

**WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

Minutes of the regular meeting of Board of Directors of the Western Regional Off-Track Betting Corporation, ("Western") held on the 22nd day of September 2022 and commencing at 10:02 a.m. in the *Boardroom*, Corporate Headquarters at 8315 Park Road Batavia, New York.

**Participating were:**

Cattaraugus	Mark C. Burr
Genesee	Richard E. Siebert
Livingston	Thomas P. Wamp
Monroe	Richard D. Bianchi
Niagara	Elliott Winter
Orleans	Edward F. Morgan
Oswego	Mark Bombardo
Rochester	Dennis Bassett
Steuben	Michael Horton
Wayne	Ken Lauderdale
Wyoming	Susan May

**Absent:**

Buffalo	Parmer-Garner
Cayuga	Lattimore
Chautauqua	Vacant
Erie	Warthling
Schuyler	Barnes
Seneca	Ricci

constituting the Directors of all participating municipalities.

Also participating were: Henry F. Wojtaszek, President & CEO; Scott Kiedrowski, Vice President Operations; Jacquelyne A. Leach, Chief Financial Officer; William R. White, Vice President – Administration; Mark J. Gabriele, Associate Council; Steven Haigh, Internal Auditor, Ryan Hasenauer, Director of Marketing; Mike Pettinella, The Batavian; Brian Quinn, The Daily News.

A roll of the membership of the Board having been called, Mr. Scott P. Kiedrowski, Vice President - Operations declared a quorum present.

Chairman Richard D. Bianchi proceeded to conduct the meeting following the published Agenda for this regular meeting.

Chairman Bianchi asked Director Siebert to lead the assemblage in the Pledge of Allegiance.

**Approval of Previous Minutes:**

Chairman Bianchi called for amendments, additions, deletions, or corrections to the minutes of the previous meeting of August 25, 2022. There being none, a motion was made by Director Horton and seconded by Director Burr to approve the August minutes as submitted. The minutes were approved unanimously by voice vote.

**Communications:**

Mr. Scott P. Kiedrowski informed the members of the following thank you notes.

A thank you note from the Genesee County Animal Shelter, Volunteers for Animals for the concert series raffle proceeds.

A thank you note from the Knights of Columbus for the Stay and Play donation to their Charity Golf Tournament.

A thank you note from George Wimer for the photo sent with classmate Ken Lauderdale.

**Personnel Committee Report:**

Committee Chairman Winter reported that the Personnel Committee meeting was called to order on Wednesday September 21, 2022 at 1:06 p.m. and the following items were discussed:

Director Winter made a motion to enter into Executive Session, seconded by Director Bassett and carried unanimously. The Personnel Committee came out of Executive Session at 1:43 p.m. to resume the regular Committee meeting.

Mr. William R. White, Vice-President-Administration explained that the Corporation currently has Departments that fall under the umbrella of Operations. Staff recommends that we add these Departments of Human Resources and Purchasing to the Jobs Compendium.

**Personnel Committee Report continued:**

A motion was made by Director Wamp, seconded by Director May and carried unanimously for staff's recommendation to add these Departments to the Jobs Compendium to be brought to the full Board.

Upon motion by Director Winter and seconded by Director Wamp to approve staff's recommendation to add these Departments of Human Resources and Purchasing to the Jobs Compendium, a voice vote was taken and passed unanimously.

Mrs. Jacquelyne A. Leach, Chief Financial Officer explained that the Corporation does not have a formal IT Department, although it has employees that are dedicated to working on IT issues within the Gaming Corporation. Staff recommends that we create one IT Department.

A motion was made by Director Bianchi, seconded by Director May and carried unanimously for the recommendation by staff of creating an IT Department to be brought to the full Board.

Mrs. Leach explained the need to have a Director of IT. She explained that we currently have a Consultant that we would like to hire as a Director of IT – WROTBC & Video Gaming at a Salary Grade 10, with an annual salary of \$99,000.

A motion was made by Director Bianchi, seconded by Director May and carried unanimously for these recommendations to be brought to the full Board.

