

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 16th day of January, 2020 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:

Absent:

Buffalo	Michelle Parmer-Garner	P. Barnes
Cattaraugus	Richard E. Haberer	
Cayuga	Paul Lattimore, Jr.	
Chautauqua	Allan Hendrickson	
Erie	Beverly A. Mazur	
Genesee	Richard Siebert	
Livingston	Thomas P. Wamp	
Monroe	Richard D. Bianchi	
Niagara	Elliott Winter	
Orleans	Edward Morgan	
Oswego	Ronald B. Darrow	
Rochester	Dennis Bassett	
Seneca	Richard L. Ricci	
Steuben	Norman Schneider	
Wayne	Ken Lauderdale	
Wyoming	Susan May	

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, James Haas, Communications Manager/Mutuels Manager; Jake Rak, Controller WROTBC Operations; Edward J. Merriman, Manager of Branch Operations, Megan Glor, Director of Purchasing/Real Estate, Sue Schulman, The Buffalo News, John Hickey, Photographer The Buffalo News, Phil Gambini, Investigative Post.

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 Mr. Sean Schiano, Director of Branch Operations to lead the assemblage in the Pledge of Allegiance.

1. Chairman Bianchi asked Director Wamp to proceed as temporary Chairman. Director Wamp continued to conduct the annual nomination proceeding for Chairman of the Board.

Director Wamp asked for nominations from the floor for the position of the Chairman of the Board of Directors. Director Ricci nominated Director Bianchi. All present Directors seconded the nomination. Director Wamp moved to close the request for nominations. A voice vote was taken; Ayes 15; Absent: 1; Barnes.

2. Newly elected Chairman Bianchi thanked the members of the Board. He asked if there were nominations from the floor for Vice-Chairman. Director Siebert nominated Director Morgan. All Directors seconded the nomination. A voice vote was taken; Ayes: 15; Absent: 1; Barnes.

Newly elected Vice-Chairman Morgan thanked the members of the Board and looks forward to serving as Vice-Chairman.

3. **Approval of Previous Minutes:**

Chairman Bianchi called for amendments, additions, deletions, or corrections to the minutes of the previous meeting of December 5, 2019. There being none, a motion was made by Director Haberer and seconded by Director Hendrickson to approve the December minutes as submitted. The minutes were approved unanimously by a voice vote.

4. **Communications:**

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

A thank you note from Kathleen Steen for the polite professional courtesy she received from every staff member encountered that assisted her at her December 20th visit.

4. **Communications continued:**

A thank you note from Ascension, Father David Glassmire, for the generous donation to the "Fruit of the Vine" event.

A thank you note from Janice Jones, Charity Auction Committee Member for the donation supporting the National Human Resources Association.

A thank you note to the Batavia Downs Staff from Jesse and Jennifer Bieber for making New Year's Eve and her 50th birthday extra special.

5. **Officers' Reports:**

There were no Officers reports.

6. **Personnel Committee Report:**

Committee Chairman Winter, called the Personnel Committee meeting to order at 1:04 p.m. on Wednesday, January 15, 2020 and the following business was discussed.

a. **MOA with the Union**

Mr. William R. White and Mr. Sean Schiano, Director of Branch Operations informed the Committee about a request by the Union to increase two (2) Branch Maintenance employee's salaries to match Gaming Maintenance employee's salaries. A motion was made by Director Haberer, seconded by Director Ricci to accept this MOA into the Non-Supervisory Collective Bargaining Agreement and approved by all Members of the Committee.

A motion was made by Director Haberer to enter into Executive Session at 1:08 p.m. to discuss personnel matters, seconded by Director May. The Committee came out of Executive Session and the meeting resumed at 1:28 p.m.

