

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 14th day of December 2023 and commencing at 10:03 a.m. in the *Boardroom*, Corporate Headquarters at 8315 Park Road Batavia, New York.

Participating were:

Cattaraugus	Mark C. Burr
Cayuga	Terrance Baxter
Chautauqua	Vincent W. Horrigan
Genesee	Charles N. Zambito
Livingston	Thomas P. Wamp
Monroe	James A. Wilmot
Niagara	Elliott R. Winter
Orleans	Edward F. Morgan
Oswego	Mark Bombardo
Rochester	Dennis Bassett
Schuyler	Paul Bartow
Seneca	Richard Ricci
Steuben	Michael Horton
Wyoming	Susan May

Absent:

Buffalo	Rodriguez-Dabney
Erie	Vacant
Wayne	Vacant

constituting the Directors of all participating municipalities.

Also participating were Henry F. Wojtaszek, President & CEO; Scott Kiedrowski, Chief Operating Officer; Jacquelyne A. Leach, Chief Financial Officer; William R. White, Vice President – Administration; Sean S. Schiano, Vice President - Operations; Steven Haigh, Internal Auditor, Ryan Hasenauer, Director of Marketing; Mike Pettinella, The Batavian, Brian Quinn, The Daily News; Antonella Rotilio; Lori Fuller.

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

Chairman Dennis Bassett proceeded to conduct the meeting following the published Agenda for this regular meeting.

Chairman Bassett asked Director Baxter to lead the assemblage in the Pledge of Allegiance.

Approval of Previous Minutes:

Chairman Bassett called for amendments, additions, deletions, or corrections to the minutes of the previous meeting of November 15, 2023. There being none, a motion was made by Director Morgan and seconded by Director Baxter to approve the November minutes as submitted. The minutes were approved unanimously by voice vote.

Communications:

Mr. Scott P. Kiedrowski informed the members of the following thank you notes.

A thank you note from Lisa Busch for the WNY Heroes Gala 2023 sponsorship.

A thank you note from Sal Pusateri, Jr., President, Retired Chapter Local 686 IAW.

A thank you note from Benjamin D. Marchione, Regional Director, WNY Make-A-Wish for the generous gift through the "Rockin the Downs" Summer Concert Series Chair Rentals.

A thank you note from the Corfu United Presbyterian Church Rev. Evan Wildhack, Pastor for Stay and Play package for the Annual Autumn in the Village event.

A thank you note from Judy Dintino Coordinator at ECMC for the Stay and Play package.

A thank you note from Christopher M. Kreiger, Sr. Iraq War Veteran President/Co-Founder WNY Heroes, Inc. for the sponsorship.

Personnel Committee Report:

Committee Chairman Winter reported that the Personnel Committee meeting was held on Wednesday December 13, 2023, at 1:00 p.m.

Director Winter reported Mr. Rajat Shah from Harris Beach gave a Power Point presentation about the roles and fiduciary duties of the full Board.

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Personnel Committee Report continued:

Mr. Winter reported Ms. Danielle Fleming, Director of Human Resources, advised the Committee that the Sexual Harassment, Drug and Alcohol and Personnel Policies were updated. This is for review by the Committee and for Board approval in January.

Upon motion by Director Winter and seconded by Director Wamp a voice vote was taken and passed unanimously.

Mr. Wojtaszek explained the need for another Stock Clerk position. Management would like to increase the position from one to two.

Upon motion was made by Director Winter, seconded by Director May a voice vote was taken and carried unanimously.

Considering an outstanding performance staff recommends that the Board of Directors approves a 4.5% wage adjustment for the employees.

Upon motion by Director Morgan and seconded by Director May a roll call vote was taken to approve the 4.5% wage increase. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 131-2023**

The Personnel Committee meeting adjourned at 3:05 p.m.

Finance Committee Report:

Committee Chairman Horton reported that the Finance Committee meeting was held on Wednesday December 13, 2023, at 3:16 p.m.

Resolution 80-2023 was presented for Buffalo Asphalt Milling Co. to provide the snow removal and shoveling services in Erie County Branch locations (1042 Wehrle Drive and 2310 Clinton Street) for a cost not to exceed \$60,000.00.

Upon motion by Director Horton and seconded by Director Winter a roll call vote was taken to approve the snow removal and shoveling services in Erie County Branch locations (1042 Wehrle Drive and 2310 Clinton Street) for a cost not to exceed \$60,000.00. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 80-2023.**

Finance Committee Report continued:

Resolution 87-2023 was presented to purchase \$120,000.00 of recycled copy paper, office, and janitorial supplies from WB Mason for use in 2024.

Upon motion by Director Horton and seconded by Director Baxter a roll call vote was taken to approve the purchase of \$120,000.00 of recycled copy paper, office, and janitorial supplies from WB Mason for use in 2024. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 87-2023.**

Resolution 130-2023 was presented to purchase a Docuware Professional Server to provide on premise software to meet the needs of the Corporation to provide document management, repository, and workflow automation function from Toshiba Business Solutions for a total of \$202,852.80.

Upon motion by Director Horton and seconded by Director Wamp a roll call vote was taken to approve the purchase of a Docuware Professional Server to provide on premise software to meet the needs of the Corporation to provide document management, repository, and workflow automation function from Toshiba Business Solutions for a total of \$202,852.80. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 130-2023.**

Director Horton reported that the October 2023 Chief Financial Officer Reports were reviewed. The results of operations for branches and Batavia Downs were reviewed. The Corporation will distribute \$40,151 in surcharge revenues to member municipalities for October. Mr. Horton reported that the October 2023 Batavia Downs results of operations were reviewed, and provided information on credits played, net win and free play, food and beverage, and other statistics.

Director Horton reported the NYGA Weekly Numbers were reviewed, highlighting Batavia Downs Gaming net win performance through October as compared to same period 2023 and 2022.

Director Horton reported Mrs. Leach reviewed the 2024 Operating Plan with Members.

Upon motion by Director Horton and seconded by Director Winter a roll call vote was taken to approve the 2024 Operating Plan as submitted. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler.

The Finance Committee meeting adjourned at 3:58 p.m.

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Advertising & Promotions Committee Report:

Committee Chairperson May reported that the Advertising & Promotions Committee meeting held on Wednesday December 13, 2023, at 4:00 p.m.

Director May reported that Mr. Ryan Hasenauer, Director of Marketing, reviewed upcoming hotel offers, photos of onsite events including the wine fest, Nerds Gone Wild, Uncle Louie and the Marsha McWilson concert.

Director May reported that WROTBC participated in several food drives alongside local media personalities and the Buffalo Sabres in November.

Director May reported the 2024 Concert Series press conference was well attended by local media.

Director May reported the events in the 1st quarter include Polka Buzz, Psychic Fair, Bourbon and BBQ events and a Beatles Tribute Concert.

Resolution 112-2023 was presented for the purchase of radio advertising on Audacy stations in Rochester and Buffalo in 2024 not to exceed \$100,000.00.

Upon motion by Director May and seconded by Director Bombardo a roll call vote was taken to approve the purchase of radio advertising on Audacy stations in Rochester and Buffalo in 2024 not to exceed \$100,000.00. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 112-2023.**

Resolution 120-2023 was presented to purchase direct mail advertising with ValPak a sole source provider for such services in 2024 in the amount of \$100,000.00.

Upon motion by Director May and seconded by Director Horton a roll call vote was taken to approve the purchase direct mail advertising with ValPak a sole source provider for such services in 2024 in the amount of \$100,000.00. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 120-2023.**

Resolution 124-2023 was presented to purchase television services throughout the Batavia Downs facility from Spectrum for \$120,000.00 in 2024.

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Advertising & Promotions Committee Report continued:

Upon motion by Director May and seconded by Director Morgan a roll call vote was taken to approve the purchase television services throughout the Batavia Downs facility from Spectrum in 2024 in the amount of \$120,000.00. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 124-2023.**

Resolution 126-2023 was presented to purchase postage for yearly promotional mailings in 2024 from USPS in the amount of \$120,000.00.

Upon motion by Director May and seconded by Director Horton a roll call vote was taken to approve the purchase postage for yearly promotional mailings in 2024 from USPS in the amount of \$120,000.00. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 126-2023.**

The Advertising & Promotions Committee meeting adjourned at 4:07 p.m.

Legislative Committee Report:

The Legislative Committee did not meet.

Branch Operations Committee Report:

The Branch Committee did not meet.

Insurance Committee Report:

Committee Chairperson May reported that the Insurance meeting was held on Thursday, December 14, 2023, at 9:05 a.m.

Director May reported four proposals were received for disability insurance and the lowest bid was from Shelter Point Life. Director May reported the amended amount for the purchase from Shelter Point Life is \$29,000.00.

Upon motion by Director May and seconded by Director Burr a roll call vote was taken and the amendment passed unanimously for the purchase of disability insurance from Shelter Point Life in the amount of \$29,000.00. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 104-2023.**

Insurance Committee Report continued:

The Insurance Committee adjourned at 9:07 a.m.

Audit Committee Report:

The Audit Committee did not meet.

Batavia Downs Operations Committee Report:

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Thursday December 14, 2023, at 9:08 a.m.

Director Morgan reported that Mr. Sean Schiano, Vice President - Operations provided gaming statistics to the Committee.

Thirty-nine Resolutions each requiring an expenditure of \$50,000.00 or less per year were presented. Staff asked to pass these in one motion if the vote is unanimous. See attached list.

Upon motion by Director Wamp and seconded by Director Baxter a roll call vote was taken to approve the thirty-nine Resolutions each requiring an expenditure of \$50,000.00 or less per year. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Attached**

Resolution 70-2023 was presented for Applied Business System in an amount not to exceed \$115,000.00.

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken to Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 70-2023.**

Resolution 72-2023 was presented for A/V Science bid for the video wall and TV installation for the total cost of \$71,429.00.

Upon motion by Director Morgan and seconded by Director Burr a roll call vote was taken to approve A/V Science for a total cost of \$71,429.00. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 72-2023.**

Batavia Downs Operations Committee Report continued:

Resolution 75-2023 was presented for Baskin Livestock Inc. for removal of manure and waste services for a 3-year period October 1, 2023 – September 30, 2026, at a cost not to exceed \$210,000.00.

Upon motion by Director Morgan and seconded by Director Horrigan a roll call vote was taken to approve Baskin Livestock Inc. for the 3-year period October 1, 2023 – September 30, 2026, at a cost not to exceed \$210,000.00. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 75-2023.**

Resolution 77-2023 was presented for WNY Tile and Stone Corp. for the installation of flooring for the Grandstands and Breakfast area in the amount not to exceed \$57,663.61.

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken to approve WNY Tile and Stone Corp. for the installation of flooring for the Grandstands and Breakfast area in the amount not to exceed \$57,663.61. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 77-2023.**

Resolution 78-2023 was presented for Cummins Allison Corp. for the purchase of a currency counter in the amount of \$77,175.00.

Upon motion by Director Morgan and seconded by Director Horton a roll call vote was taken to approve the purchase of a currency counter from Cummins Allison Corp. in the amount of \$77,175.00. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 78-2023.**

Resolution 81-2023 was presented to accept the bid from LeChase Construction Services LLC. with the hourly rates of \$82.00 per hour through June 30, 2024; \$84.00 per hour through June 30, 2025; and \$87.00 per hour through June 30, 2026.

Upon motion by Director Morgan and seconded by Director Horrigan a roll call vote was taken to approve the bid from LeChase Construction Services LLC. with the hourly rates of \$82.00 per hour through June 30, 2024; \$84.00 per hour through June 30, 2025; and \$87.00 per hour through June 30, 2026. Ayes: 13; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 2; Erie, Wayne. **See Resolution 81-2023.**

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Batavia Downs Operations Committee Report continued:

Resolution 82-2023 was presented for Mass Park Inc. dba Valet Park of America extension from December 22, 2023, through December 21, 2025, at a cost of \$400,000.00.

Upon motion by Director Morgan and seconded by Director Bombardo a roll call vote was taken to approve the Mass Park Inc. dba Valet Park of America extension from

December 22, 2023, through December 21, 2025, at a cost of \$400,000.00. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 82-2023.**

Resolution 84-2023 was presented for Pepsi Bottling Group for the supplemental amount of \$100,000.00 for the remainder of 2023.

Upon motion by Director Morgan and seconded by Director Burr a roll call vote was taken to approve Pepsi Bottling Group for the supplemental amount of \$100,000.00 for the remainder of 2023. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 84-2023.**

Resolution 85-2023 was presented for Landpro Equipment LLC. to purchase a John Deere 35G Excavator at a cost of \$64,125.00.

Upon motion by Director Morgan and seconded by Director Burr a roll call vote was taken to approve the purchase of a John Deere 35G Excavator at a cost of \$64,125.00 from Landpro Equipment LLC. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 85-2023.**

Resolution 96-2023 was presented for Konica Minolta Business Solutions for the lease and maintenance of printers under the Federal Alliance contract-Sourcewell #030321 at a monthly rate of \$7,252.25 per month and a 5-year total of \$435,135.00.

