

1. Mr. Bianchi asked Director Paul Lattimore to proceed as Temporary Chairman. Mr. Lattimore continued to conduct the annual nomination proceedings for Chairman of the Board.
2. Mr. Lattimore asked for nominations from the floor for the position of Chairman of the Board of Directors. Mr. Bassett nominated Mr. Richard Bianchi. The motion was seconded by Mr. Clifford. Mr. Garner requested to close the request for nominations. The result was 11 Aye votes for Bianchi: Garner, Lattimore, Mazur, Wamp, Bianchi, Kiedrowski, Darrow, Bassett, Ricci, Clifford; 5 Abstain votes: Haberer, Ruckman, Tuohey, Smith, and Gallo; Absent: Siebert.
3. Newly elected Chairman Bianchi asked if there were nominations from the floor for Vice Chairman. Mr. Ruckman proceeded to say that the person that he wishes to nominate is ethical, is straight forward, believes in the rule of law, and would serve constituents in a manner above reproach, and would not practice questionable methods in the political process. Mr. Ruckman nominated Ms. Marcia Tuohey for the position of Vice Chairman. The motion was seconded by Director Richard Haberer. Ms. Tuohey gracefully declined nomination for personal reasons. Mr. Paul Lattimore nominated Mr. Thomas Wamp. The motion was seconded by Ms. Mazur. Mr. Garner requested to close the request for nominations and was seconded by Mr. Haberer. Ayes 15: Garner, Haberer, Ruckman, Mazur, Wamp, Bianchi, Kiedrowski, Darrow, Bassett, Smith, Ricci, Clifford, Gallo and Foley. Nays: 0; Abstain 1: Tuohey; Absent: Siebert.
4. **Approval of Previous Minutes:**

Chairman Bianchi called for amendments, additions, deletions, or corrections to the minutes of the previous meeting of December 1, 2011. There being none, a motion was made by Mr. Garner and seconded by Mr. Ruckman to approve the minutes as submitted. The minutes were approved unanimously by a voice vote.
5. **Communications:**

General Counsel Wojtaszek reported one communication. A letter was received by Sean Schiano on December 5th which was a thank you letter for a donation to the New York Branch of National Center for Missing & Exploited Children.

6. **Officers' Reports:**

There were no Officer's Reports.

7. **Finance Committee Report:**

Committee Chairman Ron Darrow reported that the Finance Committee meeting was held on Wednesday, January 18, 2012 at 3:25 p.m. and the following business was considered.

a. Mrs. Gayle Ashbery reviewed with the Committee the results of the public bid for cleaning services for Erie and Niagara county branches which was held on January 12, 2012.

A motion was made by Mr. Lattimore and seconded by Mr. Bassett to award the cleaning services at McKinley, French Road, Clinton Street, Ridge Lea, Grant Street, Wehrle, Delaware, Pine, Military, Transit and Main Street to ABC Cleaning Services in the monthly amount of \$15,028.00 commencing on March 1, 2012 thru February 28, 2014 with an option to extend 2 successive periods in length at the same bid price. A roll call vote was taken. Ayes: 16, Nays: 0, Absent: Siebert. The motion to approve the resolution was carried unanimously. **(See Resolution # 2-2012 and attachment).**

b. Mrs. Gayle Ashbery advised the Committee that a public bid was held on January 12, 2012 for courier service for our outlying OTB branches.

A motion was made by Mr. Darrow and seconded by Mr. Lattimore to award the courier service to Prestige Delivery in the amount of \$403.00 per week. The contract will begin February 1, 2012 thru February 28, 2014 with an option to extend one year. A roll call vote was taken. Ayes: 16, Nays: 0, Absent: Siebert. The motion to approve the resolution was carried unanimously. **(See Resolution # 3-2012 and attachment).**

c. Mrs. Jackie Leach presented the November 2011 Comptroller's Report to the Committee for informational purposes only. In November surcharge distributions were made.

The Finance Committee adjourned at 3:34 p.m. with no further actions required from of the Board.

10. Personnel Committee Report:

Committee Chairperson Wamp reported the Personnel Committee met on Wednesday, January 18, 2012 at 2:00 p.m.

- a. Mr. Wamp indicated that the Committee was briefed by Mr. White regarding the completed employee evaluations. A complete set of employee evaluations are available for review in the Human Resources office.
- b. Mr. Wamp reported Mrs. Annie Lawrence and Mr. Michael Kane provided a summary of various insurances and more specifically post age 65 medical benefits.
- c. Within the next couple of month's staff has been requested to review personnel job titles and the responsibilities to insure the accuracy. A full report to the Committee is to follow.

