Western Regional Off-Track Betting Corporation 8315 Park Road, Batavia, NY 14020

PUBLIC NOTICE

DECEMBER 2021 MEETINGS

Committee Meetings for Western Regional Off-Track Betting Corp.

Committee meetings for Western Regional Off-Track Betting Corp. will be held on <u>Wednesday</u>, <u>December 1</u>, <u>2021 and Thursday</u>, <u>December 2</u>, <u>2021</u> at Western Regional Off-Track Betting Corporation offices located at 8315 Park Road, Batavia, NY 14020 as follows:

Wednesday, December 1, 2021

1:00 p.m. Batavia Downs Operations

2:00 p.m. Finance

2:30 p.m. Advertising & Promotions

3:00 p.m. Personnel

3:30 p.m. Legislative

3:45 p.m. Insurance

4:00 p.m. Audit

Thursday, December 2, 2021

9:30 a.m. Branch

Regular Meeting of the Western Regional Off-Track Betting Corp. Board of Directors

The Regular Monthly Meeting of the Board of Directors of Western Regional Off-Track Betting Corp. will be held on <u>Thursday</u>, <u>December 2</u>, <u>2021 at 10:00 a.m.</u> at Western Regional Off-Track Betting Corporation offices located at 8315 Park Road, Batavia, NY 14020.

Dated: November 15, 2021

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BATAVIA DOWNS OPERATIONS COMMITTEE

Wednesday – December 1, 2021 1:00 P.M.

Edward Morgan, Chairman Richard Siebert, Vice-Chairman Richard Bianchi, Ex-Officio Ken Lauderdale, Member Richard Haberer, Member Elliott Winter, Member Allan Hendrickson, Member Thomas Wamp, Member

AGENDA

1. Live Racing Update	T. Haight
2. Gaming Floor Update	S. Schiano
3. Hotel Update	H. Wojtaszek
4. Concert Update	H. Wojtaszek
5. Warehouse Update	H. Wojtaszek.
6. Park Road Update	H. Wojtaszek
7. Resolution #72-2021 Pepsi	M. Glor
8. Resolution #94-2021 Booking.com	M. Glor
9. Resolution #95-2021Kim Crawford	M. Glor
10. Resolution #96-2021 US Food Service	M. Glor
11. Resolution #97-2021 Expedia.com	M. Glor

12. Resolution #98-2021 Travel Click	M. Glor
13. Resolution #99-2021 Schnelder's Seafood & Meats	M. Glor
14. Resolutions #102-2021 US Food Services Inc.	M. Glor
15. Resolution #103-2021 El Team	M. Glor

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.

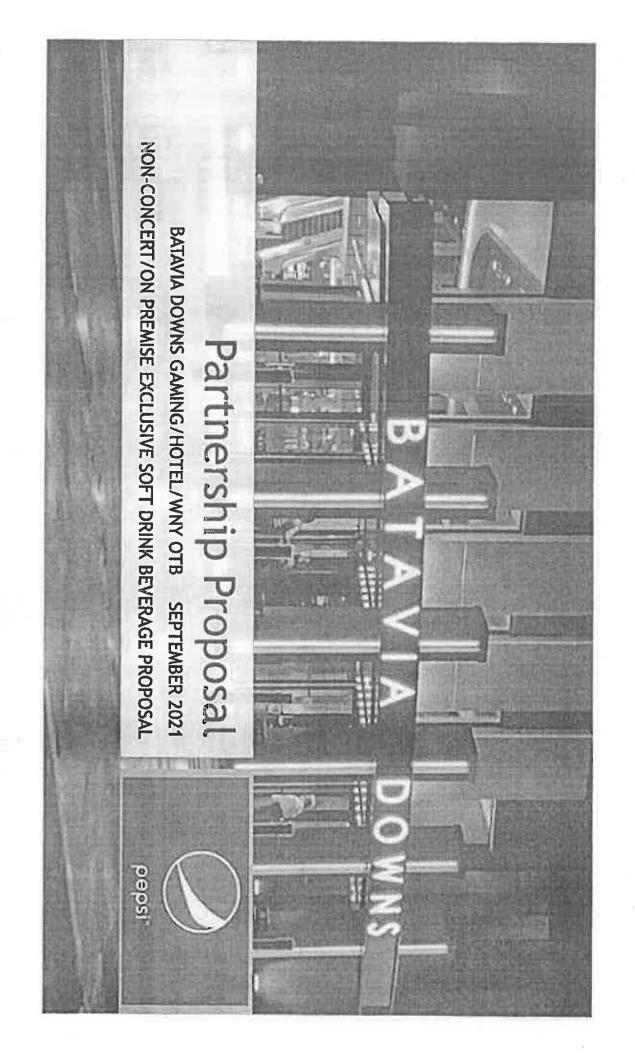
Respectfully submitted,

Edward Morgan, Chairman

Batavia Downs Operations Committee

Dated:

December 2, 2021



Current Contract Details

January 1, 2017-January 1, 2022 CURRENT DEAL



CONTRACTED FINANCIALS:

- Dining Alliance Pricing
- Dining Alliance pays \$8500 in year 1
- Dining Alliance will pay \$3 per gallon rebate
- Pepsi pays \$1500 annual development funds

ADDITIONAL PEPSI SUPPORT:

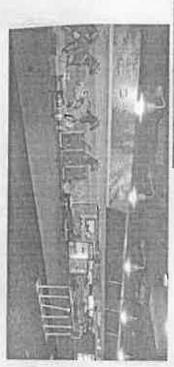
- Marketing items delivered when requested
- 315 cases of Aquafina for concerts

5 YEAR PROPOSAL JANUARY 1, 2022-DECEMBER 31, 2026



- ➤ Later of 5 years-44,000 gallons/cases
- > Local Pepsi pricing-pulled out of Dining Alliance
- > \$1500 annual development funds
- ⇒ \$8500 signing bonus-payable when contract is signed
- > \$1 per case rebate on all cases (except free goods & cups)
- > \$3 per gallon rebate on all fountain boxes
- \$2000 in annual marketing-use or lose toward agreed upon items
- > 15 cases 12oz cups free annually (\$1271 value)-buy our cups moving forward
- > Year supply of Pepsi Promo-26 case pack Aquafina,
- 26 cases of canned soda annually (52 cases total-\$350 value)
- ➤ Sign on racetrack
- > Graphics on office windows to gaming floor (\$1200 value)

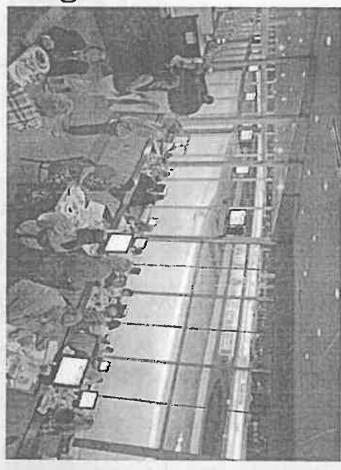




7 YEAR PROPOSAL JANUARY 1,2022-DECEMBER 31, 2028



- Later of 7 years-63,000 gallons/cases
- Local Pepsi pricing-pulled out of Dining Alliance
- \$2500 annual development funds
- \$8500 signing bonus when contract is signed & \$4500
- -2 year extension bonus payable year 6
 \$1 per case rebate on all cases (except free goods & cups)
- > \$3 per gallon rebate on all fountain boxes
- \$2000 in annual marketing-use or lose toward agreed upon items
- > 15 free cases of 12oz cups (\$1271 value) buy our cups moving forward
- Year supply of Pepsi Promo-26 case pack Aquafina, 26 cases of canned soda annually (52 cases total-\$350 value)
- Sign on racetrack
- > Graphics on office windows to gaming floor (\$1200 value)

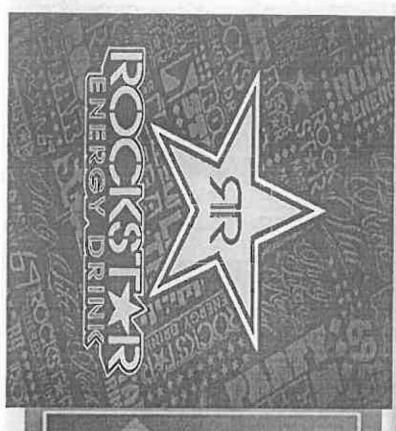


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CONTRACT VALUE

Company	Pepsi 5 year	Pepsi 7 year	Dining Alliance 5 year
Signing I	\$8,500	\$13,000 _{Wat}	\$8,500
Development Funds	\$7,500	\$13,000 Start \$17,500 Start will end at year's end-Estimates are based below your average	\$7,500
Estimated Galion Rebates	\$124,500	S178 CON	\$112,500
Estimated Case Rebates	\$2,500	TRACT V/s end-Estimate	\$0
Marketing	\$10,000	ALUE ss are based	\$0
Free Cups	\$6,355	\$8,897 below you	\$0
GRAPHICS	\$1200	\$1200 r average	\$0
Years Supply of Pepsi	\$1,750	\$2,450	\$0
jotal	\$162,305	\$239,047	\$128,500

PARTY LIKE A ROCKSTAR OR HAVE FAKE WIIINGS?





RESOLUTION #94-2021

WHEREAS, Western Regional Off-Track Betting Corporation ("Western")

owns and operates the Batavia Downs Hotel; and

WHEREAS, Western requires that is 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

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,

Edward Morgan, Chairman Batavia Downs Operations Committee

Dated:

December 2, 2021 Batavia, New York

CONTRACTOR AGREEMENT

THIS AGREEMENT is entered into on December 08, 2021, effective as of May 15, 2022 (the "Effective Date"), between WESTERN REGIONAL OFF-TRACK BETTING CORPORATION, a public benefit corporation, with principal offices at 8315 Park Road, Batavia, New York 14020 ("WESTERN"), and Kim Crawford an individual residing at 181 Gronczniak Road, Stillwater, NY 12170 ("CONTRACTOR").

WITNESSETH:

WHEREAS, WESTERN is the owner and operator of Batavia Downs, a harness horse race track that conducts live pari-mutuel racing and wagering. Batavia Downs will conduct live racing in 2022 and 2023 with 56 live race dates between July 20, 2022 and December 10, 2022 and 54 live racing dates in 2023 from July 19, 2023 through December 9, 2023 and desires to engage the services of CONTRACTOR, subject to the terms and conditions hereinafter set forth; and

WHEREAS, CONTRACTOR desires to provide specialized services to WESTERN during the term of this agreement subject to the terms and conditions hereinafter set forth;

NOW THEREFORE, in consideration of the above premises and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

- 1. <u>Engagement</u>. **WESTERN** hereby engages **CONTRACTOR**, and **CONTRACTOR** hereby agrees to serve **WESTERN**, providing professional associated services to **WESTERN**, such services being more particularly described in the attachment hereto (<u>Exhibit A</u>), and by reference made a part hereof. **CONTRACTOR** will be referenced as "Racetrack Consultant," providing services on behalf of **WESTERN**.
- a). CONTRACTOR will provide services to WESTERN as "Racetrack Consultant" at Batavia Downs during the term of this agreement. CONTRACTOR shall be required to work from May 15 in 2022 and 2023 until the racetrack is deemed ready, no later than June 15, 2021 and then weekly effective the week of July 11, 2022 and July 10, 2023. In addition CONTRACTOR will be available with reasonable notice for telephone consultations throughout the term of contract. CONTRACTOR shall be paid a contractual rate. The payment schedule is listed in (Exhibit B).
- 2. <u>Term.</u> The term of this Agreement will commence as of the Effective Date and will continue until December 10, 2022 and December 09, 2023 or the completion of the aforementioned live race meet, unless canceled with or without cause by **WESTERN** upon seven (7) calendar days' written notice.

- 3. <u>Base Compensation</u>. **WESTERN** will pay **CONTRACTOR** at total of 60,000 in 2022 and \$65,000 in 2023 for his services rendered in one lump sum of \$15,000, Payable May 15, 2022 and May 15, 2023 until the racing season commences as set forth above. Then, the remaining payments shall be made to **CONTRACTOR** biweekly once the live racing season starts on July 20, 2022 and July 19, 2023 will continue through the end of the racing season, December 10, 2022 and December 09, 2023.
- 4. <u>Participation in Benefit Plans</u>. **CONTRACTOR** shall not be entitled to participate in or receive benefits under any benefit plans offered to **WESTERN's** employees, including but not limited to health care, dental care, pension, unemployment benefits, workers compensation or disability benefits eligibility.
- 5. Proprietary Work, Product and Confidential Information.
 CONTRACTOR acknowledges and agrees that as a result of the services to be provided hereunder, CONTRACTOR may acquire knowledge and information of a secret and confidential nature. CONTRACTOR further acknowledges and agrees that this information constitutes valuable property of WESTERN, and also that confidential information of others may be received by WESTERN with restrictions on its use and disclosure. Accordingly, CONTRACTOR agrees that:
- (i) CONTRACTOR shall not, at any time during the term of this Agreement or thereafter, disclose to anyone outside WESTERN or use in other than WESTERN business any secret or confidential information of WESTERN or its subsidiaries or affiliates, except as authorized by WESTERN. WESTERN information which is not readily available to the public shall be considered secret and confidential for the purpose of this Agreement and shall include, but not be limited to, information relating to WESTERN, its customers, processes, products apparatus, data, compounds, business studies, business and contracting plans, business procedures and finances;
- (ii) CONTRACTOR shall not, at any time during the term of this Agreement or thereafter, disclose to any other person or use secret or confidential information of others, which, to the knowledge of CONTRACTOR, has been disclosed to WESTERN with restriction on the use or disclosure thereof, in violation of those restrictions.
- (iii) Notwithstanding the foregoing, CONTRACTOR shall not be liable for the disclosure of information, which may otherwise be deemed confidential hereunder, if:
- (a) the information is in, or becomes part of, the public domain, other than by CONTRACTOR's disclosure of the information;
- (b) the information is furnished to a third party by WESTERN without restriction on the third party's right to disseminate the information;

- (c) the information is disclosed with WESTERN's written approval; or
- (d) the information is compelled to be revealed via subpoena, civil investigative demand or other judicial or administrative process.

The provisions of this Section 5 shall survive the termination or expiration of the term of this Agreement.