Upon motion by Director Morgan and seconded by Director Bombardo a roll call vote was taken to approve Konica Minolta Business Solutions for the lease and maintenance of printers under the Federal Alliance contract-Sourcewell #030321 at a monthly rate of \$7,252.25 per month and a 5-year total of \$435,135.00. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 96-2023.**

Batavia Downs Operations Committee Report continued:

Resolution 102-2023 was presented for Pepsi Bottling Group in the amount not to exceed \$275,000.00 for 2024.

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken to approve the purchase of Pepsi products from Pepsi Bottling Group in the amount not to exceed \$275,000.00 for 2024. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 102-2023.**

Resolution 105-2023 was presented for Travel Click for online reservations services for 2024 in an amount not to exceed \$60,000.00.

Upon motion by Director Morgan and seconded by Director Horrigan a roll call vote was taken to approve Travel Click for online reservations services for 2024 in an amount not to exceed \$60,000.00. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 105-2023.**

Resolution 107-2023 was presented for the purchase of food and beverage for the restaurants at Batavia Downs for 2024.

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken to approve Travel Click for online reservations services for 2024 in an amount not to exceed \$60,000.00. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 107-2023.**

Resolution 110-2023 was presented for Audio Images Sound & Lighting, Inc. the sole source provider for sound and equipment/personnel for the 2024 Rockin the Downs Concert Series for \$95,000.00.

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken to approve Audio Images Sound & Lighting, Inc. the sole source provider for sound and equipment/personnel for the 2024 Rockin the Downs Concert Series for \$95,000.00. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 110-2023.**

Resolution 132-2023 was presented to renew the agreement with Hart Hotel Inc. at a monthly rate not to exceed \$9,000.00 per month for the period January 1, 2024, through December 31, 2026.

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Batavia Downs Operations Committee Report continued:

Upon motion by Director Morgan and seconded by Director Horrigan a roll call vote was taken to renew the agreement with Hart Hotel Inc. at a monthly rate not to exceed \$9,000.00 per month for the period January 1, 2024, through December 31, 2026. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 132-2023.**

Resolution 133-2023 was presented for the authorization to expend up to \$100,000 for initial architectural and design renderings and other third-party expenditures related to evaluating the feasibility of an expansion of the hotel.

Upon motion by Director Morgan and seconded by Director Bombardo a roll call vote was taken to approve the expenditure of \$100,000 evaluating the feasibility of an expansion of the hotel. Ayes: 12; Nays: 0; Absent: 2 Rodriguez-Dabney, Ricci; Vacant: 3; Erie, Wayne, Schuyler. **See Resolution 133-2023.**

The Batavia Downs Operations Committee adjourned at 9:56 a.m.

New Business:

Mr. Wojtaszek requested permission for out of state travel to Las Vegas for Ms. Theresa Armbrust and also out of state travel for a marketing conference on July 16 and 17, 2024.

Upon motion by Director May and seconded by Director Winter a voice vote was taken and passed unanimously.

The next Committee and Board meeting is scheduled for January 17, and January 18, 2024, respectively.

Director May made a motion to go into Executive Session at 10:51 a.m., seconded by Director Winter; 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.

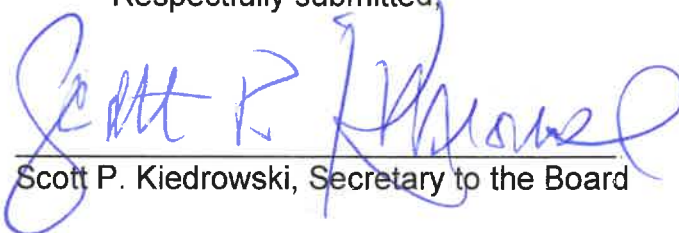
At 11:03 a.m. a motion was made by Director May and seconded by Director Burr to exit Executive Session.

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Adjournment:

Upon motion to adjourn was made by Director Horton seconded by Director May the meeting was adjourned at 11:04 a.m.

Respectfully submitted,



Scott P. Kiedrowski, Secretary to the Board

/pma

There are 39 Resolutions that each require an expenditure of \$50,000.00 or less per year. Most are for a one-year duration or less.

We ask the Board to pass these in one motion as long as the vote is unanimous.

They include the following numbers:

68 Kaseya Us Inc	109 570 DAB 30LLC
69 Agilysys POS/Bally	111 William Ryan Group 2024
71 Cummins Allison Corp	113 WKBW 2024
73 Darktrace	114 WGRZ Ch 2 2024
74 Modern Disposal Services Inc.	115 Facebook 2024
76 Home Depot Supp	116 Electronic Field Production 2024
79 AlSCO	117 Clipper Magazine 2024
83 Burley Brothers 2023	118 Genesee Valley Production 2024
86 ValPak Supp	119 Joe Hand Promotion 2024
88 Staples 2024	121 Sysco Supp
89 WEX 2024	122 Pidj.Co 2024
90 Daily Racing Form 2024	123 Latina Blvd Foods Supp
91 ADS Sales Co Inc Supp	125 Live Nation 2024
93 Bamboo 2024	127 Heidelberg Materials Northeast Supp
97 Extreme Streetwear 2024	128 Riviera Theatre 2024
98 Sunoco LLC 2024	129 Everi 2024
99 Noco Energy Group 2024	
100 Heidelberg Materials Northeast 2024	
101 Booking.com 2024	
103 Expedia.com 2024	
104 Shelter Point Life 2024	
106 ADS Sales Co Inc 2024	
108 Southern Wine & Spirits Supp	

RESOLUTION #68-2023

WHEREAS, as part of its ongoing operation, Western Regional Off-Track Betting Corporation ("Western") purchases utilizes various electronic and computer systems and supplies; and

WHEREAS, Western has a current contract being Federal GSA contract #47QTCA19D008G that runs through December 31, 2025, and

WHEREAS, the supplier identified in Resolution #93-2021 now operates under a new name, that being Kaseya US Inc., and

WHEREAS, Staff requests that the Board approve continuing the contract with the supplier now known as Kaseya US Inc.; and therefore

BE IT RESOLVED, that the Board of Directors of Western hereby approves and authorizes the continuation of the contract identified in Resolution #93-2021 with the company now known as Kaseya US Inc.; and further

RESOLVED, that the Board of Directors of Western hereby authorizes an officer of Western to execute any such agreements in furtherance of this resolution.

Respectfully submitted,

Dated: September 28, 2023
Batavia, New York

RESOLUTION #69-2023

WHEREAS, it is necessary for Western Regional Off-Track Betting Corporation ("Western") to maintain connectivity between Agilysys (POS System) and Bally; and

WHEREAS, SG Gaming Inc. provides such service and is a sole source provider; and

WHEREAS, the Board of Directors of Western wishes to enter into an agreement with SG Gaming Inc. the amount of \$37,140.00; now therefore be it

RESOLVED, that the Board of Directors of Western approve an agreement with SG Gaming Inc. to maintain connectivity between Agilysys (POS System) and Bally for the sum of \$37,140.00; and further

RESOLVED, that an Officer of Western is authorized to execute such agreement in furtherance of the Board's approval.

Respectfully submitted,

Dated: September 28, 2023
 Batavia, New York

RESOLUTION #71-2023

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate Batavia Downs Gaming in an efficient manner; and

WHEREAS, the use of money counting machines is indispensable to Western’s gaming operation: and

WHEREAS, Western currently owns several money-counting machines and associated equipment; and

WHEREAS, it is essential to Western’s gaming operation that the money counting machines operate reliably 24 hours a day and that they are maintained and serviced on a regular basis throughout the year; and

WHEREAS, Cummins-Allison Corporation (“Cummins”), a sole source provider, has offered a maintenance and service agreement to Western for the money counting machines and associated equipment for a period of one (1) year ending on September 30, 2024 for the annual amount not to exceed \$36,228.00; and therefore

BE IT RESOLVED, that the Board of Directors of Western hereby approves the maintenance and service agreement with Cummins for a one (1) year term ending September 30, 2024 in an amount not to exceed \$36,228.00; and

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

Respectfully submitted,

Dated: September 28, 2023
Batavia, New York

CUMMINS ALLISON CORP.

INVOICE

P.O. BOX 931958
Atlanta, GA 31193-1958
Cummins local office 315-437-6205 CUMMINS-ALLISON SYRAC-#91
D-U-N-S Nbr 00-506-9760
Federal ID 35-0145140
Telephone 847-299-9550

Invoice Number 1448501
Invoice Date 08-16-23
Customer Number 29336
Order Type PMIA
Cummins Order Number
Customer P.O. Number N/A

Bill to:

WESTERN REGIONAL OTB CORP
BATAVIA DOWNS GAMING
8315 PARK RD
BATAVIA, NY 14020

Terms: NET 10
Maintenance Contract Nbr: 68424723 CONTRACT RENEWAL - Service
1YR. CONTRACT ANN. INV.
Contract Period 10-01-23 TO 09-30-24

		Tax	Pmia Price
Equipment	406-9902-00 L-1 JETSCAN, 4062		482.00
Serial Number	14062478613246		
Location	29336*1 8315 PARK RD BATAVIA, NY 14020		
Contact			
Service Fac	91 CUMMINS-ALLISON SYRAC-#91		
Service Starts	10-01-23	Parts 57.84	0.00
		Labor 424.16	0.00
Equipment	406-9902-00 L-2 JETSCAN, 4062		482.00
Serial Number	14062478713246		
Location	29336*1 8315 PARK RD BATAVIA, NY 14020		
Contact			
Service Fac	91 CUMMINS-ALLISON SYRAC-#91		
Service Starts	10-01-23	Parts 57.84	0.00
		Labor 424.16	0.00
Equipment	406-9905-00 L-3 JETSCAN 4065		557.00
Serial Number	14065215313240		
Location	29336*1 8315 PARK RD BATAVIA, NY 14020		
Contact			
Service Fac	91 CUMMINS-ALLISON SYRAC-#91		
Service Starts	10-01-23	Parts 66.84	0.00
		Labor 490.16	0.00
Equipment	122-0421-01 L-4 PTR, CITIZEN, IDP3550, BLACK		192.00
Serial Number			
Location	29336*1 8315 PARK RD BATAVIA, NY 14020		
Contact			
Service Fac	91 CUMMINS-ALLISON SYRAC-#91		
Service Starts	10-01-23	Parts 9.60	0.00
		Labor 182.40	0.00
Equipment	484-0039-01 L-5 i423 ENH CF w/BCODE, 9P-V*		3,722.00
Serial Number	1i423000513255		
Location	29336*1 8315 PARK RD BATAVIA, NY 14020		
Contact			
Service Fac	91 CUMMINS-ALLISON SYRAC-#91		
Service Starts	10-01-23	Parts 446.64	0.00
		Labor 3275.36	0.00
Equipment	480-4001-01 L-6 2PKT ADDON MOD, DOM*i400*		510.00
Serial Number			
Location	29336*1 8315 PARK RD BATAVIA, NY 14020		
Contact			
Service Fac	91 CUMMINS-ALLISON SYRAC-#91		
Service Starts	10-01-23	Parts 61.20	0.00
		Labor 448.80	0.00

Location	29336*1 8315 PARK RD BATAVIA, NY 14020			
Contact				
Service Fac	91 CUMMINS-ALLISON SYRAC-#91			
Service Starts	10-01-23	Parts	61.20	0.00
		Labor	448.80	0.00
Equipment	480-4001-01 L-8 2PKT ADDON MOD,DOM*i400*			510.00
Serial Number				
Location	29336*1 8315 PARK RD BATAVIA, NY 14020			
Contact				
Service Fac	91 CUMMINS-ALLISON SYRAC-#91			
Service Starts	10-01-23	Parts	61.20	0.00
		Labor	448.80	0.00
Equipment	122-0381-01 L-9 PRINTER,THERMAL CT-S280			127.00
Serial Number				
Location	29336*1 8315 PARK RD BATAVIA, NY 14020			
Contact				
Service Fac	91 CUMMINS-ALLISON SYRAC-#91			
Service Starts	10-01-23	Parts	6.35	0.00
		Labor	120.65	0.00
Equipment	122-0267-01 L-10 PRINTER KIT, CITIZEN HIGH			192.00
Serial Number				
Location	29336*1 8315 PARK RD BATAVIA, NY 14020			
Contact				
Service Fac	91 CUMMINS-ALLISON SYRAC-#91			
Service Starts	10-01-23	Parts	9.60	0.00
		Labor	182.40	0.00
Equipment	410-0901-00 L-11 GUN, BCODE IT3800			290.00
Serial Number				
Location	29336*1 8315 PARK RD BATAVIA, NY 14020			
Contact				
Service Fac	91 CUMMINS-ALLISON SYRAC-#91			
Service Starts	10-01-23	Parts	63.80	0.00
		Labor	226.20	0.00
Equipment	406-9102-00 L-12 JETSCAN 4062 ES			395.00
Serial Number	14062077019353			
Location	29336*1 8315 PARK RD BATAVIA, NY 14020			
Contact				
Service Fac	91 CUMMINS-ALLISON SYRAC-#91			
Service Starts	10-01-23	Parts	47.40	0.00
		Labor	347.60	0.00
Equipment	409-9206-00 L-13 M-4096ES 2-POCKET JETSCAN			762.00
Serial Number	14096215519345			
Location	29336*1 8315 PARK RD BATAVIA, NY 14020			
Contact				
Service Fac	91 CUMMINS-ALLISON SYRAC-#91			
Service Starts	10-01-23	Parts	91.44	0.00
		Labor	670.56	0.00
Equipment	450-8336-00 L-14 MPX,CBP,2 integrated pkts			22,673.00
Serial Number	18336017322110			
Location	29336*1 8315 PARK RD BATAVIA, NY 14020			
Contact				
Service Fac	91 CUMMINS-ALLISON SYRAC-#91			
Service Starts	10-01-23	Parts	4988.06	0.00
		Labor	17684.94	0.00
Equipment	450-9888-00 L-15 STRAPR FINAL-PKD-USA*MPX*			4,824.00
Serial Number	18288043422116			
Location	29336*1 8315 PARK RD BATAVIA, NY 14020			
Contact				
Service Fac	91 CUMMINS-ALLISON SYRAC-#91			
Service Starts	10-01-23	Parts	1061.28	0.00
		Labor	3762.72	0.00

CUMMINS ALLISON CORP.

