

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BOARD OF DIRECTORS MEETING

August 22, 2024

10:00 a.m.

Batavia, New York

AGENDA

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

PERSONNEL COMMITTEE MEETING

Wednesday, August 21, 2024

1:00 p.m.

Batavia, New York

Elliott Winter, Chairperson
Vincent Horrigan, Vice-Chairperson

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

AGENDA

1. Salary Grades Update

W. White

1. Executive Session

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

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

Finance Committee Meeting
Wednesday, August 21, 2024 at 2:00 p.m.
Batavia, New York

Michael Horton, Chairman
Thomas Wamp, Vice Chairman

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

AGENDA

1. Chief Financial Officer Report & BDG Financials
 - July 2024

- J. Leach

2. Regional VGM Numbers

- J. Leach

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

<u>Operational Results - July 2024</u>	July 2024	July 2023	July Plan
Total Handle	\$3,931,927	\$4,750,549	\$4,309,438
\$ Variance		(818,622)	(377,511)
% Variance		-17%	-9%
VGM Net Win	\$7,365,370	\$7,830,951	\$8,080,951
\$ Variance		(465,582)	(715,581)
% Variance		-6%	-9%
Revenue net of Statutories	\$ 4,575,528	\$ 5,001,751	\$ 5,025,168
Operating Expenses	3,997,273	3,901,194	3,893,085
Earnings and Surcharge	578,255	1,100,557	1,132,083
Surcharge	45,341	56,675	52,156
Operational Earnings (Losses)	\$ 532,914	\$ 1,043,882	\$ 1,079,927
\$ Variance		(510,968)	(547,013)
% Variance		-49%	-51%

* Earnings are distributed on a quarterly basis

<u>Segment Performance:</u>	July 2024	July 2023	July Plan
BRANCH Earnings from Operations	\$ 133,082	\$ 193,745	\$ 173,927
Less: G&A Allocation	185,412	201,972	181,942
<u>Earnings (Losses) net of G&A Allocation</u>	<u>\$ (52,330)</u>	<u>\$ (8,227)</u>	<u>\$ (8,015)</u>
\$ Variance		(44,103)	(44,315)
% Variance		-536%	-553%
BATAVIA DOWNS Earnings from Operations	\$ 1,017,872	\$ 1,427,199	\$ 1,512,474
Less: G&A Allocation	432,628	375,090	424,532
<u>Earnings net of G&A Allocation</u>	<u>\$ 585,244</u>	<u>\$ 1,052,109</u>	<u>\$ 1,087,942</u>
\$ Variance		(466,865)	(502,698)
% Variance		-44%	-46%
GENERAL AND ADMINISTRATIVE expense	\$ 618,040	\$ 577,062	\$ 606,474
\$ Variance		40,978	11,566
% Variance		7%	2%
<u>Net Cash Distributions to Municipalities:</u>	July 2024	July 2023	July Plan
SURCHARGE	\$ 45,341	\$ 56,675	\$ 52,156
\$ Variance		(11,334)	(6,815)
% Variance		-20%	-13%
<u>Year to Date Surcharge and Net Revenue</u>	July 2024	July 2023	July Plan
SURCHARGE	\$ 329,715	\$ 403,383	\$ 371,806
\$ Variance		(73,668)	(42,091)
% Variance		-18%	-11%
NET EARNINGS AVAILABLE FOR DISTRIBUTION	\$ 4,732,015	\$ 5,945,434	\$ 5,935,001
\$ Variance		(1,213,419)	(1,202,986)
% Variance		-20%	-20%
TOTAL	\$ 5,061,730	\$ 6,348,817	\$ 6,306,807

