

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 25th day of April 2024 and commencing at 10:22 a.m. in the *Boardroom*, Corporate Headquarters at 8315 Park Road Batavia, New York.

Participating was:

Absent:

Erie	Timothy Callan	Oswego	Bombardo
Monroe	James A. Wilmot	Seneca	Ricci
Buffalo	Crystal Rodriguez-Dabney	Wayne	Vacant
Rochester	Dennis Bassett		
Niagara	Elliott Winter		
Chautauqua	Vincent W. Horrigan		
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		

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; John M. Owens, Associate Counsel; Steven Haigh, Internal Auditor, Ryan Hasenauer, Director of Marketing; Dale Shoemaker, Investigative Post.

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 May to lead the assemblage in the Pledge of Allegiance.

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Approval of Previous Minutes:

Chairman Bassett called for amendments, additions, deletions, or corrections to the minutes of the previous meeting of March 28th, 2024. There being none, a motion was made by Director Burr and seconded by Director Horrigan to approve the March minutes as submitted. The minutes were approved unanimously by voice vote.

Communications:

Mr. Kiedrowski reported several thank you notes including:

A thank you note from Mary Hazel from Make-A-Wish for auction items donated to this year's Gala.

A thank you note from Will Shulmeister, President WNY Drummers for the Homeless People Inc. for the stay and play package.

A thank you note from Melanie Rushforth, CEO for the Stay and Play package for the annual golf classic basket raffle.

A thank you note from Kisten West Ryan, Development Director of National Kidney Foundation for the Stay and Play package.

Personnel Committee Report:

Committee Chairman Winter reported that the Personnel Committee meeting was held on Wednesday April 24, 2024, at 1:08 p.m.

Director Winter reported that Mr. William R. White, Vice-President - Administration presented the policy updates to both the Internet Acceptable Use Policy and the Policy for Use of Company Telephone and Cell Phone.

Upon motion by Director Winter and seconded by Director May a voice vote was taken and passed unanimously to accept the Internet Acceptable Use Policy

Upon motion by Director Winter and seconded by Director Horrigan and passed unanimously to accept the Policy for Use of Company Telephone and Cell Phone.

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Personnel Committee Report continued:

Director Winter reported that Mr. White presented to the Committee a title change of Customer Relations Specialist and explained the need to differentiate between the Customer Relations Managers and the Customer Relations Specialist.

A motion by Director Winter, seconded by Director May, a voice vote was taken and passed unanimously to accept the

At 1:24 p.m. a motion was made by Director Winter, seconded by Director May to enter Executive Session.

At 2:19 p.m. Executive Session ended.

The Personnel Committee was adjourned at 2:20 p.m.

Finance Committee Report:

Committee Chairman Horton reported that the Finance Committee meeting was held on Wednesday April 24, 2024, at 2:33 p.m.

Director Horton reported that Mrs. Jacquelyne A. Leach, Chief Financial Officer stated in accordance with the Investment Policy and Guidelines of the Corporation adopted by the Board of Directors on April 26, 2018, the Corporation's 2023 Investment Report was submitted for discussion.

Director Horton reported after the report was reviewed and discussed among the Committee, it was moved by Director Bartow, seconded by Director Horrigan and carried unanimously that the Corporate Investment Report for calendar year 2023 be moved to the full Board for approval.

Director Horton reported that Mrs. Leach reviewed the March 2024 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$46,421 in surcharge revenues to member municipalities for March. For the first quarter 2024 the Corporation will distribute \$1,884,642 in operational earnings to member municipalities.

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

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Finance Committee Report continued:

Upon motion by Director Horrigan and seconded by Director Wamp, the Finance Committee meeting adjourned at 3:28 p.m.

The Finance Committee meeting adjourned at 3:28 p.m.

Advertising & Promotions Committee Report:

Committee Chairperson May reported that the Advertising & Promotions Committee meeting was held on Thursday April 25, 2024, at 10:05 a.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 onsite events.

The Advertising & Promotions Committee meeting adjourned at 10:14 a.m.

Insurance Committee Report:

The Insurance Committee did not meet.

Legislative Committee Report:

Committee Vice-Chairman Burr reported the Legislative Committee meeting was held on Wednesday April 24, 2024, at 3:35 p.m.

Mr. Patrick McCarthy, Mercury Public Affairs and Mr. Sam Hoyt, Upstate Strategic Advisors were on-site.

A discussion was held regarding lobbyist objectives for six months, that include gaming, Historic Horse Racing (HHR) and a focus on the EZ-Bet mile radius.

The Legislative Committee adjourned at 4:24p.m.

