

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

Minutes of the regular meeting of Board of Directors of the Western Regional Off-Track Betting Corporation, ("Western") held on the 22nd day of October, 2020 and commencing at 10:00 a.m. in the *Grandstands*, Corporate Headquarters at 8315 Park Road Batavia, New York.

Participating were:

Buffalo	Michelle Parmer-Garner
Cattaraugus	Richard E. Haberer
Cayuga	Paul Lattimore, Jr.
Erie	Francis Warthling
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:

Chautauqua - Hendrickson
Schuyler - Barnes

constituting the Directors of all participating municipalities.

Also participating were: Henry F. Wojtaszek, President & CEO; 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; Ryan Hasenauer, Director of Marketing-WROTBC & Video Gaming; Mark Wolf, General Manager-Video Gaming; Megan Glor, Director of Purchasing/Real Estate; Mike Pettinella, The Batavian; Brian Quinn The Daily News; Mark Sheer The Niagara Gazette.

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 introduced Erie County Director Francis Warthling and then asked Director Warthling to lead the assemblage in the Pledge of Allegiance.

1. **Approval of Previous Minutes:**

Chairman Bianchi called for amendments, additions, deletions, or corrections to the minutes of the previous meeting of September 24, 2020. There being none, a motion was made by Director Bassett and seconded by Director Morgan to approve the September 24th 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 October 21, 2020 at 1:00 p.m. and the following business was discussed.

Mr. William R. White, Vice President - Administration informed the Committee that the Dental and Vision insurance went out to bid in which we received bids from Guardian and MetLife. The Corporation is staying with Guardian to a three (3) tier plan as they gave a two year fixed rate and MetLife only a one year. The savings to the Corporation by staying with Guardian will be \$7,768.

Mr. Scott P. Kiedrowski, Vice-President/Operations informed the Committee as to why the Corporation needs to add the position of Plumber/HVAC Technician. With the retirement of our Mechanical Specialist, the work will be done by current staff to save the Corporation money.

Upon motion by Director Winter to add the Plumber/HVAC Technician position seconded by Director May, a voice vote was taken and the motion passed with no opposition.

3. Personnel Committee Report continued:

Upon motion by Director Winter seconded by Director Ricci to approve the recommendation by Henry Wojtaszek, President & CEO for the wage adjustment due to added duties for Tom Balk, Director of Building & Grounds, Jake Rak, Controller-WROTBC-Operations and Cindy DeCarlo, Controller, a voice vote was taken and the motion passed with no opposition.

At 1:15 p.m. Director Winter made a motion to enter into Executive Session to discuss a litigation matter. The motion was seconded by Director Wamp. The Committee came out of Executive Session at 1:50 p.m.

The Personnel meeting was adjourned at 1:50 p.m.

4. Finance Committee Report:

Committee Chairman Lauderdale reported that the Finance Committee meeting was held on Wednesday October 21, 2020 at 1:45 p.m. and the following business was discussed.

Mrs. Megan Gior, Director of Purchasing/Real Estate advised the Committee that bids for electric and natural gas services for Batavia Downs Gaming and Branch locations were opened on October 16, 2020. After review by staff, it is recommended that New Wave Energy Corp. be awarded the bid.

Upon motion by Director Bassett and seconded by Director Schneider a roll call vote was taken to award the bid to New Wave Energy Corp. for Electric for a two (2) year period Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #30-2020.**

Upon motion by Director Bassett and seconded by Director Schneider a roll call vote was taken to award the bid to New Wave Energy Corp. for gas service for a two (2) year period. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #30a-2020.**

4. Finance Committee Report continued:

Mrs. Jacquelyne A. Leach, Chief Financial Officer presented the 2021 Preliminary Operating Plan to the Committee highlighting the Plan assumptions and certain revenues and expenses. The Preliminary Plan is presented as a fluid working document. Its purpose is to facilitate discussion amongst Western management and the Board of Directors. Current trends will be reviewed and adjustments will be made.

Mrs. Leach encouraged members to review the preliminary plan and direct any questions they may have to Mrs. Leach and the other Officers.

