

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

Resolution #36-2023 shall take effect immediately upon adoption.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, motion was made by Horton and seconded by Burr which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Richard D. Bianchi	[X]	[]	[]	[]
Thomas P. Wamp	[X]	[]	[]	[]
Richard E. Siebert	[]	[]	[]	[X]
Elliott Winter	[X]	[]	[]	[]
Francis G. Warthling	[X]	[]	[]	[]
Vincent W. Horrigan	[X]	[]	[]	[]
Paul W. Lattimore, Jr.	[]	[]	[]	[X]
Mark C. Burr	[X]	[]	[]	[]
Michelle Parmer-Garner	[]	[]	[]	[X]
Edward F. Morgan	[X]	[]	[]	[]
Mark Bombardo	[]	[]	[]	[X]
Dennis Bassett	[]	[]	[]	[X]
Philip Barnes	[]	[]	[]	[X]
Richard L. Ricci	[X]	[]	[]	[]
Michael D. Horton	[X]	[]	[]	[]
Ken Lauderdale	[X]	[]	[]	[]
Susan May	[X]	[]	[]	[]

The Resolution was thereupon duly adopted.

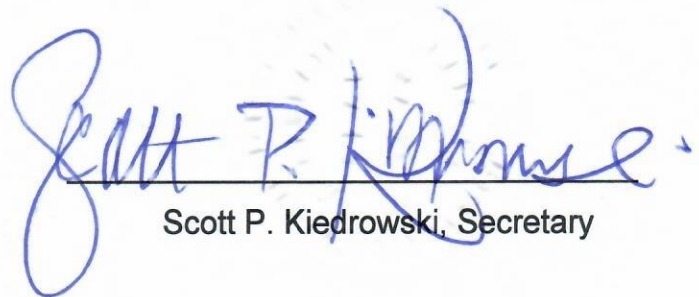
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

I, the undersigned Secretary of Western Regional Off-Track Betting Corporation ("Western"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on March 23, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of Western had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of Western present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed, or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 23rd day of March 2023.


Scott P. Kiedrowski, Secretary

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 #37-2023 shall take effect immediately upon adoption.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, motion was made by Morgan and seconded by Wamp which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Richard D. Bianchi	[X]	[]	[]	[]
Thomas P. Wamp	[X]	[]	[]	[]
Richard E. Siebert	[]	[]	[]	[X]
Elliott Winter	[X]	[]	[]	[]
Francis G. Warthling	[X]	[]	[]	[]
Vincent W. Horrigan	[X]	[]	[]	[]
Paul W. Lattimore, Jr.	[]	[]	[]	[X]
Mark C. Burr	[X]	[]	[]	[]
Michelle Parmer-Garner	[]	[]	[]	[X]
Edward F. Morgan	[X]	[]	[]	[]
Mark Bombardo	[]	[]	[]	[X]
Dennis Bassett	[]	[]	[]	[X]
Philip Barnes	[]	[]	[]	[X]
Richard L. Ricci	[X]	[]	[]	[]
Michael D. Horton	[X]	[]	[]	[]
Ken Lauderdale	[X]	[]	[]	[]
Susan May	[X]	[]	[]	[]

The Resolution was thereupon duly adopted.

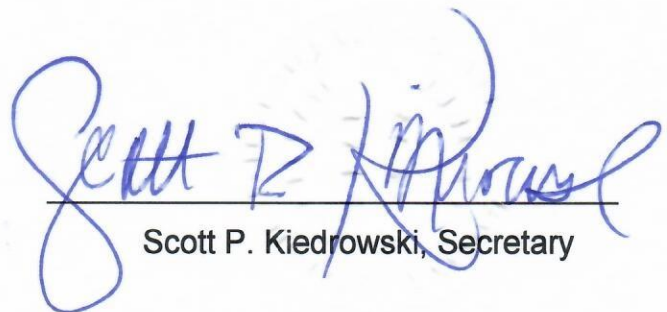
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

I, the undersigned Secretary of Western Regional Off-Track Betting Corporation ("Western"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on March 23, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of Western had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of Western present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed, or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 23rd day of March 2023.



