Meeting #531

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 July, 2021 and commencing at 10:01 a.m. in the *Boardroom*, Corporate Headquarters at 8315 Park Road Batavia, New York.

Participating were:		**Absent:**	
Cattaraugus	Richard E. Haberer	Buffalo	Parmer-Garner
Erie	Francis G. Warthling	Cayuga	Lattimore
Genesee	Richard E. Siebert	Chautauqua	Hendrickson
Livingston	Thomas P. Wamp	Niagara	Winter
Monroe	Richard D. Bianchi	Oswego	Vacant
Orleans	Edward F. Morgan	Schuyler	Barnes
Rochester	Dennis Bassett	Seneca	Ricci
Wayne	Ken Lauderdale	Steuben	Vacant
Wyoming	Susan May		

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; Mark Gabriele, Associate General Counsel; Steven Haigh, Internal Auditor; Ryan Hasenauer, Director of Marketing-WROTBC & Video Gaming; Jake Rak, Controller-WROTBC-Operations; Mike Pettinella, The Batavian; Brian Quinn, The Batavia Daily News.

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 asked Mr. Haigh 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 24, 2021. There being none, a motion was made by Director Morgan and seconded by Director May to approve the June minutes as submitted. The minutes were approved unanimously by voice vote.

2. **Communications:**

Mr. Scott P. Kiedrowski, Vice President – Operations informed the Board of the following:

A thank you note from Karen & David Crawford for the fun evening they had at the Tommy James & The Shondells concert at Batavia Downs Gaming.

A thank you note from the Breast Cancer Coalition for the gifts to the Infield of Dreams Market fundraiser.

A thank you note from The Arc of Livingston-Wyoming for the generous gift for the silent auction at the 2021 Friends Fore Life Golf Tournament.

3. **Personnel Committee Report:**

Committee Vice-Chairman Wamp reported that the Personnel Committee meeting was held on Wednesday July 21, 2021 at 3:30 p.m. and the following business was discussed.

Mr. Henry Wojtaszek, President & CEO discussed the need for the position of Sales Manager, which will include selling the following: hotel rooms, events and sponsorships.

Mr. William R. White, Vice President – Administration held a discussion due to the shortage of employees, staff is not able to use vacation benefit time and asked for approval for non-administrative, non-union employees to buy back one (1) week (40 hours) of fully accrued vacation time. **See Resolution #46-2021.**

3. **Personnel Committee Report continued:**

A motion by Director May and seconded by Director Haberer the motion passed to bring non-administrative, non-union employees fully accrued vacation buy back to the full Board.

Upon motion by Director Wamp and seconded by Director May a roll call vote was taken. The motion passed to approve non-administrative, non-union employees to buy back one (1) week (40 hours) of fully accrued vacation time. Ayes: 9; Nays: 0; Vacant: 2; Oswego; Steuben; Absent: 6; Parmer-Garner, Lattimore; Hendrickson; Winter; Barnes; Ricci.

A motion was made by Director Haberer to adjourn, seconded by Director May, the Personnel Meeting adjourned at 3:44 p.m.

4. **Finance Committee Report:**

Committee Chairman Lauderdale reported that the Finance Committee meeting was held on Wednesday July 21, 2021 at 3:32 p.m. and the following business was discussed.

Mr. Jake Rak, Controller-WROTBC-Operations presented the Resolution - #42-2021. The Resolution is for the PPP loan Western received for operations during the Coronavirus shutdown, for various expenses including normal compensation to employees. Western received notice that the PPP loan had been formally forgiven and wishes to exclude $3,151,700 from the 2nd quarter municipality earnings distribution calculation.

Upon motion by Director Morgan, seconded by Director Wamp, and carried unanimously for Resolution - #42-2021 to be carried to the full Board.