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Audit Committee Report:

Committee Chairman Zambito reported the Audit Committee meeting was held on Wednesday April 24, 2024, at 4:27 p.m.

Director Zambito reported that Mr. Randll Shepard, The Bonadio Group -CPA/Partner was on site to review the 2023 Audited Financial Statements.

A motion to enter into Executive Session was made by Committee Chairman Zambito at 4:45 p.m. seconded by Director Morgan to discuss the medical, financial, credit or employment history of a particular person or corporation or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

Executive session ended at 4:55 p.m.

Upon motion by Director Zambito and seconded by Director Morgan to approve the 2023 Audited Financial Statements a voice vote was taken and passed unanimously.

The Audit Committee meeting adjourned at 4:55 p.m.

Batavia Downs Operations Committee Report:

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Thursday April 25, 2024, at 8:55 a.m.

Director Morgan reported that a Palme Energy discussion was held. The option to contract with Palm Energy was tabled until May.

Director Morgan reported that Mrs. Leach provided a gaming floor update.

Resolution 42-2024 was presented for authorization to enter into a series of separate agreements with the various nationally known performers who will provide the entertainment at the 2024 Summer Concert Series at Batavia Downs for \$340,950.00.

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken and passed unanimously for authorization to enter into a series of separate agreements with the various nationally known performers who will provide the entertainment at the 2024 Summer Concert Series at Batavia Downs for \$340,950.00.

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Batavia Downs Operations Committee Report continued:

Ayes: 14; Nays: 0; Absent: 2; Bombardo, Ricci; Vacant: 1; Wayne. **See Resolution 42-2024.**

Resolution 43-2024 was presented to purchase ribbed steel and related materials from Genesee Lumber-Ace Hardware, the only bidder for a price not to exceed \$23,554.97.

Upon motion by Director Morgan and seconded by Director Bartow a roll call vote was taken and passed to purchase ribbed steel and related materials from Genesee Lumber-Ace Hardware, the only bidder for a price not to exceed \$23,554.97. Ayes: 14; Nays: 0; Absent: 2; Bombardo, Ricci; Vacant: 1; Wayne. **See Resolution 43-2024.**

Resolution 44-2024 was presented for Magic Seal LLC, 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.

Upon motion by Director Morgan and seconded by Director Winter a roll call vote was taken and passed unanimously for Magic Seal LLC, 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. Ayes: 14; Nays: 0; Absent: 2; Bombardo, Ricci; Vacant: 1; Wayne. **See Resolution 44-2024.**

Resolution 45-2024 was presented for 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.

Upon motion by Director Morgan and seconded by Director Winter a roll call vote was taken and passed unanimously for 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. Ayes: 14; Nays: 0; Absent: 2; Bombardo, Ricci; Vacant: 1; Wayne. **See Resolution 45-2024.**

Resolution 47-2024 was presented to amend Resolution #30-2024 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.

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Batavia Downs Operations Committee Report continued:

Upon motion by Director Morgan and seconded by Director Winter a roll call vote was taken and passed unanimously to amend Resolution #30-2024 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. Ayes: 14; Nays: 0; Absent: 2; Bombardo, Ricci; Vacant: 1; Wayne. **See Resolution 47-2024.**

Resolution 48-2024 was presented for Buffalo Asphalt Milling Corp. after a public bid dated March 27, 2024, and 14 bid responses were received 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.

Upon motion by Director Morgan and seconded by Director Winter a roll call vote was taken and passed unanimously 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. Ayes: 14; Nays: 0; Absent: 2; Bombardo, Ricci; Vacant: 1; Wayne. **See Resolution 48-2024.**

Resolution 49-2024 was presented for the approval for the emergency replacement of the hot water heater by Schaeffer Plumbing the lower of two quotes in the amount of \$15,020.00.

Upon motion by Director Morgan and seconded by Director Winter a roll call vote was taken and passed unanimously for the approval for the emergency replacement of the hot water heater by Schaeffer Plumbing the lower of two quotes in the amount of \$15,020.00. Ayes: 14; Nays: 0; Absent: 2; Bombardo, Ricci; Vacant: 1; Wayne. **See Resolution 49-2024.**

Resolution 46-2024 was brought to the Batavia Downs Committee. Western would like to extend its lease at 1764 Empire Boulevard, Webster, NY as a month-to-month lease at a monthly rental of \$4,109.70.

Upon motion by Director Morgan and seconded by Director Wilmot a roll call vote was taken and passed unanimously to extend the lease at 1764 Empire Boulevard, Webster, NY as a month-to-month lease at a monthly rental of \$4,109.70. Ayes: 14; Nays: 0; Absent: 2; Bombardo, Ricci; Vacant: 1; Wayne. **See Resolution 46-2024.**

The Batavia Downs Operations committee meeting adjourned at 10:03 a.m.