This was provided for informational purposes.

Mrs. Leach reviewed the September 2020 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$92,162 in surcharge to member municipalities for September.

Mrs. Leach also reviewed the September 2020 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 October as compared to same period 2020 and 2019.

The Finance Committee meeting adjourned at 2:27 p.m.

5. Advertising Committee Report:

Committee Chairperson May reported that the Advertising & Promotions Committee meeting was held on Wednesday October 21, 2020 at 2:30 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 the Preakness and other races at thoroughbred and harness tracks. Previews for upcoming Breeder's Cup and Crown were shown.

5. **Advertising Committee Report continued:**

Mr. Ryan Hasenauer, Director of Marketing-WROTBC & Video Gaming discussed the progressive plan for events and promotions.

The Resolution #33-2020 was presented to the Committee for the previous request for proposal in respect to the marketing mailers, that Applied Business Systems, Inc. was previously the lowest responsible bidder and that the existing agreement contained an option to extend agreement for one (1) year.

Upon motion by Director May and seconded by Director Lattimore a roll call vote was taken to extend the existing agreement with Applied Business Systems, Inc. for one (1) year. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #33-2020.**

The Resolution #35-2020 was presented to the Committee for licensing rights to show UFC, wrestling and boxing events from Joe Hand Promotions, the sole authorized provider for the 2021 year in the amount not to exceed \$45,000.00.

Upon motion by Director May and seconded by Director Morgan a roll call vote was taken for licensing rights to show UFC, wrestling and boxing events from Joe Hand Promotions, the sole authorized provider for the 2021 year in the amount not to exceed \$45,000.00. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #35-2020.**

The Resolution #36-2020 was presented to the Committee to engage Electronic Field Productions to create and produce professional television and radio commercials for 2021 in the amount not to exceed \$20,000.00.

Upon motion by Director May and seconded by Director Haberer a roll call vote was taken to engage Electronic Field Productions to create and produce professional television and radio commercials for 2021 in the amount not to exceed \$20,000.00. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #36-2020.**

The Resolution #38-2020 was presented to the Committee to advertise with Facebook and Instagram through the end of 2021 in the amount not to exceed \$25,000.00.

5. **Advertising Committee Report:**

Upon motion by Director May and seconded by Director Siebert a roll call vote was taken to advertise with Facebook and Instagram through the end of 2021 in the amount not to exceed \$25,000.00. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #38-2020.**

The Resolution #39-2020 was presented to the Committee for Genesee Valley Publications to advertise in its publications during the 2021 year in the amount not to exceed \$50,000.00.

Upon motion by Director May and seconded by Director Morgan a roll call vote was taken for Genesee Valley Publications to advertise in its publications during the 2021 year in the amount not to exceed \$50,000.00. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #39-2020.**

The Advertising & Promotions Committee meeting adjourned at 2:45 p.m.

6. **Legislative Committee Report:**

Committee Vice Chairman Siebert reported the Legislative Committee meeting was held on Wednesday October 21, 2020 at 3:23 p.m. and the following business was discussed.

Mr. Henry F. Wojtaszek, President & CEO updated the Committee expecting Legislative to come back in November to pass a mobile sports betting bill. He also reiterated to continue to speak with you legislative officials.

The Legislative Committee meeting adjourned at 3:30 p.m.

7. **Insurance Committee Report:**

The Insurance Committee did not meet.

8. **Audit Committee Report:**

Committee Chairman Bassett reported the Audit Committee meeting was held on Wednesday October 21, 2020 at 3:45 p.m. and the following business was discussed.

Committee Chairman Bassett informed the Board that the Committee met with The Bonadio Group where a pre audit presentation was delivered by Jonathan Semmler and Randy Sheppard. He reported that the committee entered into a brief executive session.

The Audit Committee meeting adjourned at 4:30 p.m.

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

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Wednesday October 21, 2020 at 2:49 p.m. and the following business was discussed.

Mr. Mark Wolf, General Manager-Video Gaming provided a gaming floor status update.

Mr. Todd Haight, Director/GM Live Racing provided a Live Racing update.