Upon motion by Director Winter and seconded by Director May to approve the staff recommendation to create an IT Department and hire the current consultant as the Director of IT WROTBC & Video Gaming at a Salary Grade 10 with an annual salary of \$99,000. A roll call vote was taken. Ayes: 11; Nays: 0; Absent: 5; Parmer-Garner; Lattimore; Warthling; Barnes; Ricci; Vacant: 1; Chautauqua.

Mr. Mark J. Gabriele, Associate Council explained to the Committee that the Corporation would like to transition into not providing cell phones to employees. He mentioned that the President/CEO will approve a monthly stipend to employees that need to use their personal phone for business purposes.

Board of Directors  
Meeting #545  
September 22, 2022  
4 of 10

**Personnel Committee Report continued:**

A motion was made to approve staff's recommendation by Director Bassett, seconded by Director Wamp and carried unanimously to bring Resolution #87-2022 to the full Board.

Upon motion by Director Winter and seconded by Director Morgan to approve the staff recommendation to approve a monthly stipend to employees that use their personal phone for business purposes. A roll call vote was taken. Ayes: 11; Nays: 0; Absent: 5; Parmer-Garner; Lattimore; Warthling; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #87-2022**

Upon motion made by Director May seconded by Director Bassett the Personnel Committee meeting adjourned at 1:54 p.m.

**Finance Committee Report:**

Committee Chairman Lauderdale reported that the Finance Committee meeting was held on Wednesday September 21, 2022 at 1:58 p.m. and the following items were discussed.

Mrs. Glor advised the Committee that bids for electric and natural gas services for Batavia Downs Gaming and Branch locations were opened on August 11, 2022. After review by staff, it is recommended that Noco Gas & Electric LLC be awarded the bid for natural gas and Marathon Power LLC be awarded the bid for electric services.

Upon motion by Director Winter, seconded by Director Horton, and carried unanimously for Resolution #93-2022, Noco Gas & Electric LLC, to be voted on by the full Board.

Upon motion by Director Lauderdale and seconded by Director Winter to approve Noco Gas & Electric LLC be awarded the bid for natural gas. A roll call vote was taken. Ayes: 11; Nays: 0; Absent: 5; Parmer-Garner; Lattimore; Warthling; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #93-2022**

Upon motion by Director Winter, seconded by Director Horton, and carried unanimously for Resolution #94-2022, Marathon Power LLC, to be voted on by the full Board.

**Finance Committee Report continued:**

Upon motion by Director Lauderdale and seconded by Director Winter to approve Marathon Power LLC be awarded the bid for electric services. A roll call vote was taken. Ayes: 11; Nays: 0; Absent: 5; Parmer-Garner; Lattimore; Warthling; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #94-2022**

Staff is recommending entering into a maintenance and service agreement with Cummins-Allison Corporation, a sole source provider for the money counting machines and associated equipment for a period of one (1) year for the annual amount not to exceed \$30,925.

Upon motion by Director Horton, seconded by Director Winter, and carried unanimously for Resolution #83-2022 to be carried to the full Board.

Upon motion by Director Lauderdale and seconded by Director Horton to enter into a maintenance and service agreement with Cummins-Allison Corporation, a sole source provider for the money counting machines and associated equipment for a period of one (1) year for the annual amount not to exceed \$30,925. A roll call vote was taken. Ayes: 11; Nays: 0; Absent: 5; Parmer-Garner; Lattimore; Warthling; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #83-2022**

Management would like approval to select the lowest responsible bidder on flooring for the Finance, IT, Executive Offices and the Clubhouse in an amount not to exceed \$90,000.

Upon motion by Director Winter, seconded by Director Horton, and carried unanimously to accept the lowest responsible bidder on flooring in an amount not to exceed \$90,000 to be carried to the full Board in October.

Mrs. Leach reviewed the August 2022 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$61,169 in surcharge revenues to member municipalities for August. Mrs. Leach also reviewed the August 2022 Batavia Downs results of operations, and provided information on credits played, net win and free play, food and beverage, hotel and other statistics.

