

Western Regional Off-Track Betting Corporation

8315 Park Road, Batavia, NY 14020

PUBLIC NOTICE

SEPTEMBER 2024 MEETINGS

Committee Meetings for **Western Regional Off-Track Betting Corporation**

Committee meetings for Western Regional Off-Track Betting Corp. will be held on **Wednesday, September 25, 2024, and Thursday, September 26, 2024**, at Western Regional Off-Track Betting Corporation offices located at 8315 Park Road, Batavia, NY 14020 as follows:

Wednesday, September 25, 2024

- 1:00 p.m. Personnel
- 2:00 p.m. Finance
- 2:30 p.m. Advertising & Promotions
- 3:00 p.m. Batavia Downs Operations
- 3:30 p.m. Legislative
- 3:45 p.m. Insurance
- 4:00 p.m. Audit
- 4:15 p.m. Legal

Thursday, September 26, 2024

- 9:00 a.m. Branch Operations

Regular Meeting of the Western Regional Off-Track **Betting Corporation Board of Directors**

The Regular Monthly Meeting of the Board of Directors of Western Regional Off-Track Betting Corp. will be held on **Thursday, September 26, 2024, at 10:00 a.m.** at Western Regional Off-Track Betting Corporation offices located at 8315 Park Road, Batavia, NY 14020.

Dated: September 18, 2024

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

PERSONNEL COMMITTEE MEETING

Wednesday, September 25, 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. True North Executive Solutions - Christina Gullo
2. Contract Negotiations Update - Danielle Fleming
3. Approval of Job Titles - H. Wojtaszek
 - President & CEO
 - General Counsel
4. 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, September 25, 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. Award of Bid – Energy Services – Electric and Natural Gas - M. Glor
 - Constellation New Energy Inc. Electric - Resolution 76-2024
 - New Wave Energy, LLC – Natural Gas – Resolution 77-2024

2. Chief Financial Officer Report & BDG Financials
 - August 2024 - J. Leach

3. Regional VGM Numbers - J. Leach



westernotb.com



bataviadownsgaming.com

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Batavia, NY 14020
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Fax: 585-343-6873

*Creating Revenues
for Racing, State
and Local
Governments*

Current Member of:

*New York State
Gaming Association*

*United States
Trotting Association*

*Local Chambers
of Commerce*

WESTERN REGIONAL OFF-TRACK
BETTING CORPORATION

September 19, 2024

TO: Michael Horton, Chairman Finance
Members, Board of Directors

FROM: Megan Glor, Director of Purchasing & Real Estate

SUBJECT: Public Bid–Energy Services- Electric and Natural Gas

Specifications were sent to twelve (12) vendors requesting proposals for Energy Services for all OTB locations and the Batavia Downs Gaming & Hotel facility for a twelve (12) month Period. A public bid was held on August 8, 2024, please see below a breakdown of the bids received:

Vendor	Natural Gas	Electric
Constellation New Energy Inc.	no bid	0.07034
New Wave Energy	0.34	0.084
Sprague Operating Resources LLC	0.3607	no bid
Engie/Power Management	no bid	0.07087
Direct Energy/Power Management	0.341	no bid
Energy Cooperative of America	no bid	0.07325
NOCO Gas and Electric	0.405	0.0762

Below is the cost comparison as per the 2022 bid results:

Natural Gas	NOCO	0.675
Electric	Constellation	0.0645

After review of bids submitted, staff requests the award be made to the lowest, responsive bidders:

New Wave Energy – Natural Gas Supply at the rate of 0.34/ccf
Constellation New Energy Inc.– Electricity Supply at the rate of 0.07034/kwh.

The new pricing reflects a .49% decrease for gas and a .09% increase for electric.

Thank you.

RESOLUTION - #76-2024

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 electric services in order to operate its locations; and

WHEREAS, staff recommends that the Board of Western engage Constellation New Energy Inc of Baltimore, Maryland, who was the lowest responsible bidder, to provide the service at a cost of \$0.07034 per kwh; and now therefore

BE IT RESOLVED, that Western’s Board of Directors agrees to engage Constellation New Energy Inc of Baltimore, Maryland, who was the lowest responsible bidder, to provide the service at a cost of \$0.07034 per kwh; 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: September 26, 2024
 Batavia, New York

RESOLUTION - #77-2024

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 natural gas services to operate its locations; and

WHEREAS, staff recommends that the Board of Western engage New Wave Energy LLC of Buffalo, NY, who was the lowest responsible bidder, to provide the service at a cost of \$.34 ccf; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to engage New Wave Energy LLC of Buffalo, NY, who was the lowest responsible bidder, to provide the service at a cost of \$0.34 ccf; 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: September 26, 2024
 Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING
CORPORATION



