

# **Western Regional Off-Track Betting Corporation**

8315 Park Road, Batavia, NY 14020

## **PUBLIC NOTICE**

### **SEPTEMBER 2022 MEETINGS**

#### **Committee Meetings for** **Western Regional Off-Track Betting Corporation**

Committee meetings for Western Regional Off-Track Betting Corp. will be held on **Wednesday, September 21 and Thursday, September 22, 2022** at Western Regional Off-Track Betting Corporation offices located at 8315 Park Road, Batavia, NY 14020 as follows:

#### **Wednesday, September 21, 2022**

- 1:00 p.m. Personnel
- 2:00 p.m. Finance
- 2:30 p.m. Advertising
- 3:00 p.m. Legislative
- 3:30 p.m. Branch
- 3:45 p.m. Insurance
- 4:00 p.m. Audit

#### **Thursday, September 22, 2022**

- 9:00 a.m. Batavia Downs Operations

#### **Regular Meeting of the Western Regional Off-Track** **Betting Corporation Board of Directors**

The Regular Monthly Meeting of the Board of Directors of Western Regional Off-Track Betting Corp. will be held on **Thursday, September 22, 2022 at 10:00 a.m.** at Western Regional Off-Track Betting Corporation offices located at 8315 Park Road, Batavia, NY 14020.

**Dated: September 7, 2022**

# WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

## PERSONNEL COMMITTEE MEETING

Wednesday, September 21, 2022

1:00 p.m.

Elliott Winter, Chairperson  
Thomas P. Wamp, Vice-Chairperson

Dennis Bassett, Member  
Richard Bianchi, Member  
Susan May, Member  
Edward Morgan, Member  
Richard Ricci, Member

### AGENDA

1. Addition of Human Resources and Purchasing Departments  
To Jobs Compendium

-W. White

2. Approval of the Title of Director of IT – WROTBC & Video Gaming  
Approval of the Position of Director of IT – WROTBC – Video Gaming  
(Salary Grade 10)

-J. Leach  
-H. Wojtaszek

3. Cell Phone Policy
  - Resolution #87-2022

-M. Gabriele  
-W. White

4. Executive Session

4a. 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.

# WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

## POLICY FOR USE OF CELL PHONES BY ADMINISTRATIVE EMPLOYEES

As a public benefit corporation, Western Regional Off-Track Betting Corporation (“Western”) has a corporate responsibility for taking all reasonable precautionary measures against excessive or unauthorized use of its equipment. As such, Western has revised its policy regarding the use of cell phones in conducting Western business. It is hereby the policy of Western that it will no longer own or acquire corporate cell phones to conduct Western’s business.

- A. Western will not acquire or issue cellular telephones to Western employees for the purpose of conducting company business.
- B. The President shall determine whether an employee’s work assignment or position is such that in the course of normal business operations, such person must have the use of a cell phone. Factors in making this determination include but are not limited to a person or position that requires the employee to work outside the office and needs to be in a position to contact headquarters, as well as other Western employees, including maintenance positions or other administrative employees conducting normal daily business activities. If the President determines that an employee meets such criteria, the employee will be placed on a list which will require the employee to use his or her personal cell phone for business purposes, and which Western will reimburse said employee for business use of the employees’ personal phone. Such list shall be updated annually by the President.
- C. If the use of a cell phone is deemed necessary for that position, that employee shall be reimbursed for business use at a rate of \$40/month or such other amount that may be adjusted from time to time. This payment will end when the employee is separated from Western or should the President determine that the employee no longer needs a cell phone to conduct Western business.

Revised 9/22/2022

## RESOLUTION #87-2022

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

**WHEREAS**, the officers and staff recommend that the attached Cell Phone Policy, as amended, be adopted as a policy of Western.