INVOICE

P.O. BOX 931958
anta, GA 31193-1958
Cummins local office 315-437-6205 CUMMINS-ALLISON SYRAC-#91

D-U-N-S Nbr 00-506-9760
Federal ID 35-0145140
Telephone 847-299-9550

Invoice Number 1448501
Invoice Date 08-16-23
Customer Number 29336
Order Type PMIA
Cummins Order Number
Customer P.O. Number N/A

Bill to:

WESTERN REGIONAL OTB CORP
BATAVIA DOWNS GAMING
8315 PARK RD
BATAVIA, NY 14020

Terms: NET 10
Maintenance Contract Nbr: 68424723 CONTRACT RENEWAL - Service
1YR. CONTRACT ANN. INV.
Contract Period 10-01-23 TO 09-30-24

Tax Pmia Price

SUBTOTAL 36,228.00

SALES TAX 0.00

INVOICE TOTAL 36,228.00

INSPECTIONS OR MAINTENANCE WORK WILL NOT BE DONE UNTIL PAYMENT IS RECEIVED

End of FAX Transmission

OK to pay
Herb Woford
9/13/23

RESOLUTION #73-2023

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 improve and increase cyber security in all areas including network monitoring, SaaS monitoring and email monitoring; and

WHEREAS, Western needs enhanced services for a 4 year period, October 1, 2023 – September 30, 2027; and

WHEREAS, Darktrace offers the sole source for needed services at the most cost-effective level, that being \$28,000.00 per year for a 4 year period; and

WHEREAS, staff recommends that Western enter into an agreement with Darktrace to provide Western with this service; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to enter into an agreement with Darktrace to provide cyber security appliances and services for a 4 year period, October 1, 2023 – September 30, 2027, at a cost of \$28,000.00 per year for a 4 year total cost of \$112,000.00; 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: September 28, 2023
 Batavia, New York

RESOLUTION #74-2023

WHEREAS, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation (“Western”) must provide for waste removal services on its premises; and

WHEREAS, Western requested public bids for a three year agreement to provide waste removal services for a 3 year period; and

WHEREAS, Modern Disposal Services Inc was the lowest responsible bidder to provide such services for a 3 year period, that being October 1, 2023 – September 30, 2026 per specifications and public bid dated September 5, 2023; and

WHEREAS, Staff requests that the Board approve an agreement with Modern Disposal Services Inc. for a 3 year period in an amount not to exceed \$25,000.00 per year for a 3 year total of \$75,000.00; and therefore

BE IT RESOLVED, that the Board of Directors of Western hereby acknowledges and approves that Western enter into an agreement with Modern Disposal Services Inc. to provide such waste removal services for a 3-year period, that being October 1, 2023 – September 30, 2026, in a total amount not to exceed \$25,000.00 per year for a 3-year total not to exceed \$75,000.00; and further

RESOLVED, that the Board of Directors of Western hereby authorizes an officer of Western to execute any such agreements in furtherance of this resolution.

Respectfully submitted,

Dated: September 28, 2023
 Batavia, New York

RESOLUTION #76-2023

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 from time to time and as needed supplies and building materials; and

WHEREAS, Western's Board of Directors previously authorized the purchase of up to \$60,000.00 of various building and repair items from Home Depot in Resolution No. 126-2022, and pursuant to NYS Contract #68681; and

WHEREAS, staff recommends that Western be able to purchase an additional \$20,000.00 of various building and repair items as needed from Home Depot pursuant to State Contract #68681; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of up to and additional \$20,000.00 of various building and repair items as needed from Home Depot pursuant to State Contract No. 68681; 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: September 28, 2023
 Batavia, New York

RESOLUTION - #79-2023

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 provide for weekly linen service for BDG; and

WHEREAS, Western sent public bid information dated September 26, 2023 to 5 vendors and received 1 response, that being from AlSCO Uniforms in Rochester, New York; and

WHEREAS, staff recommends that weekly linen services be purchased from AlSCO Uniforms in an amount not to exceed \$50,000.00 per year from November 1, 2023 through October 31, 2026, a three year period for a total cost not to exceed \$150,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of weekly linen services from AlSCO Uniforms in an amount not to exceed \$50,000.00 per year from November 1, 2023 through October 31, 2026, a three year period for a total cost not to exceed \$150,000.00; 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: October 26, 2023
 Batavia, New York

RESOLUTION #83-2023

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 meat food products for the restaurants within Batavia Downs for the balance of 2023; and

WHEREAS, Western has extensive cost comparisons; and

WHEREAS, staff recommends after such cost comparisons that Western purchase up to \$25,000.00 of meat food products from Burly Brothers Country Butchery LLC for the balance of 2023; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of up to \$25,000.00 of meat food products from Burly Brothers Country Butchery LLC for the balance of 2023; 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: October 26, 2023
 Batavia, New York

RESOLUTION - #86-2023

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 supplement the advertising purchase from ValPak of WNY under PO #63332BL; and

WHEREAS, staff recommends that Western supplement the purchase of advertising from ValPak of WNY in the amount of 30,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of an additional \$30,000.00 of advertising from ValPak of WNY; 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: October 26, 2023
 Batavia, New York

RESOLUTION - #88-2023

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 paper, office and janitorial supplies as needed for Batavia Downs, OTB branches and the Hotel in an amount not to exceed \$40,000.00 in 2024; and

WHEREAS, Western and Staples participate in the Federal Purchasing Alliance under Sourcewell Contract #012320; and

WHEREAS, staff recommends the purchase of paper, office and janitorial supplies through Staples Contract and Commercial under the Federal Purchasing Alliance Sourcewell Contract #012320 in an amount not to exceed \$40,000.00 in 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of paper, office and janitorial supplies through Staples Contract and Commercial under the Federal Purchasing Alliance Sourcewell Contract #012320 in an amount not to exceed \$40,000.00 in 2024; 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: October 26, 2023
 Batavia, New York

RESOLUTION - #89-2023

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 gas cards for the purchase of unleaded fuel for corporate vehicles when needed for work related assignments; and

WHEREAS, Western is aware of NYS OGS contract per award #23062; and

WHEREAS, staff recommends that Western be able to purchase up to \$40,000.00 of gas cards from Wex Bank Inc. for the purchase of unleaded fuel for corporate vehicles when needed for work related assignments in 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of up to \$40,000.00 of gas cards from Wex Bank Inc. pursuant to the NYS OGS contract per award #23062 for the purchase of unleaded fuel for corporate vehicles when needed for work related assignments in 2024; 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: October 26, 2023
 Batavia, New York

RESOLUTION #90-2023

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 from time to time and as needed The Daily Racing form to be sold at Wehrle and Batavia ITW; and

WHEREAS, The Daily Racing Form in Pittsburgh, PA is the sole source for The Daily Racing form; and

WHEREAS, staff recommends that Western be able to purchase \$50,000.00 worth of the Daily Racing form; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of \$50,000.00 worth of the Daily Racing form from The Daily Racing Form, Pittsburgh, PA; 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: October 26, 2023
 Batavia, New York

RESOLUTION - #91-2023

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 room amenities such as shampoo, soap, and conditioner; and

WHEREAS, Western has a prior approval for such purposes from ADS Sales Co. Inc in Resolution #138-2022 in the amount of \$35,000.00 and now needs a \$10,000.00 supplement pursuant to Resolution #138-2022 and Public Bid dated October 13, 2022; and

WHEREAS, staff recommends that Western make the supplemental purchase from ADS Sales Co. Inc in the amount of \$10,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the supplemental purchase of room amenities such as shampoo soap, and conditioner from ADS Sales Co. Inc in the amount of \$10,000.00; 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: October 26, 2023
 Batavia, New York

RESOLUTION - #93-2023

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 HRIS software for WROTBC on a month-to-month basis; and

WHEREAS, Western currently contracts with BambooHR LLC, Linden, UT for such services; and

WHEREAS, Western received two proposals for such software, and only the proposal from BambooHR LLC was feasible since it would not require a new payroll system to be run; and

WHEREAS, staff recommends that Western contract with BambooHR LLC for such services at an annual amount not to exceed \$48,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes Western to contract with BambooHR LLC for HRIS software for WROTBC at an annual amount not to exceed \$48,000.00; 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: December 14, 2023
Batavia, New York

RESOLUTION - #97-2023

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 from time to time and as needed Bills Mafia apparel to be sold at the Lucky Treasures store; and

WHEREAS, Extreme Streetwear is the sole source for the Bills Mafia apparel; and

WHEREAS, staff recommends that Western be able to purchase \$40,000.00 worth of the Bills Mafia apparel from Extreme Streetwear in Batavia, NY in 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of \$40,000.00 worth of the Bills Mafia apparel from Extreme Streetwear in Batavia, NY in 2024; 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: December 14, 2023
Batavia, New York

RESOLUTION - #98-2023

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 from time to time and as needed fuel to fill the onsite gasoline pump at BDG to service Western owned vehicles; and

WHEREAS, staff recommends that Western be able to purchase from time to time and as needed fuel to fill the onsite gasoline pump at BDG to service Western owned vehicles from Sunoco LLC under NYS OGS Contract #23237 in an amount not to exceed \$30,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase from time to time and as needed fuel to fill the onsite gasoline pump at BDG to service Western owned vehicles from Sunoco LLC under NYS OGS Contract #23237 in an amount not to exceed \$30,000.00; 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: December 14, 2023
Batavia, New York

RESOLUTION - #99-2023

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 from time to time and as needed diesel fuel to fill the onsite 500 gallon tank/pump at BDG to service Western owned vehicles and equipment; and

WHEREAS, staff recommends that Western be able to purchase from time to time and as needed diesel fuel to fill the onsite 500 gallon tank/pump at BDG to service Western owned vehicles and equipment from Noco Energy Corp under NYS OGS Contract #23236 in an amount not to exceed \$30,000.00 in 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase from time to time and as needed diesel fuel to fill the onsite 500 gallon tank/pump at BDG to service Western owned vehicles and equipment from Noco Energy Corp under NYS OGS Contract #23236 in an amount not to exceed \$30,000.00 in 2024; 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: December 14, 2023
Batavia, New York

RESOLUTION - #100-2023

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 from time to time and as needed stone and aggregate materials to maintain the Batavia Downs facility for live racing, barn areas and grounds; and

WHEREAS, Western is aware of pricing under NYS OGS Contract pricing under award #PC69133; and

WHEREAS, staff recommends that Western be able to purchase from time to time and as needed stone and aggregate materials to maintain the Batavia Downs facility for live racing, barn areas and grounds under NYS OGS Contract pricing under award #PC69133 from Heidelberg Materials Northeast in an amount not to exceed \$50,000.00 in 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase from time to time and as needed stone and aggregate materials to maintain the Batavia Downs facility for live racing, barn areas and grounds under NYS OGS Contract pricing under award #PC69133 from Heidelberg Materials Northeast in an amount not to exceed \$50,000.00 in 2024; 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: December 14, 2023
Batavia, New York

RESOLUTION - #101-2023

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 online reservation services for 2024; and

WHEREAS, staff recommends that Western make the sole source purchase from Booking.com in the amount not to exceed \$35,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of online reservation services for 2024 from Booking.com in the amount not to exceed \$35,00.00; 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: December 14, 2023
Batavia, New York

RESOLUTION - #103-2023

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 online reservation services for 2024; and

WHEREAS, staff recommends that Western make the sole source purchase from Expedia.com in the amount not to exceed \$35,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of online reservation services for 2024 from Expedia.com in the amount not to exceed \$35,00.00; 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: December 14, 2023
Batavia, New York

RESOLUTION - #104-2023

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 from time to time and as needed Disability Insurance; and

WHEREAS, Western received four proposals for Disability Insurance and the lowest bid was from Shelter Point Life, Garden City, NY; and

WHEREAS, staff recommends that Western be able to purchase Disability Insurance from Shelter Point Life for 2024 in the amount of \$40,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of Disability Insurance from Shelter Point Life for 2024 in the amount of \$40,000.00; 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: December 14, 2023
 Batavia, New York

Ancillary Insurance Information
Western Regional Off Track Betting
January 1, 2024 - EFFECTIVE DATE
New York State Disability Marketing Analysis

