

Meeting #557

Minutes of the meeting of Board of Directors of the Western Regional Off-Track Betting Corporation, ("Western") held on the 26th day of October 2023 and commencing at 10:00 a.m. in the *Boardroom*, Corporate Headquarters at 8315 Park Road Batavia, New York.

Attending:

Crystal Rodriguez-Dabney – Buffalo
Terrance Baxter - Cayuga
Vincent W. Horrigan – Chautauqua
Jennifer Hiber - Erie
Charles N. Zambito - Genesee
Thomas P. Wamp – Livingston
Elliott Winter – Niagara
Edward F. Morgan - Orleans
Mark A. Bombardo - Oswego
Dennis Bassett – Rochester
Michael D. Horton – Steuben
Susan C. May - Wyoming

Absent:

Burr
Wilmot
Bartow
Ricci
Lauderdale

Also Attending:

Henry F. Wojtaszek, President & CEO
Scott P. Kiedrowski, Chief Operating Officer
Jacquelyne A. Leach, Chief Financial Officer
William R. White, Vice-President - Administration
Sean S. Schiano, Vice President – Operations
Steven J. Haigh, Internal Auditor
Ryan L. Hasenauer, Director of Marketing
Dina M. Pane, General Manager of OTB Operations
Mike Pettinella, The Batavian, Brian Quinn, The Batavia Daily News, Antonella Rotilio, Labor Relations Rep.

The meeting was called to order at 10:00 a.m. by Mr. Henry F. Wojtaszek, President & CEO.

A roll of the membership of the Board having been called, Mr. Scott P. Kiedrowski, Chief Operating Officer declared a quorum present.

Mr. Wojtaszek proceeded to conduct a meeting following the published Agenda.

Mr. Wojtaszek asked Director Bombardo to lead the assemblage in the Pledge of Allegiance.

With a quorum present, Mr. Wojtaszek asked for nominations from the floor for the position of temporary Chairman of the Board of Directors for the month of October. Director Winter nominated Director Bassett. Director Morgan seconded the nomination. Mr. Wojtaszek moved to close the request for nominations seconded by Director Horrigan. A voice vote was taken; Ayes: 11; Abstain: 0; Absent: 5; Wilmot, Lauderdale, Burr, Ricci, Bartow; Vacant: Buffalo. The motion passed. A motion by Director Morgan to amend the approved temporary Chairman Bassett for the month of October to also include the month of November was seconded by Director Winter. A voice vote was taken; Ayes: 11; Abstain: 0; Absent: 5; Wilmot, Lauderdale, Burr, Ricci, Bartow; Vacant: Buffalo. The motion passed.

Mrs. Jacquelyne A. Leach, Chief Financial Officer, reviewed the September 2023 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$44,970 in surcharge revenues to member municipalities for September. For the third quarter 2023 the Corporation will distribute \$2,613,323 in operational earnings to member municipalities.

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

Mr. Ryan Hasenauer, Director of Marketing showed images of the upcoming hotel offers.

Mr. Hasenauer reviewed slides from the onsite events including the Vodka Gin Fest, Family Fun Days, and the Psychic Fair. He also reviewed slides of upcoming events including the Legends and Stars Sports Expo, Uncle Louie Comedy Show, Wine Festival and Marsha McWilson Christmas Show.

A question was asked if events would benefit if our onsite hotel was expanded. The answer given by staff was that increased hotel capacity would increase the attendance due to the "hotel and ticket packages" that are put together for these events.

Mr. Wojtaszek held a brief Legislative update that included information regarding IGaming, tax rates, and sports betting.

Ms. Dina Pane, General Manager of OTB Operations provided a Branch update including the sale of the property located at 714 W. Ridge Road, Rochester New York and three adjoining parcels located at 8, 10 and 12 Bernice Street, Rochester, New York. Staff is recommending Western proceed with the necessary documents to complete this

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transaction for \$500,000.00 to Michael J. Cerone. Upon motion by Director Morgan and seconded by Director Bombardo a roll call vote was taken.

Ayes; Hibit 24, Bassett 8, Winter 8, Horrigan 5, Bombardo 4, Horton 3, Baxter 3, Wamp 2, Zambito 2, May 1, Morgan 1; Absent: Wilmot Lauderdale, Burr, Ricci, Bartow, Vacant Buffalo. The motion passed.

