

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 27th day of October 2022 and commencing at 10:00 a.m. in the *Boardroom*, Corporate Headquarters at 8315 Park Road Batavia, New York.

Participating were:

| | |
|-------------|--------------------|
| Cattaraugus | Mark C. Burr |
| Erie | Francis Warthling |
| 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 |
| 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. Vincent W. Horrigan, Chautauqua County.

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 Mr. Horrigan 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 September 22, 2022. There being none, a motion was made by Director Bassett and seconded by Director Winter to approve the September 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 Gregory A. Hallock, Executive Director at Genesee-Orleans Regional Arts Council for the Stay and Play donation.

Personnel Committee Report:

Committee Chairman Winter reported that the Personnel Committee meeting was called to order on Wednesday October 26, 2022, at 1:27 p.m. and the following items were discussed:

Mr. Henry F. Wojtaszek, President & CEO informed the Committee that the Corporation consulted with Ginger Schroder, Attorney to investigate matters within the Human Resources Department. In her findings she made a recommendation to offer all employees currently at 35 hours to go to 40 hours. She also made a recommendation to have the Corporation enter into an agreement with HR Buffalo to look at the structure and job descriptions within the HR Department.

A motion was made by Director Morgan, seconded by Director May, and carried unanimously to bring the recommendation to change employees from 35 hours to 40 hours to the full Board.

Upon motion by Director Winter and seconded by Director Lauderdale to approve the staff recommendation of changing employees from 35 hours to 40 hours. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua.

Personnel Committee Report:

A motion was made by Director Basset, seconded by Director Morgan, and carried unanimously to enter into a Consulting Agreement with HR Buffalo to the full Board.

Upon motion by Director Winter and seconded by Director Bombardo to approve the staff recommendation to enter into an agreement with HR Buffalo to look at the structure and job descriptions within the HR Department. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua.

Mr. Wojtaszek discussed the possibility of entering into a Consulting Agreement for Executive Coaching. No action was needed at this time.

Mr. William R. White, Vice-President-Administration reported the branch union voted to accept the branch Supervisory & Non-Supervisory Union contract.

Upon motion to waive the rules by Director Winter seconded by Director May a voice vote was taken and passed unanimously.

Upon motion by Director Winter and seconded by Director Wamp a roll call vote was taken and passed unanimously to accept the contract. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua.

Director Winter explained to the Board the need for Line Chef Andy Beedham to buy back 60 hours vacation time due to staffing shortages.

Upon motion by Director Winter and seconded by Director May for Line Chef Andy Beedham to buy back 60 hours vacation time due to staffing shortages. A voice vote was taken and passed unanimously.

Director Winter made a motion to go into Executive Session at 1:48 p.m., seconded by Director May.

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

Finance Committee Report:

Committee Chairman Lauderdale reported that the Finance Committee meeting was held on Wednesday October 26, 2022, at 2:57 p.m. and the following items were discussed.

The staff is recommending the purchase of office supplies, janitorial supplies and paper products from State Contract vendor Staples Business Advantage, for a not to exceed amount of \$30,000.

Upon motion by Director Horton, seconded by Director Winter, and carried unanimously for Resolution #95-2022, to be carried to the full Board.

Upon motion by Director Lauderdale and seconded by Director Bombardo to approve the purchase of office supplies, janitorial supplies, and paper products from State Contract vendor Staples Business Advantage, for a not to exceed amount of \$30,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #95-2022.**

Staff is recommending W.B. Mason Co. Inc. to provide office supplies, janitorial supplies, paper products and water for the remainder of 2022, for the amount not to exceed \$30,000.

Upon motion by Director Horton, seconded by Director Wamp, and carried unanimously for Resolution #96-2022 to be carried to the full Board.

Upon motion by Director Lauderdale and seconded by Director May to approve W.B. Mason Co. Inc. to provide office supplies, janitorial supplies, paper products and water for the remainder of 2022, for the amount not to exceed \$30,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #96-2022.**

Staff is recommending the purchase of office supplies, janitorial supplies, paper products and water from State Contract vendor W.B. Mason Co. Inc. for an amount not to exceed \$120,000 for 2023.

Upon motion by Director Lauderdale and seconded by Director Winter to approve W.B. Mason Co. Inc. to provide office supplies, janitorial supplies, paper products and water 2023, for the amount not to exceed \$120,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #97-2022.**

Finance Committee Report continued:

Staff is recommending WEX Bank to provide gas cards to staff for the purchase of fuel while conducting Western's business for 2023, for a not to exceed amount of \$70,000.

Upon motion by Director Winter, seconded by Director Horton, and carried unanimously for Resolution #98-2022 to be carried to the full Board.

Upon motion by Director Lauderdale and seconded by Director Morgan to approve WEX Bank to provide gas cards to staff for the purchase of fuel while conducting Western's business for 2023, in the amount not to exceed \$70,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #98-2022.**

Staff is recommending WEX Bank to provide gas cards to staff for the purchase of fuel while conducting Western's business for the remainder of 2022, for the amount not to exceed \$15,000.

Upon motion by Director Bianchi, seconded by Director Winter, and carried unanimously for Resolution #99-2022 to be carried to the full Board.

Upon motion by Director Lauderdale and seconded by Director Morgan to approve WEX Bank to provide gas cards to staff for the purchase of fuel while conducting Western's business for the remainder of 2022, in the amount not to exceed \$15,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #99-2022.**

Mrs. Megan Glor, Director of Purchasing advised the Committee that bids for snowplowing services were opened on October 13, 2022, for snowplowing services at two (2) branches in Erie County for the 2022-2023 winter season. After review by staff, the following is recommended:

| <u>Branch</u> | <u>Low Bidder</u> | <u>Per Plow Price</u> | |
|---------------|--------------------------|-----------------------|-------------|
| | | <u>Plow</u> | <u>Salt</u> |
| Clinton | Land & Snow Services LLC | \$174.00 | \$149.00 |
| Wehrle | Land & Snow Services LLC | \$200.00 | \$199.00 |

Upon motion by Director Winter, seconded by Director Horton, and carried unanimously to bring Resolution #100-2022 to be carried to the full Board.

Finance Committee Report continued:

Upon motion by Director Lauderdale and seconded by Director Winter to approve snowplowing services at two (2) branches in Erie County for the 2022-2023 winter season. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #100-2022.**

Mrs. Glor advised the Committee that bids for snowplowing services were opened on October 13, 2022, for snowplowing services at one (1) branch in Niagara County for the 2022-2023 winter season. After review by staff, the following is recommended:

| <u>Branch</u> | <u>Low Bidder</u> | <u>Per Plow Price</u> | |
|----------------------|------------------------------|------------------------------|--------------------|
| | | <u>Plow</u> | <u>Salt</u> |
| River | Ken Blaze Inc/dba Bills Auto | \$120.90 | \$124.75 |

Upon motion by Director Bianchi, seconded by Director Horton, and carried unanimously to bring Resolution #101-2022 to be carried to the full Board.

Upon motion by Director Lauderdale and seconded by Director Horton to approve snowplowing services at one (1) branch in Niagara County for the 2022-2023 winter season. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #101-2022.**

Staff is recommending that the Board accept the proposal of Tarkett USA Inc, State Contract vendor, for the purchase of carpet and tile to be installed in the Administrative Department, IT Department and Finance Department for a not to exceed amount of \$26,857.40.

Upon motion by Director Winter, seconded by Director Horton, and carried unanimously for Resolution #102-2022 to be carried to the full Board.

Upon motion by Director Lauderdale and seconded by Director Morgan to accept the proposal of Tarkett USA Inc, State Contract vendor, for the purchase of carpet and tile to be installed in the Administrative Department, IT Department and Finance Department for a not to exceed amount of \$26,857.40. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #102-2022.**

Mrs. Jacquelyne A. Leach, Chief Financial Officer presented the 2023 Preliminary Operating Plan to the Committee highlighting the Plan assumptions and certain revenues and expenses.

Finance Committee Report continued:

The Preliminary Plan is presented as a fluid working document. Its purpose is to facilitate discussion amongst WROTBC management and the Board of Directors. Current trends will be reviewed, and adjustments will be made.

Mrs. Leach encouraged members to review the preliminary plan and direct any questions they may have to herself and the other Officers.

This was provided for informational purposes.

The 2023 Operating Plan workshop will be held in the Boardroom with Members on November 16, 2022, at 11:00 a.m.

Mrs. Leach reviewed the September 2022 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$56,901 in surcharge revenues to member municipalities for September. For the third quarter 2022 the Corporation will distribute \$2,230,525 in operational earnings to member municipalities. Mrs. Leach also reviewed the September 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 September as compared to same period 2021 and 2019.

Upon motion by Director Winter and seconded by Director Horton, the Finance Committee meeting adjourned at 3:45 p.m.

Advertising & Promotions Committee Report:

Committee Chairperson May reported that the Advertising & Promotions Committee meeting was held on Wednesday October 26, 2022, at 1:09 p.m. and the following items were discussed.

Mr. Ryan Hasenauer, Director of Marketing delivered a presentation showing upcoming hotel offers.

Advertising & Promotions Committee Report continued:

Pictures and stats from the Oktoberfest, Family Fun Day as well as the BCCR Event were shown. A check presentation will occur in the lobby at 11:30am.

Several Batavia Downs Staff members attended G2E, having meetings with vendors and attending classes. Staff will be looking at implementing some of the items seen at the show.

Batavia Downs and OTB staff members built a playset for a young Rochester resident with Leukemia. It was a very rewarding experience for all involved.

Resolution #103-2022 was presented for Electronic Field Productions to create and produce professional television and radio commercials for the 2023 year for an amount not to exceed \$40,000.

Upon motion by Director May and seconded by Director Horton to approve Electronic Field Productions to create and produce professional television and radio commercials for the 2023 year for an amount not to exceed \$40,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #103-2022.**

Resolution #104-2022 was presented for Facebook to advertise through 2023 in the amount not to exceed \$25,000.

Upon motion by Director May and seconded by Director Morgan to approve Facebook to advertise through 2023 in the amount not to exceed \$25,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #104-2022.**

Resolution #105-2022 was presented for Genesee Valley Publications, a sole source provider for local advertising for the 2023 year in the amount not to exceed \$40,000.

Upon motion by Director May and seconded by Director Lauderdale to approve Genesee Valley Publications a sole source provider for local advertising for the 2023 year in the amount not to exceed \$40,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #105-2022.**

Resolution #106-2022 was presented for Joe Hand Promotions for select dates and events in 2023 in an amount not to exceed \$45,000.

Advertising & Promotions Committee Report continued:

Upon motion by Director May and seconded by Director Lauderdale to approve Joe Hand Promotions for select dates and events in 2023 in an amount not to exceed \$45,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #106-2022.**

Resolution #107-2022 was presented for the William Ryan Group, Inc which provides an application for Western's Gaming and Marketing departments to better serve customers for the 2023 year in the amount not to exceed \$16,500.

Upon motion by Director May and seconded by Director Siebert to approve the William Ryan Group, Inc which provides an application for Western's Gaming and Marketing departments to better serve customers for the 2023 year in the amount not to exceed \$16,500. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #107-2022.**

Resolution #108-2022 was presented for Batavia News Corporation (Batavia News) a sole source provider for local advertising and promotions in the amount not to exceed \$60,000.

Upon motion by Director May and seconded by Director Bombardo to approve Batavia News Corporation (Batavia News) a sole source provider for local advertising and promotions in the amount not to exceed \$60,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #108-2022.**

Resolution #109-2022 was presented to enter into an agreement with WGRZ Channel 2 a sole source provider during the 2023 year in an amount not to exceed \$30,000.

Upon motion by Director May and seconded by Director Burr to enter into agreement with WGRZ Channel 2 the sole source provider during the 2023 year in an amount not to exceed \$30,000. A roll call vote was taken. Ayes: 11; Nays: 1; Bassett Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #109-2022.**

Resolution #110-2022 was presented for WKBW Channel 7 a sole source provider for local advertising and promotions on its television station during the 2023 year in the amount not to exceed \$50,000.

Advertising & Promotions Committee Report continued:

Upon motion by Director May and seconded by Director Siebert to approve WKBW Channel 7 a sole source provider for local advertising and promotions on its television station during the 2023 year in the amount not to exceed \$50,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #110-2022.**

Resolution #111-2022 was presented for Audacy Radio Advertising, a sole source provider for local advertising and promotions during the 2023 year in the amount not to exceed \$100,000.

Upon motion by Director May and seconded by Director Lauderdale to approve Audacy Radio Advertising, a sole source provider for local advertising and promotions during the 2023 year in the amount not to exceed \$100,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #111-2022.**

Resolution #112-2022 was presented for Spectrum Reach, a sole source provider for local advertising and promotions for the 2023 year in the amount not to exceed \$120,000.

Upon motion by Director May and seconded by Director Burr to approve Spectrum Reach a sole source provider for local advertising and promotions for the 2023 year in the amount not to exceed \$120,000 A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #112-2022.**

Resolution #113-2022 was presented for Sentext for social media advertising for the remainder of 2022 in the amount not to exceed \$12,000.

Upon motion by Director May and seconded by Director Siebert to approve Sentext for social media advertising for the remainder of 2022 in the amount not to exceed \$12,000 A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #113-2022.**

Resolution #114-2022 was presented for Sentext for social media advertising for the year 2023 in the amount not to exceed \$20,000.

Advertising & Promotions Committee Report continued:

Upon motion by Director May and seconded by Director Morgan to approve Sentext for social media advertising for the year 2023 in the amount not to exceed \$20,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #114-2022.**

Resolution #115-2022 was presented for Valpak Print Advertising, a national advertising company for the 2023 year in the amount not to exceed \$20,000.

Upon motion by Director May and seconded by Director Morgan to approve Valpak Print Advertising, a national advertising company for the 2023 year in the amount not to exceed \$20,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #115-2022.**

Resolution #116-2022 was presented for Local Flavor d/b/a Clipper Magazine, a national advertising company for the 2023 year in the amount not to exceed \$20,000.

Upon motion by Director May and seconded by Director Horton to approve Local Flavor d/b/a Clipper Magazine a national advertising company for the 2023 year in the amount not to exceed \$20,000 A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #116-2022.**

Resolution #117-2022 was presented for the United States Postal Service for postage relating to the various mailer for 2023 in the amount not to exceed \$250,000.

Upon motion by Director May and seconded by Director Lauderdale to approve the United States Postal Service for postage relating to the various mailer for 2023 the amount not to exceed \$250,000 A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #117-2022.**

Upon motion by Director Lauderdale and seconded by Director Bianchi, the Advertising & Promotions Committee meeting adjourned at 1:23 p.m.

Legislative Committee Report:

Committee Chairman Bombardo called the Legislative meeting to order at 2:40 p.m. on Wednesday October 26, 2022, and the following items were discussed:

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Legislative Committee Report continued:

Mr. Patrick McCarthy, Mercury Public Affairs and Mr. Sam Hoyt, Upstate Strategic Advisors were available via phone conference and held a brief discussion regarding current events in Albany.

A motion by Director Burr and seconded by Director Bianchi the Legislative Committee adjourned at 2:50 p.m.

Insurance Committee Report:

The Insurance Committee did not meet.

Branch Operations Committee Report:

Committee Chairman Horton reported the Branch Operations Committee meeting was held on Wednesday October 26, 2022, at 3:45 p.m. and the following items were discussed.