NYSDBL Costs	Shelter Point Life		Guardain	Hartford	Standard Security Life Ins.
	Previous rate	Revised Rate			
Employee Count	406		406	406	406
NYSDBL Rate (PEPM)	\$8.10	\$5.99	\$10.50	\$11.65	\$7.45
Estimated Annual NYSDBL Premium	\$39,463.20	\$29,183.28	\$51,156.00	\$56,758.80	\$36,296.40
Rate Guarantee	N/A	12 months	12 months	12 months	12 months
Percentage Change	N/A	-26.05%	29.63%	43.83%	-8.02%
Dollar Change	N/A	-\$10,279.92	\$11,692.80	\$17,295.60	-\$3,166.80
NYSDBL Benefit Details					
Benefit Percentage	50%		50%	50%	50%
Weekly Benefit Maximum	\$170		\$170	\$170	\$170
Waiting Period - Accident/Sickness	7 days		7 days	7 days	7 days
Benefit Duration	26 weeks		26 weeks	26 weeks	26 weeks
Notes:					

Decline to quote / non-competitive: Unum

*Excludes employees in California, New Jersey, Rhode Island, Puerto Rico, Hawaii, Connecticut, Massachusetts, Washington, Oregon, District of Columbia, Maryland and Colorado

RESOLUTION - #106-2023

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 room amenities such as shampoo, soap, and conditioner for 2024; and

WHEREAS, Western had a prior approval for such purposes from ADS Sales Co. Inc in Resolution #138-2022 in the amount of \$35,000.00 and now needs a \$40,000.00 supplement pursuant to Resolution #138-2022 and Public Bid dated October 13, 2022; and

WHEREAS, staff recommends that Western make the supplemental purchase from ADS Sales Co. Inc in the amount of \$40,000.00 for 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the supplemental purchase of room amenities such as shampoo soap, and conditioner from ADS Sales Co. Inc in the amount of \$40,000.00 for 2024; 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: December 14, 2023
Batavia, New York

RESOLUTION - #108-2023

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 wine and spirits from time to time; and

WHEREAS, Western provided for purchases of wine and spirits from Southern Wine and Spirits Inc by Resolution 141-2022(A) in the amount of \$250,000.00; and

WHEREAS, Western needs to purchase additional wine and spirits for 2023; and

WHEREAS, staff recommends that Western enter into an agreement with Southern Wine and Spirits Inc to purchase additional wine and spirits in an amount not to exceed \$40,000.00 for 2023; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to enter into an agreement with Southern Wine and Spirits Inc to purchase additional wine and spirits in an amount not to exceed \$40,000.00 for 2023; 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: December 14, 2023
Batavia, New York

RESOLUTION - #109-2023

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 needed to provide parking in the K-Mart parking lot near its Batavia Downs facility for the 2023 concert series; and

WHEREAS, staff recommends that Western's Board Of Directors approves the payment of \$40,000.00 to 570 DAB 30, LLC for the K-Mart parking; and now therefore

BE IT RESOLVED, that Western's Board of Directors approves the payment to 570 DAB 30, LLC for the K-Mart parking in the amount of \$40,000.00; 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: December 14, 2023
Batavia, New York

LEASE

THIS AGREEMENT, made this 15th day of June, 2023 (the "Effective Date"), between 570 DAB 30, LLC ("Lessor"), having offices at 7978 Cooper Creek Boulevard, Suite # 100, University Park, Florida 34201, and WESTERN REGIONAL OFF-TRACK BETTING CORPORATION ("Lessee"), having offices at 8315 Park Road, Batavia, New York, 14020.

DEMISED PREMISES

1. The Lessor hereby lets to the Lessee and the Lessee hereby hires from the Lessor the parking field not located in the Restricted Area (hereafter defined) on Exhibit A attached hereto and made a part hereof (the "Demised Premises") located at 8363 Lewiston Road, Batavia, New York (the "Development"). The area shown on Exhibit A in red attached hereto at the corner of Park Road and Lewiston Road is herein referred to as the "Restricted Area". Lessee shall not permit parking on or use of any portion of the Restricted Area. Lessee's use, as defined in this Lease, shall only occur within existing parking spaces at the Demised Premises and shall not block or interfere with any drive aisles, driveways, curb cuts, access, or other areas or Lessor's use or Lessor's other tenants' uses at the Development.

TERM

2. The Demised Premises are leased for a term commencing on the Effective Date and expiring on August 31, 2023.

RENT

3. Lessee shall pay to Lessor \$25,000.00 upon Lessee's execution of this Lease Agreement and \$15,000.00 on August 1, 2023, all without offset or deduction to Lessor, in its name, at P.O. Box #713201, Philadelphia, Pennsylvania 19171-3201, or to such other address or payee as Lessor may designate in writing.

LATE CHARGE

4. Lessee agrees to pay all rents and other charges under the terms of this Lease when they are due and payable. Any rents remaining unpaid ten (10) days after receipt of invoice shall be subject to a two percent (2%) monthly late charge (or the maximum amount permitted by law, if less).

USE

5. Lessee covenants and agrees to use the Demised Premises for the following purpose only: parking for Lessee's Summer Concert Series and for additional parking for the nearby casino ("Batavia Downs Gaming & Hotel"). Lessee acknowledges that its use of the Demised Premises is on a non-exclusive basis and shared with other tenants of Lessor's property. Lessee further covenants and agrees with the Lessor that during the term of this Lease and for such other times as the Lessee shall hold or have access to the Demised Premises, that (a) there will be no tailgating activities at Demised Premises,

Please initial:

such as, food and/or alcohol consumption inside or outside of the vehicles of Lessee's invitees at the Demised Premises, and (b) no obnoxious use and/or a nuisance at the Demised Premises. Lessee shall carry on no other business on said Premises without the prior written consent of Lessor. Lessee may not assign or sublet the Demised Premises without the prior written consent of Lessor.

PROTECTION OF RESTRICTED AREA

6. Notwithstanding anything herein to the contrary, Lessor reserves the right to protect the Restricted Area and access thereto, to the satisfaction and discretion of Lessor, at Lessee's sole cost and expense, including, but not limited to, requiring that Lessee place temporary jersey barriers, cones, signage, fencing, or hire personnel to protect the Restricted Area and oversee Lessee's use during events, or have Lessee take other reasonable and appropriate measures at the Development. Notwithstanding the foregoing, the protection of the Restricted Area shall not block or interfere with any drive aisles, driveways, curb cuts, access, or other areas or Lessor's use or Lessor's other tenants' uses at the Development.

LIABILITY

7. A. Lessee further covenants and agrees with the Lessor that during the term of this Lease and for such other times as the Lessee shall hold or have access to the Demised Premises, that (a) the Lessor and its affiliates shall not be liable to the Lessee or to any other person for any claim, injury, loss or damage to any person or property on or about the Demised Premises or Development, sidewalks adjacent thereto, or any public areas, and that (b) the Lessee will save the Lessor harmless and indemnified from and against such claim, injury, loss, or damage (including defense costs). Lessee agrees to provide commercial general liability insurance with a minimum limit of \$3,000,000.00 per occurrence covering bodily injury and property damage. Insurance policies will be written in the name of the Lessee with the Lessor, its ground lessor(s) and/or mortgagee(s), if any, named as additional insureds and Lessee shall provide Lessor with certificates and the appropriate policy sections evidencing such policies and shall thereafter provide Lessor with appropriate evidence of such coverage upon each anniversary date of the policy or upon a change in coverage on such policy.

B. The minimum coverage amounts as stated in this Section may be satisfied with any combination of primary and excess/umbrella limits, but in no event shall a deductible or retention exist in excess of \$5,000.00 before the required insurance applies.

C. Lessee further covenants and agrees with the Lessor to indemnify and hold Lessor harmless from and against all damage on the Demised Premises or Development caused by Lessee, its agents, their invitees, guests, customers, and employees.

MAINTENANCE

8. Lessor shall be responsible for all maintenance and repairs to the

Demised Premises. Lessee shall be responsible for snow removal of the Demised Premises.

TRASH REMOVAL

9. Lessee shall be responsible for all trash removal on the Demised Premises. Lessee further covenants and agrees that Lessee shall install and regularly empty at least four (2) trash cans on the Demised Premises.
4

CANCELLATION

10. Notwithstanding anything contained herein to the contrary, Lessee agrees that Lessor may terminate this Lease for any reason upon ten (10) days prior written notice to Lessee.

CONDITION OF PREMISES

11. Lessee agrees to accept the Demised Premises in an "as is" condition with no representation or warranty, express or implied, as to its present or future condition or suitability for its intended use. Upon expiration or sooner termination of this Lease Lessee shall vacate and surrender the Demised Premises in at least as good a condition as upon initial delivery to Lessee, broom clean and with all of Lessee's fixtures, fences, barriers, cones, signage, any personal or rented property, furnishings and equipment removed by Lessee.

SIGNS/ALTERATIONS

12. Lessee shall not install any signs at the Demised Premises, nor make any alterations to the Demised Premises without Lessor's prior written consent.

DEFAULT

13. A. In the event that Lessee shall violate any condition, covenant or agreement contained in this Lease or any part thereof, then Lessor shall have the right at Lessor's election to terminate this Lease, on first giving to Lessee ten (10) days notice of such election to be served by private delivery service such as FedEx where a signed delivery receipt is obtained, by registered or certified mail in a postpaid envelope addressed to the Lessee, or by posting the same in some conspicuous place in or about the Demised Premises and the above mentioned term shall thereupon cease upon the expiration of said ten (10) days in the same manner and to the same effect as if that were the expiration of the original term of this Lease; it being further understood and agreed that such election shall be solely in the discretion of Lessor, and if exercised shall be conclusive upon Lessee.

B. Upon the termination of this Lease either at the option of the Lessor as aforesaid or at the expiration by lapse of time of the term hereof, the Lessee will at once surrender possession of Demised Premises to the Lessor and remove all effects therefrom and if such possession be not immediately surrendered, the Lessor may forthwith re-enter Demised Premises and repossess itself thereof as in its former estate and remove all persons

and effects therefrom, using such force as may be necessary, without being deemed guilty of any trespass or forcible entry.

C. Any and all rights and remedies which Lessor may have under this Lease shall be in addition to and not in limitation of Lessor's rights at law or in equity, shall be cumulative, shall not be deemed inconsistent with each other, and any two or more or all of such rights and remedies may be exercised at the same time. Lessee's default shall entitle Lessor to declare the entire rental for the balance of the term immediately due and payable at once.

NOTICES

14. Unless specifically stated to the contrary in this Lease, any notice or other communication which is or may be required to be given by Lessor or Lessee under this Lease or by law to the other party, hereinafter referred to as "Notice", shall be in writing and shall be either personally delivered to such other party or shall be sent by registered or certified mail, postage paid by sender, return receipt requested, or by overnight courier service. Said Notice shall be sent to such other party at the address specified in the opening paragraph of this Lease. Notwithstanding the foregoing, any invoice, statement, or bill which is or may be required to be sent to Lessee under this Lease or by law may be sent by regular U.S. mail.

CAPTIONS AND DEFINITIONS

15. Marginal captions of this Lease are solely for convenience of reference and shall not in any way limit or amplify the terms and provisions thereof. The necessary grammatical changes which shall be required to make the provisions of this Lease apply, (a) in the plural sense if there shall be more than one Lessor, and (b) to any Lessor which shall be either a corporation, an association, a partnership, or individual, male or female, shall in all instances be assumed as though in each case fully expressed. Unless otherwise provided, upon the termination of this Lease under any of the Articles hereof, the parties hereto shall be relieved of any further liability hereunder except as to acts, omissions or defaults occurring prior to such termination.

WAIVER OF COVENANT OR CONDITION

16. The failure of either party to insist upon strict performance of any of the covenants or conditions of this Lease or to exercise any option herein conferred in any one or more instances shall not be construed as a waiver or relinquishment for the future of any such covenants, conditions or options, but the same be and remain in full force and effect.

NEGOTIATION AND EXECUTION

17. The furnishing of this Lease to the Lessee by the Lessor shall not be considered an offer to lease, even though completed in every respect, until and unless the document has been executed by the appropriate officers of Lessor. No deposit of proposed rent or security deposit and no correspondence

or other communication respecting this Lease shall create any obligation to go forward with this Lease until the Lease document is fully completed and executed by both the Lessor and Lessee.

COUNTERPARTS AND ELECTRONIC TRANSMITTAL

18. This agreement may be executed in several counterparts each of which when taken together shall be considered one and the same instrument and shall constitute a binding agreement. This agreement may be effected by electronic means, (including pdf and/or certificate based digital signature), executed and delivered by electronic copy or via facsimile, which such electronic copy or facsimile signatures and delivery shall be valid and binding the same as if original documents were delivered.

NEITHER PARTY HAS MADE ANY REPRESENTATIONS OR PROMISES EXCEPT AS HEREIN CONTAINED, AND NO MODIFICATION OF ANY PROVISION HEREOF SHALL BE VALID UNLESS IN WRITING AND SIGNED BY THE PARTIES HERETO.

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SIGNATURES ON THE FOLLOWING PAGE

IN WITNESS WHEREOF, the Parties have hereunto set their hands and seals, the corporate parties by their proper officers thereunto duly authorized, as of the day and year first above written.