Ms. Dina Pane, General Manager of OTB Operations also provided the offer of the sale of the property located at 228 Huntly Road, Phoenix, New York. Staff is recommending Western proceed with the necessary documents to complete this transaction for \$750,000.00 to the CM Family Trust. Upon motion by Director Winter seconded by Director Horton a roll call vote was taken. Ayes; Hibit 24, Bassett 8, Winter 8, Horrigan 5, Bombardo 4, Horton 3, Baxter 3, Wamp 2, Zambito 2, May 1, Morgan 1; Absent: Wilmot Lauderdale, Burr, Ricci, Bartow, Vacant Buffalo. The motion passed.

Mr. Wojtaszek gave a brief Insurance update that included an alternative employee family health care plan.

Mr. Sean S. Schiano, Vice President - Operations provided gaming floor statistics.

Mr. Kiedrowski briefly discussed upcoming plans for the following. The live racing winter meet which will include sixteen (16) dates, hotel suite maintenance, POS system upgrade, second floor restrooms improvements as well as plans to upgrade the Grandstands event area.'

Mr. Wojtaszek announced the 2024 Operating Plan Workshop will be held on November 15, 2023, at 11a.m. in the Boardroom.

The next Committee and Board meeting is scheduled for December 13 and 14, 2023, respectively.

Mr. Wojtaszek adjourned the meeting at 10:39 a.m.

Respectfully submitted,


Scott P. Kiedrowski, Secretary to the Board

/pma

Resolution #94-2023 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 Director Morgan and seconded by Director Bombardo which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jennifer Hibit	[X] 24	[]	[]	[]
James Wilmot	[] 20	[]	[]	[X]
*Crystal Rodriguez-Dabney	[] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Ken Lauderdale	[] 3	[]	[]	[X]
Mark Burr	[] 3	[]	[]	[X]
Terrance Baxter	[X] 3	[]	[]	[]
Thomas Wamp	[X] 2	[]	[]	[]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Richard Ricci	[] 1	[]	[]	[X]
*Paul Bartow	[] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

*Pending License approval.

STATE OF NEW YORK)

) SS:

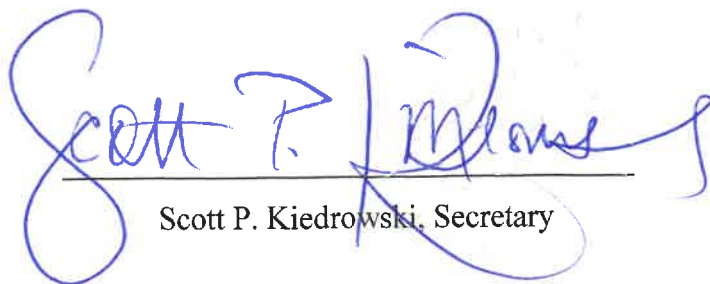
COUNTY OF GENESEE)

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 October 26, 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 15th day of November 2023.



Scott P. Kiedrowski, Secretary

Resolution #95-2023 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 Director Winter and seconded by Director Horton which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jennifer Hibit	[X] 24	[]	[]	[]
James Wilmot	[] 20	[]	[]	[X]
*Crystal Rodriguez-Dabney	[] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Ken Lauderdale	[] 3	[]	[]	[X]
Mark Burr	[] 3	[]	[]	[X]
Terrance Baxter	[X] 3	[]	[]	[]
Thomas Wamp	[X] 2	[]	[]	[]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Richard Ricci	[] 1	[]	[]	[X]
*Paul Bartow	[] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

*Pending License approval.

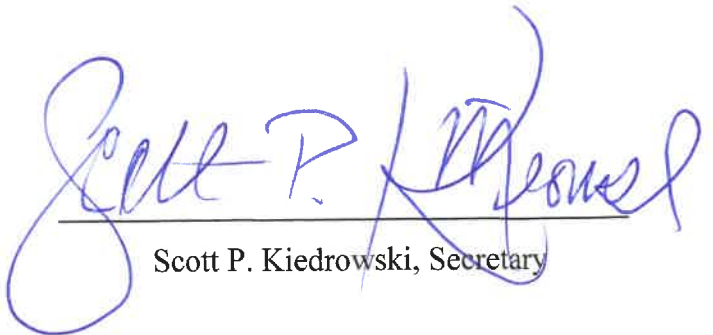
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