Ms. Dina Pane, General of OTB Operations reported that as an effort to bring down overhead costs of branches, they have been looking at each branch individually. Effective January 1, 2023, the Empire Branch will become a mini-Branch, which is staffed by a Manager or Supervisor only. The Empire Branch is over 60% self-serve terminals. The hours will remain the same and they will be closed on Tuesdays. This change should save around \$40,000 a year. Ms. Pane reported that in the coming weeks we will be looking at a few more branches to determine what cost savings changes we can make.

Ms. Pane reported that Breeders Cup is next weekend, November 5, 2022. The Branches will open at 11:15 a.m. on Friday and 10:30 a.m. on Saturday.

Ms. Pane informed the Committee that Santa visits will be held in the Branches and E-Z Bets December 5th through December 16th. Once the schedule has been made, she will e-mail all Board members so that they can stop for a visit to their County.

Branch Operations Committee Report continued:

Ms. Pane informed the Committee that she is working with Mr. Hasenauer and the Marketing team to have an E-Z Bet Appreciation Night at the Races that will take place sometime in January. She will inform everyone when there is a confirmed date. Ms. Pane reported that she is waiting for approval from the Gaming Commission for Southside Hornell and has also given paperwork to a possible E-Z bet, Olean 3rd Base Bar and Grill. Ms. Pane reported that she will be looking at Wayne County next for a possible E-Z Bet location, somewhere in the Palmyra/Macedon area.

Ms. Pane reported that Batavia Bets September year to date we saw a big drop in our losses. October year to date we are down 12% with overall year to date down 14%.

Resolution #142-2022 was presented for the purchase of racing forms from The Daily Racing Form, a single source provider, for a not to exceed amount of \$50,000.

Upon motion by Director Bombardo, seconded by Director Bianchi, and carried unanimously for Resolution #142-2022, to be carried to the full Board.

Upon motion by Director Horton and seconded by Director Burr to approve the purchase of racing forms from The Daily Racing Form, a single source provider, for a not to exceed amount of \$50,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #142-2022.**

Upon motion by Director Bombardo and seconded by Director Warthling the Branch Operations Committee adjourned at 3:50 p.m.

Audit Committee Report:

Committee Chairman Bassett reported the Audit Committee meeting was held on Wednesday October 26, 2022, at 4:00 p.m. and the following items were discussed.

Mr. Randy Shepard, The Bonadio Group was on site for the Pre-Audit Presentation.

Upon motion by Director Horton and seconded by Director Bianchi the Audit Committee meeting adjourned at 4:20 p.m.

Batavia Downs Operations Committee Report:

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Thursday October 27, 2022, at 9:02 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.

Resolution #118-2022 was presented for the purchase of Various Buffalo Mafia apparel from Extreme Streetwear, Inc. being the single source provider in the amount not to exceed \$25,000 for the remainder of 2022.

Upon motion by Director Morgan and seconded by Director Bombardo to approve the purchase of Various Buffalo Mafia apparel from Extreme Streetwear, Inc. being the single source provider in the amount not to exceed \$25,000 for the remainder of 2022. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #118-2022.**

Resolution #119-2022 was presented for the purchase of various Buffalo Mafia apparel from Extreme Streetwear, Inc. being the single source provider in the amount not to exceed \$40,000 for 2023.

Upon motion by Director Morgan and seconded by Director Siebert to approve the purchase various Buffalo Mafia apparel from Extreme Streetwear, Inc. being the single source provider in the amount not to exceed \$40,000 for 2023. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #119-2022.**

Resolution #120-2022 was presented for Noco Energy Corp. to fill the 500-gallon diesel fuel tank for the remainder of 2022 in the amount not to exceed \$20,000.

Upon motion by Director Morgan and seconded by Director Winter to approve Noco Energy Corp. to fill the 500-gallon diesel fuel tank for the remainder of 2022 in the amount not to exceed \$20,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #120-2022.**

Batavia Downs Operations Committee Report continued:

Resolution #121-2022 was presented for Noco Energy Corp. to fill the 500-gallon diesel fuel tank for the 2023 year in the amount not to exceed \$30,000.

Upon motion by Director Morgan and seconded by Director Wamp to approve Noco Energy Corp. to fill the 500-gallon diesel fuel tank for the 2023 year in the amount not to exceed \$30,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #121-2022.**

Resolution #122-2022 was presented for Sunoco LLC to purchase gasoline fuel for the remainder of 2022 in the amount not to exceed \$10,000.

Upon motion by Director Morgan and seconded by Director Winter to approve Sunoco LLC to purchase gasoline fuel for the remainder of 2022 in the amount not to exceed \$10,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #122-2022.**

Resolution #123-2022 was presented for Sunoco LLC to purchase gasoline fuel for the 2023 year in an amount not to exceed \$30,000.

Upon motion by Director Morgan and seconded by Director Burr to approve Sunoco LLC to purchase gasoline fuel for the 2023 year in the amount not to exceed \$30,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #123-2022.**

Resolution #124-2022 was presented to purchase from Hanson Aggregates to maintain the surface of the racetrack at a cost not to exceed \$30,000.

Upon motion by Director Morgan and seconded by Director May to purchase from Hanson Aggregates to maintain the surface of the racetrack at a cost not to exceed \$30,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #124-2022.**

Resolution #125-2022 was presented to purchase various building and repair items from Home Depot for the remainder of 2022 in the amount not to exceed \$15,000.

Batavia Downs Operations Committee Report continued:

Upon motion by Director Morgan and seconded by Director Winter to approve the purchase of various building and repair items from Home Depot for the remainder of 2022 in the amount not to exceed \$15,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #125-2022.**

Resolution #126-2022 was presented for the purchase of various building and repair items from Home Depot for the 2023 year in the amount not to exceed \$60,000.

Upon motion by Director Morgan and seconded by Director May to approve the purchase of various building and repair items from Home Depot for the 2023 year in the amount not to exceed \$60,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #126-2022.**

Resolution #127-2022 was presented for Bison Elevator for a three (3) year service agreement for elevators and escalators at the Batavia Downs location for a total amount of \$54,540.

Upon motion by Director Morgan and seconded by Director May to approve the three (3) year service agreement with Bison Elevator for elevators and escalators at the Batavia Downs location for a total amount of \$54,540. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #127-2022.**

Resolution #128-2022 was presented for Hill & Markes, Inc. for custodial supplies for the 2023 year in the amount not to exceed \$50,000.

Upon motion by Director Morgan and seconded by Director Horton to approve the purchase of custodial supplies from Hill & Markes, Inc. for the 2023 year in the amount not to exceed \$50,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #128-2022.**

Resolution #129-2022 was presented for Hillyard to purchase custodial supplies for the 2023 year in an amount not to exceed \$55,000.

Batavia Downs Operations Committee Report continued:

Upon motion by Director Morgan and seconded by Director Wamp to approve the purchase of custodial supplies from Hillyard for the 2023 year in the amount not to exceed \$55,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #129-2022.**

Resolution #130-2022 was presented for Corr Distributors for the purchase of custodial supplies in the amount not to exceed \$20,000 for the 2023 year.

Upon motion by Director Morgan and seconded by Director Winter to approve the purchase custodial supplies from Corr Distributors in the amount not to exceed \$20,000 for the 2023 year. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #130-2022.**

Resolution #131-2022 was presented for the purchase of black steel 30-gallon trash cans from Grainger for the Batavia Gaming location in the not to exceed \$33,927.75.

Upon motion by Director Morgan and seconded by Director Lauderdale to approve the purchase of black steel 30-gallon trash cans from Grainger for the Batavia Gaming location in the not to exceed \$33,927.75 A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #131-2022.**

Resolution #132-2022 was presented to purchase various electrical parts and supplies from Green Mountain Electric Supply for the 2023 year in the amount not to exceed \$35,000.

Upon motion by Director Morgan and seconded by Director Siebert to approve the purchase of various electrical parts and supplies from Green Mountain Electric Supply for the 2023 year in the amount not to exceed \$35,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #132-2022.**

Resolution #133-2022 was presented to authorize the purchase of a new snow blower power shaft gear box and shute kit from Land Pro Equipment, LLC in the amount of \$32,366.17.

Batavia Downs Operations Committee Report continued:

Upon motion by Director Morgan and seconded by Director Lauderdale to approve the purchase of a new snow blower power shaft gear box and shute kit from Land Pro Equipment, LLC in the amount of \$32,366.17. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #133-2022.**

Resolution #134-2022 was presented for Travel Click to provide online reservation services for the Batavia Downs Hotel for the 2023 year for an amount not to exceed \$60,000.

Upon motion by Director Morgan and seconded by Director Winter to approve Travel Click to provide online reservation services for the Batavia Downs Hotel for the 2023 year for an amount not to exceed \$60,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #134-2022.**

Resolution #135-2022 was presented for Booking.com to provide an online reservations system for the Batavia Downs Hotel for the 2023 year in an amount not to exceed \$35,000.

Upon motion by Director Morgan and seconded by Director May to approve Booking.com to provide an online reservations system for the Batavia Downs Hotel for the 2023 year in an amount not to exceed \$35,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #135-2022.**

Resolution #136-2022 was presented for Expedia to provide online reservation services for the Batavia Downs Hotel for the 2023 year in the amount not to exceed \$35,000.

Upon motion by Director Morgan and seconded by Director May to approve Expedia to provide online reservation services for the Batavia Downs Hotel for the 2023 year in the amount not to exceed \$35,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #136-2022.**

The Resolution #137-2022 was presented to purchase various room amenities with Room Service Amenities for the rooms at the Hotel at Batavia Downs for the remainder of 2022 in the additional amount of \$11,000.

Batavia Downs Operations Committee Report continued:

Upon motion by Director Morgan and seconded by Director Horton to approve the purchase of various room amenities with Room Service Amenities for the rooms at the Hotel at Batavia Downs for the remainder of 2022 in the additional amount of \$11,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #137-2022.**

Resolution #138-2022 was presented to purchase various room amenities with Room Service Amenities for the rooms at the Hotel at Batavia Downs for the 2023 year in the amount of \$25,000.

Upon motion by Director Morgan and seconded by Director May to approve the purchase of various room amenities with Room Service Amenities for the rooms at the Hotel at Batavia Downs for the 2023 year in the amount of \$25,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #138-2022.**

Resolution #139-2022 was presented for Everi a sole source vendor to provide maintenance and repairs to Western's Kiosks at an annual cost of \$30,650.76.

Upon motion by Director Morgan and seconded by Director Bombardo to approve Everi a sole source vendor to provide maintenance and repairs to Western's Kiosks at an annual cost of \$30,650.76. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #139-2022.**

Resolution #140-2022 was presented to continue to purchase Pepsi products to service its Batavia Gaming facility restaurants and concession stands for 2023 in the amount not to exceed \$ 175,000.

Upon motion by Director Morgan and seconded by Director Winter to approve the purchase of Pepsi products to service its Batavia Gaming facility restaurants and concession stands for 2023 in the amount not to exceed \$ 175,000. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #140-2022.**

The Resolution #141-2022 was presented to purchase various food, beverage, and supplies for the operation of the Homestretch Grill, Grandstands, Fortune's, 34 Rush and the Clubhouse restaurant on an as-needed basis from various vendors in the amounts attached for the 2023 year.

Board of Directors
Meeting #545
October 27, 2022
20 of 21

Batavia Downs Operations Committee Report continued:

Upon motion by Director Morgan and seconded by Director Bombardo to approve the purchase various food, beverage, and supplies for the operation of the Homestretch Grill, Grandstands, Fortune's, 34 Rush and the Clubhouse restaurant on an as-needed basis from various vendors in the amounts attached for the 2023 year. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua. **See Resolution #141-2022.**

Staff have proposed an upgrade to the second-floor bathroom. After a brief discussion members of the Committee opted for Staff to move forward with the upgrade.

Upon motion by Director Lauderdale and Seconded by Director Bombardo and carried unanimously for the bathroom upgrade to be carried to the full Board.

Upon motion to waive the rules by Director Morgan seconded by Director Horton a roll call vote was taken and passed unanimously.

Upon motion by Director Morgan and seconded by Director Horton to approve the upgrade to the second-floor bathroom. A roll call vote was taken. Ayes: 12; Nays: 0; Absent: 4; Parmer-Garner; Lattimore; Barnes; Ricci; Vacant: 1; Chautauqua.

Upon motion by Director Siebert and seconded by Director Lauderdale the Batavia Downs Operations Committee adjourned at 9:55 a.m.

New Business:

Chairman Bianchi announced that the 2023 Plan Workshop will be held on November 16 at 11 a.m. in the boardroom.

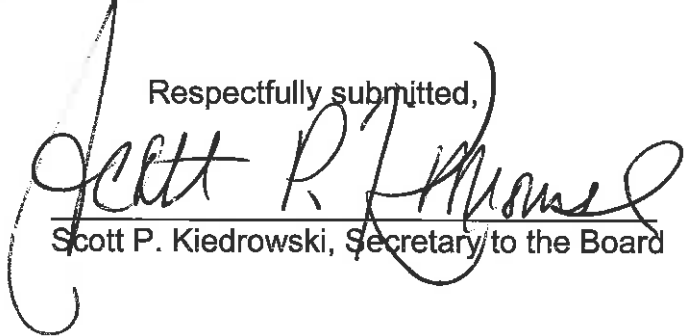
The next Committee and Board meeting is scheduled for November 30 and December 1, 2022, respectively.

Board of Directors
Meeting #545
October 27, 2022
21 of 21

Adjournment:

Upon motion made by Director Lauderdale to adjourn seconded by Director Horton the meeting was adjourned at 11:09 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott P. Kiedrowski". The signature is written in a cursive style with a large, sweeping initial "S".

Scott P. Kiedrowski, Secretary to the Board

/pma

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of Supervisory & Non-Supervisory Union Contract was duly put to a vote on roll call, which resulted as follows:

Motion to Waive the Rules of Order by Director Winter seconded by Director May

Motion by Director Winter seconded by Director Wamp

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.

Secretary

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of entering into agreement was duly put to a vote on roll call, which resulted as follows: HR Buffalo

Motion to Waive the Rules of Order by Director Winter and seconded by Director Siebert

Motion by Director Winter seconded by Director Bombardo

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parner-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.

Secretary

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of 35 hours to 40 hours was duly put to a vote on roll call, which resulted as follows:

Motion by Director Winter seconded by Director Lauderdale

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.

Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #95-2022 was duly put to a vote on roll call, which resulted as follows: Staples Business Advantage

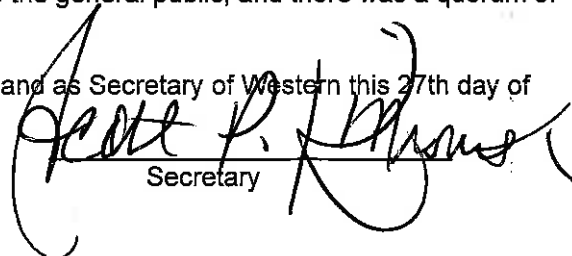
Motion by Director Lauderdale seconded by Director Bombardo

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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



westernoth.com



bataviadownsgaming.com

8315 Park Road
Batavia, NY 14020
585-343-3750
Fax: 585-343-6873

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Gaming Association*

*United States
Trotting Association*

*Local Chambers
of Commerce*

WESTERN REGIONAL OFF-TRACK
BETTING CORPORATION

October 12, 2022

TO: Ken Lauderdale, Chairman Finance
Members, Board of Directors

FROM: Megan Glor, Director of Purchasing & Real Estate

SUBJECT: WB Mason Co. Inc. - 2022 Supplemental

Staff is requesting board approval to increase the annual spend for the 2022 year with WB Mason Co Inc in the amount of \$30,000.00 due to an increase of purchasing supplies for the Hotel and EZ-Bets as needed.

