

Western Regional Off-Track Betting Corporation

8315 Park Road, Batavia, NY 14020

PUBLIC NOTICE

OCTOBER 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, October 26 and Thursday, October 27, 2022** at Western Regional Off-Track Betting Corporation offices located at 8315 Park Road, Batavia, NY 14020 as follows:

Wednesday, October 26, 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, October 27, 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, October 27, 2022 at 10:00 a.m.** at Western Regional Off-Track Betting Corporation offices located at 8315 Park Road, Batavia, NY 14020.

Dated: October 6, 2022

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

PERSONNEL COMMITTEE MEETING

Wednesday, October 26, 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. HR Buffalo – Discussion

-H. Wojtaszek
-W. White

2. Executive Coaching

-H. Wojtaszek
-W. White

3. Executive Session

3a. 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

Finance Committee Meeting
October 26, 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. Staples 2023
 - Resolution #95-2022 - M. Glor
2. W.B. Mason Supplemental
 - Resolution #96-2022 - M. Glor
3. W.B. Mason 2023
 - Resolution #97-2022 - M. Glor
4. WEX Bank 2023
 - Resolution #98-2022 - M. Glor
5. WEX Bank Supplemental
 - Resolution #99-2022 - M. Glor
6. Erie County Snow Plowing 2022-2023
 - Resolution #100-2022 - M. Glor
7. Niagara County Snow Plowing 2022-2023
 - Resolution #101-2022 - M. Glor
8. Tarkett USA Inc.
 - Resolution #102-2022 - M. Glor
9. Preliminary 2023 Operating Plan
(will be provided Wednesday, October 26th) - J. Leach
10. Chief Financial Officer Report & BDG Financials
 - September 2022 - J. Leach
11. NYGA Weekly Numbers - J. Leach

RESOLUTION #95-2022

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) purchases office supplies, janitorial supplies and paper products for the operation of the existing branches and the Batavia Downs Gaming facility on an as-needed basis; and

WHEREAS, the Staff has compared pricing from various available vendors and is recommending such items be purchased from State Contract vendor Staples Business Advantage (“Staples”) for the period of January 1, 2023 to December 31, 2023 in an amount not to exceed \$30,000.00; and,

RESOLVED, that the Board of Directors of Western approve the purchase of office supplies, janitorial supplies and paper products in the amount not to exceed \$30,000.00 from Staples for the period of January 1, 2023 to December 31, 2023; and further

BE IT RESOLVED, that an Officer of Western is authorized to execute any such agreements in furtherance of the Boards approval of this resolution.

Respectfully submitted,

Ken Lauderdale, Chairman
Finance Committee

Dated: October 27, 2022
Batavia, New York

RESOLUTION #96-2022

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) purchases office supplies, janitorial supplies, paper products and water for the operation of the existing branches and the Batavia Downs Gaming facility on an as-needed basis; and

WHEREAS, Western had previously approved a blanket purchase order for such items from W.B. Mason Co. Inc. (“WB Mason”) under NYS Contract Award #23078 Group 50211 for the 2022 calendar year; and

WHEREAS, Western requires a supplemental blanket purchase order in the amount of \$30,000.00 from WB Mason through the end of 2022; and

RESOLVED, that the Board of Directors of Western approve the supplemental purchase of office supplies, janitorial supplies, paper products and water in the amount not to exceed \$30,000.00 from W.B. Mason Co. Inc. through the end of 2022; and further

BE IT RESOLVED, that an officer of Western is authorized to execute any agreement in furtherance of the Boards approval of this resolution.

Respectfully submitted,

Ken Lauderdale, Chairman
Finance Committee

Dated: October 27, 2022
Batavia, New York

RESOLUTION #97-2022

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") purchases office supplies, janitorial supplies, paper products and water for the operation of the existing branches and the Batavia Downs Gaming facility on an as-needed basis; and

WHEREAS, the Staff has compared pricing from various available vendors and is recommending such items be purchased from State Contract vendor W.B. Mason Co. Inc., for the period of January 1, 2023 to December 31, 2023; and,

RESOLVED, that the Board of Directors of Western approve the purchase of office supplies, janitorial supplies, paper products and water in the amount not to exceed \$120,000.00 from W.B. Mason Co. Inc. for the period of January 1, 2023 to December 31, 2023; and further

BE IT RESOLVED, that an Officer of Western is authorized to execute any agreement in furtherance of the Boards approval of this resolution.

Respectfully submitted,

Ken Lauderdale, Chairman
Finance Committee

Dated: October 27, 2022
Batavia, New York

RESOLUTION #98-2022

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its Batavia Downs location in the most efficient manner possible; and

WHEREAS, Western operates numerous vehicles which are operated by Western employees while conducting business throughout New York State; and

WHEREAS, as part of NYS Contract Award #23062 Group 79008, Wex Bank Inc. will provide Western with gas cards to be distributed to staff for their purchase of fuel while conducting Western's business in the total amount not to exceed \$70,000.00 for 2023; and

WHEREAS, Staff recommends that the Board approve the purchase of gas cards from Wex Bank Inc. for the 2023 year; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approve the purchase of gas cards from Wex Bank Inc. in the amount of \$70,000.00 for 2023; 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,

Ken Lauderdale, Chairman
Finance Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #99-2022

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its Batavia Downs location in the most efficient manner possible; and

WHEREAS, Western operates numerous vehicles which are operated by Western employees while conducting business throughout New York State; and

WHEREAS, as part of NYS Contract Award #23062, Wex Bank Inc. has provided Western with gas cards that were distributed to staff for their purchase of fuel while conducting Western's business in the total amount not to exceed \$50,000.00 for 2022; and

WHEREAS, Staff requests that the Board approve the purchase of gas cards from Wex Bank Inc. for the remainder of 2022 for the amount of \$15,000.00; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approve the purchase of gas cards from Wex Bank Inc. in the amount of \$15,000.00 for the remainder of 2022; 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,

Ken Lauderdale, Chairman
Finance Committee

Dated: October 27, 2022
Batavia, New York

RESOLUTION #100-2022

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

WHEREAS, the Board of Directors of Western and staff see as a fundamental duty the safety and well-being of its patrons and branch employees who visit and use these branch facilities; and

WHEREAS, a public bid opening was held on October 13, 2022 for snow plowing and salting services at each of the two branch facilities in Erie County for the upcoming 2022-2023 winter season; and

WHEREAS, staff has determined that Land & Snow Services LLC (“Land”) was the lowest responsible bidder on a branch-by-branch basis as per the attached schedule and up to the amount of \$25,000.00; now

THEREFORE, BE IT RESOLVED, that the Board of Directors of Western award the contract for snow plowing and salting to Land as per the schedule attached and up to the amount of \$25,000.00; and

BE IT FURTHER, RESOLVED that an officer of Western is directed to facilitate the performance of the contracts by taking such actions as are required to do so.