- 6. Indemnification. WESTERN hereby agrees to indemnify and hold harmless CONTRACTOR to the full extent lawful, from and against any and all losses, claims, damages or liabilities (collectively, "Losses") incurred by him (including all fees and expenses of CONTRACTOR's reasonable travel and other out-of-pocket expenses incurred at the WESTERN's request, provided, however, that the WESTERN shall have no obligation to indemnify and hold harmless CONTRACTOR in respect of any Losses or expenses which are finally judicially determined to have resulted from the gross negligence or willful misconduct of CONTRACTOR in fulfilling its duties under this agreement.
- 7. <u>Assignment</u>. Neither party may assign its rights or its obligations under this Agreement.
- 8. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of New York applicable to contracts made and to be performed entirely within such State and any dispute resolution brought shall be initiated in New York Supreme Court venued in Genesee County.
- 9. <u>Amendments</u>. No amendment or modification of any provision of this Agreement shall be effective unless made in a writing signed by each of the parties hereto which specifically references this Agreement.
- 10. <u>No Waiver; Cumulative Remedies</u>. No failure or delay on the part of any party in exercising any right, power or remedy hereunder shall operate as a waiver thereof, nor shall any single or partial exercise of any such right, power or remedy preclude the exercise of any other right, power or remedy. The remedies herein provided are cumulative and not exclusive of any remedies available at law or in equity.
- 11. <u>Headings</u>. Headings in this Agreement are for convenience only and shall not be used to interpret or construe its provisions.
- 12. <u>Counterparts</u>. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.
- 13. <u>Independent Contractor Relationship</u>: **CONTRACTOR** shall serve as an independent contractor to **WESTERN** pursuant to the terms and conditions of this

Agreement, and this Agreement does not create and shall not be construed to create a relationship of principal and agent, joint venture, partnership, employer and employee, master and servant or any similar relationship between CONTRACTOR and WESTERN, and the parties hereto expressly deny the existence of any such relationship.

CONTRACTOR acknowledges that the sums paid to CONTRACTOR by WESTERN are, under ordinary circumstances, subject to federal and state income taxes; that the sums paid to CONTRACTOR are "gross" payments without any deduction retained by WESTERN for such federal or state income taxes, FICA or other such associated obligations; and that WESTERN has no obligation nor makes any payments under provisions of federal or state labor or tax laws, and that CONTRACTOR may be obliged to make payments in lieu thereof.

IN WITNESS WHEREOF, each party has executed and delivered this Agreement by its duly authorized officer as of the Effective Date.

	WESTERN Regional Off-Track Betting Corporation
Dated:	By Henry F. Wojtaszek, President/CEO/General Counsel
	CONTRACTOR
Dated	By Kim Crawford

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

RESOLUTION #97-2021

WHEREAS, Western Regional Off-Track Betting Corporation ("Western")

owns and operates the Batavia Downs Hotel; and

WHEREAS, Western requires that is 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

RESOLUTION #98-2021

WHEREAS, Western Regional Off-Track Betting Corporation ("Western")

owns and operates the Batavia Downs Hotel; and

WHEREAS, Western requires that is 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

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

RESOLUTION - #102-2021

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 \$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 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 \$75,000.00 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



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Fact time (7.16 3) 9-copt e-mail bbaker@elearn.com

Batavia Downs Gaming Attn Ms Megan Glor 8315 Park Road Batavia, NY 14020

Invoice No. 23631 Date: 11/19/2021 Proj No. 191105

Re: Batavia Downs Warehouse

Professional services for the Batavia Downs Warehouse, invoice is for additional services as follows;
Revisions to project drawings - design changes including floor plan, rouf plan, elevations, footers, etc.. For submittal to the City of Batavia for obtaining permit. Review & approval of submittals and responding to RFI's. Services rendered between 09/02/2021 to 11/98/2021.

Staff Member	Hours	Rate	Sub-Total	
Senior Department Manager	107.00	\$ 165 00	ş .	17,655 00
Non-License Architect	10 00	\$ 105 00	\$	1,050 00
Non-License Engineer	4 00	\$ 115 00	\$.	460 00
Total	121,00		5	19,165,00

	Print Contract	The second section of the second
Total Due This invoice:	-	20.000.00
Liorgi Due I tila Widolce:	30	19,165.00

Batavia Downs Project #191105 Hours 09/02/2021 to 11/06/2021

Date	lame	Notes	Duration	Rate	Cotal
avia Downs 191	105 - Batuyia Downs -	Warehouse			
tkowski, Ronal	d J.				
09/02/2021	Szatkowski, Ronald J	Respond to RFL Review submittals	2 00		
	Szatkowski, Ronald J	Respond to RI I. Review submittals	200		
	Szatkowski, Ronald J.		2 00		
	Szatkowski Ronald I.		2 00		
	Szatkowski Ronald I	Respond to RFI. Review supmittals	2 00		
	Szatkowski, Ronald J.	Respond to RFI Review submittals	2.00		
	Szetkowski, Ronald J	Respond to RFI Review submittals	2.00		
	Szatkowski, Ronald J.	Review submittals	3.00		
	Szatkowski, Ronald J.		2 00		
	Szatkowski Ronald J	Submittai reviews.	1.50		
	Szakowski, Ronald J.		2.00		
	Szatkowski, Ronald J	Submittal reviews	2 00		
		Review prefab building shop drawings	2.00		
		and calculate anchor sizes and length			
09/28/2021	Szatkowski, Ronald J.		8 0.0		
	and an order of the contract o	Review prefab building shop drawings	5 0.0		
		and calculate anchor sizes and length			
09/29/2021	Szatkowski, Ronald J.	based on reactions.	\$0		
		Review prefab building shop drawings	7.		
		and calculate anchor sizes and length			
09/30/2021	Szarkowski, Ronald J.	based on reactions	1 00		
, , , , , , , , , , , , , , , , , , ,		Review pretab building shop drawings	,1 44		
		and calculate anchor sizes and length			
10/01/2021	Szatkowski, Ronald J.	based on reactions	2.00		
		Review pretab building shop drawings	.p0 V		
		and calculate anchor sizes and length			
10/04/2021	Szatkowski, Ronald J	hased on reactions	4.00		
		Review emails and respond Review	17,00		
10/98/2021	Szatkowski, Ronald I		.2.00		
		Review emails and respond. Review			
10/12/2021	Szatkowski, Ronald J	submittals, Update foundation,	4.00		
		Review emails and respond Review	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
10/13/2021	Szatkowski, Ronald J.		6 00		
		Review chails and respond Review	4 -4		
10/14/2021	Szatkowski, Ronald J.	submittals. Lpdate foundation	2 00		
10/19/2021	Szatkowski, Ronald J.	Resize footers and finish drawing	6.00		
	Szatkowski, Ronald J	Resize footers and finish drawing.	7.00		
	Szaikowski, Ronald J	Resize featers and finish drawing.	2 00		
	Szatkowski. Ronald J	And the second second second second second second	8.00		
	Szatkowski Ronald I.		4 00		
		Update dwgs and set up for delivery	. •••		
		Convert dwgs to pdf and print out 3 sets			
11/01/2021	Szatkowski, Ronald J.	of dwgs.	8 00		
	, , , , , , , , , , , , , , , , , , , ,	Update dwgs and set up for delivery			
		Convert dwgs to pdf and pt int out 3 sets			
11/02/2021	Szatkowski, Ronald J	of dwgs.	5.00		
	Szatkowski, Ronald J	Respond to Site Contractor RF1/2	4 00		

Batavia Downs
Project #191105
Hours 09/02/2021 to 11/08/2021
Reply to RFI Call Geo tech Charge to

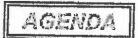
11/03/2021 Szatkowski Ronald i	Reply to Re I Call Geo tech Charge to						
Thomas assistant country	Batavia Downs project Review and issue new sets of DWGs.	: 400					
.1 04-2021 Szatkowski Remaid J.	etc	4.00					
Total Szatkowski, Ronald J.		107.00	S	165.00	5	17,655.00	
Arutunian, Vano							
	Revising Fluor Plan Roof Plan and						
10'27/2921 Arutumian, Vano	Elevation	6.00					
	Revise the Architectural DWG. Transfer						
11/01/2021 Arutunian, Vano	to the AutoCad and make PDFs	4.00					
Total Arutunian, Vanö		10.00	S	105.00	S	1.050.00	
Edwards, Brian A			_		**	.,	
09/13/2021 i dwards, Brian A	Contractor Submittel Reviews Revisions 11-1-21-Electrical	1 00					
	backgrounds replaced and updated all						
11/01/2021 Edwards, Brian A	drawings	3 00					
Total Edwards, Brian A.		4,00	\$	115.00	S	460.00	
Total Batavia Downs 191105 - Batavia Dow	ms - Warehouse	121.00			S	19,165.00	

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

Finance Committee Meeting December 1, 2021 Batavia, New York

Ken Lauderdale, Chairman Paul Lattimore, Vice Chairman Richard Bianchi, Ex-Officto

Thomas Wamp, Member Mark Bombardo, Member Michael Horton, Member Edward Morgan, Member/Ex-Officio Elliott Winter, Member



1. J & M Consultants (iT Backup Server)
Resolution #93-2021

- M. Glor

2. Final 2022 Operating Plan

- J. Leach

Chief Financial Officer Report, BDG FinancialsOctober 2021

- J. Leach

 NYGA Weekly Numbers (will be provided Wednesday, December 1st)

> J Leach H. Wojtaszek

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



tel 585-343-1423 fax 585-343-6873 www.w.c.ternotb.com



tel. 585-343-3750 fax. 585-343-7773 ww.bataviadownsgaming.com

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WESTLEN REGIONAL OFF TRACK BETTING CORPORATION

December 1, 2021

TO:

Richard Bianchi, Chairman of the Board

Members, Board of Directors

FROM:

Henry Wojtaszek, President, CEO & General Counsel

SUBJECT:

2022 Operating Plan

Enclosed is Western Regional Off-Track Betting Corporation's Operating Plan for the calendar year 2022. This Plan includes a consolidated pro-forma income statement showing projected revenues and expenses for the upcoming year, accompanied by the following schedules:

- BDG consolidated income statement consisting of VGM, Hotel, ITW, and live racing operations and related departmental schedules
- Corporate General/Administrative Expense Summary
- Branch Expense Summary

The Plan is presented as a fluid working document. Its purpose is to facilitate discussion amongst WROTBC management and the Board of Directors.

The Plan as presented will generate, after corporate general/administrative expense allocation and before non-cash year-end adjustments,* \$298,942 in branch earnings. \$886,144 in branch surcharge revenue and \$4,480,240 in earnings from all operations of Batavia Downs for total revenues of approximately \$5,665,000 available to municipalities on an annualized basis

^{*} CASB 75 - Post Employment Benefits

^{*} GASB 68 - NYS Retirement

OTB BRANCH OPERATIONS-PLAN ASSUMPTIONS

HANDLE

The \$65,330,000 handle estimated for 2022 represents an increase of \$6,280,000 from the 2021 planned branch handle of \$59,050,000. The increase in projected 2022 handle from 2021 estimated handle reflects the success of management's strategy of closing unprofitable locations while retaining handle through EZ-Bet and account wagering options. One new projected EZ-Bet location in Wayne County has been included in the Plan. As is standard with previous Operating Plans, the 2022 projection does not take into consideration dramatic weather conditions that may adversely affect handle.

GROSS REVENUES

Commissions earned on handle are projected to be \$13,869,559 which represents 21 23% of handle. Other revenues total \$2,899,883

STATUTORY PAYMENTS

Statutory payments reflect current NYS Racing Parl-Mutuel Wagering legislative laws. Projected statutory payments for 2022 total \$7,817,123. Net revenue available before operating expenses is \$8,952,319.

OPERATING EXPENSES

Expenses projected for 2022 total \$7,138,034. This is a decrease of \$203,638 from 2021 Plan expense of \$7,341,672. This decrease is a result of contract negotiations with Roberts Communication Network to control the Corporation's simulcast uplink/satellite costs. The Corporation is also realizing savings related to salaries and employee benefits by consolidating branch locations.

COMMENTS

- There are 11 branches, 27 EZ-Bets and 2 ADW Sites (BBets & DAB) included as operational in the 2022 Plan.
- Within the 27 EZ-Bets, 1 is a new location (Wayne County)
- All contractual expenses reflect current year agreements (United Tote, simulcast, UPSEU, Konica Minolta, etc.).
- Health Benefit Plans represent a slight increase for Blue Cross/Blue Shield plans.
- Workers compensation reflects current trends for 2021 from the Corporation's change to the self-insured program,
- Utility costs represent 2021 trends.

- Contract cleaning costs reflect projected 2022 costs.
- Rent expense represents 12 months at Empire Boulevard.

NET SURCHARGE/OPERATING REVENUE FROM BRANCH OPERATIONS

Total net earnings from branch operations on an annualized basis before postemployment benefits for 2022 is estimated at \$1,185,086 of which \$886.144 is surcharge revenue and \$298,942 is from operational earnings.

BATAVIA DOWNS GAMING- PLAN ASSUMPTIONS

Live Racing

1. The 2022 Plan assumes 56 live racing dates with an associated total handle of \$952,000 which is an increase in handle from the 2021 Plan of \$152,000. The increase is reflective of 3 more race dates.

<u>ITW</u>

- 1. The ITW will operate 7 days per week prior to the start of the live racing meet. Once the live racing meet starts, ITW will be closed on NYRA dark days, when Batavia Downs does not have a live race event.
- 2 The 2022 Plan assumes \$2,000,000 in ITW handle, which is an increase in handle from the 2021 Plan handle of \$350,000.

Gaming

 The 2022 Plan assumes an annualized VGM win per terminal per day of \$202.60 based on a total of 879 games with a net win of \$65,000,000

Marketing

1. The 2022 Plan reflects the assumption that total BDG/VGM marketing expenditures will not exceed the 10% marketing allowance earned (\$6,500,000).

STATUTORY PAYMENTS

Statutory payments reflect current NYS Gaming and Racing Pari-Mutuel Wagering legislative laws in effect. Projected statutory payments for 2022 total \$32,235,528. (includes VGM payments to the NYS Gaming Commission of \$31,850,000)

OPERATING EXPENSES

Expenses projected for 2022 total \$25,307,526. This is an increase of \$3,292,037 from 2021 Plan expense of \$22,015,489, due mainly to including a full year of hotel expenses and 2021 Plan being based on reduced occupancy in the first quarter.

NET OPERATING REVENUE FROM BATAVIA DOWNS OPERATIONS

Total net revenues from Batavia Downs operations on an annualized basis before post-employment benefits for 2022 is estimated at \$4,480,240.

CORPORATE GENERAL & ADMINISTRATIVE EXPENSE- PLAN ASSUMPTIONS

Expenses projected for 2022 total \$6,083,586, which is a decrease of \$520,920 from 2022 Plan expense of \$6,604,506. The decrease is due to a reduction in salaries/benefits levels due to an early retirement incentive that has allowed for a reduction in General & Administrative staff.

COMMENTS

- The Public Relations Department advertising plan for 2022 is \$221,000, reflecting the need for advertising and promotions to advertise EZ Bets, Batavia Bets, and the Triple Crown/ Breeders Cup events.
- Health Benefit Plans represent a slight increase for Blue Cross/Blue Shield, and a decrease for both out of area Medicare and in area Medicare costs.
- Legal and Lobbyist fees represent current trends.
- Allocation of the corporate general/administrative expense is as follows:

Branch Operations 41% \$2,494,270

BDG Operations 59% \$3,589,316

Total General/Administrative Expense \$6.083,586

NET REVENUE AVAILABLE FOR DISTRIBUTION BEFORE POST-EMPLOYMENT BENEFITS

Net revenue available for distribution to participating municipalities on an annualized basis, after corporate general and administrative expense allocation and before non-cash year-end adjustments, for 2022 is estimated at \$5,665,326. This includes surcharge and earnings from branch operations of \$886,144 and \$298,942 respectively, and earnings of \$4,480,240 from Batavia Downs Gaming and Hotel Operations.