Ms. Glor informed the Committee of the Resolution #31-2020 needed for Linen services for a three (3) year period from AlSCO in the amount not to exceed \$20,000.00.

Upon motion by Director Morgan and seconded by Director Wamp a roll call vote was taken Linen services for a three (3) year period from AlSCO in the amount not to exceed \$20,000.00. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #31-2020.**

Ms. Glor discussed the Resolution #32-2020 approved the assignment of a three (3) year dumpster service agreement with Modern Disposal Services, Inc. who acquired the assets and service commitments of Allied Waste Services of North America, LLC. in the amount not to exceed \$45,223.56.

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

Upon motion by Director Morgan and seconded by Director Siebert a roll call vote was taken approving the assignment of a three (3) year dumpster service agreement with Modern Disposal Services, Inc. who acquired the assets and service commitments of Allied Waste Services of North America, LLC. in the amount not to exceed \$45,223.56. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #32-2020.**

Mr. Mark Gabriele, Associate General Counsel discussed the following Policy Updates.

- Advertising Policy
- Anti-Money Laundering
- Code of Ethics Policy
- Procurement and Procurement Disclosure Policy
- Whistle-Blower Code of Conduct Policy

Upon motion by Director Morgan and seconded by Director May a voice vote was taken to approved policy updates. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #40-2020.**

Ms. Glor advised the Committee of the Resolution #41-2020 for Home Depot needed for various supplies for 2021 in the amount not to exceed \$50,000.00.

Upon motion by Director Morgan and seconded by Director Lattimore a roll call vote was taken to approve Home Depot for various supplies for 2021 in the amount not to exceed \$50,000.00. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #41-2020.**

Ms. Glor advised the Committee of the Resolution #42-2020 for Corr Distributors needed for various custodial supplies for 2021 in the amount not to exceed \$20,000.00.

Upon motion by Director Morgan and seconded by Director Lattimore a roll call vote was taken to approve Corr Distributors needed for various custodial supplies for 2021 in the amount not to exceed \$20,000.00. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #42-2020.**

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

Ms. Glor advised the Committee of the Resolution #43-2020 for Hanson Aggregates needed for stone to maintain the track surface for 2021 in the amount not to exceed \$30,000.00.

Upon motion by Director Morgan and seconded by Director Wamp a roll call vote was taken to approve Hanson Aggregates needed for stone to maintain the track surface for 2021 in the amount not to exceed \$30,000.00. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #43-2020.**

Ms. Glor advised the Committee of the Resolution #44-2020 for Hillyard Inc. for janitorial supplies and carpet matting for 2021 in the amount not to exceed \$55,000.00.

Upon motion by Director Morgan and seconded by Director Winter a roll call vote was taken to approve Hillyard Inc. for janitorial supplies and carpet matting for 2021 in the amount not to exceed \$55,000.00. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #44-2020.**

Ms. Glor advised the Committee of the Resolution #45-2020 for Hill & Markes, Inc. for custodial supplies for 2021 in the amount not to exceed \$30,000.00.

Upon motion by Director Morgan and seconded by Director Lauderdale a roll call vote was taken to approve Hill & Markes, Inc. for custodial supplies for 2021 in the amount not to exceed \$30,000.00. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #45-2020.**

Ms. Glor advised the Committee of the Resolution #46-2020 Goetz Energy Group, Inc. low sulfur diesel fuel for 2021 in the amount not to exceed \$20,000.00.

Upon motion by Director Morgan and seconded by Director May a roll call vote was taken to approve Goetz Energy Group, Inc. low sulfur diesel fuel for 2021 in the amount not to exceed \$20,000.00. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #46-2020.**

Ms. Glor advised the Committee of the Resolution #47-2020 for Sunoco. For the purchase of gasoline for 2021 in the amount not to exceed \$20,000.00.

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

Upon motion by Director Morgan and seconded by Director Warthling a roll call vote was taken to approve Sunoco. For the purchase of gasoline for 2021 in the amount not to exceed \$20,000.00. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #47-2020.**

The Batavia Downs Committee meeting adjourned at 4:55 p.m.