Respectfully submitted,

Ken Lauderdale, Chairman
Finance Committee

Dated: October 27, 2022
Batavia, New York

RESOLUTION #101-2022

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

WHEREAS, the Board of Directors of Western and staff see as a fundamental duty the safety and well-being of its patrons and branch employees who visit and use these branch facilities; and

WHEREAS, a public bid opening was held on October 13 2022 for snow plowing and salting services at the branch located at 550 River Road in Niagara County for the upcoming 2022-2023 winter season; and

WHEREAS, staff has determined that Ken Blaze Inc. d/b/a Bill’s Automotive (“Blaze”) was the lowest responsible bidder as per the attached schedule and request approval up to the amount of \$15,000.00; now

THEREFORE, BE IT RESOLVED, that the Board of Directors of Western award the contract for snow plowing and salting to Blaze as per the attached schedule and up to the amount of \$15,000.00; and

BE IT FURTHER, RESOLVED that an officer of Western is directed to facilitate the performance of the contracts by taking such actions as are required to do so.

Respectfully submitted,

Ken Lauderdale, Chairman
Finance Committee

Dated: October 27, 2022
Batavia, New York

RESOLUTION #102-2022

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

WHEREAS, Western requires new carpet tile to be installed in the Administrative Department, IT Department and Finance Department; and

WHEREAS, Western received a proposal under NYS Contract #PC69412 to purchase from Tarkett USA Inc. ("Tarkett") carpet and tile as set forth above in the amount of \$26,857.40; and

WHEREAS, Staff recommends that the Board of Directors of Western to accept the proposal of Tarkett for the purchase of carpet and tile in the amount not to exceed \$26,857.40; and, therefore be it

BE IT RESOLVED, that the Board of Directors of Western hereby accept the proposal of Tarkett in an amount not to exceed \$26,857.40 for the purchase of carpet and tile; and be it further

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

Respectfully submitted,

Ken Lauderdale, Chairman
Finance Committee

Dated: October 27, 2022
Batavia, New York

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

<u>Operational Results - September 2022</u>	September 2022	September 2021	September Plan
Total Handle	\$4,656,642	\$5,192,114	\$5,094,000
\$ Variance		(535,472)	(437,358)
% Variance		-10%	-9%
VGM Net Win	\$6,431,392	\$6,278,855	\$5,290,237
\$ Variance		152,537	1,141,155
% Variance		2%	22%
Revenue net of Statutories	\$ 3,989,605	\$ 3,877,486	\$ 3,433,895
Operating Expenses	3,239,076	3,397,551	3,335,152
Earnings and Surcharge	750,529	479,935	98,743
Surcharge	56,901	62,729	63,324
Operational Earnings	\$ 693,628	\$ 417,206	\$ 35,419
\$ Variance		276,422	658,209
% Variance		66%	1858%

* Earnings are computed and distributed on a quarterly basis

<u>Segment Performance:</u>	September 2022	September 2021	September Plan
BRANCH Earnings from Operations	\$ 103,395	\$ 127,738	\$ 108,532
Less: G&A Allocation	208,947	195,563	220,803
<u>Earnings (Losses) net of G&A Allocation</u>	<u>\$ (105,552)</u>	<u>\$ (67,825)</u>	<u>\$ (112,271)</u>
\$ Variance		(37,727)	6,719
% Variance		-56%	6%
BATAVIA DOWNS Earnings from Operations	\$ 1,099,861	\$ 766,450	\$ 465,432
Less: G&A Allocation	300,681	281,419	317,742
<u>Earnings net of G&A Allocation</u>	<u>\$ 799,180</u>	<u>\$ 485,031</u>	<u>\$ 147,690</u>
\$ Variance		314,149	651,490
% Variance		65%	441%
GENERAL AND ADMINISTRATIVE expense	\$ 509,628	\$ 476,982	\$ 538,545
\$ Variance		32,646	(28,917)
% Variance		7%	-5%
<u>Net Cash Distributions to Municipalities:</u>	<u>September 2022</u>	<u>September 2021</u>	<u>September Plan</u>
SURCHARGE	\$ 56,901	\$ 62,729	\$ 63,324
\$ Variance		(5,828)	(6,423)
% Variance		-9%	-10%
<u>Year to Date Surcharge and Net Revenue</u>	<u>September 2022</u>	<u>September 2021</u>	<u>September Plan</u>
SURCHARGE	\$ 552,945	\$ 700,944	\$ 695,827
\$ Variance		(147,999)	(142,882)
% Variance		-21%	-21%
NET EARNINGS AVAILABLE FOR DISTRIBUTION	\$ 6,991,319	\$ 4,278,017	\$ 4,457,642
\$ Variance		2,713,302	2,533,677
% Variance		63%	57%
TOTAL	\$ 7,544,264	\$ 4,978,961	\$ 5,153,469

