

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 2nd day of December, 2021 and commencing at 10:33 a.m. in the *Boardroom*, Corporate Headquarters at 8315 Park Road Batavia, New York.

Participating were:

Cattaraugus	Richard Haberer
Cayuga	Lattimore, Jr.
Chautauqua	Allan Hendrickson
Genesee	Richard Siebert
Livingston	Thomas Wamp
Monroe	Richard Bianchi
Niagara	Elliott Winter
Orleans	Edward Morgan
Oswego	Mark Bombardo
Rochester	Dennis Bassett
Seneca	Richard Ricci
Steuben	Michael Horton
Wayne	Ken Lauderdale
Wyoming	Susan May

Absent:

Buffalo	Parmer-Garner
Erie	Warthling
Schuyler	Barnes

constituting the Directors of all participating municipalities.

Also participating were: Henry F. Wojtaszek, President & CEO; Scott Kiedrowski, Vice President Operations; Jacquelyne A. Leach, Chief Financial Officer; William R. White, Vice President – Administration; Mark Gabriele, Associate General Counsel; Steven Haigh, Internal Auditor; Ryan Hasenauer, Director of Marketing-WROTBC & Video Gaming; Megan Glor, Director of Purchasing/Real Estate; Brian Quinn, The Batavia Daily News; Michael Pettinella, The Batavian.

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 asked Director Ricci 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 October 28th, 2021. There being none, a motion was made by Director Bassett and seconded by Director Wamp to approve the October minutes as submitted. The minutes were approved unanimously by voice vote.

2. **Communications:**

Mr. Scott P. Kiedrowski informed the Board of the following communications.

A Thank you note from Shelley Falitico, Director of Public Relations & Development, The Arc Glow New York for the support for the 11th Annual Arc event.

A Thank you note from Make-A-Wish Benjamin D. Marchione, Regional Director, Western New York for the support from the chair rental at the 2021 Batavia Downs Summer Concert Series.

3. **Personnel Committee Report:**

Committee Chairman Winter reported the Personnel Committee was held on Wednesday December 2, 2021 at 2:00 p.m. and the following items were discussed:

Mr. William R. White, Vice President - Administration informed the Committee that the Director of Security, Mr. Joe Vacanti's waiver is expiring on 12/31/2021 and he will not be seeking a new waiver. Mr. White stated that we had a couple of external applicants but none that stood out. We had one internal applicant, Mr. Daniel Wood, who is currently the Assistant Director of Security. Mr. Wojtaszek expressed the need to have this position filled by 1/1/2022. The position of Director of Security is a Board appointment.

3. Personnel Committee Report continued:

Upon motion by Director Winter and seconded by Director Morgan a roll call vote was taken. Ayes: 12; Nays: 2; Bianchi; Siebert, Absent: 3; Parmer-Garner; Warthling; Barnes. The motion passed to approve Mr. Daniel Wood as Director of Security effective 1/1/2022.

A motion was made by Director Winter to enter into Executive Session at 2:20 p.m., seconded by Director Morgan, to discuss the medical, financial, credit or employment history of a particular person or corporation or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

At 2:30 p.m. a motion to adjourn Executive Session until the following morning was made by Director Winter, seconded by Director Haberer.

A motion was made by Director Winter to adjourn at 2:30 p.m., seconded by Director May.

The Committee entered into Executive Session again on Thursday, December 2, 2021 at 9:00 a.m.

A motion was made by Director Winter to adjourn Executive Session at 9:38 a.m., seconded by Director Ricci.

Upon motion by Director Winter and seconded by Director May the new position of IT Technician was approved by voice vote and passed unanimously.

A motion was made by Director Winter, seconded by Director Morgan to bring to the full Board the proposal of a 3.5% cost of living increase effective January 1, 2022, for all non-union employees that met the minimum requirements of the employee evaluation process.

Upon motion by Director Winter and seconded by Director May a voice vote was taken. Ayes: 14; Nays: 0; Absent: 3; Parmer-Garner; Warthling; Barnes. The motion passed to approve the 3.5% cost of living increase for all non-union employees that met the minimum requirements of the employee evaluation process.

The Personnel Committee meeting adjourned at 9:45 a.m.

4. **Finance Committee Report:**

Committee Chairman Lauderdale reported that the Finance Committee meeting was held on Wednesday December 1, 2021 at 1:13 p.m. and the following items were discussed.

Staff is recommending entering into an agreement under a Federal GSA Contract to provide a backup support for Western's critical data through the Unitrends appliance with J & M Consultants for an amount not to exceed \$60,000.00.