The original request for the purchase of white sheet paper, office and janitorial supplies from W.B. Mason Co. Inc. was in the amount of \$75,000.00.

W.B Mason Co. Inc. is a NYS Contract vendor and price comparisons are conducted internally to ensure best pricing for all purchases made.

Thank you.

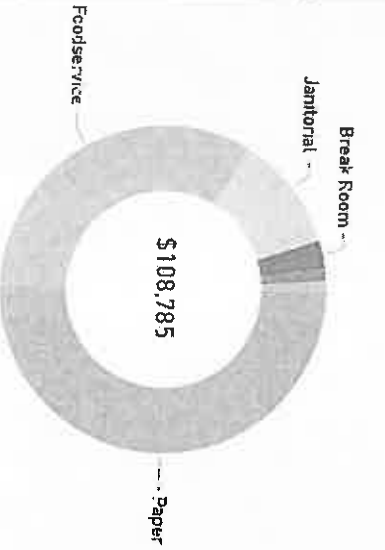
PERSONALIZED BUSINESS REVIEW PREPARED FOR

WESTERN REGIONAL OTB

C2255047

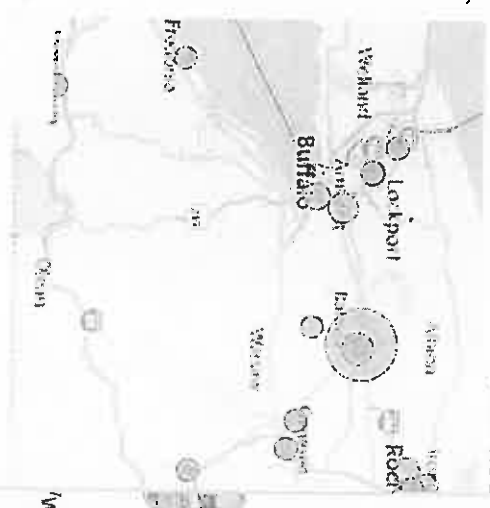
DASHBOARD

What We Buy ?



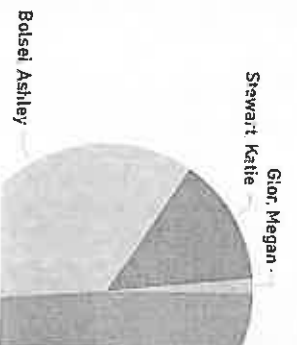
When We Buy ?

| Category | Sales |
|----------------------|----------|
| Paper | \$54,540 |
| Foodservice | \$36,216 |
| Janitorial | \$12,558 |
| Break Room | \$3,032 |
| Office Supplies | \$1,315 |
| Emergency Response | \$605 |
| Coffee | \$231 |
| Hardware | \$184 |
| School Supplies | \$59 |
| Toner | \$31 |
| Shipping & Packaging | \$15 |
| Auto Dealer Supplies | \$0 |
| Custom Furniture | \$0 |
| In Stock Furniture | \$0 |
| Print/Promo | \$0 |



Where We Buy

Who Buys

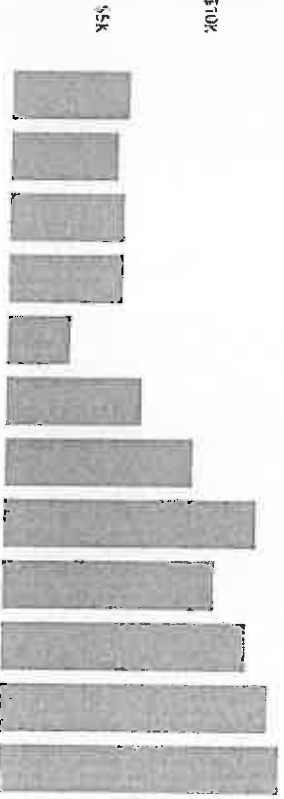


www.wbmason.com

CLICK TO SHOP

WHERE MY STUFF?
ORDER AGAIN
Running low
Here are the
items you or
most!

ONLINE RETURN



WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #96-2022 was duly put to a vote on roll call, which resulted as follows: WB Mason Co. Inc. Supp

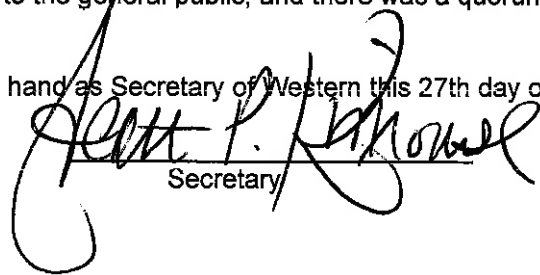
Motion by Director Lauderdale seconded by Director May

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

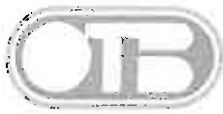
BE IT RESOLVED, that an Officer of Western is authorized to execute any agreement in furtherance of the Boards approval of this resolution.

Respectfully submitted,



Ken Lauderdale, Chairman
Finance Committee

Dated: October 27, 2022
Batavia, New York



westernotb.com



bataviadownsgaming.com

8315 Park Road
Batavia, NY 14020
585-343-3750
Fax: 585-343-6873

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and Local
Governments*

Current Member of:

*New York State
Gaming Association*


*United States
Trotting Association*

*Local Chambers
of Commerce*

WESTERN REGIONAL OFF-TRACK
BETTING CORPORATION

October 12, 2022

TO: Ken Lauderdale, Chairman Finance
Members, Board of Directors

FROM: Megan Glor, Director of Purchasing & Real Estate 

SUBJECT: WB Mason Co. Inc.

Staff is requesting board approval for the purchase of white sheet paper, office and janitorial supplies from W.B. Mason Co. Inc. for the year 2023 in the amount of \$120,000.00.

W.B Mason Co. Inc. is a NYS Contract vendor and price comparisons will be done internally to ensure best pricing for all purchases made.

Thank you.

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #97-2022 was duly put to a vote on roll call, which resulted as follows: WB Mason Co. Inc. 2023

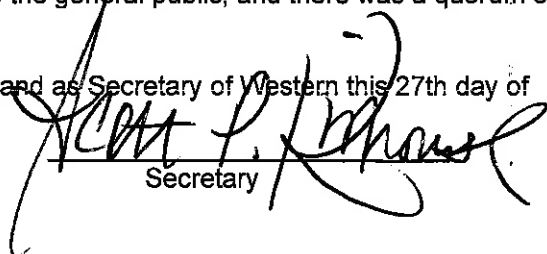
Motion by Director Lauderdale seconded by Director Winter

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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.

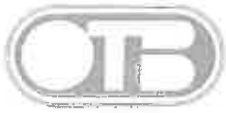
Respectfully submitted,



Ken Lauderdale, Chairman

Finance Committee

Dated: October 27, 2022
 Batavia, New York



westernotb.com



bataviadownsgaming.com

8515 Park Road
Batavia, NY 14020
585-343-3750
Fax: 585-343-6875

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and Local
Governments*

Current Member of:

*New York State
Gaming Association*

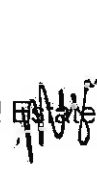
*United States
Trotting Association*

*Local Chambers
of Commerce*

WESTERN REGIONAL OFF-TRACK
BETTING CORPORATION

October 12, 2022

TO: Ken Lauderdale, Chairman Finance
Members, Board of Directors

FROM: Megan Glor, Director of Purchasing & Real Estate 

SUBJECT: 2023 Annual Gas Card Usage- WEX Bank

Gas cards are utilized by employees that are assigned to operate a Corporate vehicle for fueling purposes or while operating their own vehicle to conduct business on Western's behalf.

It is recommended, gas cards to fuel these vehicles be charged through WEX Bank, the current New York State Government fuel holder in an amount not to exceed \$70,000.00 for the 2023 calendar year.

Thank you.

| 2022 CORPORATE VEHICLE LIST | | | |
|-----------------------------|------------------------|---|------------|
| OTB # | VEHICLE | DRIVER | WEX |
| 245 | 2012 Ford Escape | BRIAN LEAVY - STOCK CLERK | 90165 |
| 247 | 2012 Chevy Van | RC HALL - ROCHESTER MAINTENANCE | 90181 |
| 273 | 2020 Chevy Silverado | JIM INGALSBEЕ - SIMULCAST TECHNICIAN | 90058 |
| 257 | 2015 Chevy Impala | POOL | 90215 |
| 258 | 2015 Jeep Patriot | MARKETING DEPARTMENT | 52826 |
| 259 | 2016 Chevy Impala | POOL | 90033 |
| 261 | 2016 Chevy Van | STEVE NOTO - ROCHESTER COURRIER | 90082 |
| 263 | 2017 Chevy Impala | DINA PANE - GENERAL MANAGER | 90207 |
| 266 | 2017 Ford Transit Van | MARKETING DEPARTMENT | 41816 |
| 268 | 2019 Chevy Impala | POOL | 14329 |
| 269 | 2018 Chevy Silverado | CLINTON HAYWARD - ROCHESTER MAINTENANCE | 41832 |
| 270 | 2018 Chevy Express Van | BUFFALO - COURRIER | 90124 |
| | | STEVE HAIGH - INTERNAL AUDITOR | 90074 |

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #98-2022 was duly put to a vote on roll call, which resulted as follows: WEX Bank Inc 2023

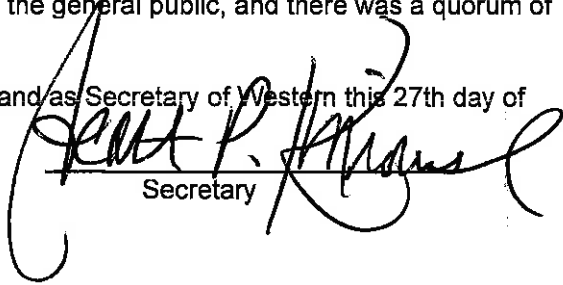
Motion by Director Lauderdale seconded by Director Morgan

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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



westernotb.com



bataviadownsgaming.com

8315 Park Road
Batavia, NY 14020
585-343-3750
Fax: 585-343-6873

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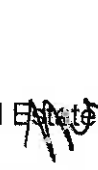
*United States
Trotting Association*

*Local Chambers
of Commerce*

WESTERN REGIONAL OFF-TRACK
BETTING CORPORATION

October 12, 2022

TO: Ken Lauderdale, Chairman Finance
Members, Board of Directors

FROM: Megan Glor, Director of Purchasing & Real Estate 

SUBJECT: 2022 Supplemental Gas Card Usage- WEX Bank

The Board had approved for assigned employees to utilize gas cards for 2022 in the amount of \$50,000.00.

Due to an increase in gas pricing, staff is requesting approval to increase the annual spend for 2022 in the amount \$15,000.00 with WEX Bank, the current New York State Government fuel holder.

Thank you.

BOD

| 2022 CORPORATE VEHICLE LIST | | | |
|------------------------------------|------------------------|---|------------|
| OTB # | VEHICLE | DRIVER | WEX |
| 245 | 2012 Ford Escape | BRIAN LEAVY - STOCK CLERK | 90165 |
| 247 | 2012 Chevy Van | RC HALL - ROCHESTER MAINTENANCE | 90181 |
| 273 | 2020 Chevy Silverado | JIM INGALS BEE - SIMULCAST TECHNICIAN | 90058 |
| 257 | 2015 Chevy Impala | POOL | 90215 |
| 258 | 2015 Jeep Patriot | MARKETING DEPARTMENT | 52826 |
| 259 | 2016 Chevy Impala | POOL | 90033 |
| 261 | 2016 Chevy Van | STEVE NOTO - ROCHESTER COURRIER | 90082 |
| 263 | 2017 Chevy Impala | DINA PANE - GENERAL MANAGER | 90207 |
| 266 | 2017 Ford Transit Van | MARKETING DEPARTMENT | 41816 |
| 268 | 2019 Chevy Impala | POOL | 14329 |
| 269 | 2018 Chevy Silverado | CLINTON HAYWARD - ROCHESTER MAINTENANCE | 41832 |
| 270 | 2018 Chevy Express Van | BUFFALO - COURRIER | 90124 |
| | | STEVE HAIGH - INTERNAL AUDITOR | 90074 |

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #99-2022 was duly put to a vote on roll call, which resulted as follows: WEX Bank Inc Supp

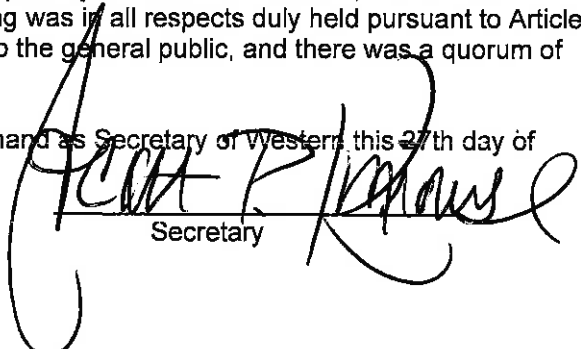
Motion by Director Lauderdale seconded by Director Morgan

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.



 Secretary

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

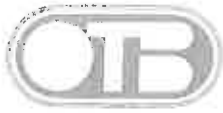
BE IT FURTHER, RESOLVED that an officer of Western is directed to facilitate the performance of the contracts by taking such actions as are required to do so.

Respectfully submitted,



Ken Lauderdale, Chairman
Finance Committee

Dated: October 27, 2022
Batavia, New York



westernotb.com



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Batavia, NY 14020
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Fax: 585-343-6875

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Trotting Association*

*Local Chambers
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WESTERN REGIONAL OFF-TRACK
BETTING CORPORATION

October 13, 2022

TO: Ken Lauderdale, Chairman Finance
Members, Board of Directors

FROM: Megan Glor, Director of Purchasing & Real Estate

SUBJECT: Public Bid – Erie County Snowplowing/Shoveling Services

A public bid was held on Thursday, October 13, 2022 for the 2022-2023 snowplowing and shoveling services at two (2) OTB branch locations in Erie County.

Below is a breakdown of bids received:

| Land & Snow Services LLC | Per Call Plowing | Per Call Salting |
|----------------------------------|------------------|------------------|
| 2310 Clinton Street, Buffalo | \$174.00 | \$149.00 |
| 1042 Wehrle Drive, Williamsville | \$200.00 | \$199.00 |

Please see below the comparison cost for 2020-2021:

| | | |
|----------------------------------|----------|----------|
| 2310 Clinton St, Buffalo | \$175.00 | \$150.00 |
| 1042 Wehrle Drive, Williamsville | \$200.00 | \$200.00 |

After review of bids submitted, staff requests the award for the two (2) Erie County locations be made to the lowest, responsive bidder Land & Snow Services LLC.

