

**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 23rd day of October 2014, and commencing at 10:00 a.m. in the *Robert J. Kane Board Room*, Corporate Headquarters at 8315 Park Road Batavia, New York.

**Participating were:**

Buffalo	Maurice Garner
Cattaraugus	Richard E. Haberer
Erie	Beverly A. Mazur
Genesee	Richard E. Siebert
Livingston	Thomas P. Wamp
Monroe	Richard D. Bianchi
Niagara	Scott Kiedrowski
Oswego	Ronald B. Darrow
Rochester	Dennis Bassett
Seneca	Richard L. Ricci
Steuben	John E. Clifford
Wayne	Kenneth Lauderdale
Wyoming	James A. Foley

**Absent:**

Paul Lattimore, Jr.

constituting the Directors of all participating municipalities.

Also participating were: Michael D. Kane, President & Chief Executive Officer; Michael P. Nolan, Executive Vice President/COO; William R. White, Vice President – Administration; Henry F. Wojtaszek, General Counsel; Jacquelyne A. Leach, Comptroller; Barbara Mruzek, Deputy Controller; Mark Wolf, Director of Video Gaming; Ryan Hasenauer, Director of Marketing-WROT & Video Gaming; Sean Schiano, Director of Branch Operations; EJ Merriman, Manager of Branch Operations; Stephanie Underhill, Video Coordinator.

A roll of the membership of the Board having been called, Mr. Wojtaszek declared a quorum present.

Chairman Richard Bianchi proceeded to conduct the meeting following the published Agenda for this regular meeting.

Chairman Bianchi then asked Director Bassett 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 25, 2014. There being none, a motion was made by Mr. Lauderdale and seconded by Mr. Haberer to approve the September minutes as submitted. The minutes were approved unanimously by a voice vote.

**2. Communications:**

Mr. Wojtaszek informed the Board of a letter of thanks from the Monroe County Veteran's Court Lead Mentor Ray Melens.

Mr. Wojtaszek informed the Board of a letter of thanks from the Envision Salon & Spa for Batavia Downs making the Wine in the Valley event a success.

Mr. Wojtaszek informed the Board of a letter of thanks from Great Lakes Plastic Company, Inc. for the Sunshine Horses fundraiser held in August at Batavia Downs.

Mr. Wojtaszek informed the Board of a letter from Mrs. Lucy Waigo, commending Floor Attendant, Kim Sanfratello, Players Club employee, Mikayla Merkley and the Valet for their outstanding and helpful service for her first time visit at Batavia Downs Gaming.

**3. Officers' Reports:**

There were no Officer's Reports.

**4. Finance Committee Report:**

Committee Chairman Mr. Lauderdale reported that the Finance Committee meeting was held on Wednesday, October 22, 2014 at 2:31 p.m. and the following business was considered.

Mr. Gayle Ashbery advised the Board that the staff has compared pricing from various vendors for office supplies and is requesting the extension of the purchase authority for office supplies be purchased from the State Contract List Vendor, Staples.

**4. Finance Committee Report Continued:**

Upon motion by Mr. Darrow and seconded by Mr. Ricci a vote was taken. Ayes: 12; Nays: 0; Absent: 2; Clifford, Lattimore. The motion was approved to purchase office supplies from our State Contract List vendor, Staples in the amount not to exceed \$20,000 for the remainder of the year 2014. **(Resolution #41-2014).**

Mr. Schiano presented to the Board information about the current condition of the Hornell OTB branch roof. Currently, there are no leaks or problems that need addressing, therefore staff recommends that we postpone the replacement of the Hornell branch roof at this time and reevaluate in the future.

