

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 28th day of March 2024 and commencing at 10:10 a.m. in the *Boardroom*, Corporate Headquarters at 8315 Park Road Batavia, New York.

Participating was:

Erie	Timothy Callan
Monroe	James A. Wilmot
Buffalo	Crystal Rodriguez-Dabney
Rochester	Dennis Bassett
Niagara	Elliott Winter
Oswego	Mark Bombardo
Steuben	Michael Horton
Cattaraugus	Mark C. Burr
Cayuga	Terrance Baxter
Livingston	Thomas Wamp
Genesee	Charles Zambito
Wyoming	Susan May
Orleans	Edward Morgan
Schuyler	Paul Bartow

Absent:

Chautauqua	Horrigan
Wayne	Vacant
Seneca	Ricci

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; Mark Sheer, Niagara Gazette; Brian Quinn, The Batavia Daily News; Antonella Rotilio, Labor Relations Rep.; Lori Fuller, Non-Supervisory Grievance Chairperson West.

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 Wilmot to lead the assemblage in the Pledge of Allegiance.

Chairman Bassett asked for a moment of silence in memory of Sergeant Thomas Sanfratello.

Approval of Previous Minutes:

Chairman Bassett called for amendments, additions, deletions, or corrections to the minutes of the previous meeting of February 22, 2024. There being none, a motion was made by Director Morgan and seconded by Director Bombardo to approve the February 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 Sharon Riley of the Batavia Business and Professional Women's Club for the contribution and support.

A thank you note from Kelly J. Bermingham, Director of Member Relations & Special Events, Genesee County Chamber of Commerce for sponsoring the 52nd Annual Awards Ceremony.

A thank you note from Natalie G. Zorn, Director of Institutional Advancement Southtowns Catholic School for the contribution to the "Night at Gatsby's Gala.

A thank you note from Lisa Bors, Director of Public Relations, The Arc Glow New York for the contribution for the upcoming Annual Friends Fore Life Golf Tournament in June.

A thank you note from Susan Gonzalez, Executive Director, ECMC Foundation for the support and contribution to the ECMC Springfest Auction.

A thank you note from Susan Sullivan, Public Awareness Administrator for the contribution to the 30th Gala Wine Tasting Fundraiser.

Personnel Committee Report:

Committee Chairman Winter reported that the Personnel Committee meeting was held on Wednesday March 27, 2024, at 1:00 p.m.

Director Winter reported that Mr. William R. White, Vice-President - Administration presented two title changes for Committee approval to bring to the full Board. The titles are Communications Manager going to Manager – Action Center Operations and Administrative Assistant – Communications/Receptionist going to Administrative Assistant/Receptionist.

Upon motion was made by Director Winter, seconded by Director May, a voice vote was taken to approve the title changes and passed unanimously.

Director Winter reported that at 1:05 p.m. he made a motion to enter into Executive Session, seconded by Director May to enter Executive Session. Executive Session ended at 1:39 p.m.

The Personnel Committee was adjourned at 1:56 p.m.

Finance Committee Report:

Committee Chairman Horton reported that the Finance Committee meeting was held on Thursday March 28, 2024, at 9:20 a.m.

Director Horton reported that Mrs. Jacquelyne A. Leach, Chief Financial Officer informed the Committee that the January 2024 Chief Financial Officer /Batavia Downs Gaming Financials that are included in their packet have no revisions from the preliminary numbers provided to them at the February meeting.

Director Horton reported that Mrs. Leach reviewed the February 2024 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$39,870 in surcharge revenues to member municipalities for February.

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

Finance Committee Report continued:

Director Horton reported that Mrs. Leach also provided the Municipality Revenue Summary Packets through the year 2023 to Members as well as, the Corporation's 2023 Annual Report.

The Finance Committee meeting adjourned at 10:05 a.m.

Advertising & Promotions Committee Report:

Committee Chairperson May reported that the Advertising & Promotions Committee meeting was held on Wednesday March 27, 2024, at 2:06 p.m.