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #100-2022 was duly put to a vote on roll call, which resulted as follows: Erie Co Snowplowing Land & Snow Services LLC

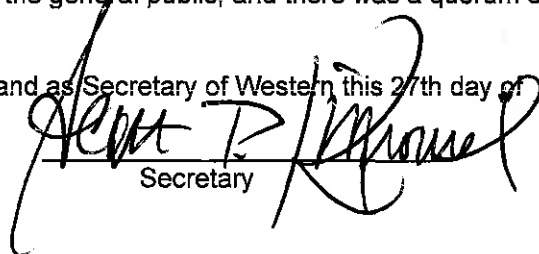
Motion by Director Lauderdale seconded by Director Winter

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 | Bornbardo |
| X | | | | | Rochester | Bassett |
| | | | X | | Schuyler | Barnes |
| | | | X | | Seneca | Ricci |
| X | | | | | Steuben | Horton |
| X | | | | | Wayne | Lauderdale |
| X | | | | | Wyoming | May |

AYES 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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



westernotb.com



bataviadownsgaming.com

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Batavia, NY 14020
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WESTERN REGIONAL OFF-TRACK
BETTING CORPORATION

October 13, 2022

TO: Ken Lauderdale, Chairman Finance
Members, Board of Directors

FROM: Megan Glor, Director of Purchasing & Real Estate

SUBJECT: Public Bid-Niagara County Snowplowing/Shoveling Services

A public bid was held on Thursday, October 13, 2022 for the 2022-2023 snowplowing and shoveling services at one (1) branch locations in Niagara County:

550 River Road, North Tonawanda

Below is a breakdown of all bids received:

| Ken Blaze Inc. / dba Bills Automotive | Per Call Plowing | Per Call Salting |
|--|------------------|------------------|
|--|------------------|------------------|

| | | |
|---------------------------------|----------|----------|
| 550 River Road, North Tonawanda | \$120.90 | \$124.75 |
|---------------------------------|----------|----------|

Please see below the comparison cost for 2021-2022:

| | | |
|---------------------------------|---------|---------|
| 550 River Road, North Tonawanda | \$94.75 | \$94.75 |
|---------------------------------|---------|---------|

After review of all bids submitted, staff requests the award be made to the lowest, responsive bidder Ken Blaze Inc./ dba Bills Automotive.

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #101-2022 was duly put to a vote on roll call, which resulted as follows: Niagara Co Snowplowing Ken Blaze Inc. dba Bills Automotive

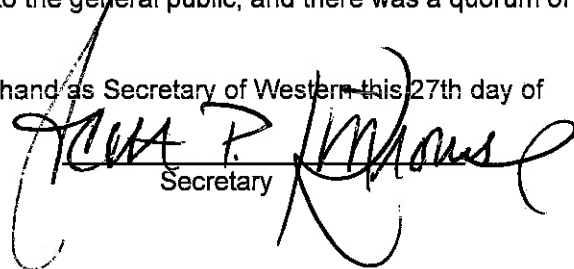
Motion by Director Lauderdale seconded by Director Horton

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

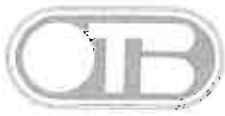
RESOLVED, that an officer of Western is authorized to execute such documentation in furtherance of the Board's resolution.

Respectfully submitted,



Ken Lauderdale, Chairman
Finance Committee

Dated: October 27, 2022
Batavia, New York



westernotb.com



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Batavia, NY 14020
585-343-3750
Fax: 585-343-6873

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WESTERN REGIONAL OFF-TRACK
BETTING CORPORATION

October 12, 2022

TO: Ken Lauderdale, Chairman Finance
Members, Board of Directors

FROM: Megan Glor, Director of Purchasing & Real Estate 

SUBJECT: Flooring - Tarkett Tile

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

A proposal has been received from Tarkett USA Inc, under New York State Contract pricing, reflecting a 25% discount, in the amount of \$26,857.40.

It is recommended the Board accept this proposal from Tarkett for the flooring required in the amount of \$26,857.40.

Thank you.



Reprint

ORDER CONFIRMATION 113660278

Customer / Client
 WESTERN REGIONAL OFF TRACK
 8315 PARK RD
 BATAVIA NY 14020-1272
 USA
 Email: ACCOUNTSPAYABLE@WESTERNOTB.COM

Ship-to
 WESTERN REGIONAL OFF TRACK
 BETTING CORP
 8315 PARK RD
 BATAVIA NY 14020-1272
 USA

| | |
|--------------------|------------|
| Customer PO Number | 63065 |
| Order Date | 10/05/2022 |

Tarkett Reference

Your Reference

This is a confirmation copy of your order, not an invoice. Please review and contact Customer Service if you feel there is a discrepancy with your order. To avoid shipping delays, a signed purchase order from your company must be returned to us immediately. All orders accepted by us for shipment within 90 days will be invoiced at confirmed prices. Please note, periodically Tarkett may incur increased material and labor costs. When this occurs, we will review to determine if a price increase is needed. If so, we will apply an increase of up to 5% not to exceed one increase in 90 days.

| | | |
|---------------------------------|---|----------------------------|
| Delivery Method | Payment Terms | End User |
| LTL Truck XPRESS GLOBAL SYSTEMS | 10 days after invoice date 2% 45 days duc | WESTERN REGIONAL OFF TRACK |
| Delivery Terms | Incoterms | |
| Prepaid | EXW MILL | |

| Line | Material Number Cust / Old Mat. No. | Description Shade | Order Qty | UoM | Unit Price UoM | Price | Amount |
|------|--|---|-----------|-----|-------------------|-------|-----------|
| 200 | 608623006 | KNOT STITCH-SAND DUNE-24X24-EMODOM 0001021238 | 300.015 | YD2 | 38.32 | YD2 | 11,496.57 |
| 300 | 604734022 | C-EX Pressure Sensitive Adhesive - 4 Gal | 5 | EA | 126.52 | EA | 632.60 |
| 400 | 608832012 | HIDDEN ARBOR-TELLURIDE-24X24-GC 0001021232 | 313.349 | YD2 | 39.82 | YD2 | 12,477.56 |

Estimated Delivery Date 11/23/2022

Thank you for your order.

The General Terms and Conditions of Sale (found at www.tarketta.com under the LEGAL link) shall apply unless the Buyer and Seller have mutually executed a signed Agreement covering the sales of Products and Services between the parties.

| | |
|----------------------------------|------------------|
| Sub Total | 24,606.73 |
| Discounts/Surcharges | 0.00 |
| Estimated Freight | 0.00 |
| Taxes | 0.00 |
| Estimated Order total USD | 24,606.73 |



Original

ORDER CONFIRMATION 113666225

Customer / Client
 WESTERN REGIONAL OFF TRACK
 8315 PARK RD
 BATAVIA NY 14020-1272
 USA
 Email: ACCOUNTSPAYABLE@WESTERNOTB.COM

Ship-to
 WESTERN REGIONAL OFF TRACK
 BETTING CORP
 8315 PARK RD
 BATAVIA NY 14020-1272
 USA

| | |
|--------------------|------------|
| Customer PO Number | 63065 |
| Order Date | 10/07/2022 |

Tarkett Reference

Your Reference

This is a confirmation copy of your order, not an invoice. Please review and contact Customer Service if you feel there is a discrepancy with your order. To avoid shipping delays, a signed purchase order from your company must be returned to us immediately. All orders accepted by us for shipment within 90 days will be invoiced at confirmed prices. Please note, periodically Tarkett may incur increased material and labor costs. When this occurs, we will review to determine if a price increase is needed. If so, we will apply an increase of up to 5% not to exceed one increase in 90 days.

| | | |
|-------------------------------------|---|----------------------------|
| Delivery Method | Payment Terms | End User |
| LTL Truck OLD DOMINION FREIGHT LINE | 10 days after invoice date 2% 45 days due | WESTERN REGIONAL OFF TRACK |
| Delivery Terms | Incoterms | |
| Prepaid | EXW MILL | |

| Line | Material Number Cust./Old Mat. No. | Description Shade | Order Qty UoM | Unit Price Price UoM | Amount |
|-----------------------------|---------------------------------------|--|---------------------|-------------------------|----------|
| 100 | 250368038 | V SMOKEY QUARTZ 18X18 MAGIC'S 8028 SSSE | 225 FT ² | 9.55 FT ² | 2,148.75 |
| 200 | 250458001 | CENTI 2000 Epoxy Adhesive 1 Gallon | 2 EA | 50.96 EA | 101.92 |
| Estimated Delivery Date TBD | | | | | |

Thank you for your order.

The General Terms and Conditions of Sale (found at www.tarketta.com under the LEGAL link) shall apply unless the Buyer and Seller have mutually executed a signed Agreement covering the sales of Products and Services between the parties.

| | |
|----------------------------------|----------|
| Sub Total | 2,250.67 |
| Discounts/Surcharges | 0.00 |
| Estimated Freight | 0.00 |
| Taxes | 0.00 |
| Estimated Order total USD | 2,250.67 |

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #102-2022 was duly put to a vote on roll call, which resulted as follows: Tarkett USA Inc

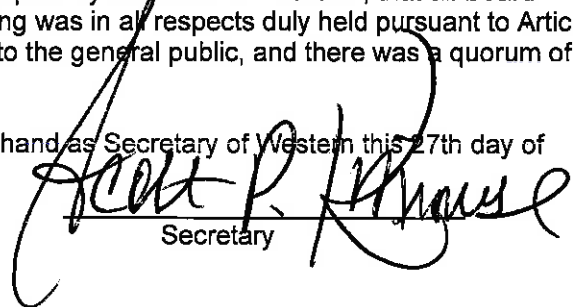
Motion by Director Lauderdale seconded by Director Morgan

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #103-2022 was duly put to a vote on roll call, which resulted as follows: Electronic Field

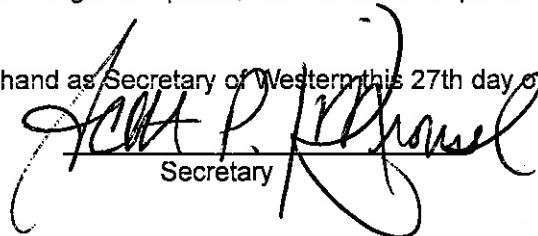
Motion by Director May seconded by Director Horton

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #104-2022 was duly put to a vote on roll call, which resulted as follows: Facebook 2023

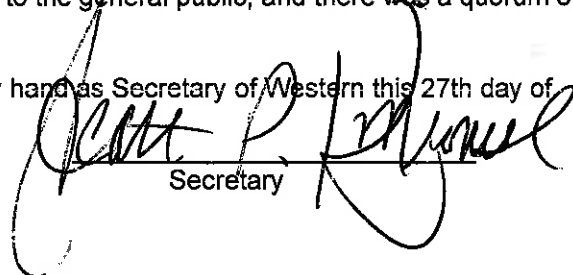
Motion by Director May seconded by Director Morgan

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #105-2022 was duly put to a vote on roll call, which resulted as follows: Genesee Valley Publications

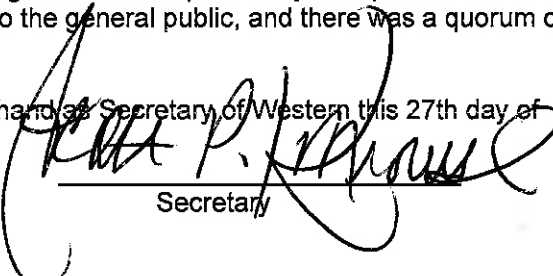
Motion by Director May seconded by Director Lauderdale

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.



 Secretary

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

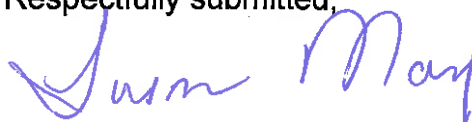
WHEREAS, Joe Hand Promotions, the sole authorized provider, sells access to these packages for \$45,000 for select dates and events in 2023; and

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

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #106-2022 was duly put to a vote on roll call, which resulted as follows: Joe Hand Production 2023

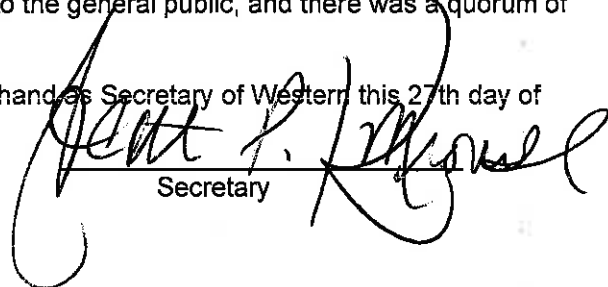
Motion by Director May seconded by Director Lauderdale

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Palmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #107-2022 was duly put to a vote on roll call, which resulted as follows: William Ryan App

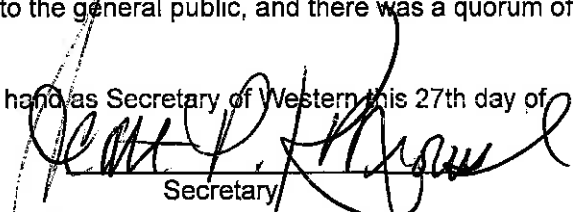
Motion by Director May seconded by Director Siebert

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | Burr |
| | | | X | | Cayuga | Iattimore |
| | | | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

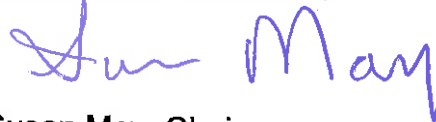
WHEREAS, Batavia Newspaper Corporation ("Batavia News") is a sole source provider for local advertising and promotions; and

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #108-2022 was duly put to a vote on roll call, which resulted as follows: Batavia Daily News

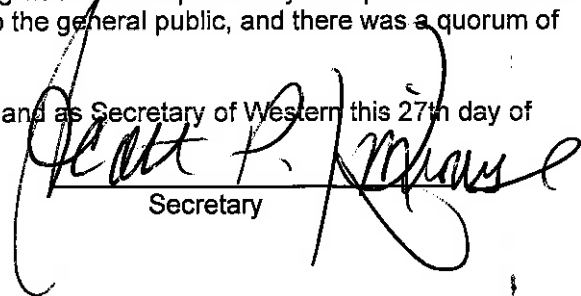
Motion by Director May seconded by Director Bombardo

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

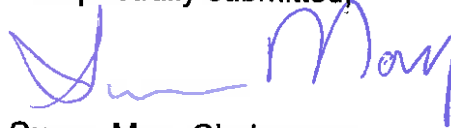
WHEREAS, WGRZ Channel 2 is a television station servicing the Buffalo, New York area ("WGRZ") and is a sole source provider for local advertising and promotions; and

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #109-2022 was duly put to a vote on roll call, which resulted as follows: WGRZ Ch2

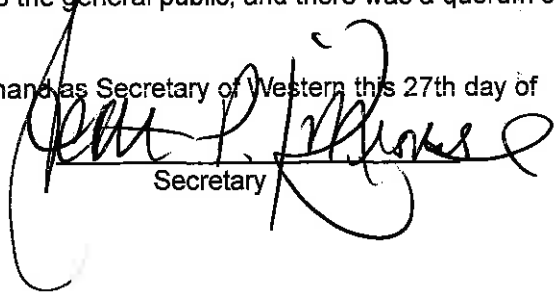
Motion by Director May seconded by Director Burr

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

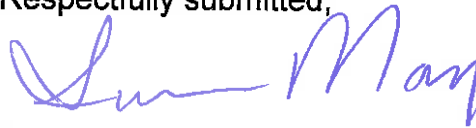
WHEREAS, WKBW Channel 7 is a television station servicing the Buffalo, New York area ("WKBW") and is a sole source provider for local advertising and promotions; and

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #110-2022 was duly put to a vote on roll call, which resulted as follows: WKBW Ch7