Scott P. Kiedrowski, Secretary

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 #38-2023 shall take effect immediately upon adoption.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, motion was made by Morgan and seconded by Horrigan which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Richard D. Bianchi	[X]	[]	[]	[]
Thomas P. Wamp	[X]	[]	[]	[]
Richard E. Siebert	[]	[]	[]	[X]
Elliott Winter	[X]	[]	[]	[]
Francis G. Warthling	[X]	[]	[]	[]
Vincent W. Horrigan	[X]	[]	[]	[]
Paul W. Lattimore, Jr.	[]	[]	[]	[X]
Mark C. Burr	[X]	[]	[]	[]
Michelle Parmer-Garner	[]	[]	[]	[X]
Edward F. Morgan	[X]	[]	[]	[]
Mark Bombardo	[]	[]	[]	[X]
Dennis Bassett	[]	[]	[]	[X]
Philip Barnes	[]	[]	[]	[X]
Richard L. Ricci	[X]	[]	[]	[]
Michael D. Horton	[X]	[]	[]	[]
Ken Lauderdale	[X]	[]	[]	[]
Susan May	[X]	[]	[]	[]

The Resolution was thereupon duly adopted.

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

Resolution #39-2023 shall take effect immediately upon adoption.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, motion was made by Morgan and seconded by Horton which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Richard D. Bianchi	[X]	[]	[]	[]
Thomas P. Wamp	[X]	[]	[]	[]
Richard E. Siebert	[]	[]	[]	[X]
Elliott Winter	[X]	[]	[]	[]
Francis G. Warthling	[X]	[]	[]	[]
Vincent W. Horrigan	[X]	[]	[]	[]
Paul W. Lattimore, Jr.	[]	[]	[]	[X]
Mark C. Burr	[X]	[]	[]	[]
Michelle Parmer-Garner	[]	[]	[]	[X]
Edward F. Morgan	[X]	[]	[]	[]
Mark Bombardo	[]	[]	[]	[X]
Dennis Bassett	[]	[]	[]	[X]
Philip Barnes	[]	[]	[]	[X]
Richard L. Ricci	[X]	[]	[]	[]
Michael D. Horton	[X]	[]	[]	[]
Ken Lauderdale	[X]	[]	[]	[]
Susan May	[X]	[]	[]	[]

The Resolution was thereupon duly adopted.

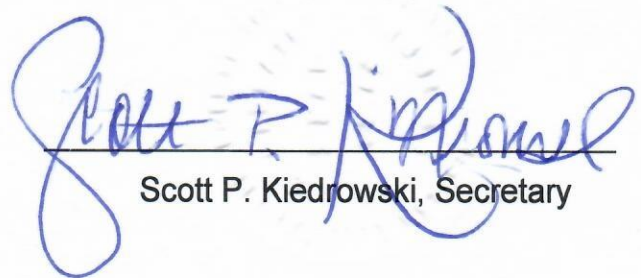
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

I, the undersigned Secretary of Western Regional Off-Track Betting Corporation ("Western"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on March 23, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of Western had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of Western present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed, or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 23rd day of March 2023.


Scott P. Kiedrowski, Secretary

RESOLUTION #40-2023

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to provide the best experience at Batavia Downs Gaming available; and

WHEREAS, the staff believes that it is in the interest of Western to purchase a recreational trailer, for use at its concert series at the Batavia Downs location: and

WHEREAS, the staff recommends that the Board of Directors accept the purchase of a 2014 Forest River Salem Villa Destination Trailer in the amount of \$29,000.00 from Elizabeth Marino PO Box 447 Hernando FL, 34442 ("Marino"); and therefore

BE IT RESOLVED, that the Board of Directors of Western accepts the purchase of the 2014 Forest River Salem Villa Destination Trailer from Marino in the amount of \$29,000.00; 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: March 23, 2023
Batavia, New York

Resolution #40-2023 shall take effect immediately upon adoption.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, motion was made by Morgan and seconded by Winter which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Richard D. Bianchi	[X]	[]	[]	[]
Thomas P. Wamp	[X]	[]	[]	[]
Richard E. Siebert	[]	[]	[]	[X]
Elliott Winter	[X]	[]	[]	[]
Francis G. Warthling	[X]	[]	[]	[]
Vincent W. Horrigan	[X]	[]	[]	[]
Paul W. Lattimore, Jr.	[]	[]	[]	[X]
Mark C. Burr	[X]	[]	[]	[]
Michelle Parmer-Garner	[]	[]	[]	[X]
Edward F. Morgan	[X]	[]	[]	[]
Mark Bombardo	[]	[]	[]	[X]
Dennis Bassett	[]	[]	[]	[X]
Philip Barnes	[]	[]	[]	[X]
Richard L. Ricci	[X]	[]	[]	[]
Michael D. Horton	[X]	[]	[]	[]
Ken Lauderdale	[X]	[]	[]	[]
Susan May	[X]	[]	[]	[]

The Resolution was thereupon duly adopted.