CFO'S REPORT - September 2022

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

	2022 September	2021 September	2022 September Plan	2022 Year To Date	2021 Year To Date	2022 Operating Plan YTD
HANDLE (includes Live)	\$4,657,000	\$5,192,000	\$5,094,000	\$43,919,000	\$53,606,000	\$53,546,000
\$ Variance		(535,000)	(437,000)		(9,687,000)	(9,627,000)
% Variance		-10%	-9%		-18%	-18%
VGM Net Win	\$6,431,000	\$6,279,000	\$5,290,000	\$57,616,000	\$48,757,000	\$50,792,000
\$ Variance		152,000	1,141,000		8,859,000	6,824,000
% Variance		2%	22%		18%	13%
Revenue and Expense:						
Operating Revenue	7,720,000	7,574,000	6,659,000	69,807,000	62,239,000	64,114,000
\$ Variance		146,000	1,061,000		7,568,000	5,693,000
% Variance		2%	16%		12%	9%
Less: Statutory Expenses	3,730,000	3,697,000	3,225,000	33,814,000	30,525,000	31,471,000
\$ Variance		33,000	505,000		3,289,000	2,343,000
% Variance		1%	16%		11%	7%
Revenue before Operating Expenses	3,990,000	3,877,000	3,434,000	35,993,000	31,714,000	32,643,000
\$ Variance		113,000	556,000		4,279,000	3,350,000
% Variance		3%	16%		13%	10%
Less: Operating Expenses	3,239,000	3,398,000	3,335,000	28,448,000	26,735,000	27,489,000
\$ Variance		(159,000)	(96,000)		1,713,000	959,000
% Variance		-5%	-3%		6%	3%
Retained Surcharge/Net earnings	751,000	480,000	99,000	7,545,000	4,979,000	5,154,000
\$ Variance		271,000	652,000		2,566,000	2,391,000
% Variance		56%	659%		52%	46%
Retained Surcharge	57,000	63,000	63,000	553,000	701,000	696,000
\$ Variance		(6,000)	(6,000)		(148,000)	(143,000)
% Variance		-10%	-10%		-21%	-21%
Net Earnings(Losses) from Operations	694,000	417,000	35,000	6,992,000	4,278,000	4,458,000
\$ Variance		277,000	659,000		2,714,000	2,534,000
% Variance		66%	1883%		63%	57%
PPP Forgiveness	0	0	0	81,000	3,152,000	0
Earnings (Losses) Net of PPP Forgiveness	694,000	417,000	35,000	7,073,000	7,430,000	4,458,000
\$ Variance		277,000	659,000		(357,000)	2,615,000
% Variance		66%	1883%		-5%	59%
			Earnings allocated to	Distributable		
			Operational Earnings	Earnings		
1st Qtr. Operational Earnings*			\$1,917,539	\$125,604	\$1,791,935	\$174,952
\$ Variance						1,616,983
% Variance						659,216
						924%
						58%
2nd Qtr. Operational Earnings*			\$2,702,174	\$153,979	\$2,548,195	\$1,051,606
\$ Variance						1,496,589
% Variance						879,008
						142%
						53%
3rd Qtr. Operational Earnings*			\$2,371,605	\$141,080	\$2,230,525	\$2,518,587
\$ Variance						(288,062)
% Variance						574,789
						-11%
						35%
PPP Forgiveness**		\$81,335	\$0	\$0	\$0	\$0
Total YTD		\$7,072,654	\$420,663	\$6,570,655	\$3,745,145	\$4,457,642
\$ Variance						2,825,510
% Variance						75%
						47%

* 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, October 26, 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 #103-2022 R. Hasenauer
Electronic Field 2023
3. Resolution #104-2022 R. Hasenauer
Facebook 2023
4. Resolution #105-2022 R. Hasenauer
Genesee Valley Publications
5. Resolution #106-2022 R. Hasenauer
Joe Hand 2023
6. Resolution #107-2022 R. Hasenauer
William Ryan App 2023
7. Resolution #108-2022 R. Hasenauer
Batavia Daily News
8. Resolution #109-2022 R. Hasenauer
WGRZ 2023
9. Resolution #110-2022 R. Hasenauer
WKBW 2023

10. Resolution #111-2022
Audacy 2023 R. Hasenauer
11. Resolution #112-2022
Spectrum 2023 R. Hasenauer
12. Resolution #113-2022
Sentext 2022 Supp R. Hasenauer
13. Resolution #114-2022
Sentext 2023 R. Hasenauer
14. Resolution #115-2022
Valpak R. Hasenauer
15. Resolution #116-2022
Clipper R. Hasenauer
16. Resolution #117-2022
USPS R. Hasenauer

RESOLUTION #103-2022

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) utilizes television and radio commercials in order to market the facility to our patrons; and

WHEREAS, in order to produce professional television and radio commercials, Staff recommends that Western engages Electronic Field Productions to create and such commercials; and

WHEREAS, the Board of Western wishes to engage Electronic Field Productions to create and produce professional television and radio commercials for an amount not to exceed \$40,000.00 for the 2023 year; and, therefore

BE IT RESOLVED, that the Board of Directors of Western approves the purchase of professional services to produce television and radio commercials from Electronic Field Productions for 2023 in the amount not to exceed \$40,000.00; 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,

Susan May, Chairperson
Advertising & Promotions Committee

Dated: October 27, 2022
Batavia, New York

RESOLUTION #104-2022

WHEREAS, it is necessary for Western Regional Off-Track Betting Corporation (“Western”) to advertise and promote its various events, restaurants and promotions as it relates to the operation of the Batavia Gaming facility; and

WHEREAS, Facebook and Instagram provide Western with unique social media advertising opportunities to promote the Batavia Gaming facility; and

WHEREAS, the Staff of Western wishes to advertise with Facebook and Instagram through the end of 2023 in an amount not to exceed \$25,000.00; and

WHEREAS, the Board of Directors wishes to authorize Western to advertise and promote its various events, restaurants and promotions with Facebook and Instagram through the end of 2023 in an amount not to exceed \$25,000; now therefore be it

RESOLVED, that the Board of Directors of Western authorize staff to advertise and promote its various events, restaurants and promotions on Facebook and Instagram through the end of 2023 in an amount not to exceed \$25,000; and further

RESOLVED, that an Officer of Western is authorized to execute any documentation in furtherance of the Board’s approval.

Respectfully submitted,

Susan May, Chairperson
Advertising & Promotions Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #105-2022

WHEREAS, it is necessary for Western Regional Off-Track Betting Corporation (“Western”) to advertise and promote its various events, restaurants and promotions as it relates to the operation of the Batavia Gaming facility; and

WHEREAS, Genesee Valley Publications (“Genesee Valley”) is a sole source provider for local advertising and promotions; and

WHEREAS, the Board of Directors of Western wishes to enter into an agreement with Genesee Valley to advertise in its publications during the 2023 year in an amount not to exceed \$40,000; now therefore be it

RESOLVED, that the Board of Directors of Western approve an agreement with Genesee Valley to advertise in its publications during the 2023 year in an amount not to exceed \$40,000; and further

RESOLVED, that an Officer of Western is authorized to execute such agreement in furtherance of the Board’s approval.