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

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

Respectfully submitted,

Elliott Winter, Chairman  
Personnel Committee

Dated: September 23, 2022  
Batavia, New York

# WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

Finance Committee Meeting  
September 21, 2022  
Batavia, New York

Ken Lauderdale, Chairman  
Thomas Wamp, Vice Chairman

Richard Bianchi, Member  
Michael Horton, Member  
Paul Lattimore, Member  
Edward Morgan, Member  
Elliott Winter, Member

## AGENDA

1. Award of Bid – Energy Services – Electric and Natural Gas  
Batavia Downs Gaming & 9 OTB Branch Locations
  - Noco Gas & Electric LLC – Natural Gas - Resolution #93-2022
  - Marathon Power LLC – Electric – Resolution #94-2022

- M. Glor
2. Cummins-Allison Corporation
  - Resolution #83-2022

- J. Leach
3. Flooring

- J. Leach
4. Chief Financial Officer Report & BDG Financials
  - August 2022

- J. Leach
5. NYGA Weekly Numbers

- J. Leach

## **RESOLUTION #93-2022**

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

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

**WHEREAS**, Western invited bids for natural gas service for the two (2) year period through October 31, 2024 for its locations throughout Western and Central New York; and

**WHEREAS**, on August 11, 2022 three (3) bid proposals were publicly opened for the award of natural gas service at all of Western’s locations; and

**WHEREAS**, Staff recommends that the Board of Western find that NOCO Gas and Electric LLC (“NOCO”) is the lowest responsible bidder for the two (2) year period with a bid for the supply of natural gas for 0.675 per ccf: and therefore

**BE IT RESOLVED**, that Western, upon the recommendation of staff, awards the natural gas service contract to NOCO for a two (2) year period at the above price per ccf; and

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

Respectfully submitted,

Ken Lauderdale, Chairman  
Finance Committee

Dated: September 23, 2022  
Batavia, New York

## **RESOLUTION #94-2022**

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

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

**WHEREAS**, Western invited bids for electric service for the two (2) year period ending on October 31, 2024 for its locations throughout Western and Central New York; and

**WHEREAS**, on August 11, 2022 three (3) bid proposals were publicly opened for the award of electric service at all of Western's locations; and

**WHEREAS**, Staff recommends that the Board of Western find that Marathon Power LLC ("Marathon") is the lowest responsible bidder for the two (2) year period with a bid for the supply for electric for 0.0645 per kwh: and therefore

**BE IT RESOLVED**, that Western, upon the recommendation of staff, awards the electric service contract to Marathon for a two (2) year period at the above price per kwh; and

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

Respectfully submitted,

Ken Lauderdale, Chairman  
Finance Committee

Dated: September 23, 2022  
Batavia, New York

## RESOLUTION #83-2022

**WHEREAS**, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate Batavia Downs Gaming in an efficient manner; and

**WHEREAS**, the use of money counting machines is indispensable to Western's gaming operation: and

**WHEREAS**, Western currently owns a number of money-counting machines and associated equipment; and

**WHEREAS**, it is essential to Western's gaming operation that the money counting machines operate reliably 24 hours a day and that they are maintained and serviced on a regular basis throughout the year; and

**WHEREAS**, Cummins-Allison Corporation ("Cummins"), a sole source provider, has offered a maintenance and service agreement to Western for the money counting machines and associated equipment for a period of one (1) year ending on September 30, 2023 for the annual amount not to exceed \$30,925.00; and therefore

**BE IT RESOLVED**, that the Board of Directors of Western hereby approves the maintenance and service agreement with Cummins for a one (1) year term ending of September 30, 2023 in an amount not to exceed \$30,925.00; and

**BE IT FURTHER RESOLVED**, that an officer of the Corporation is hereby authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Ken Lauderdale, Chairman  
Finance Committee

Dated: September 22, 2022  
Batavia, New York



WESTERN REGIONAL OFF-TRACK BETTING - SUMMARY OF CFO'S REPORT - ACTUAL RESULTS:

Operational Results - August 2022

	August 2022	August 2021	August Plan
Total Handle	\$5,309,149	\$6,331,804	\$6,256,000
\$ Variance		(1,022,655)	(946,851)
% Variance		-16%	-15%
VGM Net Win	\$6,439,251	\$6,788,998	\$6,788,998
\$ Variance		(349,747)	(349,747)
% Variance		-5%	-5%
Revenue net of Statutories	\$ 4,478,505	\$ 4,599,547	\$ 4,448,654
Operating Expenses	3,780,448	3,518,630	3,558,858
Earnings and Surcharge	698,057	1,080,917	889,796
Surcharge	61,169	73,637	68,502
Operational Earnings	\$ 636,888	\$ 1,007,280	\$ 821,294
\$ Variance		(370,392)	(184,406)
% Variance		-37%	-22%
Gain on Sale of Jefferson	0	333,920	0
Operational Earnings after sale of Jefferson	\$ 636,888	\$ 1,341,200	\$ 821,294

