

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BOARD OF DIRECTORS MEETING

April 25, 2024

10:00 a.m.

AGENDA

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

Finance Committee Meeting Agenda

April 24, 2024

Batavia, New York

Michael Horton, Chairman
Thomas Wamp, Vice Chairman

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

AGENDA

1. 2023 Corporate Investment Report
- J. Leach
2. Chief Financial Officer Report & BDG Financials
• March 2024
- J. Leach
3. Regional VGM Numbers
- J. Leach

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

<u>Operational Results - March 2024</u>	<u>March 2024</u>	<u>March 2023</u>	<u>March Plan</u>
Total Handle	\$3,701,286	\$4,315,715	\$3,827,303
\$ Variance		(614,429)	(126,017)
% Variance		-14%	-3%
VGM Net Win	\$7,878,387	\$7,731,065	\$8,064,398
\$ Variance		147,322	(186,011)
% Variance		2%	-2%
Revenue net of Statutories	\$ 4,948,836	\$ 4,643,428	\$ 4,873,701
Operating Expenses	3,401,976	3,214,784	3,481,793
Earnings and Surcharge	1,546,860	1,428,644	1,391,908
Surcharge	46,421	54,681	50,337
Operational Earnings (Losses)	\$ 1,500,439	\$ 1,373,963	\$ 1,341,571
\$ Variance		126,476	158,868
% Variance		9%	12%

* Earnings are distributed on a quarterly basis

<u>Segment Performance:</u>	<u>March 2024</u>	<u>March 2023</u>	<u>March Plan</u>
BRANCH Earnings from Operations	\$ 342,935	\$ 93,083	\$ 73,925
Less: G&A Allocation	181,397	194,306	199,047
Earnings (Losses) net of G&A Allocation	\$ 161,538	\$ (101,223)	\$ (125,122)
\$ Variance		262,761	286,660
% Variance		260%	229%
BATAVIA DOWNS Earnings from Operations	\$ 1,762,161	\$ 1,836,039	\$ 1,836,352
Less: G&A Allocation	423,260	360,853	369,659
Earnings net of G&A Allocation	\$ 1,338,901	\$ 1,475,186	\$ 1,466,693
\$ Variance		(136,285)	(127,792)
% Variance		-9%	-9%
GENERAL AND ADMINISTRATIVE expense	\$ 604,657	\$ 555,159	\$ 568,706
\$ Variance		49,498	35,951
% Variance		9%	6%
Net Cash Distributions to Municipalities:	March 2024	March 2023	March Plan
SURCHARGE	\$ 46,421	\$ 54,681	\$ 50,337
\$ Variance		(8,260)	(3,916)
% Variance		-15%	-8%
Year to Date Surcharge and Net Revenue	March 2024	March 2023	March Plan
SURCHARGE	\$ 118,880	\$ 153,010	\$ 140,561
\$ Variance		(34,130)	(21,681)
% Variance		-22%	-15%
NET EARNINGS AVAILABLE FOR DISTRIBUTION	\$ 1,980,231	\$ 2,234,432	\$ 2,349,532
\$ Variance		(254,201)	(369,301)
% Variance		-11%	-16%
TOTAL	\$ 2,099,111	\$ 2,387,442	\$ 2,490,093

