

**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 5th day of December 2019, and commencing at 12:42 p.m. in the *Robert J. Kane Board Room*, Corporate Headquarters at 8315 Park Road Batavia, New York.

**Participating were:**

Buffalo	Michelle Parmer-Garner
Cattaraugus	Richard E. Haberer
Chautauqua	Allan Hendrickson
Erie	Beverly A. Mazur
Genesee	Richard Siebert
Livingston	Thomas P. Wamp
Monroe	Richard D. Bianchi
Oswego	Ronald B. Darrow
Rochester	Dennis Bassett
Seneca	Richard L. Ricci
Steuben	Norman Schneider
Wayne	Ken Lauderdale
Wyoming	Susan May

**Absent:**

P. Lattimore  
E. Winter  
E. Morgan  
P. Barnes

constituting the Directors of all participating municipalities.

Also participating were: Henry F. Wojtaszek, President & CEO; Michael P. Nolan, Chief Operating Officer; Scott Kiedrowski, Vice President Operations; William R. White, Vice President – Administration; Jacquelyne Leach, Chief Financial Officer; Mark Gabriele, Associate General Counsel; Steven Haigh, Internal Auditor; Ryan Hasenauer, Director of Marketing-WROTB & Video Gaming; Cindy DeCarlo, Controller; Mark Wolf, General Manager of Gaming; Sean Schiano, Director of Branch Operations; Todd Haight, Director /General Manager-Live Racing, Jake Rak, Controller WROTB Operations; Edward J. Merriman, Manager of Branch Operations; Megan Glor, Director of Purchasing/Real Estate,

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

Chairman 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 meetings of October 24, 2019 and November 19, 2019. There being none, a motion was made by Director Bassett and seconded by Director May to approve the October and November minutes as submitted. The minutes were approved unanimously by a voice vote.

2. **Communications:**

Mr. Scott Kiedrowski, Vice-President Operations informed the Board of the following thank you notes:

A thank you note from Danielle Bevacqua of Niagara Rises for the "Me & Mine" Golf Tournament sponsorship on September 15, 2019.

A thank you note from Benjamin D. Marchione, Regional Director of Make-A-Wish, for the Stay and Play package provided to support the 25<sup>th</sup> Anniversary Radiothon Make-A-Wish event.

A thank you note from Jason Masurkiewicz, Executive Director of the Boys & Girls Club of Eden-Lake Shore for the Stay and Play package provided in support of this year's "Spooktacular Cash for Kids Bash".

A thank you note from Holly Dutcher, Executive Director of C.U.R.E. Childhood Cancer Association for the Stay and Play package provided in support of the 11<sup>th</sup> Annual "Recipe For A Cure".

3. **Officers' Reports:**

There were no Officers reports.

4. **Personnel Committee Report:**

Committee Chairman Winter, called the Personnel Committee meeting to order at 9:54 a.m. on Thursday December 5, 2019 and the following business was discussed.

**4. Personnel Committee Report continued:**

Mr. William R. White, Vice President-Administration informed the Committee that all Employee Evaluations have been submitted and reviewed.

Mr. White informed the Committee that New York State Retirement has a standard workday form that they use for all employees but this was tabled until next month allowing for staff to prepare our own form.

Mr. White and Mr. Henry Wojtaszek, President & CEO discussed issues with the smoking rooms in regard to employees performing their duties. Despite Mr. White's efforts in contacting the New York State Health Department and other agencies, the Corporation has decided to continue performing duties as they are currently.

Chairman Bianchi reported that the Corporate vehicle assigned to Mr. Sean Schiano, Director of Branch Operations will be turned in additionally with previously turned in Corporate vehicle by Mr. Wojtaszek. He and Mr. Schiano will receive an increased salary of \$7,000.00.

Upon motion by Director May and seconded by Director Ricci, a voice vote was taken. The motion passed to approve the vehicle turn in and the increased salary of \$7000.00 for Mr. Schiano and Mr. Wojtaszek. Ayes: 13; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes.

Chairman Bianchi reported that Mr. Wojtaszek submitted a small list of approximately twenty employees of which he recommended for a merit raise along with a 3% increase to non-union employees for 2020 with a 3.0 or above average on their evaluation.

Upon motion by Director May and seconded by Director Wamp, a voice vote was taken. The motion passed to approve the merit increase and the 3% increase to non-union employees for 2020 with an average of 3.0 or above on their evaluation. Ayes: 13; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes.

The Personnel Committee meeting adjourned at 10:00 a.m.

5. **Finance Committee Report:**

Committee Chairman Lauderdale, called the Finance Committee meeting to order at 10:00 a.m. on Thursday, December 5, 2019 and the following business was discussed.

Staff informed the Committee of the Resolution needed for the purchase of office supplies, janitorial supplies, paper products and water from State Contract vendor W.B. Mason Co. in the amount of \$150,000.00.

Upon motion by Director Lauderdale and seconded by Director Schneider, a roll call vote was taken. The motion passed to approve the purchase of office supplies, janitorial supplies, paper products and water from State Contract vendor W.B. Mason Co. in the amount of \$150,000.00. Ayes: 13; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. **(See Resolution #110-2019).**

Staff informed the Committee of the Resolution needed for the purchase of gas cards from Wex Inc. for 2020 in the amount of \$65,000.00.

Upon motion by Director Lauderdale and seconded by Director Ricci, a roll call vote was taken. The motion passed to approve the purchase of fuel whole conducting Western's business from Wex Inc. for 2020 in the amount of \$65,000.00. Ayes: 13; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. **(See Resolution #112-2019).**

Staff informed the Committee of the Resolution needed for the purchase of office supplies, janitorial supplies and paper products from State Contract vendor Staples for 2020 in the amount of \$50,000.00.

Upon motion by Director Lauderdale and seconded by Director Darrow, a roll call vote was taken. The motion passed to approve the purchase of office supplies, janitorial supplies and paper products from State Contract vendor Staples for 2020 in the amount of \$50,000.00. Ayes: 13; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. **(See Resolution #116-2019).**

**5. Finance Committee Report:**

Mrs. Jacquelyne A. Leach, Chief Financial Officer reviewed the October 2019 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation has distributed \$75,660 in surcharge to member municipalities for October. The Corporation also generated operational earnings of \$192,280.

Mrs. Leach also reviewed the October 2019 Batavia Downs results of operations, and provided information on credits played, net win and free play, food and beverage, and other statistics.

Mrs. Leach informed Committee members the NYGA numbers are in member folders for review.

