

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BOARD OF DIRECTORS MEETING

**January 18, 2024
10:00AM**

AGENDA

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Nomination of Chairman of the Board
5. Election of Chairman of the Board
6. Nomination of Vice-Chairman of the Board
7. Election of Vice-Chairman of the Board
8. Approval of Previous Minutes
9. Communications
10. Personnel Committee Report
11. Finance Committee Report
12. Advertising & Promotions Committee Report
13. Legislative Committee Report
14. Branch Committee Report
15. Insurance Committee Report
16. Audit Committee Report
17. Batavia Downs Operations Committee Report
18. Unfinished Business
19. New Business
20. Adjournment

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

PERSONNEL COMMITTEE MEETING AGENDA

Wednesday, January 17, 2024
1:00 p.m.

Elliott Winter, Chairperson

Dennis Bassett, Member
Vincent Horrigan, Member
Susan May, Member
Richard Ricci, Member
Thomas Wamp, Member

AGENDA

1. Corporate Policies

-W. White
-D. Fleming
2. Additional Position – Assistant General Manager F&B

-S. Kiedrowski
3. Title Change – Bar Supervisor to
General Manager of Bar Operations

S. Kiedrowski
4. Executive Session
 - 5a. 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.

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

Finance Committee Meeting Agenda
Wednesday, January 17, 2024
Batavia, New York

Michael Horton, Chairman
Thomas Wamp, Vice Chairman

Paul Bartow, Member
Dennis Bassett, Member
Terrance Baxter, Member
Vincent Horrigan, Member
Elliott Winter, Member

1. Revised Final Operating Plan J. Leach

2. Chief Financial Officer Report & BDG Financials J. Leach
 - November 2023

3. Regional VGM Weekly Numbers J. Leach

WESTERN REGIONAL OFF-TRACK BETTING - SUMMARY OF CFO'S REPORT - ACTUAL RESULTS:

<u>Operational Results - November 2023</u>	<u>November 2023</u>	<u>November 2022</u>	<u>November Plan</u>
Total Handle	\$3,744,014	\$4,164,378	\$3,771,330
\$ Variance		(420,364)	(27,316)
% Variance		-10%	-1%
VGM Net Win	\$6,300,731	\$5,812,958	\$5,997,640
\$ Variance		487,773	303,091
% Variance		8%	5%
Revenue net of Statutories	\$ 3,916,844	\$ 3,568,419	\$ 3,533,782
Operating Expenses	3,400,860	3,245,944	3,391,758
Earnings and Surcharge	515,984	322,475	142,024
Surcharge	44,901	49,780	44,742
Operational Earnings (Losses)	\$ 471,083	\$ 272,695	\$ 97,282
\$ Variance		198,388	373,801
% Variance		73%	384%

* Earnings are computed and distributed on a quarterly basis

<u>Segment Performance:</u>	<u>November 2023</u>	<u>November 2022</u>	<u>November Plan</u>
BRANCH Earnings from Operations	\$ 120,330	\$ (45,319)	\$ 11,123
Less: G&A Allocation	192,144	216,938	193,685
<u>Earnings (Losses) net of G&A Allocation</u>	<u>\$ (71,814)</u>	<u>\$ (262,257)</u>	<u>\$ (182,562)</u>
\$ Variance		190,443	110,748
% Variance		73%	61%
BATAVIA DOWNS Earnings from Operations	\$ 899,737	\$ 847,130	\$ 639,546
Less: G&A Allocation	356,840	312,178	359,702
<u>Earnings net of G&A Allocation</u>	<u>\$ 542,897</u>	<u>\$ 534,952</u>	<u>\$ 279,844</u>
\$ Variance		7,945	263,053
% Variance		1%	94%
GENERAL AND ADMINISTRATIVE expense	\$ 548,984	\$ 529,116	\$ 553,387
\$ Variance		19,868	(4,403)
% Variance		4%	-1%
<u>Net Cash Distributions to Municipalities:</u>	<u>November 2023</u>	<u>November 2022</u>	<u>November Plan</u>
SURCHARGE	\$ 44,901	\$ 49,780	\$ 44,742
\$ Variance		(4,879)	159
% Variance		-10%	0%
<u>Year to Date Surcharge and Net Revenue</u>	<u>November 2023</u>	<u>November 2022</u>	<u>November Plan</u>
SURCHARGE	\$ 582,003	\$ 657,095	\$ 580,685
\$ Variance		(75,092)	1,318
% Variance		-11%	0%
NET EARNINGS AVAILABLE FOR DISTRIBUTION	\$ 8,719,315	\$ 7,977,652	\$ 4,915,924
\$ Variance		741,663	3,803,391
% Variance		9%	77%
TOTAL	\$ 9,301,318	\$ 8,634,747	\$ 5,496,609