CFO'S REPORT - March 2024

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

	2024 March	2023 March	2024 March Plan	2024 Year To Date	2023 Year To Date	2024 Operating Plan YTD
HANDLE (includes Live)	\$3,702,000	\$4,316,000	\$3,827,000	\$9,997,000	\$12,136,000	\$10,707,000
\$ Variance		(614,000)	(125,000)		(2,139,000)	(710,000)
% Variance		-14%	-3%		-18%	-7%
VGM Net Win	\$7,878,000	\$7,731,000	\$8,064,000	\$20,826,000	\$20,996,000	\$21,678,000
\$ Variance		147,000	(186,000)		(170,000)	(852,000)
% Variance		2%	-2%		-1%	-4%
Revenue and Expense:						
Operating Revenue	9,317,000	9,009,000	9,321,000	23,782,000	24,106,000	24,641,000
\$ Variance		308,000	(4,000)		(324,000)	(859,000)
% Variance		3%	0%		-1%	-3%
Less: Statutory Expenses	4,368,000	4,366,000	4,447,000	11,582,000	11,915,000	12,004,000
\$ Variance		2,000	(79,000)		(333,000)	(422,000)
% Variance		0%	-2%		-3%	-4%
Revenue before Operating Expenses	4,949,000	4,643,000	4,874,000	12,200,000	12,191,000	12,637,000
\$ Variance		306,000	75,000		9,000	(437,000)
% Variance		7%	2%		0%	-3%
Less: Operating Expenses	3,402,000	3,215,000	3,482,000	10,101,000	9,804,000	10,147,000
\$ Variance		187,000	(80,000)		297,000	(46,000)
% Variance		6%	-2%		3%	0%
Retained Surcharge/Net earnings	1,547,000	1,429,000	1,392,000	2,099,000	2,387,000	2,490,000
\$ Variance		118,000	155,000		(288,000)	(391,000)
% Variance		8%	11%		-12%	-16%
Retained Surcharge	46,000	55,000	50,000	119,000	153,000	141,000
\$ Variance		(9,000)	(4,000)		(34,000)	(22,000)
% Variance		-16%	-8%		-22%	-16%
Net Earnings(Losses) from Operations	1,500,000	1,374,000	1,342,000	1,980,000	2,234,000	2,349,000
\$ Variance		126,000	158,000		(254,000)	(369,000)
% Variance		9%	12%		-11%	-16%
Gain (loss) on sale of branch property	0	0	0	0	0	0
Earnings (Losses) Net of PPP Forgiveness	1,500,000	1,374,000	1,342,000	1,980,000	2,234,000	2,349,000
\$ Variance		126,000	158,000		(254,000)	(369,000)
% Variance		9%	12%		-11%	-16%
			Earnings Operational Earnings	Earnings allocated to CAF	Distributable Earnings	
1st Qtr. Operational Earnings*			\$1,980,231	\$95,589	\$1,884,642	\$2,116,946
\$ Variance						(232,304)
% Variance						-11%
						(464,890)
						-20%
* Available for Distribution						

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

PERSONNEL COMMITTEE MEETING

Wednesday, April 24, 2024

1:00 p.m.

Elliott Winter, Chairperson
Vincent Horrigan, Vice-Chairperson

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

AGENDA

1. Policy Updated
 - Internet Acceptable Use
 - Policy for Use of Company Telephone and Cell Phone

-W. White

2. Addition of Title
 - Customer Relations Specialist

-W. White

3. Executive Session
 - 3a. Executive session for the discussion of the medical, financial, credit or employment history of a particular person or corporation or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

Western Regional Off-Track Betting Corporation Internet Acceptable Use Policy

Purpose

Western Regional Off-Track Betting Corporation (“WROTBC”, “Company”) recognizes that use of the internet and email is necessary in the workplace, and employees are required to use both responsibly and lawfully, as unacceptable use can place WROTBC and others at risk for harassment, security breaches, and similar issues.

The goals of this policy are to outline the guidelines for acceptable use of WROTBC’s technology systems. Your account provides you with access to networks around the world through these services. Use of these services is subject to the conditions detailed in this policy.

Scope

This policy applies to all WROTBC employees, including Batavia Downs Gaming, Batavia Downs Live Racing, interns, per diem, and contract employees. This policy must be followed in conjunction with other WROTBC policies governing appropriate workplace conduct and behavior. Any employee who abuses the company-provided access to email, the internet, or other electronic communications or networks, including social media, may be denied future access and, if appropriate, be subject to disciplinary action up to and including termination. WROTBC complies with all applicable federal, state, and local laws as they concern the employer/employee relationship, and nothing contained herein should be misconstrued to violate any of the rights or responsibilities contained in such laws.

Nothing in this policy is intended to, nor should be construed to limit or interfere with employee rights as set forth under all applicable provisions of the Taylor Law and NYS Employment Relations Act, including Section 703 rights to organize and engage in protected, concerted activities regarding the terms and conditions of employment.

Questions regarding the appropriate use of WROTBC’s electronic communications equipment or systems, including email and internet, should be directed to your supervisor or the information technology (IT) department.