CFO'S REPORT - July 2024

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

	2024 July	2023 July	2024 July Plan	2024 Year To Date	2023 Year To Date	2024 Operating Plan YTD
HANDLE (includes Live)	\$3,932,000	\$4,751,000	\$4,310,000	\$26,960,000	\$31,339,000	\$28,045,000
\$ Variance		(819,000)	(378,000)		(4,379,000)	(1,085,000)
% Variance		-17%	-9%		-14%	-4%
VGM Net Win	\$7,365,000	\$7,831,000	\$8,081,000	\$50,898,000	\$49,979,000	\$52,025,000
\$ Variance		(466,000)	(716,000)		919,000	(1,127,000)
% Variance		-6%	-9%		2%	-2%
Revenue and Expense:						
Operating Revenue	8,693,000	9,439,000	9,543,000	58,438,000	58,541,000	59,752,000
\$ Variance		(746,000)	(850,000)		(103,000)	(1,314,000)
% Variance		-8%	-9%		0%	-2%
Less: Statutory Expenses	4,117,000	4,437,000	4,518,000	28,542,000	28,564,000	29,092,000
\$ Variance		(320,000)	(401,000)		(22,000)	(550,000)
% Variance		-7%	-9%		0%	-2%
Revenue before Operating Expenses	4,576,000	5,002,000	5,025,000	29,896,000	29,977,000	30,660,000
\$ Variance		(426,000)	(449,000)		(81,000)	(764,000)
% Variance		-9%	-9%		0%	-2%
Less: Operating Expenses	3,997,000	3,901,000	3,893,000	24,835,000	23,629,000	24,353,000
\$ Variance		96,000	104,000		1,206,000	482,000
% Variance		2%	3%		5%	2%
Retained Surcharge/Net earnings	578,000	1,101,000	1,132,000	5,061,000	6,348,000	6,307,000
\$ Variance		(523,000)	(554,000)		(1,287,000)	(1,246,000)
% Variance		-48%	-49%		-20%	-20%
Retained Surcharge	45,000	57,000	52,000	330,000	403,000	372,000
\$ Variance		(12,000)	(7,000)		(73,000)	(42,000)
% Variance		-21%	-13%		-18%	-11%
Net Earnings(Losses) from Operations	533,000	1,044,000	1,080,000	4,731,000	5,945,000	5,935,000
\$ Variance		(511,000)	(547,000)		(1,214,000)	(1,204,000)
% Variance		-49%	-51%		-20%	-20%
			Earnings allocated to CAF	Distributable Earnings	2023 Year To Date	2024 Operating Plan YTD
1st Qtr. Operational Earnings*		\$1,980,231	\$95,589	\$1,884,642	\$2,116,946	\$2,349,103
\$ Variance					(232,304)	(464,461)
% Variance					-11%	-20%
2nd Qtr. Operational Earnings*		\$2,218,870	\$125,187	\$2,093,683	\$2,527,528	\$2,505,971
\$ Variance					(433,845)	(412,288)
% Variance					-17%	-16%
3rd Qtr. Operational Earnings*		\$532,914	\$0	\$532,914	\$1,043,882	\$1,079,927
\$ Variance					(510,968)	(547,013)
% Variance					-49%	-51%
Total YTD		\$4,732,015	\$220,776	\$4,511,239	\$5,688,356	\$5,935,001
\$ Variance					(1,177,117)	(1,423,762)
% Variance					-21%	-24%
* Available for Distribution						

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

ADVERTISING & PROMOTIONS COMMITTEE

**Wednesday, August 21, 2024
2:30 P.M.
Batavia, New York**

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

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

AGENDA

1. Gaming/Branch Marketing Update - R. Hasenauer

2. Resolution 68-2024
- Game Changing Technologies - R. Hasenauer

3. Resolution 69-2024
- AJR Equities Inc. - R. Hasenauer

4. Resolution 70-2024
- Mark It Smart - R. Hasenauer

5. Resolution 71-2024
- Power Promotions LLC. - R. Hasenauer

6. Resolution 72-2024
- Link Promotions - R. Hasenauer

RESOLUTION - #68-2024

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 continue to utilize the software and sales subscription from Game Changing Tech Inc which is currently in use through the end of the year at a monthly cost of \$10,068; and

WHEREAS, staff recommends that the Board of Western continue to utilize Game Changing Tech Inc. to provide the service; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to continue to use Game Changing Tech Inc through the end of 2024 at a monthly cost of \$10,068.00, 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: August 21, 2024
Batavia, New York

RESOLUTION - #69-2024

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 obtain 800 promotional continuity items of each of the following:
luggage, small appliances, and bedding; and