Upon motion by Director Bianchi, seconded by Director Bombardo, and carried unanimously for Resolution #93-2021 to be carried to the full Board.

Upon motion by Director Lauderdale and seconded by Director Bombardo a roll call vote was taken. Ayes: 14; Nays: 0; Absent: 3; Parmer-Garner; Warthling; Barnes. The motion passed to enter into an agreement under a Federal GSA Contract to provide a backup support for Western's critical data through the Unitrends appliance with J & M Consultants for an amount not to exceed \$60,000.00. **See Resolution #93-2021**

Mrs. Jacquelyne Leach presented the 2022 Final Operating Plan to the Committee highlighting Plan assumptions and certain revenues and expenses. The Final Operating Plan is presented as a fluid working document. Its purpose is to facilitate discussion amongst WROTBC Management and the Board of Directors. The plan projects surcharge revenues available to municipalities in the amount of \$886,144 and annualized operational earnings of \$4,779,182. A motion was made by Director Wamp, seconded by Director Bombardo, and carried unanimously to bring the 2022 Operating Plan, as presented to the full Board.

Upon motion by Director Lauderdale and seconded by Director Wamp to approve the 2022 Operating Plan a voice vote was taken and passed unanimously.

4. Finance Committee Report continued:

Mrs. Leach reviewed the October 2021 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$68,120 in surcharge to member municipalities for October. Mrs. Leach reviewed the October 2021 Batavia Downs results of operations, and provided information on credits played, net win and free play, food and beverage and hotel operations, and other statistics.

Mrs. Leach reviewed the NYGA Weekly Numbers with Committee members, highlighting Batavia Downs Gaming net win performance in November as compared to same period 2020 and 2019.

The Finance Committee meeting adjourned at 1:48 p.m.

5. Advertising Committee Report:

Committee Chairperson May reported that the Advertising & Promotions Committee meeting was held on Wednesday December 1, 2021 at 3:33 p.m. and the following items were discussed.

Mr. Todd Haight, Director/GM Live Racing/Branch Ops Specialist delivered a presentation on betting handle surrounding various horse racing events. The Breeder's Cup party was well attended in the Clubhouse.

Mr. Ryan Hasenauer, Director of Marketing showed photos from major events including the Legends and Stars Sports Expo as well as Nerds Gone Wild concert and Comedy Night.

Mr. Hasenauer reported that Batavia Downs continues their community outreach initiatives with a fundraiser for a local child battling cancer as well as upcoming toys for tot's holiday events.

The Advertising & Promotions Committee meeting adjourned at 3:50 p.m.

6. **Legislative Committee Report:**

Committee Chairman Hendrickson reported that the Legislative Committee meeting was held on Wednesday December 1, 2021 at 3:49 p.m. and the following items were discussed.

Mr. Wojtaszek led a discussion regarding the political environment in Albany.

Mr. Wojtaszek presented Resolution #100-2021 for a six month extension agreement with Upstate Strategic Advisors, LLC. in the amount of \$3,500.00 per month.

Upon motion by Director Hendrickson and seconded by Director Lauderdale a roll call vote was taken. Ayes: 13; Nays: 0; Absent: 4; Parmer-Garner; Warthling; Winter; Barnes. The motion passed for a six month extension agreement with Upstate Strategic Advisors, LLC. effective January 1, 2022 through June 30, 2022 in the amount of \$3,500.00 per month.

Mr. Wojtaszek presented Resolution #101-2021 for a six month extension agreement with Mercury Public Affairs, LLC in the amount of \$8,000.00 per month.

Upon motion by Director Hendrickson and seconded by Director Morgan a roll call vote was taken. Ayes: 13; Nays: 0; Absent: 4; Parmer-Garner; Warthling; Winter; Barnes. The motion passed for a six month extension agreement with Mercury Public Affairs, LLC effective January 1, 2022 through June 30, 2022 in the amount of \$8,000.00 per month. **See Resolution #101-2021**

The Legislative Committee meeting adjourned at 4:04 p.m.

7. **Insurance Committee Report:**

The Insurance Committee did not meet.

8. Audit Committee Report:

Committee Chairman Bassett reported the Audit Committee was held on Thursday December 2, 2021 at 9:30 a.m. and the following business was discussed.

Director Bassett informed the Board of the Pre-Audit Presentation by Mr. Randy Shepard and Ms. Erica Proctor.

The Audit Committee adjourned at 10:30 a.m.

9. Batavia Downs Operations Committee Report:

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Wednesday December 1, 2021 at 3:22 p.m. and the following items were discussed.

Sean Schiano, General Manager of Gaming provided gaming statics to the Committee.