4. Finance Committee Report continued:

Upon motion by Director Lauderdale and seconded by Director Morgan a roll call vote was taken. The motion passed to approve the Resolution for the PPP loan Western received for operations during the Coronavirus shutdown, for various expenses including normal compensation to employees. Western received notice that the PPP loan had been formally forgiven and wishes to exclude $3,151,700 from the 2nd quarter municipality earnings distribution calculation. Ayes: 9; Nays: 0; Vacant: 2; Oswego; Steuben; Absent: 6; Parmer-Garner, Lattimore; Hendrickson; Winter; Barnes; Ricci. **See Resolution #42-2021**

Mr. Rak reviewed the June 2021 Chief Financial Officer Report with Committee members. Mr. Rak discussed the results of operations for branches and Batavia Downs. The Corporation will distribute $68,392 in surcharge to member municipalities for the month of June and $1,051,606 in earnings distribution for the 2nd quarter of 2021.

Mr. Rak also reviewed the June 2021 Batavia Downs results of operations, and provided information on credits played, net win and free play, food & beverage and hotel operations, and other statistics.

A motion to adjourn was made by Director Morgan and seconded by Director Bianchi. The Finance Committee meeting adjourned at 2:34 pm.

5. Advertising Committee Report:

Committee Chairperson May reported that the Advertising & Promotions Committee meeting was held on Wednesday July 21, 2021 at 4:00 p.m. and the following business was discussed.

Mr. Todd Haight, Director/GM Live Racing/Branch Ops Specialist delivered a presentation on the betting handle surrounding various horse racing events.

Mr. Ryan Hasenauer, Director of Marketing-WROTBC & Video Gaming discussed the plan for Hotel Offers to current players and the use of "packages" to help drive bookings for events.

5. **Advertising Committee Report continued:**

At 2:48 p.m. a motion to enter into Executive Session was made by Director Lauderdale and seconded by Director Warthling.

The committee came out of Executive session at 3:13 p.m.

Mr. Hasenauer presented the Resolution #43-2021 for the opportunity to purchase suite use from Western New York Arena for various events for a five (5) year period.

Upon motion by Director Morgan and Seconded by Director Warthling a voice vote was taken Ayes: 4; Nays: 1; Lauderdale to bring the Resolution to the full Board.

Upon motion by Director Bianchi and seconded by Director Haberer the Resolution #43-2021 was tabled until next month.

Mr. Hasenauer presented the Resolution #44-2021 to purchase from the low bidder Olea Kiosks, Inc. eight (8) Metrolite kiosks and two (2) Monte Carlo kiosks compatible with the Bally system software in the total amount of $94,256.00.

Upon motion by Director May and seconded by Director Bassett a roll call vote was taken. The motion passed to approve the purchase from the low bidder Olea Kiosks, Inc. eight (8) Metrolite kiosks and two (2) Monte Carlo kiosks compatible with the Bally system software in the total amount of $94,256.00. Ayes: 9; Nays: 0; Vacant: 2; Oswego; Steuben; Absent: 6; Parmer-Garner, Lattimore; Hendrickson; Winter; Barnes; Ricci. **See Resolution #44-2021.**

Mr. Hasenauer presented Resolution #45-2021 for the return of personal services and appearances by Thurman Thomas in the amount of $10,000.00 per month for an eighteen month term.

Upon motion by Director Morgan and seconded by Director Lauderdale the motion passed to bring it to the full Board.

5. **Advertising Committee Report continued:**

Upon motion by Director May and seconded by Director Warthling a roll call vote was taken. The motion passed for the return of personal services and appearances by Thurman Thomas in the amount of $10,000.00 per month for an eighteen month term. Ayes: 9; Nays: 0; Vacant: 2; Oswego; Steuben; Absent: 6; Parmer-Garner, Lattimore; Hendrickson; Winter; Barnes; Ricci. **See Resolution #45-2021.**

The Advertising & Promotions Committee meeting adjourned at 3:20 p.m.

6. **Legislative Committee Report:**

The Legislative Committee did not meet.

7. **Insurance Committee Report:**

The Insurance Committee did not meet.

8. **Audit Committee Report**:

Committee Chairman Bassett reported that the Audit Committee meeting was held on Wednesday July 21, 2021 at 3:31 p.m. and the following business was discussed.