Director May reported that Mr. Ryan Hasenauer, Director of Marketing, reviewed the upcoming hotel offers with members.

Director May reported that Mr. Hasenauer reviewed the upcoming business to business mailer will be sent out to boost event space bookings.

Director May reported that Mr. Hasenauer reviewed onsite events including the Legends and Stars, Wine Tasting, Prince Tribute, Half-Court Shot, Music of the Stars and Record Riot Vendor Show were shown.

Director May reported that Mr. Hasenauer previewed upcoming events like the Eclipse Party, Furball Fundraiser, Wrestling, Vendor shows and a Wine Fest.

Director May reported the following Resolutions were presented at the Advertising and Promotions Committee meeting:

Resolution 27-2024 was presented for Mark-It-Smart, the lowest responsible bidder for continuity items at a cost of \$107,448.

Upon motion by Director May and seconded by Director Baxter a roll call vote was taken and passed unanimously to approve the purchase of continuity items at a cost of \$107,488. Ayes: 14; Nays: 0; Absent: 2; Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 27-2024.**

Resolution 37-2024 was presented for approval of Western becoming an Ambassador Sponsor of the Buffalo Naval for the sum of \$25,000.

Advertising & Promotions Committee Report continued:

Upon motion by Director May and seconded by Director Winter a roll call vote was taken and passed unanimously to approve Western becoming an Ambassador Sponsor of the

Buffalo Naval for the sum of \$25,000. Ayes:14; Nays: 0; Absent: Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 37-2024.**

The Advertising & Promotions Committee meeting adjourned at 2:26 p.m.

Insurance Committee Report:

Committee Vice-Chairman Burr reported that the Insurance meeting was held on Thursday March 28, 2024, at 9:05 a.m.

Director Burr reported that Mr. Wojtaszek held a brief discussion regarding the proposal for an Insurance Consultant which is due to be renewed on June 1, 2024.

Director Burr reported the following Resolutions for the Insurance Committee were presented:

Resolution 38-2024 was presented for Alterity to provide consulting services for a three-year period at a cost of \$40,000 per year for a three-year total cost of \$120,000.

Upon motion by Director Burr and seconded by Director Zambito a roll call vote was taken and passed for Alterity to provide consulting services for a three-year period at a cost of \$40,000 per year for a three-year total cost of \$120,000. Ayes: 13; Nays: 1; Callan; Absent: 2; Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 38-2024.**

Resolution 39-2024 was presented for Lawley to provide insurance coverage for a three-year term June 1, 2024, through May 31, 2027, as Broker of Record

Upon motion by Director Burr and seconded by Director Zambito a roll call vote was taken and passed unanimously for Lawley to provide insurance coverage for a three-year term June 1, 2024, through May 31, 2027, as Broker of Record. Ayes: 14; Nays: 0; Absent: 2; Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 39-2024.**

The Insurance Committee adjourned at 9:25 a.m.

Legislative Committee Report:

Committee Chairman Bombardo reported the Legislative Committee meeting was held on Wednesday March 27, 2027, at 2:29 p.m.

Director Bombardo reported that Mr. Georgio DeRosa and Kathleen Boyd of Bolton St. Johns were on site and addressed any concerns including IGaming, Free Play Adjustment and EZ Bet – thirty-mile radius.

The Legislative Committee adjourned at 3:35 p.m.

Audit Committee Report:

The Audit Committee did not meet.

Branch Operations Committee Report:

Committee Chairman Burr reported the Branch Operations Committee meeting was held on Wednesday March 27, 2024, at 3:36 p.m.

Director Burr reported that Ms. Dina Pane, General Manager of OTB Operations informed the Committee that OTB's 50th Anniversary is in April and all Branches will be having a pizza party. Ms. Pane informed the Directors that she will e-mail them the schedule in case any of them would like to attend. Ms. Pane highlighted some branch parking lots that need improvements.