Mrs. Leach presented the 2020 Final Operating Plan to the Committee highlighting Plan assumptions and certain revenues and expenses. The Final Operating Plan is presented as a fluid working document. Its purpose is to facilitate discussion amongst WROTBC Management and the Board of Directors. The Plan projects surcharge revenues available to municipalities in the amount of \$985,531 and annualized operational earnings of \$1,720,037. A motion was made by Director Darrow, seconded by Director Winter, and carried unanimously to bring the 2020 Operating Plan, as presented to the full Board.

The Finance Committee meeting adjourned at 10:20 a.m.

**6. Advertising Committee Report:**

Committee Chairperson May reported the Advertising Committee meeting was held on Thursday December 5, 2019 at 10:20 a.m. and the following business was discussed.

Mr. Todd Haight, Director/GM Live Racing/Branch Ops Specialist delivered a presentation of past OTB and Live Racing events. Upcoming Live Racing Events were previewed.

6. **Advertising Committee Report continued:**

Mr. Ryan Hasenauer, Director of Marketing-WROTBC & Video Gaming informed the Committee of the Resolution needed for Joe Hand Promotions to show UFC wrestling and boxing events inside 34 Rush on select dates in 2020.

Upon motion by Director May and seconded by Director Haberer, a roll call vote was taken. The motion passed to approve Joe Hand Promotions to show UFC wrestling and boxing events inside 34 Rush on select dates in 2020 in the amount not to exceed \$45,000.00. Ayes: 14; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. **(See Resolution #104-2019).**

Mr. Hasenauer informed the Committee of the Resolution needed for Genesee Valley Pennysaver a sole source provider for local advertising and promotions during the 2020 year.

Upon motion by Director May and seconded by Director Siebert, a roll call vote was taken. The motion passed to approve Genesee Valley Pennysaver a sole source provider for local advertising and promotions during the 2020 year in the amount not to exceed \$53,000.00. Ayes: 14; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. **(See Resolution #105-2019).**

Mr. Hasenauer informed the Committee of the Resolution needed for the 2020 Concert Series at Darien Lake.

Upon motion by Director May and seconded by Director Siebert, a roll call vote was taken. The motion passed to approve the Live Nation 2020 Concert Series at Darien Lake in the amount not to exceed \$28,000.00. Ayes: 14; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. **(See Resolution #106-2019).**

Mr. Hasenauer informed the Committee of the Resolution needed for the William Ryan Group, Inc. which provides an application that will allow Western's Marketing department to best serve our gaming customers.

Upon motion by Director May and seconded by Director Ricci, a roll call vote was taken. The motion passed to approve the William Ryan Group, Inc. in the amount not to exceed \$15,000.00 Ayes: 14; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. **(See Resolution #107-2019).**

6. **Advertising Committee Report continued:**

Mr. Hasenauer informed the Committee of the Resolution needed for the Blue Cross Arena food and beverage expenditure for 2020.

Upon motion by Director May and seconded by Director Ricci, a roll call vote was taken. The motion passed to authorize the Blue Cross Arena food and beverage expenditure for 2020 in the amount not to exceed \$15,000.00 Ayes: 14; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. (See Resolution #108-2019).

Mr. Hasenauer informed the Committee of the Resolution needed to advertise with Facebook and Instagram during the 2020 year.

Upon motion by Director May and seconded by Director Wamp, a roll call vote was taken. The motion passed to advertise with Facebook and Instagram during the 2020 year in the amount not to exceed \$25,000.00. Ayes: 14; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. (See Resolution #109-2019).

Mr. Hasenauer informed the Committee of the Resolution needed for radio and television commercials from Electronic Field Productions for 2020.

Upon motion by Director May and seconded by Director Hendrickson, a roll call vote was taken. The motion passed to purchase professional services for radio and television commercials from Electronic Field Productions for 2020 in the amount not to exceed \$14,000.00. Ayes: 14; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. (See Resolution #113-2019).

Mr. Hasenauer informed the Committee of the Resolution needed from Mark-It-Smart the lowest responsible bidder for items for patron promotions to be given away.

Upon motion by Director May and seconded by Director Lauderdale, a roll call vote was taken. The motion passed to purchase from Mark-It-Smart the lowest responsible bidder for items for patron promotions to be given away in the amount not to exceed \$51,200.00. Ayes: 14; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. (See Resolution #119-2019).

Mr. Hasenauer informed the Committee of the Resolution needed for Zenger Group, the lowest responsible bidder for the period February 1, 2020 through January 31, 2021 for direct mail solicitations.

6. **Advertising Committee Report continued:**

Upon motion by Director May and seconded by Director Lauderdale, a roll call vote was taken. The motion passed to contract with Zenger Group, the lowest responsible bidder for the period February 1, 2020 through January 31, 2021 for direct mail solicitations in the amount not to exceed \$70,000.00. Ayes: 14; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. (See Resolution #121-2019).

The Advertising Committee meeting adjourned at 10:42 a.m.

7. **Legislative Committee Report:**

Committee Chairman Hendrickson reported that the Legislative Committee meeting was held on Thursday, December 5, 2019 at 12:00 p.m. and the following business was discussed.

Mr. Wojtaszek informed the Committee of the Resolution needed for continued professional guidance from Upstate Strategic Advisors, LLC.

Upon motion by Director May and seconded by Director Lauderdale, a roll call vote was taken. The motion passed to approve the continued professional guidance from Upstate Strategic Advisors, LLC. for six months effective January 1, 2020 through June 30, 2020 at a rate of \$5,500.00 per month Ayes: 13; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. (See Resolution #131-2019).

Mr. Wojtaszek informed the Committee of the Resolution needed for continued professional guidance from Mercury Public Affairs, LLC.

Upon motion by Director May and seconded by Director Lauderdale, a roll call vote was taken. The motion passed to approve the continued professional guidance from Mercury Public Affairs, LLC for six months effective January 1, 2020 through June 30, 2020 at a rate of \$8,000.00 per month Ayes: 13; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. (See Resolution #132-2019).



7. **Legislative Committee Report continued:**

A motion was made at 12:04 p.m. to enter into Executive Session by Director Lauderdale and seconded by Director May.

The Committee came out of Executive Session and the Legislative Committee meeting was adjourned at 12:30 p.m.

8. **Insurance Committee Report:**

The Insurance Committee did not meet.

9. **Audit Committee Report:**

The Audit Committee did not meet.

10. **Batavia Downs Operations Committee Report:**

Committee Vice-Chairman Siebert reported the Batavia Downs Operations Committee meeting was held Thursday, December 5, 2019 at 10:46 a.m. and the following business was discussed.

Mr. Mark Wolf, General Manager --Video Gaming, provided the Committee gaming statistics.