\* Earnings are computed and distributed on a quarterly basis

Segment Performance:

	August 2022	August 2021	August Plan
BRANCH Earnings from Operations	\$ 290,089	\$ 242,450	\$ 305,451
Less: G&A Allocation	237,649	223,550	217,981
<u>Earnings net of G&amp;A Allocation</u>	<u>\$ 52,440</u>	<u>\$ 18,900</u>	<u>\$ 87,470</u>
\$ Variance		33,540	(35,030)
% Variance		177%	-40%
BATAVIA DOWNS Earnings from Operations	\$ 926,431	\$ 1,310,075	\$ 1,047,504
Less: G&A Allocation	341,983	321,695	313,680
<u>Earnings net of G&amp;A Allocation</u>	<u>\$ 584,448</u>	<u>\$ 988,380</u>	<u>\$ 733,824</u>
\$ Variance		(403,932)	(149,376)
% Variance		-41%	-20%
GENERAL AND ADMINISTRATIVE expense	\$ 579,632	\$ 545,245	\$ 531,661
\$ Variance		34,387	47,971
% Variance		6%	9%

Net Cash Distributions to Municipalities:

	August 2022	August 2021	August Plan
SURCHARGE	\$ 61,169	\$ 73,637	\$ 68,502
\$ Variance		(12,468)	(7,333)
% Variance		-17%	-11%

Year to Date Surcharge and Net Revenue

	August 2022	August 2021	August Plan
SURCHARGE	\$ 496,045	\$ 638,215	\$ 632,503
\$ Variance		(142,170)	(136,458)
% Variance		-22%	-22%
NET EARNINGS AVAILABLE FOR DISTRIBUTION	\$ 6,297,691	\$ 3,860,811	\$ 4,422,223
\$ Variance		2,436,880	1,875,468
% Variance		63%	42%
TOTAL	\$ 6,793,736	\$ 4,499,026	\$ 5,054,726

## CFO'S REPORT - August 2022

## SUMMARY - WESTERN REGIONAL OTB CORPORATION - ALL LOCATIONS/DEPARTMENTS: ROUNDED

	2022 August	2021 August	2022 August Plan	2022 Year To Date	2021 Year To Date	2022 Operating Plan YTD
HANDLE (includes Live)	\$5,309,000	\$6,332,000	\$6,256,000	\$39,262,000	\$48,414,000	\$48,452,000
\$ Variance		(1,023,000)	(947,000)		(9,152,000)	(9,190,000)
% Variance		-16%	-15%		-19%	-19%
VGM Net Win	\$6,439,000	\$6,789,000	\$6,789,000	\$51,185,000	\$42,479,000	\$45,502,000
\$ Variance		(350,000)	(350,000)		8,706,000	5,683,000
% Variance		-5%	-5%		20%	12%
<b>Revenue and Expense:</b>						
Operating Revenue	8,271,000	8,672,000	8,545,000	62,086,000	54,329,000	57,454,000
\$ Variance		(401,000)	(274,000)		7,757,000	4,632,000
% Variance		-5%	-3%		14%	8%
Less: Statutory Expenses	3,792,000	4,072,000	4,096,000	30,083,000	26,827,000	28,246,000
\$ Variance		(280,000)	(304,000)		3,256,000	1,837,000
% Variance		-7%	-7%		12%	7%
Revenue before Operating Expenses	4,479,000	4,600,000	4,449,000	32,003,000	27,502,000	29,208,000
\$ Variance		(121,000)	30,000		4,501,000	2,795,000
% Variance		-3%	1%		16%	10%
Less: Operating Expenses	3,780,000	3,519,000	3,559,000	25,209,000	23,337,000	24,153,000
\$ Variance		261,000	221,000		1,872,000	1,056,000
% Variance		7%	6%		8%	4%
Retained Surcharge/Net earnings	698,000	1,081,000	890,000	6,794,000	4,165,000	5,055,000
\$ Variance		(383,000)	(192,000)		2,629,000	1,739,000
% Variance		-35%	-22%		63%	34%
Retained Surcharge	61,000	74,000	69,000	496,000	638,000	633,000
\$ Variance		(13,000)	(8,000)		(142,000)	(137,000)
% Variance		-18%	-12%		-22%	-22%
Net Earnings(Losses) from Operations	637,000	1,007,000	821,000	6,298,000	3,527,000	4,422,000
\$ Variance		(370,000)	(184,000)		2,771,000	1,876,000
% Variance		-37%	-22%		79%	42%
PPP Forgiveness	0	0	0	81,000	3,152,000	0
Gain on Sale of Jefferson		334,000			334,000	
Earnings (Losses) Net of PPP Forgiveness	637,000	1,341,000	821,000	6,379,000	7,013,000	4,422,000
\$ Variance		(704,000)	(184,000)		(634,000)	1,957,000
% Variance		-52%	-22%		-9%	44%

