

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 26th day of May, 2022 and commencing at 10:00 a.m. in the *Boardroom*, Corporate Headquarters at 8315 Park Road Batavia, New York.

Participating were:

Cattaraugus	Mark Burr
Livingston	Thomas Wamp
Monroe	Richard Bianchi
Niagara	Elliott Winter
Orleans	Edward Morgan
Oswego	Mark Bombardo
Rochester	Dennis Bassett
Seneca	Richard Ricci
Steuben	Michael Horton
Wyoming	Susan May

Absent:

Buffalo	Parmer-Garner
Cayuga	Lattimore
Chautauqua	Vacant
Erie	Warthling
Genesee	Siebert
Schuyler	Barnes
Wayne	Lauderdale

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 Gabriele, Associate General Counsel; Ryan Hasenauer, Director of Marketing-WROTBC & Video Gaming.

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

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

Chairman Bianchi asked Director May 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 April 28, 2022. There being none, a motion was made by Director Bassett and seconded by Director Winter to approve the April minutes as submitted. The minutes were approved unanimously by voice vote.

Communications:

The Corporation received the following thank you notes that were read to members by Mr. Scott P. Kiedrowski, Vice President - Operations:

From Rochester Regional Health for the Stay & Play package for the UMMC Nurses Week raffle.

From Genesee Cancer Assistance Sue Underwood, Executive Director for the sponsorship for the Genesee Cancer Assistance 27th Annual Golf Tournament.

Personnel Committee Report:

Committee Chairman Winter called the meeting to order at 1:10 p.m. and the following items were discussed:

A motion was made by Director Winter, seconded by Director May to enter into Executive Session. At 2:05 p.m. a motion was made by Director Winter to exit Executive Session, seconded by Director May. At 2:20 p.m. the Personnel Committee meeting resumed.

Mr. William R. White, Vice-President-Administration informed the Committee that there are five (5) Chefs that are at the maximum accruals for vacation and have requested to buy-back forty (40) hours each. A motion to approve the vacation buy-back was made by Director Bassett, seconded by Director Ricci and carried unanimously.

Upon motion by Director Winter and seconded by Director Ricci a roll call vote was taken. The motion passed to approve the requested buy-back of forty (40) hours each. Ayes: 9; Nays: 0; Absent: 7; Parmer-Garner; Lattimore; Warthling; Siebert; Bassett; Barnes; Lauderdale; Vacant: 1; Chautauqua.

Personnel Committee Report continued:

Mr. White informed the Committee that Management would like to eliminate the position of General Manager Live Racing/Brach Operations Specialist from the Jobs Compendium. A motion was made to eliminate this position from the Compendium by Director Bianchi, seconded by Director Bassett and carried unanimously.

Upon motion by Director Winter and seconded by Director Morgan a voice vote was taken and passed unanimously.

Mr. Kiedrowski informed the Committee of the need to add four (4) Skilled Maintenance positions going from eight (8) to twelve (12). He reported that the Corporation has many projects going on and we need skilled personnel to perform these duties. A motion was made by Director Bianchi to approve this, seconded by Director Bassett and carried unanimously.

Upon motion by Director Winter and seconded by Director Ricci a voice vote was taken and passed unanimously.

Mr. White informed the Committee that Management would like to create a new position in the Live Racing Department. The title is Administrative Assistant – Live Racing. This position will be a Grade 8. A motion to approve this position was made by Director Bassett, seconded by Director May and carried unanimously.

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

A motion by Director May and seconded by Director Ricci the Personnel Committee adjourned at 2:30 p.m.

Finance Committee Report:

Committee Vice-Chairman Wamp reported that the Finance Committee meeting was held on Wednesday May 25, 2022 at 2:33 p.m. and the following items were discussed.

Finance Committee Report continued:

The Corporation is required to hold a Letter of Credit related to its self-insured Workers Compensation Program. Currently this Letter of Credit is collateralized with a mix of cash and a security interest in OTB Branch properties. Management is proposing Resolution #52-2022 to fully fund this reserve account and remove the security interest on OTB Branch properties.

Upon motion by Director Horton, seconded by Director Winter, and carried unanimously for Resolution #52-2022 to be carried to the full Board.

Upon motion by Director Wamp and seconded by Director Horton a roll call vote was taken. The motion passed to fully fund this reserve account and remove the security interest on OTB Branch properties Ayes: 9; Nays: 0; Absent: 7; Parmer-Garner; Lattimore; Warthling; Siebert; Bassett; Barnes; Lauderdale; Vacant: 1; Chautauqua. **See Resolution #52-2022**

Management is recommending that the Board engage Roberts Communications Network, LLC a sole source provider who will provide simulcast uplink reception service at Western's various locations, including equipment and installation cost for a one (1) year period for a total amount not to exceed \$287,793.

Upon motion by Director Winter, seconded by Director Horton, and carried unanimously for Resolution #53-2022 to be carried to the full Board.