LESSOR:

570 DAB 30, LLC

Date: 6-21-23

By: 

Shaun Jackson, Counsel and
Authorized Agent

RT

LESSEE:

WESTERN REGIONAL OFF-TRACK BETTING
CORPORATION

Date: 6/15/23

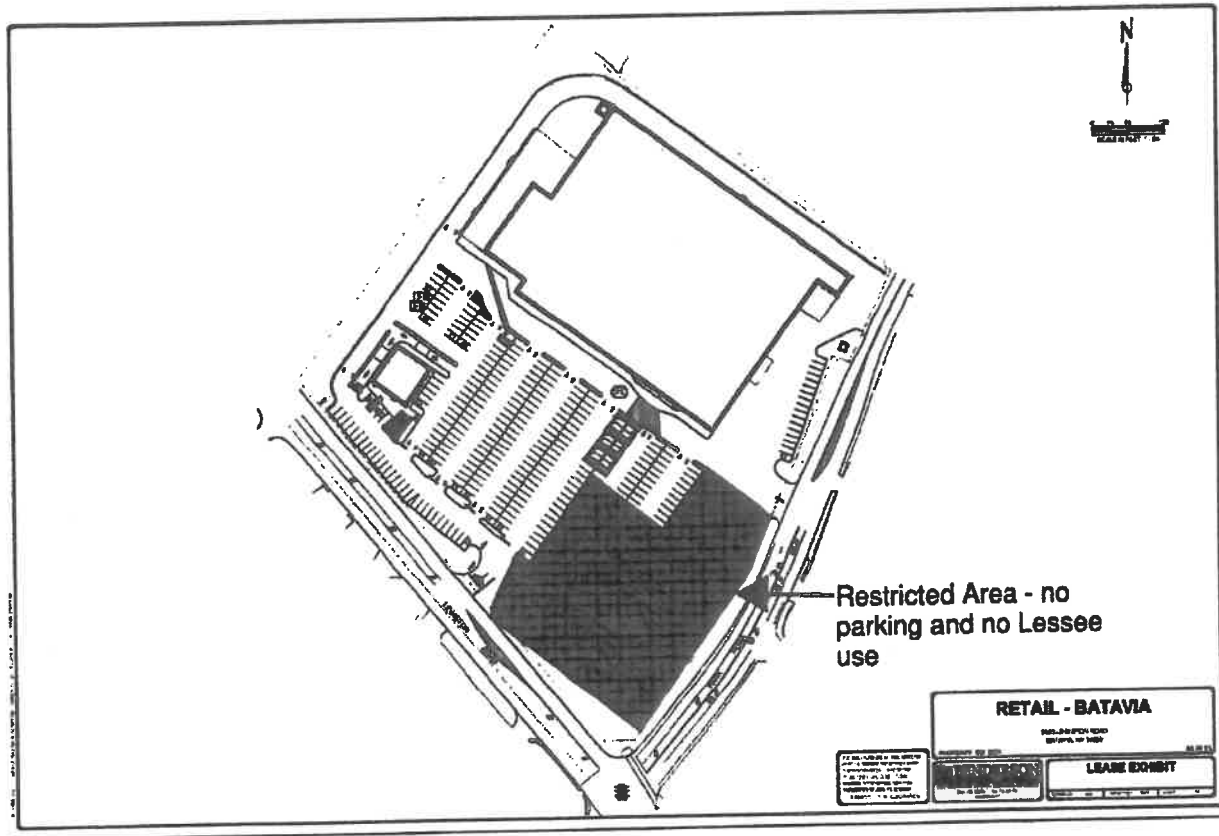
By: Henry F. Wetzels

Print Name: Henry F. Wetzels

Print Title: President / CEO WROT B

Tax ID#: 161019940

EXHIBIT A
SITE PLAN
Property #5266



Please initial: HPW

RESOLUTION - #111-2023

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 the William Ryan App to allow for staff to be notified of various events on the gaming floor in order to deliver timely customer service; and

WHEREAS, the William Ryan Group is the sole source provider for such services; and

WHEREAS, staff recommends that Western purchase the William Ryan App to allow for staff to be notified of various events on the gaming floor in order to deliver timely customer service in 2024 for \$16,500.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase the William Ryan App to allow for staff to be notified of various events on the gaming floor in order to deliver timely customer service in 2024 for \$16,500.00; 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: December 14, 2023
Batavia, New York

RESOLUTION - #113-2023

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 television advertising for events and promotions; and

WHEREAS, Western needs to place such advertising with WKBW Channel 7 which is the sole source provider for such services; and

WHEREAS, staff recommends that Western place \$50,000.00 of advertising with WKBW Channel 7 for 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to place \$50,000.00 of advertising with WKBW Channel 7 for 2024; 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: December 14, 2023
Batavia, New York

RESOLUTION - #114-2023

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 television advertising for events and promotions; and

WHEREAS, Western needs to place such advertising with WGRZ Channel 2 which is the sole source provider for such services; and

WHEREAS, staff recommends that Western place \$30,000.00 of advertising with WGRZ Channel 2 for 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to place \$30,000.00 of advertising with WGRZ Channel 2 for 2024; 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: December 14, 2023
Batavia, New York

RESOLUTION - #115-2023

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 advertising for events and promotions in 2024; and

WHEREAS, Western needs to place such advertising with Facebook which is the sole source provider for such services; and

WHEREAS, staff recommends that Western place \$25,000.00 of advertising with Facebook for 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to place \$25,000.00 of advertising with Facebook for 2024; 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: December 14, 2023
Batavia, New York

RESOLUTION - #116-2023

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 provide for video and audio advertising conception and production for 2024 and

WHEREAS, Electronic Field Productions has all of Western's B-Roll and old footage for future spots; and

WHEREAS, staff recommends that Western engage Electronic Field Productions for the purpose of video and audio conception and production in 2024 for \$40,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to engage Electronic Field Productions for the purpose of video and audio conception and production in 2024 for \$40,000.00; 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: December 14, 2023
Batavia, New York

RESOLUTION - #117-2023

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 direct mail advertising in 2024 for events and promotions; and

WHEREAS, Western needs to place such advertising with Clipper Magazine which is the sole source provider for such services; and

WHEREAS, staff recommends that Western place \$20,000.00 of advertising with Clipper Magazine for 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to place \$20,000.00 of direct mail advertising with Clipper Magazine for 2024; 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: December 14, 2023
Batavia, New York

RESOLUTION - #118-2023

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 print advertising in the Genesee County area in 2024 for events and promotions; and

WHEREAS, Western needs to place such advertising with Genesee Valley Productions which is the sole source provider for such services; and

WHEREAS, staff recommends that Western place \$40,000.00 of advertising with Genesee Valley Productions for 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to place \$40,000.00 of advertising with Genesee Valley Productions for 2024; 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: December 14, 2023
Batavia, New York

RESOLUTION - #119-2023

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 UFC licensing with Joe Hand Promotions for 34 Rush; and

WHEREAS, Joe Hand Productions is the sole source provider for such services; and

WHEREAS, staff recommends that Western purchase UFC Licensing from Joe Hand Promotions for 34 Rush in 2024 for \$45,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase UFC Licensing from Joe Hand Promotions for 34 Rush in 2024 for \$45,000.00; 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: December 14, 2023
Batavia, New York

RESOLUTION - #121-2023

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 supplement the food and beverages budget for the hotel; and

WHEREAS, Western purchases such food and beverages from various providers including Sysco; and

WHEREAS, staff recommends that Western supplement the Sysco payment approval in the amount of \$20,000.00 for 2023; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to supplement the Sysco payment approval in the amount of \$20,000.00 for 2023; 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: December 14, 2023
Batavia, New York

RESOLUTION - #122-2023

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 texting services in 2024; and

WHEREAS, Pidj.co is the company that allows more characters and information without being restrictive; and

WHEREAS, staff recommends that Western purchase \$36,000.00 of texting services for 2024 from Pidj.co; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase \$36,000.00 of texting services for 2024 from Pidj.co; 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: December 14, 2023
Batavia, New York

RESOLUTION - #123-2023

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 provide food and beverages for the restaurants at Batavia Downs; and

WHEREAS, Western purchases such food and beverages from various providers based upon quarterly RFP's; and

WHEREAS, staff recommends that Western purchase food from Latina Boulevard Foods, Cheektowaga, New York in the amount not to exceed \$40,000.00 for 2023; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase food from Latina Boulevard Foods, Cheektowaga, New York in the amount not to exceed \$40,000.00 for 2023; 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: December 14, 2023
Batavia, New York

RESOLUTION - #125-2023

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 tickets to all Live Nation events for 2024; and

WHEREAS, Live Nation is the sole source for such tickets; and

WHEREAS, staff recommends that Western purchase tickets to all Live Nation events for 2024 for \$30,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase tickets to all Live Nation events for 2024 for \$30,000.00; 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: December 14, 2023
Batavia, New York

RESOLUTION - #127-2023

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 stone and aggregate materials to maintain the Batavia Downs facility as needed for live racing, track, barn areas and grounds; and

WHEREAS, staff recommends that Western purchase stone and aggregate materials to maintain the Batavia Downs facility as needed for live racing, track, barn areas and grounds in the amount of \$20,000.00 from Heidelberg Materials Northeast under NYS OGS Contract pricing under award #PC69133; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase stone and aggregate materials to maintain the Batavia Downs facility as needed for live racing, track, barn areas and grounds in the amount of \$20,000.00 from Heidelberg Materials Northeast under NYS OGS Contract pricing under award #PC69133; 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: December 14, 2023
Batavia, New York

RESOLUTION - #128-2023

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 wishes to sponsor the Riviera Theatre in 2024; and

WHEREAS, staff recommends that Western sponsor the Riviera Theatre in 2024 for \$25,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to sponsor the Riviera Theatre in 2024 for \$25,000.00; 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: December 14, 2023
Batavia, New York

RESOLUTION - #129-2023

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate Batavia Downs Gaming in an efficient manner, while providing the best experience available to our customers; and

WHEREAS, a Kiosk system allows our customers to cash gaming vouchers, as well as to utilize an ATM function: and

WHEREAS, a Kiosk system requires regular maintenance and repair to function properly; and

WHEREAS, Western previously agreed to enter into an agreement with Everi, a a sole source vendor, who proposed to provide routine maintenance and repairs to Western's kiosks for the December 1, 2022 through November 30, 2023; and

WHEREAS, Everi proposes to provide routine maintenance and repairs to Western's kiosks with service Monday through Friday from 8:00 am to 5:00 pm at the revised annual cost of \$46,376.30 for the December 1, 2023 through November 30, 2024; and therefore

BE IT RESOLVED, that the Western's Board of Directors accepts the revised proposal from Everi for the one (1) year period from December 1, 2023 through November 30, 2024 for a kiosk maintenance and repair service agreement with service Monday through Friday from 8:00 am to 5:00 pm for an amount not to exceed \$46,376.30; 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: December 14, 2023
Batavia, New York

Resolutions attached (39) 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 Wamp and seconded by Director Baxter which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

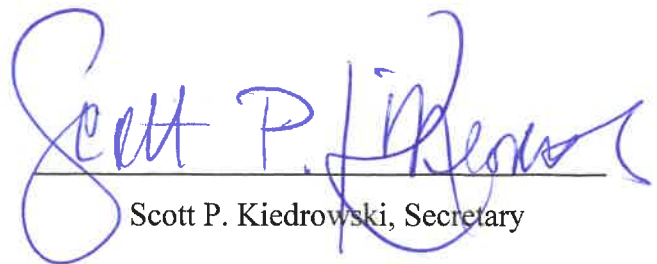
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION #70-2023

WHEREAS, as part of its ongoing operation, Western Regional Off-Track Betting Corporation ("Western") purchases various marketing mailers; and

WHEREAS, Western has a current contract pursuant to public bid dated September 20, 2022 with Applied Business Systems (ABS) to supply marketing mailers, and

WHEREAS, the contract provides for a one year option to renew for a total cost not to exceed \$115,000.00, and

WHEREAS, Staff requests that the Board approve the extension of the contract with ABS; and therefore

BE IT RESOLVED, that the Board of Directors of Western hereby approves the exercise of the option to renew the contract with ABS for one year through September 30, 2024 for a total cost not to exceed \$115,000.00; and further

RESOLVED, that the Board of Directors of Western hereby authorizes an officer of Western to execute any such agreements in furtherance of this resolution.

Respectfully submitted,

Dated: September 28, 2023
Batavia, New York

Resolution #70-2023 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 Zambito which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

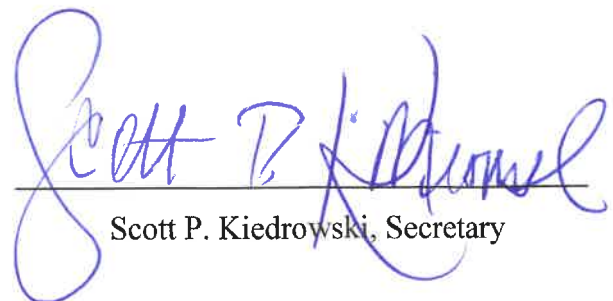
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION #72-2023

WHEREAS, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation ("Western") provides television and video experiences to patrons of Batavia Gaming; and

WHEREAS, Western needs to provide for a video wall and TV installation; and

WHEREAS, A/V Science Inc responded to a public bid by response dated August 15, 2023; and

WHEREAS, Staff requests that the Board approve the A/V Science bid of \$71,429.00 for the video wall and TV installation as set forth in its bid; and therefore

BE IT RESOLVED, that the Board of Directors of Western hereby acknowledges and approves that Western purchase the video wall and TV installation from A/V Science for the total cost of \$71,429.00; and further

RESOLVED, that the Board of Directors of Western hereby authorizes an officer of Western to execute any such agreements in furtherance of this resolution.