Non-Cash Year-End Adjustments

Non-cash year-end adjustments represent liabilities related to post employment health benefits and pension benefits.

GASB 75 - \$1,875,000 — This represents an estimated non-cash, year- end entry to adjust the liability accrued for post-employment benefits to the total actuarially calculated, unfunded liability in accordance with GASB 75

GASB 68 - \$360,000 - represents an estimated non-cash, year-end entry to adjust the net pension liability to the amount that the corporation would have to pay over time in the future for service already rendered by current and former employees, discounted to its present value.

		Branch Operations		Batavia Downs Gaming Famility	Eliminations		Total
Net Handle							
Credits Played	\$	65,330,00	0 :			. \$	68,282,000
Less Amounts returned to bettors		{61,46D,44	41	876,376,381			570,370,381
Credits Won		141440144	''	[2,461,600] [813,378,381]			(53,822,047
Revantse from Operations		13,860,56	_	55,490,400		-	(813,370,381
Less Marketing and Capital Funds		19,000,00				_	79,359,959
Rasing and Gaming Revenue from Operations				(9,100,000)		\$	(9,100,000)
Other Rayenus	-	13,869,869		59,390,400		. 3	70,259,959
Lottery income							
WROTE Revenue		111,550	!	82,800 360,000			174,350
Export Commissions - Live racing Fen Duel Revenue				145.600	(360,000)	٠	145,600
Vending/Concession/Advertising/Programs/ATM				(1)			145,600
Concert Series Revenue		233,684		806,250 865,000			1,039,634
Conference Room Revenue				7.000			665,000
Hotel Room Revenue Surcharge		e		1,833,394			7,000 200,7
Revenue Derived from Surcharge		1,132,030 540,261					1,132,038
1% Surcharge- Capital Fund		266,771					640,281
Capital Awards Revenue Interest 4% Capital Award revenue				992,525			266,771 992,826
Lucky Transures Grit Shop				2,054,947			2,054,947
Batavia Downs Food Service				16,550 2.860.719			15,550
Breakage		215,589		12,200			2,850,712
Uncashed Tickets		300,000		26,000	-		227,749 325,000
TOTAL GROSS OPERATING REVENUE		16,769,442	\$	88,222,385	\$ (360,000)		82,631,827
STATUTORY PAYMENTS.						-	
Track Compensation Breading and Development Funds		(8,840,502)		(33,505)	360,000		(6;814,107)
Regulatory Fee		(476,309)		(63,835)	,		(540,844)
NYS Pan-Mutual Tax		(381,980) (685,305)		(21,300)			[413,280]
Breakage		(6,633)		(37,920) (5,890)			(\$82,325) (12,423)
NYS Division of Lottery Equine Testing		•		(31,850,000)			(31,850,000)
Stircharge to Counties with Receivacks		(245,894)		(89,856)			(49,856)
Paymonts to Local Governments Uncashed Tickets		•		(108,922)			(245,894) (108,922)
	-	(300,000)	_	(25,000)			[326,000]
TOTAL STATUTORY PAYMENTS		(7,817,123)		(32,238,828)	360,000		(38,682,651)
REVENUE AVAILABLE BEFORE EXPENSES	\$	8,052,319	\$. 33,986,857		.#	42,939,176
Operating expenses	\$	(7,138,034)	\$	(26,307,526)		\$	(32,445,580)
OPERATING REVENUE	\$	1,814,286	\$	8,679,331		8	10,493,016
OTHER REVENUE AND EXPENSE							
ADW Revenue		1,850,000		3\$0,080			2,200,000
Interest Indoma Miscellansous Income		2,400					2,200,000
OTS Advertiging Income		45,000 4,500		35,000			81,000
minreat Expense		(17,166)		(992,626)			4,500
Rental Expense Macollaneous Expense		(5,640)		, ,			(1,000,640) (5,640)
Minus pool expense		(4,524) (9,600)		{3,250}			(4,524)
TOTAL OTHER REVENUE/EXPENSE		1,865,971		7.1			(12,760)
SURCHARGE/REVENUES FROM OPERATIONS	5	3,679,356	. 8	(609,775)			1,255,296
LESS GENERAL AND ADMINISTRATIVE COSTS	•	•		8,069,556		\$	11,748,912
NET REVANUE (LOSS) AVAILABLE		(2,494,270)		{3,58B,316}			(4,083,586)
COMPOSITION OF NET REVENUE	. 5	1,185,088	3	4,480,240		*	5,665,326
Surcharge revenue available for distribution	- 18	4 135 050					. N
Lass Surcharge to counties with receirable		1,132,038 (245,894)		-		\$	1,132,038 [248,894]
Retained surcharge revenue				•			1640,094)
Not Gam (Loss) from operations		885,144 298,942		4,480,240			889,144
NET REVENUE AVAILABLE TO MUNICIPALITIES				4,460,244			4,779,192
BEFORE POST-EMPLOYMENT BENEFITS	.3.	1,185,088	\$	4,480,240		e.	5,685,326
POST-EMPLOYMENT BENEFITS	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	4544					4,444,440
NYS RETIREMENT GASE 68		(768,750) (347,900)		(1,100,250) (212,400)	19.		(1,875,000)
NET REVENUE AVAILABLE TO MUNICIPALITIES		, ,			-		(360,000)
AFTER POST-EMPLOYMENT BENEFITS	\$	268,738		3,161,590 \$			
2 del Canilal dustid manual in Fig. 1		wan146	7	9,101,090			3,430,326

^{* 4%} Cepital Award revenue is off-set by Capital Award Depreciation expense
** Non-cash expenses posted at year end

WESTERN REGIONAL O.T.B. 2022 OPERATING PLAN

BATAVIA DOWNS GAMING - SUMMARY

	REVENUE	2020 ACTUAL	2021 PLAN	2022 PLAN
	VGM CREDITS PLAYED BY PATRONS	744,594,600	766,756,760	PLAN 878,378,381
	VSM CREDITS WON BY PATRONS NET WIN	689,494,600	710,026,760	813,378,381
	NCIVIN	55,100,000	56,740,000	65,000,000
	NYS GAMING ALLOCATION PAYMENT VGM VENDOR FEE	9,846,143	20,993,800	24,050,000
51100	HANDLE			
62100	RETURNS TO BETTORS	605,976	3,150,000	2,952,000
	COMMISSIONS EARNED	(477,709) 128,268	(2,495,794) 654,206	(7,461,600)
			034,200	490,400
	TOTAL REVENUE	14,554,507	29,473,575	34,347,385
	LESS. STATUTORY EXPENSES	217,183	358,158	
		521,203	258,158	160,528
	NET REVENUE	14,337,325	29,115,417	33,986,857
	EXPENSE			
70101	MANAGER/SUPERVISOR SALARIES	45.473	105.044	
/0103	TICKET MACHINE OPER SALARIES	45,472 23,366	106,014 27,843	106,014
70201 70202	SALARIES	(624)	27,643	27,843
70202	WAGES SALARIES	1,349,950	1,970,380	1,817,231
70302	WAGES PARTTIME	2,233,242	3,295,439	3,980,049
70303	SALARIES-SURVEILLANCE-FULLTIME	1,623,332	1,826,632	2,409,745
70304	WAGES-PART TIME/SURVEILLANCE	247,075 128,486	247,458	262,834
70400	GENERAL MANAGER-LIVE RACING	45,577	131,556	133,640
70401	MUTUELS DEPARTMENT	662	47,320 18,132	49,000 21,168
70402	RACE SECRETARY & OTHER EMPLOYERS LUVE RACING - MAINTENANCE	52,394	110,334	86,174
70405	TRACK SUPERINTENDENT	10,779	30,000	15,000
7040E	ADVERTISING & PROMOTION	30,867	38,000	40,000
70407	PROGRAMS DEPARTMENT			
70409	SECURITY DEPARTMENT	69,309	86,000	1,268
70410 70511	SIMULCAST TECHNICIAN OVERTIME	2,855	4,000	84,000 4,000
70512	PREMIUM WAGES-SUNDAY	54,572	106,787	132,200
70513	PREMIUM WAGES - SUNDAY (LINION)	5,958	20,815	18,315
70517	COVID PAY	27,800	3,000	4,000
70518	WROTE WAGE/BENEFITS TO HOTEL	27,600	- 4	
71356 71357	RECL WAGES TO CAPITAL PROJ -80	[106,463]	(102,000)	(103,000)
71400	Reclass G&A wages to Project SOCIAL SECURITY EXPENSE	-	-	1000,0007
71450	OBL - FICA	458,752	685,796	744,459
71500	HEALTH BENEFIT PLANS	902,137	1.003.340	-
71600	WORKERS COMPENSATION INSURANCE	(8,131)	1,082,248 315,999	1,148,453
71650 71652	RETIREMENT EXPENSE	770,522	741,635	954,000
71700	401K MATCH DISABILITY INSURANCE		240	3,720
71/50	UNEMPLOYMENT INSURANCE	28,142	32,890	28,487
71760	GROUP LIFE INSURANCE	197,568	58,150	72,700
71800	VACATION ACCRUAL	41,404]8	270
	OFFICE SUPPLIES	15,439	44,871	40,000 40,613
	TELEPHONE DATA LINES TELEPHONE	4,389	11,000	12,673
	UTILITIES	26,885	39,225	\$0,054
73000	CASH OVER/SHORT	545,428	676,769	671,687
	SMALL EQUIPMENT	761 17,462	767 35,372	700 42,811
	RENT - EQUIPMENT	130,879	325,124	325,750
	MISCELLANEOUS EXCHANGE RATE	16,124	141,853	24,500
	MAINTENANCE BUILDING			
73700	TRAVEL AND REIMBURSEMENTS	82,968 105	122,865	172,926
73850	IMULCAST LICENSE FEE	500	20,997 500	7,150
73900 6	ETTY CASH	225	2,195	150
73910 S	SIMULCAST SATFLUTE SIMUL SATFLUTE UPLINK-OTHER	3,431	6,000	6,000
	REEDERS EXPENSE	2,933	10,500	10,500
74400 B	LEAL ESTATE TAXES/ASSESSMENTS	332,540	709,250	812,500
74800 C	OMPUTER TOTE CHARGES	10,931 10,419	43,446 39,000	93,150
75100 R	ACING INFORMATION CHARGE	7,071	21,000	39,250
75500 S	ECURITY/ALARM SERVICES VSURANCE	96,981	110,700	110,200
	OTALISATOR CHARGES	453,469	542,896	599,585
	NCANCELLABLE TICKETS	848	4,350	4,350
			700	700