Upon motion by Director Wamp and seconded by Director Bombardo a roll call vote was taken. The motion passed to engage Roberts Communications Network, LLC a sole source provider who will provide simulcast uplink reception service at Western's various locations, including equipment and installation cost for a one (1) year period for a total amount not to exceed \$287,793. Ayes: 9; Nays: 0; Absent: 7; Parmer-Garner; Lattimore; Warthling; Siebert; Bassett; Barnes; Lauderdale; Vacant: 1; Chautauqua. **See Resolution #53-2022**

Mrs. Jacquelyne A. Leach, Chief Financial Officer reviewed the April 2022 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$62,195 in surcharge revenues to member municipalities for April. Mrs. Leach also reviewed the April 2022 Batavia Downs results of operations, and provided information on credits played, net win and free play, food and beverage, hotel and other statistics.

Finance Committee Report continued:

Upon motion by Director Winter, seconded by Director Horton and carried unanimously, the Chief Financial Officer Report and BDG Financials were approved for April 2022.

Upon motion by Director Wamp and seconded by Director Bombardo a voice vote was taken and passed unanimously.

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

A motion by Director Horton and seconded by Director Winter the Finance Committee adjourned at 2:57 p.m.

Advertising & Promotions Committee Report:

Committee Chairperson May reported that the Advertising & Promotions Committee meeting was held on Wednesday May 25, 2022 at 3:00 p.m. and the following items were discussed.

Ryan Hasenauer, Director of Marketing delivered a presentation showing photos and a recap from the Kentucky Derby Parties, Tacos and Tequila Preakness Party and Abbamania.

Batavia Downs hosted a problem gaming press conference along with officials from the New York State Gaming Commission and received praise for how well attended the event was from local media outlets.

Mr. Hasenauer previewed Concert Series and the Bourbon and Whiskey Fest.

Mr. Hasenauer requested permission for Out of State Travel for staff to attend the Casino Marketing Conference and Host Conference.

Upon motion by Director May and seconded by Director Ricci a voice vote was taken and passed unanimously.

Mr. Hasenauer presented the Resolution #51-2022 to engage into an agreement with Eventbrite to provide ticket services for various concerts for a one (1) year period

Advertising and Promotions Committee Report continued:

Upon motion by Director May and seconded by Director Ricci a roll call vote was taken. The motion passed to engage into an agreement with Eventbrite to provide ticket services for various concerts for a one (1) year period Ayes: 9; Nays: 0; Absent: 7; Parmer-Garner; Lattimore; Warthling; Siebert; Bassett; Barnes; Lauderdale; Vacant: 1; Chautauqua . **See Resolution #51-2022**

Mr. Hasenauer presented the Resolution #55-2022 to enter into an agreement with Growth Marketing of Rochester, LLC the lowest responsible bidder to provide marketing and advertising assistance for one year with an option for three additional one-year terms.

Upon motion by Director May and seconded by Director Wamp a roll call vote was taken. The motion passed to enter into an agreement with Growth Marketing of Rochester, LLC Ayes: 9; Nays: 0; Absent: 7; Parmer-Garner; Lattimore; Warthling; Siebert; Bassett; Barnes; Lauderdale; Vacant: 1; Chautauqua. **See Resolution #55-2022**

A motion by Director May and seconded by Director Ricci the Advertising & Promotions Committee adjourned at 3:15 p.m.

Branch Operations Committee Report:

Committee Vice-Chairman Horton reported the Branch Operations Committee meeting was held on Wednesday May, 25 2022 at 3:20 p.m. and the following items were discussed.

Ms. Pane reported that the West Ridge Road Branch will close at the end of business on Saturday, May 28, 2022. Staff and the NYS Gaming Commission have been notified.

Ms. Dina Pane, General Manager OTB Operations informed the Committee that the Grand Opening party for the Dark Horse Saloon was held on Thursday, May 19, 2022 and she would like to thank Director Horton for attending the event. Director Morgan identified a possible new E-Z Bet location in Oswego County, Angry Mark's. They have been given the proper paperwork and are in the process of completing same. Salvatore's in Monroe County, the old Jefferson Road Branch location, has completed their paperwork and it will be submitted to the Gaming Commission next week for approval. Ms. Pane reported that we are still waiting for Tommy Boys in Newark, Wayne County, to complete their paperwork.

Branch Operations Committee Report continued:

Ms. Pane reported that Batavia Bets is down 20% year to date. Last year's numbers were high due to customers still relying on Batavia Bets as opposed to coming in to the Branches.

Mr. Wojtaszek informed the Committee that there is a Realtor interested in purchasing part of the River Road parking lot. He also informed the Committee that there is a company interested in the Jamestown Branch facility and that we are just waiting for an official offer. Mr. Wojtaszek reported that Mr. Gabriele will be sending the concessionaire at our Military Road location a letter informing them that we consider them on a month to month lease moving forward. Mr. Wojtaszek discussed Western engaging a realtor by the name of Jay Herlan of 716 Realty to list the property located on River Road, North Tonawanda, Niagara County for sale.

Upon motion by Director Bombardo, seconded by Director Bianchi, and carried unanimously for Resolution #58-2022 to be carried to the full Board.