10. **Branch Operations Committee Report:**

Committee Chairperson Parmer-Garner reported the Branch Operations Committee meeting was held on Thursday October 21, 2020 at 9:30 a.m. and the following business was discussed.

Mr. Sean Schiano, Director of Branch Operations informed the Committee that Batavia Bets was up \$912,000 or 95% in September, with help from the late run Kentucky Derby. In October Batavia Bets is up \$612,000 or 110% through Sunday, with help from the late run Preakness. Year to date Batavia Bets is up \$2.9 million or 29%.

Mr. Schiano informed the Committee that staff is clearing out closed branches and prepping branches for the winter months. Mr. Schiano also noted that Maple City Bowl in Hornell, Steuben County is completing their application, as well as Hunt's Pub in Caledonia, Monroe County. Staff continues to search for a possible Newark, Wayne County location.

The Committee was informed of the Resolution #48-2020 that Western has received an offer to purchase the 55 Broadway Mall, Hornell property for the amount of \$175,000.00 from Jeremy Bittel and Megan O'Brien.

Upon motion by Director Parmer-Garner and seconded by Director Schneider a roll call vote was taken to accept the offer from Jeremy Bittel and Megan O'Brien to purchase the 55 Broadway Mall, Hornell property for the amount of \$175,000.00. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #48-2020**

The Committee was informed of the Resolution #49-2020 for Western to engage with realtor WNY Commercial Real Estate Services, LLC. d/b/a CBRE-Buffalo to list certain property in Erie County for sale.

10. Branch Operations Committee Report continued:

Upon motion by Director Parmer-Garner and seconded by Director Warthling a voice vote was taken for Western to engage with realtor WNY Commercial Real Estate Services, LLC. d/b/a CBRE-Buffalo to list certain property in Erie County for sale. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #49-2020.**

The Committee was informed of the Resolution #50-2020 for Western to engage with Keller Williams Realty as realtor to list certain property in Monroe County for sale.

Upon motion by Director Parmer-Garner and seconded by Director Morgan a voice vote was taken for Western to engage with Keller Williams Realty as realtor to list certain property in Monroe County for sale. Ayes: 15; Nays: 0; Absent: 2; Hendrickson; Barnes. **See Resolution #50-2020.**

The Branch Operations Committee adjourned at 9:35 a.m.

11. Resolutions:

- 30-2020 New Wave Energy Corp. Electric**
- 30a-2020 New Wave Energy Corp. Gas**
- 31-2020 AlSCO**
- 32-2020 Modern Disposal Services, Inc.**
- 33-2020 Applied Business System, Inc.**
- 35-2020 Joe Hand Promotions**
- 36-2020 Electronic Field Productions**
- 38-2020 Facebook**
- 39-2020 Genesee Valley Publications**
- 40-2020 Updated Corporate Policies**
- 41-2020 Home Depot**
- 42-2020 Corr Distributors**
- 43-2020 Hanson Aggregates**
- 44-2020 Hillyard**
- 45-2020 Hill & Markes**
- 46-2020 Goetz Energy Group**
- 47-2020 Sunoco**
- 48-2020 Sale of Hornell**
- 49-2020 Realtor Erie County**
- 50-2020 Realtor Monroe County**

12. **Unfinished Business:**

There was no unfinished business.

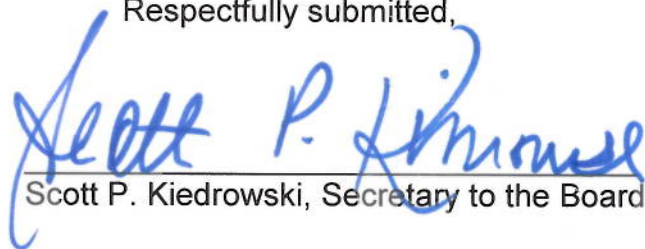
13. **New Business:**

The Board of Directors special meeting to review the 2021 Operating Plan is scheduled for November 17, 2020 respectively.

14. **Adjournment:**

Director May made a motion to adjourn which Director Siebert seconded. The meeting was adjourned at 10:43 a.m.