BATAVIA DOWNS GAMING - SUMMARY

18250 SPINUS ANDICATO CARRES SEPTICE 5.559 10,000 1 1 1 1 1 1 1 1 1	76200	REVENUE FORCÉD PAYOUTS	2020 ACTUAL	2021 PLAN	2022 PLAN
1,9800 COMPUTES SOFTWARE				400	5
\$49.00 AMMTRIANCE ATTOTTRUCKS \$1,442, 22,000 25,000 26,000 36,0		COMPLETED SOFTWARE CARRIER SERVICE		10,000	13,0
### ### ### ### ### ### ### ### ### ##		MAINTENANCE AUTOTOLICUE		115,135	140,4
### 1940 MAINTERNACE AULDING ### 13.95 3.9.26 4. ### 1940 SERVICE STATES AULDING ### 1940 SERV		FUEL CON - AUTO/TRUCKS		22,000	22,0
### SAME SCALATOR REPAYER SIDENAL ### 13-720 779 ### 13-720 720 ### 13			20,085	36,050	40,3
### BASSQ CLANNE SUPPLESSISTIVES		PSCALATOR/FI EVATOR RANDITERRANCE			
Season		TRASH DISPOSAL		19,720	25,4
MANTREWAGE CAUPMENT				49,145	\$2,0
B4500 MAPRIS & LIMERS 93,317 127,854 135,866 135,876 135,866				158,493	97,5
B4590				122,854	176,8
## 8467 ## 848/## 847 1945 34,806 33 48,806 33 48,806 33 48,806 33 48,806 33 48,806 33 48,800 10,80				28,187	18,7
\$4690			12,389	38,306	32,5
SOOD SOSTAGE 2.7-5				22,993	44,4
SESSO SANK FREE AND CHARGES 2,763 19,770 16,88 15,550 16,770 16,88 15,550 16,770 16,88 15,550 16,770 16,88 15,550 16,770 16,88 15,550 16,770 16,88 15,550 16,876 11,88 15,550 16,876 11,88 15,550 16,876 11,88 15,550 16,876 11,876				-,	72,00
SESSON CREDIT CARD FERE \$1,267 \$1,577 \$15,88500 \$8,745 \$20,945				7,481	7.7
SACON COPP EXPENSE 32,080 56,005 7,800 6,8					162,89
SESSON LISEARY / SUBSCRIPTIONS					104,29
SESON GUES AND FEES 5,005 16,576 11,570 13,564 19,5701 680-005 044,000 69,595 62,200 69,595 63,500 69,595 69,500 69			7,653	7,800	6,50
SP706 GROOMS QUARTERS LODGING 11,6578 11,553 12,544 19,		DUES AND REES		•	
87710 ALITOTOT SINULCASY SERVICES					11,50
BS711					19,57
S9712 PIOTO PRIST AND TRAINED S973 N. COTTEST VICENSE FEBS \$8,337 10,600 120,000		PHOTO PATROL AND VIDEO			62,42
Septiment Sept		PHOTO FINISH AND THAINS			120,00
RACING DUES	85713	MY (OTTERV) CENTE STEE		10,600	12,00
85715 SLACKSMITH FERS 2,564 46,500 47.		RACING DUIFS			1,30
BOZZES DECEMBRIA PRESS 2,504 3,500 1.1				46,500	47,50
85718 RACING OFFICIAL SALARY REIMB 39,519 26,000 20,000			2,604	3,500	3,47
SST19			14,700	20,000	20,00
SETZID RACING OVAL MAINTENANCE 1.65 2.500 5.5.		HADEE ENLUGATION & FLIGHTING	39, 519	45,100	47,639
B5721 BARNS/BACKSTRETCH MAINTENANCE 5,518 40,000 50,500 50,000			165		5,500
S2722 SARNY MARUUR REMOVAL 7,700		BADDIS OF COURSE OF COURSE	6,518	40,000	62,500
SPRANT UNIVERS FOR		DAGNA DAGNA TREICH MAINTENANCE	27,438		20,000
\$25724		TANANUMANUME KEMOVAL	7,700		B,000
2007879 2007		AMBOLANCE/EMT/FIRST AID	29,981		40,320
\$75.72 WINYHAA EXPENSE \$2,514,767 \$314,377 \$5.20.0		CUNTRACTUAL COMMISSIONS-TRACKS	21,728		135,000
WINTHINA PENSION/DBL/FIRE EXPENS \$5,064 \$60,000 \$65,000			2,514,767		
STATESTON STAT		WNYHHA EXPENSE			
15730 EQUINE EXPENSE 10,524 43,973 50,35740 10,524 10,524 10,524 10,524 10,524 10,524 10,525 10,526 1		WNTHHA PENSION/DBL/FIRE EXPENS	55,064		65,000
10,524 43,973 50,3 10,524 43,973 50,3 10,524 43,973 50,3 10,524 43,973 51,500 51,75 10,524 10,525 13,500 51,75 10,526 10,526 13,500 53,351 275,000 3,5,00 10,526 10,527 331,000 481,00 10,520 10,527 331,000 481,00 10,520 10,521 152,000 161,3 10,520 10,521 152,000 161,3 10,522 10,000 161,3 10,522 10,000 161,3 10,522 10,000 161,3 10,522 10,000 161,3 10,522 10,000 161,3 10,523 10,000 161,3 10,523 10,000 161,3 10,524 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 161,3 10,525 10,000 10,000 10,500 10,000 10,000 10,500 10,000 10,000 10,500 10,000 10,000 10,500 10,000 10,000 10,500 10,000 10,000 10,500 10,000 10,000 10,500 10,000 10,000 10,500 10,000 10,000 10,500 10,000 10,000 10,500 10,000 10,000 10,500 10,500 10,000 10,500 10,500 10,500 10,500 10,500 10,				-	
April Apri			20,624	43,971	50,375
SAPERTISING - FILE			4,985		11,780
ADVERTISING - PRINT 79,972 331,000 481,01 481,0			53,351		3,5,000
75,513 152,000 161,31 152,000 161,31 152,000 161,31 152,000 161,31 152,000 161,31 152,000 161,31 152,000 161,31 152,000 161,31 152,000 161,31 152,000 161,31 152,000 161,31 152,000 161,31 152,000 161,31 152,000 161,31 152,321 162,321		ADVENTISING - TELEVISION	78,972		481,000
See Properties See			76,511		161,313
1,000 1,00			3,000	· W	202,343
100,000 100,		ADVERTISING - PRODUCTION	1,052	30,000	-
Page	00000	AUVERTISING - OUTDOOR	9,585		40,000
190 3,500 5,00					145,500
PROMOTIONAL EXPENSE \$61,919 760,960 951,41					5,000
18AVEL AGENCY COMMISSION 26,167 42,41					
24,40 24,4					
See PROMOTIONAL-MERCHANDISE 30,000 300,0					
SASS FREE PLAY COUPDING 300,000 300,00			445,384	1,029,492	
PROMOTIONAL-MERCHANDISE 202,031 250,000 610,000					
PROMOTIONAL-DIRECT MAIL PRINTING 47,206 75,000 75					242 242
PROMOTONAL-DIRECT MAIL PRINTING 47,331 150,000 1					
See					
15,067 329,200 40,500					
MARKETING ALLOWANCE (2,661,120) (5,674,000) (6,497,52)					
SPT		MARKETING ALLOWANCE			
RACETRACK PROMOTIONS	5871 (VERYUNDER MARKETING EXPENDITURES		[-[0.1]000]	(V/437,347.)
IN-HOME SIMULCAST EXPENSE					
2,935 3,400 3,40					
BSL DEP-LSnd Improvements 16,084 15,201 14,111			2 033	3 060	2 400
DEPR LAND IMPROVEMENTS 80GCR 39,588 38,397					3,402
DEPR - LAND IMPROVEMENTS BOSCR 39,588 38,397 38	85 <u>.</u> D	EP-Land Improvements CAF	20,964	LUZUL	14,118
SSS DEPR EXP-LAND IMPROVEMENTCAF 2 114,333 103,169 80,320	5852 D	EPH - LAND IMPROVEMENTS BOGCR	70 500	20 202	-
105/169 30,320	853 D	EPR EXP-LAND IMPROVEMENTCAP 2			
855 OEPR EXP-LAND IMPROVEMENTCAF TRACK RES 5,827 5,828 3,885 900 DEPRECIATION-BUILDING 521,085 494,066 517,819 901 DEPRECIATION-BUILDING CAF 52,475 49,707 52,560 902 DEPR-BUILDING DEPCR 1,170,914 1,170,526 1,475,460	854 D	EPR EXP LAND IMPR WC	233	T03'103	80,320
DEPRECIATION BUILDING	855 0	EPR EXP-LAND IMPROVEMENTCAF TRACK RES	E 037	E 800	
SO1 DEPRECIATION- BUILDING CAF 52,475 49,000 517,819	900 D	EPRECIATION-BUILDING			3,885
902 DEPR - BUILDING BDGCR 52,550 003 DEEP - BUILDING BDGCR 1,170,526 1,475,460	901 D	EPRECIATION- BUILDING CAP			517,819
903 DEEP RUITION THE 1,170,526 1,475,460					52,560
SUS TUEPR - BUILDING FAP2		PR - Building CAF2			1,475,460

BATAVIA DOWNS GAMING - SUMMARY

	REVENUE.	2020	2021	2022
85904	DEPR EXP BUILDING WS	ACTUAL	PLAN	PLAN
87100	DEPH-OFFICE EQUIPMENT	3,000	3,000	3,00
87101	DEP Equipment CAF	45,226	46,031	75,54
87102	DEPR - FURN/EQUIPMENT EDGCR		*	4,47
87103	DEPREC EXP EQUIPMENT CAF 2	97,138	95,612	429,27
87104	DEPR - EQUIPMENT LIVE	85,719	69,856	62,71
87200	DEPRECIATION- RESTAURANT EQUIP	615		1,12
87201	DEPRECIATION-RESTAURANT EQUIP-CAF	4,140	3,562	3,67
87202	DEPR - REST EQUIP BOGCH			1,150
87203	DEPREC EXP RESTAURANT COUIP-CAF 2	53,458	63,459	63,459
87300	DEPR-DP EQUIPMENT AND SOFTWARE	15,218	14,402	14,049
87301	DEP-Equipment - Software CAF	28,322	3,337	6,85
87302	DEPR - DATA PROC EQ BDGCR		4	· 1,28
87303	DEPR EXP - SOFTWARE CAF 2	10,595	1,270	16
87500	DEPRECIATION-AUTO EQUIRMENT	1,840	307	
87550	DEPR-TELEPHONE SYSTEM	32,344	37,618	28,777
87551	OEP-Tele Caf	28,144	5,573	
87552	DEPR - TELEPHONE CAP REWARDS			
87800	DEPR-SIMULCAST & MONITOR EQUIP			
B7801	DEP-Simulcast CAF	27,595	17,955	1,544
B7802	DEPR - SIMULCAST EQ BOGCR	4 700		
87803	DEPREC EXP-SIMULCAST CAF 2	1,790	1,791	1,499
87950	DEBT AMORTIZATION FEES-DIV 30			
87951	DEPR EXP AMORT-DEST FEE BANK CASTILE	20,822	70,872	
87958	DEST 2021	1,798		
87975	DEFFERED REV CAP MISC	(2.25)	10 10 10 10	16,095
88000	PROFESSIONAL SERV - AUDIT	(9,442)	[9,828]	(8,020
88050	PROFESSIONAL SERV - LEGAL	21,314	27,384	21,840
88100	PROFESSIONAL SERV - LOBBY/ST			2,250
8B150	PROFESSIONAL SERV - CONSULTANT			•
88200	PROFESSIONAL SERV - OTHER	19,000	60,000	60,000
WOLDO.	TOTAL EXPENSE	20,720	376,000	366,510
	A STATE OF THE PARTY OF THE PAR	15,208,066	22,015,489	25,307,576
	TOTAL OPERATING REVENUE	(870,741)	7,099,928	8,679,331
		1 /010/1421	7,033,346	0,0/5,33

SUMMARY OF GENERAL & ADMINISTRATIVE EXPENSES

Nan-1		2020 ACTUAL	2021 PLAN	2022 PLAN
70201	SALARIES	2,534,369	7,627,006	2,474,810
70202 70511	WAGES CONTROL OF THE PROPERTY	220,735	302,236	258,074
70513	OVERTIME/REGULAR PREMIUM WAGES -SUNDAY (UNION)	1,702	7,400	9,102
71357	RECLASS G & A WAGES/BENEFITS TO PROJECTS	8,361	17,976	9,822
71358	RECLASS COURIER WAGES/BENEFITS	(82,645)		(100,000)
71359	RECLASS MAINTENANCE\BENEFIT WAGES BACK TO 73500	(83,696)	(87,700)	(109,724)
71400	SOCIAL SECURITY EXPENSE	(262,902)	(309,000)	(197,960)
71450	DBL FICA EXPENSE	195,118	221,684	203,063
71500	HEALTH/BENEFIT PLANS	1,652	3,000	3,000
71501	HEALTH/BENEFIT PLANS - PERSONAL CARE CARD	1,295,444 98,807	1 349,694	1,403,376
71500	WORKER'S COMPENSATION INSURANCE	4,430	125,000	125,000
71650	RETIREMENT EXPENSE	440,564	87,000 513,321	76,000
71700	DISABILITY INSURANCE	7,236	2,545	320,000
71750	UNEMPLOYMENT INSURANCE	64,2^2	11,000	5,331
71800 72100	VACATION ACCRUAL	28,200	9,000	9,000
72500	OFFICE SUPPLIES	34,816	48,025	35,725
72600	TELEPHONE UTILITIES	25,723	21,522	26,577
73400	SMALL EQUIPMENT	3,593	3,950	3,840
73401	RENT EQUIPMENT	4,149	4,200	7,000
73500	MISCELLANEOUS	2,953	3,150	3,100
73670	MAINTENANCE/REPAIRS & SURPLIES BUILDING	11,805	17,951	13,950
73700	TRAVEL & REIMBURSEMENT	4,430	9,700	9,700
73800	SIMULCAST EQUIPMENT MAINTENANCE	28,361	76,950	76,985
73850	SIMULCAST LICENSE FEE	7,577	10,500	10,500
73900	PETTY CASH	500	2,000	50D
75500	SECURITY/ALARM SERVICES	219	450	400
75600	INSURANCE	381	385	385
83800	COMPUTER SOFTWARE	185,188	198,000	225,145
84300	MAINTENANCE/REPAIRS - AUTO/TRUCKS	61,384	63,650	98,090
84350	FUEL/OIL - AUTO/TRUCK	19,342	15,000	11,100
84500	MAINTENANCE - OFFICE EQUIPMENT	5,528	40,600	37,100
	POSTAGE/FREIGHT	11,190	7,926	8,590
85100	BANK FEES & CHARGES	77,178	115,000	13,000
	COPIER/MICROPII M EXPENSE	13,442	17,000	15,000
	LIBRARY/SUBSCRIPTIONS	243	1,000	10,000
	DUES & FEES	11,370	29,175	14,500
	ADVERTISING - RADIO	12,773	90,000	56,000
	ADVERTISING - TV ADVERTISING - PRINT	10,912	40,000	26,000
	ADVERTISING - LEGAL	6,782	50,000	37,000
	ADVERTISING - PRODUCTION	6,602	8,000	7,000.
	ADVERTISING - DITHER	1,500	3,000	3,000
	ROMOTIONAL EXPENSE	2 000	15,000	15,000
	DEPRECIATION - LAND IMPROVEMENTS - CAF 2	45,004	100,000	85,000
B6900 (DEPRECIATION - BUILDINGS	283	-	
86901	DEPRECIATION - BUILDINGS - CAF	1,324	769	38 1.
86903 C	DEPRECIATION - BUILDINGS - CAF 2	32,369 956	32,247	31,246
37100 D	DEPRECIATION - OFFICE EQUIPMENT/FIRMITURE	3,634		
1/101 0	PEPRECIATION - OFFICE EQUIPMENT/FURNITURE - CAF	3,634	3,634	13,319
17103	PEPRECIATION - OFFICE EQUIPMENT/FURNITURE - CAF 2	3,629	3,563	2,635
7300	PEPRECIATION - DATA PROCESSING EQUIPMENT	124,078	100,353	3,253
7301 D	EPRECIATION - DATA PROCESSING EQUIPMENT - CAF	95	95	92,447
7303 0	EPRECIATION - DATA PROCESSING EQUIPMENT - CAP 2	2,500	2,500	3,137
7500 D	EPRECIATION - AUTOMOTIVE EQUIPMENT	41,044	31,457	26,566
7551 D	EPRECIATION - TELEPHONE SYSTEM - CAF	156	156	52
7800 D	EPRECIATION - SIMULCAST MONITOR & EQUIPMENT	222	222	10,288
8000 P	ROFESSIONAL SERVICES - AUDIT	50,261	50,115	45,360
8050 PI	ROPESSIONAL SERVICES - LEGAL/ARBITRATION	535,487	150,000	200,000
	ROFESSIONAL SERVICES - LOBBYIST	96,000	96,000	96,000
8200 PI	ROFESSIONAL SERVICES - CONSULTANT	109,450	106,800	96,300
8900 U	rofessional services - other Nion representation	6,341	3,500	7,500
9100 C	OSED BRANCH EXPENSE	12,783	20,000	15,000
		25,502	15,000	6,000
70	TI ALLEKPENINE			
	The state of the s	6,123,689	6,604,506	6,083,586