Upon motion to waive the rules by Director Horton and seconded by Director Bombardo for Resolution #58-2022 a voice vote was taken and passed unanimously.

Upon motion by Director Horton and seconded by Director Bombardo a roll call vote was taken. The motion passed to engage the services of 716 Realty Group for the sale of the River Road property in Niagara County. Ayes: 9; Nays: 0; Absent: 7; Parmer-Garner; Lattimore; Warthling; Siebert; Bassett; Barnes; Lauderdale; Vacant: 1; Chautauqua . **See Resolution #58-2022**

Upon motion by Director Horton and seconded by Director Winter the Branch Operations Committee meeting adjourned at 9:42 a.m.

Insurance Committee Report:

Committee Chairperson May Called the Insurance meeting to order at 3:31 p.m. on Wednesday May 25, 2022 and the following items were discussed.

Mr. Wojtaszek discussed an Insurance Renewal for Property & Casual Liability with Garland Insurance & Financial Services who will provide commercial insurance coverage for a one (1) year term from June 1, 2022 through June 1, 2023 for a renewal premium of \$1,076,365.97.

Insurance Committee Report continued:

A motion by Director Ricci and seconded by Director Bassett, the motion passed to be carried to the full Board.

Upon motion to waive the rules for the Resolution #57-2022 by Director Bombardo seconded by Director Winter a voice vote was taken and passed unanimously.

Upon motion by Director May and seconded by Director Bombardo a roll call vote was taken. The motion passed to enter into an agreement with Garland Insurance & Financial Services for a one year term in the amount of \$1,076,365.97. Ayes: 9; Nays: 0; Absent: 7; Parmer-Garner; Lattimore; Warthling; Siebert; Bassett; Barnes; Lauderdale; Vacant: 1; Chautauqua. **See Resolution #57-2022**

A motion by Director Bassett and seconded by Director Burr the Insurance Committee adjourned at 3:34 p.m.

Legislative Committee Report:

Committee Chairman Bombardo reported that the Legislative Committee meeting was held on Wednesday May 25, 2022 at 3:40 p.m. and the following items were discussed.

Mr. Patrick McCarthy, Mercury Public Affairs and Mr. Sam Hoyt, Upstate Strategic Advisors held a discussion via phone conference regarding the activity in Albany.

A motion by Director Bombardo and seconded by Director Bianchi the Legislative Committee adjourned at 3:52 p.m.

Audit Committee Report:

The Audit Committee did not meet.

Batavia Downs Operations Committee Report:

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Thursday May 26, 2022 at 9:02 a.m. and the following items were discussed.

Mr. Dave Hart and Mr. Rick Likus held a discussion on the status and statics of the Batavia Downs Hotel.

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

Mr. Wojtaszek provided a Park Road update. He is pleased how it is moving along well.

The Resolution #49-2022 was presented to accept the change order proposal of Hulme, to conduct changes to the foundation portion of the warehouse project in the amount not to exceed \$32,236.82.

Upon motion by Director Morgan and seconded by Director Winter a roll call vote was taken. The motion passed accept the change order proposal of Hulme, to conduct changes to the foundation portion of the warehouse project in the amount not to exceed \$32,236.82. Ayes: 9; Nays: 0; Absent: 7; Parmer-Garner; Lattimore; Warthling; Siebert; Bassett; Barnes; Lauderdale; Vacant: 1; Chautauqua. **See Resolution #49-2022**

The Resolution #50-2022 was presented for Sysco Food Services for the supplemental purchase order for use in the Food & Beverage Department through the end of the third quarter 2022, in the amount not to exceed \$50,000.00

Upon motion by Director Morgan and seconded by Director Burr a roll call vote was taken. The motion passed for the supplemental purchase order for use in the Food & Beverage Department through the end of the third quarter 2022, in the amount not to exceed \$50,000.00. Ayes: 9; Nays: 0; Absent: 7; Parmer-Garner; Lattimore; Warthling; Siebert; Bassett; Barnes; Lauderdale; Vacant: 1; Chautauqua. **See Resolution #50-2022**

The Resolution #54-202 was presented for Rubber Form Recycled Products, LLC for the purchase of twenty-eight (28) sheets of rubber rolled matting for use in the horse stalls of which the Horseman's Association will pay 50% in the amount of \$75,078.20.

Batavia Downs Operations Committee Report continued:

Upon motion by Director Morgan and seconded by Director Burr a roll call vote was taken. The motion passed to purchase twenty-eight (28) sheets of rubber rolled matting for use in the horse stalls of which the Horseman's Association will pay 50% in the amount of, in the amount of \$75,078.20. Ayes: 9; Nays: 0; Absent: 7; Parmer-Garner; Lattimore; Warthling; Siebert; Bassett; Barnes; Lauderdale; Vacant: 1; Chautauqua. ***See Resolution #54-2022***

Resolution #56-2022 was presented for 570 DAB 30, LLC owner of the Kmart property for additional parking for the period June 1, 2022 through August 31, 2022 in the amount of \$30,000.00.

