

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

At 9:25 a.m. a motion was made by Director Winter to enter into Executive Session seconded by Director Bartow for the discussion of the medical, financial, credit or employment history of a particular person or corporation or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Executive Session ended at 10 a.m.

Minutes of the regular meeting of Board of Directors of the Western Regional Off-Track Betting Corporation, ("Western") held on the 22 day of February 2024 and commencing at 10:07 a.m. in the *Boardroom*, Corporate Headquarters at 8315 Park Road Batavia, New York.

Participating was:

Monroe	James Wilmot
Buffalo	Crystal Rodriguez-Dabney
Rochester	Dennis Bassett
Niagara	Elliott Winter
Chautauqua	Vincent Horrigan
Oswego	Mark Bombardo
Steuben	Michael Horton
Cayuga	Terrance Baxter
Livingston	Thomas Wamp
Genesee	Charles Zambito
Wyoming	Susan May
Orleans	Edward Morgan
Schuyler	Paul Bartow

Absent:

Erie	Callan
Cattaraugus	Burr
Seneca	Ricci
Wayne	Vacant

constituting the Directors of all participating municipalities.

Also participating were Henry F. Wojtaszek, President & CEO; Scott P. Kiedrowski, Chief Operating Officer; Jacquelyne A. Leach, Chief Financial Officer; William R. White, Vice President – Administration; Sean S. Schiano, Vice President – Operations; John M. Owens, Associate Counsel; Steven Haigh, Internal Auditor, Ryan Hasenauer, Director of Marketing; Mike Pettinella, The Batavian; Dale Showmaker, Investigative Post; Brian Quinn, The Batavia Daily News; Antonella Rotilio, Labor Relations Rep.; Lori Fuller, Non-Supervisory Grievance Chairperson West; Kimberly Goff, Non-Supervisory Grievance Chairperson East.

A roll of the membership of the Board having been called, Mr. Kiedrowski declared a quorum present.

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

Chairman Bassett asked Director Rodriguez-Dabney 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 January 18, 2024. There being none, a motion was made by Director Wamp and seconded by Director Bombardo to approve the January minutes as submitted. The minutes were approved unanimously by voice vote.

Communications:

Mr. Kiedrowski reported the following thank you notes.

A thank you note from Pamela Hill, Coordinator of Twin Cities Meals on Wheels, Inc. for contributing to the fund raiser to benefit Twin Cities Community Outreach.

A thank you note from St. Leo the Great Parish Center for contributing a Stay and Play package.

A thank you note from Christine Thomas, Heart of the Community Chairperson of Loyal Order of Moose for the contribution to the Niagara Hospice Program raffle.

A thank you note from Betsy Campbell, Volunteer & Event Coordinator of FeedMore WNY Foundation for contributing 1,357 pounds of frozen turkeys.

Personnel Committee Report:

Committee Chairman Winter reported that the Personnel Committee meeting was held on Wednesday February 21, 2024, at 1:02 p.m.

Director Winter reported that Mr. White informed the Committee of the adjustments made to the Personnel Classifications.

Personnel Committee Report continued:

A motion was made by Director Winter and seconded by Director May to approve the adjustments made to the Personnel Classifications. A voice vote was taken and passed unanimously.

Director Winter reported that Mr. White informed the Committee that there are several positions that are no longer needed and is seeking approval to remove these positions from the Compendium.

A motion was made by Director Winter and seconded by Director Horrigan to approve the removal of positions from the compendium. A voice vote was taken and passed unanimously.

Director Winter reported that Mr. Kiedrowski spoke to the Committee about the need to add a Head Chef position to the 34 Rush kitchen and is seeking approval from the Committee to add a position to the Compendium.

A motion was made by Director Winter and seconded by Director Horton to approve the Head Chef position to the 34 Rush kitchen and add the Head Chef position to the compendium. A voice vote was taken and passed unanimously.

Director Winter reported that Mr. White asked the Committee for approval for an employee to buy back 40 hours of vacation. This employee was unable to use vacation time due to staffing and many events.

Director Winter reported that Mr. Wojtaszek explained to the Committee that the Corporation would like to implement the sick leave benefit donation policy (new), a policy for non-represented employees. There have been several occasions where employees have been out on extended medical leave and do not have benefit time to cover their absence.

A motion was made by Director Winter and seconded by Director Baxter to approve the 40 hours of vacation buy back. A voice vote was taken and passed unanimously.