SUMMARY OF BRANCH & EZ BET'S

		2020	2021	2022
	REVENUE	ACTUAL	PLAN	FLAN
61100 52100	HANDLE INSTRUMENT TO STATE OF	56,629,124	59,050,000	65,350,000
9%100	RETURNS TO BETTORS COMMISSIONS EARNED	(44,669,712)	(46,513,683)	(51,460,441
<u> </u>	TOTAL REVENUE	11,759,412	12,536,319	13,869,559
	LESS: STATUTORY EXPENSE	19,832,633	14,922,522	16,469,442
	NET REVENUE	[6,490,814) 7,402,019	(8,797,780)	(7,517,123
		7,402,019	8,124,742	8,952,319
	EXPENSES			
70101	MANAGER/SUPERVISOR SALARIES	1,204,286	847,800	906,600
70102	SENIOR LINE OPERATOR SALARIES	496,535	398,900	368,500
70103	TICKET MACHINE OPER SALARIES	459,935	405,900	354,300
70104	CUSTODIAN SALARIES	48,687	32,006	31 625
70511	GVERTIME (REGULAR)	36,540	41,600	35,400
70512	PREMILIM WAGES-SUNDAY	250,719	242,500	221,450
71400	SOCIAL SECURITY EXPENSE	178,317	150,644	140,847
71500	HEALTH BENEFIT PLANS	591,292	567,407	521,244
71600	WORKERS COMPENSATION INSURANCE	6,488	47,000	75,000
71650	RETIREMENT EXPENSE	580,016	497,466	225,000
71700 71750	DISABILITY INSURANCE	6,697	4,565	4,035
71800	UNEMPLOYMENT INSURANCE	21,840		
72100	VACATION ACCRUAL OFFICE SUPPLIES	802,0		9,000
72400	TELEPHONE DATA LINES	31,295	36,735	41,250
72500	TELEPHONE	256,714	215,000	519,000
72600	Unitres	35,748	30,200	57,985
73000	CASH OVER/SHORT	290,561 (926)	245,388	256,250
73900	ENH. BRANCH ADV / PROMOTIONAL	448,181	495,000	390 568,050
78400	SMALL EQUIPMENT	706	1,580	. 450
73500	MISCELLANEOUS	2,293	4,995	4,998
73600	MAINTENANCE BUILDING	352,862	301,600	192,000
73650	CONTRACT CLEANING SERVICES	176,981	163,150	168,390
73575	CONTRACT SERVICES - SNOWPLOWING	53,515	67,250	38,750
78700	TRAVEL AND REIMBURSEMENTS	933	2S1	4,720
73850	SIMULICAST LICENSE FEE	23,792	21,500	20,500
75900	PETTY CASH	82),	500	
73910	SIMULCAST SATELLITE	103,045	119,498	1.
73915	SIMUL SATELLITE UPLINK - OTHER	247,067	241,500	239,401
73920	SIMULCAST COMMISSIONS - THORO.	B1,226	99,999	99,998
73930	SIMULCAST COMMISSIONS - HARNESS	1,847	4,002	9,402
74800	RENT - PREMISES	105,251	49,316	50,960
74400	REAL ESTATE TAXES/ASSESSMENTS	30,824	19,300	21,350
74800	COMPUTER TOTE CHARGES	521,265	621,000	632,000
75100 75500	RACING INFORMATION CHARGE	255,215	271,333	275,833
75500	SECURITY/ALARM SERVICES	24,799	16,635	22,980
75800	INSURANCE TOTAL SATUR CHAPTERS	191,402	145,822	156,083
76100	TOTALISATOR CHARGES UNCANCELLABLE TICKETS	66,501	78,000	80,000
76200	FORCED PAYOUTS	2,241	1,650	400
76350	EZ-BET OPERATOR COMMISSION	9,080	3,123	1,915
86850	DEPRECIATION-LAND IMPROVEMENTS	104,206	122,030	155,338
86851	DEP-Land Improvements CAF	2,748	6,447 236	1,777
86853	DEPR EXP-LAND IMPROVEMENTICAF 2	11,784	10,937	1,092
86900	DEPRECIATION-BUILDING	86,390	90,757	10,937
86901	DEPRECIATION-BUILDING CAF	246,188	15C,623	89,393 157,861
95903	DEPR - Building GAF2	59,207	50,504	50,047
87000	DEPRECIATION - LEASEHOLD IMPROVEMENTS	460		99,997
87003	DEPRECIATION - LEASEFIOLD IMPROVEMENTS - CAF 2	298		
37100	DEPR-OFFICE EQUIPMENT	3,982	4,096	9,132
87101	DEP-Equipment CAF			132
87103	DEPREC EXP EQUIPMENT CAF 2	3,984	2,731	1,892
87200	DEPRECIATION- RESTAURANT EQUIP	493	493	452
87201	DEPRECIATION-RESTAURANT EQUIP- CAF		•	85
87203	DEPREC EXP RESTAURANT EQUIP-CAF 1	259	~	
87800	DEPR-SIMULCAST & MONITOR EQUIP	13,496	8,698	3,079
67803	DEFREC EXP-SIMULCAST CAF 2	49		104
87951	DEPR EXP AMORT-DEBT FEE BANK CASTILE	80	1.0	
98500	INTERNET FEE	440,837	432,500	478,375
	TOTAL EXPENSE	7,960,312	7,341,672	7,138,034
	TOTAL OPERATING REVENUE	(558,193)	702.020	1 1/1 / 1/2
		[538,493]]	783,070	1,914,285

	OTHER REVENUE EXPENSE	2020 ACTUAL	2021 PLAN	2022 PLAN
	BRANCH			
90800	INTEREST INCOMÈ	2,393	1,500	
90803	INTEREST INCOME C A.F	74	300	2,1
91600	OTB ADVERTISING INCOME	4,500	6.000	4,5
91800	MISCELLANEOUS INCOME (EXPENSE)	264,527	60,000	45,0
91700	AUTO BENEFIT EXPENSE	(2,578)	(5,000)	(3,5
	TOTAL	268,916	62,200	48,0
	GENERAL AND ADMINISTRATIVE			
90700	INTEREST EXPENSE	(29,425)	20.7(1)	
90900	DEPRECIATION EXPENSE RENTAL PROPERTY	(316);	(30,741)	(17,1
90902	DEPRECIATION EXPENSE RENTAL PROPERTY CAF	(75)	(316)	{\$
90903	DEPRECIATION EXPENSE RENTAL PROPERTY CAR 2	[73]	(75)	
90904	RENTAL EXPENSE	(5,640)	(233) (5,640)	{2
91800	MISCELLANEOUS (NCOME (EXPENSE)	78	(5,640)	(5,6
91804	A D.W. REVENUE - QTB	1,491,720	1,400,000	4.000
91805	A D.W REVENUE - ITW	396,795	400,000	1,850,0
91200	MINUS POOL EXPENSE OTB	(19,141)	(9,500)	350,0
	TOTAL	1,833,765	1,753,495	(9,5 2,167,0
	8ATAVIA DOWNS GAMING			
90703	INTEREST EXPENSE BANK OF CASTILE REFINANCE			
90704	INTEREST EXPENSE BANK OF CASTILE NEW LOAN	(80,649)	(73,000)	
90705	INTEREST EXPENSE KEY BANK	(54,255)	(\$2,000)	
90708	INTEREST EXPENSE 2021 BOND	(645,787)	(656,000)	
1803	MISCELLANEOUS INCOME GAMING	67.000	-	(992,5
	TOTAL	51,000 (729,691)	55,000	35,0
	TOTAC	17:53:0311	(726,000)	(957,5
	BATAVIA DOWNES RACING			·
1201	MINUS POOL EXPENSE - ITW	(106)	{2,500}	. 2,5
1202	MINUS POOL EXPENSE - LIVE	(2.9)	(750)	(7:
1802	MISCELLANEOUS INCOME LIVE RACING	(0)	1,000	1,00
	TOTAL	(136)	(2,250)	(2,2:
	TOTAL	1,372,853	1,088,045	4 955 50
		- 427 4333	2,086,045	1,255,2
	SUMMARY	<u>' </u>		
	A.D.W. REVENUE	1,888,515	1,800,000	2,200,00
	INTEREST INCOME	2,467	1,800	1,40
	MISCELLANEOUS INCOME	315,605	116,000	81 00
	O T & ADVERTISING INCOME	4,500	6,000	. 4,50
	INTEREST EXPENSE	(810,117)	(811,741)	(1,009,69
	RENTAL EXPENSE	(5,640)	[5,640]	(5,64
	MISCELLANEOUS EXPENSE	(2,578)	(5,000)	(3,90
	MINUS POOLS EXPENSE	(19,275)	(12,750)	(12,75
	DEPRECIATION EXPENSE RENTAL PROPERTIES	(622)	(624)	(62
	TOTAL NET REVENUE	1,372,853	1,088,045	1,255,29

Operational Results - October 2021	<u> </u>	October 2021		October 2019		October Plan
Total Handle		\$5,316,868		40.000		******************
\$ Variance		4010201000		\$5,254,973		\$4,507,549
% Variance				61,895 1%		809,319 Jer
VGM Net Win				97 ⁴⁴ 1		207
\$ Variance		\$6,232,051		\$5,056,240		\$4,745,497
% Variance				1,175,811 23%		1,486,554
Revenue net of Statutories	\$	3,946,688	\$			31%
Operating Expenses	•	3,210,691	7	3,265,590	\$	
Earnings and Surcharge		•		2,997,650		3,147,792
Surcharge		735,997		267,940		(72,742)
Operational Earnings (Losses)		68,120		75,660		61,012
S Vanance	\$ -	667,877	\$	192,280	\$	(133,754)
% Variance				475,597		801,631
 Earnings are computed and distabuted on a quarterly basis 				247%		599%
the state of a damper in the state of the st						
Segment Performance:		October		October		October
Schment Pertolitiance:		2021		2019		Plan
BRANCH Earnings (Losses) from Operations	s	188,670	.\$	(9,199)		
Less: G&A Allocation	·	198,040	.•	(9,199) 289,438	\$	26,858
Earnings (Losses) net of G&A Allocation S Variance	\$	(9,370)	Š	(292,637)	Ś	218,429 (191,571)
% Variance			·	283,267	_	182,201
				. 97%		95%
BATAVIA DOWNS Earnings from Operations	\$	962,232	\$	768,355	Ś	R95 4 - 4
Less: G&A Allocation		284,985	Ψ	283,438	ş	372,14 <u>1</u> 314,324
Earnings net of G&A Allocation S Variance	\$	677,247	\$	484,917	\$	57,817
% Variance				192,330		619,430
				40%		1071%
GENERAL AND ADMINISTRATIVE expense	\$	483,025	Ś	566,876	4.1	
\$ Variance % Variance				(83,851)	<u> </u>	532,753
				-15%		-9%
Net Cash Distributions to Municipalities:		October		October		October
SURCHARGE	A	2021		2019		Plan
\$ Variance	\$	68,120	\$	75,660	\$	61,012
% Variance				(7,540)		7,108
				-10%		. 12%
Year to Date Surcharge and Net Revenue		October 2021	1	Ωctober 2019		October
SURCHARGE	\$	769,054	\$	862,800	\$	Plan
\$ Variance % Variance				(93,736)	Ą.	698,616 70,448
NET EARNINGS AVAILABLE FOR DISTRIBUTION	•			-11%		10%
5 Valiance	\$	4,945,894	\$	2,423,570	\$	2,506,990
% Variance TOTAL				2,522,324 104%		Z, 138, 904 97%
. OTAL	\$	5,714,958	\$	3,286,370	\$	3,205,506

CFO'S REPORT - October 2021

SUMMARY - WESTERN REGIONAL OTE CORFORATION - ALL LOCATIONS/DEPARTMENTS · ROUNDED

	2021 October	2019 October	2021 October Plan	ZUZ1 Year To Date	2019 Year To Date	2021 Operating Pla YTD
HANDLE (includes Live) \$ Variance % Variance	\$5,317,000	\$6,256,000 62,000 1%	\$4,608,009 809,000 18%	\$58,923,000	\$59,385,000 (463,000 -17	5,357,000
VGM Net Win \$ Variance 56 Variance	\$6,232,000	\$5,058,000 1.176.000 23%	\$4,746,000 1,487,000 31%	\$54,989,000	\$52,275,000 2.714 000 51	. oten , ten
Revenue and Expense.						
Operating Revenue	7,638,000	6,376,000	5,983,000	59,876,000	66,063,000	81,384,000
S Variance % Variance		1,262,000 20%	1,855,000 28%		3,815 000 64	8 659 000
Lucs: Statutory Expenses \$ Variance % Variance	3,691,000	3,119,000 681,000 19%	2,908,000 785,000 27%	34,215,000	33,809,000 407,000 1%	30,118.000 4,096,000 145
Revenue before Operating Exponses \$ Variance % Variance	3,947,000	3,266,000 681,000 21%	3,075,000 872,000 26%	35,680,000	32,284,00 0 3,408,003 12%	31,278,000 4,384,000 14N
Less: Operating Expenses	3,211,000	2,998,000	3,148,000	29,945,000		
# Variance	Afa i licas	213,000 7%	03,000	E8/246/000	29,267,000 878,000 27 ₉	28,465,000 1,180,000 54
Retained Surcharge/Net earnings	736,000	268,000	(73,000)	6.715.000	2,587,000	2,811,000
\$ Vanance % Vanance	,	468,000 175%	808,000 1188%	41- 101000	2,728,000 91%	2,904,000 103%
Retained Surcharge \$ Variance % Variance	68,000	78,000 (8,000) -11%	\$1,000 7,000 11%	769,000	863,000 (94,000) -11%	689,000 70,000 100
Net Earnings(Losaes) from Operations § Variance & Variancs	668,000	192,000 475 000 248%	(134,990) 602,000 599%	4,946,000	2,124,000 2,822,000 133%	2,112,000 2,634,000 134%
PPP Forgivenase	o	¢	ç	3,182,000	v	D
Earnings (Losses) Net of G&A Alloc. Vanance L'Verance	668,000	192,000 476,000 248%	(134,000) 802,000 69990	8,098,000	2,124,000 5,974,000 281%	2,112,000 5,986 (00) 283%
		Operational Earnings	Earnings allocated to CAF	Distributable Earnings	Z019 Year to Date	2021 Operating Plan YTD
st Qtr. Operationa! Earnings* Venence Vanence		\$333,770	\$169,818	\$174,852	\$0 333 770 100%	\$0 3:13,770 100-4
nd Qtr. Operational Earnings* Vanance Vanance		\$1,249,764	\$198,158	\$1,051,008	\$1,703,861 (454,087) -27%	\$1,733,462 (483,688) -28%
rd Qtr. Operational Earnings* Vansnes Va.инее		\$2,894,483	\$176,896	\$2,518,587	\$719,719 \$1,974,784 474%	\$773,538 1,920,945 248%
lii Qtr. Operational Earnings* Variance Vanance		\$667,877	\$0	\$887,877	\$192,280 . \$478.887 . 247%	\$0 667 877 100%
PP Forgiveness**		\$3,161,700	\$0	Š O	\$0	\$D
otal YTD		\$8,097,594	\$532,872	\$4,413,022	\$2,615,850	\$2,508,990
Varienca Varienca					\$5,441,744 210%	5 690 604 - ?23%
Available for Destribution The Corporations PPP loan was fully lorgiven by the SSA (Isofullon 42-3021 removes these forgiven funds from mem	on 6/28/2021.					A 7 = 1