Respectfully submitted,



Scott P. Kiedrowski, Secretary to the Board

/pma

RESOLUTION #30-2020

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") maintains numerous facilities throughout Western and Central New York; and

WHEREAS, it is imperative that Western purchases electric services in order to operate each location; and

WHEREAS, Western invited bids for electric service for the period of November 1, 2020 through October 31, 2023 for its locations throughout Western and Central New York; and

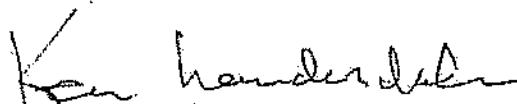
WHEREAS, on October 16, 2020 such bid proposals were publicly opened for the award of electric service at all of Western's locations; and

WHEREAS, Staff recommends that the Board of Western determine that New Wave Energy Corp. is the lowest responsible bidder for a two (2) year period, and therefore

BE IT RESOLVED, that Western, upon the recommendation of staff, awards the electric and service contract to New Wave Energy Corp. for a two (2) year period; and

BE IT FURTHER RESOLVED, that the Board of Western directs an Officer to take all steps to implement this resolution.

Respectfully submitted,


Ken Lauderdale, Chairman
Finance Committee

RESOLUTION #30a-2020

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") maintains numerous facilities throughout Western and Central New York; and

WHEREAS, it is imperative that Western purchases natural gas services in order to operate each location; and

WHEREAS, Western invited bids for natural gas service for the period of November 1, 2020 through October 31, 2023 for its locations throughout Western and Central New York; and

WHEREAS, on October 16, 2020 such bid proposals were publicly opened for the award of natural gas service at all of Western's locations; and

WHEREAS, Staff recommends that the Board of Western determine that New Wave Energy Corp. is the lowest responsible bidder for a two (2) year period, and therefore

BE IT RESOLVED, that Western, upon the recommendation of staff, awards the natural gas and service contract to New Wave Energy Corp. for a two (2) year period; and

BE IT FURTHER RESOLVED, that the Board of Western directs an Officer to take all steps to implement this resolution.

Respectfully submitted,



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RESOLUTION #31-2020

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

WHEREAS, Western has placed for public bid the linen services contract for a three (3) year period to provide Western with weekly linen services for the Food and Beverage Department; and

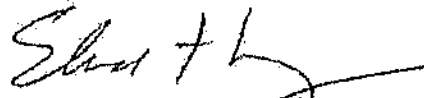
WHEREAS, Western has received bids for the linen services for the Food and Beverage Department for a three (3) year period; and

WHEREAS, staff recommends that the Board of Directors of Western accept the bid of AlSCO, Inc. as the lowest responsible bidder for linen services for a three (3) year period in the amount not to exceed \$20,000.00 per year; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approve AlSCO, Inc. as the lowest responsible bidder for linen services for a three (3) year period in an amount not to exceed \$20,000.00 per year; 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

RESOLUTION #32-2020

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 previously was 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, it was determined that Allied Waste Services of North America LLC d/b/a Republic Services of Buffalo ("Allied") was the lowest responsible bidder with 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, Western has been notified that Modern Disposal Services, Inc. ("Modern") has acquired the assets and service commitments of Allied, including providing Western with two (2) – eight (8) yard dumpsters to be serviced Monday through Friday at Western's Batavia Downs location at the existing contract cost of \$45,223.56; and

WHEREAS, staff recommends that the Board of Directors of Western confirm that Modern will replace Allied for the above referenced dumpster service; now therefore

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

RESOLUTION #33-2020

WHEREAS, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation ("Western") sends out specific marketing mailers to its patrons and potential patrons to promote the Batavia Downs Gaming facility; and

WHEREAS, Western previously sent out a request for proposal in respect to the marketing mailers, which responses were received on July 9, 2019; and

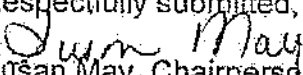
WHEREAS, the Board of Western previously determined that Applied Business Systems, Inc. ("Applied") was lowest responsible bidder with a bid of \$76,829.00; and

WHEREAS, the existing agreement provides Western with an option to extend the existing agreement for an additional one (1) year period; and

WHEREAS, Staff recommends to the Board that Western exercises its one (1) year option to extend the existing agreement along the same terms and conditions; and, now therefore

BE IT RESOLVED, that the Board of Directors of Western hereby exercises the one (1) year option with Applied in the amount not to exceed \$76,829.00; and further

RESOLVED, that the Board of Directors of Western hereby authorizes an officer of Western to exercise the option in furtherance of this resolution.