WHEREAS, there were 4 responses to the public bid dated August 13, 2024 and AJR Equities Inc was the low bidder at \$171,040.00; and

WHEREAS, staff recommends that the Board of accept the bid of AJR Equities; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to accept the bid of AJR Equities for a cost of \$171,040.00, 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: August 21, 2024
Batavia, New York

RESOLUTION - #70-2024

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 obtain 800 of each of the promotional continuity items as follows:

Bel Fer cookware, Marilyn Monroe purses, Tain outdoor sets, and Thanksgiving sets; and

WHEREAS, there were 4 responses to the public bid dated August 13, 2024 and Mark It Smart of Santa Ana, CA was the low bidder at \$269,060.00; and

WHEREAS, staff recommends that the Board of accept the bid of Mark It Smart; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to accept the bid of Mark It Smart for a cost of \$269,060.00, 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: August 21, 2024
Batavia, New York

RESOLUTION - #71-2024

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 obtain 3200 units of Hex Cookware for February 2025 as a promotional continuity item; and

WHEREAS, there were 4 responses to the public bid dated August 13, 2024 and Power Promotions LLC of Las Vegas, NV was the low bidder at \$49,280.00; and

WHEREAS, staff recommends that the Board of accept the bid of Power Promotions LLC; and now therefore

BE IT RESOLVED, that Western’s Board of Directors agrees to accept the bid of Power Promotions LLC to provide 800 units of Hex Cookware for a cost of \$49,280.00, 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: August 21, 2024
Batavia, New York

RESOLUTION - #72-2024

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 obtain 800 of each of the promotional continuity items as follows:

Tain gardening and Bel Fer holiday sets; and

WHEREAS, there were 4 responses to the public bid dated August 13, 2024 and Link Promotional Marketing was the low bidder at \$137,088.00; and

WHEREAS, staff recommends that the Board of accept the bid of Link Promotional Marketing; and now therefore

BE IT RESOLVED, that Western’s Board of Directors agrees to accept the bid of Link Promotional Marketing for a cost of \$137,088.00, 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: August 21, 2024
Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BATAVIA DOWNS OPERATIONS COMMITTEE

Wednesday – August 21, 2024

3:00 p.m.

Batavia, New York

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

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

Agenda

1. Gaming Floor Update - S. Schiano
2. Live Racing Update - D. Hoover
3. Concert Series Update - H. Wojtaszek
4. Hotel Expansion Update - H. Wojtaszek
5. Resolution 73-2024
- Rel-Comm Inc. - S. Kiedrowski

RESOLUTION - #73-2024

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 obtain an update of the WiFi utilizing Ruckus dual band wireless with a 3 year support agreement; and

WHEREAS, Rel-Comm Inc of Rochester, NY can provide the service pursuant to Omnia National Purchasing Alliance, Contract 01-170, for a total cost of \$104,868.28; and

WHEREAS, staff recommends that the Board of Western retain Rel-Comm Inc of Rochester, NY to provide the service; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to retain Rel-Comm Inc of Rochester, NY for a total cost of \$104,868.28.00, 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: July 25, 2024
Batavia, New York



REL COMM

Voice and Data Communications

Rel Comm, Inc.
 Phone: 585-546-8888
 Fax: 585-546-8925
 250 Cumberland Street, Suite 214
 Rochester, NY 14605

Quote
 No.: **28682**
 Date: **6/26/2024**

Prepared for:
 Ryan Offen 585.831.2958
 Batavia Downs Gaming
 8315 Park Road
 Batavia, NY 14020 U.S.A.