Mr. Michael P. Nolan, Chief Operating Officer, updated the Committee that the warehouse project is moving forward and bid documents are expected to go out within the next three or four weeks. He is expecting to bring the bid numbers to the February meeting and the project to begin in early spring.

A Resolution was presented by Ms. Glor for Allied Waste of North America, LLC who submitted a bid in the amount of \$45,223.56 for two (2) eight (8) yard dumpsters to be serviced Monday through Friday.

10. **Batavia Downs Operations Committee Report:**

Upon motion by Director Siebert and seconded by Director Ricci, a roll call vote was taken. The motion passed to accept Allied Waste of North America LLC who submitted a bid in the amount of \$45,223.56 for two (2) eight (8) yard dumpsters to be serviced Monday through Friday. Ayes: 13; Nays: 0; Absent: Lattimore, Morgan and Barnes. **(See Resolution #117-2019).**

A Resolution was presented by Mr. Kiedrowski for the 2020 purchase of food & beverage products from various vendors from delineated list not to exceed amounts set.

Upon motion by Director Siebert and seconded by Director Lauderdale, a roll call vote was taken. The motion passed to accept the 2020 purchase of food & beverage products from various vendors from delineated list not to exceed amounts set. Ayes: 13; Nays: 0; Absent: Lattimore, Morgan and Barnes. **(See Resolution #118-2019).**

A Resolution was presented by Ms. Glor for the purchase of various building and repair items from Home Depot in the amount not to exceed \$50,000.00.

Upon motion by Director Siebert and seconded by Director Lauderdale, a roll call vote was taken. The motion passed to accept the purchase of various building and repair items from Home Depot in the amount not to exceed \$50,000.00. Ayes: 13; Nays: 0; Absent: Lattimore, Morgan and Barnes. **(See Resolution #122-2019).**

A Resolution was presented by Ms. Glor for Hill & Marks for the additional purchase of paper and plastic for the period ending March 29, 2020 not to exceed \$60,000.00.

Upon motion by Director Siebert and seconded by Director Winter, a roll call vote was taken. The motion passed to accept the purchase for Hill & Marks for the additional purchase of paper and plastic for the period ending March 29, 2020 not to exceed \$60,000.00. Ayes: 13; Nays: 0; Absent: Lattimore, Morgan and Barnes. **(See Resolution #123-2019).**

A Resolution was presented by Ms. Glor for Hanson Aggregates for material needed to resurface the racetrack in the amount not to exceed \$30,000.00.

10. **Batavia Downs Operations Committee Report:**

Upon motion by Director Siebert and seconded by Director Haberer, a roll call vote was taken. The motion passed to accept the purchase for material needed to resurface the racetrack in the amount not to exceed \$30,000.00. Ayes: 13; Nays: 0; Absent: Lattimore, Morgan and Barnes. **(See Resolution #124-2019).**

A Resolution was presented by Ms. Glor for Cintas for an approved federal bid provider for walk off mat services and cleaning chemical purchases in 2020 in the amount not exceed \$50,000.00.

Upon motion by Director Siebert and seconded by Director Hendrickson, a roll call vote was taken. The motion passed to accept Cintas an approved federal bid provider for walk off mat services and cleaning chemical purchases in 2020 in the amount not exceed \$50,000.00. Ayes: 13; Nays: 0; Absent: Lattimore, Morgan and Barnes. **(See Resolution #125-2019).**

A Resolution was presented by Ms. Glor for the 2020 purchase of low sulfur diesel fuel from Goetz Energy Corporation in the amount not to exceed \$20,000.00.

Upon motion by Director Siebert and seconded by Director Hendrickson, a roll call vote was taken. The motion passed to accept for the 2020 purchase of low sulfur diesel fuel from Goetz Energy Corporation in the amount not to exceed \$20,000.00. Ayes: 13; Nays: 0; Absent: Lattimore, Morgan and Barnes. **(See Resolution #126-2019).**

A Resolution was presented by Ms. Glor for the 2020 purchase of low sulfur diesel fuel from Sunoco, LLC in the amount not to exceed \$20,000.00.

Upon motion by Director Siebert and seconded by Director Ricci, a roll call vote was taken. The motion passed to accept for the 2020 purchase of gasoline fuel for its pump located at Batavia Downs from Sunoco, LLC in the amount of \$20,000.00. Ayes: 13; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. **(See Resolution #127-2019).**

A Resolution was presented by Ms. Glor for cleaning supplies toilet paper and garbage bags from Corr Distributers, Inc. in the amount \$20,000.00.

10. **Batavia Downs Operations Committee Report:**

Upon motion by Director Siebert and seconded by Director Lauderdale, a roll call vote was taken. The motion passed to accept the purchase of cleaning supplies toilet paper and garbage bags from Corr Distributors, Inc. in the amount \$20,000.00. Ayes: 13; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. **(See Resolution #128-2019).**

A Resolution was presented by Ms. Glor for the 2020 purchase of custodial supplies at Batavia Downs from Hill & Markes in the amount of \$40,000.00.

Upon motion by Director Siebert and seconded by Director Mazur, a roll call vote was taken. The motion passed to accept the 2020 purchase of custodial supplies at Batavia Downs from Hill & Markes in the amount of \$40,000.00. Ayes: 13; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. **(See Resolution #129-2019).**

A Resolution was presented by Ms. Glor for the 2020 purchase of cleaning supplies toilet paper and garbage bags from Hillyard Inc. in the amount of \$40,000.00.

Upon motion by Director Siebert and seconded by Director Hendrickson, a roll call vote was taken. The motion passed to accept the 2020 purchase of cleaning supplies toilet paper and garbage bags from Hillyard Inc. in the amount of \$40,000.00. Ayes: 13; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. **(See Resolution #130-2019).**

A Resolution was presented by Ms. Glor for the three year software agreement with IK Systems, Inc. in the amount of \$46,910.00.

Upon motion by Director Siebert and seconded by Director Darrow, a roll call vote was taken. The motion passed to accept the three year software agreement with IK Systems, Inc. in the amount of \$46,910.00. Ayes: 13; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. **(See Resolution #133-2019).**

The Batavia Downs Committee meeting adjourned at 11:11 a.m.

11. **Branch Operations Committee Report:**

Committee Chairperson Mazur reported the Branch Committee meeting was held on Thursday, December 5, 2019 at 11:15 a.m. and the following business was discussed.

Mr. Edward J. Merriman, Manager of Branch Operations showed pictures of work done by Rochester Maintenance in Hornell. He also mentioned the new sign at McKinley and the HVAC work being done at Wehrle. EJ also mentioned that he and Sean, with help from other departments, are updating Branch Manual.

