

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BOARD OF DIRECTORS MEETING

February 22, 2024
10:00 a.m.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Previous Minutes
5. Communications
6. Personnel Committee Report
7. Finance Committee Report
8. Advertising & Promotions Report
9. Batavia Downs Operations Committee Report
10. Legislative Committee Report
11. Insurance Committee Report
12. Audit Committee Report
13. Branch Operations Committee Report
14. New Business
15. Adjournment

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

PERSONNEL COMMITTEE MEETING

Wednesday, February 21, 2023

1:00 p.m.

Elliott Winter, Chairperson
Vincent Horrigan, Vice-Chairperson

Dennis Bassett, Member
Edward Morgan, Member
Susan May, Member
Richard Ricci, Member
Thomas Wamp, Member

AGENDA

1. Approval – Personnel Classifications
-W. White
2. Eliminate Positions
-W. White
3. Additional Head Chef Position (1 to 2)
-W. White
-S. Kiedrowski
4. Vacation Buy-Back
-W. White
5. Sick Leave Benefit Donation Policy (New)
-H. Wojtaszek
6. Executive Session
 - 6a. 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 February 21, 2024 Batavia, New York

Michael Horton, Chairman
Thomas Wamp, Vice Chairman

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

1. Chief Financial Officer Report & BDG Financials
 - December 2023
 - January 2024 (will be provided upon completion)

- J. Leach

2. Regional VGM Numbers
 - January 2024

- J. Leach

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

<u>Operational Results - December 2023</u>	December 2023	December 2022	December Plan
Total Handle	\$3,353,076	\$3,545,616	\$3,245,282
\$ Variance		(192,540)	107,794
% Variance		-5%	3%
VGM Net Win	\$6,726,667	\$5,981,976	\$5,778,214
\$ Variance		744,691	948,453
% Variance		12%	16%
Revenue net of Statutories	\$ 3,985,059	\$ 3,626,108	\$ 3,422,211
Operating Expenses	3,031,320	3,271,022	3,486,758
Earnings and Surcharge	953,739	355,086	(64,547)
Surcharge	42,752	44,553	38,049
Operational Earnings (Losses)	\$ 910,987	\$ 310,533	\$ (102,596)
\$ Variance		600,454	1,013,583
% Variance		193%	988%

* Earnings are computed and distributed on a quarterly basis

<u>Segment Performance:</u>	December 2023	December 2022	December Plan
BRANCH Earnings from Operations	\$ 153,572	\$ 38,046	\$ (2,026)
Less: G&A Allocation	190,360	35,334	196,033
Earnings (Losses) net of G&A Allocation	\$ (36,788)	\$ 2,712	\$ (198,059)
\$ Variance		(39,500)	161,271
% Variance		-1456%	81%
BATAVIA DOWNS Earnings from Operations	\$ 1,301,302	\$ 358,668	\$ 459,525
Less: G&A Allocation	353,527	50,847	364,062
Earnings net of G&A Allocation	\$ 947,775	\$ 307,821	\$ 95,463
\$ Variance		639,954	852,312
% Variance		208%	893%
GENERAL AND ADMINISTRATIVE expense	\$ 543,887	\$ 86,181	\$ 560,095
\$ Variance		457,706	(16,208)
% Variance		531%	-3%

<u>Net Cash Distributions to Municipalities:</u>	December 2023	December 2022	December Plan
SURCHARGE	\$ 42,752	\$ 44,553	\$ 38,049
\$ Variance		(1,801)	4,703
% Variance		-4%	12%

<u>Year to Date Surcharge and Net Revenue</u>	December 2023	December 2022	December Plan
SURCHARGE	\$ 624,756	\$ 701,648	\$ 618,734
\$ Variance		(76,892)	6,022
% Variance		-11%	1%
NET EARNINGS AVAILABLE FOR DISTRIBUTION	\$ 9,630,301	\$ 8,306,877	\$ 4,814,328
\$ Variance		1,323,424	4,815,973
% Variance		16%	100%
TOTAL	\$ 10,255,057	\$ 9,008,525	\$ 5,433,062