Upon motion by Director Morgan and seconded by Director Burr a roll call vote was taken. The motion passed for additional parking for the period June 1, 2022 through August 31, 2022 in the amount of \$30,000.00. Ayes: 9; Nays: 0; Absent: 7; Parmer-Garner; Lattimore; Warthling; Siebert; Bassett; Barnes; Lauderdale; Vacant: 1; Chautauqua. ***See Resolution #56-2022***

A motion made by Director and seconded by Director the Batavia Downs Operations Committee meeting adjourned at 10:10 a.m.

New Business:

The next Committee and Board meeting is scheduled for June 22 and 23, 2022 respectively.

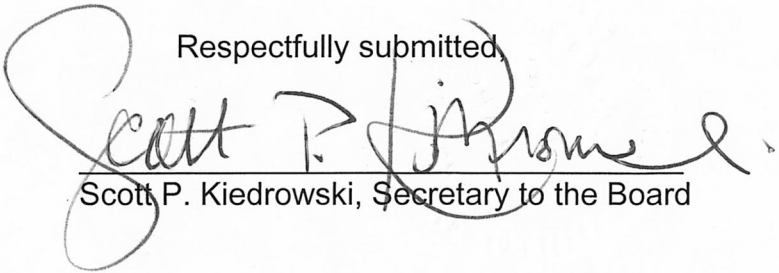
Chairman Bianchi advised the members that a meeting was held with Mr. Bruce Tubin of the NYS Harness Horseman's Association for the possibility of holding live racing 15 or 16 dates in January and February of 2023. More information will be provided next month.

Board of Directors
Meeting #541
May 26, 2022
11 of 11

Adjournment:

A motion made by Director Burr to adjourn seconded by Director Winter the meeting was adjourned at 10:52 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 initial "S" and a long horizontal stroke at the end.

Scott P. Kiedrowski, Secretary to the Board

/pma

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #49-2022 was duly put to a vote on roll call, which resulted as follows: Hulme

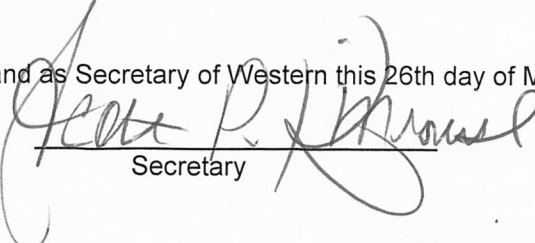
Motion by Director Morgan, seconded by Director Winter

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Burr
			X		Cayuga	Lattimore
			X		Chautauqua	
			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 9 NAYS ABSTAIN ABSENT 7 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 26th day of May 2022.


 Secretary

RESOLUTION #49-2022

WHEREAS, Western previously entered into an agreement with Edward Hulme, Inc. ("Hulme") for the construction of a new warehouse and cold storage facility at its Batavia Downs location; and

WHEREAS, staff is recommending that an additional change order be entered into between Western and Hulme, whereby Hulme would make various changes to the foundation portion of the project, as more particularly set forth in the attached change order proposal; and

WHEREAS, Hulme has proposed to make the changes as set forth for the amount of \$32,236.82; and, therefore be it

RESOLVED that the Board of Directors of Western hereby authorize the change order as attached hereto and to accept the proposal of Hulme to conduct such work in an amount not exceeding \$32,236.82; and further

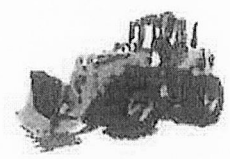
RESOLVED, that an officer of Western is authorized to execute such documentation in furtherance of the Board's approval of this resolution.

Respectfully submitted,



Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: May 26, 2022
Batavia, New York



EDWARD HULME, INC.
 17 East Buffalo Street
 Warsaw, New York 14569
 585-786-5880 Fax 585-786-8269

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

Change Order:2
 Date 12/16/21
 MC/Change Order 21
 Batavia Downs Warehouse

We hereby agree to make the change(s) specified below:
 Owner has requested the following changes:

- 11/3 Foundation size and rebar increased substantially. Added rebar and concrete and labor per revised foundation plans \$6,693.03
- 11/10 Added removal and replacement of unsatisfactory fill beneath building (299 yds) and replace with 2" CR limestone with compaction. (599 ton) \$26,299.79
- 11/19 Small changes to floor reinforcement, demo, fencing and erosion control (\$756.00)
- 11/22 Add level plates, credit grouting, add use of blankets N/C
- Total added cost \$32,236.82**

Pending

<u>PREVIOUS CONTRACT</u>	\$312,855.38
INCREASE THIS CHANGE ORDER	<u>\$ 32,236.82</u>
<u>NEW CONTRACT TOTAL</u>	<u>\$345,092.20</u>

Note: This change order becomes part of and in conformance with the existing contract. A two percent per month service charge will be added to all accounts not paid within 30 days of first billing. In the event of default, if this account is placed in the hands of attorneys for collection, buyer agrees to pay all costs and expenses incurred, including reasonable attorney's fees of 25%.