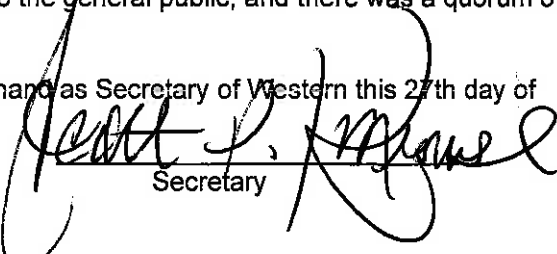
Motion by Director May seconded by Director Siebert

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

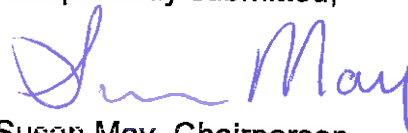
WHEREAS, Audacy Radio Advertising operates radio stations in the Buffalo and Rochester area ("Audacy") and is a sole source provider for local advertising and promotions; and

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #111-2022 was duly put to a vote on roll call, which resulted as follows: Audacy 2023

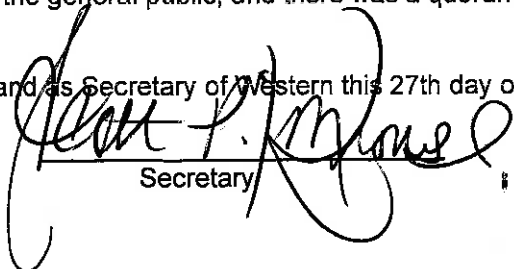
Motion by Director May seconded by Director Lauderdale

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #112-2022 was duly put to a vote on roll call, which resulted as follows: Spectrum 2023

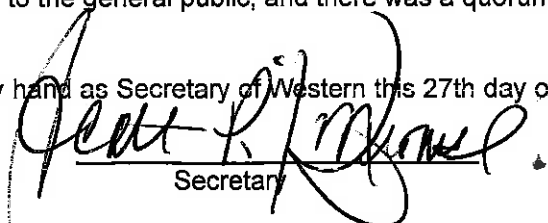
Motion by Director May seconded by Director Burr

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #113-2022 was duly put to a vote on roll call, which resulted as follows: **Sentext supp**

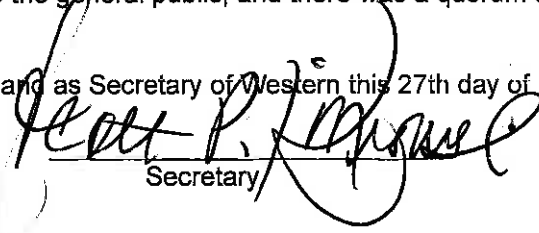
Motion by Director May seconded by Director Siebert

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

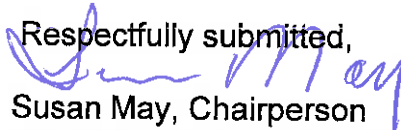
WHEREAS, Sentext provides Western with unique social media advertising opportunities to promote the Batavia Gaming facility; and

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #114-2022 was duly put to a vote on roll call, which resulted as follows: Sentext 2023

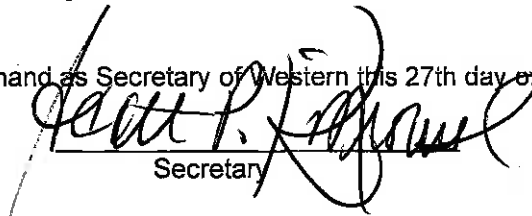
Motion by Director May seconded by Director Morgan

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #115-2022 was duly put to a vote on roll call, which resulted as follows: Valpak Print Adv

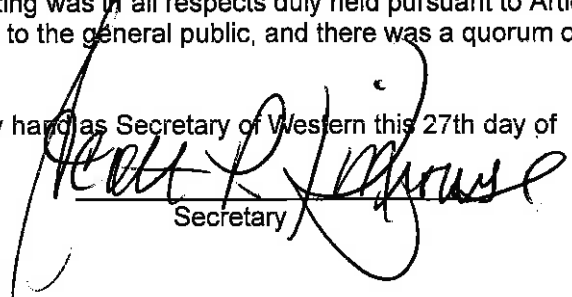
Motion by Director May seconded by Director Morgan

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 | | Schoyler | Barnes |
| | | | X | | Seneca | Ricci |
| X | | | | | Steuben | Horton |
| X | | | | | Wayne | Lauderdale |
| X | | | | | Wyoming | May |

AYES 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.



 Secretary

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

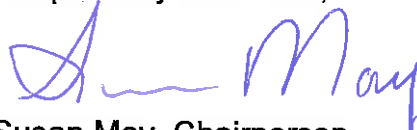
WHEREAS, Local Flavor d/b/a Clipper Magazine ("Clipper") is a national advertising company that sends out coupon books to homes within specific zip codes to best target specific areas and individuals; and

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #116-2022 was duly put to a vote on roll call, which resulted as follows: Clipper

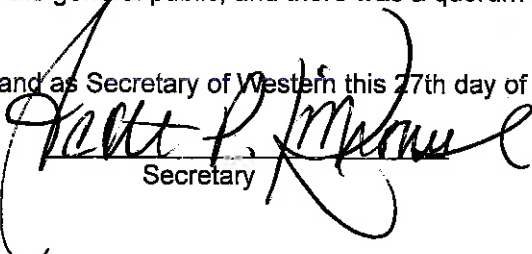
Motion by Director May seconded by Director Horton

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

The question of the adoption of the foregoing Resolution #117-2022 was duly put to a vote on roll call, which resulted as follows: USPS

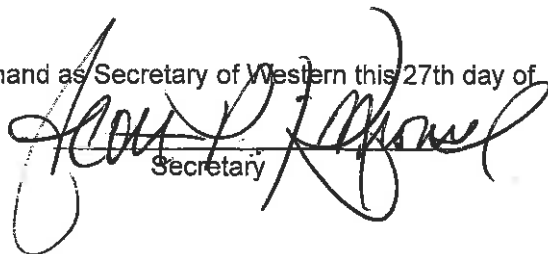
Motion by Director May seconded by Director Lauderdale

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #118-2022 was duly put to a vote on roll call, which resulted as follows: Extreme Streetwear Supp

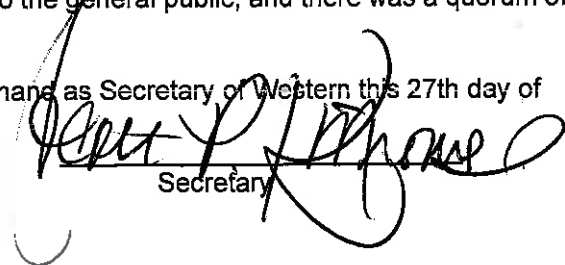
Motion by Director Morgan seconded by Director Bombardo

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Panner-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #119-2022 was duly put to a vote on roll call, which resulted as follows: Extreme Streetwear 2023

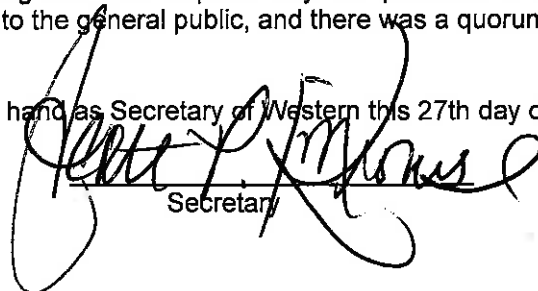
Motion by Director Morgan seconded by Director Siebert

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 |
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| X | | | | | Rochester | Bassett |
| | | | X | | Schuyler | Barnes |
| | | | X | | Seneca | Ricci |
| X | | | | | Steuben | Horton |
| X | | | | | Wayne | Lauderdale |
| X | | | | | Wyoming | May |

AYES 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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,

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

Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: October 27, 2022
 Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #120-2022 was duly put to a vote on roll call, which resulted as follows: Noco Energy Corp Supp

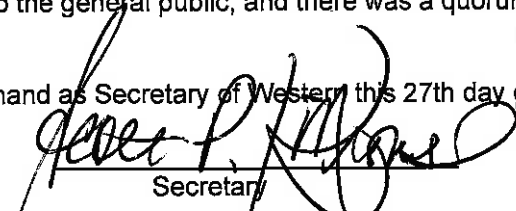
Motion by Director Morgan seconded by Director Winter

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS ABSTAIN ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #121-2022 was duly put to a vote on roll call, which resulted as follows: Noco Energy Corp 2023

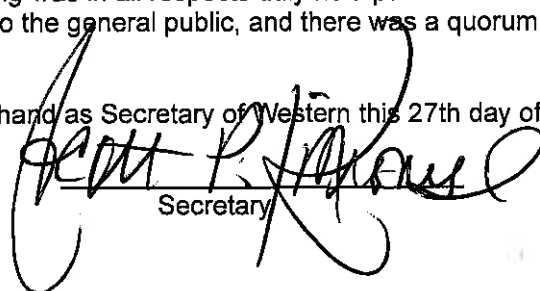
Motion by Director Morgan seconded by Director Wamp

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | Burr |
| | | | X | | Cayuga | Lattimore |
| | | | X | | Chautauqua | Vacant |
| X | | | | | Erie | Warthing |
| 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #122-2022 was duly put to a vote on roll call, which resulted as follows: Sunoco LP supp

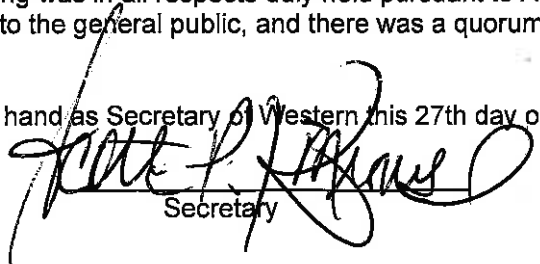
Motion by Director Morgan seconded by Director Winter

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #123-2022 was duly put to a vote on roll call, which resulted as follows: Sunoco LP 2023

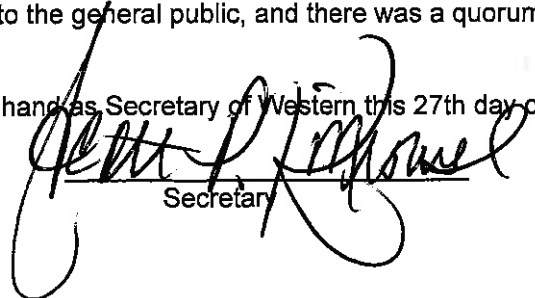
Motion by Director Morgan seconded by Director Burr

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 | Cauderdale |
| X | | | | | Wyoming | May |

AYES 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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 for the 2022-2023 race season; and

WHEREAS, Hanson Aggregates ("Hanson") under NYS Contract #PC69352 can provide the matching materials needed to maintain the surface of 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 materials to maintain the racetrack for the 2022-2023 race season; 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 materials needed to maintain the surface of the racetrack at Batavia Downs for the 2022-2023 season; 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

| <u>Contract</u> | <u>Contractor & Address</u> | <u>Fed ID#/NYS Vendor ID#</u> |
|--|--|--|
| PC69352 | Hanson Aggregates New York LLC P.O. Box A Nedrow, New York 13120 | 16-0928494 1000028456 |
| <i>Contractor accepts NYS Procurement Card for orders up to \$50,000</i> | | |
| <u>Contact for New York State Contract Orders</u> (during normal business hours): | | <u>Emergency Contact</u> (after normal business hours, weekend/holidays): |
| Toll-Free# 800 295-9991 | | Toll-Free# 800 295-9991 |
| Contact: Douglas A. Fuess Jr. | | Contact: Douglas A. Fuess Jr. |
| E-mail: Doug.Fuess@lehighhanson.com | | E-mail: Doug.Fuess@lehighhanson.com |
| Website: www.lehighhanson.com | | |
| Hours: 7:00AM - 4:00PM Monday-Friday | | |

| <u>Contract</u> | <u>Contractor & Address</u> | <u>Fed ID#/NYS Vendor ID#</u> |
|--|---|--|
| PC69353 SB | JAMESTOWN MACADAM, INC PO BOX 518 CELORON, New York 14720 | 16-0971315 1000007629 |
| <i>Contractor accepts NYS Procurement Card for orders up to \$50,000</i> | | |
| <u>Contact for New York State Contract Orders</u> (during normal business hours): | | <u>Emergency Contact</u> (after normal business hours, weekend/holidays): |
| Phone #: 716-499-4927 | | Phone #: 716-499-4927 |
| Contact: STEVE RUSSO | | Contact: STEVE RUSSO |
| E-mail: SRusso@Jamestownmacadam.com | | E-mail: SRusso@Jamestownmacadam.com |
| Website: www.jamestownmacadam.com | | |
| Hours: 7:00AM - 4:00PM Monday-Friday | | |

| <u>Contract</u> | <u>Contractor & Address</u> | <u>Fed ID#/NYS Vendor ID#</u> |
|--|--|--|
| PC69354 SB | JML QUARRIES INC 420 BERNAS RD COCHECTON, NEW YORK 12726 | 22-2783752 1000033562 |
| <i>Contractor accepts NYS Procurement Card for orders up to \$50,000</i> | | |
| <u>Contact for New York State Contract Orders</u> (during normal business hours): | | <u>Emergency Contact</u> (after normal business hours, weekend/holidays): |
| Phone #: 845-888-2235 | | Phone #: 845-932-8206 |
| Contact: Don Smith | | Contact: Luke Bernas |
| E-mail: dons@jmss.biz | | E-mail: lukeb@jmss.biz |
| Hours: 7:00AM - 4:00PM Monday-Friday | | |



**Office of General Services
Procurement Services**

Comptroller, Empire State Plaza, Albany, NY 12242, info@ogs.ny.gov / procurement_customer.services@ogs.ny.gov 518-474-6717

Contract Award Notification

| | |
|--------------------------------|--|
| Title | : Group 33700 – Fine and Coarse Aggregates (Statewide) Classification Code(s): 11 |
| Award Number | : <u>23221</u> (Replaces Award 23097) |
| Contract Period | : Upon OSC Approval to April 14, 2024 |
| Bid Opening Date | : December 4, 2020 |
| Date of Issue | : April 15, 2021 (Revised December 21, 2021) |
| Specification Reference | : As Incorporated In the Invitation for Bids |
| Contractor Information | : Appears starting on Page 2 of this Award |

Address Inquiries To:

| State Agencies & Vendors | | Political Subdivisions & Others | |
|--------------------------|--|---|--|
| Name | : Stephanie Remmert | Procurement Services Customer Services | |
| Title | : Contract Management Specialist | Phone | : 518-474-6717 |
| Phone | : 518-402-7182 | E-mail | : customer.services@ogs.ny.gov |
| E-mail | : Stephanie.Remmert@ogs.ny.gov | | |

**Procurement Services values your input.
Complete and return "Contract Performance Report" at end of document.**

Description

This Award is issued by the New York State ("NYS") Office of General Services ("OGS"), Procurement Services for Fine and Coarse Aggregates as specified herein for all Authorized Users eligible to purchase through this Solicitation.

Fine and Coarse Aggregates are defined as inert granular materials such as sand, gravel or crushed stone used in the construction industry for applications such as constructing embankments, drainage, erosion control, and sub-base material surface treatments for roads. In addition, abrasives are used to treat snow and ice on pavements.

Authorized Users will be able to purchase from any Contractor included under the resultant Contracts from this award. There are not any purchasing restrictions by NYSDOT Region or by County when selecting a Contractor.

This Award has 0% MBE, 0% WBE and 0% SDVOB goal requirements.