Respectfully submitted,

Susan May, Chairperson
Advertising & Promotions Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #106-2022

WHEREAS, it is the 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, Western would like to purchase the licensing rights to show UFC, wrestling and boxing events from Joe Hand Promotions to show such pay per view events inside of 34 Rush on select dates and events in 2023; and

WHEREAS, Joe Hand Promotions, the sole authorized provider, sells access to these packages for \$45,000 for select dates and events in 2023; and

WHEREAS, the staff requests that the Board of Directors of Western authorize the purchase of licensing rights from Joe Hand Promotions to show select UFC, wrestling and boxing events for the 2023 year; therefore

BE IT RESOLVED, that the Western's Board of Directors hereby authorizes the purchase of licensing rights for select UFC, wrestling and boxing events from Joe Hand Promotions in an amount not to exceed \$45,000.00 for select events and dates throughout 2023; and further

RESOLVED, that the Western's Board of Directors hereby authorizes an officer of Western to execute any documentation in furtherance of this resolution.

Respectfully submitted,

Susan May, Chairperson
Advertising & Promotions Committee

Dated: October 27, 2022
Batavia, New York

RESOLUTION #107-2022

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate Batavia Downs Gaming in an efficient manner, while providing the best experience available to its patrons; and

WHEREAS, William Ryan Group, Inc. (“Ryan”) provides an application (“App”) that will allow Western’s Gaming and Marketing departments to best serve our gaming customers: and

WHEREAS, the Ryan App alerts Gaming Personnel when a Jackpot hits, when paper is out of a machine or a number of other issues relating to Western’s Gaming operation; and

WHEREAS, the Ryan App will also alert Marketing Personnel when certain level players or good players who have not been at the facility for a while arrive, and other valuable time sensitive player information; and

WHEREAS, staff requests that the Board of Directors of Western authorize the purchase the Ryan App for the 2023 year for an amount not to exceed \$16,500.00; and therefore

BE IT RESOLVED, that the Board of Directors of Western authorize the purchase of the Ryan App for the 2023 year for an amount not to exceed \$16,500.00; and

BE IT FURTHER RESOLVED, that an officer of the Corporation is hereby authorized to execute any document in furtherance of this resolution.

Respectfully submitted,

Susan May, Chairperson
Advertising & Promotions Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #108-2022

WHEREAS, it is necessary for Western Regional Off-Track Betting Corporation (“Western”) to advertise and promote its various events, restaurants and promotions as it relates to the operation of the Batavia Gaming facility; and

WHEREAS, Batavia Newspaper Corporation (“Batavia News”) is a sole source provider for local advertising and promotions; and

WHEREAS, the Board of Directors of Western wishes to enter into an agreement with Batavia News to advertise in its publications during the 2023 year in an amount not to exceed \$60,000.00; now therefore be it

RESOLVED, that the Board of Directors of Western approve an agreement with Batavia News to advertise in its publications during the 2023 year in an amount not to exceed \$60,000.00; and further

RESOLVED, that an Officer of Western is authorized to execute such agreement in furtherance of the Board’s approval.

Respectfully submitted,

Susan May, Chairperson
Advertising & Promotions Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #109-2022

WHEREAS, it is necessary for Western Regional Off-Track Betting Corporation (“Western”) to advertise and promote its various events, restaurants and promotions as it relates to the operation of the Batavia Gaming facility; and

WHEREAS, WGRZ Channel 2 is a television station servicing the Buffalo, New York area (“WGRZ”) and is a sole source provider for local advertising and promotions; and

WHEREAS, the Board of Directors of Western wishes to enter into an agreement with WGRZ to advertise on its television station during the 2023 year in an amount not to exceed \$30,000.00; now therefore be it

RESOLVED, that the Board of Directors of Western approve an agreement with WGRZ to advertise on its television station during the 2023 year in an amount not to exceed \$30,000.00; and further

RESOLVED, that an Officer of Western is authorized to execute such agreement in furtherance of the Board’s approval.

Respectfully submitted,

Susan May, Chairperson
Advertising & Promotions Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #110-2022

WHEREAS, it is necessary for Western Regional Off-Track Betting Corporation (“Western”) to advertise and promote its various events, restaurants and promotions as it relates to the operation of the Batavia Gaming facility; and

WHEREAS, WKBW Channel 7 is a television station servicing the Buffalo, New York area (“WKBW”) and is a sole source provider for local advertising and promotions; and

WHEREAS, the Board of Directors of Western wishes to enter into an agreement with WKBW to advertise on its television station during the 2023 year in an amount not to exceed \$50,000.00; now therefore be it

RESOLVED, that the Board of Directors of Western approve an agreement with WKBW to advertise on its television station during the 2023 year in an amount not to exceed \$50,000.00; and further

RESOLVED, that an Officer of Western is authorized to execute such agreement in furtherance of the Board’s approval.

Respectfully submitted,

Susan May, Chairperson
Advertising & Promotions Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #111-2022

WHEREAS, it is necessary for Western Regional Off-Track Betting Corporation (“Western”) to advertise and promote its various events, restaurants and promotions as it relates to the operation of the Batavia Gaming facility; and

WHEREAS, Audacy Radio Advertising operates radio stations in the Buffalo and Rochester area (“Audacy”) and is a sole source provider for local advertising and promotions; and

WHEREAS, the Board of Directors of Western wishes to enter into an agreement with Audacy to advertise on its radio stations during the 2023 year in an amount not to exceed \$100,000.00; now therefore be it

RESOLVED, that the Board of Directors of Western approve an agreement with Audacy to advertise on its radio stations during the 2023 year in an amount not to exceed \$100,000.00; and further

RESOLVED, that an Officer of Western is authorized to execute such agreement in furtherance of the Board’s approval.

Respectfully submitted,

Susan May, Chairperson
Advertising & Promotions Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #112-2022

WHEREAS, it is necessary for Western Regional Off-Track Betting Corporation (“Western”) to advertise and promote its various events, restaurants and promotions as it relates to the operation of the Batavia Gaming facility; and

WHEREAS, Spectrum Reach is a television station with internet advertising that services the Western New York area (“Spectrum”) and is a sole source provider for local advertising and promotions; and

WHEREAS, the Board of Directors of Western wishes to enter into an agreement with Spectrum to advertise on its television station and internet site during the 2023 year in an amount not to exceed \$120,000.00; now therefore be it

RESOLVED, that the Board of Directors of Western approve an agreement with Spectrum to advertise on its television station and internet site during the 2023 year in an amount not to exceed \$120,000.00; and further

RESOLVED, that an Officer of Western is authorized to execute such agreement in furtherance of the Board’s approval.