Respectfully submitted,

Susan May, Chairperson
Advertising & Promotions Committee

RESOLUTION #35-2020

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 the licensing rights to show UFC, wrestling and boxing events from Joe Hand Promotions to show such pay per view events inside of 34 Rush on select dates and events in 2021; and

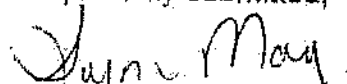
WHEREAS, Joe Hand Promotions, the sole authorized provider, sells access to these packages for \$45,000 for select dates and events in 2021; and

WHEREAS, the staff requests that the Board of Directors of Western authorize the purchase of licensing rights from Joe Hand Promotions to show select UFC, wrestling and boxing events for the 2021 year; therefore

BE IT RESOLVED, that the Western's Board of Directors hereby authorizes the purchase of licensing rights for select UFC, wrestling and boxing events from Joe Hand Promotions in an amount not to exceed \$45,000.00 for select events and dates throughout 2021; 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: October 22, 2020.

RESOLUTION #36-2020

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

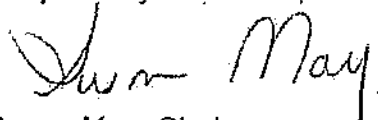
WHEREAS, in order to produce professional television and radio commercials, Staff recommends that Western engages Electronic Field Productions to create and such commercials; and

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 \$20,000.00 for the 2021 year; and, therefore

BE IT RESOLVED, that the Board of Directors of Western approves the purchase of professional services to produce television and radio commercials from Electronic Field Productions for 2021 in the amount not to exceed \$20,000.00; 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,



Susan May, Chairperson
Advertising & Promotions Committee

Dated: October 22, 2020.
Batavia, New York

RESOLUTION #38-2020

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

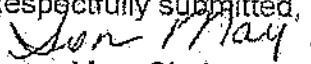
WHEREAS, Facebook and Instagram provide Western with unique social media advertising opportunities to promote the Batavia Gaming facility; and

WHEREAS, the Staff of Western wishes to advertise with Facebook and Instagram through the end of 2021 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 through the end of 2021 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 through the end of 2021 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

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RESOLUTION #39-2020

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

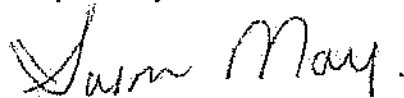
WHEREAS, Genesee Valley Publications ("Genesee Valley") is a source provider for local advertising and promotions; and

WHEREAS, the Board of Directors of Western wishes to enter into an agreement with Genesee Valley to advertise in its publications during the 2021 year in an amount not to exceed \$50,000; now therefore be it

RESOLVED, that the Board of Directors of Western approve an agreement with Genesee Valley to advertise in its publications during the 2021 year in an amount not to exceed \$50,000; 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: October 22, 2020
 Batavia, New York

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RESOLUTION #40-2020

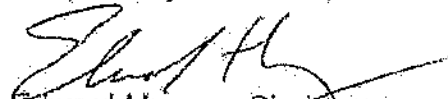
WHEREAS, the Western Regional Off-Track Betting Corporation ("Western") continues to review, establish and update its corporate policies; and

WHEREAS, the Board of Directors of Western, its Officers and Staff recommend that the Advertising Policy, Anti-Money Laundering Policy, Code of Conduct Policy, Ethics Policy and Procurement and Procurement Disclosure Policy be adopted as updated policies of the Corporation.

THEREFORE, BE IT RESOLVED, that the Board of Directors of Western hereby adopt the above referenced policies in the form attached to this resolution; and

BE IT FURTHER RESOLVED, that the Officers and Staff of the Corporation are hereby authorized and directed to take all steps necessary to implement this Policy.

