

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

Minutes of the regular meeting of Board of Directors of the Western Regional Off-Track Betting Corporation, held on the 24th day of October 2013, and commencing at 10:06 a.m. in the *Robert J. Kane Board Room*, Corporate Headquarters at 8315 Park Road, Batavia, New York.

Participating were:

City of Buffalo
Cattaraugus
Chautauqua
Erie
Livingston
Monroe
Orleans
Oswego
Schuyler
Seneca
Wayne
Wyoming

Maurice Garner
Richard E. Haberer
Roger E. Ruckman
Beverly A. Mazur
Thomas P. Wamp
Richard D. Bianchi
Marcia B. Tuohey
Ronald Darrow
Philip C. Smith
Richard L. Ricci
Ken Lauderdale
James A. Foley

Absent:

P. Lattimore
R. Siebert
S. Kiedrowski
D. Bassett
J. Clifford

Constituting the Directors of all participating municipalities:

Also participating were: Michael D. Kane, President & Chief Executive Officer; Michael Nolan, Executive Vice President/COO; Jacquelyne Leach, Comptroller; William R. White, Vice President - Administration; Barbara Mruczek, Deputy Comptroller; Sean Schiano, Director of Branch Operations, Steve Haigh, Internal Auditor; Cindy DeCarlo, Controller; Jim Haas, Communication Manager; Ryan Hasenauer, Director of Marketing-WROTB/Video Gaming; Gayle Ashbery, Director of Purchasing; Mark Wolf, Director of Video Gaming and Stephanie Underhill, Marketing Graphics Specialist/Video Coordinator. Also attending was Jim Krencik, Daily News Reporter.

Executive Vice President Michael Nolan called for a roll call of the membership of the Board. Having been called, Mr. Nolan declared a quorum present.

Chairman Bianchi then asked Director Smith to lead the assemblage in the Pledge of Allegiance.

1. **Approval of Previous Minutes:** Chairman Bianchi called for amendments, additions, deletions, or corrections to the minutes of the previous meeting of September 19th, 2013. There being none, the motion to approve the minutes was made by Mr. Ruckman and seconded by Mr. Lauderdale. The motion was carried unanimously by a voice vote.

2. **Communications:** Board member Mr. Ruckman commented on his visit to the Kane Memorial race with Chautauqua County Chairman Jay Gould. Mr. Ruckman thanked all members and staff in hosting the event.

Henry Wojtaszek stated that Batavia Downs Gaming received an official certificate from NYS Senator Ranzenhoffer in celebration of the grand re-opening and ribbon cutting of the expansion and three new restaurants.

3. **Officers' Reports:** There were no Officer's Reports.

4. **Finance Committee Report:**

Committee Chairman Ken Lauderdale reported that the Finance Committee meeting was held on Wednesday, October 23rd 2013 at 2:20 p.m. and the following business was considered.

A motion was made by Mr. Garner and seconded by Mr. Haberer to waive the rules. A voice vote was taken. Ayes: 12; Nays: 0; Absent: 5, Lattimore, Siebert, Kiedrowski, Bassett and Clifford. Motion was carried (**See Resolution #76-2013**).

Mr. Lauderdale advised the Board of Directors that the public bids for snow plowing in Erie County was passed by the Finance Committee to Global Industrial Service for the Mohawk, Clinton, and Delaware branches and United Services was awarded the McKinley, Ridge Lea, and Wehrle branches.

A motion was made by Mr. Wamp and seconded by Mr. Darrow to waive the rules. A voice vote was taken. Ayes: 12; Nays: 0; Absent: 5, Lattimore, Siebert, Kiedrowski, Bassett and Clifford. Motion was carried.

Mr. Lauderdale advised the Board of Directors that the public bids for snow plowing in Monroe County was passed by the Finance Committee to CPM Property for all six branches. Ayes: 12; Nays: 0; Absent 5, Lattimore, Siebert, Kiedrowski, Bassett and Clifford. Motion was carried (**See Resolution #77-2013**).

A motion was made by Mr. Darrow and seconded by Mr. Ruckman to waive the rules. A voice vote was taken. Ayes: 12; Nays: 0; Absent: 5, Lattimore, Siebert, Kiedrowski, Bassett and Clifford the motion was carried.

Mr. Lauderdale advised the Board of Directors that the public bid for snow plowing for Niagara County was passed by the Finance Committee to Bills Automotive which was awarded Military Rd., Pine Ave, River Rd. and Main St. J&T Enterprises was awarded Transit Rd. A motion was made by Mr. Smith and

4. Finance Committee Report (continued): s

seconded by Mr. Bianchi to award the bid to Bills Automotive and J&T Enterprises. Ayes: 12; Nays: 0; Absent: 5; Lattimore, Siebert, Kiedrowski, Bassett and Clifford the motion was carried. **(See Resolution # 78-2013)**

A motion was made by Mr. Haberer and seconded by Mr. Garner to waive the rules on Resolution #79-2013. The Resolution approving and authorizing the adoption of a tax-exempt governmental bonds post issuance compliance policy. Upon the motion by Mr. Darrow and seconded by Mr. Smith and carried unanimously, the motion was carried. **(See Resolution # 79-2013).**

Mrs. Leach went over the operating plan and stated this is very preliminary and a final version will be presented at the December meeting.