Respectfully submitted,

Susan May, Chairperson
Advertising & Promotions Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #113-2022

WHEREAS, it is necessary for Western Regional Off-Track Betting Corporation ("Western") to advertise and promote its various events, restaurants and promotions as it relates to the operation of the Batavia Gaming facility; and

WHEREAS, Sentext provides Western with unique social media advertising opportunities to promote the Batavia Gaming facility; and

WHEREAS, Western previously entered into an agreement to advertise with Sentext through the end of 2022 in an amount not to exceed \$14,000.00; and

WHEREAS, the staff is now requesting that the Board of Directors authorize Western to increase the amount by \$12,000.00 with Sentext through the end of 2022; now therefore be it

RESOLVED, that the Board of Directors of Western authorize a supplemental increase of \$12,000.00 to advertise and promote its various events, restaurants and promotions on Sentext through the end of 2022; and further

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

Respectfully submitted,

Susan May, Chairperson
Advertising & Promotions Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #114-2022

WHEREAS, it is necessary for Western Regional Off-Track Betting Corporation ("Western") to advertise and promote its various events, restaurants and promotions as it relates to the operation of the Batavia Gaming facility; and

WHEREAS, Sentext provides Western with unique social media advertising opportunities to promote the Batavia Gaming facility; and

WHEREAS, the Staff of Western wishes to advertise with Sentext through the end of 2023 in an amount not to exceed \$20,000.00; and

WHEREAS, the Board of Directors wishes to authorize Western to advertise and promote its various events, restaurants and promotions with Sentext through the end of 2023 in an amount not to exceed \$20,000.00; now therefore be it

RESOLVED, that the Board of Directors of Western authorize staff to advertise and promote its various events, restaurants and promotions on Sentext through the end of 2023 in an amount not to exceed \$20,000.00; and further

RESOLVED, that an Officer of Western is authorized to execute any documentation in furtherance of the Board's approval.

Respectfully submitted,

Susan May, Chairperson
Advertising & Promotions Committee

Dated: October 27, 2022
Batavia, New York

RESOLUTION #115-2022

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

WHEREAS, Valpak Print Advertising (“Valpak”) is a national advertising company that sends envelopes full of coupons and other advertising materials to homes within specific zip codes to best target specific areas and individuals; and

WHEREAS, staff wishes to engage Valpak to advertise to specific zip codes by including Batavia Downs materials in the Valpak envelopes for 2023 in the amount not to exceed \$20,000.00; now therefore

BE IT RESOLVED, that the Board of Directors of Western hereby agrees to engage Valpak, a single source provider, to advertise Batavia Downs to specific households in various zip codes in the amount not to exceed \$20,000.00 for 2023; 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, Chairman
Advertising & Promotions Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #116-2022

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

WHEREAS, Local Flavor d/b/a Clipper Magazine (“Clipper”) is a national advertising company that sends out coupon books to homes within specific zip codes to best target specific areas and individuals; and

WHEREAS, staff wishes to engage Clipper to advertise to specific zip codes by including Batavia Downs coupons and advertising materials in the Clipper coupon books for 2023 in the amount not to exceed \$20,000.00; now therefore

BE IT RESOLVED, that the Board of Directors of Western hereby agrees to engage Clipper, a single source provider, to advertise Batavia Downs to specific households in various zip codes in the amount not to exceed \$20,000.00 for 2023; 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: October 27, 2022
Batavia, New York

RESOLUTION #117-2022

WHEREAS, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation ("Western") sends out various mailers through the United States Postal Service to its patrons and potential patrons to promote the Batavia Downs Gaming facility; and

WHEREAS, staff estimates that in 2023 Western will use approximately \$250,000.00 under Permit 919; and

WHEREAS, staff recommends to the Board that Western that it approves the expenditure with the United States Postal Service in an amount not to exceed \$250,000.00: now therefore

BE IT RESOLVED, that the Board of Directors of Western hereby approves the expenditure for postage relating to the mailing of various marketing mailers and postcards with the United States Postal Service for 2023 in the amount not to exceed \$250,000.00; 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: October 27, 2022
 Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BRANCH OPERATIONS COMMITTEE MEETING

**Wednesday, October 26, 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 |

RESOLUTION #142-2022

WHEREAS, Western Regional Off Track Betting Corporation (“Western”) provides a tabloid to its horse betting customers at its branch locations, as well as the Inter-Track Wagering at its Batavia, New York facility; and

WHEREAS, The Daily Racing Form is a single source provider that offers racing information about history of past horse races, entries for daily races, and how to place bets; and

WHEREAS, this tool provides customers with information useful in placing an educated bet; and

WHEREAS, Staff recommends that the Board of Director of Western purchase racing forms for 2023 from The Daily Racing Form for an amount not to exceed \$50,000.00; and

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of Western authorizes the purchase of racing forms for the 2023 calendar year from The Daily Racing Form in the amount not to exceed \$50,000.00; and

BE IT FURTHER RESOLVED, that the Board of Directors of Western authorize an officer to take such action as requested to further this resolution.

Respectfully submitted,

Michael Horton, Chairman
Branch Operations Committee

Dated: October 27, 2022
 Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

INSURANCE COMMITTEE
Wednesday October 26, 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

AUDIT COMMITTEE MEETING

**Wednesday- October 26, 2022
4:00 P.M.**

Dennis Bassett, Chairman
Michael Horton, Vice-Chairman
Richard Bianchi, Member
Edward Morgan, Member

Richard Siebert, Member
Michelle Parmer Garner, Member
Francis Warthling, Member

AGENDA

1. Pre-Audit Presentation - The Bonadio Group

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BATAVIA DOWNS OPERATIONS COMMITTEE

Thursday – October 27, 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 #118-2022
Extreme Streetwear Supplemental

