

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 23rd day of March 2023 and commencing at 10:00 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
Livingston	Thomas P. Wamp
Monroe	Richard D. Bianchi
Niagara	Elliott Winter
Orleans	Edward F. Morgan
Seneca	Richard Ricci
Steuben	Michael Horton
Wayne	Ken Lauderdale
Wyoming	Susan May

Absent:

Buffalo	Parmer-Garner
Cayuga	Lattimore
Genesee	Siebert
Oswego	Bombardo
Rochester	Bassett
Schuyler	Barnes

constituting the Directors of all participating municipalities.

Also participating were Scott Kiedrowski, Vice President Operations; Jacquelyne A. Leach, Chief Financial Officer; William R. White, Vice President – Administration; 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 Ricci to lead the assemblage in the Pledge of Allegiance.

Board of Directors
Meeting #551
March 23, 2023
2 of 7

Approval of Previous Minutes:

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

Communications:

Mr. Kiedrowski informed the members of the following communications:

Ms. Kelly Bermingham, Director of Member Relations & Special Events, Genesee County Chamber of Commerce for the generous sponsorship at the 51st Annual Awards Ceremony.

Ms. Madison Kaltenbach, Operations Coordinator GiGI's Playhouse, for the contribution supporting the Playhouse of Rochester.

Personnel Committee Report:

Committee Chairman Winter reported that the Personnel Committee meeting was held on Wednesday March 22, 2023, at 1:00 p.m.

Director Winter reported at 1:01 p.m. he made a motion to enter Executive Session, seconded by Director May.

Director Winter reported Director May made a motion to exit Executive Session at 1:15 p.m., seconded by Director Wamp.

Director Winter reported Staff is recommending the positions of Senior Line Chef (3) and Maintenance Clerk (1) be added to the compendium. Upon motion by Director Ricci, seconded by Director Morgan to approve the positions of Senior Line Chef (3) and Maintenance Clerk (1), A voice vote was taken and passed unanimously.

Upon motion made by Director Winter seconded by Director Ricci, the Personnel Committee was adjourned at 1:16 p.m.

Board of Directors
Meeting #551
March 23, 2023
3 of 7

Finance Committee Report:

Committee Chairman Lauderdale reported that the Finance Committee meeting was held on Wednesday March 22, 2023, at 1:18 p.m.

Director Lauderdale reported that Mrs. Jacquelyne A. Leach reviewed the February 2023 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$50,599 in surcharge revenues to member municipalities for February. Mrs. Leach also reviewed the February 2023 Batavia Downs results of operations, and provided information on credits played, net win and free play, food and beverage, hotel, and other statistics.

Director Lauderdale reported that Mrs. Leach reviewed the NYGA Weekly Numbers with Committee members, highlighting Batavia Downs Gaming net win performance through February as compared to same period 2023 and 2022.

Upon motion by Director Winter and seconded by Director Horton the Finance Committee meeting adjourned at 1:50 p.m.

Advertising & Promotions Committee Report:

Committee Chairperson May reported that the Advertising & Promotions Committee meeting was held on Wednesday March 22, 2023, at 1:55 p.m.

Director May reported Mr. Ryan Hasenauer, Director of Marketing, delivered a presentation showing upcoming hotel offers. She reported that photos from onsite events like the Legends and Stars Sports Expo, KISS This Concert, Furball, and the Half-Court Shot were shown. The Furball raised \$20,000 for local animal shelters.

Director May reported the upcoming events that will include the Music of the Stars Event, Beach Boys Tribute and Polka Buzz with Jimmy Sturr.

Director May reported Staff recently attended a social media conference and were able to get insight into new ideas to grow our brand.

Upon motion by Director May and seconded by Director Morgan, the Advertising & Promotions Committee meeting adjourned at 2:07 p.m.

Legislative Committee Report:

Committee member Director Burr reported the Legislative meeting was held on Wednesday March 22, 2023, at 2:14 p.m.

Director Burr reported a brief Legislative discussion was led by Patrick McCarthy, Mercury Public Affairs, via phone conference.

A motion by Director Bianchi and seconded by Director Morgan the Legislative Committee adjourned at 2:20 p.m.