AUGUST 2024

FINANCIAL REPORT

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

<u>Operational Results - August 2024</u>	<u>August 2024</u>	<u>August 2023</u>	<u>August Plan</u>
Total Handle	\$4,569,634	\$4,773,873	\$4,518,694
\$ Variance		(204,239)	50,940
% Variance		-4%	1%
VGM Net Win	\$8,299,917	\$7,164,567	\$7,627,816
\$ Variance		1,135,351	672,101
% Variance		16%	9%
Revenue net of Statutories	\$ 5,253,738	\$ 4,713,594	\$ 4,920,488
Operating Expenses	4,340,792	3,730,303	4,199,255
Earnings and Surcharge	912,946	983,291	721,233
Surcharge	48,265	48,599	48,309
Operational Earnings (Losses)	\$ 864,681	\$ 934,692	\$ 672,924
\$ Variance		(70,011)	191,757
% Variance		-7%	28%

* Earnings are distributed on a quarterly basis

<u>Segment Performance:</u>	<u>August 2024</u>	<u>August 2023</u>	<u>August Plan</u>
BRANCH Earnings from Operations	\$ 229,934	\$ 147,760	\$ 118,774
Less: G&A Allocation	223,346	206,238	175,006
Earnings (Losses) net of G&A Allocation	<u>\$ 6,588</u>	<u>\$ (58,478)</u>	<u>\$ (56,232)</u>
\$ Variance		65,066	62,820
% Variance		111%	112%
BATAVIA DOWNS Earnings from Operations	\$ 1,379,234	\$ 1,376,184	\$ 1,137,504
Less: G&A Allocation	521,141	383,014	408,348
Earnings net of G&A Allocation	<u>\$ 858,093</u>	<u>\$ 993,170</u>	<u>\$ 729,156</u>
\$ Variance		(135,077)	128,937
% Variance		-14%	18%
GENERAL AND ADMINISTRATIVE expense	\$ 744,487	\$ 589,252	\$ 583,354
\$ Variance		155,235	161,133
% Variance		26%	28%

<u>Net Cash Distributions to Municipalities:</u>	<u>August 2024</u>	<u>August 2023</u>	<u>August Plan</u>
SURCHARGE	\$ 48,265	\$ 48,599	\$ 48,309
\$ Variance		(334)	(44)
% Variance		-1%	0%

<u>Year to Date Surcharge and Net Revenue</u>	<u>August 2024</u>	<u>August 2023</u>	<u>August Plan</u>
SURCHARGE	\$ 377,980	\$ 451,982	\$ 420,115
\$ Variance		(74,002)	(42,135)
% Variance		-16%	-10%
NET EARNINGS AVAILABLE FOR DISTRIBUTION	\$ 5,596,696	\$ 6,880,126	\$ 6,607,925
\$ Variance		(1,283,430)	(1,011,229)
% Variance		-19%	-15%
TOTAL	\$ 5,974,676	\$ 7,332,108	\$ 7,028,040

CFO'S REPORT - August 2024

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

	2024 August	2023 August	2024 August Plan	2024 Year To Date	2023 Year To Date	2024 Operating Plan YTD
HANDLE (includes Live)	\$4,570,000	\$4,774,000	\$4,519,000	\$31,529,000	\$36,113,000	\$32,547,000
\$ Variance		(204,000)	51,000		(4,584,000)	(1,018,000)
% Variance		-4%	1%		-13%	-3%
VGM Net Win	\$8,300,000	\$7,165,000	\$7,628,000	\$59,198,000	\$57,143,000	\$59,653,000
\$ Variance		1,135,000	672,000		2,055,000	(455,000)
% Variance		16%	9%		4%	-1%
Revenue and Expense:						
Operating Revenue	9,889,000	8,811,000	9,223,000	68,327,000	67,352,000	68,974,000
\$ Variance		1,078,000	666,000		975,000	(647,000)
% Variance		12%	7%		1%	-1%
Less: Statutory Expenses	4,635,000	4,097,000	4,303,000	33,178,000	32,661,000	33,394,000
\$ Variance		538,000	332,000		517,000	(216,000)
% Variance		13%	8%		2%	-1%
Revenue before Operating Expenses	5,254,000	4,714,000	4,920,000	35,149,000	34,691,000	35,580,000
\$ Variance		540,000	334,000		458,000	(431,000)
% Variance		11%	7%		1%	-1%
Less: Operating Expenses	4,341,000	3,730,000	4,199,000	29,175,000	27,359,000	28,553,000
\$ Variance		611,000	142,000		1,816,000	622,000
% Variance		16%	3%		7%	2%
Retained Surcharge/Net earnings	913,000	983,000	721,000	5,974,000	7,332,000	7,027,000
\$ Variance		(70,000)	192,000		(1,358,000)	(1,053,000)
% Variance		-7%	27%		-19%	-15%
Retained Surcharge	48,000	49,000	48,000	378,000	452,000	420,000
\$ Variance		(1,000)	0		(74,000)	(42,000)
% Variance		-2%	0%		-16%	-10%
Net Earnings(Losses) from Operations	865,000	935,000	673,000	5,596,000	6,880,000	6,607,000
\$ Variance		(70,000)	192,000		(1,284,000)	(1,011,000)
% Variance		-7%	29%		-19%	-15%