Mrs. Leach reviewed the NYGA Weekly Numbers with Committee members, highlighting Batavia Downs Gaming net win performance through August as compared to same period 2021 and 2019.

**Finance Committee Report continued:**

Upon motion by Director Horton and seconded by Director Winter, the Finance Committee meeting adjourned at 2:33 p.m.

**Advertising & Promotions Committee Report:**

Committee Chairperson May reported that the Advertising & Promotions Committee meeting was held on Wednesday September 22, 2022, at 2:37 p.m. and the following items were discussed.

Mr. Ryan Hasenauer, Director of Marketing reviewed pictures of the Vodka fest and Bob Seger Concert were shown, also The Polka Buzz Event was a big success.

Mr. Hasenauer reported that Batavia Downs dedicated a flag repository in the lobby which was well attended by local vets and the media. Another press conference will be held Thursday with Make A Wish.

The Resolution #85-2022 was presented to enter into an agreement with Pegula Sports and Entertainment, LLC., for the Buffalo Bills suite in the amount of \$103,200.00.

Upon motion by Director May and seconded by Director Wamp a roll call vote was taken. The motion passed to enter into an agreement with Pegula Sports & Entertainment, LLC in the amount of 103,200.00. Ayes: 11; Nays: 0; Absent: 5; Parmer-Garner; Lattimore, Warthling, Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #85-2022**

The Resolution 86-2022 was presented to enter into an amended agreement with the Rochester Americans Suite at Rochester Arena, LLC in the amount of \$38,250.00.

Upon motion by Director May and seconded by Director Morgan a roll call vote was taken. The motion passed to enter into an amended agreement with Rochester Arena, LLC in the amount of \$38,250.00. Ayes: 11; Nays: 0; Absent: 5; Parmer-Garner; Lattimore, Warthling, Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #86-2022**

The Resolution #88-2022 was presented for Mark It Smart for various promotional items that are given away to patrons in the amount of \$610,832.00.

Board of Directors  
Meeting #545  
September 22, 2022  
7 of 10

**Advertising & Promotions Committee Report:**

Upon motion by Director May and seconded by Director Lauderdale a roll call vote was taken. The motion passed to purchase various promotional items from Mark It Smart in the amount of \$610,832.00. Ayes: 11; Nays: 0; Absent: 5; Parmer-Garner; Lattimore, Warthling, Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #88-2022**

The Resolution #89-2022 was presented to enter into an agreement with Applied Business Systems Inc. for marketing mailers in the amount of \$115,000.00.

Upon motion by Director May and seconded by Director Horton a roll call vote was taken. The motion passed to enter into an agreement with Applied Business Systems Inc. for marketing mailers in the amount of \$115,000.00. Ayes: 11; Nays: 0; Absent: 5; Parmer-Garner; Lattimore, Warthling, Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #89-2022**

Upon Motion by Director May seconded by Director Lauderdale the Advertising and Promotions Committee meeting adjourned at 2:50p.m.

**Legislative Committee Report:**

The Legislative Committee did not meet.

**Insurance Committee Report:**

The Insurance Committee did not meet.

**Branch Operations Committee Report:**

Committee Vice-Chairman Horton reported the Branch Operations Committee meeting was held on Wednesday September 21, 2022 at 3:10 p.m. and the following items were discussed.

Board of Directors  
Meeting #545  
September 22, 2022  
8 of 10

**Branch Operations Committee Report continued:**

Ms. Dina Pane, General Manager-OTB Operations reported that they have added a few T.V.'s to the Lyell/Broad Branch. Ms. Pane informed the Committee that the United Tote System was upgraded on 9/12/2022 in the Branches and E-Z Bets. The upgrade went well and any issues have been fixed within the system.

Ms. Pane informed the Committee that last week the E-Z Bets were up 21% from last year and that the E-Z Bets are typically busier once summer is over. The E-Z Bets make up for 11.5% of handle as compared to 9.8% last year.

Upon motion by Director Bombardo and seconded by Director Burr the Branch Operations Committee meeting adjourned at 3:15 p.m.