6. Resolution #119-2022
Extreme Streetwear 2023

7. Resolution #120-2022
NOCO Energy Corp. Supplemental

8. Resolution #121-2022
NOCO Energy Corp. 2023

9. Resolution #122-2022
Sunoco LP Supplemental

10. Resolution #123-2022
Sunoco LP 2023

11. Resolution #124-2022
Hanson

12. Resolution #125-2022
Home Depot Supplemental
13. Resolution #126-2022
Home Depot 2023
14. Resolution #127-2022
Bison Elevator
15. Resolution #128-2022
Hill & Markes
16. Resolution #129-2022
Hillyard
17. Resolution #130-2022
Corr Distributors
18. Resolution #131-2022
Grainger
19. Resolution #132-2022
Green Mountain Electric Supply
20. Resolution #133-2022
LandPro Equipment LLC
21. Resolution # 134-2022
Travel Click 2023
22. Resolution #135-2022
Booking.com 2023
23. Resolution #136-2022
Expedia 2023
24. Resolution #137-2022
Room Service Amenities Supplemental
25. Resolution #138-2022
Room Service Amenities 2023
26. Resolution #139-2022
Everi
27. Resolution 140-2022
Pepsi
27. Resolution #141-2022
2023 F& B Vendors

RESOLUTION #118-2022

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) operates the Lucky Treasures Store located in the Batavia Downs Gaming facility; and

WHEREAS, Western previously approved a resolution that Western purchase various Buffalo Mafia apparel from Extreme Streetwear, Inc. (“Extreme”) being a single source provider of such brand to be sold at the Lucky Treasures Store for the 2022 calendar year for the amount not to exceed \$25,000.00; and

WHEREAS, Western requires a supplemental blanket purchase order in the amount of \$15,000.00 to purchase additional items from Extreme for the remainder of 2022; and, now therefore be it

RESOLVED, that the Board of Directors of Western approve the supplemental purchase of apparel from Extreme to be sold in the Lucky Treasures Store for the amount not to exceed \$15,000.00 for the remainder of 2022; and further

BE IT RESOLVED, that an officer of Western is authorized to execute any agreement in furtherance of the Boards approval of this resolution.

Respectfully submitted,

Edward Morgan, Chairperson
Batavia Downs Operations Committee

Dated: October 27, 2022
Batavia, New York

RESOLUTION #119-2022

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) operates the Lucky Treasures Store located in the Batavia Downs Gaming facility: and

WHEREAS, the Staff recommends that Western purchase various Buffalo Mafia apparel from Extreme Streetwear, Inc. (“Extreme”) being a single source provider of such brand to be sold at the Lucky Treasures Store for the 2023 calendar year for the amount not to exceed \$40,000.00; and now therefore, be it

RESOLVED, that the Board of Directors of Western approve the purchase of apparel from Extreme to be sold in the Lucky Treasures Store for the amount not to exceed \$40,000.00 for the calendar year 2023; and further

BE IT RESOLVED, that an Officer of Western is authorized to execute any agreement in furtherance of the Boards approval of this resolution.

Respectfully submitted,

Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: October 27, 2022
Batavia, New York

RESOLUTION #120-2022

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its Batavia Downs location in the most efficient manner possible; and

WHEREAS, Western has a 500-gallon diesel fuel tank and pump at its Batavia Downs location which is used as needed by various vehicles owned and operated by Western; and

WHEREAS, Western needs to fill the 500-gallon diesel fuel tank so that the tank and pump can service Western's various vehicles for the 2022 year; and

WHEREAS, as part of the NYS OGS Contract – Group #23236, Western previously agreed to retain Noco Energy Corp. to provide Western with diesel fuel in the total amount not to exceed \$20,000.00 for 2022; and

WHEREAS, Western requires a supplemental blanket purchase order in the amount of \$10,000.00 to purchase diesel fuel from Noco Energy Corp for the remainder of 2022; and

WHEREAS, Staff recommends that the Board approve the supplemental purchase of diesel fuel from Noco Energy Corp. for the remainder of 2022 year; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approve the supplemental purchase of diesel fuel for its tank and pump at Batavia Downs location from Noco Energy Corp. in the amount of \$10,000.00 for the remainder of 2022; 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: October 27, 2022
 Batavia, New York

RESOLUTION #121-2022

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its Batavia Downs location in the most efficient manner possible; and

WHEREAS, Western has a 500-gallon diesel fuel tank and pump at its Batavia Downs location which is used as needed by various vehicles owned and operated by Western; and

WHEREAS, Western needs to fill the 500-gallon diesel fuel tank so that the tank and pump can service Western’s various vehicles for the 2023 year; and

WHEREAS, as part of the NYS OGS Contract #23236 – Group #05602, Noco Energy Corp. will provide Western with diesel fuel in the total amount not to exceed \$30,000.00 for 2023; and

WHEREAS, Staff recommends that the Board approve the purchase of diesel fuel from Noco Energy Corp. for the 2023 year; now therefore

BE IT RESOLVED, that the Western’s Board of Directors hereby approve the purchase of diesel fuel for its tank and pump at Batavia Downs location from Noco Energy Corp. in the amount of \$30,000.00 for 2023; 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: October 27, 2022
 Batavia, New York

RESOLUTION #122-2022

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its Batavia Downs location in the most efficient manner possible; and

WHEREAS, Western operates a gasoline fuel pump at its Batavia Downs location and requires that the pump be serviced to allow Western's staff to fuel for its various vehicles throughout 2022; and

WHEREAS, as part of the NYS OGS Contract – Group #23092, Sunoco LLC Western previously agreed to purchase gasoline fuel in the total amount not to exceed \$20,000.00 for 2022; and

WHEREAS, Western requires a supplemental blanket purchase order in the amount of \$10,000.00 to purchase fuel from Sunoco LLC through the end of 2022; and

WHEREAS, Staff recommends that the Board approve the supplemental purchase of gasoline fuel from Sunoco LLC for the remainder of 2022; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approve the supplemental purchase of gasoline fuel for its pump at Batavia Downs location from Sunoco LLC in the amount of \$10,000.00 for remainder of 2022; 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: October 27, 2022
 Batavia, New York

RESOLUTION #123-2022

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its Batavia Downs location in the most efficient manner possible; and

WHEREAS, Western operates a gasoline fuel pump at its Batavia Downs location and requires that the pump be serviced to allow Western's staff to fuel for its various vehicles throughout 2023; and

WHEREAS, as part of the NYS OGS Contract #23237 – Group #05600, Sunoco LLC will provide Western with gasoline fuel in the total amount not to exceed \$30,000.00 for 2023; and

WHEREAS, Staff recommends that the Board approve the purchase of gasoline fuel from Sunoco LLC for the 2023 year; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approve the purchase of gasoline fuel for its pump at Batavia Downs location from Sunoco LLC in the amount of \$30,000.00 for 2023; 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: October 27, 2022
Batavia, New York