WE AGREE hereby to make the change(s) specified above at this price => ADD \$32,236.82

Date 12/16/21(revision date)	Previous Contract Amount \$312,855.38
Authorized Signature	Revised Contract Total \$345,092.20

Accepted - The above prices and specifications of this Change Order are satisfactory and are hereby accepted. All work to be performed under same terms and conditions specified in original contract unless otherwise stipulated.

Date of Acceptance 1/5/22
 Signature

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #50-2022 was duly put to a vote on roll call, which resulted as follows: Sysco Food Service

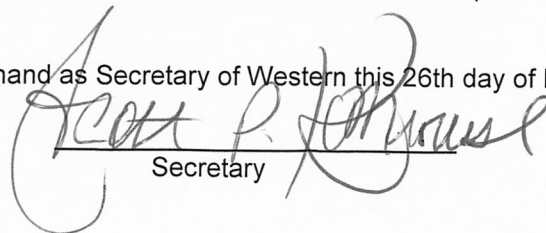
Motion by Director Morgan, seconded by Director Burr

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Burr
			X		Cayuga	Lattimore
			X		Chautauqua	
			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 9 NAYS ABSTAIN ABSENT 7 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 26th day of May, 2022.


 Secretary

RESOLUTION - #50-2022

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to provide the best dining experience to its patrons at Western's Batavia Downs restaurants; and

WHEREAS, Western had previously approved a purchase order for food and related items from Sysco Food Services ("Sysco"); and

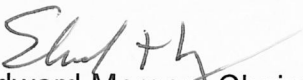
WHEREAS, Western requires a supplemental purchase order in the amount of \$50,000.00 for use by the Food and Beverage Department through the end of third quarter 2022; and

WHEREAS, staff requests that the Board of Directors of Western approve a supplemental purchase order in an amount not to exceed \$50,000.00 with Sysco for food and related items through the end of the third quarter of 2022; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approves a supplemental purchase order in an amount not to exceed \$50,000.00 from Sysco through the end of the third quarter 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: May 26, 2022
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #51-2022 was duly put to a vote on roll call, which resulted as follows: EventBrite

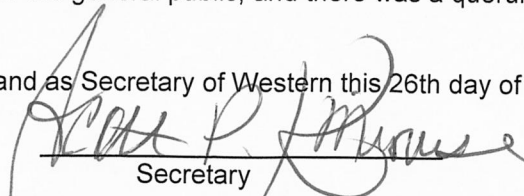
Motion by Director Morgan, seconded by Director Ricci

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Burr
			X		Cayuga	Lattimore
			X		Chautauqua	
			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 9 NAYS ABSTAIN ABSENT 7 Vacant 1

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IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 26th day of May, 2022.



 Secretary

RESOLUTION - #51-2022

WHEREAS, the Western Regional Off-Track Betting Corporation ("Western") is the owner and operator of Batavia Downs Gaming located at 8315 Park Road, Batavia, New York and holds concerts at that location; and

WHEREAS, in order to hold a concert, Western is required to sell tickets for each event held at its location; and

WHEREAS, Eventbrite has previously provided such ticket services to Western; and

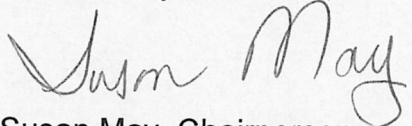
WHEREAS, staff has reached out to four (4) such providers as detailed on the attached schedule in respect to providing such services for Western's concerts; and

WHEREAS, Staff recommends that the Board of Western enter into an agreement with Eventbrite to provide concert ticket services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Western approves an agreement with Eventbrite to provide ticket services to Western for its various concerts for a one (1) year period along the terms of the proposal attached hereto; and

IT IS FURTHER, RESOLVED that an officer of Western is directed to execute such documents as to further this resolution.

Respectfully submitted,



Susan May, Chairperson
Advertising & Promotions Committee

Dated: May 26, 2022
Batavia, New York

Analysis of Ticket Providers

Each ticketing service charges a different amount to the end user (Not Batavia Downs)
 The various amounts seen below actually showcase the different amount of money the consumer pays.

On a \$15 Ticket,

	FEES		CREDIT CARD PERCENTAGE	TOTAL
			(Charged to End User)	
Eventbrite would charge	\$ 1.74	X	2.5%	\$ 2.12
Helm	\$ 1.95	X	3%	\$ 2.40
Humantix	\$ 1.30	X	3%	\$ 1.75
Ticketleap	\$ 1.30	X	3%	\$ 1.75

The cost savings above is what the ticket buying customer would see. Switching our entire catalogue of events to a new platform to charge our customers less money would not be a wise move in our estimation. Those wishing to buy tickets to an event here would have to sign up for a new account on a new ticketing website. This would further complicate selling tickets. We would also lose our entire customer database for email marketing because those persons have accounts with Eventbrite.

None of the companies offer any hardware, whereas Eventbrite furnished us with the printer, an ipad and several ticket scanners.

