

**WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

Minutes of the regular meeting of Board of Directors of the Western Regional Off-Track Betting Corporation, held on the 23rd day of July, 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:**

Buffalo	Michelle Parmer-Garner
Cattaraugus	Richard E. Haberer
Cayuga	Paul Lattimore, Jr.
Chautauqua	Allan Hendrickson
Erie	Beverly A. Mazur
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

**Absent:**

Schuyler - Barnes  
Genesee - Siebert

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; Sean Schiano, Director of Branch Operations;

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 Wamp to lead the assemblage in the Pledge of Allegiance.

1. **Approval of Previous Minutes:**

Chairman Bianchi called for amendments, additions, deletions, or corrections to the minutes of the previous meeting of June 25, 2020. There being none, a motion was made by Director Wamp and seconded by Director Morgan to approve the June 25th minutes as submitted. The minutes were approved unanimously by voice vote.

Chairman Bianchi called for amendments, additions, deletions, or corrections to the minutes of the previous meeting of June 30, 2020. There being none, a motion was made by Director Morgan and seconded by Director Winter to approve the June 30th minutes as submitted. The minutes were approved unanimously by voice vote.

2. **Officers' Reports:**

There were no Officers reports.

3. **Personnel Committee Report:**

Committee Chairman Winter reported that the Personnel Committee meeting was held on Wednesday July 22, 2020 at 1:05 p.m. and the following business was discussed.

Mr. William R. White, Vice President – Administration gave an update on the number of employees that were deemed essential (142) and that 305 employees have been furloughed.

Director Winter made a motion to enter into Executive Session at 1:10 p.m. to discuss a personnel matter, seconded by Director Bianchi.

Executive Session ended at 3:15 p.m. and a motion was made by Director Ricci to adjourn, seconded by Director Haberer.

4. **Finance Committee Report:**

Committee Chairman Lauderdale reported that the Finance Committee meeting was held on Wednesday July 22, 2020 at 3:35 p.m. and the following business was discussed.

4. **Finance Committee Report continued:**

Mrs. Jacquelyne A. Leach, Chief Financial Officer reviewed the Chief Financial Officer and Batavia Downs Gaming Reports with Committee members.

The Finance Committee meeting adjourned at 4:00 p.m.

5. **Advertising Committee Report:**

The Advertising Committee did not meet.

6. **Legislative Committee Report:**

The Legislative Committee did not meet.

7. **Insurance Committee Report:**

The Insurance Committee did not meet.

8. **Audit Committee Report:**

The Audit Committee did not meet.

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

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Wednesday July 22, 2020 at 3:58 p.m. and the following business was discussed.

Mr. Todd Haight, Director/GM Live Racing informed the Committee that the Live Race meet will begin on July 29, 2020 with no spectators. Mr. Haight reported that the number of race dates is reduced from 65 to 41.

Mr. Wojtaszek reported that updates have continued for Fortunes and 34 Rush. He also reported that the parking lot has been restriped.

9. **Batavia Downs Operations Committee Report continued:**

Committee Chairman Morgan reviewed the Resolution #23-2020 for Connors, LLP. Law Firm to continue to represent Western as previously engaged for the additional amount not to exceed \$20,000.00.

Upon motion by Director Morgan and seconded by Director Lauderdale a roll call vote was taken. The motion passed to approve Connors LLP Law Firm in the additional amount not to exceed \$20,000.00. Ayes: 15; Nays: 0; Absent: 2; Barnes, Siebert. **See Resolution #23-2020.**

The Batavia Downs Committee meeting adjourned at 4:03 p.m.

10. **Branch Operations Committee Report:**

Committee Chairperson Mazur reported the Branch Operations Committee meeting was held on Thursday July 23, 2020 at 9:30 a.m. and the following business was discussed.

Mr. Sean Schiano, Director of Branch Operations reported that the Hornell Branch ceased operations after the close of business on Saturday, July 18, 2020. Branch Operations made a number of other changes to trim expenses, mostly making a number of branches "day" branches only, which reduced staff and eliminated seven permanent positions, five of which were full time. Mr. Schiano also reported that handle has been positive for the last few weeks, especially with the start of the Saratoga meet.

Mr. Schiano reported that Tin Pan Alley in Lewiston, Niagara County is finally open as of last Thursday, July 17<sup>th</sup>. Western now has 27 E-Z Bet partners with 5 still yet to open since the pandemic closed everything down. Mr. Schiano mentioned there is one application out in Rochester, Monroe County.

Mr. Schiano reported that Batavia Bets continues to do well. In June Batavia Bets was up \$716,000 or 61%, month to date in July, we are up \$678,000 or 89%, and year to date we are up almost \$1.3 million or 15%.

The Branch Operations Committee adjourned at 9:42 a.m.

11. **Resolutions:**

Resolution #23-2020 – Connors LLP

12. **Unfinished Business:**

Chairman Bianchi asked for an Executive Session. A motion was made by Director Morgan and seconded by Director Winter to enter into Executive Session at 10:09 a.m.

A Motion was made to waive the rules that passed unanimously. A Motion was then made by Director Lauderdale and seconded by Director Morgan to engage the law firm of Hodgson Russ to represent Western in respect to ongoing personnel matter as well as to continue to represent Western in respect to a request for a payment of an invoice submitted to Western in an additional amount not to exceed \$15,000.00. Motion was approved Ayes 13; Nays 0; Absent 4; Barnes, Seibert, May, Ricci.

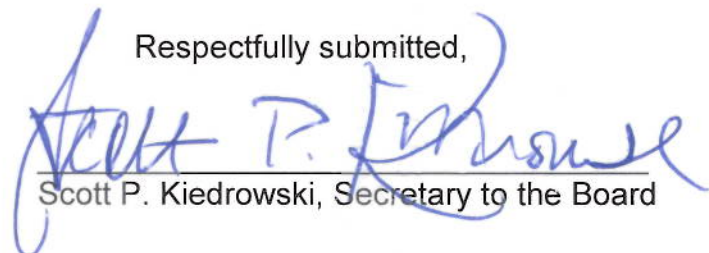
13. **New Business:**

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

14. **Adjournment:**

Director Winter made a motion to adjourn which Director Morgan seconded. The meeting was adjourned at 10:26 a.m.

Respectfully submitted,



Scott P. Kiedrowski, Secretary to the Board

/pma

## RESOLUTION #23-2020

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 \$20,000.00; 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 \$20,000.00.

Respectfully Submitted,



Edward Morgan, Chairman  
Batavia Downs Operations

Dated: July 23, 2020  
Batavia, New York