Prepared by: Joseph Marasco
 Account No.: 9061
 Phone: (585) 343-3750

Quantity	Part Number	Description	UOM	Sell	Total
18	9F1-R650-US00	Ruckus R650 dual-band Wireless Access Point TAA Compliant	EA	\$1,317.00	\$23,706.00
2	901-T750-US51	Ruckus T750SE US51 4x4 11ax Outdoor SFP MGigE	EA	\$1,714.00	\$3,428.00
1	RUC-803-T750-3000	ADVANCE H/W REPLACE T750 3YR	EA	\$474.00	\$474.00
20	RUC-CLD-BNDL-SZW A-REC3	RUCKUS WIRELESS : SZ AP Mgmt License for SZ144/vSZ, Includes Support for AP 3yr, Includes RUCKUS Analytics Subscription 3yr.	EA	\$132.75	\$2,655.00
2	RUC-L09-VSCG-WW00	Ruckus Wireless Virtual SmartZone 3.0 or newer software virtual appliance	EA	\$458.75	\$917.50
2	RUC-S01-VSCG-3L00	Ruckus Wireless End User WatchDog Support - VSZ-RTU, 3 YR	EA	\$482.50	\$965.00
1	ICX7850-48F-E2	ICX 7850 48-port SFP28 1/10/25GE	EA	\$12,853.00	\$12,853.00
1	ICX7850-SVL-RMT-3	WatchDog REMOTE SUPPORT, ICX 7850, 3 YR	EA	\$2,534.00	\$2,534.00
6	ICX8200-48ZP2-E2	32 x 10/100/1000 802.3ac Class 4 and 16 x 10/100/1000/2.5 802.3bt Class 8 POE, 1480 W, Dual Fan/Dual Power	EA	\$5,279.00	\$31,674.00
7	L09-0001-SGCX	Switch management license for SZ-100/vSZ 5.X/vSZ300	EA	\$48.00	\$336.00
7	PCUSA-C15	Power Cord High Temperature C15, USA, 125V 13A, 1.83m	EA	\$35.80	\$250.60
4	10G-SFPP-LR-S	SPA/DR: FS4736540-01188039 10GBASE-LR,SFPP SMF LC CONNECTOR (No TAA)	EA	\$203.00	\$812.00
1	10G-SFPP-LR-S8	SPA/DR: FS4736540-01188039 10GBASE-LR,SFPP SMF LC CONNECTOR 8-PACK (No TAA)	EA	\$1,497.00	\$1,497.00
12	DRPCLCLCOM1MCP003M	*STOCK LC/LC OM1/SM MODE CONDITIONING CABLE	EA	\$67.53	\$810.36
1.00	TT-PS-GEN	Professional Services - Site Survey - Heat Map	HR	\$3,180.00	\$3,180.00
1.00	TT-PS-GEN	Professional Services - POE Switch Configuration	HR	\$1,800.00	\$1,800.00
6,321	905-PRO1-SRV5	PS Ruckus PS Misc. Services	EA	\$1.42	\$8,975.82
1.00	Misc Hardware	Misc Hardware	EA	\$500.00	\$500.00
60.00	Labor125	Labor125 - Normal Business Hours	HR	\$125.00	\$7,500.00

Your Price: \$104,868.28

Quote
No.: **28682**
Date: **6/26/2024**

Total: \$104,868.28

Prices are firm until 8/30/2024 Terms: Net 30

Prepared by: Joseph Marasco, jmarasco@rcomm.com

Date: 6/26/2024

Pricing valid until August 30, 2024

Upgrade existing Ruckus Wi-Fi to the updated Smart Zone platform.

Includes:

- (2) Virtual Smart Zone Controllers
- (2) T750 Outdoor AP's
- (18) R650 Indoor AP's

Update the POE Switches for the new AP's and the Mitel Phone system IP Phones

- (1) ICX 7850 48-Port POE Core Switch
- (6) ICX 8200 48-Port POE Switches - Edge Switches

Includes 3 Years of Support on all hardware and licenses.

Ruckus's Pro Services will configure the Smart Zone system so that we can incorporate the Ruckus R500 AP's located at the Hotel.

NOTES

- 1) Batavia Downs IT staff responsible for installing all the new AP's
- 2) Rel Comm will re-terminate all Mitel IP Phones to the new POE Switches
- 3) All labor is based on work being completed during normal business hours. If the cutover has to be completed during off hours, Rel Comm will have to add additional labor prices.

NCPA Contract 01-170

Accepted by: _____ **Date:** _____

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BRANCH OPERATIONS COMMITTEE MEETING

Thursday, August 22, 2024

9:00 a.m.

Batavia, New York

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

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

AGENDA

- 1) Branch Update - Dina Pane
- 2) E-Z Bet Update - Dina Pane
- 3) Batavia Bets Update - Dina Pane