6. **Personnel Committee Report continued:**

b. **Personnel Classifications**

Mr. White informed the Committee of three (3) changes to the Personnel Classifications. The first would raise the top level of all salary grades by 3% to account for raises. The second would be a change in title from a Line Chef to a Chef with no salary increase. The third is to correct a clerical error for an employee's pay to increase by \$2.06 per hour to be within the grade level range

Upon motion by Director Winter and seconded by Director Lauderdale a voice vote was taken. The motion carried to approve the Personnel Classifications changes. Ayes: 16; Nays: 0; Absent: 1; Barnes.

c. **Disability Awareness Training**

Mr. White made the Committee aware that staff is setting dates and times for Disability Awareness training that will start in the next four weeks.

d. **Director of Security (Job Posting)**

Mr. White informed the Committee that staff is going through the process of posting the Director of Security job as well as applying for a waiver for the current Director of Security as required by the New York State Retirement System.

e. **Deferred Compensation Extension**

Mr. White and Mrs. Jacquelyne Leach, Chief Financial Officer informed the Board of the Resolution #01-2020 needed to extend the Deferred Compensation 457 Model Plan with PenServ for the second renewal period of one year.

Upon motion made by Director Winter, seconded by Director Morgan a roll call was taken. The motion passed to extend the Deferred Compensation 457 Model Plan with PenServ for the second renewal period of one year. Ayes: 16; Nays: 0; Absent: 1; Barnes. (See Resolution #01-2020).

7. Personnel Committee Report continued:

f. Standard Work Day Form – Resolution #10-2020

Mr. White and Mrs. Leach informed the Committee that staff suggests the approval of a Standard Work Day Form for all employees and Board members. This is considered a best practice by not only the New York State Retirement System but the State Comptroller's Auditor.

Upon motion by Director Winter and seconded by Director May a voice vote was taken. The motion carried to approve the Standard Work Day Form for all Employees and Board members. Ayes: 16; Nays: 0; Absent: 1; Barnes:

The Personnel Committee adjourned at 1:47 p.m.

8. Finance Committee Report:

Committee Chairman Lauderdale, called the Finance Committee meeting to order at 1:49 p.m. on Wednesday January 15, 2020 and the following business was discussed.

Mrs. Leach reviewed the November 2019 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation has distributed \$80,667.00 in surcharge to member municipalities for November. The Corporation also generated operational earnings of \$226,865.00.

Mrs. Leach also reviewed the November 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 reviewed the NYGA Weekly Numbers with Committee members, highlighting Batavia Downs Gaming net win performance through December as compared to same period 2018 and 2017.

The Finance Committee meeting adjourned at 2:15 p.m.

9. **Advertising Committee Report:**

Committee Chairperson May reported the Advertising Committee meeting was held on January 15, 2020 at 2:16 p.m. and the following business was discussed.

Mr. Todd Haight, Director/GM Live Racing/Branch Ops Specialist delivered a presentation on betting handle surrounding past OTB events. Previews for upcoming OTB events were shown. Recaps for Live Racing Events were shown including awards night.

Mr. Ryan Hasenauer, Director of Marketing-WROTBC & Video Gaming, spoke about new initiatives by Batavia Downs staff to be involved with local charities. He then showed pictures from recent events including New Year's Eve and the Employee Holiday Party.

Mr. Hasenauer informed the Committee of the Resolution #05-2020 needed for the purchase of promotional items from Mark It Smart to be given away to various Batavia Downs Gaming patrons.

Upon motion by Director May and seconded by Director Darrow, a roll call vote was taken. The motion passed to approve the purchase of promotional items from Mark It Smart to be given away to various Batavia Downs Gaming patrons in the amount of \$89,770.00. Ayes: 16; Nays: 0; Absent: 1; Barnes. **(See Resolution #05-2020).**

Mr. Hasenauer informed the Committee of the Resolution #08-2020 needed for the contracting with a sales person Chris Costanzo as an independent consultant.

Upon motion to waive the rules by Director May and seconded by Director Haberer a voice vote was taken. The motion carried. Ayes: 16; Nays: 0; Absent: 1; Barnes.

Upon motion by Director May and seconded by Director Lauderdale, a roll call vote was taken. The motion passed to approve the contracting with sales person Chris Costanzo as an independent consultant. Ayes: 16; Nays: 0; Absent: 1; Barnes. **(See Resolution #08-2020).**

9. Advertising Committee Report continued:

Mr. Hasenauer informed the Committee of the Resolution #09-2020 to accept the proposal of advertising agency Normal Communications to provide creative marketing services along with media buying and related support.