CFO'S REPORT - November 2023

SUMMARY - WESTERN REGIONAL OTB CORPORATION - ALL LOCATIONS/DEPARTMENTS: ROUNDED

	2023 November	2022 November	2023 November Plan	2023 Year To Date	2022 Year To Date	2023 Operating Plan YTD
HANDLE (includes Live)	\$3,744,000	\$4,163,000	\$3,771,000	\$47,441,000	\$52,495,000	\$46,929,000
\$ Variance		(419,000)	(27,000)		(5,065,000)	512,000
% Variance		-10%	-1%		-10%	1%
VGM Net Win	\$6,301,000	\$5,813,000	\$5,998,000	\$77,716,000	\$70,050,000	\$71,722,000
\$ Variance		488,000	303,000		7,668,000	5,994,000
% Variance		8%	5%		11%	8%
Revenue and Expense:						
Operating Revenue	7,488,000	6,941,000	6,938,000	91,209,000	84,540,000	83,871,000
\$ Variance		547,000	550,000		6,669,000	7,338,000
% Variance		8%	8%		8%	9%
Less: Statutory Expenses	3,571,000	3,373,000	3,404,000	44,187,000	40,974,000	41,047,000
\$ Variance		198,000	187,000		3,213,000	3,140,000
% Variance		6%	5%		8%	8%
Revenue before Operating Expenses	3,917,000	3,568,000	3,534,000	47,022,000	43,566,000	42,824,000
\$ Variance		349,000	383,000		3,456,000	4,198,000
% Variance		10%	11%		8%	10%
Less: Operating Expenses	3,401,000	3,246,000	3,392,000	37,720,000	34,931,000	37,328,000
\$ Variance		155,000	9,000		2,789,000	392,000
% Variance		5%	0%		8%	1%
Retained Surcharge/Net earnings	616,000	322,000	142,000	9,302,000	8,635,000	5,496,000
\$ Variance		194,000	374,000		667,000	3,806,000
% Variance		60%	263%		8%	69%
Retained Surcharge	45,000	50,000	45,000	582,000	657,000	581,000
\$ Variance		(5,000)	0		(75,000)	1,000
% Variance		-10%	0%		-11%	0%
Net Earnings(Losses) from Operations	471,000	273,000	97,000	8,719,000	7,979,000	4,915,000
\$ Variance		198,000	374,000		740,000	3,804,000
% Variance		73%	386%		9%	77%
Year End Non- Cash Items:						
PPP Forgiveness	0	0	0	0	81,000	
Earnings (Losses) Net of PPP Forgiveness	471,000	273,000	97,000	8,719,000	8,060,000	4,915,000
\$ Variance		198,000	374,000		659,000	3,804,000
% Variance		73%	386%		8%	77%
			Operational Earnings	Earnings allocated to CAF	Distributable Earnings	
1st Qtr. Operational Earnings*			\$2,234,432	\$117,486	\$2,116,946	\$1,791,935
\$ Variance						325,011
% Variance						18%
2nd Qtr. Operational Earnings*			\$2,667,120	\$139,692	\$2,527,628	\$2,548,195
\$ Variance						(20,667)
% Variance						-1%
3rd Qtr. Operational Earnings*			\$2,739,570	\$126,247	\$2,613,323	\$2,230,525
\$ Variance						382,798
% Variance						17%
4th Qtr. Operational Earnings*			\$1,078,193	\$0	\$1,078,193	\$986,332
\$ Variance						91,861
% Variance						9%
Total YTD			\$8,719,315	\$383,325	\$8,335,990	\$7,556,987
\$ Variance						779,003
% Variance						10%

* Available for Distribution

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

ADVERTISING AND PROMOTIONS COMMITTEE AGENDA

Wednesday, January 17, 2024

2:30 P.M.