Respectfully submitted,

Dated: September 28, 2023
 Batavia, New York

Resolution #72-2023 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 Burr which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

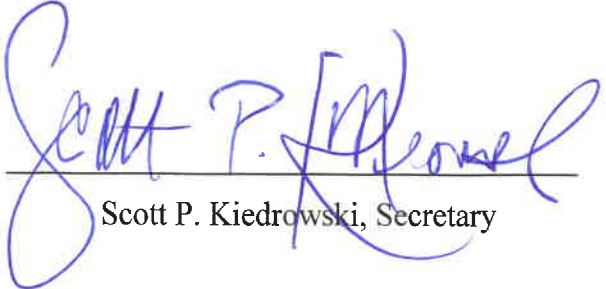
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION #75-2023

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 provide for manure and waste removal services on its premises; and

WHEREAS, Baskin Livestock Inc. ("Baskin") has submitted a bid per the public bid dated September 5, 2023, to provide the necessary manure and waste removal services for a 3 year period, that being October 1, 2023 – September 30, 2026 at a cost not to exceed \$210,000.00 for the 3 year period; and

WHEREAS, staff recommends that Western enter into an agreement with Baskin to provide Western with this service; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to enter into an agreement with Baskin to provide such service for a 3 year period, that being October 1, 2023 – September 30, 2026 at a cost not to exceed \$210,000.00 for the 3 year period; 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: September 28, 2023
 Batavia, New York

Resolution #75-2023 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 Horrigan which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

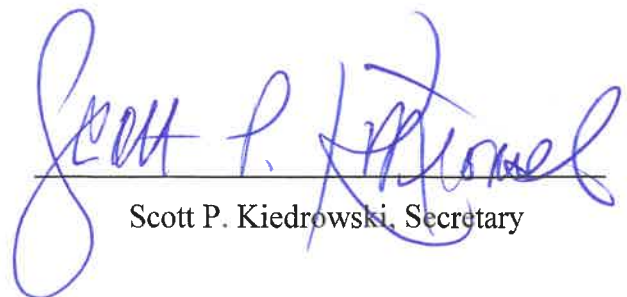
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.


Scott P. Kiedrowski, Secretary

RESOLUTION #77-2023

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 LVT flooring in the Grandstands and Breakfast area at 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 \$57,633.61; and

WHEREAS, Staff recommends that the Board of Directors of Western accept the proposal of WNY Tile for the installation of flooring for the Grandstands and Breakfast area in the amount not to exceed \$57,633.61; 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 \$57,633.61 for the Installation of new LVT flooring in the Grandstands and Breakfast area; 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,

Dated: September 28, 2023
Batavia, New York

Resolution #77-2023 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 Zambito which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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.

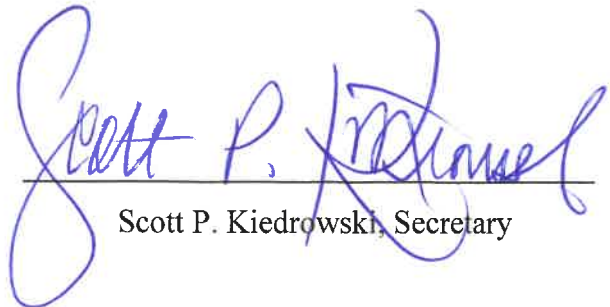
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION # 78-2023

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate Batavia Downs Gaming in an efficient manner; and

WHEREAS, the use of money counting machines is indispensable to Western's gaming operation: and

WHEREAS, Western currently owns several money-counting machines and associated equipment; and

WHEREAS, it is essential to Western's gaming operation that the money counting machines operate reliably 24 hours a day and that they are maintained and serviced on a regular basis throughout the year; and

WHEREAS, Cummins-Allison Corporation (“Cummins”), a sole source provider, has offered a maintenance and service agreement to Western for the money counting machines and associated equipment for a period of one (1) year ending on September 30, 2024 for the annual amount not to exceed \$77,175.00; and therefore

BE IT RESOLVED, that the Board of Directors of Western hereby approves the maintenance and service agreement with Cummins for a one (1) year term ending September 30, 2024 in an amount not to exceed \$77,175.00; and

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

Respectfully submitted,

Dated: September 28, 2023
Batavia, New York

Resolution #78-2023 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 Horton which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

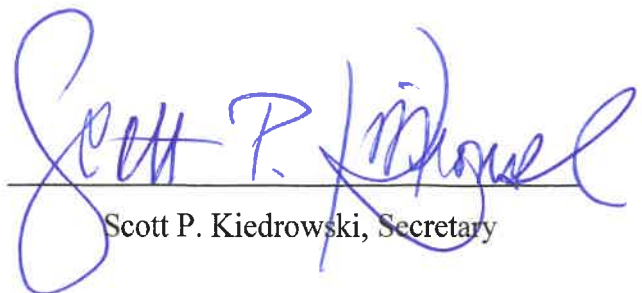
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION - #80-2023

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 contract for snow removal and shoveling services at OTB locations in Erie County at 1042 Wehrle Drive and 2310 Clinton Street; and

WHEREAS, two bidders responded to a public bid dated October 10, 2023; and

WHEREAS, staff recommends that Western contract with Buffalo Asphalt Milling Co to provide the snow removal and shoveling services for a cost not to exceed \$60,000.00 pursuant to the October 10, 2023 public bid; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the contract with Buffalo Asphalt Milling Co to provide the snow removal and shoveling services for a cost not to exceed \$60,000.00 pursuant to the October 10, 2023 public bid; 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: October 26, 2023
 Batavia, New York

Resolution #80-2023 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 Horton and seconded by Director Winter which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

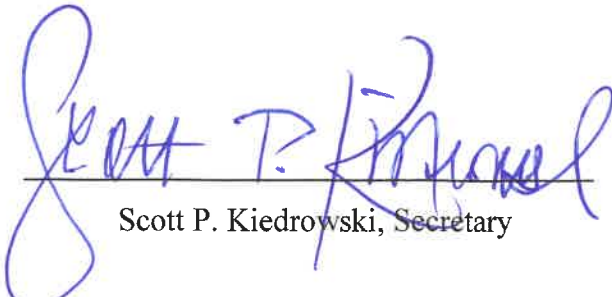
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION - #81-2023

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 will need carpentry services at Batavia Downs Gaming over the next three years; and

WHEREAS, Western put out a public bid dated October 10, 2023; and

WHEREAS, the best response to the public bid was from LeChase Construction Services LLC, Rochester, NY with hourly rates of \$82.00 per hour through June 30, 2024; and \$84.00 per hour through June 30, 2025; and \$87.00 per hour through June 30, 2026; and

WHEREAS, staff recommends that Western accept the public bid from LeChase Construction Services LLC with hourly rates of \$82.00 per hour through June 30, 2024; and \$84.00 per hour through June 30, 2025; and \$87.00 per hour through June 30, 2026 with a not to exceed cap through June 30, 2026 of \$120,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the acceptance of the public bid from LeChase Construction Services LLC with hourly rates of \$82.00 per hour through June 30, 2024; and \$84.00 per hour through June 30, 2025; and \$87.00 per hour through June 30, 2026 with a not to exceed cap through June 30, 2026 of \$120,000.00; 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: December 14, 2023
Batavia, New York

Resolution #81-2023 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 Horrigan which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION - #82-2023

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 provide valet and coat room services at Batavia Downs; and

WHEREAS, Western has an agreement with Mass Park Inc dba Valet Park of America that includes a renewal option; and

WHEREAS, staff recommends that the agreement with Mass Park Inc dba Valet Park of America be extended to cover the period from December 22, 2023 through December 21, 2025 to the public bid and option dated October 13, 2021 at a cost of \$400,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the extension of the agreement with Mass Park Inc dba Valet Park of America pursuant to the option for the period from December 22, 2023 through December 21, 2025 at a cost of \$400,000.00; 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: October 26, 2023
 Batavia, New York

Resolution #82-2023 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>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

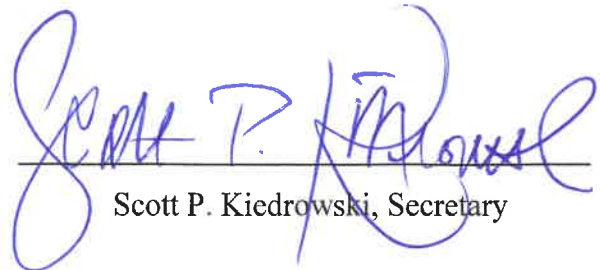
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.


Scott P. Kiedrowski, Secretary

RESOLUTION - #84-2023

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 Pepsi products for use at BDG; and

WHEREAS, Western's Board of Directors previously authorized the purchase of \$175,000.00 of Pepsi products for 2023 in Resolution No. 140-2022; and

WHEREAS, staff recommends that Western be able to purchase up to an additional \$100,000.00 of Pepsi products from Pepsi Bottling Group as a sole source purchase for use in 2023; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of up to an additional \$100,000.00 of Pepsi products from Pepsi Bottling Group as a sole source purchase for use in 2023; 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: October 26, 2023
 Batavia, New York

Resolution #84-2023 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 Burr which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

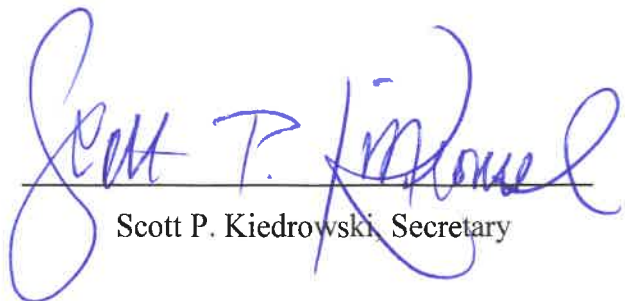
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION #85-2023

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 35G Excavator; and

WHEREAS, Land Pro Equipment LLC has provided a sole source quote obtained under the Equine Association, per quote ID 29576730, with a 26% discount (\$21,388.72) resulting in a cost of \$64,125.00; and

WHEREAS, staff recommends that Western purchase a John Deere Excavator from Land Pro Equipment LLC at the cost of \$64,125.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of a John Deere 35G Excavator from Land Pro Equipment LLC at the cost of \$64,125.00; 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: October 26, 2023
 Batavia, New York

Resolution #85-2023 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 Burr which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

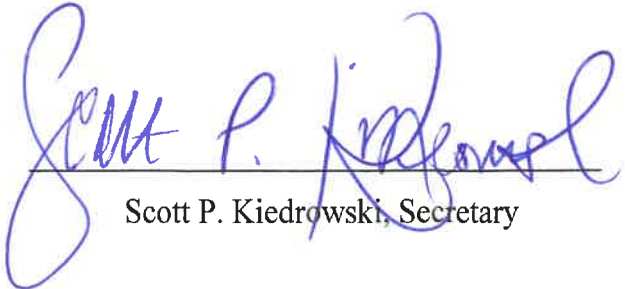
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.