Todd Haight, Director /General Manager-Live Racing provided a Live Racing update.

The Resolution #72-2021 was presented for Pepsi Co. to purchase products to service Western's Batavia Gaming facility at a cost of \$175,000.00.

Upon motion by Director Morgan and seconded by Director Hendrickson a roll call vote was taken. Ayes: 13; Nays: 0; Absent: 4; Parmer-Garner; Winter; Warthling; Barnes. The motion passed to purchase products to service Western's Batavia Gaming facility at a cost of \$175,000.00. **See Resolution #72-2021**

The Resolution #94-2021 was presented for Booking.com to provide online reservation services for the Batavia Downs Hotel for the 2022 year for an amount not to exceed \$35,000.00.

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

Upon motion by Director Morgan and seconded by Director Horton a roll call vote was taken. Ayes: 13; Nays: 0; Absent: 4; Parmer-Garner; Warthling; Winter; Barnes. The motion passed for Booking.com to provide online reservation services for the Batavia Downs Hotel for the 2022 year for an amount not to exceed \$35,000.00. **See Resolution #94-2021**

The Resolution #95-2021 was presented for Kim Crawford to provide consulting services to Western in respect to the resurfacing and re-banking of the horse race track at Batavia Downs for the amount of \$60,000.00 for the 2022 Race Season and \$65,000.00 for the 2023 Race Season.

Upon motion by Director Morgan and seconded by Director Wamp a roll call vote was taken. Ayes: 13; Nays: 0; Absent: 4; Parmer-Garner; Warthling; Winter; Barnes. The motion passed for Kim Crawford to provide consulting services to Western in respect to the resurfacing and re-banking of the horse race track at Batavia Downs for the amount of \$60,000.00 for the 2022 Race Season and \$65,000.00 for the 2023 Race Season. **See Resolution #95-2021**

The Resolution #96-2021 was presented for US Foodservice Inc. for use by the Food & Beverage Department through 2021 in the amount not to exceed \$150,000.00.

Upon motion by Director Morgan and seconded by Director Lauderdale a roll call vote was taken. Ayes: 13; Nays: 0; Absent: 4; Parmer-Garner; Winter; Warthling; Barnes. The motion passed for US Foodservice Inc. for use by the Food & Beverage Department through 2021 in the amount not to exceed \$150,000.00. **See Resolution #96-2021**

The Resolution #97-2021 was presented for Expedia to provide online reservations services for Batavia Downs Hotel for the 2022 year.

Upon motion by Director Morgan and seconded by Director Siebert a roll call vote was taken. Ayes: 13; Nays: 0; Absent: 4; Parmer-Garner; Winter; Warthling; Barnes. The motion passed for Expedia to provide online reservations services for Batavia Downs Hotel for the 2022 Year. **See Resolution #97-2021**

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

The Resolution #98-2021 was presented for Travel Click to provide online reservation services for the Batavia Downs Hotel for the 2022 year for an amount not to exceed \$60,000.00.

Upon motion by Director Morgan and seconded by Director Haberer a roll call vote was taken. Ayes: 13; Nays: 0; Absent: 4; Parmer-Garner; Winter; Warthling; Barnes. The motion passed for Travel Click to provide online reservation services for the Batavia Downs Hotel for the 2022 year for an amount not to exceed \$60,000.00. **See Resolution #98-2021**

The Resolution #99-2021 was presented for Schneider's Seafood and Meats for various food commodities and products not to exceed \$75,000.00.

Upon motion by Director Morgan and seconded by Director Hendrickson a roll call vote was taken. Ayes: 13; Nays: 0; Absent: 4; Parmer-Garner; Warthling; Winter; Barnes. The motion passed for Schneider's Seafood and Meats for various food commodities and products not to exceed \$75,000.00. **See Resolution #99-2021**

The Resolution #103-2021 was presented for the increased scope of the warehouse and cold storage facility from EI Team Inc. in the amount of \$19,165.00.

Upon motion by Director Morgan and seconded by Director Bombardo a roll call vote was taken. Ayes: 13; Nays: 0; Absent: 4; Parmer-Garner; Warthling; Winter; Barnes. The motion passed for the increased scope of the warehouse and cold storage facility from EI Team Inc. in the amount of \$19,165.00. **See Resolution #103-2021**

Upon motion by Director Haberer and seconded by Director Hendrickson the Batavia Downs Operations Committee meeting adjourned at 3:35 p.m.

10. **Branch Operations Committee Report:**

Committee Vice-Chairperson Morgan reported the Branch Operations Committee meeting was held on Wednesday December 1, 2021 at 1:05 p.m. and the following items were discussed.