Mr. James Haas, Communications Manager/Mutuels Manage reported Batavia Bets was up \$112,000 or 14% in October. November was up \$97,000 or 9.6%. Year to date we are up \$804,000 or 7%.

Mr. Sean Schiano, Director of Branch Operation reviewed grand opening parties and reported the application for Tin Pan Alley in Lewiston has been submitted.

Mr. Schiano reviewed the upcoming schedule of Branch Holiday visits.

Mr. Schiano informed the Committee of the Resolution needed for the Daily Racing Forms.

Upon motion by Director Mazur and seconded by Director Wamp, a roll call vote was taken. The motion passed to accept the single source provider The Daily Racing Form for 2020 in the amount not to exceed \$70,000.00. Ayes: 13; Nays: 0; Absent: Lattimore, Winter, Morgan and Barnes. (**See Resolution #103-2019**).

A motion was made by Chairman of the Board Bianchi, seconded by Director Bassett to enter into Executive Session at 11:25 a.m.

The Committee came out of Executive Session at 11:40 a.m. The scheduled Resolutions for the French Road and Newark Leases – Resolutions #114-2019 and #115-2019 were both tabled until next month.

The Branch Committee meeting adjourned at 11:40 a.m.

**12. Resolutions:**

Resolution #103-2019 Daily Racing Form  
Resolution #104-2019 Joe Hand Production  
Resolution #105-2019 Genesee Valley Pennysaver  
Resolution #106-2019 Live Nation  
Resolution #107-2019 William Ryan Group, Inc.  
Resolution #108-2019 Blue Cross Arena  
Resolution #109-2019 Facebook & Instagram  
Resolution #110-2019 WB Mason  
Resolution #112-2019 WEX Inc.  
Resolution #113-2019 Electronic Field Productions  
Resolution #116-2019 Staples  
Resolution #117-2019 Allied Waste of North America  
Resolution #118-2019 F&B 2020 Annual Purchases  
Resolution #119-2019 Mark It Smart  
Resolution #121-2019 Zenger Group  
Resolution #122-2019 Home Depot  
Resolution #123-2019 Hill & Markes Inc.  
Resolution #124-2019 Hanson Aggregates, Inc.  
Resolution #125-2019 Cintas  
Resolution #126-2019 Goetz Energy Corp.  
Resolution #127-2019 Sunoco, LLC  
Resolution #128-2019 Corr Distributors Inc.  
Resolution #129-2019 Hill & Markes Inc.  
Resolution #130-2019 Hillyard, Inc.  
Resolution #131-2019 Upstate Strategic Advisors, LLC  
Resolution #132-2019 Mercury Public Affairs, LLC  
Resolution #133-2019 IK Systems, Inc.

**13. Unfinished Business:**

There was no unfinished business.

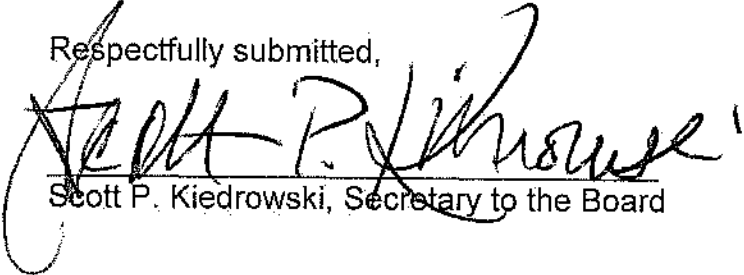
**14. New Business:**

The next Committee and Board meeting is scheduled for January 15 & 16, 2020 respectively.

15. **Adjournment:**

Director Darrow made a motion to adjourn which Director Hendrickson seconded. The meeting was adjourned at 1:22 p.m.

Respectfully submitted,



Scott P. Kiedrowski, Secretary to the Board

/pma

## **RESOLUTION #103-2019**

**WHEREAS**, Western Regional Off Track Betting Corporation ("Western") provides a tabloid to its horse betting customers at its branch locations, as well as the Inter-Track Wagering at its Batavia, New York facility; and

**WHEREAS**, The Daily Racing Form is a single source provider that offers racing information about history of past horse races, entries for daily races, and how to place bets; and

**WHEREAS**, this tool provides customers with information useful in placing an educated bet; and

**WHEREAS**, Staff recommends that the Board of Director of Western purchase racing forms for 2020 from The Daily Racing Form for an amount not to exceed \$70,000.00; and

**NOW THEREFORE BE IT RESOLVED**, that the Board of Directors of Western authorizes the purchase of racing forms for the 2020 calendar year from The Daily Racing Form in the amount not to exceed \$70,000.00; and

**BE IT FURTHER RESOLVED**, that the Board of Directors of Western authorize an officer to take such action as requested to further this resolution.



Respectfully submitted,

Beverly Mazur, Chairperson  
Branch Operations Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #104-2019

WHEREAS, it is the responsibility of the Western Regional Off-Track Betting Corporation ("Western") to provide the patrons of Batavia Downs Gaming with the best experience available; and

WHEREAS, Western would like to purchase licensing rights from Joe Hand Promotions to show UFC, wrestling and boxing events inside of 34 Rush on select dates in 2020; and

WHEREAS, Joe Hand Promotions, the sole authorized provider, sells access to these packages for select dates in 2020; and

WHEREAS, the staff requests that the Board of Directors of Western authorize the purchase from Joe Hand Promotions licensing rights to show UFC, wrestling and boxing events inside 34 Rush on select dates in 2020; therefore

BE IT RESOLVED, that the Western's Board of Directors hereby authorizes the purchase of licensing rights from Joe Hand Promotions to show select UFC, wrestling and boxing events inside 34 Rush in an amount not to exceed \$45,000.00 for select dates in 2020; and further

RESOLVED, that the Western's Board of Directors hereby authorizes an officer of Western to execute any documentation in furtherance of this resolution.