Susan May – Chairperson
James Wilmot – Vice Chairperson
Dennis Bassett – Member
Edward Morgan – Member

Terrance Baxter - Member
Crystal Rodriguez-Dabney – Member
Elliott Winter – Member
Richard Ricci – Member

AGENDA

1. Gaming/Branch Marketing Update

R. Hasenauer

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BRANCH OPERATIONS COMMITTEE MEETING Agenda

**Wednesday, January 17, 2024
3:00 P.M.**

Mark Burr, Chairperson
Crystal Rodriguez-Dabney, Vice-Chairperson

Dennis Bassett, Member
Mark Bombardo, Member
Michael Horton, Member
Edward Morgan, Member

AGENDA

1) Branch Update

- Dina Pane

2) E-Z Bet Update

- Dina Pane

3) Batavia Bets Update

- Dina Pane

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

LEGISLATIVE COMMITTEE

**Wednesday – January 17, 2024
3:30 p.m.**

Mark Bombardo - Chairperson
Terrance Baxter - Vice Chairman
Dennis Bassett - Member

Susan May - Member
Mark Burr - Member
Charles Zambito – Member
Paul Bartow - Member

AGENDA

1. Resolution 02-2024 – Bolton St. Johns -H. Wojtaszek
2. Resolution 03-2024 – Upstate Strategic Advisors -H. Wojtaszek

RESOLUTION #02-2024

WHEREAS, the Western Regional Off-Track Betting Corporation (“Western”) has previously entered into an agreement with Bolton-St. Johns (“BSJ”) for purposes of providing Western certain consulting services as a liaison with various government officials; and

WHEREAS, Western would like to continue to engage BSJ for such purposes; and

WHEREAS, the Board desires to enter into a six-month extension to the agreement with BSJ for the amount of \$8,500.00 per month, covering the period from January 1, 2024 through June 30, 2024; and therefore, be it

RESOLVED, that Western agrees to enter into an extension to the agreement with BSJ for the amount of \$8,500.00 per month, covering the six-month period from January 1, 2024 through June 30, 2024, along the same terms and conditions of the agreement previously entered into between the parties.

RESOLVED, that an officer of Western is directed to execute such documents as to further this extension to the Agreement.

Respectfully Submitted,

Dated: January 18, 2024
Batavia, New York

RESOLUTION #03-2024

WHEREAS, the Western Regional Off-Track Betting Corporation (“Western”) has previously entered into an agreement with Upstate Strategic Advisors, LLC. (“Upstate”); and

WHEREAS, Western previously engaged Upstate to act as an independent consultant for purposes of assisting Western to enhance its operations. Upstate will continue to provide professional guidance, strategic advice and to work and perform with the intent to help Western increase their revenue and improve their marketing strategies; and

WHEREAS, Western would like to continue to engage Upstate for such purposes; and

WHEREAS, the Board desires to enter into a six (6) month extension agreement with Upstate effective January 1, 2024 through June 30, 2024 at the rate of \$3,500.00 per month; and therefore, be it

RESOLVED, that Western enter into a six (6) month extension agreement with Upstate for the period of January 1, 2024 through June 30, 2024, at the rate of \$3,500.00 per month for the services set forth above; and further

RESOLVED, that an officer of Western is directed to execute such a document necessary as to further this Resolution.

Respectfully Submitted,

Dated: January 18, 2024
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

INSURANCE COMMITTEE
Wednesday, January 17, 2024
3:45p.m.

Vince Horrigan – Chairperson
Mark Burr – Vice-Chairperson
Dennis Bassett – Member

James Wilmot - Member
Edward Morgan - Member

AGENDA

1. Resolution 15-2024 -Travelers Insurance
Hotel at BD property

- H. Wojtaszek

RESOLUTION - #15-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Travelers Insurance Company has provided a quote for property insurance coverage for the period of December 10, 2023 - December 10, 2024 for \$59,261.00 for the hotel at Batavia Downs; and

WHEREAS, staff recommends that the Board of Western accept the proposal of Travelers Insurance Company for property insurance coverage for the period of December 10, 2023 - December 10, 2024 for \$59,261.00 for the hotel at Batavia Downs; and now therefore

BE IT RESOLVED, that Western’s Board of Directors accepts the proposal of Travelers Insurance Company for property insurance coverage for the period of December 10, 2023 - December 10, 2024 for \$59,261.00 for the hotel at Batavia Downs; 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,

Dated: January 18, 2024
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BATAVIA DOWNS OPERATIONS COMMITTEE AGENDA

Thursday – January 18, 2024
9:00 A.M.