PR # 23221

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #124-2022 was duly put to a vote on roll call, which resulted as follows: Hanson Aggregates

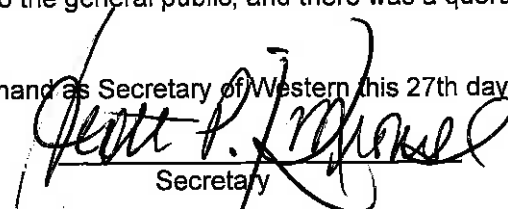
Motion by Director Morgan seconded by Director May

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #125-2022 was duly put to a vote on roll call, which resulted as follows: Home Depot supp

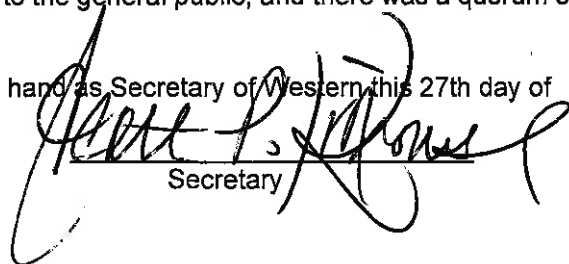
Motion by Director Morgan seconded by Director Winter

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 |
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| X | | | | | Rochester | Bassett |
| | | | X | | Schuyler | Barnes |
| | | | X | | Seneca | Ricci |
| X | | | | | Stauben | Horton |
| X | | | | | Wayne | Lauderdale |
| X | | | | | Wyoming | May |

AYES 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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



Contractor Information Summary

Updated: September 6, 2022

GROUP 39000 - INDUSTRIAL & COMMERCIAL SUPPLIES AND EQUIPMENT (STATEWIDE)

Award Number: 22918 Contract Period: See Below - December 31, 2022

| CONTRACT# MWBE/SB | CONTRACTOR INFORMATION | CONTRACT PERIOD | CONTRACT SPECIFICS |
|----------------------|--|--|--|
| PC67222 SB | Bejan Century Supply Inc. d/b/a Johnstone Supply 2600 6 th Avenue Troy, NY 12180 Federal ID: 141660277 NYS Vendor ID: 1000008827 | November 3, 2015 - December 31, 2022 | <u>Contract Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |
| PC67224 | CooperFriedman Electric Supply d/b/a Cooper Electric Supply and Friedman Electric Supply 1 Matrix Drive Monroe, NJ 08831 Federal ID: 210728076 NYS Vendor ID: 1100041676 | November 3, 2015 - December 31, 2022 | <u>Contract Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |
| PC67225 SB | F & F Industrial Equipment Corp 195 Tower Dr Middletown, NY 10941 Federal ID: 141634606 NYS Vendor ID: 1000006927 | November 3, 2015 - December 31, 2022 | <u>Contract Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |
| PC67226 | F. W. Webb Company 160 Middlesex Turnpike Bedford, MA 01730 Federal ID: 041952890 NYS Vendor ID: 1000005237 | November 3, 2015 - December 31, 2022 | <u>Contract Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |
| PC67227 | Fastenal Company 2001 Theurer Blvd Winona, MN 55987 Federal ID: 410948415 NYS Vendor ID: 1000009286 | November 3, 2015 - December 31, 2022 | <u>Contract Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |
| PC67228 | Graybar Electric Co., Inc. 229 Church Street Albany, NY 12202 Federal ID: 130794380 NYS Vendor ID: 1000026919 | November 3, 2015 - December 31, 2022 | <u>Contract Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |
| PC67229 | Hillyard, Inc 125 Rawson Road Victor, NY 14564 Federal ID: 440522166 NYS Vendor ID: 1000009363 | November 3, 2015 - December 31, 2022 | <u>Contract Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |
| FC66681 | Home Depot U.S.A., Inc. d/b/a The Home Depot Pro 2455 Paces Ferry Rd. Building C-20 Atlanta, GA 30339 Federal ID: 581853319 NYS Vendor ID: 1000032306 | September 7, 2021 - December 31, 2022 | <u>Contract Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #126-2022 was duly put to a vote on roll call, which resulted as follows: Home Depot 2023

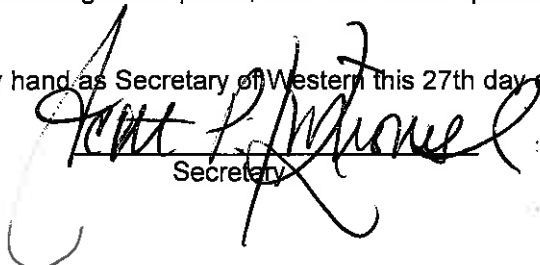
Motion by Director Morgan seconded by Director May

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | Burr |
| | | | X | | Cayuga | Lattimore |
| | | | X | | Chautauqua | Vacant |
| X | | | | | Erie | Warthling |
| X | | | | | Genesee | Siebert |
| X | | | | | Livingston | Wamp |
| X | | | | | Monroe | Bianchi |
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| 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

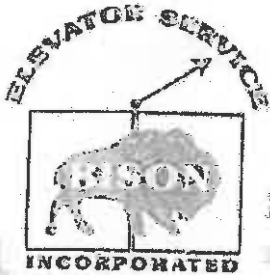
BE IT FURTHER RESOLVED, that an officer of the Western is hereby authorized to execute an agreement that reflects the Board's approval of this resolution.

Respectfully submitted,



Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: October 27, 2022
 Batavia, New York



Bison Elevator Service, Inc.

295 Main Street, Suite 932

Ellicott Square Building

Buffalo, NY 14203

(716) 852-3031, FAX (716) 852-0603

PANDION ALLIANCE- Elevator Service Agreement

Date: 08/09/2022

Western Regional OTB Corporation hereinafter called the Purchaser.

BISON ELEVATOR SERVICE, INC. hereinafter called the Company, proposes to furnish Preventative Maintenance, as defined in the provisions below, on the following described elevator(s):

(x2) Schindler Escalators, (1) Otis Geared Passenger, (2) TK Hydraulic Elevators, (1) Otis Hydraulic Freight Elevator and (1) Schindler 330A Hydraulic

In the Purchaser's building(s) located at:

Batavia Downs
8325 Park Road
Batavia, NY 14020

Agreement Provisions:

The *Company* proposes to furnish Preventative Maintenance on the above listed equipment under this Agreement and will maintain the elevator equipment on the terms and conditions subsequently set forth.

The *Company* will use trained men directly employed and supervised by the *Company*. The *Company* will use all reasonable care to maintain the elevator equipment in proper and safe operating condition.

The *Company* will regularly and systematically examine, adjust, lubricate as required and if, in the *Company's* judgment, conditions warrant, repair or replace: MACHINE, MOTOR, GENERATOR, VALVES, PUMP AND CONTROLLER PARTS including Worms, Gears, Thrusts, Bearings, Brake Magnet Coils, Brake Shoes, Brushes, Windings, Commutators, Coils, Contacts, Rotating Elements, and other mechanical parts.

The *Company* will renew guide shoe gibs or guide rollers, as conditions warrant to ensure smooth and quiet operation and, except where roller guides are used, keep the guide rails properly lubricated.

The *Company* will repair or replace conductor cables as needed.

The *Company* will examine, lubricate, adjust and as conditions warrant, repair, or replace all accessory equipment with exceptions as stated hereinafter.

The Company also agrees to:

Lubricate all hoist, compensation, governor, and selector cables and keep same properly equalized and make necessary cable replacements as often as, in the *Company's* judgment, it is necessary to maintain adequate factor of safety.

Exam and lubricate car and counterweight safeties and governor and make periodic tests to check their operating condition.

Safety Tests: Traction Elevators – The *Company* will conduct an annual no load test, overspeed governors, and car and counterweight buffers. If the *Company* deems it required, the governor will be recalibrated and sealed for proper tripping speed and the elevator car balances will be checked.

Safety Tests: Hydraulic Elevators – The *Company* will conduct an annual no load test, annual pressure relief valve test and static testing.

Safety Tests: Roped Hydraulic Elevators – The *Company* will conduct an annual no load test, annual pressure relief valve test, overspeed governors, and car buffers. If the *Company* deems it required, the governor will be recalibrated and sealed for proper tripping speed.

Maintain in proper adjustment all overtravel and direction limit switches, leveling units and safety devices and make necessary repairs and when in the *Company's* judgment it is necessary, renew these parts.

Furnish all lubricants, cleaning compounds, and waste or rags.

Clean hatchways and motor room and keep same in order in accordance with good machine room practice.

This Agreement includes the maintaining of all accessory elevator equipment except as specified in the following paragraphs, including signals, interlocks, door hangers, door closers, retiring cams, car and landing operators, safety edges, switches, wiring of car lights, etc.

This Agreement does not cover car enclosures (including, but not limited to, wall panels, door panels, car gates, plenum chambers, hung ceilings, lighting, light diffusers, light tubes and bulbs, handrails, mirrors and floor coverings), rail alignment when affected by building compression or shifting, hoistway enclosures, hoistway gates, hoistway inserts and brackets, machine disconnect switches, doors, door frames, sills, swing door hinges and closing devices, below ground or unexposed hydraulic cylinders and plungers, buried or unexposed piping, escalator balustrades, escalator lighting or wedge guards. Repair or replacement of parts on existing Unit(s) no longer produced or readily available are specifically excluded under the coverage of this Agreement. Microprocessors and software not originally installed by the *Company* are not covered under this Agreement. This Agreement does not cover computer and microcomputer devices, such as terminal keyboards and display units that are not exclusively dedicated to the elevator system. This Agreement does not cover telephones, intercoms, heat sensors, smoke sensors, communications equipment, or safety signaling equipment not installed by the *Company* or instructions or warning in connection with use by passengers.

The items listed below show considerable wear and will have to be replaced in the near future. To provide you with the maximum of service from these items the *Company* is accepting them in their present condition with the understanding that the *Purchaser* is to pay, in addition to the base amount of this Agreement, an extra amount at the time the items listed are first replaced. The charge will be determined by prorating the total cost of replacing the individual items. The *Purchaser* is to pay for that portion of the life of the items used prior to the date of this Agreement and the *Company* is to pay for that portion used since the date of this Agreement.

SCHEDULE OF PARTS TO BE PRO-RATED

Name of Part

Life Expectancy

NA

THE COMPANY'S WORKING HOURS

All maintenance procedures, examinations, callbacks, the regular routine service work, and major repairs, shall be performed during Elevator Industry Standard Working Hours of regular working days. All lamp and signal replacements will be performed during regular examinations.

For the purposes of this Agreement, a callback*, is a response by the *Company* to a request for service or assistance made by (a) the *Purchaser* or representative of the *Purchaser*; (b) by a representative of the building covered under this Agreement; (c) by emergency personnel; (d) through the ADA phone line; (e) an as needed basis excluding the regularly scheduled maintenance.

Elevator Industry Standard Working Hours are: Monday – Friday, 8:00 AM - 4:30 PM.

** Overtime: On callbacks outside of regular working hours, the Company will cover the worked hours at straight time rates and the Purchaser will be charged for the overtime premium portion only, including for travel time.*

If for any reason, the *Purchaser* requests examination, or repairs to be made at times other than regular working hours, the *Purchaser* is to pay the premium for overtime labor at the *Company's* regular billing rates.

For emergency repairs, please notify Bison Elevator Service, Inc. at 716-852-3031. The following information will be required: Building Name, Address, Elevator Number, and a brief description of the problem and/or needed repair.

SPECIAL CONDITIONS: Monthly Service Visitation, Annual Pressure Test included, Any Pre-Existing 3rd Party Violations /repairs are excluded from coverages and will be visited as separate Repair Proposals.

Fandion #8032-01 – All Fandion Alliance Terms/ Condition/s labor rates would apply in this service agreement

The *Company* will not be required:

- A) to make any tests other than that as specifically set forth herein.
- B) to make any replacements with parts of a different design or type.
- C) to make any changes in the existing design of the Units.

- D) to alter, update, modernize or install new attachments to any Unit(s) whether or not recommended or directed by insurance companies or by governmental authorities
- E) to make repairs or replacements necessitated by failures detected during or due to testing of buried or unexposed hydraulic cylinders or piping
- F) to make any replacements, renewals or repairs necessitated by an obsolete or discontinued part of the Unit(s)
- G) to include expedited or overnight shipping costs as part of this agreement.

It is the intent of this Agreement that the *Company* maintain the entire elevator mechanism in safe efficient operating condition.

It is mutually understood that the *Company* is not required to make renewals or repairs necessitated by reason of negligence or misuse of the machinery, apparatus, or car, or rendered necessary due to any other cause beyond our control.

It is expressly understood, in consideration of the *Company's* performance of the service enumerated herein at the price stated, that nothing in this Agreement shall be construed to mean that the *Company* assumes liability for any injury to persons or property except those directly due to the negligent acts or omissions of the *Company* or its employees, and that the *Purchaser* shall bear primary responsibility for any injury to persons or property which occur on the *Purchaser's* premises including the elevator.

The *Company* shall not be liable for loss or damage resulting from strikes, lockouts, fires, storms, or other similar or dissimilar causes beyond its control. No work, service, or liability on the part of the *Company* other than specifically mentioned herein, is included, or intended.

The *Company* will not be required to make renewals or repairs necessitated by fluctuations in the building AC power systems, adverse hoistway or machine room conditions (including temperature variations below 60 degrees and above 90 degrees Fahrenheit), excessive humidity, adverse environmental conditions, water damage, rust, fire, explosion, acts of God, misuse, or vandalism.

Notwithstanding any other agreement or provision to the contrary, under no circumstances will the *Company* be liable for any indirect, special or consequential damages of any kind including, but not limited to, fines or penalties, loss of profits, loss of rents, loss of good will, loss of business opportunity, additional financing costs, or loss of use of any equipment or property, whether in contract, tort, warranty or otherwise.

The *Purchaser* assumes the responsibility for the cost of correcting all Elevator Code violations existing on the date the *Company* and *Purchaser* enter into this Agreement. If such Code violations or other outstanding safety violations are not corrected in accordance with this Agreement, the *Company* may, at its own discretion, with respect to the equipment not meeting Code Requirements, cancel this Agreement by providing thirty (30) days written notice to *Purchaser*.

If any Elevation Unit is malfunctioning or is deemed to be in a dangerous condition by the *Purchaser*, the *Purchaser* agrees to notify the *Company* as soon as possible by calling 716-852-3031. Until the problem is corrected, the *Purchaser* agrees to remove the Elevation Unit in question from service and to take all necessary precautions to prevent the access and/or use of the Unit.

The *Purchaser* agrees to properly post, maintain and preserve any and all instructions and/or warnings to passengers in connection with the use of any of the Elevation Units covered under this Agreement.

WIRING DIAGRAMS

During the term of this Agreement, the *Company* will maintain original wiring diagrams for the *Company's* Units. Current wiring diagrams reflecting all previously made changes for non-*Company*

Units covered by this Agreement will be provided by the *Purchaser* and will remain the *Purchaser's* property.

FIREFIGHTERS SERVICE TEST:

If those elevator Units provided with Firefighters service are required by code to be tested monthly, the *Purchaser* assumes the responsibility for performing and keeping a record of such tests.

ENVIRONMENTAL PROTECTION:

Material Service Data Sheets (MSDS) Manuals are available for review at your request. The *Purchaser* assumes the responsibility for the removal of wastes, including but not limited to; hydraulic oil, asbestos, etc., and the removal of these wastes is NOT covered as a part of this Agreement.

SHARED RESPONSIBILITY:

The *Purchaser* agrees to provide the *Company* unrestricted ready and safe access to all areas of the building in which any part of the Units are located and to keep all machine rooms and pit areas free from water, stored materials, and debris. The *Purchaser* agrees to provide a safe workplace for the *Company's* personnel, and to remove and remediate any waste or hazardous materials in accordance with applicable laws and regulations.