At 1:22 p.m. a motion was made by Director Winter, seconded by Director May to enter Executive Session. At 1:40 p.m. a motion was made by Director Winter to exit out of executive session seconded by Director Horrigan.

The Personnel Committee meeting was adjourned at 1:40 p.m.

Finance Committee Report:

Committee Chairman Horton reported that the Finance Committee meeting was held on Wednesday February 21, 2024, at 2:00 p.m.

Mrs. Leach reviewed the December 2023 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$42,752 in surcharge revenues to member municipalities for December. For the fourth quarter 2023 the Corporation will distribute \$1,888,033 in operational earnings to member municipalities.

Mrs. Leach reviewed the January 2024 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$32,589 in surcharge revenues to member municipalities for January.

Mrs. Leach encouraged Members to review the weekly Regional VGM Numbers highlighting Batavia Downs Gaming net win performance through January as compared to same period 2024 and 2023.

The Finance Committee meeting adjourned at 2:39 p.m.

Advertising & Promotions Committee Report:

Committee Chairperson May reported that the Advertising & Promotions Committee meeting was held on Wednesday February 21, 2024, at 2:41p.m.

Director May reported that Mr. Ryan Hasenauer, Director of Marketing reviewed upcoming events and hotel offers.

Director May reported that photos from onsite events including the Winter Waltz, Batavia Downs Night at Niagara Basketball, Bourbon and BBQ Dinner, Beatlemania, Million Dollar Dice Roll, and the Brew Fest were shown.

Director May reported that Mr. Hasenauer relayed the history of Batavia Downs' relationship with ambassadors Thurman Thomas and Danny Gare along with their upcoming schedule for 2024 was reviewed.

Director May reported that upcoming events in the 1st quarter like Concerts, Wrestling, Vendor shows, and a wine fest were previewed.

Advertising & Promotions Committee Report continued:

A new OTB campaign surrounding OTB's 50th anniversary alongside the 150th Kentucky Derby will be developed over the next few months. These include TV spots, and onsite events at EZ Bets, Branches and Batavia Downs.

Resolution 22-2024 was presented to revise Resolution #125-2023 to increase the amount of \$30,000 to \$35,000 to cover the cost of 8 tickets and 4 parking passes to all 2024 shows at Darien Lakes Performing Arts Center as the updated cost is \$32,000 and to provide additional purchases should a particular show be requested.

Upon motion by Director May and seconded by Director Horrigan a roll call vote was taken and passed unanimously to approve the to increase the amount of \$30,000 to \$35,000 to cover the cost of 8 tickets and 4 parking passes to all 2024 shows at Darien Lakes Performing Arts Center as the updated cost is \$32,000 and to provide additional purchases should a particular show be requested. Ayes: 13; Absent: 4; Erie, Wayne, Burr, Seneca **See Resolution 22-2024.**

Resolution 26-2024 was presented to amend Resolution 03-2023 to provide for a total cost in 2023 of \$151,098.00; in 2024 of \$157,202.90; in 2025 of \$163,413.05; and in 2026 of \$165,733,70 for Buffalo Bills licensing fee and tickets.

Upon motion by Director May and seconded by Director Wilmot a roll call vote was taken and passed unanimously to approve the amendment of Resolution 03-2023 to reflect a total cost in 2023 of \$151,098.00; in 2024 of \$157,202.90; in 2025 of \$163,413.05; and in 2026 of \$165,733,70. Ayes: 13; Absent: 4; Erie, Wayne, Burr, Seneca. **See Resolution 26-2024.**

The Advertising & Promotions Committee meeting adjourned at 3:04 p.m.

Batavia Downs Operations Committee Report:

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Wednesday February 21, 2024, at 3:10 p.m.

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

Director Morgan reported that Resolution 21-2024 was presented for approval for Western to split administrative fees with Hart Hotel for 2023 in the amount of \$17,519.05.

Batavia Downs Operations Committee Report continued:

Upon motion by Director Morgan and seconded by Director Bombardo a roll call vote was taken and passed unanimously to approve Western to split administrative fees with Hart Hotel for 2023 in the amount of \$17,519.05. Ayes: 13; Absent: 4; Erie, Wayne, Burr, Seneca. **See Resolution 21-2024.**

Resolution 23-2024 was presented to purchase a John Deere 2022 compact utility tractor and Frontier broadcast spreader for use at Batavia Downs. The quote for the tractor is in the amount of \$38,553.44 and for the spreader in the amount of \$1,619.50 and these processes reflect an 18% discount off the MSRP and can be purchased under NYS Contract No. PC69683 from John Deere. The total purchase amount is \$40,152.94.