Mr. Steven Haigh, Internal Auditor reviewed the organizational compliance with the Committee.

The Audit Committee meeting adjourned at 3:40 p.m.

9. Batavia Downs Operations Committee Report:

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Wednesday July 21, 2021 at 1:08 p.m. and the following business was discussed.

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

Mr. Haight provided the Committee with a Live Racing update. Live Racing returns at Batavia Downs this evening and reported that it is broadcasted on utube.

Mr. Haight presented Resolution #41-2021 for Keeler Construction Co, Inc. to provide services including the removal of exiting asphalt, adding binder, crusher run and top coat on the east side of the horse barns in the amount not to exceed $28,000.00.

Upon motion by Director Haberer and seconded by Director Lauderdale a voice vote was taken and the motion passed with no opposition to bring it to the full Board.

Upon motion by Director May and seconded by Director Siebert a roll call vote was taken. The motion passed for Keeler Construction Co, Inc. to provide services including the removal of exiting asphalt, adding binder, crusher run and top coat on the east side of the horse barns in the amount not to exceed $28,000.00. Ayes: 9; Nays: 0; Vacant: 2; Oswego; Steuben; Absent: 6; Parmer-Garner, Lattimore; Hendrickson; Winter; Barnes; Ricci. **See Resolution #41-2021.**

Upon motion by Director Haberer and seconded by Director Lauderdale the Batavia Downs Operations Committee meeting adjourned at 2:05 p.m.

10. Branch Operations Committee Report:

Committee Acting Chairperson Bassett reported the Branch Operations Committee meeting was held on Thursday, July 22, 2021 at 9:33 a.m. and the following business was discussed.

10. Branch Operations Committee Report continued:

Mr. Sean Schiano, Director of Branch Operations reported that maintenance is busy with lawn care, as well as returning televisions and chairs back to branches with restrictions being lifted.

Mr. Schiano reported that the Batavia Bets handled almost $2.2 million in May, up over $1 million or 97%. Through June 20, handle was $1.2 million which is down $79,000 or 6% from 2020. Year to date handle is $9 million up almost $2.9 million or 47%.

Mr. Schiano reported that the due diligence continues for both the McKinley sale and the Jefferson sale.

Mr. Schiano reported on the Grand Opening party at Station 26 in Cohocton, Steuben County, and what a fine tribute it was to Mr. Norman Schneider with Mr. Wojtaszek and a number of Board members present including Chairman Bianchi, Director Wamp, Director Ricci, and the former Steuben Director Mr. John Clifford.

Upon motion by Director Bianchi, seconded by Director Warthling, the Branch Operations Committee adjourned at 9:45 a.m.

11. New Business:

The Committees and Board meetings are scheduled for August 25 and August 26, 2021 respectively.

Chairman Bianchi announced that the Legislative Night at the Races will be held on August 25, 2021.

12. Adjournment:

A motion made by Director Haberer to adjourn seconded by Director May the meeting was adjourned at 10:59 a.m.

Respectfully submitted,

/pma

Scott P. Kiedrowski, Secretary to the Board

RESOLUTION #40-2021

WHEREAS, it is the responsibility of the Western Regional Off-Track Betting Corporation ("Western") to maintain the physical condition of its branch facilities; and

WHEREAS, Western owns and operates a branch location at 2500 Military Road in Niagara Falls, New York; and

WHEREAS, the lower roof of the Military Road location is in need of removal and replacement; and

WHEREAS, a public bid opening was held on June 28, 2021 for removal and replacement of the lower roof at the Military Road branch facility; and

WHEREAS, staff has determined that Jameson Roofing Co. Inc was the lowest responsible bidder with a bid of $91,988.00; now

THEREFORE, BE IT RESOLVED, that the Board of Directors of Western hereby accepts the bid by Jameson Roofing Co. Inc. in the amount of $91,988.00 for the removal and replacement of the lower roof at Western's Military Road branch location; and

BE IT FURTHER, RESOLVED that an officer of Western is authorized to enter into an agreement to facilitate the performance of this resolution.