Respectfully submitted,



Edward Morgan, Chairperson
Batavia Downs Operations Committee

Dated: October 22, 2020
Batavia, New York

RESOLUTION #41-2020

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

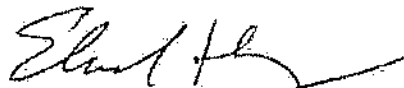
WHEREAS, the Staff recommends to the Board of Directors of the Western to purchase various building and repair items in an amount not to exceed \$50,000 for the 2021 year from Home Depot, an approved federal bid provider; and;

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 2021 year; and, therefore be it

RESOLVED, that the Board of Directors of Western approves the purchase of various building and repair items in the amount not to exceed \$50,000 for the 2021 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: October 22, 2020

RESOLUTION #42-2020

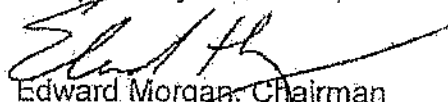
WHEREAS, Western Regional Off-Track Betting Corporation ("Western") requires various custodial supplies, including paper and plastic products, cleaning supplies and equipment parts for the operation of its various facilities; and

WHEREAS, Staff recommends that the Board of Directors of the Western approve the purchase of such custodial supplies from Corr Distributors, an approved NYS Contract vendor, for the 2021 year in an amount not to exceed \$20,000.00; and, now therefore be it

RESOLVED, that the Board of Directors of Western approve the purchase of custodial supplies from Corr Distributors for the 2021 year in an amount not to exceed \$20,000.00; 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: October 22, 2020
Batavia, New York

RESOLUTION #43-2020

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 Contractor 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 \$30,000.00 for the purchase of the resurfacing material for the racetrack; and, therefore be it

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; and be it 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

RESOLUTION #44-2020

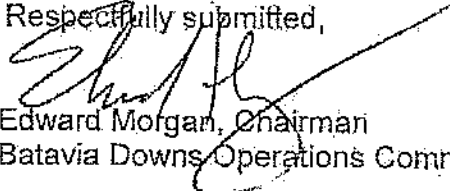
WHEREAS, Western Regional Off-Track Betting Corporation ("Western") requires various custodial supplies, including paper and plastic products, cleaning supplies and equipment parts for the operation of its various facilities; and

WHEREAS, Staff recommends that the Board of Directors of the Western approve the purchase of such custodial supplies from Hillyard, an approved NYS OGS vendor, for the 2021 year in an amount not to exceed \$55,000.00; and, now therefore be it

RESOLVED, that the Board of Directors of Western approve the purchase of custodial supplies from Hillyard for the 2021 year in an amount not to exceed \$55,000.00; 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: October 22, 2020
Batavia, New York

RESOLUTION #45-2020

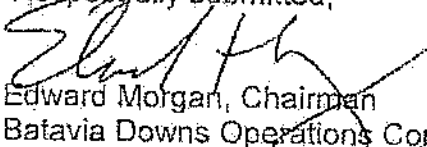
WHEREAS, Western Regional Off-Track Betting Corporation ("Western") requires various custodial supplies, including paper and plastic products, cleaning supplies and equipment parts for the operation of its various facilities; and

WHEREAS, Staff recommends that the Board of Directors of the Western approve the purchase of such custodial supplies from Hill & Markes, Inc., an approved federal bid provider, for the 2021 year in an amount not to exceed \$30,000.00; and, now therefore be it.