Respectfully submitted,

Susan May, Chairperson  
Advertising & Promotions Committee

Dated: December 5, 2019  
Batavia, New York

## **RESOLUTION #105-2019**

**WHEREAS**, it is necessary for Western Regional Off-Track Betting Corporation ("Western") to advertise and promote its various events, restaurants and promotions as it relates to the operation of the Batavia Gaming facility; and

**WHEREAS**, Genesee Valley Pennysaver is a sole source provider for local advertising and promotions; and

**WHEREAS**, the Board of Directors of Western wishes to enter into an agreement with Genesee Valley Pennysaver to advertise in its publications during the 2020 year in an amount not to exceed \$53,000; now therefore be it

**RESOLVED**, that the Board of Directors of Western approve an agreement with Genesee Valley Pennysaver to advertise in its publications during the 2020 year in an amount not to exceed \$53,000; and further

**RESOLVED**, that an Officer of Western is authorized to execute such agreement in furtherance of the Board's approval.

Respectfully submitted,

Susan May, Chairperson  
Advertising & promotions Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #106-2019

**WHEREAS**, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation ("Western") contracts with local venues to provide entertainment event tickets for a certain level of our patrons, as well as for special promotions; and

**WHEREAS**, Western would like to purchase a block of eight (8) tickets with parking from Live Nation for the 2020 concert series at Darien Lake; and

**WHEREAS**, Staff recommends that Western enter into an agreement with Live Nation for the purchase of a block of eight (8) tickets with parking for the 2020 concert series at Darien Lake at an amount not to exceed \$28,000.00, Live Nation being a sole source provider; and therefore

**BE IT RESOLVED**, that the Board of Directors of Western hereby approves the purchase of a block of eight (8) tickets with parking from Live Nation for the 2020 concert series at Darien Lake in an amount not to exceed \$28,000.00; and further

**RESOLVED**, that the Board of Directors of Western hereby authorizes an officer of Western to execute an agreement with Live Nation in furtherance of this resolution.

Respectfully submitted,

Susan May , Chairperson  
Advertising & Promotions Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #107-2019

WHEREAS, it is the Corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate Batavia Downs Gaming in an efficient manner, while providing the best experience available to its patrons; and

WHEREAS, William Ryan Group, Inc. ("Ryan") provides an application ("App") that will allow Western's Gaming and Marketing departments to best serve our gaming customers; and

WHEREAS, the Ryan App alerts Gaming and Marketing Personnel when a machine or patron is in need of assistance related to issues regarding Western's Gaming operation; and

WHEREAS, staff requests that the Board of Directors of Western authorize the purchase of the Ryan App for the 2020 year for an amount not to exceed \$15,000.00; and therefore

BE IT RESOLVED, that the Board of Directors of Western authorize the purchase of the Ryan App for the 2020 year for an amount not to exceed \$15,000.00; and

BE IT FURTHER RESOLVED, that an officer of the Corporation is hereby authorized to execute any document in furtherance of this resolution.

Respectfully Submitted,

Susan May, Chairperson  
Advertising & Promotions

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #108-2019

**WHEREAS**, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation ("Western") has contracted with the Blue Cross Arena for rental of a suite for various events at that facility, all of which is to provide entertainment event tickets for a certain level of our patrons, as well as for special promotions; and

**WHEREAS**, Western has also provided our patrons with complimentary food and beverages in the suite during these various suite events; and

**WHEREAS**, Staff requests that the Board of Directors of Western authorize an expenditure for food and beverages at the Blue Cross Arena during events held at the Blue Cross Arena in an amount not to exceed \$15,000.00 for 2020; and therefore

**BE IT RESOLVED**, that the Board of Directors of Western hereby approves the expenditure for food and beverages at the Blue Cross Arena during various entertainment events in an amount not to exceed \$15,000.00 for 2020; and further

**RESOLVED**, that the Board of Directors of Western hereby authorizes an officer of Western to execute any document in furtherance of this resolution.

Respectfully submitted,

Susan May, Chairperson  
Advertising & Promotions Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #109-2019

WHEREAS, It is necessary for Western Regional Off-Track Betting Corporation ("Western") to advertise and promote its various events, restaurants and promotions as it relates to the operation of the Batavia Gaming facility; and

WHEREAS, Facebook and Instagram provide Western with unique social media advertising opportunities to promote the Batavia Gaming facility; and

WHEREAS, the Staff of Western wishes to advertise with Facebook and Instagram during the 2020 year in an amount not to exceed \$25,000.00; and

WHEREAS, the Board of Directors wishes to authorize Western to advertise and promote its various events, restaurants and promotions with Facebook and Instagram during the 2020 year in an amount not to exceed \$25,000; now therefore be it

RESOLVED, that the Board of Directors of Western authorize staff to advertise and promote its various events, restaurants and promotions on Facebook and Instagram during the 2020 year in an amount not to exceed \$25,000; and further

RESOLVED, that an Officer of Western is authorized to execute any documentation in furtherance of the Board's approval.

Respectfully submitted,

Susan May, Chairperson  
Advertising & Promotions Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #110-2019

**WHEREAS,** Western Regional Off-Track Betting Corporation ("Western") purchases office supplies, janitorial supplies, paper products and water for the operation of the existing branches and the Batavia Downs Gaming facility on an as-needed basis; and

**WHEREAS,** the Staff has compared pricing from various available vendors and is recommending such items be purchased from State Contract vendor W.B. Mason Co. Inc., for the period of January 1, 2020 to December 31, 2020; and,

**RESOLVED,** that the Board of Directors of Western approve the purchase of office supplies, janitorial supplies, paper products and water in the amount not to exceed \$150,000.00 from W.B. Mason Co. Inc. for the period of January 1, 2020 to December 31, 2020; and further

**BE IT RESOLVED,** that an Officer of WROTBC is authorized to execute such purchase Agreement in furtherance of the Boards approval of this resolution.

Respectfully submitted,

Ken Lauderdale, Chairman  
Finance Committee

Dated: December 5, 2019  
Batavia, New York



## RESOLUTION #112-2019

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its Batavia Downs location in the most efficient manner possible; and

WHEREAS, Western operates numerous vehicles which are operated by Western employees while conducting business throughout New York State; and

WHEREAS, as part of NYS Contract, Wex Inc. will provide Western with gas cards to be distributed to staff for their purchase of fuel while conducting Western's business in the total amount not to exceed \$65,000.00 for 2020; and

WHEREAS, Staff recommends that the Board approve the purchase of gas cards from Wex Inc. for the 2020 year; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approve the purchase of gas cards from Wex Inc. in the amount of \$65,000.00 for 2020; and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Ken Lauderdale, Chairman  
Finance Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #113-2019

**WHEREAS**, Western Regional Off-Track Betting Corporation ("Western") utilizes television and radio commercials in order to market the facility to our patrons; and

**WHEREAS**, in order to produce professional television and radio commercials, Staff recommends that Western engages Electronic Field Productions to create and such commercials; and

**WHEREAS**, the Board of Western wishes to engage Electronic Field Productions to create and produce professional television and radio commercials for an amount not to exceed \$14,000.00 for the 2020 year; and, therefore

**BE IT RESOLVED**, that the Board of Directors of Western approves the purchase of professional services from Electronic Field Productions for 2020 in the amount not to exceed \$14,000; and

**BE IT FURTHER RESOLVED**, that an officer of Western is hereby authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Susan May, Chairperson  
Advertising & Promotions Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #114-2019

**WHEREAS**, Western Regional Off-Track Betting Corporation ("Western") wishes to maintain a presence in Erie County; and

**WHEREAS**, the Board of Directors of Western, upon recommendation from its officers and staff, recommend that the branch facility located on French Road in Depew, New York continue operating; and

**WHEREAS**, the lease for the French Road branch location will expire on February 28, 2020; and

**WHEREAS**, Staff recommends that Western enter into a thirty-one (31) month lease extension with Joseph Bueme to commence on March 1, 2020 and terminate of September 30, 2022 at an annual rental rate of \$31,020.00; and therefore, be it

**RESOLVED**, that the Board of Directors of the Western hereby approve a thirty-one (31) month lease extension with Joseph Bueme for the branch location at 1460 French Road at an annual rent of \$31,020.00; and

**BE IT FURTHER, RESOLVED**, that Board of Directors of Western authorize an Officer to take such actions as are required to extend the lease upon these terms.