Upon motion by Director Morgan and seconded by Director Bombardo a roll call vote was taken and passed unanimously to approve the total purchase amount is \$40,152.94 for the tractor in the amount of \$38,553.44 and for the spreader in the amount of \$1,619.50 and these processes reflect an 18% discount off the MSRP and can be purchased under NYS Contract No. PC69683 from John Deere Ayes: 13; Absent: 4; Erie, Wayne, Burr, Seneca. **See Resolution 23-2024.**

Resolution 24-2024 was presented to purchase this equipment from Pure Performance Renewable Energy Solutions, Buffalo NY that will correlate with the EV Connect - Sourcewell Contract No. 042221-EVC for a cost of \$27,338.00 less a rebate of \$23,892, resulting in a net cost of \$4,703.00.

Upon motion by Director Morgan and seconded by Director Horrigan a roll call vote was taken and passed unanimously to approve the purchase of equipment from Pure Performance Renewable Energy Solutions, Buffalo NY that will correlate with the EV Connect - Sourcewell Contract No. 042221-EVC for a cost of \$27,338.00 less a rebate of \$23,892, resulting in a net cost of \$4,703.00 Ayes: 13; Absent: 4; Erie, Wayne, Burr, Seneca. **See Resolution 24-2024.**

Resolution 25-2024 was presented to purchase hardware and software for electric car charging stations that includes 16 Zerova single port stations, a network cloud subscription and 16 pedestal bases from EV Connect under Sourcewell Contract no. 04221-EVC for \$44,345.36 with a minimum rebate of \$23,000.00 with the potential to rise to \$32,000.00.

Batavia Downs Operations Committee Report continued:

Upon motion by Director Morgan and seconded by Director Horrigan a roll call vote was taken and passed unanimously to approve the purchase of hardware and software for electric car charging stations that includes 16 Zerova single port stations, a network cloud subscription and 16 pedestal bases from EV Connect under Sourcewell Contract no. 04221-EVC for \$44,345.36 with a minimum rebate of \$23,000.00 with the potential to rise to \$32,000.00. **See Resolution 25-2024**

The Batavia Downs Operations Committee adjourned at 3:24 p.m.

Insurance Committee Report:

Committee Chairman Horrigan reported that the Insurance meeting was held on Wednesday February 21, 2024, at 3:27 p.m.

Director Horrigan reported that Mr. Wojtaszek held a brief discussion regarding the RFP process for Insurance which is due to be renewed on June 1, 2024.

The Insurance Committee adjourned at 3:32 p.m.

Legislative Committee Report:

The Legislative Committee did not meet.

Audit Committee Report:

Committee Chairperson Zambito reported the Audit Committee meeting was held on Wednesday February 21, 2024, at 3:33 p.m.

Director Zambito reported that Mr. Steven J. Haigh, Internal Auditor, briefly discussed the current updated policies and indicated he would review with counsel as well as a review of the by-laws.

Audit Committee Report continued:

Director Zambito reported that Mr. Haigh also briefly discussed the summary of audit reports for the 4th quarter of 2023.

The Audit Committee meeting adjourned at 4:00 p.m.

Branch Operations Committee Report continued:

Committee Chairperson Rodriguez-Dabney reported the Branch Operations Committee meeting was held on Thursday February 22, 2024, at 9:02 a.m.

Director Rodriguez-Dabney reported that Ms. Dina Pane, General Manager of OTB Operations informed the Committee that she is excited about what Mr. Hasenauer and the Marketing team have planned to promote the Branches. She will have a Power Point presentation prepared for the next Branch Operations meeting with pictures of the branches and a "wish list" for improvements to possibly be made at some branch locations. Ms. Pane informed the Committee that Maintenance has been taking advantage of the weather and doing some spring cleaning at the branches.

Director Rodriguez-Dabney reported that Ms. Pane informed the Committee that Livingston Lane's anniversary party is scheduled for March 21st at 1:00 p.m. Southside will also be in March, but she is waiting for the owners to get back to her on a date. Two E-Z Bet applications have been sent to the NYS Gaming Commission and we are just waiting for approval. Ms. Pane also let the Committee know that two more E-Z Bet applications would be going out in the mail by the end of the week.