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Branch Operations Committee:

The Branch Committee did not meet.

New Business:

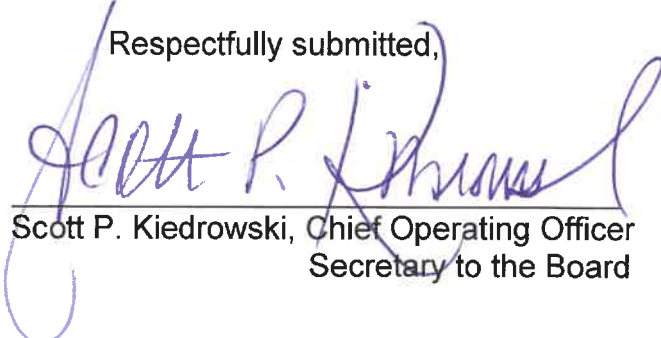
Director Horrigan congratulated Mrs. Leach and the Finance team for the 2023 Financial Audit that was reported.

The next Committee and Board meeting is scheduled for May 22 and May 23, 2024, respectively.

Adjournment:

Upon motion made by Director Burr to adjourn seconded by Director Horrigan the meeting was adjourned at 11:00 a.m.

Respectfully submitted,



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

/pma

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 #42-2024 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 Zambito which results were as follows:

	<u>Aye</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	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[X]
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 - #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 #43-2024 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>Aye</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	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[X]
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 - #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 #44-2024 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 Winter which results were as follows:

	<u>Aye</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	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[X]
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.

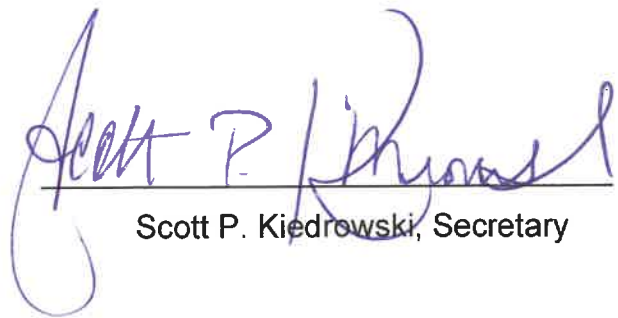
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 April 25, 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 25th day of April 2024.


Scott P. Kiedrowski, Secretary

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 #45-2024 shall take effect immediately upon adoption.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, motion was made by Director Morgan and seconded by Director Horrigan which results were as follows:

	<u>Aye</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	[X]	5 []	[]	[]
Mark Bombardo	[X]	4 []	[]	[X]
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 - #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

Resolution #46-2024 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>Aye</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	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[X]
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 - #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 #47-2024 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>Aye</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	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[X]
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.

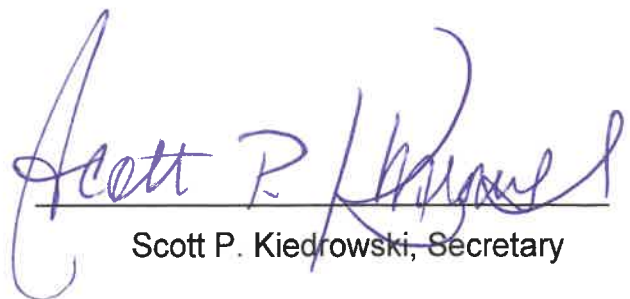
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 April 25, 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 25th day of April 2024.


Scott P. Kiedrowski, Secretary

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 #48-2024 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>Aye</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	[X]	5 []	[]	[]
Mark Bombardo	[X]	4 []	[]	[X]
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.

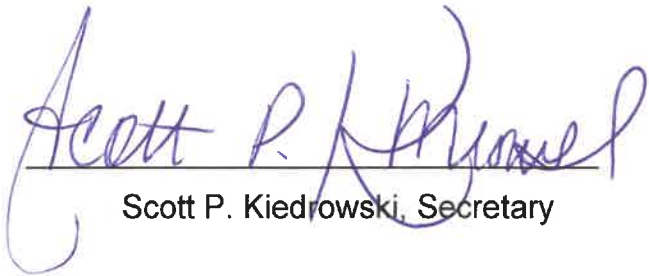
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 April 25, 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 25th day of April 2024.


Scott P. Kiedrowski, Secretary

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

Resolution #49-2024 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>Aye</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	[X] 5	[]	[]	[]
Mark Bombardo	[X] 4	[]	[]	[X]
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.