	Month:			.Pg.3		
OTB BRANCHES:	2021 October	2018 October	2021 October Plan	2021 Year To Date	2019 Year To Date	2021 Operating PI YTO
HANOLE 3 Variance % Variance	\$4,991,000	\$4,823,000 68,000 1%	\$4,237,000 754,000	\$57,024,000		\$60,886,0 8,139,0
Revenue and Expense:						<u> </u>
Operating Revenue (pg. 4)	1,421,000	1,394,000	1,231,000	15,891,000	15,471,000	14,461,50
Less Statutory Expenses (pg. 4)	\$00,000	604,000	543,000	6,997,000	*	6,231,00
Revenue before Operating Expenses	821,000	790,000	688,000	9,664,000		8,230,G
Less: Operating Expenses (pg.5, 5A)	564,000	723,000	600,000	8,227,000	7,288,000	5,984,00
Net Earnings (Loss)	267,000	67,500	88,000	3,437,000	1,221,000	2,248,00
Retained Surcharge;	65,000	76,000	000,18	789,000	863,000	689,00
Net Earnings (Loss) From Operations	189,000	(9,000)	27,000	2,668,000	358,000	1,847,00
Less General and Admin Allocation	198,000	283,000	218,000	2,243,000	2,711,000	2,226,00
Ezymings (Losses) Net of G&A Alloc. Variance & Variance	(9,000)	(293,000) 284,000 87%	(182,000) 183,000 95%	425,000	[2,353,000] 2778,000 118%	(67 9,00 1,104,00 163
RATAVIA DOWNS GARIING	2021 October	2019 October	Z021 October Plan	. 2021 Year To Date	2019	2021 Operating Pla
IANDLE- ITW Verrance	\$167,000	\$138,000 19,000	\$137,000	Year To Date \$1,105,000	Year To Date \$2,039,000	\$2,034,000
Varrance		14%	16%		(934,000) 46%	(829 <u>,00</u> -48
ANDLE-LIVE Variance Variance	\$169,000	\$184,00 <i>0</i> (25,000) -13%	\$134,000 35,000 26%	\$783,000	\$941,000 (148,000) -16%	\$647,000 146,000 231
GM Net Win Vanance Vanance	\$6,232,000	\$5,056,000 1,176,000 23%	\$4,745,800 1,487,000 31%	\$64,989,000	\$52,275,000 2.714,000	\$48,032,000 5,967,000
evenue a <u>nd Expense</u> perating Revenue (pg 6)	6,217,000	4,982,000	4,752,000	53,215,000	60,592,000	46,933,000
ss: Statutory Expenses (pg 8)	3,091,000	2,505,000	2,365,000	27,215,000	26,847,000	23,887,000
venue before Operating Expenses	3,126.000	2,476,000	2,387,000	25,996,000	23,746,000	23,046,000
ess Operaturg Expenses (pg 7,74-70)	2,164,000	1,708,000	2,015,000	18,248,000	18,658,000	17,052,000
t Kemings (Loss) From Operations	962,000	768,000	372,000	7,745,000	7,187,000	5,994,000
ss: General and Admin Allocation	285,000	283,000	514,000	3,227,000	2,711,000	3,203,005
mings (Louves) Net of G&A Alloc anunce /anance	677, 00¢	485,000 192,000 40%	58,000 819,000 1067%	4,521,000	4,476,000 45,000 1%	2,791,000 1,730,000 82%
INERAL & ADMINISTRATIVE:	2021 October	2019 October (2021 October Plan	2021 Year To Date	2018. (Year To Date	2021 Operating Plan YTD
erating Expenses * (pg. 8,8A) Litanes &fibbs	4B3,000	567,000 (84 000) -15%	533,000 (50,LQ0) -9%	5,470,000	5,420,000 50,000 1%	6,429,000 61,000 114

Western Regional Off-Track Betting Corporation (A Public Benefit Corporation) Branch Operating Revenue For the Ten Months Ended October

	YTD 2021	YTD 2019	YID 2021 Plan
Commissions earned -	\$ 11,935,000	\$ 11,924,000	\$ 10,803,000
Lottery	84,000	148,000	107,000
Vending	8,000	12.000	8,000
Surcharge	979,000	1,109,000	889,000
Revenue Derived from Surcharge	559,000	617,000	
CAF revenues	209,000	293,000	505,000
Uncashed pari-mutuel tickets	400,000	400,000	210,000
Breakage	192,000	183,000	400,000
Program sales (net of cost)	106,000		166,000
Concessions		89,000	78,000
ATM transaction fees	35,000	23,000	36,000
ADW Revenue	51,000	58,000	45,000
Gain (loss) on sale of Branch assets	1,445,000	685,000	1,200,000
Interest	620,000	(98,000)	•
Miscellaneous	•	6,000	1,000
	38,000	22,000	13,000
TOTAL	\$ 16,661,000	\$ 15,471,000	\$14,461,000
\$ Vanishoe		4 400 000	
% Venance		1,190,000 8%	2,200,000 16%

Branch Statutory Expenses For the Ten Months Ended October

	YTD <u>2021</u>		YTD 2019	YTD 2021 <u>Plan</u>
Track Compensation Breeding and Development Funds Allocation to NYS - Tax Allocation to NYS - Breakage Surcharge Allocations to Countles with Tracks Uncashed Parl-mutuel tickets Racing Board Regulatory Fee	\$ 5,142, 420, 477, 6, 210. 400, 342.	000 000 000 000	5,070,000 417,000 485,000 6,000 246,000 400,000 338,000	\$ 4,533,000 370,000 429,000 5,000 191,000 400,000 303,000
TOTAL \$ Variance % Variance	\$6,997,		\$6,982,000 35,000 1%	\$6,231,000 766,000 12%

Western Regional Off-Track Betting Corporation (A Public Benefit Corporation) Branch Expenses For the Ten Months Ended October

	2021	2019	\$	%	2021		%	
	YTO	YTD	Variance	Variance	<u>Plan</u>	<u>Variance</u>	Variance	
					,			
Salaries	\$ 1,677,000	\$ 2,460,000	(\$783,000)	-32%	\$ 1,646,000	\$31,000	2%	
ayroli taxes & employee benefits	902,000	1,136,000	(234,000)	-21%	886,070	16,000	2%	
ent/Property Taxes	58,000	120,000	(62,000)	-62%	57,000	1,000	2%	
tulies	214,000	278,000	(64,000)	-23%	208,000	6,000	3%	
laintenance and cleaning	434,000	607,000	(173,000)	-29%	436,000	(2,000)	0%	
omputer & Telephone Data Line charges	687,000	704,000	(17,000)	-2%	687,000	G	0%	
elephone	32,000	29,000	3,000	10%	25,000	7,000	28%	
otalizator charges	67,000	69,000	(2,000)	-3%	67,000	D	9%	
ranch supplies and equipment	35,000	52,000	(17,000)	-33%	32,000	3.000	9%	
ranch security services	18,000	22,000	(4,000)	-18%	14,000	4,000	29%	
avel and reimbursement	1,000	2,000	(5,000)	-60%	1,000	D	0%	
acing forms and petty cash	228,000	315,000	(69,000)	-28%	227,000	(1,000)	0%	
ncancellable tickets	2,000	3,000	(1,000)	-33%	1,000	1,000	100%	
surance	151.000	113,000	38,000	34%	129,000	22,000	17%	
epreciation and amortization	267,000	377,000	(110,000)	-29%	272,000	(5,000)	-2%	
mulcast equipment/Uplink charges	271,000	319,000	(48,000)	-16%	318,000	(47,000)	15%	
mulcast commissions	91,000	100,000	(9,000)	-9%	87,000	4,000	5%	
lscellaneous	15,000	(6,000)	21,000	-350%	7,000	B,000	114%	
stavia Bets & Enh. Branch Advertising/Promo	546,000	208,000	338,000	163%	426,000	120,000	28%	
fernet Fee	. 405,000	272,000	133,000	49%	355,000	50,000	14%	
ZBet Operator Commissions	128,000	108,000	20,000	19%	103,000	25,000	24%	•
TOTAL	\$6,227,000	\$7,288,000	(\$1,061,000)	-15%	\$5,984,000	\$243,000	4%	

1. Salaries \$31k over plan YTD:

DAB manager/supervisor salaries higher to plan due to ITW employees filling in DAB until the ITW reopened on May 31st.

A number of branch employees have been out on extended leave at multiple locations, leading to numerous shifts where 2 people are being paid instead of 1.

2. Payroli taxes & employee benefits \$16k over plan YTD:

Health Insurance - \$36k over plan

Actual health insurance expense higher YTD than what Corporation planned for

Retirement Expense - \$17k under plan

Closed branches have left branch retirement expense lower than planned YTD

3. Insurance \$22k over plan YTD:

General liability insurance renewal covering period June 2021 - May 2022 higher than planned Corporation obtained Cybersecunty insulance that was not planned for in 2021

1. Simulcast equipment/Uplink Charges \$47k under plan YTD:

Management renegotiated contract with Roberts Communication Network which has resulted in savings to plan.

i. Batavia Bets & Enh. Branch Advertising/Promo. \$120k over plan YTD:

Plan based on a percentage of handle, Batavia Bets handle is 15% higher than planned.

i, Internet Fee \$50k over plan YTD:

Internet fee is based off a percentage of Batavia Bets handle. Batavia Bets handle is 15% over plan

', EZBet Operator Commissions \$26k over plan YTD:

Ez-Bet handle has exceeded plan YTD, leading to an increase in Ezbet operator commissions.

Western Regional Off-Track Betting Corporation (A Public Benefit Corporation) Batavia Downs Operating Revenue For the Ten Months Ended October

1 of the left Motte	ite Frince Octobel		
9	YTD YTD 2021 2019		YTD 2021 Plan
			- 1817
Commissions earned - Racetracks	\$ 384,000	\$ 620,000	\$ 551,000
VGM Revenue (net of adv. ellowance and Cap Fund)	47,291,000	44,956,000	41,308,000
WROTB Revenue	328,000	320,000	276,000
Export Signal Revenue	100,000	104,000	99,000
Hotel at Batavia Downs Room Revenue	1,043,000	•	852,000
Stall Rental	8,000		8,000
Lottery	54,000	63,000	57,000
Uncashed pari-mutuel tickets	50,000	50,000	50,000
Brezkage	000,8	11,000	10,000
ATM transaction fees	584,000	540,000	484,000
Program sales	17,000	23,000	17,000
Conference Center Rental fees		26,000	5,000
Fanduel Revenue		175,000	, 4,000
Lucky Treasures Gift Shop Revenue	17,000	3,000	8,000
Concert Series Sponsorship	49,000	41,000	65,000
Concert Series Ticket Sales	346,000	226,000	174,000
Food and Beverage sales net	2,692,000	3,193,000	2,563,000
ADW Revenue	147,000	154,000	342,000
Advertising/Promotion Revenue	18,000	40,000	23,000
Miscellaneous	79,000	47,000	41,000
TOTAL	\$ 53,215,000	\$50,592,000	\$48,933,000
\$ Variance		2,623,000	6,282,000
¼ Variance		5%	13%

Batavia Downs Statutory Expenses For the Ten Months Ended October

	YTD 2021	YTD 2019	YTD 2021 <u>Plan</u>
Track Compensation	\$ 18,000	\$ 29,000	\$ 30,000
Breeding and Development Funds	44,000	54,000	114,000
Allocation to NYS - Tax	17,000	32,000	31.000
Allocation to NYS - Breakage	3,000	5.000	4,000
Allocation to NYS - Lottery	26,945,000	26,653,000	23,536,000
Uncashed Pari-mutuel tickets	50,000	50.000	50,000
Racing Board Regulatory Fee	11,000	18,000	16,000
Genesee County	8,000	10.000	10,000
Horse Drug Testing Fee	57,000	39,000	39,000
Batavia School Tax	68,000	57,000	57,000
TOTAL	\$ 27,219,000	\$26,847,000	\$23,887,000
\$ Variance		372,000	3,332,000
% Variance		1%	14%

Western Regional Off-Track Betting Corporation (A Public Benefit Corporation) Betavia Downs Gaming Expenses - Excluding Marketing For the Ten Months Ended October

	2021 <u>YTD</u>	2019 YTD	\$ <u>Variance</u>	% Verience	2021 <u>Plan</u>	\$ Variance	% Yanance	
Salaries	\$ 5,708,00	0 \$ 4,954,000	\$ 754,000	15%	\$ 5,556,000	\$ 152,000	3%	1
Payroll taxes & employee benefits	2,312,00			15%	2,323,000	(11,000)	0%	2
Real Estate Taxes and Rept	61.00			771%	33,000	28,000	85%	3
Telephone	31,00			48%	30,000	1,000	3%	•
Telephone data lines	8,00			-20%	9,000	(1,000)	-11%	
Utilities	519,00			-5%	549,000	(27,000)	-5%	
Maintenance - General	601,00			8%	487,000	14.000	3%	
Small Equipment/Equipment Rental	38,00			5%	59,000	(21,000)	-36%	
Uniform expense	16.00		(5,000)	-25%	25,000	(10,000)		5
Computer Charges	72,00		16,000	29%	BD.000		-10%	9
Totalisator charges	2.00		(1,000)	-33%	4,000	(8,000) (2,000)	-50%	
Contractual track commissions	52.00		(46,000)	-47%	117,000			
Simulcast equipment/uplink charges	55,00			-18%	61,000	(65,000)	-66%	6
Missed Pools/Minus Pools	19.00		16,000	531%	3,000	(6,000)	-10%	
Racing forms and petty each	13,00		(8,000)	-38%	21,000	16,000	533%	7
Racing Related Expenses	182,00		(43,000)	-18%	178,000	(8,000)	-38%	
Purse Expense, WNYHHA and Breaders	5,880,000		220,000	4%	5,202,000	4,000	2%	_
Equine Fund	43,00		2.000	6%	37.000	678,000	13%	Ş.
Racing and Lottery Dues/Licenses	35,00		(15,000)	30%		6,000	16%	9
Security/Alarm Services	99,00		4,000	4%	\$5,00D	(20,000)	36%	9
Agyertsing/Promotional	494,000		132,000	36%	200,38	3,000	3%	
Marketing Requested Reimbursement	-3-,000	902,900	132,000	0%	307,000	187,000	61%	10
Travel & Reimbursements	3,000	9,000	(6,000)	-67%	8.000	(7.00)	0%	
Supplies & Related	17,000		(2,000)	-11%		(5,000)	-83%	
Restaurant Supply Expenses	28.000			-11% -4%	31,000	(14,000)	-45%	11
Depreciation & Amortization*	852,000		(1,000)	-10%	30,000	(4,000)	-13 4	
nsurance	467,000		(97,000)		B10,000	42 000	5%	
roresional Sarvices	391,000		234,000	100%	461,000	18,000	4%	
nterest Expense			58,000	17%	293,000	96,000	33%	12
Postage	60,000	1	60,000	190%		60,000	100%	13
Dues and Fees	B.000		*	0%		0	0%	
Bank Fees and Charges		,	(2,000)	-20%	11,000	(3,000)	-27%	
Credit Card Fees	88,000		(44,000)	-33%	133,000	(45,000)	-34%	14
Other Expense	77,000 138,000		27,000 7,000	54% 5%	71,000	8,000	8%	4-
	100,000	101,000.	7,000 .	.074	154,000	(10,000)	-10%	15
otal Non-MARR Expenses	18,266,000	16,647,000	1,619,000	10%	17,221,000	1.045.000	6%	
MARR Expenses (Pg. 7C)	\$26.000		\$115,000	125%	(\$169,000)	\$195,000	115%	
lotel Expenses Reimbursed by Marketing	(\$44,000		(39,000)	- 1,50-10	. \$0	(44,000)	11974	
TOTAL	18,248,000	16,558,000	1,695,000	10%	.17,052,000	1,196,000	7%	

Interest Expense

Depreciation and Ameritantion.