CFO'S REPORT - December 2023

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

	2023 December	2022 December	2023 December Plan	2023 Year To Date	2022 Year To Date	2023 Operating Plan YTD
HANDLE (includes Live)	\$3,353,000	\$3,546,000	\$3,245,000	\$50,794,000	\$56,041,000	\$50,174,000
\$ Variance		(193,000)	108,000		(5,247,000)	620,000
% Variance		-5%	3%		-9%	1%
VGM. Net Win	\$6,727,000	\$5,982,000	\$5,778,000	\$84,443,000	\$76,032,000	\$77,500,000
\$ Variance		745,000	949,000		8,411,000	6,943,000
% Variance		12%	16%		11%	9%
Revenue and Expense:						
Operating Revenue	7,799,000	7,069,000	6,665,000	99,007,000	91,609,000	90,537,000
\$ Variance		730,000	1,134,000		7,398,000	8,470,000
% Variance		10%	17%		8%	9%
Less: Statutory Expenses	3,814,000	3,443,000	3,243,000	48,000,000	44,417,000	44,291,000
\$ Variance		371,000	571,000		3,583,000	3,709,000
% Variance		11%	18%		8%	8%
Revenue before Operating Expenses	3,985,000	3,626,000	3,422,000	61,007,000	47,192,000	46,246,000
\$ Variance		359,000	563,000		3,815,000	4,761,000
% Variance		10%	16%		8%	10%
Less: Operating Expenses	3,031,000	3,271,000	3,487,000	40,751,000	38,201,000	40,814,000
\$ Variance		(240,000)	(456,000)		2,550,000	(83,000)
% Variance		-7%	-13%		7%	0%
Retained Surcharge/Net earnings	954,000	355,000	(65,000)	10,256,000	8,991,000	5,432,000
\$ Variance		599,000	1,019,000		1,265,000	4,824,000
% Variance		169%	1568%		14%	89%
Retained Surcharge	43,000	45,000	38,000	625,000	702,000	619,000
\$ Variance		(2,000)	5,000		(77,000)	6,000
% Variance		-4%	13%		-11%	1%
Net Earnings(Losses) from Operations	911,000	311,000	(103,000)	9,630,000	8,289,000	4,813,000
\$ Variance		600,000	1,014,000		1,341,000	4,817,000
% Variance		193%	984%		16%	100%
Gain (loss) on sale of branch property	0	0	0	(103,000)	0	0
PPP Forgiveness					81,000	
Earnings (Losses) Net of Sale of Branch	911,000	311,000	(103,000)	9,527,000	8,370,000	4,813,000
\$ Variance		600,000	1,014,000		1,157,000	4,714,000
% Variance		193%	984%		14%	98%
			Operational Earnings	Earnings allocated to CAF	Distributable Earnings	
1st Qtr. Operational Earnings*		\$2,234,432	\$117,486	\$2,116,946	\$1,791,935	\$1,192,342
\$ Variance					325,011	924,604
% Variance					18%	78%
2nd Qtr. Operational Earnings*		\$2,667,120	\$139,592	\$2,527,628	\$2,548,195	\$1,901,132
\$ Variance					(20,667)	626,396
% Variance					-1%	33%
3rd Qtr. Operational Earnings*		\$2,739,570	\$126,247	\$2,613,323	\$2,230,525	\$1,297,000
\$ Variance					382,798	1,316,323
% Variance					17%	101%
4th Qtr. Operational Earnings*		\$1,989,179	\$101,147	\$1,888,032	\$1,200,652	\$422,854
\$ Variance					687,380	1,465,178
% Variance					67%	346%
Total YTD		\$9,630,301	\$484,472	\$8,145,829	\$7,771,307	\$4,813,328
\$ Variance					1,374,522	4,332,501
% Variance					18%	90%
* Available for Distribution						

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

ADVERTISING AND PROMOTIONS COMMITTEE AGENDA

Wednesday, February 21, 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
Timothy Callan – Member

AGENDA

1. Gaming/Branch Marketing Update - R. Hasenauer

2. Resolution 22-2024
- 2024 Live Nation Revision - R. Hasenauer

3. Resolution 26-2024
- Buffalo Bills - R. Hasenauer
- H. Wojtaszek

RESOLUTION - #22-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate in the most efficient manner, and the most cost-effective manner, while providing the best experience to our customers; and

WHEREAS, Western needs to revise Resolution No. 125-2023 to increase the amount of \$30,000.00 to \$35,000.00 to cover the cost of 8 tickets and 4 parking passes to all 2024 shows at Darien Lakes Performing Arts Center as the updated cost is \$32,000.00 rather than \$30,000.00, and to provide for additional ticket purchases should a particular show be requested by our guests; and

WHEREAS, staff recommends this additional request; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the increased dollar amount in Resolution 125-2023 from \$30,000.00 to \$35,000.00 , and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to enter into such an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: February 22, 2024
Batavia, New York

RESOLUTION - #26-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate in the most efficient manner, and the most cost-effective manner, while providing the best experience to our customers; and

WHEREAS, Western utilizes Buffalo Bills licensing fee and tickets and the utilization of a suite at the stadium as a marketing tool; and

WHEREAS, Western has previously provided for the purchase of these items in Resolution No. 03-2023 and since costs have gone up and playoff games have become a reality; and