Your Account

Internet access at WROTBC is controlled through individual accounts and passwords. Department managers are responsible for defining appropriate Internet access levels for the employees in their department and conveying that information to the network administrator.

Each user of the WROTBC system is required to read this updated Internet policy and sign an Internet user agreement prior to receiving an Internet access account and password or continuing Internet access for current users.

Appropriate Use

WROTBC employees are expected to use technology responsibly, lawfully, and productively as necessary for their jobs. Internet access and email are used for job-related activities; however, limited personal use is acceptable. WROTBC allows limited personal use for communication with family and friends, independent learning, and public service.

Employees may not use WROTBC’s internet, email, or other electronic communications to transmit, retrieve, or store any communications or other content of a defamatory, discriminatory, harassing, or pornographic nature. No

messages with derogatory or inflammatory remarks about an individual's race, age, sex, disability, religion, national origin, physical attributes, gender identity, sexual preference, or any other protected class may be transmitted.

Abusive, excessively profane, or offensive language and any illegal activities—including, but not limited to, copyright infringement, obscenity, libel, slander, fraud, defamation, plagiarism, harassment, intimidation, forgery, impersonation, illegal gambling, soliciting for illegal pyramid schemes, computer tampering, piracy, cracking, extortion, blackmail, and unauthorized access to any computers on the internet or email—are forbidden.

Copyrighted materials belonging to entities other than WROTBC may not be transmitted by employees on the company's network without permission of the copyright holder.

Employees may not use WROTBC's computer systems in a way that disrupts its use by others. This includes sending or receiving excessive numbers of large files and spamming (sending unsolicited email to thousands of users).

Employees are prohibited from downloading software or other program files or online services from the internet without prior approval from the IT department. All files or software should be passed through virus-protection programs prior to use. Failure to detect viruses could result in corruption or damage to files or unauthorized entry into company systems and networks.

Employees are prohibited from copying, altering, or destroying data, software, documentation, or data communications belonging to WROTBC or any individual without authorized permission.

Employees may not use WROTBC's internet connection to download games or other entertainment software, play games over the Internet, stream or download music, or stream television shows or movies.

Every employee of WROTBC is responsible for the content of all text, audio, video, or image files that they place or send over the company's internet and email systems. No email or other electronic communications may be sent that hide the identity of the sender or represent the sender as someone else. WROTBC's corporate identity is attached to all outgoing email communications, which should reflect corporate values and appropriate workplace language and conduct.

Security

For security purposes, users may not share account or password information with another person. Internet accounts are to be used only by the assigned user of the account for authorized purposes. Attempting to obtain another user's account password is strictly prohibited. Users are required to obtain a new password if they have reason to believe that any unauthorized person has learned their password. Users are required to take all necessary precautions to prevent unauthorized access to Internet services.

Confidentiality and Monitoring

All technology provided by WROTBC, including computer systems, communication networks, company-related work records and other information stored electronically, is the property of WROTBC and not the employee. In general, use of the company's technology systems and electronic communications should be job-related and not for personal convenience. WROTBC reserves the right to examine, monitor and regulate email and other electronic communications, directories, files and all other content, including internet use, transmitted by or stored in its technology systems, whether onsite or offsite. Employees should not have an expectation of privacy in anything they create, store, send, or receive on the company's network.

Internal and external email, voice mail, text messages, and other electronic communications are considered business records and may be subject to discovery in the event of litigation. Employees must be aware of this possibility when communicating electronically within and outside the company.

Consequences of Prohibited Behavior

Any employee who abuses the company-provided access to email, the internet, or other electronic communications or networks, including social media, may be denied future access and, if appropriate, be subject to disciplinary action up to and including termination. In addition, violations of this policy may lead to legal action according to applicable laws and contractual agreements.

Enforcement

The Director of IT- WROTBC & Video Gaming is responsible for policy interpretation, administration, and enforcement.

**Western Regional Off-Track Betting Corporation
Internet Acceptable Use Policy**

Acknowledgement

I acknowledge that I have received a copy of WROTBC's Internet Acceptable Use Policy. I have read and fully understand this policy. I understand that my use of WROTBC's information and communication technology constitute full acceptance of the terms of this policy and consent to monitoring.