**Audit Committee Report:**

Committee Chairman Bassett reported the Audit Committee meeting was held on Wednesday September 21, 2022 at 3:16 p.m. and the following items were discussed.

Mr. Steve Haigh, Internal Auditor reported protocol is being followed.

Upon motion by Director Horton and seconded by Director Bianchi the Audit Committee meeting adjourned at 3:20 p.m.

**Batavia Downs Operations Committee Report:**

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Thursday September 22, 2022 at 9:12 a.m. and the following items were discussed.

Mr. Sean S. Schiano, General Manager-Gaming provided gaming statistics to the Committee.

Mr. Don R. Hoover, Director/GM Live Racing/Race Secretary provided a live racing update.



**Batavia Downs Operations Committee Report continued:**

Mr. Wojtaszek provided a hotel update reporting revenue continues with hotel specials.

Mr. Wojtaszek provided a Park Rd. update reporting that the landscape trees will be delivered tomorrow and will take nearly one week to install. The light post installation date is October 3 and the two-way traffic should begin by October 17.

The Resolution #84-2022 was presented for supplemental purchase order for Southern Wine & Spirits in the amount not to exceed \$100,000.00.

Upon motion by Director Morgan and seconded by Director Winter a roll call vote was taken. The motion passed to purchase Wine & Spirits in the amount not to exceed \$100,000.00 through 2022. Ayes: 11; Nays: 0; Absent: 5; Parmer-Garner; Lattimore, Warthling, Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #84-2022**

The Resolution #90-2022 was presented for Skyworks LLC for the purchase of a Telescopic Boom Lift in the amount of \$147,000.00.

Upon motion by Director Morgan and seconded by Director Bombardo a roll call vote was taken. The motion passed to purchase a Telescopic Boom Lift in the amount of \$147,000.00 from Skyworks LLC. Ayes: 11; Nays: 0; Absent: 5; Parmer-Garner; Lattimore, Warthling, Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #90-2022**

The Resolution #91-2022 was presented to extend the existing agreement for an additional five-year period with IK Systems, Inc. in the amount not to exceed \$68,444.00.

Upon motion by Director Morgan and seconded by Director Horton a roll call vote was taken. The motion passed to extend the existing agreement for an additional five-year period with IK Systems, Inc. in the amount not to exceed \$68,444.00. Ayes: 11; Nays: 0; Absent: 5; Parmer-Garner; Lattimore, Warthling, Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #91-2022**

The Resolution #92-2022 was presented for various electrical supplies with no single item exceeding \$500 for Falcone Electric a sole source provider in the amount of \$25,000 for the 2022 year

Board of Directors  
Meeting #545  
September 22, 2022  
10 of 10

**Batavia Downs Operations Committee Report continued:**

Upon motion by Director Morgan and seconded by Director Bombardo a roll call vote was taken. The motion passed to purchase various electrical supplies with no single item exceeding \$500 for Falcone Electric a sole source provider in the amount of \$25,000 for the 2022 year. Ayes: 11; Nays: 0; Absent: 5; Parmer-Garner; Lattimore, Warthling, Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #92-2022**

Upon motion by Director Bombardo and seconded by Director Lauderdale the Batavia Downs Operations Committee adjourned at 9:36 a.m.

**New Business:**

The next Committee and Board meeting is scheduled for October 26 and 27, 2022 respectively.

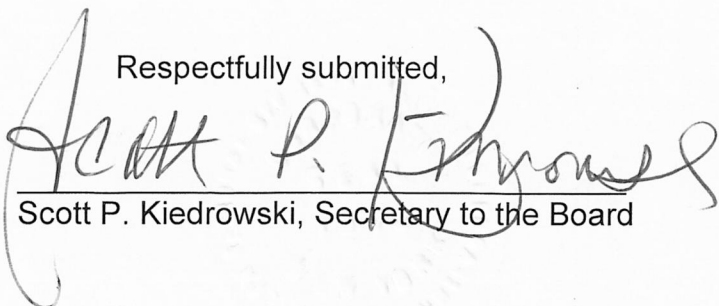
Chairman Bianchi thanked Batavia Downs staff for the successful event Breast Cancer Coalition of Rochester event.