Eventbrite is also established nationally but especially in the WNY area and boasts partners like the Rapids Theatre and many other bars, restaurants, breweries and event spaces. This allows a person who already has a Eventbrite account to purchase ticket to our events without to much issue.

Due to these factors, staff recommends continuing with Eventbrite.

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #52-2022 was duly put to a vote on roll call, which resulted as follows: Reserved Savings Funding

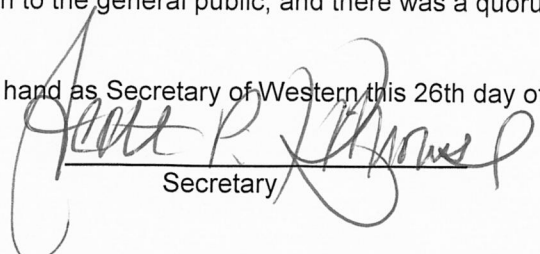
Motion by Director Wamp, seconded by Director Horton

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Burr
			X		Cayuga	Lattimore
			X		Chautauqua	
			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 9 NAYS ABSTAIN ABSENT 7 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 26th day of May, 2022.


 Secretary

RESOLUTION #52-2022

WHEREAS, it is the responsibility of Western Regional Off-Track Betting Corporation (“Western”) to operate the business in the most efficient and economically practical manner; and

WHEREAS, Western was previously issued a Letter of Credit with the Bank of Castile in the amount of \$900,000 as a requirement for Western to self-insure its Workers Compensation exposure; and

WHEREAS, as security for the Letter of Credit, the Bank of Castile required a continued security interest in various branch properties and/or a reserved savings account in the amount of \$900,000 to be held by the Bank of Castile; and

WHEREAS, Western paid off a bond with the Bank of Castile in August 2021 that also had the branch properties as additional security for that loan; and

WHEREAS, staff believes that it is in the best interest of Western to fully fund the reserve account at Bank of Castile up to \$900,000, and to have the branch properties released and discharged as security; and

WHEREAS, Western wishes to fully fund the reserve account with Bank of Castile from its various revenue sources; now therefore be it

RESOLVED, that the Board of Directors of Western authorize staff to fully fund the reserved savings account with the Bank of Castile using its various revenue sources; and further

RESOLVED, that an officer of Western is authorized to take all steps necessary in furtherance of the Board's resolution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Wamp', written in a cursive style.

Thomas Wamp, Vice-Chairman
Finance Committee

Dated: May 26, 2022
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #53-2022 was duly put to a vote on roll call, which resulted as follows: Roberts Communications Network LLC

Motion by Director Wamp, seconded by Director Bombardo

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Burr
			X		Cayuga	Lattimore
			X		Chautauqua	
			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 9 NAYS ABSTAIN ABSENT 7 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 26th day of May, 2022.


 Secretary

RESOLUTION - #53-2022

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate Batavia Downs, Off-Track Betting parlors and EZ bet locations; and

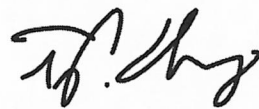
WHEREAS, the use of simulcast reception services at Western’s Batavia Downs, Off-Track Betting parlors and EZ Bet locations is indispensable: and

WHEREAS, Roberts Communications Network, LLC (“Roberts”), a sole source provider, will provide simulcast reception services at Western’s various locations, including equipment and installation costs, for a one (1) year period for the total amount of not to exceed \$287,793.00; and therefore

BE IT RESOLVED, that the Board of Directors of Western hereby approves the simulcast reception service agreement with Roberts for a one (1) year period in a total amount not to exceed \$287,793.00; and

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

Respectfully submitted,



Thomas P. Wamp, Vice-Chairman
Finance Committee

Dated: May 26, 2022
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #54-2022 was duly put to a vote on roll call, which resulted as follows: Rubbers Form Recycled Products (Stalls)

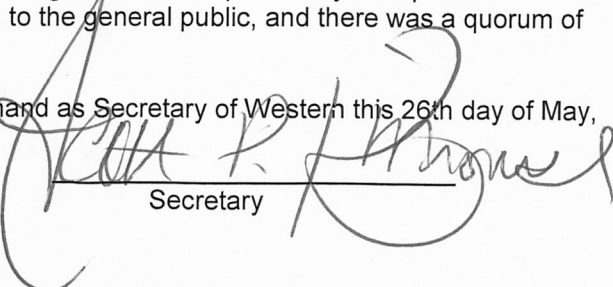
Motion by Director Morgan, seconded by Director Burr

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Burr
			X		Cayuga	Lattimore
			X		Chautauqua	
			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 9 NAYS ABSTAIN ABSENT 7 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 26th day of May, 2022.