Edward Morgan - Chairperson
Charles Zambito - Vice-Chairperson
Dennis Bassett - Member

Paul Bartow - Member
Michael Horton - Member
Thomas Wamp - Member
Mark Bombardo – Member

1. Gaming Floor Update
2. Resolution 01-2024 -Loomis
3. Resolution 04-2024 -Great Lakes Environmental
Safety Consultants, Inc.
4. Resolution 05-2024 -Sherwin Williams
5. Resolution 06-2024 -Cintas
6. Resolution 07-2024 -Hillyard
7. Resolution 08-2024 -Hill & Markes
8. Resolution 09-2024 -L & M Specialty Fabrication
9. Resolution 10-2024 -Crosby Brownlie
10. Resolution 11-2024 -Corr
11. Resolution 12-2024 -Green Mountain
12. Resolution 13-2024 -Napa
13. Resolution 14-2024 -Home Depot
14. Resolution 16-2024 -US Foodservice Inc
15. Resolution 17-2024 -Tarantino Foods
16. Resolution 18-2024 -Danny Gare
17. Resolution 19-2024 -Jim Fink

-S. Schiano

RESOLUTION - #01-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its Batavia Downs gaming location in a secure and safe environment; and

WHEREAS, Western presently engages Loomis, an armored car services company located in Palatine, Illinois, to provide armor care services to Western; and

WHEREAS, Western's staff recommends to the Board that Western enter into a one (1) year agreement with Loomis to provide armored car services 5 days a week at its Batavia Downs gaming location for the annual amount of \$20,000.00; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby accepts the proposal from Loomis to provide armored car services to Western at the Batavia Downs gaming location for a one (1) year period in the amount of \$20,000.00; 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,

Dated: January 18, 2024
 Batavia, New York

RESOLUTION - #04-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Great Lakes Environmental & Safety Consultants, Inc (“Great Lakes”) have provided a proposal to Western to provide continual workplace safety compliance assistance for an additional one (1) year period (January 1, 2024 – December 31, 2024) for an amount not to exceed \$20,400.00; and

WHEREAS, staff recommends that the Board of Western accept the proposal of Great Lakes of \$20,400.00 for an additional one (1) year period; and now therefore

BE IT RESOLVED, that Western’s Board of Directors accepts the proposal of Great Lakes to provide continual workplace safety compliance for an additional one (1) year period in an amount not to exceed \$20,400.00; 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,

Dated: January 18, 2024
 Batavia, New York

RESOLUTION - #05-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Sherwin Williams has submitted a proposal for paint as needed at Batavia Downs in 2024 at a price not to exceed \$40,000.00 per the omnia contract; and

WHEREAS, staff recommends that the Board of Western accept the proposal of Sherwin Williams for paint as needed at Batavia Downs in 2024 at a price not to exceed \$40,000.00 per the omnia contract and now therefore

BE IT RESOLVED, that Western's Board of Directors accepts the proposal of Sherwin Williams for paint as needed at Batavia Downs in 2024 at a price not to exceed \$40,000.00 per the omnia contract; 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,

Dated: January 18, 2024
 Batavia, New York

RESOLUTION - #06-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Cintas has submitted a proposal for Batavia Downs maintenance employee uniform services for 2024 at a price not to exceed \$17,000.00 per the GPO premier-Group Purchasing Alliance; and

WHEREAS, staff recommends that the Board of Western accept the proposal of Cintas for Batavia Downs maintenance employee uniform services for 2024 at a price not to exceed \$17,000.00 per the GPO premier-Group Purchasing Alliance; and now therefore

BE IT RESOLVED, that Western’s Board of Directors accepts the proposal of Cintas for Batavia Downs maintenance employee uniform services for 2024 at a price not to exceed \$17,000.00 per the GPO premier-Group Purchasing Alliance; 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,

Dated: January 18, 2024
Batavia, New York

RESOLUTION #07-2024

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) requires various custodial supplies, including paper and plastic products, cleaning supplies and equipment parts for the operation of its various facilities; and

WHEREAS, Staff recommends that the Board of Directors of the Western approve the purchase of such custodial supplies from Hillyard, an approved NYS Contract #PC67229, for the 2024 year in an amount not to exceed \$55,000.00; and, now therefore be it

RESOLVED, that the Board of Directors of the Western approve the purchase custodial supplies from Hillyard for the 2024 year in an amount not to exceed \$55,000.00; and, be it further

RESOLVED, that an Officer of Western is authorized to execute such documentation in furtherance of the Board’s approval of this resolution.