Upon motion to waive the rules by Director May and seconded by Director Hendrickson a voice vote was taken. The motion carried. Ayes: 16; Nays: 0; Absent: 1; Barnes.

Upon motion by Director May and seconded by Director Haberer a roll call vote was taken. The motion passed to approve the proposal of advertising agency Normal Communications to provide creative marketing services along with media buying and related support. Ayes: 16 Nays: 0; Absent: 1; Barnes. (**See Resolution #09-2019**).

Mr. Hasenauer informed the Board of the continued efforts by staff to partner with local businesses and media outlets to further promote Batavia Downs.

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

10. Legislative Committee Report:

Committee Chairman Hendrickson reported that the Legislative Committee meeting was held on Wednesday January 15, 2020 at 3:22 p.m. and the following business was discussed.

Mr. Patrick McCarthy, Mercury Public Affairs, LLC and Mr. Sam Hoyt, Upstate Strategic Advisors, LLC discussed the Governor's State of the Union speech that included little in specifics but touched on the \$6 billion deficit. Sports betting was not discussed at all. Mr. Wojtaszek talked about the RFP that gives the state a chance to fix the outdated OTB and Live Racing legislation that is killing both of those industries.

Mr. Nolan discussed the grant that staff has been working on with Empire State Development that was approved by Albany for \$180,000.00 and now we are just waiting on Albany to approve the payment of these funds.

The Legislative Committee meeting was adjourned at 3:32 p.m.

11. Insurance Committee Report:

The Insurance Committee did not meet.

12. Audit Committee Report:

Committee Chairman Bassett reported that the Audit Committee was held on January 16, 2020 at 9:15 a.m. and the following business was discussed.

Director Bassett discussed the Statement of Work that Core Consultancy, LLC. intends to complete and requested to retain the services from Core Consultancy, LLC. for an ethics and compliance assessment including thirty day progress updates to the Board.

Upon motion to waive the rules by Director Bassett and seconded by Director Haberer a voice vote was taken. The motion carried. Ayes: 16; Nays: 0; Absent: 1; Barnes.

Upon motion by Director Bassett and seconded by Director Morgan, a roll call vote was taken. The motion passed to retain the services from Core Consultancy, LLC. Ayes: 14; Nays: 2; Hendrickson; Darrow; Absent: 1; Barnes. (**See Resolution #11-2020**).

The Audit Committee adjourned at 9:45 a.m.

13. Batavia Downs Operations Committee Report:

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held Wednesday, January 15, 2020 at 2:32 p.m. and the following business was discussed.

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

Mr. Todd Haight, Director /General Manager-Live Racing provided the Committee Live Racing statistics.

14. Batavia Downs Operations Committee Report continued:

Mr. Nolan provided a Capital Project update to the Committee which included slides of the architectural designs of the warehouse and cold storage facility.

Mr. Michael Nolan, Chief Operating Officer informed the Committee of the Resolution #07-2020 needed for EI Team, Inc. for the increased size of the proposed 2,000 square foot warehouse and cold storage facility on site to over 4,000 square foot.

Upon motion by Director Morgan and seconded by Director Winter, a roll call vote was taken. The motion passed to approve the EI Team, Inc. for the increased size of the proposed 2,000 square foot warehouse and cold storage facility on site to over 4,000 square foot in the amount of \$27,345.26. Ayes: 14; Nays: 1; Hendrickson; Abstain: 1; Mazur; Absent: 1; Barnes. **(See Resolution #07-2020).**

Mr. Mark Gabriele, Associate Counsel informed the Committee of the Resolution #02-2020 needed for the continued use of Connors, LLP to represent Western based on media attention upon unfounded allegations.

Upon motion by Director Morgan and seconded by Director Winter, a roll call vote was taken. The motion passed to approve the continued use of Connors, LLP to represent Western based on media attention upon unfounded allegations in the amount not to exceed \$50,000.00. Ayes: 16; Nays: 0; Absent: 1; Barnes. **(See Resolution #02-2020).**

Mr. Wojtaszek informed the Committee of the Resolution #03-2020 needed for the additional five year service agreement extension with IK Systems Inc. for the surveillance system located on site.