WHEREAS, staff recommends that Resolution 03-2023 be amended to provide for a total cost in 2023 of \$151,098.00; in 2024 of \$157,202.90; in 2025 of \$163,413.05; and in 2026 of \$165,733,70; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the amendment of Resolution 03-2023 to reflect a total cost in 2023 of \$151,098.00; in 2024 of \$157,202.90; in 2025 of \$163,413.05; and in 2026 of \$165,733,70; and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to enter into such an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: February 22, 2024
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BATAVIA DOWNS OPERATIONS COMMITTEE AGENDA

Wednesday – February 21, 2024
3:00 p.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 - S. Schiano
2. Resolution 21-2024
- Hart Hotel - H. Wojtaszek
3. Resolution 23-2024
- Deere & Co. - H. Wojtaszek
4. Resolution 24-2024
- Pure Performance Renewable
Energy Solutions (PPE) - H. Wojtaszek
5. Resolution 25-2024
- EV Connect - H. Wojtaszek

RESOLUTION - #21-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate in the most efficient manner, and the most cost-effective manner, while providing the best experience to our customers; and

WHEREAS, Western is obligated to split administrative fees for 2023 for the Hotel at Batavia Downs with Hart Hotel; and

WHEREAS, Western's share of said fees is \$17,519.05; and

WHEREAS, staff recommends this payment in the amount of \$17,519.05; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes payment of administrative fees in the amount of \$17,519.05; and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to enter into such an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: February 22, 2024
Batavia, New York

RESOLUTION - #23-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate in the most efficient manner, and the most cost-effective manner, while providing the best experience to our customers; and

WHEREAS, Western needs to purchase a John Deere 2022 compact utility tractor and Frontier broadcast spreader for use at Batavia Downs; and

WHEREAS, Western has a quote for the tractor in the amount of \$38,553.44 and for the spreader in the amount of \$1,619.50 and these processes reflect an 18% discount off the MSRP and can be purchased under NYS Contract No. PC69683 from John Deere in North Carolina; and

WHEREAS, staff recommends this purchase in the total amount of \$40,152.94 from John Deere; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of a 2022 compact John Deere Tractor and Frontier broadcast spreader for the total sum of \$40,152.94 from John Deere under NYS Contract No. PC69683; and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to enter into such an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: February 22, 2024
Batavia, New York

RESOLUTION - #24-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate in the most efficient manner, and the most cost-effective manner, while providing the best experience to our customers; and

WHEREAS, Western needs to have electric vehicle supply equipment furnished and installed consisting of dedicated sub-panels for 16 charge ports, including charger mountings, signage and bollard covers; and

WHEREAS, Western may purchase this equipment from Pure Performance Renewable Energy Solutions, Buffalo NY that will correlate with the EV Connect - Sourcewell Contract No. 042221-EVC for a cost of \$27,338.00 less a rebate of \$23,892, resulting in a net cost of \$4,703.00; and

WHEREAS, staff recommends this purchase in the total net amount of \$4,703.00 from Pure Performance Renewable Energy Solutions, Buffalo, NY; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of this equipment from Pure Performance Renewable Energy Solutions, Buffalo, NY for a total net cost of \$4,703.00, and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to enter into such an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: February 22, 2024
Batavia, New York

RESOLUTION - #25-2024

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate in the most efficient manner, and the most cost-effective manner, while providing the best experience to our customers; and

WHEREAS, Western needs both hardware and software for electric car charging stations, specifically 16 Zerova single port stations, a Network cloud subscription and 16 pedestal bases; and

WHEREAS, Western may purchase this equipment from EV connect, El Segunda, California under Sourcewell Contract No. 04221-EVC for \$44,345.36; and

WHEREAS, Western will receive a minimum rebate of \$23,000.00 with the potential to rise to \$32,000.00 or more; and

WHEREAS, staff recommends this purchase in the total amount of \$44,345.36 from EV Connect, El Segunda, California; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of hardware and software for electric car charging stations, specifically 16 Zerova single port stations, a Network cloud subscription and 16 pedestal bases from EV Connect, El Segunda, California for a total cost of \$44,345.36 before any rebate, and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to enter into such an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: February 22, 2024
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

INSURANCE COMMITTEE
Wednesday, February 21, 2024
3:45p.m.

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

James Wilmot - Member
Edward Morgan - Member
Timothy Callan - Member

AGENDA

1. Insurance RFP Discussion

- H. Wojtaszek

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BRANCH OPERATIONS COMMITTEE MEETING

**Thursday, February 22, 2024
9:00 a.m.**

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

Dennis Bassett, Member – Ex-Officio
Mark Bombardo, Member
Michael Horton, Member – Ex-Officio
Edward Morgan, Member

AGENDA

- 1) Branch Update
- Dina Pane
- 2) E-Z Bet Update
- Dina Pane
- 3) Batavia Bets Update
- Dina Pane
- 4) Real Estate Update
- Henry Wojtaszek