Director Burr reported that Ms. Pane thanked Director Wamp for attending the Livingston Lanes E-Z Bet Anniversary party. There will also be parties for Southside and Dark Horse, both in Steuben County and Dr.'s Inn in Monroe County. Ms. Pane informed the Committee that she is still waiting for approval from the NYS Gaming Commission for 4 E-Z Bets. She also let the Committee know that Mr. Mango is willing to consider allowing a few E-Z Bet locations in his region, but not without a revenue sharing agreement.

Batavia Downs Operations Committee Report:

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Wednesday March 27, 2024, at 4:25 p.m.

Batavia Downs Operations Committee Report continued:

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

Director Morgan reported the following Resolutions were presented at the Batavia Downs Operations Committee meeting: .

Resolution 28-2024 was presented for Trane for a chiller agreement for \$14,139 and a boiler service agreement for \$16,096, Pursuant to the NYS Federal Omia Agreement No. 3341, for the total amount of \$30,235.

Upon motion by Director Morgan and seconded by Director Winter a roll call vote was taken and passed unanimously to enter into a chiller service agreement with Trane for a for \$14,139 and a boiler service agreement for \$16,096, Pursuant to the NYS Federal Omia Agreement No. 3341, for the total amount of \$30,235 Ayes: 14; Nays: 0; Absent: 2; Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 28-2024.**

Resolution 29-2024 was presented for Global Payments Gaming Services in the amount not to exceed \$150,000..

Upon motion by Director Morgan and seconded by Director Bartow a roll call vote was taken and passed unanimously for Global Payments Gaming Services in the amount not to exceed \$150,000. Ayes: 14; Nays: 0; Absent: 2; Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 29-2024.**

Resolution 30-2024 was presented to enter into agreement for two years with Regional Distributors commencing 4/1/2024 through 3/31/2026 for the purchase of paper and plastic in an amount not to exceed \$200,000.

Upon motion by Director Morgan and seconded by Director Horton a roll call vote was taken and passed unanimously to enter into agreement for two years with Regional Distributors commencing 4/1/2024 through 3/31/2026 for the purchase of paper and plastic in an amount not to exceed \$200,000. Ayes: 14; Nays: 0; Absent: 2; Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 30-2024.**

Resolution 31-2024 was presented for the purchase of an Agilysys Eatec inventory system module and installation services that link to the Point-of-Sale system from Agilysys a sole source provider in the amount not to exceed \$159,987.

Batavia Downs Operations Committee Report continued:

Upon motion by Director Morgan and seconded by Director Wilmot a roll call vote was taken and passed unanimously for the purchase of an Agilysys Eatec inventory system module and installation services that link to the Point-of-Sale system from Agilysys a sole source provider in the amount not to exceed \$159,987. Ayes: 14; Nays: 0; Absent: 2; Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 31-2024.**

Resolution 32-2024 was presented to enter into an annual lease agreement for dishwashers for the kitchen area including all parts and labor with Sysco Syracuse Inc. pursuant to NYS Contract #PC69159 in the amount not to exceed \$20,000 for the 2024 year.

Upon motion by Director Morgan and seconded by Director Bartow a roll call vote was taken and passed unanimously to enter into an annual lease agreement for dishwashers for the kitchen area including all parts and labor with Sysco Syracuse Inc. pursuant to NYS Contract #PC69159 in the amount not to exceed \$20,000 for the 2024 year. Ayes: 14; Nays: 0; Absent: 2; Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 32-2024.**

Resolution 33-2024 was presented to enter into a two-year contract with Guest Supply April 1, 2024, through March 31, 2026, for hotel toiletries at the rate of \$50,000 per year in the amount not to exceed \$100,000.

Upon motion by Director Morgan and seconded by Director Burr a roll call vote was taken and passed unanimously to enter into a two-year contract with Guest Supply April 1, 2024, through March 31, 2026, for hotel toiletries at the rate of \$50,000 per year in the amount not to exceed \$100,000. Ayes: 14; Nays: 0; Absent: 2; Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 33-2024.**

Resolution 34-2024 was presented for Agilysys for the additional purchase of POS equipment in the amount of 22,574.36.

