

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BOARD OF DIRECTORS MEETING

March 23, 2023

10:00 a.m.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Previous Minutes
5. Communications
6. Advertising & Promotions Committee Report
7. Personnel Committee Report
8. Finance Committee Report
9. Branch Operations Committee Report
10. Legislative Committee Report
11. Insurance Committee Report
12. Audit Committee Report
13. Batavia Downs Operations Committee Report
14. New Business
15. Adjournment

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

PERSONNEL COMMITTEE MEETING

Wednesday, March 22, 2023

1:00 p.m.

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

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

AGENDA

1. Executive Session

1a. Executive session for the discussion of the medical, financial, credit or employment history of a particular person or corporation or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.



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 Batavia, New York 14020

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 Breeders' Inc.
 Local Chambers of
 Commerce

WESTERN REGIONAL OFF-TRACK
 BETTING CORPORATION

March 17, 2023

Mr. Ken Lauderdale, Chairman
 Members, Finance Committee
 Western Regional Off-Track
 Betting Corporation
 8315 Park Road
 Batavia, New York 14020

Dear Members:

Enclosed for your review is the upcoming Finance Committee Agenda and attachments for the Finance meeting. The Finance Committee meeting is scheduled for Wednesday, March 22, 2023.

If any members have any questions concerning the information regarding the Finance Committee items, feel free to contact me.

Sincerely,

Jacquelyne A. Leach
 Chief Financial Officer

JAL/pag
 cc: Officers

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

Finance Committee Meeting
March 22, 2023
Batavia, New York

Ken Lauderdale, Chairman
Thomas Wamp, Vice Chairman

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

AGENDA

1. Chief Financial Officer Report & BDG Financials
 - February 2023

- J. Leach

2. NYGA Weekly Numbers
 - February 2023

- J. Leach

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

<u>Operational Results - February 2023</u>	February 2023	February 2022	February Plan
Total Handle	\$3,980,307	\$4,282,990	\$3,888,218
\$ Variance		(302,683)	92,089
% Variance		-7%	2%
VGM Net Win	\$6,633,753	\$5,835,167	\$5,935,167
\$ Variance		798,586	698,586
% Variance		14%	12%
Revenue net of Statutories	\$ 3,871,045	\$ 3,482,450	\$ 3,442,644
Operating Expenses	3,228,961	2,792,930	3,054,471
Earnings and Surcharge	642,084	689,520	388,173
Surcharge	50,599	56,135	45,422
Operational Earnings	\$ 591,485	\$ 633,385	\$ 342,751
\$ Variance		(41,900)	248,734
% Variance		-7%	73%

* Earnings are computed and distributed on a quarterly basis

<u>Segment Performance:</u>	February 2023	February 2022	February Plan
BRANCH Earnings from Operations	\$ 53,583	\$ 99,305	\$ 25,711
Less: G&A Allocation	204,288	206,165	199,719
<u>Earnings (Losses) net of G&A Allocation</u>	<u>\$ (150,705)</u>	<u>\$ (106,860)</u>	<u>\$ (174,008)</u>
\$ Variance		(43,845)	23,303
% Variance		-41%	13%
BATAVIA DOWNS Earnings from Operations	\$ 1,121,582	\$ 1,036,921	\$ 887,666
Less: G&A Allocation	379,392	296,676	370,907
<u>Earnings net of G&A Allocation</u>	<u>\$ 742,190</u>	<u>\$ 740,245</u>	<u>\$ 516,759</u>
\$ Variance		1,945	225,431
% Variance		0%	44%
GENERAL AND ADMINISTRATIVE expense	\$ 583,680	\$ 502,841	\$ 570,626
\$ Variance		80,839	13,054
% Variance		16%	2%

<u>Net Cash Distributions to Municipalities:</u>	February 2023	February 2022	February Plan
SURCHARGE	\$ 50,599	\$ 56,135	\$ 45,422
\$ Variance		(5,536)	5,177
% Variance		-10%	11%

<u>Year to Date Surcharge and Net Revenue</u>	February 2023	February 2022	February Plan
SURCHARGE	\$ 98,329	\$ 105,553	\$ 91,243
\$ Variance		(7,224)	7,086
% Variance		-7%	8%
NET EARNINGS AVAILABLE FOR DISTRIBUTION	\$ 860,469	\$ 981,495	\$ 264,554
\$ Variance		(121,026)	595,915
% Variance		-12%	225%
TOTAL	\$ 958,798	\$ 1,087,048	\$ 355,797