11. Legislative Committee:

Committee Chairman Haberer reported that the Legislative Committee met on Wednesday, January 18, 2012 at 3:30 p.m. Ms. Lisa Marrello and Mr. Nicholas Antenucci from Wilson Elser Moskowitz Edelman & Dicker, LLP was available via telephone conference. Also Mr. Nick Spano from Empire Strategic Planning was on the call as well.

- a. Representatives of Wilson Elser discussed with the Committee the Governor's executive budget and the details within. The formation of a New York State gaming committee which would oversee the NYS Wagering & Racing Committee and the New York Lottery agencies, gambling and gaming. This committee would also include a law enforcement component which would be provided by the NY State Police. If this gaming commission does come into play, this will be overseen by a five person committee appointed by the Governor.
- b. A discussion regarding the possible changes to the Advanced Deposit Wagering (ADW) regulations.
- c. Another topic of discussion is the effects of the possibility expenses of a starter and a judge during race season which may be absorbed partially by the racetrack that currently is not an expense.
- d. Mr. Nick Spano provided a report to the Committee on the Governor's budget and items that may effect WROTBC. He provided what possible impact if agreements between Seneca Nation and New York State in the gaming area may have.

11. Legislative Committee (continued):

e. Mr. Kane provided the Committee with New York Gaming Association's topics.

f. Mr. Kane discussed with the Committee the status of the process in regards to the NYRA payout issue.

g. Chairman Bianchi requested Board's approval of the resolution to support full casino gaming at the nine existing racinos in New York State.

A motion was made by Mr. Ruckman and seconded by Ms. Mazur to support full casino gaming in NYS racinos. A roll call vote was taken. Ayes: 15, Nays: 0, Abstain: 1, Haberer, Absent: Siebert. The motion to approve the resolution was carried. **(See Resolution # 1-2012).**

h. A motion was made by Mr. Haberer that Mr. Porter, President of the Seneca Nation attends the February Board Meeting to discuss matters of mutual concern. The motion was seconded by Mr. Ruckman. The motion was debated. Mr. Bianchi then made a motion to table the previous motion which was seconded by Mr. Garner. A voice vote was taken. Ayes: 15, Garner, Lattimore, Ruckman, Mazur, Wamp, Bianchi, Kiedrowski, Tuohey, Darrow, Bassett, Smith, Ricci, Clifford, Gallo, Foley Nays: 1, Haberer, Absent: Siebert.

i. Mr. Bianchi directed Messrs. Kane, Haberer and Wojtaszek to immediately contact Mr. Porter to discuss matters of mutual concern.

12. Insurance Committee:

Chairman Paul Lattimore reported that the Insurance Committee met on Thursday, January 19, 2012 at 9:30 am. to inform the Board the Blue Cross/Blue Shield is going paperless in regards to invoicing and statements. This was for informational purposes only.

13. Advertising Committee:

Chairperson Jim Foley reported that the Committee met on Wednesday, January 18, 2012 at 5:15 p.m.

- a. OTB promotions and events were summarized by Ryan Hasenauer, Todd Haight and Sean Schiano. Past events included the Santa's tour of OTBs and the Webster Branch grand opening celebration.
- b. Future OTB promotions advertisements were presented by Ryan Hasenauer.
- c. The Committee was briefed with the December casino promotions which included the New Year's Eve celebration.
- d. The Casino promotions for January were reviewed. The February Mustang drawing was presented.
- e. The new onsite Tim Horton's restaurant was reviewed.
- f. Upcoming group sales were provided and an upcoming collectors show was noted.
- g. Community events included the Darien Lake Sponsorship and the Muckdogs Baseball sponsorship.
- h. The TV Shoot featuring Thurman Thomas was recapped.
- i. Director Clifford summarized events of the 2011 Symposium on Racing & Gaming which was held in Tucson, AZ.

The committee meeting adjourned at 6:00 p.m. No action was required by the Board.

14. Audit Committee:

Chairperson Dennis Bassett indicated that the Committee met on January 18, 2012 at 2:40 pm.

Chairman Bassett told the Committee that he still believes that an iPad would be beneficial to the Directors. Mr. Mike Kane discussed with the Committee aspects relating to iPads and the alternatives for means of communication to forward the necessary information to the Board. The process of purchasing iPads will be pursued with the scheduling of necessary training.