Upon motion by Director Morgan and seconded by Director Bartow a roll call vote was taken and passed unanimously for Agilysys for the additional purchase of POS equipment in the amount of 22,574.36. Ayes: 14; Nays: 0; Absent: 2; Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 34-2024.**

Resolution 35-2024 was presented for Dilcher Excavating for a concrete finisher for three years, from April 1, 2024, through March 31, 2027, for \$50,000 a year for three years in the amount not to exceed \$150,000.

Batavia Downs Operations Committee Report continued:

Upon motion by Director Morgan and seconded by Director Baxter a roll call vote was taken and passed unanimously for Dilcher Excavating for a concrete finisher for three years, from April 1, 2024, through March 31, 2027, for \$50,000 a year for three years in the amount not to exceed \$150,000. Ayes: 14; Nays: 0; Absent: 2; Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 35-2024.**

Resolution 36-2024 was presented for Allied Fire Protection Services, a sole source provider for the removal and installation of sprinkler heads and piping for the Genesee Room in the total cost of \$19,934.67.

Upon motion by Director Morgan and seconded by Director Horton a roll call vote was taken and passed unanimously for Allied Fire Protection Services, a sole source provider for the removal and installation of sprinkler heads and piping for the Genesee Room in the total cost of \$19,934.67. Ayes: 14; Nays: 0; Absent: 2; Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 36-2024.**

Resolution 40-2024 was presented for Bammel Architects for the architectural conceptual design service for the expansion of the hotel in an amount not to exceed \$76,000.

Upon motion by Director Morgan and seconded by Director Wilmot a roll call vote was taken and passed for Bammel Architects for the architectural conceptual design service for the expansion of the hotel in an amount not to exceed \$76,000. Ayes: 13; Nays: 1; Callan; Absent: 2; Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 40-2024.**

Resolution 41-2024 was presented for Spectrum Gaming Group to perform a gaming market analysis to review the option to expand the hotel in the amount of \$29,750.00 plus out of pocket expenses.

Upon motion by Director Morgan and seconded by Director Wilmot a roll call vote was taken and passed for Spectrum Gaming Group to perform a gaming market analysis to review the option to expand the hotel in the amount of \$29,750.00 plus out of pocket expenses. Ayes: 13; Nays: 1; Callan; Absent: 2; Horrigan, Ricci; Vacant: 1; Wayne. **See Resolution 41-2024.**

The Batavia Downs Operations committee meeting adjourned at 5:15 p.m.

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Branch Operations Committee Report continued:

Director Burr reported that Ms. Pane informed the committee that for the month of February year to date Batavia Bets is down 7.7% from the previous year and March year to date is down 1.94% from the previous year. Year to date Batavia Bets is down 8.87%.

The Branch Committee adjourned at 4:25 p.m.

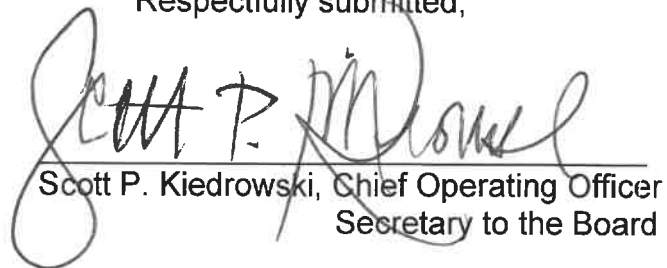
New Business:

The next Committee and Board meeting is scheduled for April 24 and April 25, 2024, respectively.

Adjournment:

Upon motion made by Director May to adjourn seconded by Director Morgan the meeting was adjourned at 10:53 a.m.

