. and Alvin Goodman, Esq. on behalf of the applicant, as well as Jockey Agent Mr. Shane.

The Commission informed counsel that as the injury occurred at a track not within the jurisdiction of the Commission, in accord with Commission Rules and practices of the turf, the extension would have to be given by the body regulating racing there and that any extension would likely be recognized by the Commission. Counsel produced a letter from the Director of Racing at Hipodromo De Techo, S.A., Bogata, Columbia, dated April 4, 1973, purporting to extend the apprenticeship. As the letter did not appear to reflect "official" action by the appropriate racing authority in Colombia, the matter was continued to permit counsel for the applicant to produce evidence that the apprenticeship had, in fact, been duly extended in Colombia.



Harry J. Millar  
Secretary

A meeting of the State Racing Commission was held at the Commission office, 598 Madison Avenue, New York City on Thursday, May 8, 1973, at 10 o'clock in the forenoon.

**PRESENT:** Joseph A. Gimma, Chairman  
Edmond M. Hanrahan, Commissioner  
Leonard D. Henry, Commissioner

Also present: Harry J. Millar, Secretary; Harry Peterson, Chief Chemist; William H. Welch, Director of the Thoroughbred Breeders Service Bureau; and John S. Clark, Counsel; and Mr. Francis P. Dunne, Steward.

On motion duly made and seconded, the Commission approved the April 12, 1973 Minutes.

The Chairman reported to the Commission that the Governor had approved the recently enacted amendment to the Racing Law, whereby all applicants for licenses would be required to be photographed and fingerprinted and authorizing the Commission to issue identification cards. The Chairman reported further that he and counsel had met with The NYRA management and security officials for the purpose of discussing methods and means of implementing the statute and of launching a backstretch badge identification program. The results of those discussions were detailed by the Chairman.

There ensued a lengthy discussion relative to the implementation of the badge identification and fingerprint programs.

The Commission approved the extension of the apprenticeship allowance of Jockey Thomas Feliciano for nine days, effective Saturday, May 5th and including, Sunday, May 13, 1973, the extension having been granted by reason of the incapacity of Jockey Feliciano for a like period.

The Chairman brought to the attention of the Commission the disparity between license fees in effect in New York, California and Florida, suggesting that legislative action to increase New York fees might be appropriate.

The Commission approved the request of the Finger Lakes Racing Association, Inc., under date of May 1, 1973 for leave to sponsor four Ladies' Days and Senior Citizen Days during the 1973 season, with an admission charge of 50¢, subject to the requirements of Section 7965 of the Unconsolidated Laws, as amended.

The Commission rejected the request of the Finger Lakes Racing Association, Inc., under date of April 17, 1973 to conduct Trifecta wagering.

The Commission approved the appointment of Meldon R. Hughes to an Inspector on the Commission staff assigned to the Finger Lakes Race Track.

The Chairman directed that the Minutes reflect that Superfecta wagering had been suspended at Finger Lakes Race Track upon the request of the Commission.

The Commission reviewed the report of fines and suspensions for the period since its last list submitted by Steward Francis P. Dunne.

The Commission directed that Michele Louise Harris and Robert Russell Harris, applicants for Jockeys' licenses, be examined under oath concerning their applications. The Chairman noted that these applicants were named in an indictment filed in the United States District Court for the Western District of New York, charging fraudulent turf practices.

The Chairman directed that the following ruling made by the Commission on the application of Jockey Hernando Castaneda be incorporated in the Minutes:

"On the basis of evidence submitted in support of the application of Apprentice Jockey Hernando Castaneda for an extension of his apprenticeship by reason of injuries which incapacitated him from riding, including a confirmation from the Consul General of Colombia in New York that it was extended in Colombia, in effect, by reason of such injuries, his apprenticeship is extended to September 26, 1973,"

The Commission took appropriate action with respect to applications for occupational licenses.

Other matters of interest were discussed.

Respectfully submitted,



Harry J. Millar  
Secretary

A meeting of the State Racing Commission was held on due notice at the Commission office, 598 Madison Avenue, New York City, commencing at 10 o'clock in the forenoon, Thursday, June 14, 1973.

PRESENT: Joseph A. Gimma, Chairman  
Edmond M. Hanrahan, Commissioner  
Leonard D. Henry, Commissioner

Also present: Harry J. Millar, Secretary; Francis P. Dunne, Steward; John S. Clark, Counsel; Harry Peterson, Chief Chemist and William Welch, Director of the Thoroughbred Breeders Service Bureau.

On motion duly made and seconded, the Commission approved the Minutes of the May 10, 1973 meeting.

The Commission took up the request of the Trustees of The New York Backstretch Employees Pension Trust that participation therein be made a condition of racing. The Chairman reported that the Trustees had certified in writing to the Commission that more than 80% of the owners and trainers racing at NYRA tracks have agreed to participate therein. Accordingly, following extended discussion, the Commission approved the request and directed that the following order be issued:

NEW YORK STATE RACING COMMISSION

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In the Matter of the  
Application of the Trustees of  
the New York Backstretch Employees  
Pension Trust.