The 4% Capital Awards Fund provides for purchases of assets at Batteria Downs Gaming. The depreciation on these assets, as well as the iff-recising revenues of \$272,000 for the month and \$1,301,000 year to date have been removed from this report, as there is no effect on the bottom line.

he 4% Capital Awards fund also provides for payment of interest on loans used to finance construction at Batavia Downs Gaming. This interest expense, as sell as the \$85,000 off-setting revenues of \$1,119,000 year to date have been removed from this report, as there is no effect on the bottom line.

October 2021 YTD Variance explanations for Gaming/Live Racing:

1. Salaries \$152K over plan YTD:

Accrued for projected 2021 bonus and retro pay as per approved union vote.

2. Payroll Tax & Benefits \$11K under plan YTD:

- a) Per the CARES Act, the Corporation qualifies for a credit against FICA expense for employees under COVID quarantine status.
 This credit has left expense lower than planned.
- b) Operating plan anticipated higher workers comp expense related to self-insured worker's comp program. Corporation has implemented safety procedures to help keep worker's comp costs down

3. Real Estate Taxes and Rent \$28K over plan YTD;

Rental of K-mart parking lot not planned for

4. Small Equipment/Equipment Rental \$21K under plan YTD:

- a) Concert senes planned for rental of golf cart which was not used this year
- b) Hotel copy machine rental less than planned.
- c) F&B planned for water softener in Fortune's. This is no longer being used as it was deemed unnecessary.

5. Uniform Expense \$10K under plan YTD:

- a) Employees have continued to use current uniforms. New uniforms will be purchased within the next few months.
- b) Fewer hired employees has lead to less uniforms being purchased.

6. Contractual Track Commissions \$65K under plan YTD:

Track commissions based on ITW being fully opened. Per NYS regulations, ITW was closed until May 31, with the only on-site wagering occurring on SVT's located inside 34 Rush.

7 Missed/Minus pool expense \$16K over plan YTD.

Minus pool caused by bridge jumper at ITW

8. Purse Expense, WNYHHA and Breeders \$678K over plan YTD.

Expense related to net win. Net win is \$7M over plan.

9. Racing and Lottery Dues/Licenses \$20K under plan YTD:

- a) Corporation collects money for fingerprinting from new employees when hired, then reimburses them after six months. Due to higher turnover, fewer employees were eligible for reimbursement than planned
- b) United States Trotting Association fees related to live racing have been lower than planned

10. Advertising/Promotional \$187K over plan YTD.

Concert series has seen more advertising than planned.

11 Supplies & Related \$14K under plan YTD:

Hotel has used less supplies than planned.

12. Professional Service \$98K over plan YTD:

Plan based on eight concerts for the year. Concert series completed thirteen concerts.

13. Interest Expense \$60K over plan YTD:

Interest expense related to purchase of Hotel at Batavia Downs This interest expense completed on Aug 31st with the Corporation finalizing its refinancing. This expense was not planned

October 2021 YTD Variance explanations for Gaming/Live Racing (cont.):

14. Bank Fee Charge \$45K under plan YTD:

Plan for check cashing service based on 2019 check volume. YTD check volume have been less than 2019

15 Other Expense \$16K under plan YTD:

Hotel planned for miscellaneous expenses that have not been needed

Western Regional Off-Track Betting Corporation (A Public Benefit Corporation) Betavia Downe Marketing Expenses For the Ten Montha Ended October

	2021 <u>YTO</u>	2019 <u>YYD</u>	\$ <u>Variance</u>	% Variance		2021 Plan	\$ Variance	Yamance	
Salaner	\$ 848,000	\$ 779,000	\$69,000	1%	\$	890,000	(42,000)	-5%	1
Payrolf taxes & employee benefits	325,000	 308,000	17,000	6%		326,000	(1,000)	8%	2
Telephone	3,000	2,000	1,000	50%		2,000	1,000	30%	
Maintenance - General	13,000	5,000	8,000	160%	1	5,000	8,000	160%	
Small Equipment/Equipment Rental	181,000	241,000	(60,000)	-25%		229,000	[48,000]	-21%	3
Computer Charges	38,000	37,000	1,000	3%		46,000	(8,000)	-17%	·
Advertising/Promotional	2,490,000	3,133,000	(643,000)	-21%		2,972,000	(482,000)	-16%	4
Marketing Requested Reimburgement	(3,956,000)	(4,633,000)	678,000	-15%		(4,803,000)	848,000	-18%	5
Trayel & Reimburgements	2,000	5,000	(3,000)	-60%		12,000	(10,000)	-83%	6
Supplies & Related	9,000	11,000	(2,000)	-18%		14,000	(6,000)	-36%	•
Professional Services	70,000	11,000	59,000	636%		117,000	(47,000)	40%	7
Postage	*	8,000	(6,000)	-100%		6,000	(E,000)	-100%	•
Dues and Fees	_	3,000	(3,000)	100%		3,000	(3,000)	-100%	
Other Expense	2,000	3,000	(1,000)	-33%		13,000	(11,000)	-85%	B
TOTAL	\$ 26,000	 (\$89,000)	\$115,000	-129%		(\$169,000)	\$195,000	115%	

October 2021 YTD Variance explanations for Marketing:

1. Salaries \$42K under plan YTD:

Planned 12 months for three positions. Positions have not been filled.

2. Payroll Taxes and Benefits \$1K under plan YTD:

Planned benefits related to open positions above

3. Small Equipment/Equipment Rental \$48K under plan YTD:

- a) Corporation has received a credit from IGT for the COVID shutdown.
- b) iGT contract has been renegotiated at lower cost than planned.

4 Advertising/Promotional Expense \$482K under plan YTD:

Due to COVID restrictions, marketing had less expense than planned earlier in the year.

5. Marketing Reimbursement \$848K less than plan YTD:

Due to COVID restrictions, marketing had less expense than planned earlier in the year.

6. Travel & Reimbursements \$10K under plan YTD:

Due to COVID restrictions, corporation has authorized less travel than planned YTD.

7 Professional Services \$47K under plan YTD:

Planned for professional service to manage sponsorships. The corporation has decided not to use this service.

8. Other Expenses \$11K under plan YTD:

Marketing planned for miscellaneous expenses. Actual expense has been less than planned.

Western Regional Off-Track Betting Corporation (A Public Benefit Corporation) General and Administrative Expenses For the Ten Months Ended October

	2021 YTD		2019 YTD	\$ Variance	% Variance		2021 <u>Pian</u>	\$ <u>Variance</u>	% Variance	
salaries		s			-7%	\$.		10407 608)	61/	
	\$ 1,939,000	à	2,086,000	(\$157,000)	-/ 74 -3%	Ð	2,136,000	(\$197,000)	-8%	
'ayroll taxes & employee benefits	1,918,000 22,000		1,978,000 20,000	(60,000) 2,000	10%		1,883,000 18,000	35,000 4,000	2% 22%	
elephone tilitles				2,020 G	10%			4,000	0%	
	3,000		3,000	-	-37%		3,000	(499.000)		
dvertising/Promotional raval & Reimbursements	137,000		219,000	(82,000)			275,000	(138,000)	-50%	
	36,000		58,000	(22,000)	-38%		67,000	(31,000)	-46%	
ofessional/ Consulting/ Audit fees	622,000		349,000	273,000	78%		340,000	282,000	83%	
Mce supplies	31,000		48,000	{17,000}	35%		41,000	(10,000)	-24%	
upment rental/Small equipment/Computer S	62,000		48,000	14,000	29%		57,000	5,000	8%	
infenance	62,000		63,000	(11,000)	-17%		71,000	(19,000)	-27%	
prer/mircofilm expense	12,000		13,000	(1,000)	-8%		14,000	(2,000)	-14%	
Buranca	166,000		113,000	53,000	47%		164,000	2,000	1%	
preclation	172,000		201,000	(29,000)	-14%		149,000	23,000	15%	
erest expense	24,000		29,000	(5,000)	-17%		28,000	(4,000)	-14%	
ntal expense	5,000		5,000	Q.	0%		5,000	0	0%	
nk Fees	69,000		35,000	(26,000)	-27%		93,000	(24,000)	-26%	
ton Representation	13,000		14,000	(1,000)	-7%		18,000	(3,000)	-19%	
sed Branch Expense	20,000		4.000	18,000	400%		14,000	6,000	43%	
stage	13,000		9,000	4,000	44%		10,000	3,000	30%	
es and Fees	15,000		28,000	(13,000)	-46%		19,000	(4,000)	-21%	
her expense	127,000		16,000	111,000	694%		18,000	109,000	806%	
ssad pools/minus pools	12,000		11,000	1,000	9%		8,000	4,000	50%	
TOTAL	\$5,470,000	······	5,420,000	\$50,000	1%		\$5,429,000	\$41,000	1%	

1. Salaries \$197k under plan YTD:

Executive VP-COO

Plarend 12 months for this position. Position was not filled.

Rochester District Office

The 2021 Plan includes salanes for a full time Floating Ticket Machine Operator for RDO for the entire year. Their salanes are currently being charged to the specific branch they work at during each pay period. Therefore, any variance to the plan would balance out with those specific branch locations in Monroe County.

IT Department

Епот in 2021 plan leading to wages being under plan YTD

Telecommunications

Early retirement incentive offered by WROT8 has left department under plan YTD.

2. Payroll Taxes and Employee Benefits \$35k over plan YTD.

a) Actual health insurance expense higher YTD than what Corporation planned for.

3. Advertising/Promotional \$138k under plan YTD:

Corporation expensed less on Triple Crown advertising/promotions than planned

I. Travel & Reimbursements \$31k under plan YTD:

Due to COVID restrictions Corporation has authorized less travel than planned YTD

i. Professional/Consulting/Audit fees \$282k over plan YTD:

The Corporation has seen legal expense higher than planned.

i. Office Supplies \$10k under plan YTD:

Maintenance \$19k under plan YTD:

The Corporation has seen lower vehicle usage leaving auto maintenance and fuel expense under plan YTD.

. Depreciation \$23k over plan YTD:

Miscellaneous Capital Purchases within the IT Department not planned for

. Bank Fees \$24k under plan YTD:

Corporation has realized savings related to services provided by KeyBank

0. Other expense \$109k over plan YTD:

Health insurance money lost in cybersecurity phishing attack

Similifordia iki	े ।।सार्काञ्च	TB Comp.			PM: 1:244	DIT COMPARISON
						\$7 \$ B B O
N SALISMONDO PARA	PERSONAL PROPERTY.	15050		MESSAGE S		O eleber 202
Month to Date						
	NASSAU	SUFFOLK	CATSKILL	WESTERN	CAPITAL	
NAME OF STREET	OTB	OTE	OTB	OTE	OTB	TOTAL
2021	\$ 10,688,093	\$ 5,505,007	\$ 619,172	\$ 4,991,071	\$ 9,684,504	\$ 31,487,847
2020	8,779,177	5,796 220	634,145	6,436,023	11,048,665	32,694,229
2019	10,272,388	5,888,168	3,886,241	4,922,876	9,555,979	34,525,651
2018	11,273,140	6,106,064	4,556,144	5,008,459	9,130,051	36,073,858
2017	12,149,716	6,774,467	4,996,755	5,260,446	9,878,683	39,060,066
2021 vs 2020	4 000 040	(004.040)	(44.070)	(4.44.000)	(1 001 (01)	
	1,908,916	(291,213)			(1,364,161)	(1,206,382)
2020 vs 2019	(1,493,211)	(91,948)			1,492,686	(1,831,423)
2019 vs 2018 2018 vs 2017	(1,000,752) (876,576)	(217,896)	(669,904)	(85,583)	425,928	(1,548,207)
2017 vs 2016	(1,055,898)	(668,403) (145,250)	(440,611) (409,899)	(251,987) (1,073,933)	(748,632) (1,734,258)	(2,986,208) (4,419,238)
	(,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	(140,200)	(400,000)	(1,070,000)	(1,104,200)	(4,419,230)
2021 vs 2020	21.7%	-5.0%	-2.4%	-22.5%	-12.3%	-3 7%
2020 vs 2019	-14 5%	-1.6%	-83.7%	30.7%	15.6%	-5 3%
2019 vs 2018	-8.9%	-3.6%	-14.7%	-1.7%	4.7%	-4 3%
2018 vs 2017	-7.2%	-9.9%	-8.8%	-4.8%	-7.6%	-7.6%
2017 vs 2016	-8.0%	-2,1%	-7.6%	-17 0%	-14 9%	-10.2%
YTD		PARTY SAN		THE WALL	- Carlotte	
	NASSAU	SUFFOLK	CATSKILL	WESTERN	CAPITAL	
1010-10-2011	OTB	OTE	OTE	OTB	OTB	TOTAL
2021	\$ 117,307,159	\$ 56,984,339	\$ 5,775,177	\$ 57,024,486	\$ 116,754,152	353,845,313
2020	69,861,286	40,662,898	14,520,883	46,594,302	108,602,642	280,242,012
2019 2018	117,851,641	67,339,379	45,018,936	56,405,773	119,172,463	405,788,193
2017	127,886,144 133,684,043	71,152,040 73,615,320	50,389,400 56,786,849	58,564,801 61,264,456	123,443,837	431,436,222
YTD	100,007,040	10,010,020	30,760,048	01,204,430	125,211,299	450,561,967
2021 vs 2020	47,445,872	16,321,442	(8,745,706)	10,430,183	8,151,510	72 002 204
2020 vs 2019	(47,990,355)			(9,811,471)		73,603,301
2019 vs 2018	(10,034,503)	(26,676,481) (3,812,661)	(30,498,053)		(10,569,821)	(125,546,181)
2018 vs 2017	(5,797,898)	(2,463,280)	(5,370,464) (6,397,449)	(2,159,027) (2,699,656)	(4,271,374) (1,767,462)	(25,648,029) (19,125,745)
2017 vs 2016	(11,767,949)	(1,721,741)	(835,001)	(7,434,837)	(6,618,901)	(28,378,427)
2021 vs 2020	67.9%	40 1%	-60 2%	22 4%	7.5%	26.3%
2020 vs 2019	-40.7%	-39 6%	-67.7%	-17.4%	-8.9%	-30.9%
2019 vs 2018	-7.8%	-5.4%				
2018 vs 2017	-4.3%	-3.4%	-10.7% -11.3%	-3.7% -4.4%	-3.5% -1.4%	-5.9% -4.2%
017 vs 2016	-8.1%	-2.3%	-1.4%	-10.8%	-5.0%	-4 2 % -5.9 %