Upon motion by Director Morgan and seconded by Director Siebert, a roll call vote was taken. The motion passed to approve the additional five year service agreement extension with IK Systems Inc. for the surveillance system located on site in the amount not to exceed \$67,355.00. Ayes: 1; Nays: 0; Absent: 1; Barnes. **(See Resolution #03-2020).**

Mr. Wojtaszek informed the Committee of the Resolution #04-2020 Great Lakes Environmental & Safety Consultants, Inc. for continual workplace safety compliance assistance for one year.

14. Batavia Downs Operations Committee Report continued:

Upon motion by Director Morgan and seconded by Director Lattimore, a roll call vote was taken. The motion passed to approve the Great Lakes Environmental & Safety Consultants, Inc. for continual workplace safety compliance assistance for one year in the amount not to exceed \$18,000.00. Ayes: 16; Nays: 0; Absent: 1; Barnes. (See Resolution #04-2020).

The Batavia Downs Committee meeting adjourned at 3:12p.m.

15. Branch Operations Committee Report:

Committee Chairperson Mazur reported the Branch Committee meeting was held on Wednesday January 15, 2020 at 9:50 a.m. and the following business was discussed.

a. Branch Update

Mr. Edward J. Merriman, Manager of Branch Operations informed the Committee of upcoming T.V. installs and also mentioned HVAC work being done at the Wehrle Branch in Erie County and the new sub hires in Erie and Monroe Counties.

b. Batavia Bets Update

Mr. James Haas, Communications Manager/Mutuels Manager reported that Batavia Bets was down almost \$50,000 in December, or almost 6%. For the year, Batavia Bets was up \$750,000 or over 6%.

c. E-Z Bet Update

Mr. Schiano reported that the E-Z Bets handled \$6.1 million for year 2019, up \$42,000 from 2018. Mr. Schiano continues to work with Tin Pan Alley in Lewiston, Niagara County, and the NYS Gaming Commission to get their application approved.

15. **Branch Operations Committee Report continued:**

d. **Real Estate Update – Transit Road Sale – Resolution #06-2020**

Mr. Gabriele reported to the Committee that a possible buyer for Transit Road and introduced Resolution #06-2020 for the sale of the Transit Road property at an offer price of \$700,000 from Jasmeet Gill, LLC.

Upon motion by Director Mazur and seconded by Director Morgan, voice vote was taken. The motion passed to accept the sale of the Transit Road property at a price of \$700,000 from Jasmeet Gill, LLC. Ayes: 16; Nays: 0; Absent: 1; Barnes. (See Resolution #06-2020).

The Branch Committee meeting adjourned at 9:58 a.m.

16. **Resolutions:**

Resolution #01-2020 Deferred Comp PenServ
Resolution #02-2020 Connors, LLP
Resolution #03-2020 IK Systems, Inc.
Resolution #04-2020 Great Lakes Environmental
Resolution #05-2020 Mark It Smart
Resolution #06-2020 Transit Rd. Sale
Resolution #07-2020 EI Team Inc.
Resolution #08-2020 Chris Costanzo
Resolution #09-2020 Normal Communications
Resolution #10-2020 Standard Work Day

17. **Unfinished Business:**

There was no unfinished business.

18. **New Business:**

Chairman Bianchi re-iterated to members and staff to continue to work hard for the great of the community, and that good things are continuing.

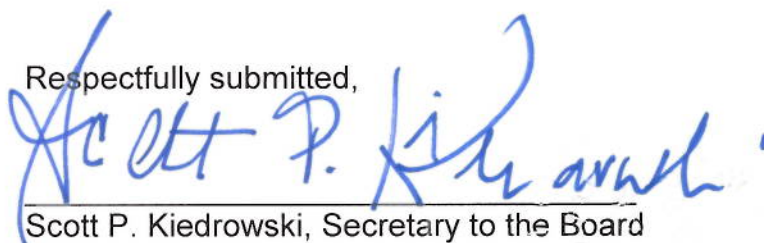
18. New Business continued:

The next Committee and Board meeting is scheduled for February 26 & 27, 2020 respectively.

19. Adjournment:

Director Wamp made a motion to adjourn which Director Winter seconded. The meeting was adjourned at 10:54 a.m.