Respectfully submitted,



Scott P. Kiedrowski, Chief Operating Officer
Secretary to the Board

/pma

RESOLUTION - #27-2024

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 continuity items for its patrons; and

WHEREAS, Mark-It Smart was the lowest responsible bidder at a cost of \$107,448.00 consisting of:

Buffalo Football Items: 4 items - Not to Exceed \$59.71 per set x 800 sets = \$47,768

Emeril Lagasse Items: 4 items - Not to Exceed \$74.60 per set x 800 sets = \$59,680; and

WHEREAS, staff recommends that the Board of Western purchase these promotional items from Mark-It Smart for a total cost of \$107,448.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase these promotional items from Mark-It Smart for a total cost of \$107,448.00; 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: March 28, 2024
 Batavia, New York

Resolution #27-2024 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 Baxter which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[X] 24	[]	[]	[]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
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	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.


[illegible]

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 March 28, 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 28th day of March 2024.



Scott P. Kiedrowski, Secretary

RESOLUTION - #28-2024

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 an HVAC Service Agreement for Batavia Downs Gaming; and

WHEREAS, Trane has offered a Chiller Service Agreement for \$14,139.00 and a Boiler Service Agreement for \$16,096.00, both being pursuant to the NYS Federal Omnia Agreement No. 3341 and

WHEREAS, staff recommends that the Board of Western make this purchase from Trane; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase this Chiller Service Agreement and the Boiler Service Agreement from Trane for combined price of \$30,235.00 pursuant to the NYS Federal Omnia Agreement No. 3341; 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: March 28, 2024
 Batavia, New York

Resolution #28-2024 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 Wilmot which results were as follows:

	<u>Yea</u>		<u>Nay</u>		<u>Abstain</u>		<u>Absent</u>	
Timothy Callan	[X	] 24	[]	[]	[]
James Wilmot	[X	] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X	] 10	[]	[]	[]
Dennis Bassett	[X	] 8	[]	[]	[]
Elliott Winter	[X	] 8	[]	[]	[]
Vincent W. Horrigan	[	] 5	[	]	[	]	[X]
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	[X	] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

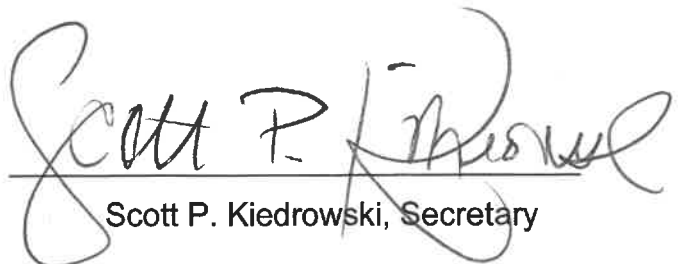
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 March 28, 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 28th day of March 2024.


Scott P. Kiedrowski, Secretary

RESOLUTION - #29-2024

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 cash services for the gaming floor including cash, check and credit card services for its patrons; and

WHEREAS, Global Payments is the sole source available as they are bonded; and

WHEREAS, staff recommends that the Board of Western purchase this service from Global Payments Gaming Services for the sum of \$150,000.00 for 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase this service from Global Payments Gaming Services for a cost of \$150,000.00; 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: March 28, 2024
 Batavia, New York

Resolution #29-2024 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 Bartow which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[X] 24	[]	[]	[]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
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	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

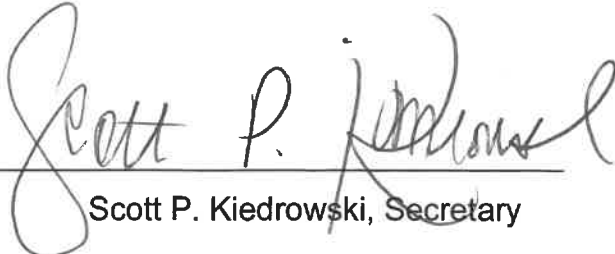
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 March 28, 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 28th day of March 2024.