Branch Operations Committee Report:

Committee Chairman Horton reported the Branch Operations Committee meeting was held on Wednesday March 22, 2023, at 2:23 p.m.

Director Horton reported Ms. Dina Pane, General Manager of OTB Operations discussed that the teams for the Battle of the Branches have been picked and the contest will begin this Friday. The West Ridge Branch listing is live, and the sale sign has been placed on the property.

Director Horton reported Ms. Pane discussed that Hornell Southside had their soft opening/training and that the Grand Opening party will be Saturday, April 15th, 2023. She also discussed that Fanatics E-Z Bet in Livingston County has drastically reduced their hours and is no longer a profitable E-Z Bet. Ms. Pane has met with and given the paperwork to the owners of Upper Deck, a replacement E-Z Bet, that is located down the road from Fanatics.

Director Horton reported Ms. Pane reviewed Batavia Bets for the month of February that is down 11% from 2022. For March 1st through the 19th, 2023, Batavia Bets is down 6%. Year to date through March 19th, Batavia Bets is down 9%.

Director Horton reported Staff is recommending Western enter into a twelve (12) month lease extension with Ranchick Corp. for the property located at 1766 Empire Boulevard, Webster, New York at an annual rental rate of \$49,316.40.

Branch Operations Committee Report continued:

Upon motion by Director Horton, seconded by Director Burr, a roll call vote was taken and passed unanimously to enter into a twelve (12) month lease extension with Ranchick Corp. for the property located at 1766 Empire Boulevard, Webster, New York at an annual rental rate of \$49,316.40. Ayes: 11; Nays: 0; Abstain: 0; Absent: 6; Parmer-Garner; Lattimore; Siebert; Bombardo; Bassett ; Barnes. **See Resolution 36-2023.**

Upon motion by Director Horrigan and seconded by Director Warthling the Branch Operations Committee adjourned at 2:27 p.m.

Insurance Committee Report:

The Insurance Committee did not meet.

Audit Committee Report:

Committee Vice-Chairman Horton reported the Audit Committee meeting was held on Wednesday March 22, 2023, at 2:30 p.m.

Director Horton reported Mr. Randy Shepard of The Bonadio Group was on site to review the 2022 Audited Financial Statements.

Upon motion by Director Horton to accept the review of 2022 Audited Financial Statements seconded by Director Morgan a voice vote was taken and passed unanimously.

Upon motion by Director Horton and seconded by Director Horrigan the Audit Committee adjourned at 2:47 p.m.

Batavia Downs Operations Committee Report:

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Thursday March 23, 2023, at 9:05 a.m.

Director Morgan reported Mr. David Hart and Mr. Alan Incorvaia were on site updating the 2022 year (year one) of the Hotel at Batavia Downs. A discussion was held regarding the possible hotel expansion.

Batavia Downs Operations Committee Report continued:

Director Morgan reported Mr. Mark Loewe, Live Racing Consultant, was on site to give a brief update on HISA. Mr. Loewe also touched on legislation regarding agricultural horse breeding.

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

Director Morgan reported Resolution 37-2023 was presented 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 Batavia Downs in the amount not to exceed \$325,000.00.

Upon motion by Director Morgan and seconded by Director Wamp a roll call vote was taken and passed unanimously 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 Batavia Downs in the amount not to exceed \$325,000.00. Ayes: 11; Nays: 0; Abstain: 0; Absent: 6; Parmer-Garner; Lattimore; Siebert; Bombardo; Bassett; Barnes. **See Resolution 37-2023.**

Resolution 38-2023 was presented to accept Buffalo Asphalt Milling Corporation, the lowest responsible bidder for asphalt and paving services in the back stretch, office cove/hotel and concert infield at Batavia Downs in the amount of \$169,000.00.

Upon motion by Director Morgan and seconded by Director Horrigan a roll call vote was taken and passed unanimously to accept Buffalo Asphalt Milling Corporation the lowest responsible bidder for asphalt and paving services in the back stretch, office cove/hotel and concert infield at Batavia Downs in the amount of \$169,000.00. Ayes: 11; Nays: 0; Abstain: 0; Absent: 6; Parmer-Garner; Lattimore; Siebert; Bombardo; Bassett; Barnes. **See Resolution 38-2023.**

Director Morgan reported Resolution 39-2023 was presented to accept the proposal under NYS Contract #PC69410 from WNY Tile and Stone Corp. for the installation of flooring and wall base in 34 Rush in the amount not to exceed \$19,193.04.