Mrs. Ashbery advised the Committee that a public bid was held October 16, 2014 for snowplowing services at five (5) branches in Erie County, three (3) branches in Niagara County and six (6) branches in Monroe County for the 2014-2015 winter season. After review by staff, the following is recommended:

<u>Branch</u>	<u>Low Bidder</u>	<u>Per Plow Price</u>	
		<u>Plow</u>	<u>Salt</u>
McKinley	EAS Enterprises	\$150.00	\$120.00
Clinton St.	EAS Enterprises	\$150.00	\$120.00
Delaware Ave.	Landscaping & Snowplowing Maint.	\$95.00	\$70.00
Ridge Lea	Landscaping & Snowplowing Maint.	\$175.00	\$145.00
Wehrle Dr.	Landscaping & Snowplowing Maint.	\$190.00	\$185.00

Upon motion by Mr. Lauderdale and seconded by Ms. Mazur a roll call vote was taken. Ayes: 12; Nays: 0; Absent: 1; Lattimore. The motion was approved for the Erie County Snowplowing bids for the 2014-2015 winter seasons as above. **(Resolution #42-2014).**

Monroe County:

<u>Branch</u>	<u>Low Bidder</u>	<u>Per Plow Price</u>	
		<u>Plow</u>	<u>Salt</u>
Hudson	CPM Property	\$169.99	\$149.99
Marway	CPM Property	\$149.99	\$139.99
West Broad	CPM Property	\$49.99	\$49.99
886 W. Main St.	CPM Property	\$49.99	\$49.99
Jefferson Road	CPM Property	\$84.99	\$79.99
West Ridge	CPM Property	\$59.99	\$59.99

**4. Finance Committee Report Continued:**

Upon motion by Mr. Lauderdale and seconded by Mr. Garner a roll call vote was taken. Ayes: 12; Nays: 0; Absent: 1; Lattimore. The motion was approved for the Monroe County Snowplowing bids for the 2014-2015 winter seasons as above. **(Resolution #43-2014).**

Niagara County:

<u>Branch</u>	<u>Low Bidder</u>	<u>Per Plow Price</u>	
		<u>Plow</u>	<u>Salt</u>
Transit Road	J & T Enterprises	\$75.00	\$50.00
River Road	Bill's Automotive	\$74.95	\$64.50
Military Road	Bill's Automotive	\$74.95	\$64.90

Upon motion by Mr. Garner and seconded by Mr. Foley a roll call vote was taken. Ayes: 12; Nays: 0; Absent: 1; Lattimore. The motion was approved for the Niagara County Snowplowing bids for the 2014-2015 winter seasons as above. **(Resolution #44-2014).**

Mrs. Leach presented the 2015 Preliminary Operating Plan to the Committee with the purpose to facilitate discussion amongst WROTBC management and the Board of Directors.

Mr. Lauderdale and Mrs. Leach invited the Board members to study the document and invited the Directors to a Plan Workshop to be held on November 19, 2014 in the Boardroom.

Mrs. Leach presented the September 2014 Comptroller's Report to the Committee. This was provided for informational purposes only.

Upon motion by Mr. Siebert and seconded by Mr. Darrow, the Finance Committee meeting adjourned at 3:26 p.m.

**5. Personnel Committee Report:**

Committee Chairman Mr. Wamp reported the Personnel Committee meeting was held on Wednesday, October 22, 2014 at 1:30p.m.

Mr. Wamp informed the Board that Mr. Kane briefed the Committee on reinstating the Employee Assistance Program with no date set as yet for implementation.

**5. Personnel Committee Report Continued:**

Mr. Wamp informed the Board that there would be changes made to the evaluation form.

Upon motion by Mr. Wamp and seconded by Mr. Foley the Personnel Committee was adjourned at 1:50 p.m.

**6. Legislative Committee Report:**

Committee Chairman Mr. Kiedrowski reported the Legislative Committee met on Wednesday, October 22, 2014. Mr. Nicholas Antenucci from Wilson Elser Moskowitz Edelman & Dicker, LLP and Mr. Paul Tokasz from Patricia Lynch Associates, were available via telephone conference.

Mr. Kiedrowski informed the Board that Mr. Kane reviewed discussions with the NY Gaming meeting. There will be a deduction in our NYGA dues for 2015.

Mr. Kane informed the committee that he and Mr. Wojtaszek would be meeting with Mr. Ed Burns, General Counsel at the NYS Gaming Commission in Schenectady on November 12, 2014.

The Legislative Committee was adjourned.

**7. Insurance Committee Report:**

No meeting was held.

**8. Advertising Committee Report:**

Committee Vice-Chairman James Foley reported the Advertising and Promotions Committee met on Wednesday, October 22, 2014 at 2:00 p.m.

Director of Marketing, Ryan Hasenauer, and General Manager of Live Racing, Todd Haight, presented OTB events and recapped Live Racing events including the Kane Memorial Race. The Breeder's Cup Party was previewed.