Scott P. Kiedrowski, Secretary

RESOLUTION - #87-2023

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 recycled copy paper, office and janitorial supplies as needed for use at Batavia Downs, OTB branches and the hotel; and

WHEREAS, Western has reviewed NYS Contract Awards #23245 and #23078 and has done comparative pricing; and

WHEREAS, staff recommends that Western be able to purchase \$120,000.00 of recycled copy paper, office and janitorial supplies from WB Mason for use in 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase from WB Mason of up to \$120,000.00 of recycled copy paper, office and janitorial supplies for use in 2024; 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: October 26, 2023
 Batavia, New York

Resolution #87-2023 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 Horton and seconded by Director Baxter which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

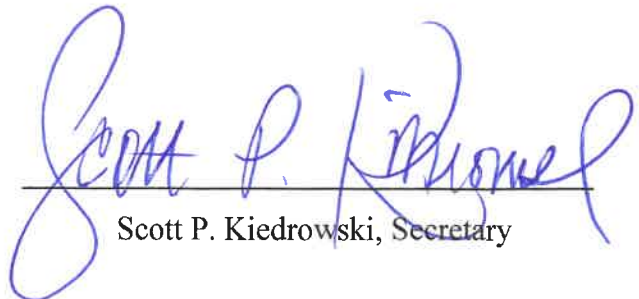
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION - #96-2023

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 arrange for the lease and maintenance of printers to be placed at OTB, EZ Bet and Batavia Downs locations; and

WHEREAS, Western needs to lease the printers for a five-year period, from January 1, 2024 through December 31, 2028; and

WHEREAS, staff recommends that Western arrange for the lease and maintenance of printers to be placed at OTB, EZ Bet and Batavia Downs locations for a five year period from January 1, 2024 through December 31, 2028 from Konica Minolta Business Solutions under the Federal Alliance contract-Sourcewell-#030321 at a monthly rate of \$7252.25 per month and a five year total of \$435,135.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to the lease and maintenance of printers to be placed at OTB, EZ Bet and Batavia Downs locations for a five year period from January 1, 2024 through December 31, 2028 from Konica Minolta Business Solutions under the Federal Alliance contract-Sourcewell-#030321 at a monthly rate of \$7252.25 per month and a five year total of \$435,135.00; 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: December 14, 2023
Batavia, New York

Resolution #96-2023 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>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

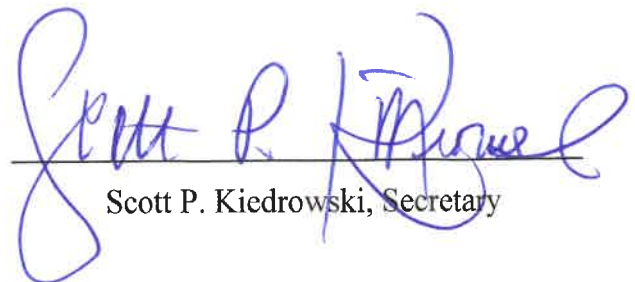
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION - #102-2023

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 Pepsi products for the food and beverages department for 2024; and

WHEREAS, Western purchases the Pepsi products from the sole source provider, that being Pepsi Bottling Group; and

WHEREAS, staff recommends that Western purchase the Pepsi products from the sole source provider, that being Pepsi Bottling Group, in the amount of \$275,000.00 for 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase the Pepsi products from the sole source provider, that being Pepsi Bottling Group, for \$275,000.00 for 2024; 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: December 14, 2023
Batavia, New York

Resolution #102-2023 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 Zambito which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

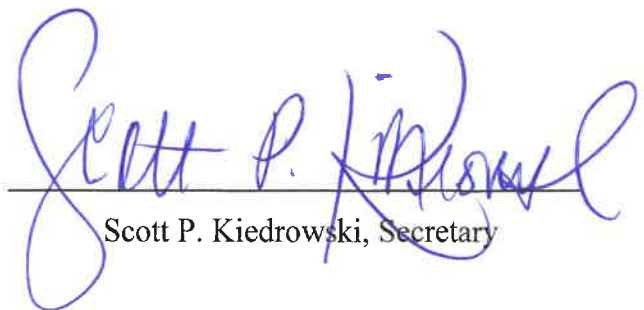
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION - #105-2023

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 online reservation services for 2024; and

WHEREAS, staff recommends that Western make the sole source purchase from Travel Click in an amount not to exceed \$60,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors authorizes the purchase of online reservation services for 2024 from Travel Click in an amount not to exceed \$60,00.00; 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: December 14, 2023
Batavia, New York

Resolution #105-2023 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 Horrigan which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

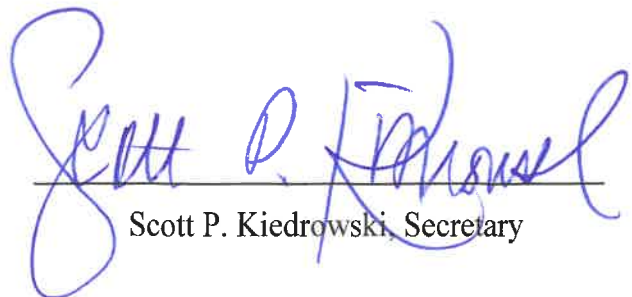
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION - #-107-2023

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 provide food and beverages for the restaurants at Batavia Downs; and

WHEREAS, Western purchases such food and beverages from various providers based upon quarterly RFP's; and

WHEREAS, staff recommends that Western purchase the food and beverages on the attached sheet for \$2,960,000.00 in 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase the food and beverages on the attached sheet for \$2,960,000.00 in 2024; 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: December 14, 2023
Batavia, New York

FOOD AND BEVERAGE 2024

VENDOR	AMOUNT
CH WRIGHT	\$250,000.00
EMPIRE MERCHANTS	\$150,000.00
JACOB KERN	\$70,000.00
JFS/CURTZE	\$170,000.00
PALMER FOODS	\$525,000.00
TRY-IT DIST. - SANZO BEVERAGE	\$125,000.00
SCHNEIDER'S SEAFOOD	\$90,000.00
SOUTHERN WINE	\$325,000.00
SYSCO	\$275,000.00
TARANTINO FOOD	\$150,000.00
US FOOD SERVICE	\$600,000.00
BURLEY BROTHERS	\$50,000.00
LATINA	\$ 180,000.00
TOTAL	\$2,960,000.00

Resolution #107-2023 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 Zambito which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

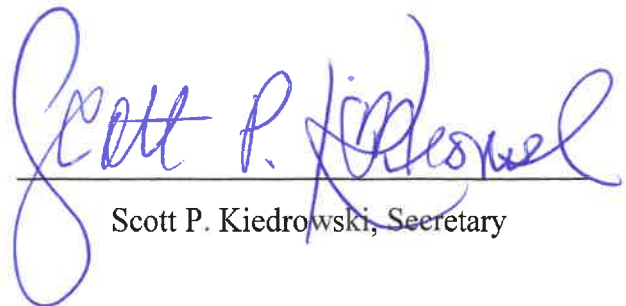
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.


Scott P. Kiedrowski, Secretary

RESOLUTION - #110-2023

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 provide sound and stage equipment/personnel for the 2024 Rockin' the Downs Concert Series; and

WHEREAS, Audio Images Sound & Lighting, Inc. is the sole source provider of such services; and

WHEREAS, staff recommends that Western engage Audio Images Sound & Lighting, Inc. to provide sound and stage equipment/personnel for the 2024 Rockin' the Downs Concert Series for \$95,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to engage Audio Images Sound & Lighting, Inc. to provide sound and stage equipment/personnel for the 2024 Rockin' the Downs Concert Series for \$95,000.00; 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: December 14, 2023
Batavia, New York

Resolution #110-2023 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 Zambito which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

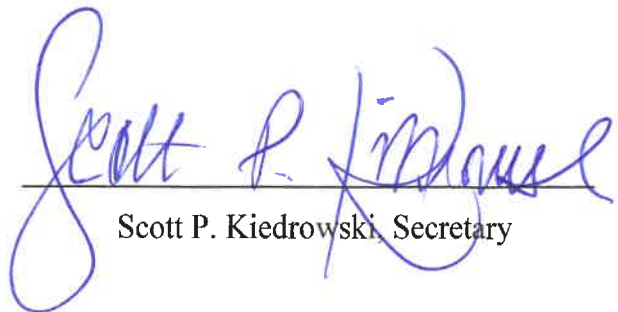
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION - #112-2023

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 radio advertising on Audacy stations in Rochester and Buffalo for events and promotions in 2024; and

WHEREAS, staff recommends that Western place \$100,000.00 of advertising with Audacy stations in Rochester and Buffalo for events and promotions in 2024; and now therefore

BE IT RESOLVED, that Western shall place \$100,000.00 of advertising with Audacy stations in Rochester and Buffalo for events and promotions in 2024; 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: December 14, 2023
Batavia, New York

Resolution #112-2023 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 May and seconded by Director Bombardo which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

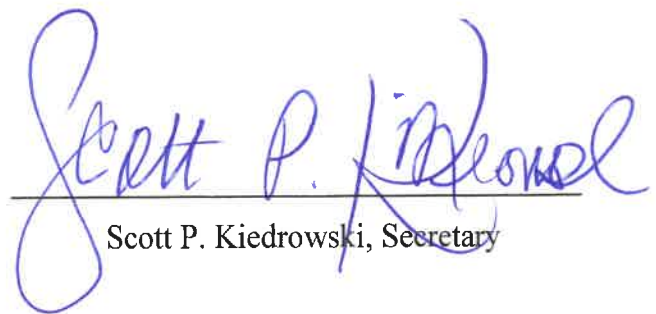
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION - #120-2023

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 printed direct mail advertising in 2024 for events and promotions; and

WHEREAS, Western needs to place such direct mail advertising with ValPak which is the sole source provider for such services; and

WHEREAS, staff recommends that Western place \$100,000.00 of direct mail advertising with ValPak for 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to place \$100,000.00 of direct mail advertising with ValPak for 2024; 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: December 14, 2023
Batavia, New York

Resolution #120-2023 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 May and seconded by Director Horton which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

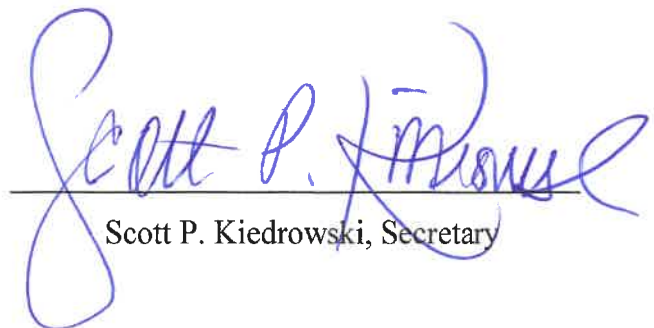
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION - #124-2023

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 television services throughout the building at Batavia Downs; and

WHEREAS, Western needs to purchase such television services throughout the building at Batavia Downs from Spectrum; and

WHEREAS, staff recommends that Western purchase television services throughout the building at Batavia Downs from Spectrum for \$120,000.00 in 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase television services throughout the building at Batavia Downs from Spectrum for \$120,000.00 in 2024; 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: December 14, 2023
Batavia, New York

Resolution #124-2023 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 May and seconded by Director Morgan which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

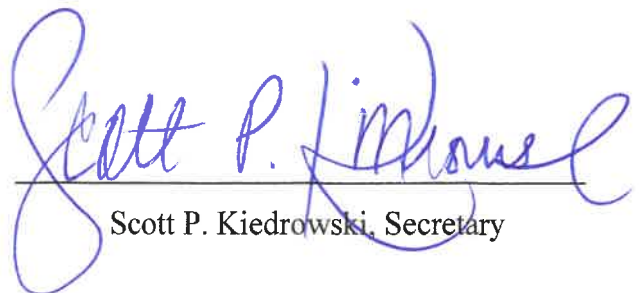
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.


Scott P. Kiedrowski, Secretary

RESOLUTION - #126-2023

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 postage for yearly promotional mailings in 2024; and

WHEREAS, staff recommends that Western purchase postage for yearly promotional mailings in 2024 in the amount of \$120,000.00 from the United States Postal Service; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase postage for yearly promotional mailings in 2024 in the amount of \$120,000.00 from the United States Postal Service; 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: December 14, 2023
Batavia, New York

Resolution #126-2023 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 May and seconded by Director Horton which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

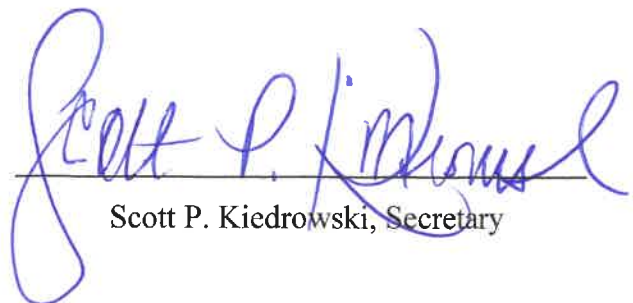
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.


Scott P. Kiedrowski, Secretary

RESOLUTION - #130-2023

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 a Docuware Professional Server to provide on premise software to meet the needs of the Corporation to provide document management, repository and workflow automation function; and

WHEREAS, Western has been assured the proposal includes set up, server, intelligent indexing and forms, licenses, maintenance and support for five years from January 1, 2024 through December 31, 2028; and

WHEREAS, staff recommends that Western purchase a Docuware Professional Server to provide on premise software to meet the needs of the Corporation to provide document management, repository and workflow automation function from Toshiba Business Solutions under New York State Contract #R191103 for a total of \$202,852.80; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase a Docuware Professional Server to provide on premise software to meet the needs of the Corporation to provide document management, repository and workflow automation function from Toshiba Business Solutions under New York State Contract #R191103 for a total of \$202,852.80; 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: December 14, 2023
Batavia, New York

11/21/2023

Toshiba Business Solutions Quotation

100 Colvin Woods Pkwy
Tonawanda, NY 14150
716-362-6300



District	Rep	Quotation date	Email Address	Quotation valid until:	Quote #
Buffalo	Michael Weinert	11/21/2023	michael.weinert@tbs.toshiba.com	12/31/2023	
Quoted To: Ken Erskine			Ship To:		
Customer: Western Regional Off-Track Betting Corporation			Customer: Same		
Address 1: 8315 Park Rd			Address 1:		
Address 2:			Address 2:		
City, State	Batavia	New York	Zip	14020	City, State
Phone	Delivery Date		Ship Via	Date	Terms
585-343-3750	21-Nov		n/a	11/21/2023	n-30
					Contact Person
					Jeff Magee