This service will be furnished from 09/01/2022 - 09/30/2025 and shall continue thereafter until this Agreement is terminated by thirty (30) days notice to that effect given in writing by either of the parties hereto.

This is for the sum of: One Thousand Five Hundred Fifteen + 00/100 ~ \$1,515.00 per month*, Payable in advance to: **BISON ELEVATOR SERVICE, INC.**

The *Purchaser* shall pay as an addition to the price herein quoted the amount of any tax based on sales made hereunder imposed by any law after the date of this Agreement.

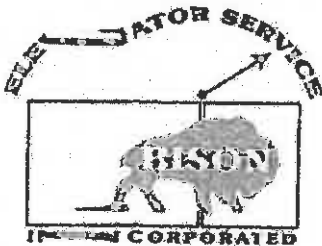
This Agreement, when accepted by the *Purchaser* and approved by the *Company's* authorized representative, shall constitute the entire Agreement for the services described, and all prior representations, whether written or verbal, not incorporated herein are superseded.

BISON ELEVATOR SERVICE, INC.

ACCEPTED

Matthew Lempke
09-22-2022
(Purchaser)

By: _____



Bison Elevator Service, Inc.
Reynolds Arcade Building
16 East Main Street
Suite 750
Rochester, NY 14614
Tel: (716) 852-3031
Fax: (716) 852-0603
Cell: (585) 465-0383

Matthew Lempke
VP of Operations - Rochester

Email: MLEmpke@BisonElevator.com

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #127-2022 was duly put to a vote on roll call, which resulted as follows: Bison Elevator

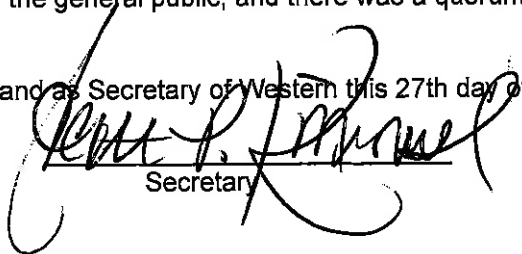
Motion by Director Morgan seconded by Director May

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.



 Secretary

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



Office of General Services
Procurement Services

Contract Title: Environmental Products, Repair, Dry Cleaning, Paper, Hops, Kegs and Government, Customer Services Support, Gov. ES 142434717

Contractor Information Summary

Updated: June 30, 2022

Group 39000 - ENVIRONMENTALLY PREFERABLE CLEANING PRODUCTS, PROGRAMS, EQUIPMENT AND SUPPLIES (STATEWIDE)

Award Number: 23245 Contract Period: *June 30, 2022 – February 29, 2028*

| OGS CONTRACT NUMBER | CONTRACTOR INFORMATION | | CONTRACT SPECIFICS |
|---------------------|---|---|--|
| PC69593 SB | Dobmeier Janitor Supply Inc 354 Englewood Avenue Buffalo, NY, 14223 Federal ID: 16-0795248 NYS Vendor ID: 1000007517 | Contact Information Robert M Dobmeier III Email: Bob3@Dobmeierinc.com Phone: 716-833-2005 Toll: 800-870-2006 | <u>Pricing Information</u> <u>Reseller Listing</u> <u>Participating Addendum</u> <i>Accepts Procurement Card with a minimum purchase amount of \$250, for orders up to \$50,000.</i> |
| PC69594 | Filo CleanTech Inc. 16 Prescott Street Wellesley Hills, MA 02481 Federal ID: 85-3796428 NYS Vendor ID: 1100271000 | Contact Information Dennis McCarthy Email: dennis@filocleantech.com Phone: 781-896-3200 | <u>Pricing Information</u> <u>Reseller Listing</u> <u>Participating Addendum</u> <i>Accepts Procurement Card for orders up to \$50,000.</i> |
| PC69595 | Hill & Markes, Inc. 1997 NY-5S Amsterdam, NY 12010 Federal ID: 14-0751030 NYS Vendor ID: 1000006631 | Contact Information Brent Roberts Email: broberts@hillnmarkes.com Phone: 585-615-7936 Toll: 800-836-4455 Emergency occurring after business hours/weekend/holidays: Joe Waite Email: jwaite@hillnmarkes.com Phone: 315-212-3860 | <u>Pricing Information</u> <u>Reseller Listing</u> <u>Participating Addendum</u> <i>Accepts Procurement Card with a minimum purchase amount of \$250, for orders up to \$50,000.</i> |

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #128-2022 was duly put to a vote on roll call, which resulted as follows: Hill & Markes

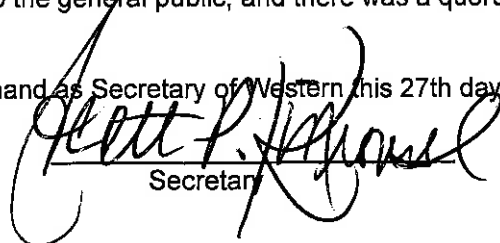
Motion by Director Morgan seconded by Director Horton

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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



Contractor Information Summary

Updated: September 5, 2022

GROUP 39000 - INDUSTRIAL & COMMERCIAL SUPPLIES AND EQUIPMENT (STATEWIDE)

Award Number: 22918 Contract Period: See Below - December 31, 2022

| CONTRACT# MWBS/SE | CONTRACTOR INFORMATION | CONTRACT PERIOD | CONTRACT SPECIFICS |
|----------------------|--|--|--|
| PC67222 SB | Bejan Century Supply Inc. d/b/a Johnstone Supply 2600 6 th Avenue Troy, NY 12180 Federal ID: 141540277 NYS Vendor ID: 1000066827 | November 3, 2015 - December 31, 2022 | <u>Contractor Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |
| PC67224 | CooperFriedman Electric Supply d/b/a Cooper Electric Supply and Friedman Electric Supply 1 Main Drive Monroe, NJ 08831 Federal ID: 210728076 NYS Vendor ID: 1100041875 | November 3, 2015 - December 31, 2022 | <u>Contractor Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |
| PC67225 SB | F & F Industrial Equipment Corp 195 Tower Dr Middletown, NY 10941 Federal ID: 141634506 NYS Vendor ID: 100006927 | November 3, 2015 - December 31, 2022 | <u>Contractor Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |
| PC67226 | F W Webb Company 160 Middlesex Turnpike Bedford, MA 01730 Federal ID: 041952890 NYS Vendor ID: 1000005237 | November 3, 2015 - December 31, 2022 | <u>Contractor Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |
| PC67227 | Fastenal Company 2001 Theurer Blvd Winona, MN 55967 Federal ID: 410948415 NYS Vendor ID: 1000069288 | November 3, 2015 - December 31, 2022 | <u>Contractor Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |
| PC67228 | Graybar Electric Co., Inc. 229 Church Street Albany, NY 12202 Federal ID: 130794380 NYS Vendor ID: 1000025919 | November 3, 2015 - December 31, 2022 | <u>Contractor Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |
| PC67229 | Hillyard, Inc. 125 Rawson Road Victor, NY 14584 Federal ID: 440522196 NYS Vendor ID: 100009363 | November 3, 2015 - December 31, 2022 | <u>Contractor Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |
| PC68981 | Home Depot U.S.A., Inc. d/b/a The Home Depot Pro 2455 Paces Ferry Rd. Building C-20 Atlanta, GA 30339 Federal ID: 581853319 NYS Vendor ID: 1000032306 | September 7, 2021 - December 31, 2022 | <u>Contractor Information</u> <u>Resellers</u> <u>Products & Districts</u> <u>Pricing Information</u> |

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #129-2022 was duly put to a vote on roll call, which resulted as follows: Hillyard

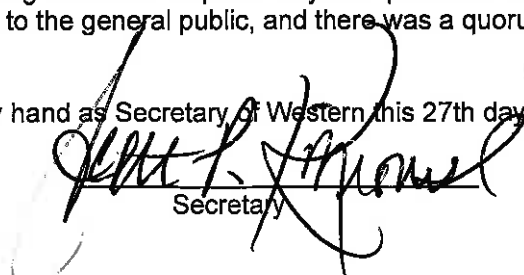
Motion by Director Morgan seconded by Director Wamp

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 _12_ NAYS _____ ABSTAIN _____ ABSENT _4_ 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 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 27th day of October 2022.


 Secretary

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



Office of General Services
Procurement Services

Contract Tower, Empire State Plaza, Albany, NY 12242 | <http://ogs.ny.gov/procurement/customerservice/signin.asp> | 518-474-6777

Contractor Information Summary

Updated: July 07, 2022

Group 39000 – ENVIRONMENTALLY PREFERABLE CLEANING PRODUCTS, PROGRAMS EQUIPMENT AND SUPPLIES (STATEWIDE)

Award Number: 22830 Contract Period April 1, 2016 – September 03, 2022

| OGS CONTRACT NUMBER | CONTRACTOR INFORMATION | CONTRACT SPECIFICS | |
|----------------------|---|---|--|
| PC66828 WBE SB | Corr Distributors, Inc. 89 Pearce Avenue Tcnewanda, NY 14150 Federal ID: 16-1117762 NYS Vendor ID: 1000007775 | Contact Information Edward Corr Phone: 800-536-8323 716-873-8323 Fax: 716-873-2968 Email: ecorr@corr distributors.com Website: www.corr distributors.com | <u>Price List</u> <u>Participating Addendum</u> <u>Reseller Info</u> |
| PC66831 | Hillyard, Inc. 125 Rawson Road Victor, NY 14564 Federal ID: 44-0522196 NYS Vendor ID: 1000009363 | Contact Information Jay Jones Phone: 800-695-5536 585-924-2820 Fax No: 585-924-2829 Email: jjones@hillyard.com Website: http //ny.hillyard.com | <u>Price List</u> <u>Participating Addendum</u> <u>Reseller Info</u> |
| PC68990 | Next-Gen Supply Group, Inc. 11 Norfolk Street Mansfield, MA 02045 Federal ID: 84-2181309 NYS Vendor ID: 1100240135 | Contact Information Michael Glass Phone: 617-448-1975 Michael.glass@nextgensupply.com | <u>Price List</u> <u>Participating Addendum</u> <u>Reseller Info</u> |
| PC66836 | Veritiv Operating Company 4501 Westport Dr. Mechanicsburg, PA 17055 Federal ID: 13-5369500 NYS Vendor ID: 1000027102 | Contact Information Joseph Gurzenda Phone: 717-612-6173 717-215-4249 Fax: 973-405-2150 Email: joseph.gurzenda@veritivcorp.com | <u>Price List</u> <u>Participating Addendum</u> <u>Reseller Info</u> |
| PC67690 | W.B. Mason Co., Inc. 59 Centre Street Brockton, MA 02301 Federal ID: 04-2455641 NYS Vendor ID: 1000011630 | Contact Information Christopher Szczesiul Phone: 888-926-2766 Fax No: 508-427-4460 Email: christopher.szczesiul@wbmason.com | <u>Price List</u> <u>Participating Addendum</u> |

*See next page for listing of Expired or Lapsed Contractors



Office of General Services
Procurement Services

Corning Tower, Empire State Plaza, Albany, NY 12242 | <https://ogs.ny.gov/procurement> | customer.services@ogs.ny.gov | 518-475-0711

Contractor Information Summary

Updated: July 07, 2022

| | | | |
|--|--------------|------------------------|---|
| Group 39000 – ENVIRONMENTALLY PREFERABLE CLEANING PRODUCTS, PROGRAMS EQUIPMENT AND SUPPLIES (STATEWIDE) | | | |
| Award Number: | <u>22830</u> | Contract Period | <i>April 1, 2015 – September 03, 2022</i> |

| OGS CONTRACT NUMBER | CONTRACTOR INFORMATION | CONTRACT SPECIFICS |
|---------------------|------------------------|--------------------|
|---------------------|------------------------|--------------------|

LAPSED & EXPIRED CONTRACTORS

| | | | |
|---|---|---|--|
| PG66835 EXPIRED 03/15/2022 | Staples Contract & Commercial LLC 50 Methodist Hill Drive Rochester, NY 14623 Federal ID: 04-3380816 NYS Vendor ID: 1000005286 | Contact Information Edward Sheva Phone: 845-240-2463 Email: edward.sheva@staples.com James Morgan Phone: 518-417-3884 james.morgan@staples.com Fax No: 845-643-6432 | PRICE LIST PARTICIPATING ADDENDUM RESELLER INFO |
|---|---|---|--|

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #130-2022 was duly put to a vote on roll call, which resulted as follows: Corr Distributors

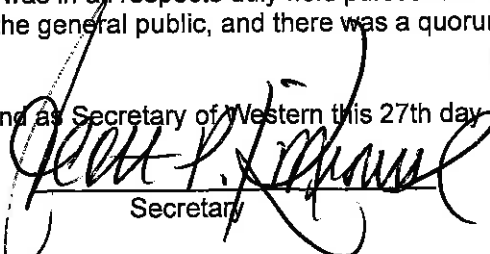
Motion by Director Morgan seconded by Director Winter

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parner-Garner |
| X | | | | | Cattaraugus | 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 | | Schuylar | Barnes |
| | | | X | | Seneca | Ricci |
| X | | | | | Steuben | Horton |
| X | | | | | Wayne | Lauderdale |
| X | | | | | Wyoming | May |

AYES 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #131-2022 was duly put to a vote on roll call, which resulted as follows: Grainger

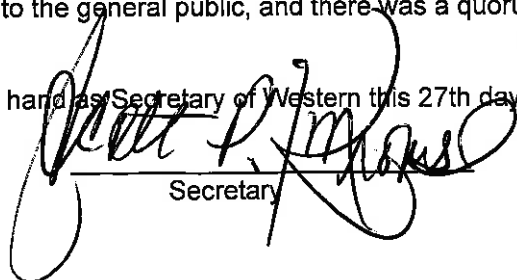
Motion by Director Morgan seconded by Director Lauderdale

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|----------------|
| | | | X | | Buffalo | Parnier-Garner |
| X | | | | | Cattaraugus | 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 | Bombardio |
| X | | | | | Rochester | Bassett |
| | | | X | | Schuyler | Barnes |
| | | | X | | Seneca | Ricci |
| X | | | | | Steuben | Horton |
| X | | | | | Wayne | Lauderdale |
| X | | | | | Wyoming | May |

AYES 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.