Name

Job Title

Signature

Date

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

ADVERTISING AND PROMOTIONS COMMITTEE AGENDA

Wednesday, April 24, 2024

2:30 P.M.

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

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

AGENDA

1. Gaming/Branch Marketing Update

- R. Hasenauer

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BATAVIA DOWNS OPERATIONS COMMITTEE AGENDA

Wednesday – April 25, 2024
3:00 p.m.

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

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

1. Jeffrey Bonerb, VP, Strategic Business Partnerships
- Palm Energy - H. Wojtaszek
2. Gaming Floor Update - J. Leach
3. Resolution 42-2024
- 2024 Concert Series Performers - H. Wojtaszek
4. Resolution 43-2024
- Genesee Lumber-Ace Hardware - H. Wojtaszek
5. Resolution 44-2024
- Magic Seal LLC - H. Wojtaszek
6. Resolution 45-2024
- Bison Elevator - H. Wojtaszek
7. Resolution 47-2024
- Amend #30-2024 Paper-Plastic - H. Wojtaszek
8. Resolution 48-2024
- Buffalo Asphalt Milling Corp. - H. Wojtaszek
9. Resolution 49-2024
- Schaffer Plumbing - H. Wojtaszek

RESOLUTION - #42-2024

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

WHEREAS, Western needs to retain performers for the 2024 concert series, and

WHEREAS, staff recommends that the Board of Western contract with the following performers at the rates shown for a total cost of \$340,950.00

June 21, 2024	Smashmouth	\$45,000.00
June 28, 2024	Barracuda	\$12,000.00
July 5, 2024	April Wine	\$30,000.00
July 12, 2024	Clay Walker	\$60,000.00
July 19, 2024	Peace Frog	\$12,000.00
July 26, 2024	Bacon Bros/Landsharks	\$40,000.00/14,250.00
August 2, 2024	Practically Pretty/Rumours ATL	\$3,200.00/\$14,500.00
August 9, 2024	38 Special	\$65,000.00
August 16, 2024	Classic Rock	\$45,000.00; and now therefore

BE IT RESOLVED, that Western’s Board of Directors agrees to contract with the above listed performers for \$340,950.00 and

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

Respectfully submitted,

Dated: April 25, 2024
Batavia, New York

RESOLUTION - #43-2024

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

WHEREAS, Western needs to replace the roof on barn 7 and winterize the walls on barns 6 and 8 consisting of approximately 18,000 square feet of ribbed steel and related materials to be installed by Batavia Downs maintenance, and

WHEREAS, there was a public bid dated March 27, 2024 and only one bid response was received, and

WHEREAS, staff recommends that the Board of Western purchase the ribbed steel and related materials from Genesee Lumber-Ace Hardware as the only bidder for a price not to exceed \$23,554.97; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase the ribbed steel and related materials from Genesee Lumber-Ace Hardware as the only bidder for a price not to exceed \$23,554.97 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: April 25, 2024
Batavia, New York

RESOLUTION - #44-2024

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

WHEREAS, Western needs to seal and stripe the main and valet parking lots consisting of approximately 600,000 square feet, and

WHEREAS, there was a public bid dated March 27, 2024 and eight bid responses were received, and

WHEREAS, staff recommends that the Board of Western contract with Magic Seal, LLC as the lowest bidder to seal and stripe the main and valet parking lots consisting of approximately 600,000 square feet at \$.15 per square foot for a total not to exceed \$90,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to contract with Magic Seal, LLC as the lowest bidder to seal and stripe the main and valet parking lots consisting of approximately 600,000 square feet at \$.15 per square foot for a total not to exceed \$90,000.00 and

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

Respectfully submitted,

Dated: April 25, 2024
Batavia, New York

RESOLUTION - #45-2024

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

WHEREAS, Western needs to make repairs to the Batavia Downs elevators as needed to pass the fire inspection in September 2024, and

WHEREAS, staff recommends that the Board of Western contract with Bison Elevator under the federal Omnia contract to make needed repairs for inspection to the Batavia Downs elevators for a price not to exceed \$35,595.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to contract with Bison Elevator under the federal Omnia contract to make needed repairs for inspection to the Batavia Downs elevators for a price not to exceed \$35,595.00 and