Respectfully submitted,



Scott P. Kiedrowski, Secretary to the Board

/pma

RESOLUTION #01-2020

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") previously entered into a Deferred Compensation 457 Model Plan for Employees of Western for a five (5) year term with PenServ, with Western having the option to extend such plan for two (2) additional one (1) year terms; and

WHEREAS, the original five (5) year term previously ended, and the Board of Directors of Western previously exercised its first option to extend the Deferred Compensation 457 Model Plan with PenServ for a one (1) year period; and

WHEREAS, the staff is recommending that the Board of Directors of Western exercise its second option to extend the Deferred Compensation 457 Model Plan with PenServ for an additional one (1) year period; now, therefore

BE IT RESOLVED, that the Board of Directors of Western hereby authorize a one (1) year extension of the Deferred Compensation 457 Model Plan with PenServ; and

IT IS FURTHER RESOLVED, that an Officer of Western is directed to execute such documents as to further this resolution.

Respectfully Submitted,

Elliott Winter, Chairman
Personnel Committee

Dated: January 16, 2020
Batavia, New York

RESOLUTION #02-2020

WHEREAS, the Western Regional Off-Track Betting Corporation ("Western") has been the subject of media attention based upon unfounded allegations and an alleged investigation of Western; and

WHEREAS, Western has previously engaged the Connors LLP Law Firm to represent Western in its efforts to deal with any such allegations, including to conduct an internal review the allegations, as well as to interact with any authority regarding such matters; and

WHEREAS, the Board of Western wishes to continue to use the Connors LLP Law Firm to handle such matters in an additional amount not to exceed \$50,000.00.00; and, therefore be it

RESOLVED, that the Board of Directors of Western hereby approve utilizing the Connors LLP Law Firm to represent Western in an additional amount not to exceed \$50,000.00.

Respectfully Submitted,

Edward Morgan, Chairman
Batavia Downs Operations

Dated: January 16, 2020
Batavia, New York

RESOLUTION #03-2020

WHEREAS, Western Regional Off-Track Betting Corporation ("Western"), has previously entered into an agreement with IK Systems, Inc., a NYS bid vendor, to provide service and testing services for the surveillance system located at Western's Batavia Downs location; and

WHEREAS, Western has been provided a proposal to extend the existing agreement for an additional five (5) year period at an annual cost not to exceed \$67,355.00; and

WHEREAS, Staff recommends that Western enter into a five (5) year service and testing agreement with IK Systems, Inc. at an annual cost not to exceed \$67,355.00; now therefore

BE IT RESOLVED, that Western accepts the proposal from IK Systems, Inc. for a five (5) year service and testing agreement at an annual amount not to exceed \$67,355.00; and

IT IS FURTHER, RESOLVED that an Officer of Western 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: January 16, 2020
Batavia, New York

RESOLUTION - #04-2020

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Great Lakes Environmental & Safety Consultants, Inc. ("Great Lakes") have provided a proposal to Western to provide continual workplace safety compliance assistance for a one (1) year period for an amount not to exceed \$18,000.00; and

WHEREAS, staff recommends that the Board of Western accept the proposal of Great Lakes of \$18,000.00 for a one (1) year period; and now therefore

BE IT RESOLVED, that Western's Board of Directors accepts the proposal of Great Lakes to provide continual workplace safety compliance for a one (1) year period in an amount not to exceed \$18,000.00; 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: January 16, 2020
Batavia, New York

RESOLUTION #05-2020

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 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:

Square Baker in the amount of \$9,082.00;
Rectangle Baker in the amount of \$10,216.00;
Loaf Dish in the amount of \$6,240.00;
Round Casserole Dish in the amount of \$13,992.00.
Bills Moccasins in the amount of \$15,960.00;
Bills 9 Can Cooler in the amount of \$13,600.00;
Bills Folding Chair in the amount of \$12,800.00; and
Bills Fleece Blanket in the amount of \$7,880.00.

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 in the total amount of \$89,770.00; 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 in the total amount of \$89,770.00; 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: January 16, 2020
Batavia, New York

RESOLUTION #06-2020

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") currently is offering for sale the property located at 5810 South Transit Road, Lockport New York; and

WHEREAS, Western has received an offer to purchase that property from Jasmeet Gill LLC for the amount of \$700,000.00; and

WHEREAS, Staff recommends to the Board of Directors of Western to accept said offer.