 Secretary

RESOLUTION - #54-2022

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

WHEREAS, Western requires that new rubber rolled matting be installed in the horse stalls; and

WHEREAS, Horseman’s Association will split the cost of the rubber rolled matting with Western; and

WHEREAS, Western sent out an RFP for pricing for twenty-eight (28) sheets of rubber rolled matting four (4) feet wide and two hundred (200) feet long; and

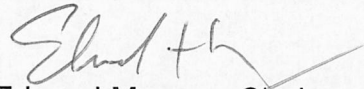
WHEREAS, Rubber Form Recycled Products LLC was determined to be the low responsible bidder with a bid of \$75,078.20; and

WHEREAS, Staff recommends that the Board of Directors of Western to accept the bid of matting in the amount not to exceed \$75,078.20 for the purchase of the rubber rolled matting for use in the horse stalls of which the Horseman’s Association will pay 50%; and, therefore be it

BE IT RESOLVED, that the Board of Directors of Western hereby accept the bid in an amount not to exceed \$75,078.20 to Rubber Form Recycled Products LLC for the purchase of rubber rolled matting for use at the horse stalls at Batavia Downs of which the Horseman’s Association will pay 50%; 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,

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

Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: May 26, 2022
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #55-2022 was duly put to a vote on roll call, which resulted as follows: Growth Marketing of Rochester, LLC

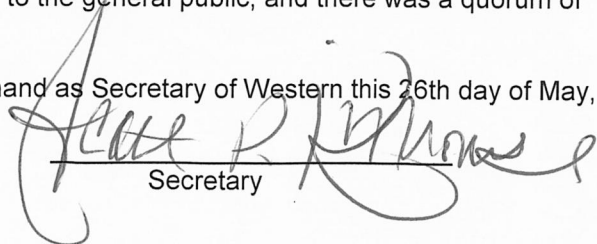
Motion by Director May, seconded by Director Wamp

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Burr
			X		Cayuga	Lattimore
			X		Chautauqua	
			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 9 NAYS ABSTAIN ABSENT 7 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 26th day of May, 2022.



 Secretary

RESOLUTION #55-2022

WHEREAS, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation (“Western”) engages in an aggressive marketing and advertising campaign; and

WHEREAS, Western has previously entered into a series of agreements to provide marketing and advertising assistance to Western including, but not limited to invoice reconciliation, television and radio production and marketing and messaging consulting; and

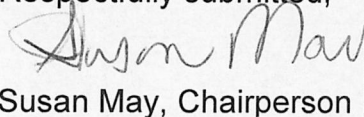
WHEREAS, Western has sent out an RFP requesting pricing for such services and that Growth Marketing of Rochester, LLC (“Growth”) was deemed to be the lowest responsible bidder; and

WHEREAS, staff recommends that Western enter into a one-year agreement with Growth along the terms set forth in its bid, with an option running to Western to extend the agreement for three additional one-year terms; and therefore

BE IT RESOLVED, that the Board of Directors of Western hereby approves an agreement with Growth for marketing and advertising agreement with Growth for a one-year term, with an option for three additional one-year terms; and further

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

Respectfully submitted,



Susan May, Chairperson
Advertising & Promotions Committee

Dated: May 26, 2022
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

The question of the adoption of the foregoing Resolution #56-2022 was duly put to a vote on roll call, which resulted as follows: 570 DAB 30, LLC

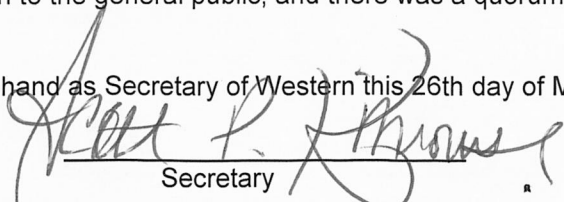
Motion by Director Morgan, seconded by Director Burr

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Burr
			X		Cayuga	Lattimore
			X		Chautauqua	
			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 9 NAYS ABSTAIN ABSENT 7 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 26th day of May, 2022.



 Secretary

RESOLUTION #56-2022

WHEREAS, the Western Regional Off-Track Betting Corporation ("Western") is the owner and operator of Batavia Downs Gaming located at 8315 Park Road, Batavia, New York; and

WHEREAS, at times Western requires additional parking for its gaming and hotel customers, as well as attendees at its concert series held at the Batavia location; and

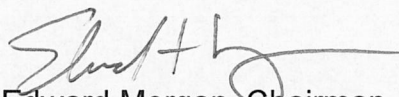
WHEREAS, 570 DAB 30, LLC ("570 DAB") is the owner of the property, formally used as a K-mart store, which is located adjacent to Western's Batavia location; and

WHEREAS, 570 DAB is willing to provide Western with additional parking for the period June 1, 2022 through August 31, 2022 for the total amount of \$30,000.00; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Western approve leasing additional parking from 570 DAB for the period June 1, 2022 through August 31, 2022 in the total amount of \$30,000.00; and

IT IS FURTHER, RESOLVED that an officer of Western is directed to execute such documents as to further this resolution.