Mrs. Leach also informed the board there will be two workshops offered on November 20, 2013 one morning and one afternoon session for anyone that would like to attend. Mr. Bianchi thanked Mr. Lauderdale for all his hard work and leadership throughout 2013.

5. Personnel Committee Report:

Committee Chairperson Wamp reported the Personnel Committee met on Wednesday, October 23, 2013 at 1:30 p.m.

- a. Mr. White informed the committee of the upcoming elections with the three (3) bargaining units.
- b. Mr. Kane informed the Board that we are limiting the interaction between both bargaining units and the employees. Appointments need to be made ahead of time with Mr. White or Mr. Schiano
- c. Mr. Kane asked for Board approval for out of state travel for Mr. Wojtaszek and Mr. White to attend the Racing Symposium in Tucson Arizona.
- d. Mr. Kane informed the Board that he and Mr. Wojtaszek met at the SEIU office in Syracuse to discuss union issues. The meeting went well.
- e. Mr. Kane informed the board that everyone will be able to keep their HRA account (Flex card) regardless if they have insurance with WROTBC or not.

The Board changed Mr. White's hours from 35 hours to 40 hours per week at the same hourly rate. Mr. Wamp stated that Mr. Kane informed the committee that Mr. White has been working these hours for several months.

6. Legislative Committee:

Committee Chairman Scott Kiedrowski reported that the Legislative Committee met on Wednesday, October 23, 2013 at approximately 3:30 p.m. Mr. Nick Antenucci from Wilson Elser, Mr. Paul Tokasz from Patricia Lynch Associates, and Mr. Rick Winter from Richardson Management were available via telephone conference.

Mr. Kane informed the Board of the NYRA Rebate Status which figures were signed off and are expected to be received shortly.

Mr. Kane informed the Board of the ADW Licensing which goes into effect 1/1/14.

Mr. Kane informed the Board of the impending Referendum discussion.

7. Insurance Committee: There was no Insurance Meeting.

8. Advertising Committee:

Vice Chairman Foley reported that the Committee met on Wednesday October 23, 2013 at approximately 2:15pm.

- a. Director of Marketing Ryan Hasenauer recapped the promotions for October and the upcoming November promotions.
- b. Todd Haight reported that the Kane Memorial Race was the largest handle since 2005 which featured "Foiled Again" who is the richest pacer of all time and "Hester Blue Chip" who was last year's 3 year old champion.

9. **Audit Committee:** There was no Audit Committee meeting.

10. **Batavia Downs Committee:**

Director Wamp reported to the Board that the Batavia Downs Committee met on Wednesday, October 23, 2013 at approximately 2:55 p.m.

The Gaming status report with gaming statistics was provided by Mr. Mark Wolf. Financial statistics were given by Ms. Cindy DeCarlo and Racing statistics were given by Mr. Todd Haight.

- a. A report was given by Mr. Wolf on the opening of the new gaming floor. He reported we had a record crowd and a record number of credits played.
- b. Mr. Kane informed the board of the status of the Flex Tech Project (NYSERDA).
- c. Mr. Wamp informed the board that the committee approved Resolution (**#72-2013**) for the purchase of white paper for our multi faceted operation for the remaining of 2013 in the amount of \$60,000 to Office Max.

A motion was made by Mr. Lauderdale seconded by Mr. Foley; Ayes: 12: Nays: 0: Absent 5, Lattimore, Siebert, Kiedrowski, Bassett and Clifford. Motion was carried (**See Resolution #72-2013**).

- d. Ryan Hasenauer informed the board that our re-branding efforts have been completed.
- e.
- f. Mr. Nolan updated the board on the Food and Beverage department operations regarding the new restaurants.

11. **Branch Operations:**

Mr. Garner informed the board that a meeting was held on October 24, 2013 at approximately 9:30am.

Mr. Schiano updated the board on E-Z Bets, upcoming managers meeting and the potential sale of branches and the status of the new storage facility in Monroe County.

Mr. Haas updated the committee on the Ricoh project in regards to printing programs at branches, E-Z Bets and Batavia Downs Gaming.

12. Resolutions:

76-2013	Snow plowing and salting Erie County
77-2013	Snow plowing and salting Monroe County
78-2013	Snow plowing and salting Niagara County
72-2013	Office products
79-2013	Tax Exempt Bond Post Issuance Compliance Policy
73-2013	Townsend Energy
74-2013	Home Depot
75-2013	ID Booth

13. Unfinished Business:

No unfinished business.

14. New Business:

The next Committee and Board meetings will be held on January 15 and January 16, 2014 respectively.

15. Adjournment:

A motion was made by Mr. Garner and seconded by Mr. Darrow to adjourn the meeting. The meeting was adjourned at 10:30 a.m.

Respectfully submitted,

Henry Wojtaszek
Secretary to the Board