RESOLVED, that the Board of Directors of Western approve the purchase of custodial supplies from Hill & Markes, Inc. for the 2021 year in an amount not to exceed \$30,000.00; 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: October 22, 2020
Batavia, New York

RESOLUTION #46-2020

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 2021; and

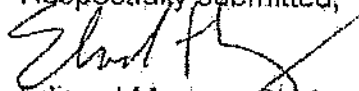
WHEREAS, as part of the NYS OGS Contract – Group #05602, Goetz Energy Corporation dba Kurk Fuel Company ("Goetz") will provide Western with low sulfur diesel fuel in the total amount not to exceed \$20,000.00 for 2021; and

WHEREAS, Staff recommends that the Board approve the purchase of the low sulfur diesel fuel from Goetz for the 2021 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 2021; 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

RESOLUTION #47-2020

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 2021; and

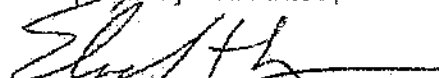
WHEREAS, as part of the NYS OGS Contract – Group #05600, Sunoco LLC will provide Western with gasoline fuel in the total amount not to exceed \$20,000.00 for 2021; and

WHEREAS, Staff recommends that the Board approve the purchase of gasoline fuel from Sunoco LLC for the 2021 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 2021; 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: October 22, 2020
Batavia, New York

RESOLUTION #48-2020

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") currently is offering for sale the property located at 55 Broadway Mall, Hornell; and

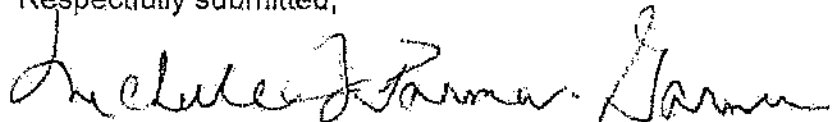
WHEREAS, Western has received an offer to purchase that property from Jeremy Bittel and Megan O'Brien, on behalf of themselves and/or a corporation formed or to be formed for the amount of \$175,000.00; and

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 \$175,000.00 from Jeremy Bittel and Megan O'Brien, on behalf of themselves and/or a corporation formed or to be formed for the real property located at 55 Broadway Mall, Hornell, 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,



Michelle Parmer-Garner
Chairperson Branch Committee

Dated: October 22, 2020
Batavia, New York

RESOLUTION #49-2020

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") currently is the owner of various real property in Erie County, New York; and

WHEREAS, Western has from time to time found it advisable to list certain real property for sale; and

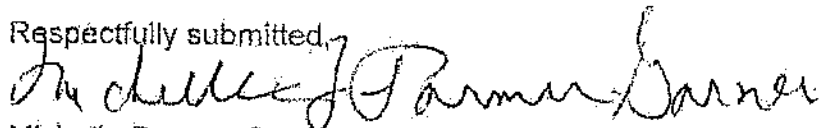
WHEREAS, Western wishes to engage a realtor to list certain property in Erie County for sale; and

WHEREAS, based on location, price and experience of the realtors, Staff recommends to the Board of Directors that Western engages WNY Commercial Real Estate Services, LLC d/b/a CBRE-Buffalo as realtor for the sale of certain Erie County, New York real property.

THEREFORE, BE IT RESOLVED, that the Board of Directors of Western hereby engages the services of WNY Commercial Real Estate Services, LLC d/b/a CBRE-Buffalo to act as realtor for the sale of certain real property in Erie County, New York; and

BE IT FURTHER, RESOLVED, that Board of Directors of Western authorizes an Officer to execute any agreement in furtherance of this resolution.

Respectfully submitted,



Michelle Parmar-Garner
Chairperson Branch Committee

Dated: October 22, 2020
Batavia, New York

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RESOLUTION #50-2020

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") currently is the owner of various real property in Monroe County, New York; and

WHEREAS, Western has from time to time found it advisable to list certain real property for sale; and

WHEREAS, Western wishes to engage a realtor to list certain property in Monroe County for sale; and

WHEREAS, based on location, price and experience of the realtors, Staff recommends to the Board of Directors that Western engages Keller Williams Realty as realtor for the sale of certain Monroe County, New York real property.

THEREFORE, BE IT RESOLVED, that the Board of Directors of Western hereby engages the services of Keller Williams Realty to act as realtor for the sale of certain real property in Monroe County, New York; and

BE IT FURTHER, RESOLVED, that Board of Directors of Western authorizes an Officer to execute any agreement in furtherance of this resolution.

Respectfully submitted,



Michelle Parmer-Garner
Chairperson Branch Committee

Dated: October 22, 2020
 Batavia, New York