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

Respectfully submitted,

Dated: April 25, 2024
Batavia, New York

RESOLUTION - #47-2024

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

WHEREAS, Western needs to purchase paper and plastic products for the 2024 year; and

WHEREAS, Western needs to amend and replace Resolution No. 30-2024 to allow the purchase of paper and plastic product to be made on an item by item basis from the best price offered by WB Mason, Hill and Markes, and Regional Distribution, the three vendors who responded to the February 29, 2024 public bid and

WHEREAS, staff recommends that the Board of Western allow purchases to be made on an item by item basis from the best price offered by WB Mason, Hill and Markes, and Regional Distribution for needed paper and plastic products for a total sum not to exceed \$200,000.00; and now therefore

BE IT RESOLVED, that Western’s Board of Directors agrees to allow purchases to be made on an item by item basis from the best price offered by WB Mason, Hill and Markes, and Regional Distribution for needed paper and plastic products for a total sum not to exceed \$200,000.00, and

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

Respectfully submitted,

Dated: April 25, 2024
Batavia, New York

RESOLUTION - #48-2024

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

WHEREAS, Western needs to mill, grade, top coat and finish black top paving at 2 areas of Batavia Downs, that being the Concert Area (6,900 square feet), and the maintenance driveway (15,000 square feet) and

WHEREAS, there was a public bid dated March 27, 2024 and 14 bid responses were received, and

WHEREAS, staff recommends that the Board of Western contract with Buffalo Asphalt Milling Corp as the lowest bidder for the black top services at a price not to exceed \$68,800.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to contract with Buffalo Asphalt Milling Corp as the lowest bidder for the black top services at a price not to exceed \$68,800.00 and

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

Respectfully submitted,

Dated: April 25, 2024
Batavia, New York

RESOLUTION - #49-2024

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

WHEREAS, Western needed to make an emergency replacement of a hot water heater in the hotel; and

WHEREAS, staff arranged to have the hot water heater replaced by Schaeffer Plumbing, which provided the lower of two quotes, for \$15,020.00; and now therefore

BE IT RESOLVED, that Western’s Board of Directors approves the replacement of the hot water heater by Schaeffer Plumbing in the amount of \$15,020.00; and

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

Respectfully submitted,

Dated: April 25, 2024
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

LEGISLATIVE COMMITTEE

Wednesday April 24, 2024

3:30 p.m.

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

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

AGENDA

1. Mr. Sam Hoyt, Upstate Strategic Advisors - H. Wojtaszek
2. Mr. Patrick McCarthy, Mercury Public Affairs - H. Wojtaszek

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

AUDIT COMMITTEE MEETING

**Wednesday- April 27, 2024
4:00 P.M.**

Charles Zambito, Chairman
Richard Ricci, Vice Chairman
Dennis Bassett, Member
Ed Morgan, Member

Paul Bartow, Member
Vincent Horrigan, Member
Crystal Rodriguez-Dabney, Member
James Wilmot, Member
Timothy Callan, Member

AGENDA

1. Review 2023 Audited Financial Statements
- Mr. Randall Shepard, CPA/Partner
The Bonadio Group

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BRANCH OPERATIONS COMMITTEE MEETING

Thursday, April 25, 2024

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

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

AGENDA

- 1) Branch Update
- Dina Pane
- 2) E-Z Bet Update
- Dina Pane
- 3) Batavia Bets Update
- Dina Pane
- 4) Empire Boulevard Lease
• Resolution #46-2024
-Dina Pane

RESOLUTION - #46-2024

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

WHEREAS, Western needs to extend its lease at 1764 Empire Boulevard, Webster, New York as a month-month lease at a monthly rental of \$4,109.70, and

WHEREAS, staff recommends that the Board of Western extend its lease with Ranchick Corp at 1764 Empire Boulevard, Webster, New York as a month-month lease at a monthly rental of \$4,109.70; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees extend its lease with Ranchick Corp at 1764 Empire Boulevard, Webster, New York as a month-month lease at a monthly rental of \$4,109.70and

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: April 25, 2024
Batavia, New York