10. Branch Operations Committee Report:

Ms. Pane reported that the handle is up \$10.5 million from 2020 and \$37,000 from 2019 but made mention that there were six (6) more branches in 2019. The handle has transferred from closed branches to open branches and E-Z Bets. Ms. Pane also reported that a capital improvement project was done on the T.V. wall at the West Ridge Road Branch and informed the Committee that Santa visits for Branches and E-Z Bets will be December 8th through the 17th. She let the Directors know that she will e-mail a schedule with dates and times she will be in their counties if they would like to stop by.

Ms. Pane reported that the E-Z Bets continue to do well and make 10% of the total handle.

Ms. Pane reported that Batavia Bets handle was just over \$17 million, up \$1 million from last year.

The Branch Operations Committee adjourned at 1:10 p.m.

11. New Business:

The next Committee and Board meeting is scheduled for January 19 and 20, 2022 respectively.

Director Bassett thanked the WROTBC Officers praising their leadership throughout this past year.

12. Adjournment:

A motion made by Director Haberer to adjourn seconded by Director Siebert the meeting was adjourned at 11:09 a.m.

Respectfully submitted,



Scott P. Kiedrowski, Secretary to the Board

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #72-2021 was duly put to a vote on roll call, which resulted as follows:

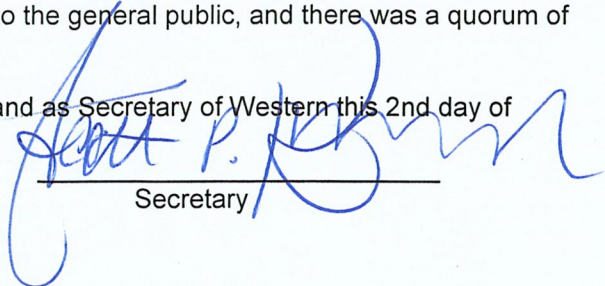
Motion by Director Morgan, seconded by Director Hendrickson

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	Bombardo
X					Rochester	Bassett
			X		Schuyler	Barnes
X					Seneca	Ricci
X					Steuben	Horton
X					Wayne	Lauderdale
X					Wyoming	May

AYES 13 NAYS 0 ABSTAIN _____ ABSENT 4

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 2nd day of December 2, 2021.



 Secretary

RESOLUTION #72-2021

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") has previously purchased various beverages and related supplies for its Batavia Gaming facility restaurant and concessions stand operations from Pepsi Bottling Group ("Pepsi"); and

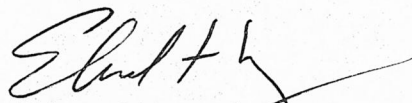
WHEREAS, staff recommends that Western continue to purchase Pepsi products to service its Batavia Gaming facility restaurants and concession stands along the terms set forth in the attached agreement; and

WHEREAS, that the Board of Directors of Western wish to enter into an agreement with Pepsi to purchase its products for use at Western's Batavia Gaming facility at a cost of \$175,00.00; now therefore be it

RESOLVED, that the Board of Directors of the Western hereby approve the purchase of Pepsi products for use at its Batavia Gaming facility restaurants and concession stands as set forth in the attached agreement; and, be it further

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

Respectfully submitted,



Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: December 2, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #93-2021 was duly put to a vote on roll call, which resulted as follows:

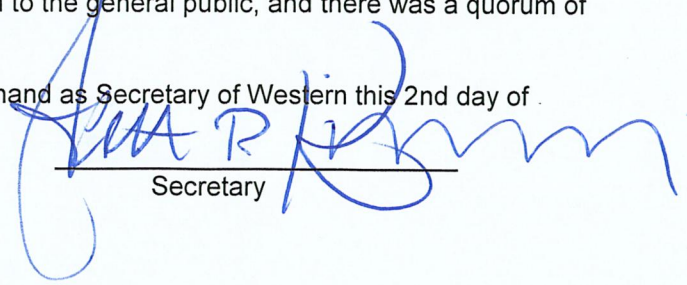
Motion by Director Lauderdale, seconded by Director Bombardo

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	Bombardo
X					Rochester	Bassett
			X		Schuyler	Barnes
X					Seneca	Ricci
X					Steuben	Horton
X					Wayne	Lauderdale
X					Wyoming	May

AYES 14 NAYS 0 ABSTAIN ABSENT 3

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 2nd day of December 2, 2021.