CFO'S REPORT - February 2023

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

	2023 February	2022 February	2023 February Plan	2023 Year To Date	2022 Year To Date	2023 Operating Plan YTD
HANDLE (includes Live)	\$3,980,000	\$4,283,000	\$3,888,000	\$7,820,000	\$8,305,000	\$7,757,000
\$ Variance		(303,000)	92,000		(485,000)	63,000
% Variance		-7%	2%		-6%	1%
VGM Net Win	\$6,634,000	\$5,835,000	\$5,935,000	\$13,265,000	\$11,155,000	\$11,455,000
\$ Variance		799,000	699,000		2,110,000	1,810,000
% Variance		14%	12%		19%	16%
Revenue and Expense:						
Operating Revenue	7,655,000	6,898,000	6,864,000	15,095,000	13,189,000	13,316,000
\$ Variance		757,000	791,000		1,906,000	1,779,000
% Variance		11%	12%		14%	13%
Less: Statutory Expenses	3,784,000	3,416,000	3,421,000	7,549,000	6,558,000	6,634,000
\$ Variance		368,000	363,000		991,000	915,000
% Variance		11%	11%		15%	14%
Revenue before Operating Expenses	3,871,000	3,482,000	3,443,000	7,546,000	6,631,000	6,682,000
\$ Variance		389,000	428,000		915,000	864,000
% Variance		11%	12%		14%	13%
Less: Operating Expenses	3,229,000	2,793,000	3,054,000	6,588,000	5,544,000	6,326,000
\$ Variance		436,000	175,000		1,044,000	262,000
% Variance		16%	6%		19%	4%
Retained Surcharge/Net earnings	642,000	690,000	388,000	958,000	1,087,000	356,000
\$ Variance		(48,000)	254,000		(129,000)	602,000
% Variance		-7%	65%		-12%	169%
Retained Surcharge	51,000	56,000	45,000	98,000	106,000	91,000
\$ Variance		(5,000)	6,000		(8,000)	7,000
% Variance		-9%	13%		-8%	8%
Net Earnings from Operations	591,000	633,000	343,000	860,000	981,000	265,000
\$ Variance		(42,000)	248,000		(121,000)	595,000
% Variance		-7%	72%		-12%	225%
			Earnings allocated to	Distributable		
		Operational	CAF	Earnings		
		Earnings				
1st Qtr. Operational Earnings*		\$860,469	\$0	\$0	\$981,495	\$264,554
\$ Variance					(981,495)	(264,554)
% Variance					-100%	-100%
*Earnings are computed and distributed on a quarterly basis						

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

ADVERTISING AND PROMOTIONS COMMITTEE AGENDA

Wednesday, March 22, 2023

2:30 P.M.

Susan May, Chairperson
Ken Lauderdale, Vice-Chairman
Edward Morgan, Member
Vincent Horrigan, Member

Paul Lattimore Jr. Member
Richard Bianchi, Member
Richard Ricci, Member

AGENDA

1. Gaming/Branch Marketing Update

R. Hasenauer

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

LEGISLATIVE COMMITTEE

**Wednesday – March 22, 2023
3:00 p.m.**

Mark Bombardo, Chairman
Richard Siebert, Vice Chairman
Richard Bianchi, Member
Edward Morgan, Member

Paul Lattimore, Jr., Member
Mark Burr, Member
Vincent Horrigan, Member

AGENDA

1. Legislative Update
 - Patrick McCarthy - Mercury Public Affairs
 - Sam Hoyt - Upstate Strategic Advisors

H. Wojtaszek

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

AUDIT COMMITTEE MEETING

Wednesday March 22, 2023, 3:30pm

Dennis Bassett, Chairman
Michael Horton, Vice-Chairman

Richard Bianchi, Member
Edward Morgan, Member
Richard Siebert, Member
Francis Warthling, Member
Mark Burr, Member

AGENDA

1. Review 2022 Audited Financial Statements - Bonadio & Co.
2. Harassment & Discrimination Policy - Revision

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BRANCH OPERATIONS COMMITTEE MEETING

**Wednesday, March 22, 2023
3:30 P.M.**

Michael Horton, Chairperson
Mark Burr, Vice-Chairperson

Richard Bianchi, Member
Mark Bombardo, Member
Vincent Horrigan, Member
Edward Morgan, Member
Francis Warthling, Member

AGENDA

- 1) Branch Update
- Dina Pane
- 2) E-Z Bet Update
- Dina Pane
- 3) Batavia Bets Update
- Dina Pane
- 4) Ranchick Corp. – Empire Webster Lease Renewal
 - Resolution #36-2023
- H. Wojtaszek

RESOLUTION #36-2023

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) wishes to maintain a presence in eastern Monroe County; and

WHEREAS, the Board of Directors of Western, upon recommendation from its officers and staff, recommend that the branch facility located on Empire Boulevard, Webster, New York continue operating; and