Respectfully submitted,

Dated: January 18, 2024
 Batavia, New York

RESOLUTION #08-2024

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) requires various custodial supplies, including paper and plastic products, cleaning supplies and equipment parts for the operation of its various facilities; and

WHEREAS, Staff recommends that the Board of Directors of the Western approve the purchase of such custodial supplies from Hill & Markes, Inc., a NYS contract vendor (Group 3900, Award 23245), for the 2024 year in an amount not to exceed \$50,000.00; and, now therefore be it

RESOLVED, that the Board of Directors of the Western approve the purchase custodial supplies from Hill & Markes, Inc. for the 2024 year in an amount not to exceed \$50,000.00; and, be it further

RESOLVED, that an Officer of Western is authorized to execute such documentation in furtherance of the Board’s approval of this resolution.

Respectfully submitted,

Dated: January 18, 2024
 Batavia, New York

RESOLUTION - #09-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, L&M Specialty Fabrication has provided a proposal to Western for a complete custom gate with electric and truck modifications for the track at Batavia Downs for \$90,853.58; and

WHEREAS, staff recommends that the Board of Western accept the proposal of L&M Specialty Fabrication, a sole source provider, for a complete custom gate with electric and truck modifications for the track at Batavia Downs for \$90,853.58; and now therefore

BE IT RESOLVED, that Western’s Board of Directors accepts the proposal of L&M Specialty Fabrication for a complete custom gate with electric and truck modifications for the track at Batavia Downs for \$90,853.58; 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,

Dated: January 18, 2024
Batavia, New York

RESOLUTION - #10-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, an emergency repair is needed to air handling unit 2 at Batavia Downs, and

WHEREAS, Crosby-Brownlie Inc has provided a proposal to Western to repair said unit for \$16,000.00; and

WHEREAS, staff recommends that the Board of Western accept the proposal of Crosby-Brownlie Inc. to repair the unit for \$16,000.00; and now therefore

BE IT RESOLVED, that Western’s Board of Directors accepts the proposal of Crosby-Brownlie to repair the unit for \$16,000.00; 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,

Dated: January 18, 2024
Batavia, New York

RESOLUTION #11-2024

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) requires various custodial supplies, including paper and plastic products, cleaning supplies and equipment parts for the operation of its various facilities; and

WHEREAS, Staff recommends that the Board of Directors of the Western approve the purchase of such custodial supplies from Corr Distributors, an approved NYS Contract vendor, for the 2024 year in an amount not to exceed \$20,000.00; and, now therefore be it

RESOLVED, that the Board of Directors of the Western approve the purchase custodial supplies from Corr Distributors for the 2024 year in an amount not to exceed \$20,000.00; and, be it further

RESOLVED, that an Officer of Western is authorized to execute such documentation in furtherance of the Board’s approval of this resolution.

Respectfully submitted,

Dated: January 18, 2024
 Batavia, New York

RESOLUTION #12-2024

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) purchases various building and repair items on an as-needed basis; and

WHEREAS, the Staff recommends to the Board of Directors of the Western to purchase various electrical parts and supplies as needed, with no single item exceeding \$500.00, in the amount not to exceed \$35,000 for the 2024 year from Green Mountain Electric Supply (“Green Mountain”), a sole source provider; and;

WHEREAS, the Board of Directors of the Western wishes to approve the purchase of various electrical parts and supplies as needed in the amount not to exceed \$35,000 for the 2024 year from Green Mountain; and, therefore be it

RESOLVED, that the Board of Directors of the Western approves the purchase of various electrical parts and supplies as needed, with no single item exceeding \$500.00, in the amount not to exceed \$35,000 for the 2024 year from Green Mountain; and, be it further

RESOLVED, that an officer of Western is authorized to execute any agreement in furtherance of the Board's approval of this resolution.