 Secretary

RESOLUTION #93-2021

WHEREAS, Western Regional Off-Track Betting Corporation ("Western," has previously entered into an agreement under a Federal GSA Contract with JM Consulting Service, LLC ("JM Consulting") to provide a backup support for Western's critical data through the Unitrends appliance; and

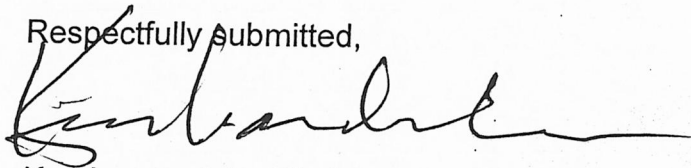
WHEREAS, Western requires services for hardware, programing and IT backup support;

WHEREAS, staff recommends that Western enter into an agreement with JM Consulting to perform such services; and, now therefore be it

RESOLVED, that the Board of Directors of Western hereby approves a three (3) year agreement between Western and JM Consulting for the Unitrends appliance under Federal GSA Contract #47QTCA19D008G, in the amount not to exceed \$60,000.00 to provide Western with hardware, programing and IT backup support beginning January 1, 2022.

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

Respectfully submitted,



Ken Lauderdale, Chairman
Finance Committee

Dated: December 2, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #94-2021 was duly put to a vote on roll call, which resulted as follows:

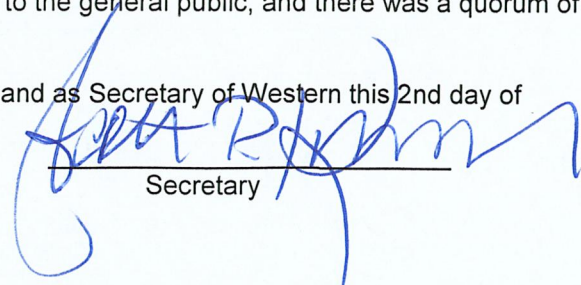
Motion by Director Morgan, seconded by Director Horton

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	Bombardo
X					Rochester	Bassett
			X		Schuyler	Barnes
X					Seneca	Ricci
X					Steuben	Horton
X					Wayne	Lauderdale
X					Wyoming	May

AYES 13 NAYS 0 ABSTAIN ABSENT 4

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 2nd day of December 2, 2021.



 Secretary

RESOLUTION #94-2021

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") owns and operates the Batavia Downs Hotel; and


WHEREAS, Western requires that it engages an online reservation system to facilitate room bookings throughout the year; and

WHEREAS, that staff recommend to the Board of Directors of the Western that it engages the services of Booking.com to provide such online reservation services for the Batavia Downs Hotel for the 2022 year for an amount not to exceed \$35,000.00; now therefore, be it

RESOLVED, that the Board of Directors of the Western agrees to engage the services of Booking.com to provide an online reservation system for the Batavia Downs Hotel for the 2022 year in an amount not to exceed \$35,000.00; and, be it further

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

Respectfully submitted,


Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: December 2, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #95-2021 was duly put to a vote on roll call, which resulted as follows:

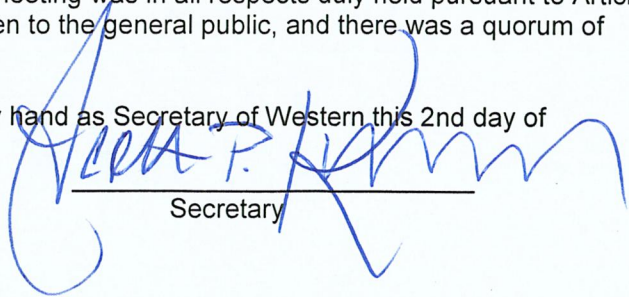
Motion by Director Morgan, seconded by Director Wamp

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	Bombardo
X					Rochester	Bassett
			X		Schuyler	Barnes
X					Seneca	Ricci
X					Steuben	Horton
X					Wayne	Lauderdale
X					Wyoming	May

AYES 13 NAYS 0 ABSTAIN ABSENT 4

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IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 2nd day of December 2, 2021.



 Secretary

RESOLUTION #95-2021

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, Western annually resurfaces and re-banks the racetrack prior to the beginning of the race season; and

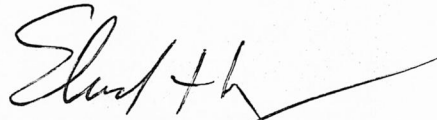
WHEREAS, Kim Crawford ("Crawford") will provide professional consulting services to Western in respect to the resurfacing and re-banking of the horse race track at Batavia Downs for the amount of \$60,000.00 for the 2022 race season and \$65,000 for the 2023 race season; and

WHEREAS, Staff recommends that the Board of Directors of Western enter into an agreement with to Crawford to provide professional consulting services regarding the resurfacing and re-banking of the horse race track at Batavia Downs; and therefore, be it

RESOLVED, that the Board of Directors of Western hereby approve an agreement with Crawford to provide professional consulting services in respect to the resurfacing and re-banking the horse racetrack at Batavia Downs in the amount of \$60,000 for the 2022 race season and \$65,000 for the 2023 race season: and further

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edward Morgan", with a long horizontal flourish extending to the right.

Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: December 2, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #96-2021 was duly put to a vote on roll call, which resulted as follows:

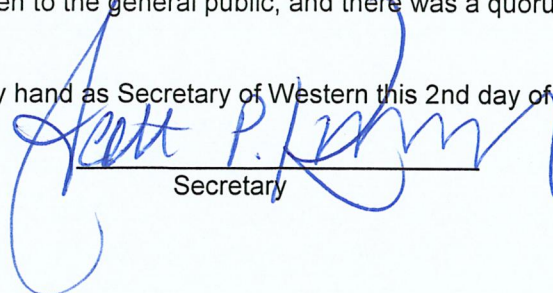
Motion by Director Morgan, seconded by Director Lauderdale

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	Bombardo
X					Rochester	Bassett
			X		Schuyler	Barnes
X					Seneca	Ricci
X					Steuben	Horton
X					Wayne	Lauderdale
X					Wyoming	May

AYES 13 NAYS 0 ABSTAIN ABSENT 4

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 2nd day of December 2, 2021.


 Secretary

RESOLUTION #96-2021

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to provide the best dining experience to its patrons at Western's Batavia Downs restaurants; and

WHEREAS, Western had previously approved a blanket purchase order for the purchase of various food commodities and related items from US Foodservice Inc. ("US Food") for the 2021 calendar year; and

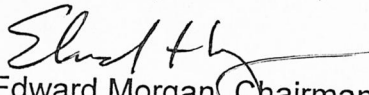
WHEREAS, Western requires a supplemental blanket purchase order in the amount of \$150,000.00 for use by the Food & Beverage Department through 2021; and

WHEREAS, staff requests that the Board of Directors of Western approve a supplemental blanket purchase order in an amount not to exceed \$150,000.00 with US Food for the purchase of various food commodities and related products through the end of 2021; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approves a supplemental blanket purchase order in an amount not to exceed \$150,000.00 from US Food through the end of 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: December 2, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #97-2021 was duly put to a vote on roll call, which resulted as follows:

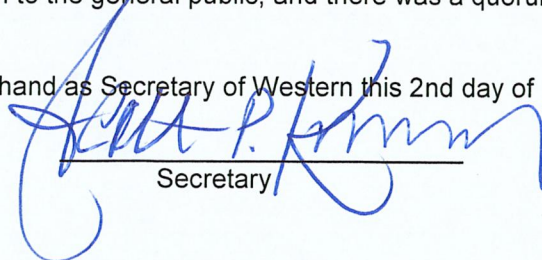
Motion by Director Morgan, seconded by Director Siebert

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	Bombardo
X					Rochester	Bassett
			X		Schuyler	Barnes
X					Seneca	Ricci
X					Steuben	Horton
X					Wayne	Lauderdale
X					Wyoming	May

AYES 13 NAYS 0 ABSTAIN ABSENT 4

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 2nd day of December 2, 2021.



 Secretary

RESOLUTION #97-2021

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") owns and operates the Batavia Downs Hotel; and

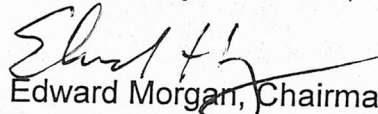
WHEREAS, Western requires that it engages an online reservation system to facilitate room bookings throughout the year; and

WHEREAS, that staff recommend to the Board of Directors of the Western that it engages the services of Expedia to provide such online reservation services for the Batavia Downs Hotel for the 2022 year for an amount not to exceed \$35,000.00; now therefore, be it

RESOLVED, that the Board of Directors of the Western agrees to engage the services of Expedia to provide an online reservation system for the Batavia Downs Hotel for the 2022 year in an amount not to exceed \$35,000.00; and, be it further

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

Respectfully submitted,



Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: December 2, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #98-2021 was duly put to a vote on roll call, which resulted as follows:

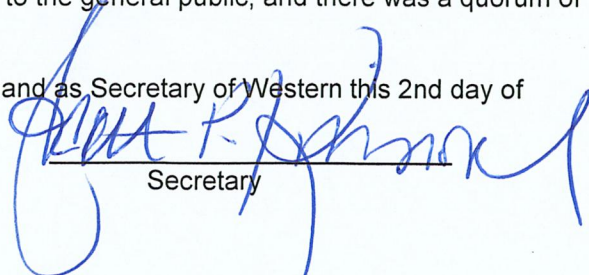
Motion by Director Morgan, seconded by Director Haberer

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	Bombardo
X					Rochester	Bassett
			X		Schuyler	Barnes
X					Seneca	Ricci
X					Steuben	Horton
X					Wayne	Lauderdale
X					Wyoming	May

AYES 13 NAYS 0 ABSTAIN _____ ABSENT 4

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 2nd day of December 2, 2021.