Qty	Item Description	Manufacturer	Unit Selling Price	Total Price
1	DOCUWARE PROFESSIONAL SERVER	DocuWare	\$ 6,550.00	\$ 6,550.00
46	40-59 DOCUWARE NAMED CLIENT LICENSES	DocuWare	\$ 487.00	\$ 22,402.00
1	DOCUWARE SMART CONNECT	DocuWare	\$ 2,460.00	\$ 2,460.00
1	DOCUWARE MOBILE	DocuWare	\$ 1,510.00	\$ 1,510.00
1	DOCUWARE TASK MANAGER	DocuWare	\$ 4,910.00	\$ 4,910.00
1	DOCUWARE EXPORT	DocuWare	\$ 4,910.00	\$ 4,910.00
1	DOCUWARE AUTOINDEX	DocuWare	\$ 3,200.00	\$ 3,200.00
1	DOCUWARE WORKFLOW MANAGER	DocuWare	\$ 12,210.00	\$ 12,210.00
1	DOCUWARE IMPORT	DocuWare	\$ 2,460.00	\$ 2,460.00
1	DOCUWARE INTELLIGENT INDEXING	DocuWare	\$ 12,210.00	\$ 12,210.00
1	DOCUWARE FORMS	DocuWare	\$ 12,210.00	\$ 12,210.00
60	DOCUWARE PROFESSIONAL SERVER M&S (PER MONTH)	DocuWare	\$ 109.50	\$ 6,570.00
2,760	40-59 DOCUWARE NAMED CLIENT LICENSES M&S (PER MONTH)	DocuWare	\$ 9.85	\$ 27,186.00
60	DOCUWARE SMART CONNECT M&S (PER MONTH)	DocuWare	\$ 41.25	\$ 2,475.00
60	DOCUWARE MOBILE M&S (PER MONTH)	DocuWare	\$ 26.00	\$ 1,560.00
60	DOCUWARE TASK MANAGER M&S (PER MONTH)	DocuWare	\$ 81.00	\$ 4,860.00
60	DOCUWARE EXPORT M&S (PER MONTH)	DocuWare	\$ 81.00	\$ 4,860.00
60	DOCUWARE AUTOINDEX M&S (PER MONTH)	DocuWare	\$ 53.25	\$ 3,195.00
60	DOCUWARE WORKFLOW MANAGER M&S (PER MONTH)	DocuWare	\$ 203.50	\$ 12,210.00
60	DOCUWARE IMPORT M&S (PER MONTH)	DocuWare	\$ 41.25	\$ 2,475.00
60	DOCUWARE INTELLIGENT INDEXING M&S (PER MONTH)	DocuWare	\$ 203.50	\$ 12,210.00
60	DOCUWARE FORMS M&S (PER MONTH)	DocuWare	\$ 203.50	\$ 12,210.00
60	DOCUWARE SOFTWARE DEVELOPER KIT (SDK) SUPPORT (TOOLKIT)	DocuWare	\$ 121.83	\$ 7,309.80
120	PROFESSIONAL SERVICES LABOR	Toshiba	\$ 150.00	\$ 18,000.00
12	TBS PROJECT MANAGEMENT	Toshiba	\$ 225.00	\$ 2,700.00

Professional Services is a one time payment of \$20,700.00 for the project

This solution includes 60 months of Maintenance and Support Annual M&S after 5 years is estimated at \$19,424.16 based on current contract pricing

Region 4 Contract ID: R191103
SofNY - WROTB Force ID: 4038798

PO Should include the following: "This PO incorporates the terms & conditions of Region 4 ESC contract #R191103 and the attached MPSA order form and schedule."

Approval			Total Cost	\$202,852.80
			Installation	
			Shipping	
Signature:				
Date:				
Special Instructions				
			Project Total	\$202,852.80

Resolution #130-2023 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 Horton and seconded by Director Wamp which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

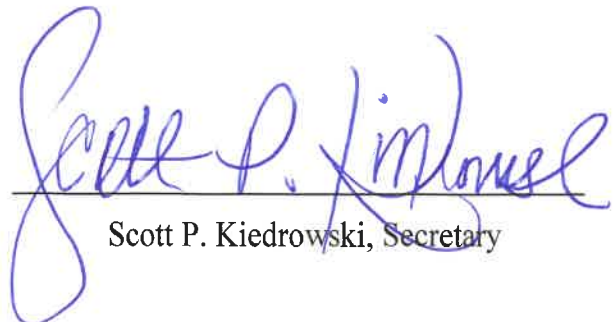
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION-#131-2023

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate Batavia Downs Gaming in an efficient manner, while providing the best experience available to our customers; and

WHEREAS, over the past year, our corporation has not only weathered the challenges presented by the dynamic business landscape but has excelled in transforming our facilities into a destination entertainment hub. This achievement has been made possible by the unwavering commitment and hard work of our employees who have consistently demonstrated their passion for delivering exceptional experiences to our patrons; and

WHEREAS, considering our outstanding performance as a destination entertainment facility, a 4.5% wage adjustment is appropriate for our employees in the upcoming year. This adjustment not only reflects our appreciation for their dedication, but also serves as a strategic investment in the continued success of our organization; and

WHEREAS, our corporation has not only met, but exceeded performance expectations and our entertainment facilities have become a beacon of excellence, attracting a diverse audience, and setting new standards within the industry. The success we have achieved is a testament to the hard-working dedication of our employees. Their tireless efforts have significantly contributed to the positive image and reputation our company now enjoys. A competitive wage adjustment will not only reward our current workforce but will also position us as an attractive employer in the market. This is crucial for retaining our top talent and attracting new professionals who contribute to our ongoing success in providing the best experience to our guests; and

WHEREAS, A well-deserved wage adjustment will boost employee morale and motivation. It communicates a clear message that their efforts are recognized and valued, fostering a positive and productive work environment that acknowledges our employees are the backbone of our corporation. Investing in their well-being through a fair and competitive wage adjustment is an investment in our future success ensuring the continued growth and prosperity of our organization; and

WHEREAS, our facility has a video gaming floor with 910 gaming machines and the net win increased \$7.2 million or 11.2% from year 2022 to 2023. The facility patron attendance increased by over 58,000 people or 8.3% for the same period; and food and beverage sales at our various locations increased by \$538,000 or 13.8% for the same period; and hotel room sales increased by \$283,000 or 14% and the distributable earnings available to our participating municipalities through the third quarter of 2023 have increased \$500,000 or 9.3% over the same period; and

WHEREAS, staff recommends a 4.5% wage adjustment for our employees;
and

WHEREAS, such a wage adjustment is not only warranted, but is a strategic investment in sustaining and enhancing our success. It acknowledges that our workforce's dedication and hard work have played a pivotal role in achieving our milestones, and it is only fitting that we recognize and reward their contributions; and therefore

BE IT RESOLVED, that Western's Board of Directors directs a 4.5% wage adjustment for the employees to insure that Western operates in an efficient manner while providing the best experience available to our guests; and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to take such action as may be necessary to reflect the Board's actions.

Respectfully submitted,

December 14, 2023

Resolution #131-2023 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 May which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

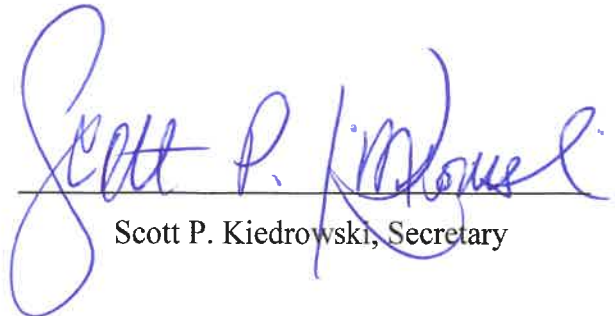
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION #132-2023

WHEREAS, it is the responsibility of the Western Regional Off Track Betting Corporation ("Western") to provide patrons of Batavia Downs Gaming with the best experience when visiting the facility; and

WHEREAS, the Batavia Downs Gaming and Hotel is a first class lodging facility that provides a great amenity to our visiting patrons; and

WHEREAS, staff believes that Hart Hotel Inc has done an excellent job of managing the hotel since entering into a management agreement with Western to manage the operation of the hotel at Batavia Downs; and

WHEREAS, staff recommends that Western's Board of Directors renew the agreement originally approved at the April 21, 2021 meeting which expires December 31, 2023 at a monthly rate not to exceed \$9,000.00 per month for the period from January 1, 2024 through December 31, 2026; and therefore

BE IT RESOLVED, that the Board of Directors of Western approves the renewal of the agreement, originally approved at the April 21, 2021, meeting which expires December 31, 2023, at a monthly rate not to exceed \$9,000.00 per month for the period from January 1, 2024 through December 31, 2026; and 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: December 14, 2023
Batavia, New York

Resolution #132-2023 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 Horrigan which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

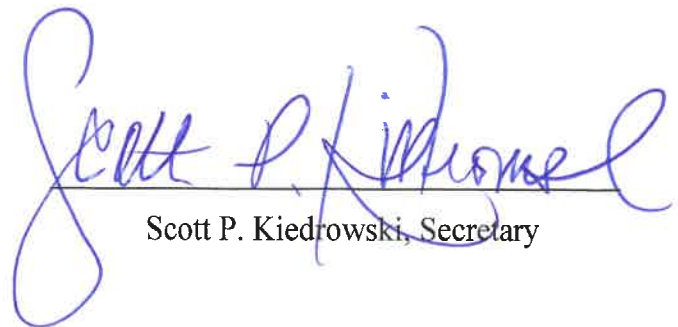
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary

RESOLUTION - #133-2023

WHEREAS, in the first quarter of 2023, management began examining hotel room demand and availability at the Hotel at Batavia Downs Gaming (the "**Hotel**"); and

WHEREAS, as a result of the analysis, it became apparent that additional rooms at the Hotel were necessary to meet existing and projected room demand and to increase gaming and entertainment revenue; and,

WHEREAS, demand for hotel rooms continues to be strong, with the Hotel maintaining a 95% average occupancy rate over the last four months; and

WHEREAS, the high occupancy rate, significantly higher than the national average, underscores the regional market's desire for the unique blend of hospitality, entertainment and gaming experiences provided at Batavia Downs Gaming & Hotel; and

WHEREAS, management believes that additional room capacity, will position Batavia Downs Gaming & Hotel to capture more market share and be more competitive, and thereby, increase gaming and non-gaming revenue; and

WHEREAS, management believes the proposed expansion of the Hotel will create economies of scale; i.e. as room inventory increases while maintaining the same or similar average occupancy rate, operational costs per room are expected to decrease, allowing for more efficient distribution of fixed costs such as maintenance, utilities, and staffing; and

WHEREAS, beyond adding rooms, the expansion of the Hotel introduces a comprehensive wellness experience with the incorporation of a spa and fitness center; and

WHEREAS, management believes the spa and fitness center caters to a growing market demand for holistic well-being and provides an additional revenue stream to the Corporation;

WHEREAS, management believes the spa and fitness center recognizes the evolving preferences of current patrons, and aligns with industry trends that emphasize not only entertainment but also wellness and hospitality; and

WHEREAS, larger resort properties with expansive entertainment and wellness offerings are increasingly favored by travelers seeking comfort, vibrant experiences, and opportunities for rejuvenation; and

WHEREAS, by building on the high occupancy rates for the hotel, the Hotel expansion with the spa and fitness center helps to ensure that Batavia Downs Gaming

& Hotel remains at the forefront of these evolving consumer preferences and enhance its position as a premier regional entertainment destination; and

WHEREAS, the incremental revenue from the additional hotel rooms and spa and fitness center are expected to pay for the costs associated with the Hotel expansion and also contribute to the overall profitability of the Corporation by driving traffic to the gaming floor, food & beverage amenities and other entertainment at Batavia Downs Gaming & Hotel;

WHEREAS, the incremental net income resulting from the Hotel expansion will be distributed to member municipalities; and

WHEREAS, the Hotel expansion would be in the best economic interest of the member municipalities; and, now therefore,

BE IT RESOLVED that the Western Regional Off-Track Betting Corporation's Board of Directors authorizes the Corporation to conduct such economic, feasibility, and other studies and preliminary planning and budgetary processes necessary or convenient to enable the Corporation to make its final determination whether to approve an expansion of the Hotel;

BE IT FURTHER RESOLVED that the Corporation is authorized to expend up to \$100,000 for initial architectural and design renderings and other third-party expenditures related to evaluating the feasibility of an expansion of the Hotel; and

BE IT FURTHER RESOLVED that the Authorized Officers of the Corporation are authorized to take all necessary actions related to evaluating the feasibility of the expansion of the Hotel.

Respectfully submitted,

Dated: December 14, 2023

Batavia, New York

Resolution #133-2023 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>
Vacant	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[]	[]	[X]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
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	[]	[]	[X]

The Resolution was thereupon duly adopted.

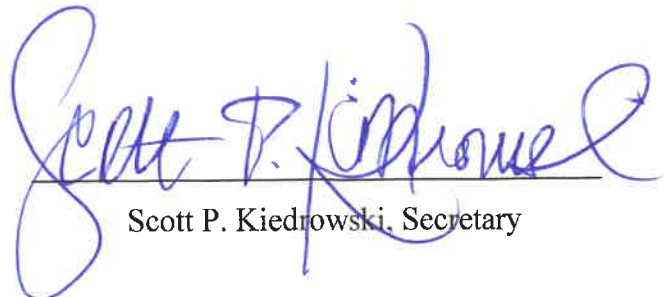
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 December 14, 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 14th day of December 2023.



Scott P. Kiedrowski, Secretary