

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

Minutes of the regular meeting of Board of Directors of the Western Regional Off-Track Betting Corporation, (“Western”) held on the 27th day of April 2023 and commencing at 10:01 a.m. in the *Boardroom*, Corporate Headquarters at 8315 Park Road Batavia, New York.

Participating were:

Cattaraugus	Mark C. Burr
Chautauqua	Vincent W. Horrigan
Erie	Francis Warthling
Genesee	Richard Siebert
Livingston	Thomas P. Wamp
Monroe	Richard D. Bianchi
Niagara	Elliott Winter
Orleans	Edward F. Morgan
Owego	Mark Bombardo
Rochester	Dennis Bassett
Seneca	Richard Ricci
Steuben	Michael Horton
Wayne	Ken Lauderdale
Wyoming	Susan May

Absent:

Buffalo	Parmer-Garner
Cayuga	Lattimore
Schuyler	Barnes

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; Steven Haigh, Internal Auditor, Ryan Hasenauer, Director of Marketing; Mike Pettinella, The Batavian, Brian Quinn, The Batavia Daily News.

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 Winter to lead the assemblage in the Pledge of Allegiance.

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Approval of Previous Minutes:

Chairman Bianchi called for amendments, additions, deletions, or corrections to the minutes of the previous meeting of March 23, 2023. There being none, a motion was made by Director Horton and seconded by Director Lauderdale to approve the March minutes as submitted. The minutes were approved unanimously by voice vote.

Communications:

Mr. Scott P. Kiedrowski, Vice President - Operations informed the members of the following thank you notes:

The Volunteers for Animals for the contributions from the Fur Ball Gala.

Maria's Sunshine and Dreams Fund for the contribution.

The South Byron Volunteer Fire Co. Auxiliary for the contribution.

The Wyoming County SPCA for the contributions from the Fur Ball Gala.

The Make-A-Wish for the contribution.

The Niagara Hospice for the contribution.

Personnel Committee Report:

Committee Chairman Winter reported that the Personnel Committee meeting was held on Wednesday April 26, 2023, at 1:05 p.m.

Director Winter made a motion to enter Executive Session at 1:06 p.m. seconded by Director May.

Director Winter reported that Director May made a motion to exit Executive Session at 2:01 p.m., seconded by Director Morgan.

Upon motion made by Director Winter seconded by Director May, the Personnel Committee was adjourned at 2:02 p.m.

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Personnel Committee Report continued:

Director Winter made a motion to enter Executive Session on Thursday, April 27, 2023, at 9:40 a.m., seconded by Director Bombardo, to discuss 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.

At 9:52 a.m. they exited the Executive Session.

After a discussion in executive session, the Board of Directors approved the following: The approval of an early retirement incentive, the hiring of an Assistant Corporate Counsel and the approval of employee contracts.

Finance Committee Report:

Committee Chairman Lauderdale reported that the Finance Committee meeting was held on Wednesday April 26, 2023, at 1:18 p.m.

Mrs. Jacquelyne A. Leach stated that in accordance with the Investment Policy and Guidelines of the Corporation adopted by the Board of Directors on April 26, 2018, the Corporation's 2022 Investment Report was submitted for discussion.

After the report was reviewed and discussed among the Committee, it was moved by Director Wamp, seconded by Director Winter, and passed unanimously that the Corporate Investment Report for calendar year 2022 be moved to the full Board for approval.

Director Lauderdale reported Mrs. Leach reviewed the March 2023 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$54,681 in surcharge revenues to member municipalities for March. For the first quarter 2023 the Corporation will distribute \$2,116,946 in operational earnings to member municipalities. Mrs. Leach also reviewed the March 2023 Batavia Downs results of operations, and provided information on credits played, net win and free play, food and beverage, hotel, and other statistics.

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Finance Committee Report continued:

Mrs. Leach reviewed the Regional VGM Numbers with Committee members, highlighting Batavia Downs Gaming net win performance through March as compared to same period 2023 and 2022.

Upon motion by Director Horton and seconded by Director Winter the Finance Committee meeting adjourned at 2:56 p.m.

Advertising & Promotions Committee Report:

Committee Chairperson May reported that the Advertising & Promotions Committee meeting was held on Wednesday April 26, 2023, at 3:05 p.m.

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

Director May reported photos from the onsite events like the Music of the Stars, Beach Boys Tribute, and Vino at the Casino were shown and upcoming events including the Polka Buzz with Jimmy Sturr, Derby Parties, Tacos and Tequila and Bourbon and Whiskey Fest were also previewed.