	Operational Earnings	Earnings allocated to CAF	Distributable Earnings		
1st Qtr. Operational Earnings*	\$1,917,539	\$125,604	\$1,791,935	\$174,952	\$1,132,719
\$ Variance				1,616,983	659,216
% Variance				924%	58%
2nd Qtr. Operational Earnings*	\$2,702,174	\$153,979	\$2,548,195	\$1,051,606	\$1,669,187
\$ Variance				1,496,589	879,008
% Variance				142%	53%
3rd Qtr. Operational Earnings*	\$1,677,978		\$1,677,978	\$2,277,277	\$1,620,317
\$ Variance				(599,299)	57,661
% Variance				-26%	4%
PPP Forgiveness**	\$81,335	\$0	\$0	\$0	\$0
Total YTD	\$6,379,026	\$279,583	\$6,018,108	\$3,503,835	\$4,422,223
\$ Variance				2,514,273	1,595,885
% Variance				72%	36%

\* Available for Distribution

\*\*The Hotel at Batavia Downs PPP loan was fully forgiven by the SBA on 3/12/2022.

Resolution 39-2022 removes these forgiven funds from member distributions as funds were used during the COVID-19 pandemic for their intended purpose.

# WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

## ADVERTISING AND PROMOTIONS COMMITTEE AGENDA

Wednesday, September 21, 2022

2:30 P.M.

Susan May, Chairperson  
Ken Lauderdale, Vice-Chairman  
Richard Bianchi, Member  
Edward Morgan, Member

Paul Lattimore Jr. Member  
Michelle Parmer-Garner, Member  
Richard Ricci, Member

### AGENDA

1. Gaming/Branch Marketing Update R. Hasenauer
2. Resolution #85-2022  
Pegula Sports & Entertainment, LLC R. Hasenauer  
Buffalo Bills Suite
3. Resolution #86-2022  
Rochester Arena R. Hasenauer  
Rochester Americans Suite
4. Resolution #88-2022  
Mark It Smart R. Hasenauer
5. Resolution #89-2022  
Marketing Mailers R. Hasenauer

## RESOLUTION #85-2022

**WHEREAS**, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation ("Western") contracts with local venues to provide entertainment event tickets for a certain level of our patrons, as well as for special promotions; and

**WHEREAS**, Western previously entered into an agreement with Pegula Sports & Entertainment, LLC ("Pegula") for a suite license for the Buffalo Bills 2019, 2020 and 2021 season; and

**WHEREAS**, due to Covid, the 2020-2021 season was paused, and an amended suite license agreement was received from Pegula extending the suite license to include the 2022-2023 Buffalo Bills season; and

**WHEREAS**, Staff recommends that Western enter into an amended suite license agreement with Pegula for the Buffalo Bills 2022-2023 season at an amount not to exceed \$103,200.00; and therefore

**BE IT RESOLVED**, that the Board of Directors of Western hereby approves the amended suite license agreement with Pegula for the Buffalo Bills 2022-2023 season in an amount not to exceed \$103,200.00; and further

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

Respectfully submitted,

Susan May, Chairperson  
Advertising & Promotions Committee

Dated: September 23, 2022  
Batavia, New York

## **RESOLUTION #86-2022**

**WHEREAS**, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation (“Western”) contracts with local venues to provide entertainment event tickets for a certain level of our patrons, as well as for special promotions; and

**WHEREAS**, Western previously entered into an agreement for use of a suite at the Blue Cross Arena from Rochester Arena, LLC (“Arena”) for the Rochester Americans together with various concerts through the 2020-2021 season; and

