

# **Western Regional Off-Track Betting Corporation**

8315 Park Road, Batavia, NY 14020

## **PUBLIC NOTICE**

### **MARCH 2023 MEETINGS**

#### **Committee Meetings for Western Regional Off-Track Betting Corporation**

Committee meetings for Western Regional Off-Track Betting Corp. will be held on **Wednesday, March 22, 2023, and Thursday, March 23, 2023,** at Western Regional Off-Track Betting Corporation offices located at 8315 Park Road, Batavia, NY 14020 as follows:

#### **Wednesday, March 22, 2023**

1:00 p.m. Personnel  
2:00 p.m. Finance  
2:30 p.m. Advertising & Promotions  
3:00 p.m. Legislative  
3:30 p.m. Branch  
3:45 p.m. Insurance  
4:00 p.m. Audit

#### **Thursday, March 23, 2023**

9:00 a.m. Batavia Downs Operations

#### **Regular Meeting of the Western Regional Off-Track Betting Corporation Board of Directors**

The Regular Monthly Meeting of the Board of Directors of Western Regional Off-Track Betting Corp. will be held on **Thursday, March 23, 2023, at 10:00 a.m.** at Western Regional Off-Track Betting Corporation offices located at 8315 Park Road, Batavia, NY 14020.

**Dated: March 8, 2023**

# **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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8315 Park Road  
 Batavia, New York 14020

*Creating Revenues for  
 Racing, State and  
 Local Governments*

Current Member of:

*harness Tracks of America*

*United States Trotting  
 Association*

*American Horse Council*

*New York Thoroughbred  
 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&amp;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&amp;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%
<b>Revenue and Expense:</b>						
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%
			<b>Earnings allocated to</b>	<b>Distributable</b>		
		<b>Operational</b>	<b>CAF</b>	<b>Earnings</b>		
		<b>Earnings</b>				
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<br>2023 Concert Performers       | H. Wojtaszek  |
| 4. Resolution 38-2023<br>Buffalo Asphalt Milling Corp. | S. Kiedrowski |
| 5. Resolution 39-2023<br>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

<b>Asphalt Paving Services Bid Results 3/9/23</b>	<b>Vendor</b>	<b>Bid Price Total</b>
	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