Respectfully submitted,

Beverly A. Mazur  
Chairperson Branch Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #115-2019

**WHEREAS**, Western Regional Off-Track Betting Corporation ("Western") wishes to maintain a presence in Newark, New York; and

**WHEREAS**, the Board of Directors of Western, upon recommendation from its officers and staff, recommend that the branch facility located at 103 West Union in Newark, New York continue operating; and

**WHEREAS**, the lease for the Newark branch location will expire on July 26, 2020; and

**WHEREAS**, Staff recommends that Western enter into a twenty-six (26) month lease extension with Marvin Ventures LLC to commence on July 27, 2020 and terminate of September 26, 2022 at an annual rental rate of \$33,000.00; and therefore, be it

**RESOLVED**, that the Board of Directors of the Western hereby approve a twenty-six (26) month lease extension with Marvin Ventures LLC for the branch location at 103 West Union in Newark, New York at the annual rental rate of \$33,000.00; and

**BE IT FURTHER, RESOLVED**, that Board of Directors of Western authorize an Officer to take such actions as are required to extend the lease upon these terms.

Respectfully submitted,

Beverly A. Mazur  
Chairperson Branch Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #116-2019

**WHEREAS**, Western Regional Off-Track Betting Corporation ("Western") purchases office supplies, janitorial supplies and paper products for the operation of the existing branches and the Batavia Downs Gaming facility on an as-needed basis; and

**WHEREAS**, the Staff has compared pricing from various available vendors and is recommending such items be purchased from State Contract vendor Staples Business Advantage ("Staples") for the period of January 1, 2020 to December 31, 2020 in an amount not to exceed \$50,000.00; and,

**RESOLVED**, that the Board of Directors of Western approve the purchase of office supplies, janitorial supplies and paper products in the amount not to exceed \$50,000.00 from Staples for the period of January 1, 2020 to December 31, 2020; and further

**BE IT RESOLVED**, that an Officer of Western is authorized to execute any such agreements in furtherance of the Boards approval of this resolution.

Respectfully submitted,

Ken Lauderdale, Chairman  
Finance Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #117-2019

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its Batavia Downs location in a clean, clutter-free environment; and

WHEREAS, Western is in receipt of three (3) responses to its request for proposals for a three (3) year agreement to provide dumpster services at its Batavia Downs location; and

WHEREAS, Allied Waste Services of North America LLC d/b/a Republic Services of Buffalo ("Allied") submitted a bid of \$45,223.56 to provide two (2) – eight (8) yard dumpsters to be serviced Monday through Friday at Western's Batavia Downs location; and

WHEREAS, staff recommends that the Board of Directors of Western accept and approve Allied as the lowest responsible bidder with a bid of \$45,223.56; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby accept and approve Allied's bid of \$45,223.56 to provide dumpster service at the Batavia Downs location for a three (3) year period; and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #118-2019

**WHEREAS,** Western Regional Off-Track Betting Corporation ("Western") purchases various food, beverage and various supplies and maintenance items for the operation of the Homestretch Grill, Grandstands, Fortune's, 34 Rush and the Clubhouse restaurant on an as-needed basis; and

**WHEREAS,** based on Western's desire to provide high quality food to our customers, Staff requests the authority to purchase food & beverage products from various vendors in the amounts attached for the 2020 year; and

**WHEREAS,** that the Board of Directors of the Western wishes to purchase the products for 2020 from the delineated list of vendors not to exceed the amounts noted; now therefore, be it further

**RESOLVED,** that the Board of Directors of the Western approves the purchase of various products for 2020 from the delineated list of vendors not to exceed the amounts set forth; and, be it further

**RESOLVED,** that an Officer of Western is authorized to execute such purchases in furtherance of the Board's approval of this resolution.

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: December 5, 2019  
Batavia, New York

VENDOR	2020 BLANKET PO AMOUNT	DESCRIPTION
CH WRIGHT	240,000	BEER/WINE
JEFF CONDIDORIO	20,000	BREADS/ROLLS
EMPIRE MERCHANTS NORTH	130,000	LIQUOR/WINE
JACOB KERN AND SONS	70,000	CIGARETTES/NUTS/CHIPS
LATINA FOOD SERVICE	100,000	DESSERTS/PASTERIES/FOOD
PALMER FOOD SERVICE	800,000	FOOD
PEPSI BOTTLING CORP	175,000	BEVERAGES
SANZO	120,000	BEER/WINE
SOUTHERN WINE & SPIRITS	125,000	WINE/LIQUOR
TARANTINO FOODS	95,000	FOOD
UPSTATE NIAGARA COOPER.	40,000	MILK/ICE CREAM/YOGURTS
U.S. FOODS	500,000	FOOD
TOTAL \$	2,415,000	



## RESOLUTION #119-2019

**WHEREAS**, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation ("Western") purchases various promotional items that are given away to patrons of Batavia Gaming; and

**WHEREAS**, Western has sent out an RFP to five (5) vendors requesting pricing for various items; and

**WHEREAS**, Mark-It-Smart Inc. ("Smart") was the lowest responsible bidder to purchase the following items for patron promotions:

Tote Bags in the amount of \$9,580.00;

Travel Bags in the amount of \$19,800.00;

Duffel Bags in the amount of \$16,760.00.00; and

Toiletry Bags in the amount of \$5,160.00.

**WHEREAS**, Staff requests that the Board approve the above referenced purchases to be used as promotional items from Smart to be given away to various patrons of Batavia Gaming in an amount not to exceed each of the specific amounts above; and therefore

**BE IT RESOLVED**, that the Board of Directors of Western hereby acknowledges and approves that Western enter into a series of purchase agreements with Smart for the purchase of the various promotional items set forth above to be given away to various patrons of Batavia Gaming in an amount not to exceed each of the specific amounts set forth above; and further

**RESOLVED**, that the Board of Directors of Western hereby authorizes an officer of Western to execute any such agreements in furtherance of this resolution.