Chairman Bianchi informed the members that there will be a 2023 Operating Plan workshop on November 16, 2022 at 11am in the Boardroom.

**Adjournment:**

Upon motion made by Director Winter to adjourn seconded by Director Burr the meeting was adjourned at 10:41 a.m.

Respectfully submitted,



Scott P. Kiedrowski, Secretary to the Board

/pma

## 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

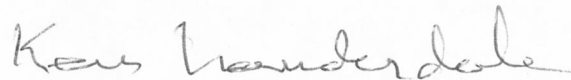
**WHEREAS**, it is essential to Western's gaming operation that the money counting machines operate reliably 24 hours a day and that they are maintained and serviced on a regular basis throughout the year; and

**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 CORPORATION**

The question of the adoption of the foregoing Resolution #83-2022 was duly put to a vote on roll call, which resulted as follows: Cummins-Allison Corporation

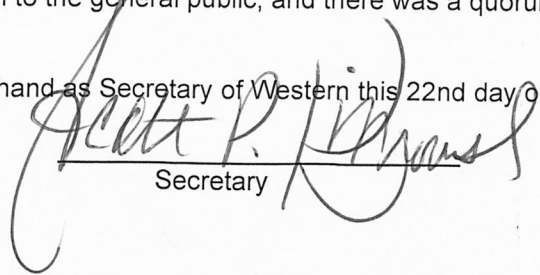
Motion by Director Lauderdale                      seconded by Director Horton

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

AYES 11 NAYS \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT 5 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of September 2022.

  
 Secretary

## 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

## WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #84-2022 was duly put to a vote on roll call, which resulted as follows: Southern Wine & Spirits

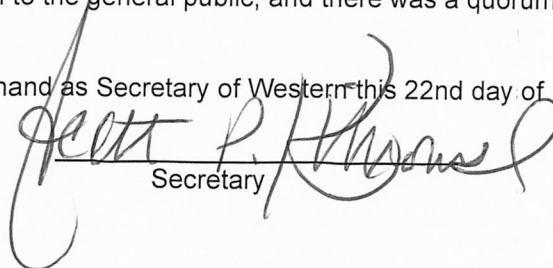
Motion by Director Morgan                      seconded by Director Winter

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

<sup>5</sup>  
 AYES 11 NAYS \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT 5 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of September 2022.

  
 Secretary

## **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 season was paused, and an amended suite license agreement was received from Pegula whereby in place of the 2020 season, the existing agreement would be extended to include the 2022 Buffalo Bills season; and

**WHEREAS**, Staff recommends that Western enter into an amended suite license agreement with Pegula which would include the Buffalo Bills 2022 season for \$103,200.00; and

**WHEREAS**, the approval of the amended suite license agreement as referenced above is an expenditure that was previously approved by the Board of Western as part of the previous suite license agreement with Pegula, and , now therefore

**BE IT RESOLVED**, that the Board of Directors of Western hereby approve the amended suite license agreement with Pegula which will extend and include the Buffalo Bills 2022 season in the amount of \$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



**WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

The question of the adoption of the foregoing Resolution #85-2022 was duly put to a vote on roll call, which resulted as follows: Pegula Sports & Ent. LLC Buffalo Bills Suite

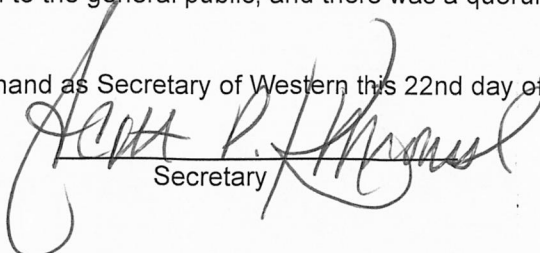
Motion by Director Morgan                      seconded by Director Wamp

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

AYES 11 NAYS \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT 5 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of September 2022.