Director May reported Staff attended the East Coast Gaming Conference in Atlantic City where Igaming and the future of gaming were discussed.

Upon motion by Director May and seconded by Director Morgan, the Advertising & Promotions Committee meeting adjourned at 3:14 p.m.

Legislative Committee Report:

Committee Chairman Bombardo reported the Legislative meeting was held on Wednesday April 26, 2023, at 3:20 p.m.

Director Bombardo reported a brief Legislative discussion was led Mr. Wojtaszek.

A motion by Director Morgan and seconded by Director Horrigan the Legislative Committee adjourned at 3:55 p.m.

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Branch Operations Committee Report:

Committee Chairman Horton reported the Branch Operations Committee meeting was held on Wednesday April 26, 2023, at 3:58 p.m.

Director Horton reported Ms. Dina Pane, General Manager of OTB Operations reported that all Branches will open at 10:00 a.m. on Friday May 5th and Saturday May 6th for the Derby. Branches will have volunteers from corporate staff to help the customers. Maintenance has been doing a good job taking over the cleaning of the Erie County Branches and have begun seasonal outside maintenance and mowing.

Director Horton reported that Ms. Pane thanked Director Horton for coming to the Southside Hornell Grand Opening last Saturday, which was very successful. All the E-Z Bet locations will be having Derby parties along with best hat contests, which prizes have been distributed for. Ms. Pane reported that she met with a potential E-Z bet in the town of Webster, Monroe County, Mozzeroni's Pizza and Pub. It is in a great location and will help service customers from Wayne County.

Director Horton reported that Ms. Pane informed members that Batavia Bets is down 10% from the same period last year. Year to date they are down 9% from last year.

Upon motion by Director Burr and seconded by Director Horton the Branch Operations Committee adjourned at 4:05 p.m.

Insurance Committee Report:

The Insurance Committee did not meet.

Audit Committee Report:

The Audit Committee did not meet.

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Batavia Downs Operations Committee Report:

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Thursday April 27, 2023, at 9:02 a.m.

Director Morgan reported Sean Schiano, General Manager-Gaming provided gaming statistics to the Committee.

Director Morgan reported that Mr. Wojtaszek provided a brief update on the possibility of a hotel expansion.

Director Morgan reported Resolution 41-2023 was presented to purchase kitchen equipment in 34 Rush from B & G Food Service Equipment in the amount not to exceed \$70,000.00.

Upon motion by Director Morgan and seconded by Director Horton a roll call vote was taken and passed unanimously to approve the purchase of kitchen equipment in 34 Rush from B & G Food Service Equipment in the amount not to exceed \$70 000.00. Ayes: 14; Nays: 0; Abstain: 0; Absent: Parmer-Garner; Lattimore; Barnes. **See Resolution 41-2023.**

Director Morgan reported Resolution 42-2023 as presented for Crosby Brownlie, Inc. for the installation of fan coils, and refrigerant in a freezer/cooler in 34 Rush as part of a change tot the public bid held on November 22, 2022, in the amount not to exceed \$13,507.50.

Upon motion by Director Morgan and seconded by Director Lauderdale a roll call vote was taken and passed unanimously to approve the installation of fan coils, and refrigerant in a freezer/cooler in 34 Rush as part of a change to the public bid held on November 22, 2022, in the amount not to exceed \$13,507.50. Ayes: 14; Nays: 0; Abstain: 0; Absent: Parmer-Garner; Lattimore; Barnes. **See Resolution 42-2023.**

Director Morgan reported Resolution 43-2022 was presented for AlSCO Inc. for additional linen services through October 2023 in the amount not to exceed \$40,000.00.

Upon motion by Director Morgan and seconded by Director Horrigan a roll call vote was taken and passed unanimously for AlSCO Inc. for additional linen services through October 2023 in the amount not to exceed \$40,000.00. Ayes: 14; Nays: 0; Abstain: 0; Absent: Parmer-Garner; Lattimore; Barnes. **See Resolution 43-2023.**

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Batavia Downs Operations Committee Report continued:

Upon motion by Director Bombardo and seconded by Director Winter the Batavia Downs Operations Committee adjourned at 9:22 a.m.

New Business:

Director Morgan discussed possible placement of an outdoor smoking area.

The next Committee and Board meeting is scheduled for May 24, and May 25, 2023, respectively.

Adjournment:

Upon motion made by Director Horton to adjourn seconded by Director Winter the meeting was adjourned at 10:37 a.m.

Respectfully submitted,

Scott P. Kiedrowski, Secretary to the Board

/pma