Respectfully submitted,



Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: May 26, 2022
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

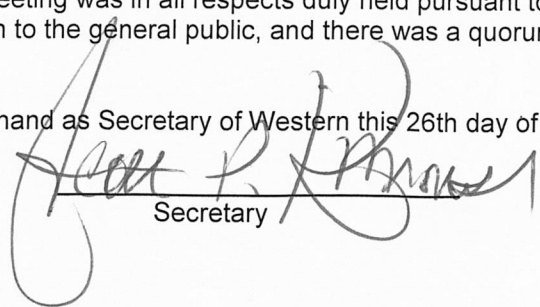
The question of the adoption of the foregoing Resolution #57-2022 was duly put to a vote on roll call, which resulted as follows: **Garland Insurance & Financial Services Waive the Rules of Order Motion by Bombardo seconded by Winter Motion by Director May, seconded by Director Bombardo**

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Burr
			X		Cayuga	Lattimore
			X		Chautauqua	
			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 9 NAYS ABSTAIN ABSENT 7 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 26th day of May, 2022.



 Secretary

RESOLUTION #57-2022

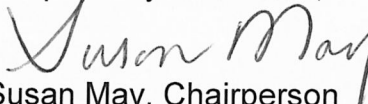
WHEREAS, the Western Regional Off-Track Betting Corporation (“Western”) has received a renewal proposal from Garland Insurance & Financial Services (“Garland”) to provide Western with Commercial Insurance coverage; and

WHEREAS, Staff is recommending to the Board of Directors of Western to accept such proposal and to enter into an agreement with Garland to provide Commercial Insurance coverage for a one (1) year term from June 1, 2022 through June 1, 2023 for the renewal premium of \$1,076,365.97; and therefore, be it

RESOLVED, that the Board of Directors of Western hereby accepts the proposal from Garland to provide Commercial Insurance coverage to Western for the one-year term of June 1, 2022 through June 1, 2023 for the renewal premium of \$1,076,365.97; and further

RESOLVED, that an officer of Western is directed to execute such documents as to further this Resolution.

Respectfully Submitted,


Susan May, Chairperson
Insurance Committee

Dated: May 26, 2022
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

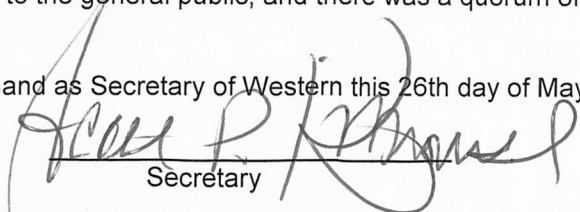
The question of the adoption of the foregoing Resolution #56-2022 was duly put to a vote on roll call, which resulted as follows: 716 Reality Group – Sale of River Rd Niagara County
 Motion to waive the Rules of Order by Horton seconded by Bombardo
 Motion by Director Horton, seconded by Director Bombardo

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Burr
			X		Cayuga	Lattimore
			X		Chautauqua	
			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 9 NAYS ABSTAIN ABSENT 7 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 26th day of May, 2022.



 Secretary

RESOLUTION #58-2022

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) currently is the owner of various real property in Erie County, New York; and

WHEREAS, Western has from time to time found it advisable to list certain real property for sale; and

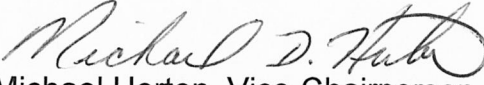
WHEREAS, Western wishes to engage a realtor to list the property located on River Road, North Tonawanda, Niagara County, New York for sale; and

WHEREAS, based on location, price and experience of the realtors, Staff recommends to the Board of Directors that Western engages Jay Herlan, 716 Reality Group as realtor for the sale of the River Road property.

THEREFORE, BE IT RESOLVED that the Board of Directors of Western hereby engages the services of Jay Herlan, 716 Reality Group to act as realtor for the sale of property located on River Road, North Tonawanda, Niagara County, New York; and

BE IT FURTHER, RESOLVED, that Board of Directors of Western authorizes an Officer to execute any agreement in furtherance of this resolution.

Respectfully submitted,


Michael Horton, Vice-Chairperson
Branch Operations Committee

Dated: May 26, 2022
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

Personnel Committee Vacation Buy-Back was duly put to a vote on roll call, which resulted as follows:

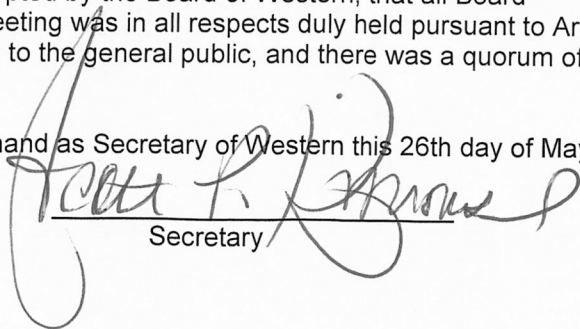
Motion by Director Winter, seconded by Director Ricci

AYE	NAY	ABSTAIN	ABSENT	VACANT	COUNTY	DIRECTOR
			X		Buffalo	Parmer-Garner
X					Cattaraugs	Burr
			X		Cayuga	Lattimore
			X		Chautauqua	
			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 9 NAYS ABSTAIN ABSENT 7 Vacant 1

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

IN WITNESS WHEREOF, I have hereunder set my hand as Secretary of Western this 26th day of May, 2022.


 Secretary