WHEREAS, the lease for the Empire Boulevard branch location will expire on April 30, 2023; and

WHEREAS, Staff recommends that Western enter into a twelve (12) month lease extension with Ranchick Corp., located at 1766 Empire Boulevard, Webster, New York to commence on May 1, 2023 and terminate of April 30, 2024 at an annual rental rate of \$49,316.40; and therefore, be it

RESOLVED, that the Board of Directors of the Western hereby approve a twelve (12) month lease extension with Ranchick Corp. for the branch location on Empire Boulevard at an annual rent of \$49,316.40; and

BE IT FURTHER, RESOLVED, that Board of Directors of Western authorize an Officer to take such actions as are required to extend the lease upon these terms.

Respectfully submitted,
Michael Horton, Chairman
Branch Committee

Dated: March 23, 2023
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BATAVIA DOWNS OPERATIONS COMMITTEE

**Thursday – March 23, 2023
9:00 A.M.**

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

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

AGENDA

- | | |
|--|---------------|
| 1. HISA – Update | M. Loewe |
| 2. Gaming Floor Update | S. Schiano |
| 3. Resolution 37-2023
2023 Concert Performers | H. Wojtaszek |
| 4. Resolution 38-2023
Buffalo Asphalt Milling Corp. | S. Kiedrowski |
| 5. Resolution 39-2023
WNY Tile & Stone Corp. | S. Kiedrowski |

RESOLUTION #37-2023

WHEREAS, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation (“Western”) wishes to contract with a number of nationally known performers to provide entertainment at its 2023 Summer Concert Series at its Batavia Downs location; and

WHEREAS, Western will contract with such performers for a total cost for the 2023 Summer Concert Series in an amount not to exceed \$325,000.00; and

WHEREAS, Staff requests authorization to enter into a series of separate agreements with the various nationally known performers who will provide the entertainment at the 2023 Summer Concert Series at its Batavia Downs; and therefore

BE IT RESOLVED, that the Board of Directors of Western hereby approves that Western enter into a series of agreements with various nationally known performers to provide entertainment at Western’s 2023 Summer Concert Series in an amount not to exceed \$325,000.00; and further

RESOLVED, that the Board of Directors of Western hereby authorizes an officer of Western to execute all such agreements with the various performers in furtherance of this resolution.

Respectfully submitted,
Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: March 23, 2023
 Batavia, New York

RESOLUTION #38-2023

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 employees who visit its Batavia Downs location; and

WHEREAS, a public bid opening was held on March 9, 2023, for asphalt and paving services for three (3) areas of Batavia Downs Gaming; and

WHEREAS, staff has determined that Buffalo Asphalt Milling Corporation located at 461 Tonawanda Street, Buffalo, New York 14207 (“Buffalo Asphalt”) was the lowest responsible bidder as per the attached schedule with a bid of \$169,000.00; now

THEREFORE, BE IT RESOLVED, that the Board of Directors of Western award the contract asphalt and paving services to Buffalo Asphalt as per the attached schedule for the amount of \$169,000.00; 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,
Edward Morgan, Chairman
Batavia Downs Operations Committee

Dated: March 23, 2023
Batavia, New York

Asphalt Paving Services Bid Results 3/9/23	Vendor	Bid Price Total
	Buffalo Asphalt	\$ 169,000.00
	Anastasia Trucking	\$ 172,096.89
	J & D Seal	\$ 176,200.00
	Thomann Asphalt	\$ 179,800.00
	Edward Hulme	\$ 185,901.00
	Amherst Paving	\$ 195,392.00
	American Paving	\$ 199,600.00
	Greenhaur Blacktop	\$ 206,059.00
	Spallina Materials	\$ 207,175.00
	Keeler Construction	\$ 228,000.00
	D & H Excavating	\$ 259,700.00

RESOLUTION #39-2023

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 flooring and wall base to be installed at 34 Rush of Western’s Batavia Downs location; and

WHEREAS, Western received a proposal under NYS Contract #PC69410 to purchase from WNY Tile and Stone Corp. with offices located at 139 Division Street, N. Tonawanda, New York (“WNY Tile”) as set forth above in the amount of \$19,193.04; and

WHEREAS, Staff recommends that the Board of Directors of Western to accept the proposal of WNY Tile for the installation of flooring and wall base in 34 Rush in the amount not to exceed \$19,193.04; and, therefore be it

BE IT RESOLVED, that the Board of Directors of Western hereby accept the proposal of WNY Tile in an amount not to exceed \$19,193.04 for the Installation of new flooring and wall base at 34 Rush; 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: March 23, 2023
Batavia, New York