Scott P. Kiedrowski, Secretary

RESOLUTION - #30-2024

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 as needed for the food and beverage departments in 2024; and

WHEREAS, Regional Distributors, Rochester, NY was the lowest responsible bidder to respond to the February 29, 2024 public bid; and

WHEREAS, staff recommends that the Board of Western purchase these paper and plastic products from Regional Distributors for the 2 year period from April 1, 2024 through March 31, 2026 at an annual cost of \$100,000.00, resulting in a 2 year cost of \$200,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase these paper and plastic products for a total cost of \$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: March 28, 2024
 Batavia, New York

Resolution #30-2024 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 Horton which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[X] 24	[]	[]	[]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
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	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

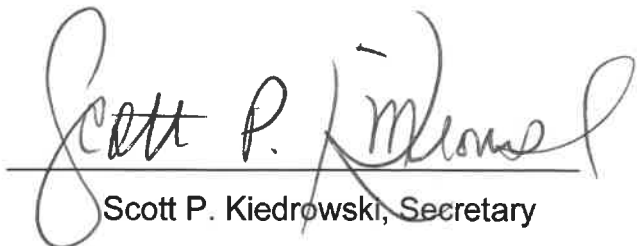
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 March 28, 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 28th day of March 2024.


Scott P. Kiedrowski, Secretary

RESOLUTION - #31-2024

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 the Eatec inventory system that links the point of sale system to integrate inventory purchasing, receiving, and tracking of items and suppliers with modules for inventory, supplier, depletion, products and Eatec mobile; and

WHEREAS, Agilysys is the sole source available as this module links to the new POS system; and

WHEREAS, staff recommends that the Board of Western purchase this additional equipment from Agilysys for a one time cost of \$142,987.20 plus yearly cost of \$16,999.80; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase this additional equipment from Agilysys for a total initial cost of \$159,987.00; 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: March 28, 2024
 Batavia, New York

Resolution #31-2024 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 Wilmot which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[X] 24	[]	[]	[]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
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	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

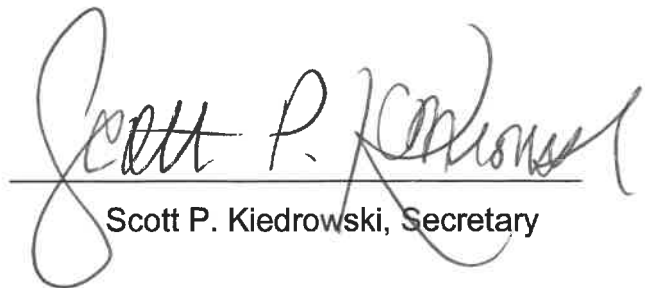
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 March 28, 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 28th day of March 2024.



Scott P. Kiedrowski, Secretary

RESOLUTION - #32-2024

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 lease dishwashers for the restaurant kitchen areas within Batavia Downs with the lease to include all parts and labor as part of the lease agreements; and

WHEREAS, Sysco Syracuse Inc, Warners, NY can provide the needed leases pursuant to NYS Contract #PC69159 for a cost not to exceed \$20,000.00 for the 2024 year; and

WHEREAS, staff recommends that the Board of Western enter into this lease with Sysco Syracuse Inc; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to enter into the needed dishwasher leases with Sysco Syracuse Inc. for a total cost not to exceed \$20,000.00 for the 2024 calendar year pursuant to NYS Contract #PC69159; 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: March 28, 2024
 Batavia, New York

Resolution #32-2024 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 Bartow which results were as follows:

	<u>Yea</u>		<u>Nay</u>		<u>Abstain</u>		<u>Absent</u>	
Timothy Callan	[X	] 24	[]	[]	[]
James Wilmot	[X	] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X	] 10	[]	[]	[]
Dennis Bassett	[X	] 8	[]	[]	[]
Elliott Winter	[X	] 8	[]	[]	[]
Vincent W. Horrigan	[	] 5	[	]	[	]	[X]
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	[X	] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

RESOLUTION - #33-2024

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 hotel toiletries for 2024 including shampoo, conditioner and soap among other items; and

WHEREAS, Guest Supply of Somerset, NJ provided the only response to the February 29, 2024 public bid for a two year contract from April 1, 2024 through March 31, 2026 at the rate of \$50,000.00 per year for a two year cost of \$100,000.00; and