Respectfully submitted,

Michelle Parmer-Garner, Chairperson
Branch Operations Committee

Dated: July 22, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution # 40-2021 was duly put to a vote on roll call, which resulted as follows:

Motion by Director Warthling, seconded by Director May

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Haberer
			X		Cayuga	Lattimore
			X		Chautauqua	Hendrickson
X					Erie	Warthling
X					Genesee	Siebert
X					Livingston	Wamp
X					Monroe	Bianchi
			X		Niagara	Winter
X					Orleans	Morgan
				X	Oswego	*Vacant*
X					Rochester	Bassett
			X		Schuyler	Barnes
			X		Seneca	Ricci
				X	Steuben	*Vacant*
X					Wayne	Lauderdale
X					Wyoming	May

AYES _9_____ NAYS __0_____ ABSTAIN __0_____ABSENT___6_____VACANT__2__

I, the undersigned Secretary of the Western Regional Off-Track Betting Corporation ("Western") does hereby certify that the above resolution was duly adopted by the Board of Western, that all Board members had due notice of said meeting, the the meeting was in all respects duly held pursuant to Article 7 of Public Officers Law, that said meeting was open to the general public, and there was a quorum of Board members present throughout the meeting.

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of July, 2021.

Scott P. Thomas

Secretary

RESOLUTION #41-2021

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, Keeler Construction Co. Inc. ("Keeler"), a NY State Contract Vendor, will provide services to Western, including the removal of existing asphalt pave back 2" binder and 1" crusher run with 1' top coat on the east side of the horse barns along Richmond Avenue for an amount not to exceed $28,000.00; and

WHEREAS, Staff recommends that the Board of Directors of Western authorize payment to Keeler in the amount not to exceed $28,000 for such services; and therefore, be it

RESOLVED, that the Board of Directors of Western hereby authorize the payment of an amount not to exceed $28,000.00 to Keeler for services set forth above; 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: July 22, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution # 41-2021 was duly put to a vote on roll call, which resulted as follows:

Motion by Director May, seconded by Director Siebert

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Haberer
			X		Cayuga	Lattimore
			X		Chautauqua	Hendrickson
X					Erie	Warthling
X					Genesee	Siebert
X					Livingston	Wamp
X					Monroe	Bianchi
			X		Niagara	Winter
X					Orleans	Morgan
				X	Oswego	*Vacant*
X					Rochester	Bassett
			X		Schuyler	Barnes
			X		Seneca	Ricci
				X	Steuben	*Vacant*
X					Wayne	Lauderdale
X					Wyoming	May

AYES _9_____ NAYS __0_____ ABSTAIN __0_____ABSENT___6_____VACANT__2__

I, the undersigned Secretary of the Western Regional Off-Track Betting Corporation ("Western") does hereby certify that the above resolution was duly adopted by the Board of Western, that all Board members had due notice of said meeting, the the meeting was in all respects duly held pursuant to Article 7 of Public Officers Law, that said meeting was open to the general public, and there was a quorum of Board members present throughout the meeting.

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of July, 2021.

Secretary

RESOLUTION #42-2021

WHEREAS, it is the responsibility of Western Regional Off-Track Betting Corporation ("Western") to operate the business in the most efficient and economically practical manner; and

WHEREAS, on March 16, 2020, Western was directed to close its operations in response to the Coronavirus for an unknown period of time; and

WHEREAS, on April 30, 2020, Western received a $3,151,700 PPP loan which funds were used to pay various expenses, including normal compensation to its employees; and

WHEREAS, Western expended the proceeds of the PPP loan during 2020 calendar year; and

WHEREAS, on June 28, 2021, Western received notice that the PPP loan had been formally forgiven; and

WHEREAS, Western wishes to exclude $3,151,700 from 2021 revenue, which amount represents the forgiveness of the PPP loan; now therefore be it

RESOLVED, that the Board of Directors of Western authorize staff to exclude $3,151,700 from 2021 revenue which amount represents the forgiveness of the PPP loan; and further

RESOLVED, that an officer of Western is authorized to take all steps necessary in furtherance of the Board's approval and consent.