Mr. Hasenauer recapped October's promotions and previewed November's Thanksgiving themed promotions. The profits seen on band nights were shown to the Board. Marketing will be advertising the New Year's Eve party in order to ensure a sellout of the Paddock Room.

Mr. Haight informed the Committee of the upcoming promotions for November.

The Advertising and Promotions Committee adjourned at 2:30p.m.

**9. Audit Committee Report:**

Committee Chairman Mr. Bassett reported the Audit Committee met on Wednesday September 24, 2014 at 4:30 p.m.

Staff presented an Anti Money Laundering Policy to be accepted.

Upon motion by Mr. Haberer and seconded by Mr. Bassett a voice vote was taken. Ayes: 12; Nays: 0; Absent: 1; Lattimore. The motion was approved to accept an Anti-Money Laundering Policy.

The Audit Committee meeting was adjourned.

**10. Batavia Downs Committee Report:**

Vice-Chairman Mr. Siebert reported the Batavia Downs Committee met on Wednesday, October 22, 2014 at approximately 4:00 p.m. and the following was discussed.

Mr. Siebert reported the figures and monthly Status Report with gaming statistics was provided to the committee by Mr. Mark Wolf.

Mr. Siebert reported to the Board that the Batavia Downs Entrance project is on schedule with an end date of December 15, 2014.

Mr. Siebert reported to the board the water fountain is in Wisconsin for repair.

Mr. Siebert reported to the Board the Thurman Thomas Agreement will expire on December 31, 2014. There is a three-year extension contract for \$150,000 with additional responsibilities.

Upon motion by Mr. Seibert and seconded by Mr. Bassett a roll call vote was taken. Ayes: 11; Nays: 1; Haberer, Absent: 1; Lattimore. The motion was approved to extend the Thurman Thomas contract.

Mr. Siebert reported to the Board that Staff recommends the purchase of food and paper supplies from Maines Paper and Food Service at a cost not to exceed \$24,999 for the remainder of 2014.

Upon motion by Mr. Seibert and seconded by Mr. Garner a roll call vote was taken. Ayes: 12; Nays: 0; Absent: 1; Lattimore. The motion was approved to purchase food supplies from Maines Paper and Food Service. **(Resolution # 40-2014).**

11. **Branch Operations Committee Report:**

Chairperson Garner reported that the Committee met on Thursday, October 23, 2014 at 9:35 a.m.

Mr. Wojtaszek informed the Committee that the Newark sale should be closing by January with a net of \$395,000 for OTB. There will be a (3) year lease with an eighteen (18) month out clause as part of this sale. The Mohawk sale should be closing in a few weeks.

Mr. Merriman informed the Committee that the Oaks in Corning, Steuben County has been approved and should be open prior to the Breeders Cup. We received information that the New York State Gaming Commission should approve the Wadsworth Grill in Livingston County soon.

Mr. Schiano informed the Committee that Batavia Bets handle for the month of October would be about \$100,000 more than 2013. Year to date we are \$1 million ahead of last year and projections for the year should be close to \$7.5 million.

Mr. Schiano thanked Director Mazur for representing the Board at the Manager's Meeting that was held on Monday, October 20, 2014.

The Branch Operations Committee meeting adjourned at 9:49 a.m.

12. **Resolutions:**

- 40-2014 – Maines
- 41-2014 – Staples
- 42-2014 – Erie County Snowplowing
- 43-2014 – Monroe County Snowplowing
- 44-2014 – Niagara County Snowplowing

13. **Unfinished Business:**

No unfinished business.

14. **New Business:**

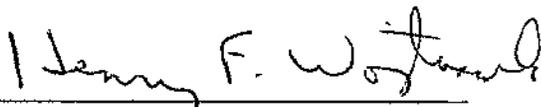
Mr. Ricci asked that while the National Anthem was playing that all track personnel and Horsemen stop what they are doing to honor America.

The next Committee and Board meetings will be held on December 3 and 4, 2014 respectively.

**Adjournment:**

Mr. Lauderdale made a motion to adjourn which Mr. Haberer seconded. The meeting was adjourned at 10:25 a.m.

Respectfully submitted,

  
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Secretary to the Board