WHEREAS, staff recommends that the Board of Western make this purchase from Guest Supply; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase the needed hotel toiletries from Guest Supply for a two year cost of \$100,000.00; 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: March 28, 2024
 Batavia, New York

Resolution #33-2024 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 Burr which results were as follows:

	<u>Yea</u>		<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[X]	24	[]	[]	[]
James Wilmot	[X]	20	[]	[]	[]
Crystal Rodriguez-Dabney	[X]	10	[]	[]	[]
Dennis Bassett	[X]	8	[]	[]	[]
Elliott Winter	[X]	8	[]	[]	[]
Vincent W. Horrigan	[]	5	[]	[]	[X]
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	[X]	1	[]	[]	[]

The Resolution was thereupon duly adopted.

[illegible]

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 March 28, 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 28th day of March 2024.



Scott P. Kiedrowski, Secretary

RESOLUTION - #34-2024

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 additional equipment for its new POS system; and

WHEREAS, Agilysys is the single source available as these items are additional equipment for the new POS system; and

WHEREAS, staff recommends that the Board of Western purchase this additional equipment from Agilysys for a total cost of \$22,574.36; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase this additional equipment from Agilysys for a total cost of \$22,574.36; 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: March 28, 2024
 Batavia, New York

Resolution #34-2024 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 Bartow which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[X] 24	[]	[]	[]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
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	[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 March 28, 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 28th day of March 2024.



Scott P. Kiedrowski, Secretary

RESOLUTION - #35-2024

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 a concrete finisher for three years, running from April 1, 2024 through March 31, 2027; and

WHEREAS, Western received three bids and Dilcher Excavating was the low bidder at \$50,000.00 per year for a total three-year cost not to exceed \$150,000.00; and

WHEREAS, staff recommends that the Board of Western accept the bid from Dilcher Excavating; and now therefore

BE IT RESOLVED, that Western's Board of Directors accepts the bid of Dilcher Excavating for concrete finishing services at \$50,000.00 per year for a total three-year cost not to exceed \$150,000.00; 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: March 28, 2024
 Batavia, New York

Resolution #35-2024 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 Baxter which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[X] 24	[]	[]	[]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
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	[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 March 28, 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 28th day of March 2024.



Scott P. Kiedrowski, Secretary

RESOLUTION - #36-2024

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 remove and install all sprinkler heads and piping for the Genesee Room; and

WHEREAS, Allied Fire Protection Services is the sole source since this will tie into an existing system and

WHEREAS, staff recommends that the Board of Western purchase this additional equipment from Allied Fire Protection Services for a total cost of \$19,934.67; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase this additional equipment from Allied Fire Protection Services for a total cost of \$19,934.67; 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: March 28, 2024
 Batavia, New York

Resolution #36-2024 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 Horton which results were as follows:

	<u>Yea</u>		<u>Nay</u>		<u>Abstain</u>		<u>Absent</u>	
Timothy Callan	[X	] 24	[]	[]	[]
James Wilmot	[X	] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X	] 10	[]	[]	[]
Dennis Bassett	[X	] 8	[]	[]	[]
Elliott Winter	[X	] 8	[]	[]	[]
Vincent W. Horrigan	[	] 5	[	]	[	]	[X]
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	[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 March 28, 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 28th day of March 2024.



Scott P. Kiedrowski, Secretary

RESOLUTION - #37-2024

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 wishes to extend its community outreach and to continue to grow its goodwill; and

WHEREAS, Western thus desires to be an Ambassador Sponsor of the Buffalo and Erie County Naval and Military Park for the sum of \$25,000.00; and

WHEREAS, staff recommends that the Board of Western agree to be an Ambassador Sponsor of the Buffalo and Erie County Naval and Military Park; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to be an Ambassador Sponsor of the Buffalo and Erie County Naval and Military Park for the sum of \$25,000.00; 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: March 28, 2024
 Batavia, New York

Resolution #37-2024 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 Winter which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[X] 24	[]	[]	[]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
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	[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 March 28, 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 28th day of March 2024.