 Secretary

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~~^{500.00 EJM}, 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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #132-2022 was duly put to a vote on roll call, which resulted as follows: Green Mountain Electric Supply

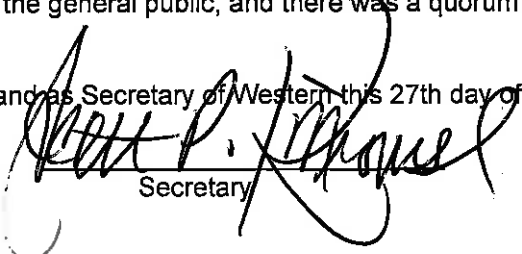
Motion by Director Morgan seconded by Director Siebert

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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



SOURCEWELL CONTRACT

070821-SCI



**CUSTOMER QUOTE
SDX-102 SNOW BLOWER**

Bill To:

Ship To:

| | |
|--|---|
| Western Regional Off Track Betting Corp. 8315 Park Road Batavia, NY 14020-1272 585-343-1423 Sourcewell # 170514 Megan Gior mgior@westernotb.com Federal ID#: | Schulte Supporting Dealer: Land Pro Equipment 7815 Lewiston Road, Oakfield, NY 14215 Steve Saraceni 585-948-5261 ssaraceni@landproequip.com Dealer to PDI/Warranty Register/Deliver to Customer Federal ID#: |
|--|---|

REQUESTED SHIP DATE: Yard

SHIP VIA: Dealer Delivery

CUSTOMER PO#:

REP PO#: Brett

DUE DATE: Net 30 Days

REP INFO: C&B

TERRITORY REP: Glenn Brewster

PROD RUN: Field/Dealer Inventory

DATE: 7/10/2022 SHIPPING TERMS: DAP DESTINATION DISCOUNT 32%

| QTY | PART # | DESCRIPTION | USA LIST | QUOTE/NET |
|-----|------------|--|-----------|-----------|
| | | SNOW BLOWER BASIC UNIT | | |
| 1 | B102-090 | SDX-102 Snow Blower c/w CAT 2 3 point Hitch Kit | 14,337.00 | 9,749.16 |
| | | POWER SHAFT for 540 RPM Gear Box (choose one) | | |
| 1 | 340-924WG | Size 9 Heavy Duty PTO Shaft | 1,077.00 | 732.36 |
| | 340-927WG | Size 9 Heavy Duty PTO Shaft (for TV145 engine end) | 1,168.00 | |
| | | Optional Gear Box | | |
| | B102-175 | 1000 RPM Gear Box STANDARD CW Rotation | 1,910.00 | |
| | B102-175R | 1000 RPM Gear Box CCW Rotation | 2,137.00 | |
| | | NOTE: For SDX-102's built in 2019 and earlier, please contact Schulte Industries regarding 1000 RPM options | | |
| | | POWER SHAFT for 1000 RPM Gear Box | | |
| | 340-928WG | 1-3/8 21 spline shaft 1000 RPM | 1,125.00 | |
| | | NOTE: Do not order above shaft if going on Front mount frame | | |
| | | Chute Kit (choose one) | | |
| 1 | B110-270 | Heavy Duty Chute Kit with Dbl Chut Deflector | 1,903.00 | 1,294.04 |
| 1 | B840-250 | Cylinder Kit for B110-270 (Required) | 502.00 | 341.36 |
| 1 | B110-280 | Truck Loading Chute Kit with Dbl Chute Deflector | 2,615.00 | 1,778.20 |
| 1 | B110-260 | Cylinder Kit for B110-280 (Required) | 534.00 | 363.12 |
| | | NOTE: Cylinder kits are complete with 2" x 6" cylinder & hoses | | |
| | B102-250 | Folding Truck Loading Chute | 4,543.00 | |
| | | NOTE: Hoses & Two Cylinders included in B102-250 | | |
| | B960-260 | 3pt Extension Kit - no shaft included (For SDX-102 units built 2014 or earlier) | 950.00 | |
| | B890-300WG | Gauge Wheels with Tapered Roller Bearings | 1,743.00 | |

It is understood that I have read and understand the above information.



SOURCEWELL CONTRACT

070821-SCI



CUSTOMER QUOTE

FM-115 Front Mount 3pt Hitch Frame

Bill To:

Ship To:

| | |
|---|--|
| Western Regional Off Track Betting Corp. 8315 Park Road Batavia, NY 14020-1272 585-343-1423 Sourcewell # 170514 Megan Glor mglor@westernotb.com | Schulte Supporting Dealer: Land Pro Equipment 7815 Lewiston Road, Oakfield, NY 14216 Steve Saraceni 585-946-5261 ssaraceni@landproequip.com Dealer to PDI/Warranty Register/Deliver to Customer |
| Federal ID#: | Federal ID#: |

REQUESTED SHIP DATE: Yard

SHIP VIA: Dealer Delivery

CUSTOMER PO#:

REP PO#: Brett

DUE DATE: Net 30 Days

REP INFO: C&B

TERRITORY REP: Glenn Brewster

PROD RUN: Field/Dealer Inventory

DATE: 7/10/2022 SHIPPING TERMS: DAP DESTINATION DISCOUNT 32%

| QTY | PART # | DESCRIPTION | USA LIST | QUOTE/NET |
|-----|---|---|----------|-----------|
| 1 | F115-100 | FM-115 Front Mount Frame (less drive line) | 7,488.00 | 5,091.84 |
| 1 | F115-200 | Driveline package (Used for Snow Blowers) For 540 rpm PTO Tractors | 5,494.00 | 3,735.92 |
| 1 | 340-924WG | 1-3/8 26 (Size 9) for RDX-102, SDX-102 and SDX840 | 1,077.00 | 732.36 |
| | F115-410 | Hydraulic Bank and Mount, Single Required for drum rotation on RDX-102 | 487.00 | |
| 1 | | Tractor Mount | 700.00 | 476.00 |
| | Make: John Deere | Model: 6140 | | |
| | *Please contact us for tractor mount options & availability | | | |

| | | | |
|---|--|--------------------|--------------------|
| * I acknowledge that I have ordered the equipment | Total Extended List / Customer Net | 14,759.00 | 10,036.12 |
| | Program Discount / Net of All Discounts | | 10,036.12 |
| | Steel Surcharge | 3.00% | \$442.77 |
| | Dealer PDI | 2,000.00 | 2,000.00 |
| | Freight (Approx.) - Factory to Dealer | 1,500.00 | 1,500.00 |
| | Freight (Approx.) - Factory to Customer | 300.00 | 300.00 |
| | Total Quote Retail List / Invoice | \$18,559.00 | \$14,278.89 |

* Freight subject to current freight costs at time of shipping

Customer Signature

Print Name

7/26/2022

* Shipping at Schulte Industries Ltd. Convenience

I acknowledge that I have ordered the equipment described on this quote.

| | | |
|--|--------------------|--------------------|
| Total Extended List / Customer Net | 20,968.00 | 14,258.24 |
| Program Discount / Net of All Discounts | | 14,258.24 |
| Steel Surcharge | 3.00% | \$629.04 |
| Dealer PDI | 850.00 | 850.00 |
| SDX-102 + Extra Chute-Factory/Dealer | 2,050.00 | 2,050.00 |
| Freight (Approx.) - Factory to Customer | 300.00 | 300.00 |
| Total Quote Retail List / Invoice | \$24,168.00 | \$18,087.28 |

* Freight subject to current freight costs at time of shipping

Customer Signature

Print Name

Date

7/26/2022

* Shipping at Schulte Industries Ltd. Convenience

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #133-2022 was duly put to a vote on roll call, which resulted as follows: LandPro Equip LLC

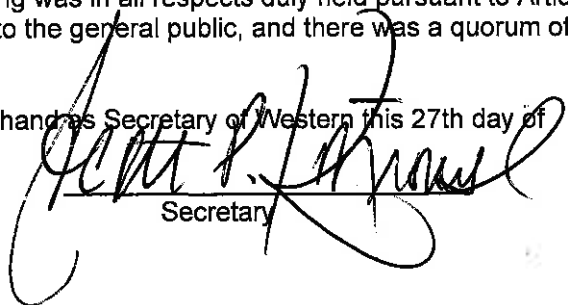
Motion by Director Morgan seconded by Director Lauderdale

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

RESOLUTION #134-2022

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 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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #134-2022 was duly put to a vote on roll call, which resulted as follows: Travel Click 2023

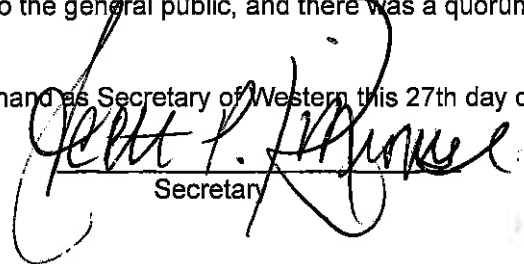
Motion by Director Morgan seconded by Director Winter

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Robert P. Morgan
 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #135-2022 was duly put to a vote on roll call, which resulted as follows: Booking.com

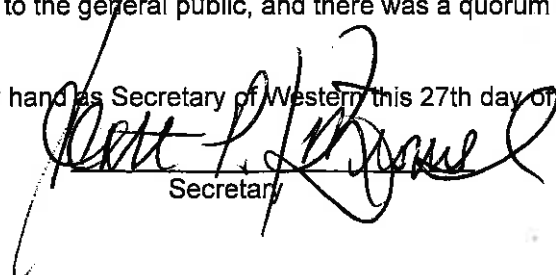
Motion by Director Morgan seconded by Director May

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|----------------|
| | | | X | | Buffalo | Parmer-Garrner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #136-2022 was duly put to a vote on roll call, which resulted as follows: Expedia 2023

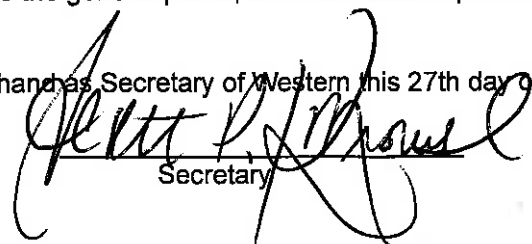
Motion by Director Morgan seconded by Director May

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #137-2022 was duly put to a vote on roll call, which resulted as follows: Room Service Amenities Supp

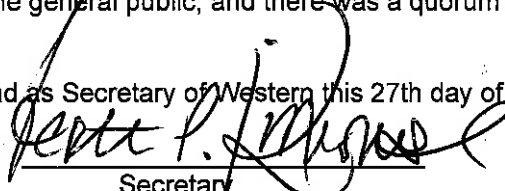
Motion by Director Morgan seconded by Director Horton

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

HOSPITALITY ITEMS-BID SHEET

| <u>ITEM</u> | <u>SIZE</u> | <u>PER CASE</u> | <u>TOTAL PER CASE</u> |
|------------------------------|-------------|-----------------|-----------------------|
| MAKEUP REMOVER TOWELETTE | 0.17 oz. | 1000 | \$ <u>182.55</u> |
| NATURA GREEN SHAMPOO | 25ml | 500 | \$ <u>182.65</u> |
| NATURA GREEN CONDITIONER | 25ml | 500 | \$ <u>185.25</u> |
| NATURA GREEN BODY WASH | 25ml | 500 | \$ <u>187.93</u> |
| NATURA GREEN MOISTURIZER | 25ml | 500 | \$ <u>190.70</u> |
| NATURA GREEN SOAP | 25gr | 500 | \$ <u>160.69</u> |
| NATURA GREEN LEAF SOAP | 40gr | 400 | \$ <u>159.16</u> |
| NATURA GREEN EXFOLIATOR SOAP | 50gr | 300 | \$ <u>140.29</u> |
| NATURA GREEN SHOWER CAP | | 500 | \$ <u>110.98</u> |

***Note: pricing based on minimum order of 10 total combined cases. Price list (attached) also includes discount for orders of 40+ total combined cases. Items subject to Section 301 tariffs are subject to 5% tariff surcharge which will be charged as a separate line item on invoice.**


 SIGNATURE
President
 TITLE
10/8/22
 DATE
22 243 1558
 FEIN #

A.D.S. Sales Co. Inc. d/b/a Room Service
 FIRM America
1090 Campus Dr. W
 ADDRESS
Morristown, NJ 07751
 CITY, STATE & ZIP CODE
732 591 0500 732 591 1624
 TELEPHONE # FAX #

YOU MUST SIGN AND RETURN THIS SHEET WITH YOUR BID

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #138-2022 was duly put to a vote on roll call, which resulted as follows: Room Service Amenities 2023

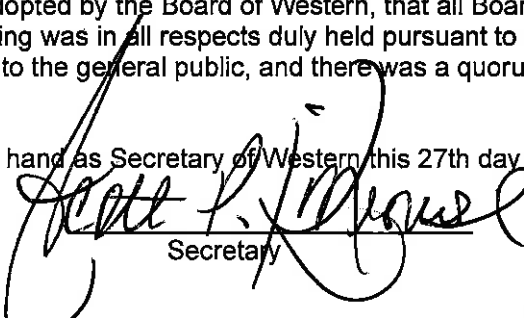
Motion by Director Morgan seconded by Director May

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 meeting was in all respects duly 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #139-2022 was duly put to a vote on roll call, which resulted as follows: Everi

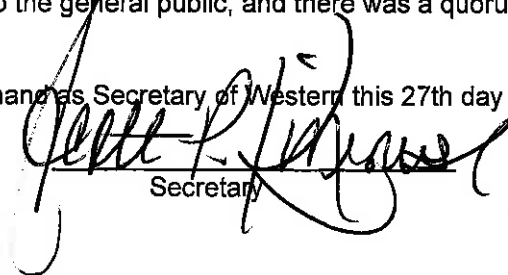
Motion by Director Morgan seconded by Director Bombardo

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #140-2022 was duly put to a vote on roll call, which resulted as follows: Pepsi

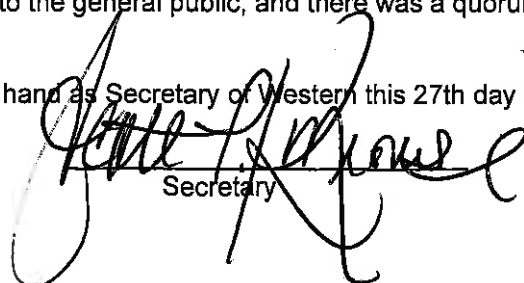
Motion by Director Morgan seconded by Director Winter

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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 |

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #141-2022 was duly put to a vote on roll call, which resulted as follows: 2023 Food & Beverage List attached

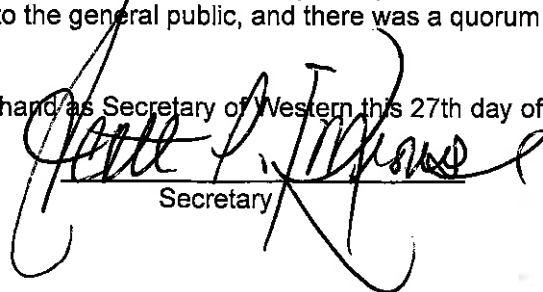
Motion by Director Morgan seconded by Director Bombardo

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary

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

The question of the adoption of the Bathroom Upgrade was duly put to a vote on roll call, which resulted as follows:

Motion to Waive the Rules of Order by Director Morgan seconded by Director Horton

Motion by Director Morgan seconded by Director Horton

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.

Secretary

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #142-2022 was duly put to a vote on roll call, which resulted as follows: Daily Racing Forms

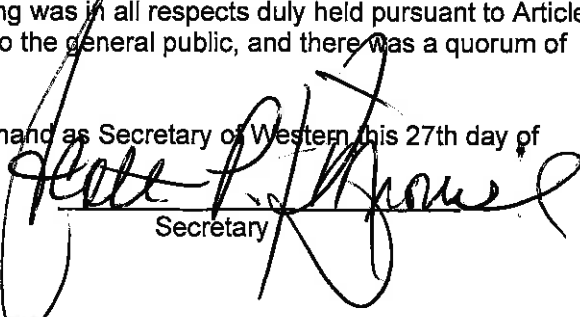
Motion by Director Horton seconded by Director Burr

| AYE | NAY | ABSTAIN | ABSENT | VACANT | COUNTY | DIRECTOR |
|-----|-----|---------|--------|--------|-------------|---------------|
| | | | X | | Buffalo | Parmer-Garner |
| X | | | | | Cattaraugus | 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 12 NAYS _____ ABSTAIN _____ ABSENT 4 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 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 27th day of October 2022.


 Secretary