Respectfully submitted,

Ken Lauderdale, Chairman
Finance Committee

Dated: July 22, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution # 42-2021 was duly put to a vote on roll call, which resulted as follows:

Motion by Director Lauderdale, seconded by Director Morgan

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Haberer
			X		Cayuga	Lattimore
			X		Chautauqua	Hendrickson
X					Erie	Warthling
X					Genesee	Siebert
X					Livingston	Wamp
X					Monroe	Bianchi
			X		Niagara	Winter
X					Orleans	Morgan
				X	Oswego	*Vacant*
X					Rochester	Bassett
			X		Schuyler	Barnes
			X		Seneca	Ricci
				X	Steuben	*Vacant*
X					Wayne	Lauderdale
X					Wyoming	May

AYES _9_____ NAYS __0_____ ABSTAIN __0_____ABSENT___6_____VACANT__2__

I, the undersigned Secretary of the Western Regional Off-Track Betting Corporation ("Western") does hereby certify that the above resolution was duly adopted by the Board of Western, that all Board members had due notice of said meeting, the the meeting was in all respects duly held pursuant to Article 7 of Public Officers Law, that said meeting was open to the general public, and there was a quorum of Board members present throughout the meeting.

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of July, 2021.

Scott P. Brown

Secretary

RESOLUTION #44-2021

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 our customers; and

WHEREAS, a Kiosk system allows players to conveniently receive prizes and reprint players club cards; and

WHEREAS, the Kiosk system must be compatible with the Bally system software; and

WHEREAS, staff recommends that Western purchase from the low bidder Olea Kiosks, Inc. ("Olea") to provide eight (8) Metrolite kiosks and two (2) Monte Carlo kiosks for the total amount of $94,256.00; and therefore

BE IT RESOLVED, that Western's Board of Directors agree to purchase from low bidder Olea eight (8) Metrolite kiosks and two (2) Monte Carlo kiosks for the amount of $94,256.00; and

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

Respectfully submitted,

Susan May

Susan May, Chairperson
Advertising & Promotions Committee

Dated: July 22, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution # 44-2021 was duly put to a vote on roll call, which resulted as follows: * Motion to Waive the Rules Morgan seconded by May

Motion by Director May, seconded by Director Bassett

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Haberer
			X		Cayuga	Lattimore
			X		Chautauqua	Hendrickson
X					Erie	Warthling
X					Genesee	Siebert
X					Livingston	Wamp
X					Monroe	Bianchi
			X		Niagara	Winter
X					Orleans	Morgan
				X	Oswego	*Vacant*
X					Rochester	Bassett
			X		Schuyler	Barnes
			X		Seneca	Ricci
				X	Steuben	*Vacant*
X					Wayne	Lauderdale
X					Wyoming	May

AYES _9_____ NAYS __0_____ ABSTAIN __0_____ABSENT___6_____VACANT__2__

I, the undersigned Secretary of the Western Regional Off-Track Betting Corporation ("Western") does hereby certify that the above resolution was duly adopted by the Board of Western, that all Board members had due notice of said meeting, the the meeting was in all respects duly held pursuant to Article 7 of Public Officers Law, that said meeting was open to the general public, and there was a quorum of Board members present throughout the meeting.

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of July, 2021.