Scott P. Kiedrowski, Secretary

RESOLUTION - #38-2024

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 an insurance consultant to act as an independent consultant for purposes of assisting Western in its review of insurance needs and expenses and

WHEREAS, staff recommends that the Board of Western engage the services of Alterity of Amherst, New York to provide these consulting services for a three year period April 1, 2024 through March 31, 2027 for a cost of \$40,000.00 per year, resulting in a three year total of \$120,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to engage the services of Alterity of Amherst, New York as said insurance consultant for a three year total cost of \$120,000.00; 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: March 28, 2024
 Batavia, New York

Resolution #38-2024 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 Burr and seconded by Director Zambito 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	[] 5	[]	[]	[X]
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	[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 March 28, 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 28th day of March 2024.


Scott P. Kiedrowski, Secretary

RESOLUTION #39-2024

WHEREAS, the Western Regional Off-Track Betting Corporation (“Western”) has received a proposal from Lawley (“Lawley”) of 361 Delaware Avenue Suite 101, Buffalo, NY 14202 to provide Western as Broker of Record; and

WHEREAS, Staff is recommending to the Board of Directors of Western to accept such proposal and to enter into an agreement with Lawley to provide coverage for a three (3) year term from June 1, 2024 through May 31, 2027, as Broker of Record; and therefore, be it

RESOLVED, that the Board of Directors of Western hereby accepts the proposal from Lawley to provide coverage to Western for the three-year term of June 1, 2024, through May 31, 2027, as Broker of Record; and further

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

Respectfully Submitted,

Dated: March 28, 2024
Batavia, New York

Resolution #39-2024 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 Burr and seconded by Director Zambito which results were as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[X] 24	[]	[]	[]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
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	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

RESOLUTION #40-2024

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 it is in the best interest of Western to review the option to expand the very successful hotel facility; and

WHEREAS, the Board of Directors of Western wishes to engage a firm for architectural design services for the expansion of the hotel; and

WHEREAS, the Western's procurement office issued a request for proposal regarding architectural conceptual design services for the expansion of the hotel; and

WHEREAS, Bammel Architects provided the lowest responsible proposal; and

BE IT RESOLVED, that the Board of Directors of Western approve the payment to Bammel Architects in an amount not to exceed \$76,000.00 for the conceptual design drawings per the request for proposal; 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: March 28, 2024
 Batavia, New York

Resolution #40-2024 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 Burr and seconded by Director Zambito 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	[] 5	[]	[]	[X]
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	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

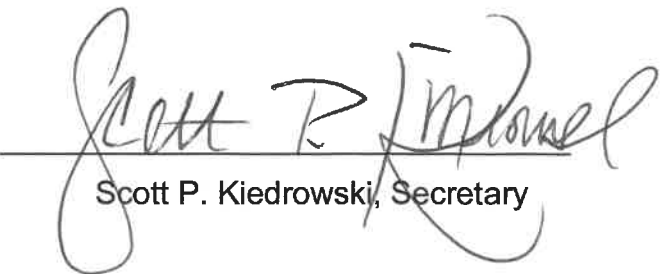
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 March 28, 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 28th day of March 2024.



Scott P. Kiedrowski, Secretary

RESOLUTION #41-2024

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 it is in the best interest of Western to review the option to expand the very successful hotel facility; and

WHEREAS, the Board of Directors of Western wishes to have a gaming market analysis performed relative to the expansion of the hotel; and

WHEREAS, the Western’s procurement office issued a request for qualifications regarding a gaming market analysis; and

WHEREAS, Spectrum Gaming Group provided the lowest responsible proposal; and

BE IT RESOLVED, that the Board of Directors of Western approve the request for qualifications from Spectrum Gaming Group in an amount not to exceed \$29,750.00 plus out of pocket expenses; 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: March 28, 2024
 Batavia, New York

Resolution #41-2024 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 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	[] 5	[]	[]	[X]
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	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

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 March 28, 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 28th day of March 2024.

~~Scott P. Kiedrowski/ Secretary~~