RESOLUTION #124-2022

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 as needed resurfaces and re-banks the racetrack prior to the beginning of the race season; and

WHEREAS, Hanson Aggregates ("Hanson") under NYS Contract #PC69352 can provide the matching material needed to resurface the racetrack at a cost not to exceed \$30,000.00; and

WHEREAS, Staff recommends that the Board of Directors of Western authorize payment to Hanson in the amount not to exceed \$30,000.00 for the purchase of the resurfacing material for the racetrack; and, therefore be it

BE IT RESOLVED, that the Board of Directors of Western hereby authorize the payment of an amount not to exceed \$30,000.00 to Hanson for the purchase of resurfacing material needed to resurface and re-bank the horse racetrack at Batavia Downs and further; and be it 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: October 27, 2022
Batavia, New York

RESOLUTION #125-2022

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

WHEREAS, the Board of Directors of the Western previously resolved to purchase various building and repair items in an amount not to exceed \$50,000 for the 2022 year from Home Depot, under NYS contract #PC68681; and

WHEREAS, the staff recommends to the Board of Directors of the Western to supplement the previous purchase amount for various building and repair items for the remainder of 2022 in an additional amount not to exceed \$15,000 for the remainder of 2022 from Home Depot; and

WHEREAS, the Board of Directors of the Western wishes to approve the supplemental purchase of various building and repair items from Home Depot in an additional amount not to exceed \$15,000 for the remainder of 2022; and, therefore be it

RESOLVED, that the Board of Directors of the Western approves the supplemental purchase of various building and repair items from Home Depot in the additional amount not to exceed \$15,000 for the remainder of 2022; 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: October 27, 2022
 Batavia, New York

RESOLUTION #126-2022

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 building and repair items in an amount not to exceed \$60,000 for the 2023 year from Home Depot under NYS Contract #68681; and;

WHEREAS, the Board of Directors of the Western wishes to approve the purchase of various building and repair items from Home Depot in the amount not to exceed \$60,000 for the 2023 year; and, therefore be it

RESOLVED, that the Board of Directors of the Western approves the purchase of various building and repair items from Home Depot in the amount not to exceed \$60,000 for the 2023 year; 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: October 27, 2022
Batavia, New York

RESOLUTION #127-2022

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, Western has received a proposal from Bison Elevator ("Bison") for a three (3) year elevator and escalator service agreement through the Cooperative Purchasing Alliance; and

WHEREAS, Bison has proposed a three (3) year service agreement for the elevators and escalators at the Batavia Downs location for the total amount of \$54,540.00; and

WHEREAS, the staff recommends that the Board of Directors accept the proposal from Bison; and therefore

BE IT RESOLVED, that the Board of Directors of Western accepts the proposal of Bison for a three (3) year service agreement for the elevators and escalator at its Batavia Gaming location in the total amount of \$54,540.00; and

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

Respectfully submitted,

Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #128-2022

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) requires various custodial supplies, including paper and plastic products, cleaning supplies and equipment parts for the operation of its various facilities; and

WHEREAS, Staff recommends that the Board of Directors of the Western approve the purchase of such custodial supplies from Hill & Markes, Inc., a NYS contract vendor #PC69595, for the 2023 year in an amount not to exceed \$50,000.00; and, now therefore be it

RESOLVED, that the Board of Directors of the Western approve the purchase custodial supplies from Hill & Markes, Inc. for the 2023 year in an amount not to exceed \$50,000.00; and, be it further

RESOLVED, that an Officer of Western is authorized to execute such documentation in furtherance of the Board’s approval of this resolution.

Respectfully submitted,

Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #129-2022

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) requires various custodial supplies, including paper and plastic products, cleaning supplies and equipment parts for the operation of its various facilities; and

WHEREAS, Staff recommends that the Board of Directors of the Western approve the purchase of such custodial supplies from Hillyard, an approved NYS Contract #PC67229, for the 2023 year in an amount not to exceed \$55,000.00; and, now therefore be it

RESOLVED, that the Board of Directors of the Western approve the purchase custodial supplies from Hillyard for the 2023 year in an amount not to exceed \$55,000.00; and, be it further

RESOLVED, that an Officer of Western is authorized to execute such documentation in furtherance of the Board’s approval of this resolution.

Respectfully submitted,

Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #130-2022

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) requires various custodial supplies, including paper and plastic products, cleaning supplies and equipment parts for the operation of its various facilities; and

WHEREAS, Staff recommends that the Board of Directors of the Western approve the purchase of such custodial supplies from Corr Distributors, a NYS Contract vendor, for the 2023 year in an amount not to exceed \$20,000.00; and, now therefore be it

RESOLVED, that the Board of Directors of the Western approve the purchase custodial supplies from Corr Distributors for the 2023 year in an amount not to exceed \$20,000.00; and, be it further

RESOLVED, that an Officer of Western is authorized to execute such documentation in furtherance of the Board’s approval of this resolution.

Respectfully submitted,

Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #131-2022

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) requires black steel 30-gallon trash cans for its Batavia facility; and

WHEREAS, Staff recommends that the Board of Directors of the Western approve the purchase from Grainger under NYS contract PC67235, of black steel 30-gallon trash cans in the amount not to exceed \$33,927.75; and, now therefore be it

RESOLVED, that the Board of Directors of the Western approve the purchase of black steel 30-gallon trash cans for its Batavia Gaming location from Grainger in an amount not to exceed \$33,927.75; and, be it further

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

Respectfully submitted,

Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: October 27, 2022
 Batavia, New York

RESOLUTION #132-2022

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 \$35,000 for the 2023 year from Green Mountain Electric Supply (“Green Mountain”), 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 \$35,000 for the 2023 year from Green Mountain; 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 \$5000.00, in the amount not to exceed \$35,000 for the 2023 year from Green Mountain; 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: October 27, 2022
 Batavia, New York

RESOLUTION #133-2022

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 various snow plowing equipment, including a snow blower, power shaft gear box and chute kit for use at its Batavia Downs location: and

WHEREAS, the staff recommends that the Board of Directors authorize the purchase of the snow blower, power shaft gear box and chute kit from Land Pro Equipment LLC ("Land Pro") through a Government #070821 for the amount of \$32,366.17; and therefore