Respectfully submitted,

Dated: January 18, 2024
 Batavia, New York

RESOLUTION - #13-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its Batavia Downs location in the most efficient manner possible; and

WHEREAS, Western wishes to purchase various items and car parts from Napa Auto Parts, located at 412 East Main Street, Batavia, New York ("Napa") under a Omnia Federal Bid Contract to maintain various vehicles owned and operated by Western; and

WHEREAS, Western needs to purchase additional items and parts from Napa for the 2024 year in the total annual amount of \$20,000.00; and

WHEREAS, Staff recommends that the Board approve the purchase of items and car parts from Napa to help maintain the various vehicles owned and operated by Western in the annual amount of \$20,000.00 for the 2024 year; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approve the purchase of various items and car parts from Napa in the annual amount of \$20,000.00 for 2024; 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,

Dated: January 18, 2024
 Batavia, New York

RESOLUTION #14-2024

WHEREAS, Western Regional Off-Track Betting Corporation (“Western”) purchases various building and repair items on an as-needed basis; and

WHEREAS, the Staff recommends to the Board of Directors of the Western to purchase various building and repair items in an amount not to exceed \$80,000 for the 2024 year from Home Depot under NYS Contract #68681; and;

WHEREAS, the Board of Directors of the Western wishes to approve the purchase of various building and repair items from Home Depot in the amount not to exceed \$80,000 for the 2024 year; and, therefore be it

RESOLVED, that the Board of Directors of the Western approves the purchase of various building and repair items from Home Depot in the amount not to exceed \$80,000 for the 2024 year; and, be it further

RESOLVED, that an officer of Western is authorized to execute any agreement in furtherance of the Board's approval of this resolution.

Respectfully submitted,

Dated: January 18, 2024
Batavia, New York

RESOLUTION - #16-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to provide the best dining experience to its patrons at Western’s Batavia Downs restaurants; and

WHEREAS, Western had previously approved a blanket purchase order for the purchase of various food commodities and related items from US Foodservice Inc., with mailing address of PO Box 644547, Pittsburgh, PA (“US Food”) for the remainder of the 2023 calendar year; and

WHEREAS, Western requires a supplemental blanket purchase order in the amount of \$30,000.00 for use by the Food & Beverage Department through the remainder of 2023; and

WHEREAS, staff requests that the Board of Directors of Western approve a supplemental blanket purchase order in an amount not to exceed \$30,000.00 with US Food for the purchase of various food commodities and related products through the remainder of 2023; now therefore

BE IT RESOLVED, that the Western’s Board of Directors hereby approves a supplemental blanket purchase order in an amount not to exceed \$30,000.00 from US Food through the end of 2023; 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,

Dated: January 18, 2024
 Batavia, New York

RESOLUTION - #17-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to provide the best dining experience to its patrons at Western's Batavia Downs restaurants; and

WHEREAS, Western had previously approved a purchase order for the purchase of various food commodities and related items from Tarantino Foods LLC located at 530 Baily Avenue, Buffalo, New York ("Tarantino") for the 2023 calendar year in the amount of \$115,000.00; and

WHEREAS, Western requires a supplemental amount of \$5,000.00 for use by the Food & Beverage Department through the remainder of 2023; and

WHEREAS, staff requests that the Board of Directors of Western approve a supplemental order in the amount of \$5,000.00 with Tarantino for the purchase of various food commodities and related products through the remainder of 2023; now therefore

BE IT RESOLVED, that the Western's Board of Directors hereby approves a supplemental purchase order in the amount of \$5,000.00 from Tarantino through the end of 2023; 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,

Dated: January 18, 2024
 Batavia, New York

RESOLUTION - #18-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western desires to have Danny Gare make goodwill appearances on behalf of Western; and

WHEREAS, staff recommends that the Board of Western approve paying Danny Gare \$29,000.00 for appearances in 2024 pursuant to contract details to be worked out between Western and Danny Gare; and now therefore

BE IT RESOLVED, that Western's Board of Directors approves paying Danny Gare \$29,000.00 for appearances in 2024 pursuant to contract details to be worked out between Western and Danny Gare; and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to prepare and execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: January 18, 2024
Batavia, New York

RESOLUTION - #19-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western desires to have Jim Fink support Western’s social media marketing and provide organizational updates to staff; and

WHEREAS, staff recommends that the Board of Western approves paying Jim Fink \$1,500.00 per month from January 1, 2024 through December 31, 2024 to support Western’s social media marketing and provide organizational updates to staff; and now therefore

BE IT RESOLVED, that Western’s Board of Directors approves paying Jim Fink \$1,500.00 per month from January 1, 2024 through December 31, 2024 to support Western’s social media marketing and provide organizational updates to staff pursuant to contract details to be worked out between Western and Jim Fink; and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to prepare and execute an agreement that reflects the Board’s actions.

Respectfully submitted,

Dated: January 18, 2024
 Batavia, New York