 Secretary

RESOLUTION #98-2021

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") owns and operates the Batavia Downs Hotel; and

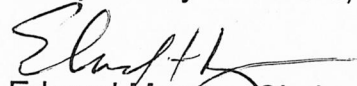
WHEREAS, Western requires that it engages an online reservation system to facilitate room bookings throughout the year; and

WHEREAS, that staff recommend to the Board of Directors of the Western that it engages the services of Travel Click to provide such online reservation services for the Batavia Downs Hotel for the 2022 year for an amount not to exceed \$60,000.00; now therefore, be it

RESOLVED, that the Board of Directors of the Western agrees to engage the services of Travel Click to provide an online reservation system for the Batavia Downs Hotel for the 2022 year in an amount not to exceed \$60,000.00; and, be it further

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

Respectfully submitted,



Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: December 2, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #99-2021 was duly put to a vote on roll call, which resulted as follows:

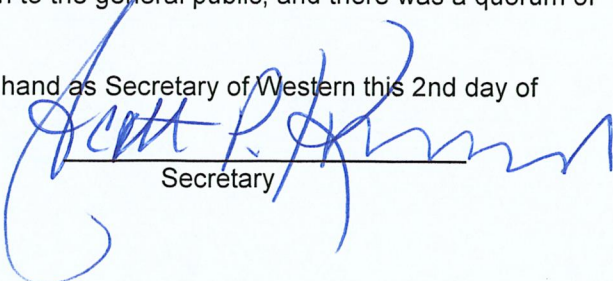
Motion by Director Morgan, seconded by Director Hendrickson

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	Bombardo
X					Rochester	Bassett
			X		Schuyler	Barnes
X					Seneca	Ricci
X					Steuben	Horton
X					Wayne	Lauderdale
X					Wyoming	May

AYES 13 NAYS 0 ABSTAIN ABSENT 4

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 2nd day of December 2, 2021.


 Secretary

RESOLUTION - #99-2021

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to provide the best dining experience to its patrons at Western's Batavia Downs restaurants; and

WHEREAS, Western had previously approved a blanket purchase order for the purchase of various food commodities and related items from Schneider's Seafood and Meats. ("Schneider") for the 2021 calendar year; and

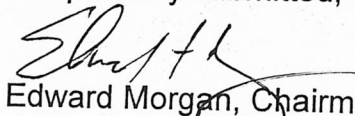
WHEREAS, Western requires a supplemental blanket purchase order in the amount of \$75,000.00 for use by the Food & Beverage Department through 2021; and.

WHEREAS, staff requests that the Board of Directors of Western approve a supplemental blanket purchase order in an amount not to exceed \$75,000.00 with Schneider's for the purchase of various food commodities and related products through the end of 2021; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approves a supplemental blanket purchase order in an amount not to exceed \$75,000.00 from Schneider's through the end of 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: December 2, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #100-2021 was duly put to a vote on roll call, which resulted as follows:

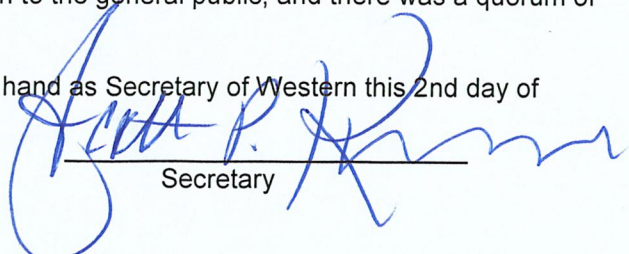
Motion by Director Hendrickson seconded by Director Lauderdale

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	Bombardo
X					Rochester	Bassett
			X		Schuyler	Barnes
X					Seneca	Ricci
X					Steuben	Horton
X					Wayne	Lauderdale
X					Wyoming	May

AYES 13 NAYS 0 ABSTAIN ABSENT 4

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 2nd day of December 2, 2021.