ORDER

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The Trustees of the New York Backstretch Employees Pension Trust having requested the Racing Commission to require, as a condition of racing at meetings of The New York Racing Association, Inc., all trainers and owners engaged in racing at meetings of said Association to participate in said pension trust, and it appearing that said pension trust has been established by trainers and owners for the benefit of stable employees (backstretch workers) regularly employed at such

meetings, and said trustees having certified to the Commission under date of June 8, 1973, that more than eighty per cent of such trainers and owners have agreed in writing to participate, and are, in fact participating therein, as required by the provision of Chapter 405 of the laws of 1973, and the Commission having considered the application at a meeting on June 14, 1973 and having found that participation in the plan by all such owners and trainers is in the best interests of racing and having further found, on the leases of the said certification that at least eighty per cent of such owners and trainers have agreed in writing to participate, and are, in fact, participating therein, it is hereby

ORDERED AND DIRECTED that all trainers and owners engaged in racing at meetings of The New York Racing Association, Inc., shall be required to participate in the New York Backstretch Employees Pension Trust as a condition of racing at such meetings.

dated: June 14, 1973

/signed/  
JOSEPH A. GIMMA, CHAIRMAN

The Commission took up the matter of implementing the amendment to the Racing Law requiring applicants for licenses to be fingerprinted and photographed. Following discussion, the Commission approved the release of the following Directive:

"The Legislature has enacted and the Governor has approved an amendment to the Racing Law designed to increase track security. Henceforth, all applicants for licenses from the Racing Commission must be fingerprinted and photographed and all persons present in backstretch areas of tracks under Commission jurisdiction will be obliged to wear an identification badge.

For the purpose of implementing the law, State Racing Commission directs that:

1. All applications for licenses from the Commission shall henceforth be accompanied by fingerprint impressions and three photographs of the applicant.
2. Fingerprint impressions and photographs shall be taken on track under the supervision and direction of the Commission. Fingerprint impressions and photographs taken off track may be submitted provided the same shall have been taken under conditions satisfactory to the Commission.
3. No person whose application for a 1973 license has previously been approved will be required to submit fingerprint impressions and photographs unless and until he reapplies in 1974 or thereafter.

4. Each racing association under Commission jurisdiction shall establish a procedure approved by the Commission for the issuance of identification badges to persons authorized to be in backstretch areas.
5. Effective October 15, 1973, no person shall be permitted in the backstretch areas (including drug testing enclosures) of any racing association unless he is wearing, affixed to his outer clothing in such a way as to be clearly visible, an identification badge in the form approved by the Commission. Such badges will be issued by the Racing Association involved.
6. Subdivision "5" of this directive shall be enforced by the Stewards.

/signed/

JOSEPH A. GIMMA, CHAIRMAN

dated: June 14, 1973

The Commission ratified its prior oral approval of the appointment of Robert J. Milano to the Board of Trustees of The New York Racing Association, Inc. The Commission directed that the minutes reflect that members of the Commission were personally acquainted with Mr. Milano and, were satisfied as to his fitness to serve as a Trustee.

The Commission ratified its prior oral approval of entries in the Belmont Stakes for 1973, a race on which Exacta wagering was to be conducted. The Chairman noted, however, that no entries actually started in the Belmont.

The Commission approved the request of The New York Racing Association, Inc. for approval of the appointment of David L. Yunich and William M. Ellinghaus to its Board of Trustees. The Commission directed that the minutes reflect that its members were acquainted with both Mr. Yunich and Mr. Ellinghaus and were satisfied as to their fitness to serve.

The Commission approved the action of the Stewards at NYRA tracks in reducing the minimum suspension for jockeys from 10 days to 5 days.

The Commission ratified its prior approval of the request of Finger Lakes Racing Association, Inc., under date of May 16, 1973 for permission to charge special reduced admissions for college students on June 9, 1973.

The Commission approved the request of Finger Lakes Racing Association, Inc., under date of May 11, 1973 for approval of its appointment of Ronald Green as Identifier-Timer for the balance of the 1973 season. The Chairman reviewed his qualifications and re-

ported that the TRPB had notified the Commission it had no derogatory information on him.

The Commission deferred action on the request of Finger Lakes Racing Association, Inc., under date of May 24, 1973 for leave to conduct Sunday racing effective July 1, 1973.

The Commission approved the request of Finger Lakes Racing Association, Inc., under date of June 13, 1973 for permission to charge special reduced admission on July 5, 1973 for children.

The Commission reviewed the reports of the Stewards of fines and suspensions since the last Commission meeting.

The Commission approved the appointment of Edward Lewis as Inspector replacing John Checho at the Finger Lakes Race Track effective June 18, 1973.

The Commission reviewed the occupational licenses.

There being no other further business, the meeting adjourned.

Respectfully submitted,



Harry J. Millar  
Secretary