Upon motion by Director Morgan and seconded by Director Horton a roll call vote was taken and passed unanimously to accept the proposal under NYS Contract #PC69410 from WNY Tile and Stone Corp. for the installation of flooring and wall base in 34 Rush in the amount not to exceed \$19,193.04. Ayes: 11; Nays: 0; Abstain: 0; Absent: 6; Parmer-Garner; Lattimore; Siebert; Bombardo; Bassett; Barnes. **See Resolution 39-2023.**

Board of Directors
Meeting #551
March 23, 2023
7 of 7

Batavia Downs Operations Committee Report continued:

Director Morgan reported a late Resolution was added for the purchase of a 2014 Forest River Salem Villa Destination Trailer in the amount of \$29,000 from Elizabeth Marino of Florida.

Upon motion to waive the rules of order by Director Morgan and seconded by Director Lauderdale a voice vote was taken and passed unanimously.

Upon motion by Director Morgan and seconded by Director Lauderdale a roll call vote was taken and passed unanimously to purchase a 2014 Forest River Salem Villa Destination Trailer in the amount of \$29,000. Ayes: 11; Nays: 0; Abstain: 0; Absent: 6; Parmer-Garner; Lattimore; Siebert; Bombardo; Bassett; Barnes. **See Resolution 40-2023.**

Upon motion by Director Winter and seconded by Director Bianchi the Batavia Downs Operations Committee adjourned at 10:00 a.m.

New Business:

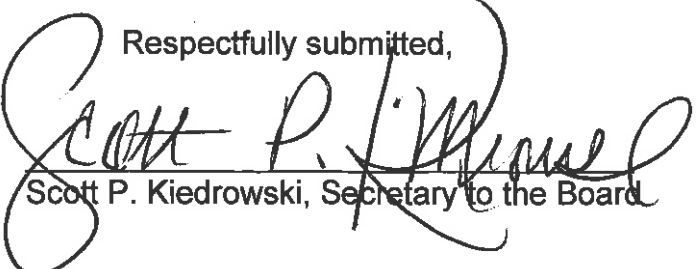
Director Morgan discussed possible placement of an outdoor smoking area.

The next Committee and Board meeting is scheduled for April 26, and April 27, 2023, respectively.

Adjournment:

Upon motion made by Director Horton to adjourn seconded by Director Lauderdale the meeting was adjourned at 10:30 a.m.

Respectfully submitted,



Scott P. Kiedrowski, Secretary to the Board

/pma

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.

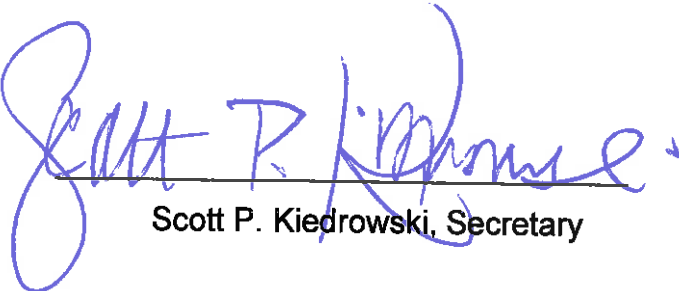
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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.

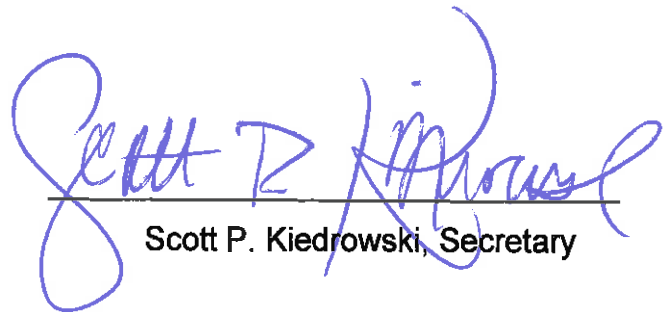
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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.

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.