WEORB

2021	NASSAU	SUFFOLK	CATSKILL	Wastellin	CAPITAL	TOTAL	TOTAL
Jan	33,742	OTB	16,059	17,713	206,479	273,992	273,992
Feb	271.285		19,982	23,840	80,917	396.023	396,023
Mar	415,039		24,959	49,548	364,907	854,452	854,452
Apr	498,543		28,675	23,480	418.389	969.087	969.087
May	585,188		27.528	17,207	959.659	1,589,580	1,589,580
Jun	458,099		32,196	31,021	514,284	1.035.600	1,035,600
Jul	537,006	1,934	37,293	18,534	710,847	1,305,614	1,305,614
Aug	574.446	1,004	34,107	262.838	1,126,667	1,998,058	1,998,058
Sep	406,554		24,302	201,282	580,665	1,212,803	1,212,803
Oct	401,607		30,205	206,593	418,711	1,055,117	1,055,117
Nov	10.,00		00,200	200,000	7101111	1,000,111	1,000,113
Dec							
2020	NASSAU	SUFFOLK	CATSKILL	Vision's an	CAPITAL	TOTAL	TOT/su
	OTB	OTB	OTB	OTE	OTB	OYE	YTITE
Jan	710.511	93,592-60	77,483	42	70,897	952.526	952,526
Feb	636,279	109,224	89,134	=	40,104	874.741	874,741
Mar	483,705	59,482	33,612	466	34,825	612,089	612,089
Apr	3,595	6,187	-	7,240		17,022	17,022
May	16 877	-	27	4,431	160,992	182,300	182,300
Jun	16	59	•	21.247	110.384	131,706	131,706
Jul	367	12	39,132	10.324	665,956	715,790	715,790
Aug	23,968	•	53,979	280,922	1,505,366	1,864,235	1,864,235
Sep	1,300	-	38,433	200,324	608,745	848,802	848,802
Oct	355	•	37.013	219,122	346,532	603,021	603,021
Nov	-		18,400	141,644	222,248	382,292	382,292
Dac	198,714	17	14,759	157,247	86,405	457,124	457,124

Pg.11

WROTB Corporation
Batavia Downs Gaming - Marketing Fund Status 2021

11/23/2021

				1	0X Marketing		Marketing	C	Manth Over)/Under	YTD: (Over)/Under	Estimated YTD (Over)/Under
Month			Net Win	Re	venues Earned		Expenditures		Expended	Expended	Expended
January											
	Plan Actual	\$ \$	3,251,601 3,801,497	-	325,160 380,150			•	(49,840) 32,817		
February											
	Plan Actual	\$ \$	3,348,167 3,428,187	-	334,817 342,819	-	370,345 250,966	Ş	(35,528) 91,853		
March											
	Plan Actual	\$ \$	4,646,834 5,236,568	\$	464,683 523,657		360,000 323,938	\$	104,683 199,719		
April											
	Plan Actuai	\$ \$.5,474,668 5,120,947	\$ \$	547,467 512,095		40 0,000 325 ,569	\$	147,467 186 526		
May											
******	Plan	\$	5,596,701	Š	559,670	Ś	447,745	Ś	111,925		
	Actual	Ş	5,276,643		527,664	•	349,048		178,616		
June											
	Plan	\$	5,367,071		536,707	•		\$	(3,293)		
	Actual	\$	5,910,033	\$	591,003	Ş	371,068	\$	219,935		
July											
	Plan	\$	5,295,451	\$	529,515	\$	500,000	\$	29,515		
	Actual	\$	6,915,630	\$	691,563	\$	486,362	\$	205,201		
August											
	Plan	\$	5,560,275	•	**	\$	•	\$	5,528		
	Actual	\$	6,788,998	\$	678,900°	\$.	466,781	\$	212,119		
September											
	Plan	\$	4,928,571	\$	492,857	\$	500,000	\$	(7,143)		
	Actual	\$	6,278,855	\$	627,885	\$	471,722	\$	156,164		
October											
	Plan	\$	4,745,497	\$	474,550	\$	510,000	\$	(35,450)		
	Actual	\$:	6,232,051	\$	623,205	\$	606,574	\$	16,681 \$	1,499,580	
November											
	Pian Acruai	\$	4,633,582	•	463,358	\$	550,000	\$	(86,642)		
	Estimated	\$	5,683,845	\$	568,385	\$	660,000	5	(91,616)		\$ 1,407,964

Batavia Downs Gaming Comparison of Daily Statistics For the Month Ended October

4% Capital Awards 249,000 202,000 Attendance 71,000 59,000	249,000 71,000	249,000		Marketing Allowance 623,000 506,000	Track Share (Vendor Fee) 2,306,000 1,871,000	Purse/WNYHHA/Breeders 623,000 506,000	Education Contribution/ 3,054,000 2,478,000 Gaming Comm. Admin fee	Win Per Terminal 229,41 187.87	Net Hold % 7.11% 7.35%	Net Win 6,232,000 5,056,000	Credits Played 87,681,000 68,776,000	October October 2021 2019
71.95		64,000	184,000	461,000	1,612,000	461,000	2,349,000	177.54	7.30%	4,605,000	63,067,000	October 2018

Batavia Downs
Operating Statement of Revenue and Expenses
For the Month Ended October

Net Operating Profit/(loss)	Depreciation Total Non-Operating Expenses	Total Net Revenue	Total Operating Expenses	G&A Allocated	Other Operating Expenses	Payroll & Related	Purse/WNYHHA/Breaders	Revenue	Live Handle ITW Handle Total Handle	VLT Drop Win/Unit/Day	
677,000	80,000	757,000	2,369,000	285,000	255,000	1,120,000	709,000	3,126,000	169,000 157,000 326,000	6,232,000 229,41	October 2021
485,000	95,000 95,000	580,000	1,896,000	283.000	170,000	851,000	592,000	2,476,000	194,000 138,000 332,000	5,056,000 187.87	October 2019
58,000	77,000	135,000	2,252,000	314.000	315,000	1,069,000	554,000	2.387,000	134,000 137,000 271,000	4,745,000 176.16	October 2021 Plan

Batavia Downs Gaming
Food and Beverage Operations-All Units
For the Ten Months Ended October

Meste Net Fond & Beverage Sales	Operating Profit / (Loss)	Total Expenses	Total Other Operating Expense	Pronotonal Expense Events Live Entertainment Insurance Expense	Professional Services	CC01805	Credit Card Fees	Telephone	Trash Removal	Equipment/Supplies Uniforms & Lowers	Total Payroll/Related	And the same or a second use or a second	Payroll Tayon & Francisco Bossells	Net Sales	Net Sales	Food Waste	Total Cost of Sales	Cigarente Costa	Beverage Costs**	Beer / Liquor Costs	Cost of Sales. Food Costs	*Combined Drink total Sales	Total Salas	Cigarette Sales	Service CHG Revenue PR	Сопра- Вечеладе"	Beverage Sales*	Discounts	Food Sales		
561,223 176,482 584 384,177	114,439	269,738	20,477		9/0	537	7,952	140	£166	6,442	249,261	04,401	186,824	384,177	384,177	584	176,462	3,318	11,875	12,456	118.814	38,219	581,223	4,611	14,872	28,643	11,576	(6.804)	306,298	October Actual	
100 00% 31 44% 0 10% 88 45%	30	70%	98		9	9%	2%	9.5	7 7	N.	\$5.50 \$1.00	21%	13%	1,00%	268	P.1%	*15	72%	103%	보 1 전 6	ğ		100%	250	3 ;		¥ Š	SCOR.	55%		
	(66)	314,351	21,866		978	794	5,628	118	3,364	9,025	292,485	76,840	215,645	314,286	314,285	773	165,103	2,077	16,842	33 907	443	43,081	480,161	2.990	4.853	27 341	15 770	137,277	297,335	October Plan	
	(0%)	100%	7%		0%	0%	M C	1	1	34	#2# #2#	24%	430	7,000	88%	0.2%	34%	26	10 10		}		100%	Ř	Ř	1 1	(1%)	25%	62%		
	159,966	2,278,962	157,828		10,347	3,226	53,785	6,943	27,146	55,279	2,121,135	663,410	1,457,724	2,438,928	2,438,928	. 7,901	1,246,303	18.210	78,079	8/5,819		240,693	3,693,132	33,000	34 070	127,044	(46,877)	1,171,991	2,270,642	October YTD Actual	
	7%	88%	6%		44.0	Ç.	v c	0%	113%	2%	87%	27%	\$ 09	100%	68%	0.2%	34%	212	E 7	39%			100%	2 2	2 3	3	(1%)	32%	875		
	(145,471)	2,446,182	192,103		8,552	7.940	7,237	18,045	32,644	74,641	2,254,076	683,808	1,570,288	2,300,711	2,300,711	7 730	1,214,476	23.26	243,404	852,855		301,011	3,522,917	10,000	191,177	109,834	(36,422)	976,504	2,232,916	October YTD Plan	
	(8%)	108%	%		0%	Ş .	3	*	**	¥	25	30%	687	100%	%28	K 2.0	7 ×	2 2	2 Z	38%			Kogt 1	ij	9	3%	(18)	28%	63%		

	Food Sales.	Seer / Lispor Sales	Bevereza Salea	Stales Discounts	Cigarette Sples	Service CHO Ravanue PR	Comp-Beverages	Total Sales		Cast of Sales:	rood Costs	Seet / Liquor Costs	See also Come	Total Cost of Sales		CONTRACTOR	Net Select	NOT SELECT	Sperating Expenses:	Payroli taxes and benefits	Total Payrol/Related	Other Operating Expenses:	Julionne and Linen	[elephone	Jredit Card fees	JCB11985	rofessional Services	Total Operating Expenses	Sperating Profit(Loss)
Actual	111,484	16.983	4 27		fame 1. 1			130,380		ř	43 237	3,924	940	48.101			82,258	82,258		57,607 27,612	25,219							85,219	(2,961)
	3		1 7	4	See 1			108%			36.00	2214	3		;		3	100%		344	#PO							1043	1470
34 Rush Actual	123,362	157.947	, Ç	3,000	1,046)	***************************************	28.643	315,371		•	47,829	33,398	9,634	0,010	1,444		221,153	721,193		48 156 32,936	81,082						23	81,331	139,862
			Sugar	·	13	•	7				× 68	21%	20%	77	4		ğ	3400t		19 X	37#						0%	37	3,469
Artual	23 760		100		(rea)			26.650	ļ		8,802	360	917		to face		16,551	16,551		14,621 5.060	20,681							20,681	(4,131)
	P E		×8.		2				8		30%	8%			96.00		K	100%		37%	125%							125%	(25%)
Breakdast																				5,977 1 162	6,238							6,239	(8,238)
Every Appeal	8	30,74	17,203	77.72			14,872		E / C. F.		15.021	3.267	221		606'21		53,061	53,081		22,803 7,832	30,636							30,636	22,428
		1947	244	ž			21%		%oo1		1	9	199		29%		74%	100%		163	58%							446	42
Chichouse		GLT.'01	5,848	588	(257)				17,272		3.924	1 489	R)		5,574		11,696	11,694		3.516 343	3,659							4,869	8,039
	•	39%	ş	3	(30.)				100%		ř	1	2		X		K	100%		28%	#IX	:						31%	98
Ogłober 2021		306,297	203,826	11,576	(6,501)	4.611	14,872	28,643	581,223		148 949	2 457	11.874	3,318	176,462		384,761	384,761		151,580 75,946	227,626						236	227,765	156,996
Capetan																(584)	(584)	(584)		5,243 482	21,736	1	9,442 9,789	548	140	7962	5 5	41,973	(42,557)
October 2021		306 297	203,828	11,578	(6,601)	4.611	14,872	26,643	561,223			10,010	11 874	3.318	176,462	(1.85)	184,177	384,177		185,824 82,437	249.281		5,442 3,789	648	140	7,952	970 970	269.738	114,439
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Batavia Downs Gaming Hotel Operations For the Ten Months Ended October

Operating Profit/Loss	Total Operating Expense	Other Operating Expense		Other Expense	Credit Card Fees	Bank Fees and Charnes	Dues and Fees	Postage	Interest Expense	Professional Services	Insurance	Food Cost	Supplies & Deleted	Travel & Reunburgaments	Marketing Reguested Domburgan	Advartising/Promotional	Computer Charges	Uniform expense	Small Enginment/Enginment Death	Maintenance Ceneral		Real Estate Taxes and Rent	Total Payroll/Related	elicity and a principle policity	Payroll Tayos & Frincisco Benefit	Total Revenue	Total Revenue	APPLIABLE LABORATION	Misc Passerie	Room Revenue		
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ADVERTISING AND PROMOTIONS COMMITTEE AGENDA

Wednesday, December 1, 2021

2:30 P.M.

Susan May, Chairperson Ken Lauderdale, Vice-Chair Richard Bianchi, Ex-Officio Ed Morgan, Ex-Officio Paul Lattimore Jr. Member Michelle Parmer-Garner, Member Richard Ricci, Member Francis Warthling, Member Michael Horton, Member

AGENDA

- 1. Branch Marketing Update
- 2. Gaming Marketing Update

- T. Haight
- R. Hasenauer

PERSONNEL COMMITTEE MEETING

Wednesday, December 1, 2021 3:00 p.m.

Elliott Winter, Chairperson Richard D. Bianchi, Ex-Officio Edward F. Morgan, Ex-Officio Richard E. Haberer, Member Susan May, Member Richard L. Ricci, Member Thomas P. Wamp, Member

AGENDA

1. Executive Session

1a. Executive session for the discussion of 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.

LEGISLATIVE COMMITTEE

Wednesday - December 1, 2021

3:30 p.m.

Allan Hendrickson, Chairman Richard Siebert, Vice Chairman Paul Lattimore, Jr., Member Phil Barnes, Member Francis Warthling, Member Richard Bianchi, Ex-Officio Edward Morgan, Ex-Officio

AGENDA

Legislative Update

Resolution #100-2021 Upstate Strategic Advisors LLC

Resolution #101-2021 Mercury H. Wojtaszek

H. Wojtaszek

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

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, 2022

Batavia, New York

AUDIT COMMITTEE MEETING

Thursday - December 2, 2021 9:00 a.m.

Dennis Bassett, Chairman Richard Haberer, Vice-Chairman Richard Siebert, Member Michelle Parmer-Garner, Member Michael Horton, Member Richard Bianchi, Ex-Officio Edward Morgan, Ex-Officio

AGENDA

1. Pre-Audit Presentation

- The Bonadio Group

BRANCH OPERATIONS COMMITTEE MEETING

Thursday, December 2, 2021 9:30 A.W.

Michelle Parmer-Garner, Chairperson Francis Warthling, Vice-Chairperson Richard D. Bianchi, Ex-Officio Edward F. Morgan, Ex-Officio

Dennis Bassett, Member Allan Hendrickson, Member Mark Bombardo, Member

AGENDA

1) Branch Update

- Dina Pane

2) E-Z Bet Update

- Dina Pane

3) Batavia Bets Update

- Dina Pane