  
 \_\_\_\_\_  
 Secretary

## 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 2021 season; and

**WHEREAS**, due to COVID, use of a suite for the 2020-2021 season at the Blue Cross Arena was paused, and an amended agreement was received from Arena whereby in place of the paused season, the existing agreement would be extended to include the 2022 and 2023 seasons; and

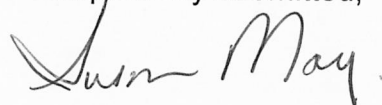
**WHEREAS**, Staff recommends that Western enter into an amended agreement with Arena for the use of the suite for the Rochester Americans hockey season and various concerts for the 2022-23 season at a cost of \$37,150.00 and the 2023-2024 season at a cost of \$38,250.00 for the total amount of \$75,400.00; and

**WHEREAS**, the approval of the amended agreement as referenced above includes an expenditure that was previously approved by the Board of Western as part of the previous suite agreement, and only the 2023-2024 season is a new expenditure; now 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,

A handwritten signature in black ink, appearing to read "Susan May", written in a cursive style.

Susan May, Chairman  
Advertising Committee

Dated:           September 22, 2022  
                    Batavia, New York

**WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

The question of the adoption of the foregoing Resolution #86-2022 was duly put to a vote on roll call, which resulted as follows: Rochester Arena, LLC Rochester Americans Suite

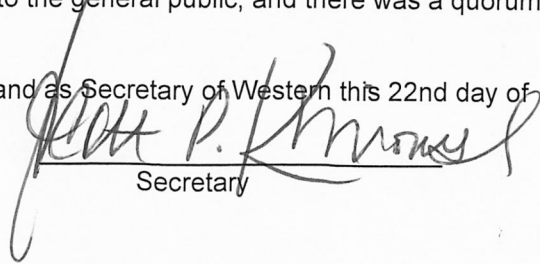
Motion by Director Morgan                      seconded by Director May

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

AYES 11 NAYS \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT 5 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of September 2022.

  
 Secretary

## RESOLUTION #87-2022

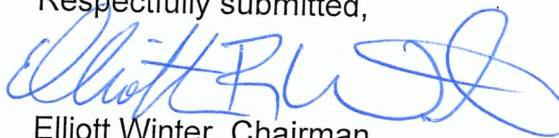
**WHEREAS**, the Western Regional Off-Track Betting Corporation ("Western") continues to review, establish and update its corporate policies; and

**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**

**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

**WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

The question of the adoption of the foregoing Resolution #87-2022 was duly put to a vote on roll call, which resulted as follows: Cell Phone Policy

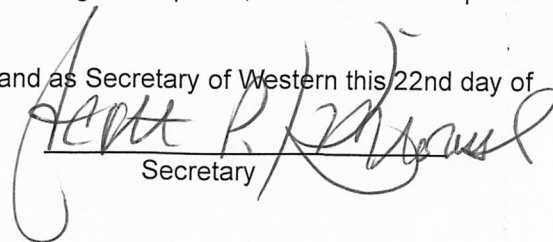
Motion by Director Winter seconded by Director Morgan

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

AYES 11 NAYS \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT 5 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of September 2022.

  
 \_\_\_\_\_  
 Secretary

## 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.

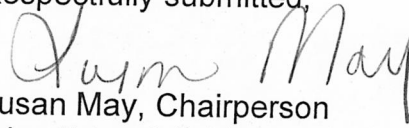
**WHEREAS**, Staff requests that the Board approve the above referenced purchase of the various items set forth above from Smart to be given away to various patrons of Batavia Gaming in an amount not to exceed each of the specific amounts set forth in the attached schedule, and in the total amount of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

A handwritten signature in cursive script that reads "Susan May".

Susan May, Chairperson  
Advertising & Promotions Committee

Dated: September 22, 2022  
Batavia, New York

## WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #88-2022 was duly put to a vote on roll call, which resulted as follows: Mark It Smart

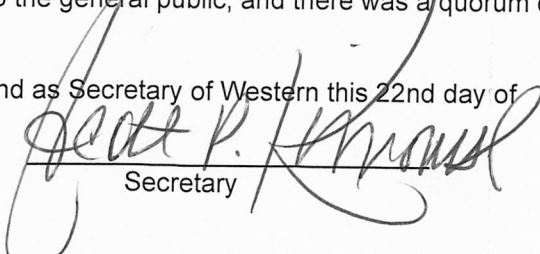
Motion by Director Morgan                      seconded by Director Lauderdale

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

AYES 11 NAYS \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT 5 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of September 2022.