THEREFORE, BE IT RESOLVED, that the Board of Directors of Western approves and accepts the offer of \$700,000.00 from Jasmeet Gill LLC for the real property located at 5810 South Transit Road, Lockport, New York; and

BE IT FURTHER, RESOLVED, that Board of Directors of Western authorize an Officer to execute a sale contract for this transaction.

Respectfully submitted,

Beverly A. Mazur, Chairperson
Branch Operations Committee

Dated: January 16, 2020
Batavia, New York

RESOLUTION #07-2020

WHEREAS, Western previously received responses to a request for proposal for architectural and engineering design services in respect to the bidding of a proposed new 2,000 square foot warehouse and cold storage facility at its Batavia Downs location; and

WHEREAS, upon a review of the bids received, staff the Board of Directors of Western to accepted and entered into an agreement with EI Team Inc to perform such services at a cost of \$20,000.00, plus out of pocket expenses; and

WHEREAS, the scope and size of the above project has increased to over a 4,000 square foot warehouse and cold storage facility; and

WHEREAS, due to the scope and size of the above project, staff is requesting that the agreement with EI Team Inc. be amended to reflect an increase of \$22,356.45 for the architectural and engineering design services relating to the proposed new warehouse and cold storage facility; and, therefore be it

RESOLVED, that the Board of Directors of Western hereby agreement to increase the amount payable to EI Team Inc. in the amount of \$27,345.26, plus out of pocket expenses; and 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: January 16, 2020
Batavia, New York

RESOLUTION #08-2020

WHEREAS, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation ("Western") wishes to engage an outside sales person to help attract potential patrons and events to the Batavia Downs Gaming facility; and

WHEREAS, Western wishes to engage the services of Chris Costanzo as an independent consultant; and

WHEREAS, staff recommends that the Board of Western engage the services of Chris Costanzo as an independent consultant who will be responsible for selling concert, track and gaming floor advertising sponsorships, lease meeting spaces and work with Western's staff on marketing strategies; and

WHEREAS, the Board of Western wishes to engage the services of Chris Costanzo as an independent consultant, along the terms and conditions attached as Exhibit A of this resolution; now therefore

BE IT RESOLVED, that the Board of Directors of Western hereby engages Chris Costanzo as an independent consultant who will be responsible for selling concert, track and gaming floor advertising sponsorships, lease meeting spaces and work with Western's staff on marketing strategies, and to be compensated along the payment terms and conditions set forth in the exhibit attached to this resolution; 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: January 16, 2020
Batavia, New York

RESOLUTION #09-2020

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") received responses to an RFP for an advertising agency to provide Western with creative marketing services, along with media buying and related support; and

WHEREAS, staff recommends that the Board of Directors of Western accepts the proposal from Normal Communications; and

WHEREAS, that the Board of Directors of the Western wishes to accept the proposal of Normal Communications; and, therefore be it

RESOLVED, that the Board of Directors of Western hereby accepts the proposal of Normal Communications to provide Western with creative marketing services, along with media buying and related support; and further

RESOLVED, that an officer of Western is authorized to execute such documentation in furtherance of this resolution.

Respectfully submitted,

Susan May, Chairperson
Advertising & Promotions Committee

Dated: January 16, 2020
Batavia, New York

RESOLUTION #10-2020

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") is a New York public benefit corporation, whose employees are members of the New York State and Local Employees Retirement System; and

WHEREAS, Western wishes to adopt standard work days for its Employees and that will be reported to the New York State and Local Employees Retirement System based on the time keeping system maintained and submitted by its Employees; and

WHEREAS, the staff is recommending that the Board of Directors of Western adopt the attached standard work day as set forth hereto; and, now, therefore

BE IT RESOLVED, that the Board of Directors of Western hereby establishes the attached as standard work days for its Employees and will report days worked to the New York State Employees Retirement System based on the time keeping system maintained and submitted by Western.

Respectfully Submitted,

Elliott Winter, Chairman
Personnel Committee

Dated: January 16, 2020
Batavia, New York