BE IT RESOLVED, that the Board of Directors of Western authorizes the purchase of a snow blower, power shaft gear box and chute kit from Land Pro for the amount of \$32,366.17; 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: October 27, 2022
 Batavia, New York

RESOLUTION #134-2022

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 2023 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 2023 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: October 27, 2022
 Batavia, New York

RESOLUTION #135-2022

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

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

WHEREAS, that staff recommend to the Board of Directors of the Western that it engages the services of Booking.com to provide such online reservation services for the Batavia Downs Hotel for the 2023 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 2023 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: October 27, 2022
 Batavia, New York

RESOLUTION #136-2022

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

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

WHEREAS, that staff recommend to the Board of Directors of the Western that it engages the services of Expedia to provide such online reservation services for the Batavia Downs Hotel for the 2023 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 2023 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: October 27, 2022
 Batavia, New York

RESOLUTION #137-2022

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate the Hotel at Batavia Downs in a clean, and sanitary environment; and

WHEREAS, Western previously entered into an agreement with Room Service Amenities ("Room Service") to provide various room amenities, such as shampoo, conditioner, soaps and moisturizers for the rooms at the Hotel at Batavia Downs for 2022 for the amount of \$14,000.00; and

WHEREAS, Western requires that additional amenities be purchased for the Hotel at Batavia Downs for the remainder of 2022; and

WHEREAS, staff recommends that the Board of Directors of Western approve a supplemental purchase of such room amenities from Room Service for the remainder of 2022 in the additional amount of \$11,000.00, as set forth in the response to Western's request for proposals, which would increase the total for 2022 to \$25,000.00; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approves the supplemental purchase of room amenities from Room Service for the remainder of 2022 in the additional amount of \$11,000.00 as set forth in the attached proposal; 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: October 27, 2022
 Batavia, New York

RESOLUTION #138-2022

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate the Hotel at Batavia Downs in a clean, and sanitary environment; and

WHEREAS, Western requested proposals from vendors to provide various room amenities, such as shampoo, conditioner, soaps and moisturizers for the rooms at the Hotel at Batavia Downs for 2023; and

WHEREAS, Western received only one proposal from Room Service Amenities ("Room Service") as per the attached proposal; and

WHEREAS, staff recommends that the Board of Directors of Western accept the proposal from Room Service for 2023 in the amount not to exceed \$25,000.00; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby accepts the proposal from Room Service for room amenities as per the attached proposal for 2023 in the amount not to exceed \$25,000.00; 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: October 27, 2022
 Batavia, New York

RESOLUTION #139-2022

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate Batavia Downs Gaming in an efficient manner, while providing the best experience available to our customers; and

WHEREAS, a Kiosk system allows our customers to cash gaming vouchers, as well as to utilize an ATM function: and

WHEREAS, a Kiosk system requires regular maintenance and repair to function properly; and

WHEREAS, Everi is a sole source vendor who proposed to provide routine maintenance and repairs to Western's kiosks at an annual cost of \$30,650.76 for the December 1, 2022 through November 30, 2023; and therefore

BE IT RESOLVED, that the Western's Board of Directors accepts the proposal from Everi for the one (1) year period from December 1, 2022 through November 30, 2023 for a kiosk maintenance and repair service agreement for an amount not to exceed \$30,650.76; 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: October 27, 2022
 Batavia, New York

RESOLUTION #140-2022

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 for 2023; 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 for 2023; 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 for 2023 at an amount not to exceed \$175,000.00; 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: October 27, 2022
 Batavia, New York

RESOLUTION #141-2022

WHEREAS, Western Regional Off-Track Betting Corporation ("Western") purchases various food, beverage and various supplies and maintenance items for the operation of the Homestretch Grill, Grandstands, Fortune's, 34 Rush and the Clubhouse restaurant on an as-needed basis; and

WHEREAS, based on Western's desire to provide high quality food to our customers, Staff requests the authority to purchase food & beverage products from various vendors in the amounts attached for the 2023 year; and

WHEREAS, that the Board of Directors of the Western wishes to purchase the products for 2023 from the delineated list of vendors not to exceed the amounts noted; now therefore, be it further

RESOLVED, that the Board of Directors of the Western approves the purchase of various products for 2023 from the delineated list of vendors not to exceed the amounts set forth; and, be it further

RESOLVED, that an Officer of Western is authorized to execute such purchases in furtherance of the Board's approval of this resolution.

Respectfully submitted,

Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: October 27, 2022
 Batavia, New York

F & B 2023

VENDOR	BLANKET PO	AMOUNT	
ALSCO	PO DONE	\$ 60,000.00	
BALKAN		\$ 4,500.00	
BANKSUPPLY.COM		\$ 4,000.00	
BAT. RES SUPPLY		\$ 8,000.00	
CH WRIGHT		\$ 240,000.00	
CINTAS FIRE PROTECTION		\$ 5,000.00	
COZZINI BROS.		\$ 4,500.00	
CRAZY DOG T'S		\$ 5,000.00	
ECO LAB		\$ 4,500.00	
EDCO CHEMICALS		\$ 6,000.00	
EMPIRE MERCHANTS		\$ 130,000.00	
FRESH CENTS		\$ 4,000.00	
HILL & MARKS		\$ 10,000.00	
IRISH WELDING		\$ 8,000.00	
JACOB KERN		\$ 70,000.00	
JFS/CURTZE		\$ 150,000.00	
KEY2PURCHASE - S.K.		\$ 4,000.00	
LATINA FOODS		\$ 10,000.00	
LANOVANA		\$ 5,000.00	
MB EQUIPMENT		\$ 4,500.00	
OPICI		\$ 4,000.00	
PALMER FOODS		\$ 500,000.00	
POPCAKE		\$ 4,500.00	
PEPSI		\$ 175,000.00	
REGIONAL DIST.		\$ 5,000.00	
ROHRBACH BREWING CO.		\$ 1,000.00	
SANZO BEVERAGE		\$ 100,000.00	
SCHNEIDER'S SEAFOOD		\$ 50,000.00	
SCOTIA		\$ 4,000.00	
SOUTHERN WINE		\$ 250,000.00	
TARANTINO FOOD		\$ 100,000.00	
UPSTATE NIAGARA		\$ 14,000.00	
US FOOD SERVICE		\$ 535,000.00	
TOTAL		\$ 2,479,500.00	