  
 Secretary

## 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

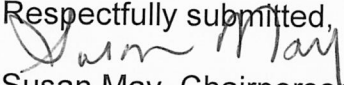
**WHEREAS**, the Board of Western determined that Applied Business Systems Inc. ("Applied") was lowest responsible bidder with a bid of \$115,000.00; and

**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 Applied in the amount not to exceed \$115,000.00, 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 Applied to provide marketing mailers for a one (1) year period for an amount not to exceed \$115,000, 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**

The question of the adoption of the foregoing Resolution #89-2022 was duly put to a vote on roll call, which resulted as follows: Applied Business Systems Inc.

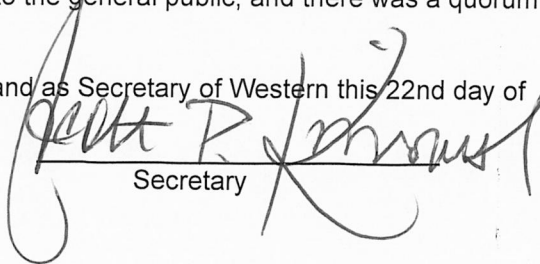
Motion by Director Morgan                      seconded by Director Horton

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

AYES 11 NAYS \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT 5 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of September 2022.

  
 \_\_\_\_\_  
 Secretary

## 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

**WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

The question of the adoption of the foregoing Resolution #90-2022 was duly put to a vote on roll call, which resulted as follows: Skyworks LLC

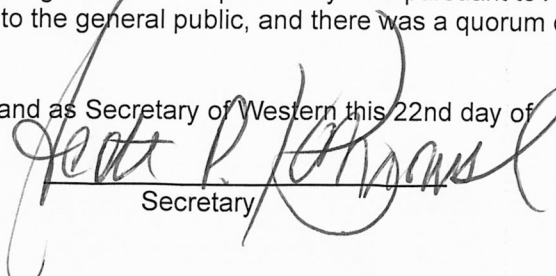
Motion by Director Morgan                      seconded by Director Bombardo

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

AYES 11 NAYS \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT 5 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of September 2022.

  
 Secretary

## 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

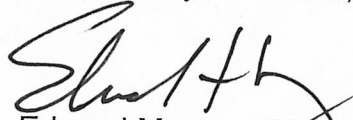
**WHEREAS**, Western has been provided a proposal to extend the existing agreement for an additional five (5) year period at a cost not to exceed \$68,444.00; and

**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

**WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

The question of the adoption of the foregoing Resolution #91-2022 was duly put to a vote on roll call, which resulted as follows: IK Systems

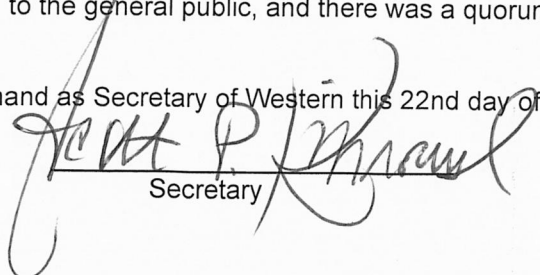
Motion by Director Morgan                      seconded by Director Horton

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

AYES 11 NAYS \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT 5 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of September 2022.