14. Audit Committee (continued):

Mr. Steve Haigh provided the Committee with a summary of the year-end gaming audit reports. After Lottery reviewed the reports they indicated that they were pleased.

Mr. Haigh also briefed the Committee with respect to Assistant Director of Security Dan Wood's pro-active steps used by issuing procedures for the contractors and staff to use during the smoking room construction project.

No action by the Board was required.

15. Ethics Committee:

Mr. Bianchi noted that there is no official Committee at this time.

a. Mr. Henry Wojtaszek reported that the Ethics Board will be comprised of three members. Both Lisa Zaragoza of Monroe County and Gordon Brown of Wyoming County have accepted positions on the Ethics Board. The third member will be announced at a later date.

16. Batavia Downs Committee:

Committee Chairperson Paul Lattimore reported to the Board that the Batavia Downs Committee had met on Wednesday, January 18, 2012 at approximately 3:30 p.m.

a. The monthly Status Report with gaming statistics was provided to the Committee by Mark Wolf.

b. The Committee was provided with financial statistics.

c. Mr. Michael Kane indicated the submittal of the Capital Awards Project for the relocation of Gaming to the first floor is pending approval by the NY Lottery.

d. The expansion of the south smoking room which is being spear-headed by Tom Balk is reported to be moving on schedule.

e. Mr. Dan Maloney provided the Committee with a report of the closing of winter stabling for the 2011 race season.

No action was required by the Board.

17. Branch Operations:

Committee Chairman Maurice Garner reported that the Committee met on Thursday, January 19, 2012 at approximately 9:30 a.m.

- a. Messrs. Schiano and Merriman provided the committee with the Webster grand opening party and the good turnout for this event.
- b. Mrs. Algier provided the Committee with an update of the search for a new location for the Niagara Falls branch.
- c. The Committee was informed by Mr. Schiano that the concessionaire at the Phoenix location has been scheduled for inspection by the Health Department within the week.
- d. Mr. Haas has received three of four pending proposals for the website update.
- e. Negotiations regarding the United Tote contract is ongoing.
- f. Mr. Schiano informed the Committee that the Gates Pub and the Firehouse Salon is on the New York State Racing and Wagering Board's agenda for approval. EZ Bet applications for Kelly Hotel, Chili Country Club, and Back Nine will be submitted to the Racing & Wagering Board for approval shortly. The newly approved EZ Bet, The Candlelight Restaurant, in Oswego County is open.

No action required by the Board.

18. Property/Real Estate:

Chairman John Clifford reported that the Committee met on January 18, 2012 at 3:10 p.m.

- a. Mrs. Algier provided the Committee with a review of the following branches: State Street, Hudson Avenue, Grant Street, 101 West Union Street, Corning and Auburn.
- b. It was noted that Seneca Falls & Clinton Street will be having drywall repairs and interior painting in the near future.
- c. The McKinley and Wehrle locations proposals for exterior electric outlets were received which will be used for the heat tape for the roof.

18. Property/Real Estate (continued):

d. The last day of business for the Dunkirk and East Rochester branch locations will be January 21st.

e. A purchase offer for the Woodlawn property in the amount of \$85,000 was received.

A motion was made by Ms. Mazur and seconded by Mr. Smith for the sale of the Woodlawn property in the amount of \$85,000. A voice vote was taken.
Ayes: 16, Nays: 0, Absent: Siebert.

The Committee meeting was adjourned at 3:19 p.m.

19. Resolutions:

# 1-2012	Support Full Casino Gaming
# 2-2012	Erie & Niagara County Branch Cleaning
# 3-2012	Courier Service

20. Unfinished Business:

There was no unfinished business.

21. New Business:

Mr. John Clifford requested that Mr. Kane breakdown the article in the Democrat & Chronicle newspaper regarding the \$40 million net revenue that the gaming operation has made. Mrs. Leach will provide the Directors with a spreadsheet which will support this.


The next Committee and Board meetings will be held on February 22 and February 23, 2012 respectively.

Mr. Bianchi expressed his gratitude for the Director's support. He indicated that 2012 will be a big year for Western Regional Off-Track Betting Corporation which includes construction and that it will be profitable for the Corporation and the municipalities.

22. Adjournment:

Mr. Bassett made a motion to adjourn which was seconded by Mr. Foley. The meeting was adjourned at 10:45 a.m.

Respectfully submitted,


Secretary to the Board

HFV/dmf