Respectfully submitted,

Susan May, Chairperson  
Advertising & Promotions Committee

Dated: December 5, 2019  
Batavia, New York

**RESOLUTION #121-2019**

**WHEREAS**, Promotion and Marketing are critical elements of the success of any business enterprise including Western Regional Off-Track Betting Corporation ("Western"); and

**WHEREAS**, Western's Video Lottery Gaming program has been a successful promotional and marketing tool for Western by the timing and targeting of advertising to patrons; and

**WHEREAS**, since the introduction of Video Lottery Gaming program, Western has contracted with an outside vendor for the distribution of direct mail solicitations; and

**WHEREAS**, pursuant to an RFP dated January 8, 2018, bids were received from vendors for the distribution of direct mail solicitations for the period February 1, 2019 through January 31, 2020 and an option year of February 1, 2020 through January 31, 2021; and

**WHEREAS**, Staff recommends that the Board of Directors of Western exercise its option to contract with Zenger Group, the lowest responsible bidder as previously determined, for the amount of \$70,000.00 for the period February 1, 2020 through January 31, 2021; and now therefore

**BE IT RESOLVED**, that the Board of Directors of Western hereby exercise the option to contract for direct mail and solicitation to Zenger Group, the lowest responsible bidder as previously determined in the amount of \$70,000.00 for the period February 1, 2020 through January 31, 2021; and, it is

**FURTHER RESOLVED**, that an officer of Western is authorized to take any action to exercise this option consistent with the action of the Board.

Respectfully submitted,

Susan May, Chairperson  
Advertising & Promotions Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #122-2019

WHEREAS, Western Regional Off Track Betting Corporation ("Western") purchases various building and repair items on an as-needed basis; and

WHEREAS, the Staff recommends to the Board of Directors of the Western to purchase various building and repair items in an amount not to exceed \$50,000 for the 2020 year from Home Depot, an approved federal bid provider; and;

WHEREAS, the Board of Directors of the Western wishes to approve the purchase of various building and repair items in the amount not to exceed \$50,000 for the 2020 year; and, therefore be it

RESOLVED, that the Board of Directors of the Western approves the purchase of various building and repair items in the amount not to exceed \$50,000 for the 2020 year; and, be it further

RESOLVED, that an officer of Western is authorized to execute any agreement in furtherance of the Board's approval of this resolution.

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #123-2019

**WHEREAS**, Western has previously entered into an agreement with Hill & Markes for the purchase of various paper and plastic products for the operation of its restaurant operations; and

**WHEREAS**, Western has exceeded its previously approved amount of \$125,000.00, and staff is requesting that the Board of Directors approve an additional \$60,000.00 for the period ending March 29, 2020; and

**WHEREAS**, that the Board of Directors of the Western wishes to approve the additional purchase of paper and plastic products from Hill & Markes for the period ending March 29, 2020 for an amount not to exceed \$60,000.00; and, now therefore be it

**RESOLVED**, that the Board of Directors of the Western approve the additional purchase of paper and plastic products from Hill & Markes for the period ending March 29, 2020 for an amount not to exceed \$60,000.00; and, be it further

**RESOLVED**, that an Officer of Western is authorized to execute such documentation in furtherance of the Board's approval of this resolution.

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: December 5, 2019  
Batavia, New York

## **RESOLUTION #124-2019**

**WHEREAS**, it is the responsibility of Western Regional Off-Track Betting Corporation ("Western") to maintain the physical condition of the horse racing track at Batavia Downs; and

**WHEREAS**, Western as needed resurfaces and re-banks the racetrack prior to the beginning of the race season; and

**WHEREAS**, Hanson Aggregates ("Hanson") a NYS OGS Contrat can provide the matching material needed to resurface the racetrack at a cost not to exceed \$30,000.00; and

**WHEREAS**, Staff recommends that the Board of Directors of Western authorize payment to Hanson in the amount not to exceed \$30,000 for the purchase of the resurfacing material; and, therefore be it

**RESOLVED**, that the Board of Directors of Western hereby authorize the payment of an amount not to exceed \$30,000.00 to Hanson for the purchase of resurfacing material needed to resurface and re-bank the horse racetrack at Batavia Downs and further

**RESOLVED**, that an officer of Western is authorized to execute such documentation in furtherance of the Board's resolution.

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #125-2019

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") utilizes various rugs and cleaning chemicals for its operation of Batavia Downs Gaming, Homestretch Grill, Grandstands, Fortunes, 34 Rush and the Clubhouse restaurants on an as-needed basis; and

WHEREAS, the Staff recommends to the Board of Directors that Western enter into an agreement for walk off mat services and cleaning chemical purchases at a cost not to exceed \$50,000.00 for the 2020 year from Cintas, an approved federal bid provider; and;

WHEREAS, the Board of Directors of the Western wishes to enter into such an agreement at a cost not to exceed \$50,000.00 for the 2020 year from Cintas; and now therefore;

BE IT RESOLVED, that the Board of Directors of Western approves entering into an agreement for walk off mat services and cleaning chemical purchases from Cintas at a cost not to exceed \$50,000.00 for the 2020 year; and, be it further

RESOLVED, that an officer of Western is authorized to execute such agreement in furtherance of the Board's approval of this resolution.

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #126-2019

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its Batavia Downs location in the most efficient manner possible; and

WHEREAS, Western operates a low sulfur diesel fuel pump at its Batavia Downs location and requires that the pump be serviced to allow Western's staff to fuel for its various vehicles throughout 2020; and

WHEREAS, as part of the NYS OGS Contract – Group #05602, Goetz Energy Corporation ("Goetz") will provide Western with low sulfur diesel fuel in the total amount not to exceed \$20,000.00 for 2020; and

WHEREAS, Staff recommends that the Board approve the purchase of the low sulfur diesel fuel from Goetz for the 2020 year; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approve the purchase of low sulfur diesel fuel for its pump at Batavia Downs location from Goetz in the amount of \$20,000.00 for 2020; and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: December 5, 2019  
Batavia, New York



## RESOLUTION #127-2019

**WHEREAS**, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its Batavia Downs location in the most efficient manner possible; and

**WHEREAS**, Western operates a gasoline fuel pump at its Batavia Downs location and requires that the pump be serviced to allow Western's staff to fuel for its various vehicles throughout 2020; and

**WHEREAS**, as part of the NYS OGS Contract – Group #05600, Sunoco LLC will provide Western with gasoline fuel in the total amount not to exceed \$20,000.00 for 2020; and