  
 Secretary



## RESOLUTION #92-2022

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

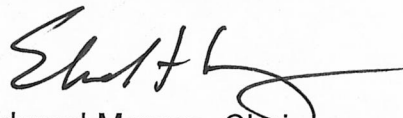
**WHEREAS**, the Staff recommends to the Board of Directors of the Western to purchase various electrical parts and supplies as needed, with no single item exceeding \$500.00, in the amount not to exceed \$25,000 for the remainder of 2022 year from Falcone Electric ("Falcone"), a sole source provider;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

## WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #92-2022 was duly put to a vote on roll call, which resulted as follows: Falcone Electric

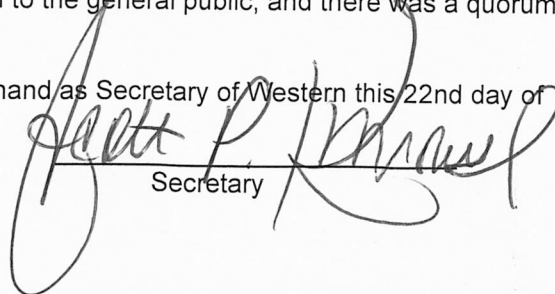
Motion by Director Morgan seconded by Director Bombardo

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

AYES 11 NAYS \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT 5 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of September 2022.

  
 Secretary

## 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

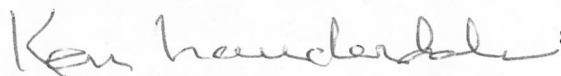
**WHEREAS**, on August 11, 2022 three (3) bid proposals were publicly opened for the award of natural gas service at all of Western's locations; and

**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

**WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

The question of the adoption of the foregoing Resolution #93-2022 was duly put to a vote on roll call, which resulted as follows: NOCO Electric LLC

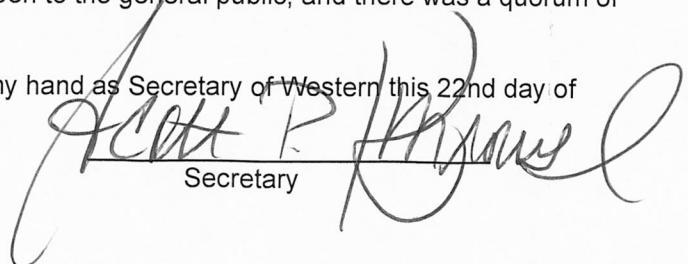
Motion by Director Lauderdale      seconded by Director Winter

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

AYES 11 NAYS \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT 5 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of September 2022.

  
 Secretary

## 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

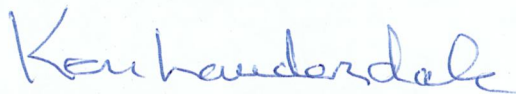
**WHEREAS**, on August 11, 2022 three (3) bid proposals were publicly opened for the award of electric service at all of Western’s locations; and

**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

**WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

The question of the adoption of the foregoing Resolution #94-2022 was duly put to a vote on roll call, which resulted as follows: Marathon Power, LLC

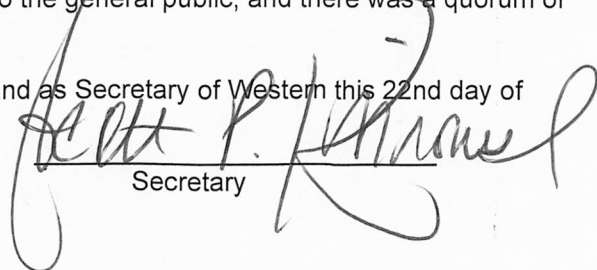
Motion by Director Lauderdale seconded by Director Winter

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

AYES 11 NAYS \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT 5 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of September 2022.

  
 \_\_\_\_\_  
 Secretary

**WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows: Director of IT Position-\$99,000

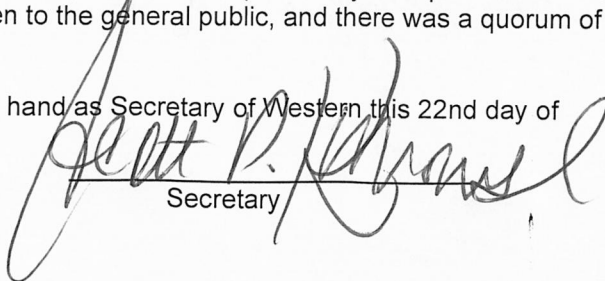
Motion by Director Morgan                      seconded by Director May

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

AYES 11 NAYS \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT 5 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 22nd day of September 2022.

  
 Secretary