Director Rodriguez-Dabney reported that Ms. Pane reported Batavia Bets is down 2% from last year at this time and 10% from last year.

Mr. Wojtaszek informed the Committee that the West Ridge sale has closed. Mr. Owens informed the Committee that the buyers of the Phoenix Branch were out of state, and he expects to hear from them today.

The Branch Operations Committee adjourned at 9:09 a.m.

New Business:

Mr. Wojtaszek reported to the members that next month on March 28, 2024, there will be a plaque dedication to Mr. Richard E. Siebert in the newly remodeled Genesee Room.

Mr. Wojtaszek requested out of state travel for Mr. White to Savannah Georgia for PLRA a Labor conference. Upon motion by Director Morgan and seconded by Director Winter to approve the out-of-state travel, a voice vote was taken and passed unanimously.

The next Committee and Board meeting is scheduled for March 27 and March 28, 2024, respectively.

Adjournment:

Upon motion made by Director Horton to adjourn seconded by Director Bombardo the meeting was adjourned at 10:33 a.m.

Respectfully submitted,

Scott P. Kiedrowski, Chief Operating Officer

/pma

RESOLUTION - #21-2024

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

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

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

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

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

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

Respectfully submitted,

Dated: February 22, 2024
Batavia, New York

Resolution #21-2024 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>
Timothy Callan	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
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	[] 3	[]	[]	[X]
Terrance Baxter	[X] 3	[]	[]	[]
Thomas Wamp	[X] 2	[]	[]	[]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Richard Ricci	[] 1	[]	[]	[X]
Paul Bartow	[X] 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 February 22, 2024 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 22nd day of February 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #22-2024

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

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

WHEREAS, staff recommends this additional request; and now therefore

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

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

Respectfully submitted,

Dated: February 22, 2024
Batavia, New York

Resolution #22-2024 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 Horrigan which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
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	[] 3	[]	[]	[X]
Terrance Baxter	[X] 3	[]	[]	[]
Thomas Wamp	[X] 2	[]	[]	[]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Richard Ricci	[] 1	[]	[]	[X]
Paul Bartow	[X] 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 February 22, 2024 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 22nd day of February 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #23-2024

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

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

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

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

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

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

Respectfully submitted,

Dated: February 22, 2024
Batavia, New York

Resolution #23-2024 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>
Timothy Callan	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
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	[] 3	[]	[]	[X]
Terrance Baxter	[X] 3	[]	[]	[]
Thomas Wamp	[X] 2	[]	[]	[]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Richard Ricci	[] 1	[]	[]	[X]
Paul Bartow	[X] 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 February 22, 2024 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 22nd day of February 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #24-2024

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

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

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

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

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

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

Respectfully submitted,

Dated: February 22, 2024
Batavia, New York

Resolution #24-2024 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>
Timothy Callan	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
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	[] 3	[]	[]	[X]
Terrance Baxter	[X] 3	[]	[]	[]
Thomas Wamp	[X] 2	[]	[]	[]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Richard Ricci	[] 1	[]	[]	[X]
Paul Bartow	[X] 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 February 22, 2024 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 22nd day of February 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #25-2024

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

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

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

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

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

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

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

Respectfully submitted,

Dated: February 22, 2024
Batavia, New York

Resolution #25-2024 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>
Timothy Callan	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
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	[] 3	[]	[]	[X]
Terrance Baxter	[X] 3	[]	[]	[]
Thomas Wamp	[X] 2	[]	[]	[]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Richard Ricci	[] 1	[]	[]	[X]
Paul Bartow	[X] 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 February 22, 2024 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 22nd day of February 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #26-2024

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

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

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

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

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

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

Respectfully submitted,

Dated: February 22, 2024
Batavia, New York

Resolution #26-2024 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 Wilmot which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[] 24	[]	[]	[X]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
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	[] 3	[]	[]	[X]
Terrance Baxter	[X] 3	[]	[]	[]
Thomas Wamp	[X] 2	[]	[]	[]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Richard Ricci	[] 1	[]	[]	[X]
Paul Bartow	[X] 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 February 22, 2024 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 22nd day of February 2024.

Scott P. Kiedrowski, Secretary