**WHEREAS**, Staff recommends that the Board approve the purchase of gasoline fuel from Sunoco LLC for the 2020 year; now therefore

**BE IT RESOLVED**, that the Western's Board of Directors hereby approve the purchase of gasoline fuel for its pump at Batavia Downs location from Sunoco LLC in the amount of \$20,000.00 for 2020; and

**BE IT FURTHER RESOLVED**, that an officer of Western is hereby authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #128-2019

WHEREAS, Western Regional Off Track Betting Corporation ("Western") purchases various cleaning products, toilet paper, garbage bags and equipment parts on an as-needed basis; and

WHEREAS, the Staff recommends to the Board of Directors of the Western to purchase various cleaning products, toilet paper, garbage bags and equipment parts in an amount not to exceed \$20,000.00 for the 2020 year from Corr Distributers; Inc., an approved NYS Vendor award #PC66828; and;

WHEREAS, the Board of Directors of the Western wishes to approve the purchase of various cleaning products, toilet paper, garbage bags and equipment parts in the amount not to exceed \$20,000.00 for the 2020 year from Corr Distributers, Inc.; and, therefore be it

RESOLVED, that the Board of Directors of the Western approves the purchase of various cleaning products, toilet paper, garbage bags and equipment parts in the amount not to exceed \$20,000.00 for the 2020 year from Corr Distributers, Inc., and, be it further

RESOLVED, that an officer of Western is authorized to execute any agreement in furtherance of the Board's approval of this resolution.

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #129-2019

**WHEREAS**, Western Regional Off-Track Betting Corporation ("Western") purchases janitorial supplies including paper products, hand soaps and sanitizers for the operation of the existing branches and the Batavia Downs Gaming facility on an as-needed basis; and

**WHEREAS**, the Staff has compared pricing from various available vendors and is recommending such custodial supplies be purchased from Hill and Markes, Inc., for the period of January 1, 2020 to December 31, 2020; and,

**WHEREAS**, the Board of Directors of Western wishes to purchase various custodial supplies from Hill & Markes in an amount not to exceed \$40,000.00 for the period January 1, 2020 to December 31, 2020; and, how therefore be it

**RESOLVED**, that the Board of Directors of Western approve the purchase of various janitorial supplies, in the amount not to exceed \$40,000.00 from Hill & Markes for the period of January 1, 2020 to December 31, 2020; and further

**BE IT RESOLVED**, that an Officer of Western is authorized to execute any purchase agreement in furtherance of the Boards approval of this resolution.

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #130-2019

**WHEREAS**, Western Regional Off Track Betting Corporation ("Western") purchases various cleaning products, toilet paper and garbage bags on an as-needed basis; and

**WHEREAS**, the Staff recommends to the Board of Directors of the Western to purchase various cleaning products, toilet paper and garbage bags in an amount not to exceed \$40,000.00 for the 2020 year from Hillyard Inc., an approved NYS Vendor award #PC67229; and;

**WHEREAS**, the Board of Directors of the Western wishes to approve the purchase of various cleaning products, toilet paper and garbage bags in the amount not to exceed \$40,000.00 for the 2020 year from Hillyard, Inc.; and, therefore be it

**RESOLVED**, that the Board of Directors of the Western approves the purchase of various cleaning products, toilet paper and garbage bags in the amount not to exceed \$40,000.00 for the 2020 year from Hillyard, Inc.; and, be it further

**RESOLVED**, that an officer of Western is authorized to execute any agreement in furtherance of the Board's approval of this resolution.

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #131-2019

**WHEREAS**, the Western Regional Off-Track Betting Corporation ("Western") has previously entered into an agreement with Upstate Strategic Advisors, LLC. ("Upstate"); and

**WHEREAS**, Western previously engaged Upstate to act as an independent consultant for purposes of assisting Western to enhance its operations. Upstate will continue to provide professional guidance, strategic advice and to work and perform with the intent to help Western increase their revenue and improve their marketing strategies; and

**WHEREAS**, Western would like to continue to engage Upstate for such purposes; and

**WHEREAS**, the Board desires to enter into a six (6) month extension agreement with Upstate effective January 1, 2020 through June 30, 2020 at the rate of \$5,500.00 per month; and therefore, be it

**RESOLVED**, that Western enter into a six (6) month extension agreement with Upstate for the period of January 1, 2020 through June 30, 2020, at the rate of \$5,500.00 per month for the services set forth above; and further

**RESOLVED**, that an officer of Western is directed to execute such a document necessary as to further this Resolution.

Respectfully Submitted,

Allan Hendrickson, Chairman  
Legislative Committee

Dated: December 5, 2019  
Batavia, New York

9

## RESOLUTION #132-2019

**WHEREAS**, the Western Regional Off-Track Betting Corporation ("Western") has previously entered into an agreement with Mercury Public Affairs LLC ("Mercury") for purposes of providing Western certain consulting services as a liaison with various government officials; and

**WHEREAS**, Western would like to continue to engage Mercury for such purposes; and

**WHEREAS**, the Board desires to enter into a six (6) month extension to the Agreement with Mercury for the amount of \$8,000.00 per month, covering the period from January 1, 2020 through June 30, 2020; and therefore, be it

**RESOLVED**, that Western agrees to enter into an extension to the agreement with Mercury for the amount of \$8,000.00 per month, covering the six (6) month period from January 1, 2020 through June 30, 2020, along the same terms and conditions of the agreement previously entered into between the parties.

**RESOLVED**, that an officer of Western is directed to execute such documents as to further this extension to the Agreement.

Respectfully Submitted,

Allan Hendrickson, Chairman  
Legislative Committee

Dated: December 5, 2019  
Batavia, New York

## RESOLUTION #133-2019

**WHEREAS**, a new surveillance system was previously purchased by Western Regional Off-Track Betting Corporation ("Western"), from IK Systems, Inc. as part of the 2013-2014 Capital Awards Project; and

**WHEREAS**, this existing system requires software support for the surveillance system; and

**WHEREAS**, IK Systems, Inc. is a state-bid vendor; and

**WHEREAS**, Staff recommends that Western enter into a three (3) year software support agreement IK Systems, Inc. at a cost not to exceed \$46,910.00; now therefore

**BE IT RESOLVED**, that the Western Regional Off-Track Betting Corporation accepts the proposal from IK Systems, Inc. for a three (3) year software support agreement in the amount not to exceed \$46,910.00 and;

**IT IS FURTHER, RESOLVED** that an Officer of this Corporation is authorized to execute such a contract consistent with the purpose and intent of this resolution.

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: December 5, 2019  
Batavia, New York