Secretary

RESOLUTION #45-2021

WHEREAS, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation ("Western") has in the past contracted with Thurman Thomas ("Thomas") to be the face of the themed restaurant at Batavia location called Labatt Blue Zone @ 34 Rush; and

WHEAREAS, in addition to being the face at the Labatt Blue Zone @ 34 Rush; Thomas will be available to Western to meet patrons and attend events held at Batavia Downs, together with various events including Buffalo Sabres, Buffalo Bills and concerts, all of which is to provide entertainment event tickets for a certain level of our patrons, as well as for special promotions; and

WHEREAS, in return for such personal services and appearances by Thomas and naming rights for the restaurant, Western will agree to pay Thomas $10,000.00 per month for an eighteen month term,; and

WHEREAS, Staff recommends that the Board of Directors of Western enter into an agreement with Thomas along the same terms as set forth above; and therefore

BE IT RESOLVED, that the Board of Directors of Western hereby approves entering into a naming rights / personal services agreement with Thomas along the terms set forth above; and further

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

Respectfully submitted,

Susan May

Susan May, Chairperson
Advertising & Promotions Committee

Dated: July 22, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution # 45-2021 was duly put to a vote on roll call, which resulted as follows * Motion to Waive the Rules May seconded by Haberer

Motion by Director May, seconded by Director Warthling

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Haberer
			X		Cayuga	Lattimore
			X		Chautauqua	Hendrickson
X					Erie	Warthling
X					Genesee	Siebert
X					Livingston	Wamp
X					Monroe	Bianchi
			X		Niagara	Winter
X					Orleans	Morgan
				X	Oswego	*Vacant*
X					Rochester	Bassett
			X		Schuyler	Barnes
			X		Seneca	Ricci
				X	Steuben	*Vacant*
X					Wayne	Lauderdale
X					Wyoming	May

AYES _9_____ NAYS __0_____ ABSTAIN __0_____ABSENT___6_____VACANT__2__

I, the undersigned Secretary of the Western Regional Off-Track Betting Corporation ("Western") does hereby certify that the above resolution was duly adopted by the Board of Western, that all Board members had due notice of said meeting, the the meeting was in all respects duly held pursuant to Article 7 of Public Officers Law, that said meeting was open to the general public, and there was a quorum of Board members present throughout the meeting.

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of July, 2021.

Secretary

RESOLUTION #46-2021

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

WHEREAS, the staff has reported to the Board of Directors of Western that due to the employee shortages caused by Covid 19, many of its non-administrative, non-union employees have not been able to utilize their accrued vacation time

WHEREAS, the staff is recommending that for calendar year 2021, non-administrative, non-union staff be eligible to buy back 40 hours of fully accrued vacation time; and.

WHEREAS, the Board of Directors of Western wishes to allow its non-administrative, non-union employees to buy back 40 hours of fully accrued vacation time for the calendar year 2021.

THEREFORE, BE IT RESOLVED, that Western hereby approves a temporary change to its non-union employee vacation policy, that would allow non-administrative, non-union employees to buy back 40 hours of fully accrued vacation time for the calendar year 2021; and

IT IS FURTHER RESOLVED, that an officer of Western is hereby authorized and directed to take all steps necessary to implement this resolution.

Respectfully submitted,

Thomas Wamp, Vice-Chairman
Personnel Committee

Dated: July 22, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution # 46-2021 was duly put to a vote on roll call, which resulted as follows: *Motion to waive the Rules May seconded by Haberer

Motion by Director Wamp, seconded by Director May

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Haberer
			X		Cayuga	Lattimore
			X		Chautauqua	Hendrickson
X					Erie	Warthling
X					Genesee	Siebert
X					Livingston	Wamp
X					Monroe	Bianchi
			X		Niagara	Winter
X					Orleans	Morgan
				X	Oswego	*Vacant*
X					Rochester	Bassett
			X		Schuyler	Barnes
			X		Seneca	Ricci
				X	Steuben	*Vacant*
X					Wayne	Lauderdale
X					Wyoming	May

AYES _9_____ NAYS __0_____ ABSTAIN __0_____ABSENT___6_____VACANT__2__

I, the undersigned Secretary of the Western Regional Off-Track Betting Corporation ("Western") does hereby certify that the above resolution was duly adopted by the Board of Western, that all Board members had due notice of said meeting, the the meeting was in all respects duly held pursuant to Article 7 of Public Officers Law, that said meeting was open to the general public, and there was a quorum of Board members present throughout the meeting.

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of July, 2021.

Secretary