**WHEREAS**, due to COVID, the agreement for use of a suite at the Blue Cross Arena was paused; and

**WHEREAS**, Staff recommends that Western enter into an amended agreement with Arena for the use of the suite for the Rochester Americans hockey season and various concerts for the 2022-023 season at a cost of \$37,150.00 and the 2023-2024 season at a cost of \$38,250.00 for the total amount of \$75,400.00; and therefore

**BE IT RESOLVED**, that the Board of Directors of Western hereby approves the amended agreement with Arena for the use of the suite for the Rochester Americans hockey season and various concerts for the 2022-023 season at a cost of \$37,150.00 and the 2023-2024 season at a cost of \$38,250.00 for the total amount of \$75,400.00; and further

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

Respectfully submitted,

Susan May, Chairperson  
Advertising & Promotions Committee

Dated: September 23, 2022  
Batavia, New York

## **RESOLUTION #88-2022**

**WHEREAS**, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation ("Western") purchases various promotional items that are given away to patrons of Batavia Gaming; and

**WHEREAS**, has sent out an RFP requesting pricing for various items including luggage, cast iron cookware, purses, BBQ items, camping equipment, margarita themed items, cookware, glassware, small appliances and bedding and Mark-It-Smart Inc. ("Smart") was the lowest responsible bidder to purchase those items as set forth in the attached schedule to this resolution.

**WHEREAS**, Staff requests that the Board approve the above referenced purchase of the various items set forth above from Smart to be given away to various patrons of Batavia Gaming in an amount not to exceed each of the specific amounts set forth in the attached schedule, and in the total amount of \$610,832.00; and therefore

**BE IT RESOLVED**, that the Board of Directors of Western hereby acknowledges and approves that Western enter into a series of purchase agreements with Smart for the purchase of various items including luggage, cast iron cookware, purses, BBQ items, camping equipment, margarita themed items, cookware, glassware, small appliances and bedding to be given away to various patrons of Batavia Gaming in the total amount of \$610,832.00; and further

**RESOLVED**, that the Board of Directors of Western hereby authorizes an officer of Western to execute any such agreements in furtherance of this resolution.

Respectfully submitted,

Susan May, Chairperson  
Advertising & Promotions Committee

Dated: September 22, 2022  
Batavia, New York



**RESOLUTION #89-2022**

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

**WHEREAS**, Western previously sent out a request for proposal in respect to the marketing mailers, which responses were opened on September 20, 2022; and

**WHEREAS**, the Board of Western determined that \_\_\_\_\_ ("\_\_\_\_\_") was lowest responsible bidder with a bid of \$\_\_\_\_\_.00; and

**WHEREAS**, the recommended bid provides Western with an option to extend the existing agreement for an additional one (1) year period at the same annual cost; and

**WHEREAS**, Staff recommends to the Board that Western enters into an agreement with \_\_\_\_\_ in the amount not to exceed \$\_\_\_\_\_.00, with an option along the same terms and conditions; and, now therefore

**BE IT RESOLVED**, that the Board of Directors of Western hereby agrees to enter into an agreement with \_\_\_\_\_ to provide marketing mailers for a one (1) year period for an amount not to exceed \$\_\_\_\_\_, together with a one (1) year option for Western; and further

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

Respectfully submitted,

Susan May, Chairperson  
Advertising & Promotions Committee

Dated: September 22, 2022  
Batavia, New York

# **WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

## **BRANCH OPERATIONS COMMITTEE MEETING**

**Wednesday, September 21, 2022  
3:30 P.M.**

Michael Horton, Chairperson  
Mark Burr, Vice-Chairperson

Richard Bianchi, Member  
Mark Bombardo, Member  
Edward Morgan, Member  
Michelle Parmer-Garner, Member  
Francis Warthling, Member

### **AGENDA**

1) Branch Update

- Dina Pane

2) E-Z Bet Update

- Dina Pane

3) Batavia Bets Update

- Dina Pane

**WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

**INSURANCE COMMITTEE**  
**Wednesday September 21, 2022**  
**3:45p.m.**

Susan May, Chairperson  
Dennis Bassett, Vice-Chairman  
Richard Bianchi, Member  
Edward Morgan, Member  
Richard Ricci, Member

Richard Ricci, Member  
Mark Burr, Member  
Francis Warthling, Member

**AGENDA**

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.

# WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

## BATAVIA DOWNS OPERATIONS COMMITTEE

Thursday – September 22, 2022  
9:00 A.M.

Edward Morgan, Chairman  
Richard Siebert, Vice-Chairman  
Richard Bianchi, Member

Ken Lauderdale, Member  
Elliott Winter, Member  
Thomas Wamp, Member  
Mark Bombardo, Member

### AGENDA

- |  |               |
|--|---------------|
| 1. Gaming Floor Update                     | S. Schiano    |
| 2. Live Racing Update                      | D. Hoover     |
| 3. Hotel Update                            | H. Wojtaszek  |
| 4. Park Road Update                        | H. Wojtaszek  |
| 5. Resolution #84-2022<br>Southern Wine    | S. Kiedrowski |
| 6. Resolution #90-2022<br>Skyworks, LLC    | S. Kiedrowski |
| 7. Resolution #91-2022<br>IK Systems, Inc. | H. Wojtaszek  |
| 8. Resolution #92-2022<br>Falcone Electric | S. Kiedrowski |

## RESOLUTION #84-2022

**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 liquor products and related items from Southern Wine & Spirits ("Southern"); and

**WHEREAS**, Western requires a supplemental blanket purchase order in the amount of \$100,000.00 for use by the Food & Beverage Department through 2022; and

**WHEREAS**, staff requests that the Board of Directors of Western approve a supplemental blanket purchase order in an amount not to exceed \$100,000.00 with Southern for the purchase of various liquor products and related items; 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 \$100,000.00 from Southern; 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: September 22, 2022  
Batavia, New York

## RESOLUTION #90-2022

**WHEREAS**, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to provide the patrons of Batavia Downs Gaming with the best experience available; and

**WHEREAS**, the staff believes that it is in the best interest of Western to purchase a Telescopic Boom Lift, including delivery for use at its Batavia Downs location; and

**WHEREAS**, four requests for bids were sent to vendors, with 2 responding bids received by Western; and

**WHEREAS**, the staff recommends that the Board of Directors accept the bid of \$147,000.00 from Skyworks LLC ("Skyworks") as the lowest responsible bidder; and therefore

**BE IT RESOLVED**, that the Board of Directors of Western accepts the bid for the Telescopic Boom Lift from Skyworks in the amount of \$147,000.00; and

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

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: September 23, 2022  
Batavia, New York

## RESOLUTION #91-2022

**WHEREAS**, Western Regional Off-Track Betting Corporation ("Western"), has previously entered into an agreement with IK Systems, Inc., a NYS bid vendor, to provide service and testing services for the surveillance system located at Western's Batavia Downs location; and

**WHEREAS**, Western has been provided a proposal to extend the existing agreement for an additional five (5) year period at a cost not to exceed \$68,444.00; and

**WHEREAS**, Staff recommends that Western enter into a five (5) year service and testing agreement with IK Systems, Inc. at a cost not to exceed \$68,444.00; now therefore

**BE IT RESOLVED**, that Western accepts the proposal from IK Systems, Inc. for a five (5) year service and testing agreement at an amount not to exceed \$68,444.00; and

**IT IS FURTHER, RESOLVED** that an Officer of Western is authorized to execute such a contract consistent with the purpose and intent of this resolution.

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: September 23, 2022  
Batavia, New York

## RESOLUTION #92-2022

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

**WHEREAS**, the Staff recommends to the Board of Directors of the Western to purchase various electrical parts and supplies as needed, with no single item exceeding \$500.00, in the amount not to exceed \$25,000 for the remainder of 2022 year from Falcone Electric ("Falcone"), a sole source provider; and;

**WHEREAS**, the Board of Directors of the Western wishes to approve the purchase of various electrical parts and supplies as needed in the amount not to exceed \$25,000 for the 2022 year from Falcone; and, therefore be it

**RESOLVED**, that the Board of Directors of the Western approves the purchase of various electrical parts and supplies as needed, with no single item exceeding \$500.00, in the amount not to exceed \$25,000 for the 2022 year from Falcone; and, be it further

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

Respectfully submitted,

Edward Morgan, Chairman  
Batavia Downs Operations Committee

Dated: September 23, 2022  
Batavia, New York