 Secretary

RESOLUTION #100-2021

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

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

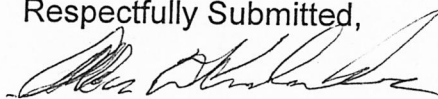
WHEREAS, Western would like to continue to engage Upstate for such purposes; and

WHEREAS, the Board desires to enter into a six (6) month extension agreement with Upstate effective January 1, 2022 through June 30, 2022 at the rate of \$3,500.00 per month; and therefore, be it

RESOLVED, that Western enter into a six (6) month extension agreement with Upstate for the period of January 1, 2022 through June 30, 2022, at the rate of \$3,500.00 per month for the services set forth above; and further

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

Respectfully Submitted,



Allan Hendrickson, Chairman
Legislative Committee

Dated: December 2, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #101-2021 was duly put to a vote on roll call, which resulted as follows:

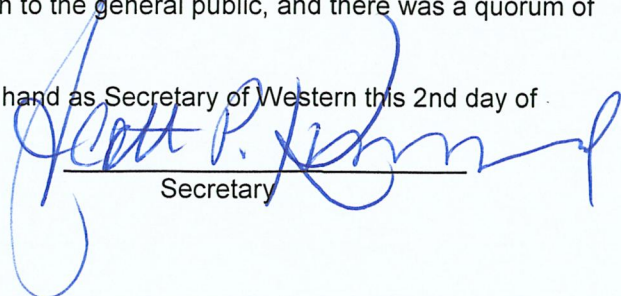
Motion by Director Hendrickson seconded by Director Morgan

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	Bombardo
X					Rochester	Bassett
			X		Schuyler	Barnes
X					Seneca	Ricci
X					Steuben	Horton
X					Wayne	Lauderdale
X					Wyoming	May

AYES 13 NAYS 0 ABSTAIN _____ ABSENT 4

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 2nd day of December 2, 2021.



 Secretary

RESOLUTION #101 -2021

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

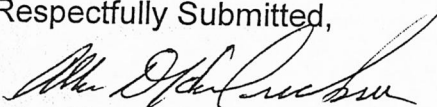
WHEREAS, Western would like to continue to engage Mercury for such purposes; and

WHEREAS, the Board desires to enter into a six (6) month extension to the agreement with Mercury for the amount of \$8,000.00 per month, covering the period from January 1, 2022 through June 30, 2022; and therefore, be it

RESOLVED, that Western agrees to enter into an extension to the agreement with Mercury for the amount of \$8,000.00 per month, covering the six (6) month period from January 1, 2022 through June 30, 2022, along the same terms and conditions of the agreement previously entered into between the parties.

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

Respectfully Submitted,


Allan Hendrickson, Chairman
Legislative Committee

Dated: December 2, 2021
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #103-2021 was duly put to a vote on roll call, which resulted as follows:

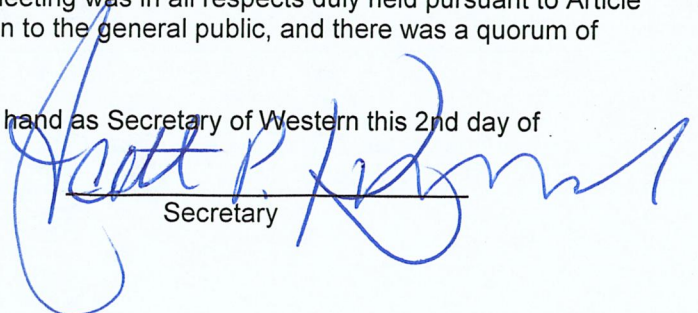
Motion by Director Morgan seconded by Director Bombardo

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	Bombardo
X					Rochester	Bassett
			X		Schuyler	Barnes
X					Seneca	Ricci
X					Steuben	Horton
X					Wayne	Lauderdale
X					Wyoming	May

AYES 13 NAYS 0 ABSTAIN _____ ABSENT 4

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 2nd day of December 2, 2021.



 Secretary

RESOLUTION #103-2021

WHEREAS, Western previously received responses to a request for proposal for architectural and engineering design services in respect to a new warehouse and cold storage facility at its Batavia Downs location; and

WHEREAS, upon a review of the bids received, the Board of Directors of Western accepted and entered into an agreement with EI Team Inc to perform such services; and

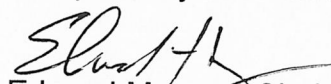
WHEREAS, the project size and scope of the building increased to over a 5,000 square foot warehouse and cold storage facility; and

WHEREAS, EI Team Inc. has submitted its invoice in the amount of \$19,165,00 for additional architectural and engineering services relating to the new warehouse and cold storage facility; and, therefore be it

RESOLVED that the Board of Directors of Western hereby agree to pay the invoice of \$19,165.00 representing additional services performed by EI Team Inc.; 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: December 2, 2021
Batavia, New York