	Operational Earnings	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*	\$1,397,595	\$0	\$1,397,595	\$1,978,574	\$1,752,851
\$ Variance				(580,979)	(355,256)
% Variance				-29%	-20%
Total YTD	\$5,596,696	\$220,776	\$5,375,920	\$6,623,048	\$6,607,925
\$ Variance				(1,247,128)	(1,232,005)
% Variance				-19%	-19%

* Available for Distribution

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

ADVERTISING & PROMOTIONS COMMITTEE

Wednesday, September 25, 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

Also Attending were:

Henry F. Wojtaszek, President & CEO
Scott P. Kiedrowski, Chief Operating Officer
Jacquelyne A. Leach, Chief Financial Officer
Zachary Elliott – Controller

William R. White, Vice-President – Admin.
Sean S. Schiano, Vice President - Operations
Steve Haigh, Internal Auditor
John Owens, Legal Counsel

AGENDA

1. Gaming/Branch Marketing Update - R. Hasenauer

2. Resolution 75-2024
- Zenger Group - R. Hasenauer

3. Resolution 78-2024
- Blue Cross Arena - R. Hasenauer

4. Resolution 79-2024
- Delaware North – Amerks Suite Food - R. Hasenauer

RESOLUTION - #75-2024

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 send monthly postcard mailings to our patrons; and

WHEREAS, staff recommends that the Board of Western continue to utilize the Zenger Group, who was the lowest responsible bidder, to provide the service at an annual cost of \$81,936.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to continue to use the Zenger Group, who was the lowest responsible bidder, to provide the service at an annual cost of \$81,936.00; 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: September 26, 2024
 Batavia, New York

RESOLUTION - #78-2024

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 secure a suite at the Blue Cross Arena in Rochester for use by our patrons; and

WHEREAS, staff recommends that we enter into a five year contract to provide the use of a suite from the sole source provider, Rochester Arena LLC; at a total cost of \$211,500.00; and now therefore

BE IT RESOLVED, that Western’s Board of Directors agrees to enter into a five year contract to provide the use of a suite from the sole source provider, Rochester Arena LLC; at a total cost of \$211,500.00; 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: September 26, 2024
Batavia, New York

RESOLUTION - #79-2024

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 secure food service at the Blue Cross Arena in Rochester for use by our patrons from October 2024 through September 2025; and

WHEREAS, staff recommends that we enter into a contract with Delaware North, the sole source provider, to provide food service at the Blue Cross Arena in Rochester for use by our patrons from October 2024 through September 2025 at a cost of \$30,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to enter into a contract to provide food service at the Blue Cross Arena in Rochester for use by our patrons from October 2024 through September 2025 at a cost of \$30,000.00; 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: September 26, 2024
 Batavia, New York

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

BATAVIA DOWNS OPERATIONS COMMITTEE

Wednesday – September 25, 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. Hotel Expansion Update - H. Wojtaszek
4. Infrastructure Update - H. Wojtaszek
S. Kiedrowski
T. Balk

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

LEGISLATIVE COMMITTEE
Wednesday September 25, 2024
3:30 p.m.

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

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

AGENDA

1. Advocacy RFP update

- H. Wojtaszek

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

AUDIT COMMITTEE MEETING

**Wednesday- September 25, 2024
4:00 P.M.**

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

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

AGENDA

1. By-Laws - Revisions - S. Haigh

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

LEGAL COMMITTEE MEETING

Wednesday, September 25, 2024

1:00 p.m.

Batavia, New York

Crystal Rodriguez-Dabney-Chairperson

Charles Zambito- Vice-Chairperson

Vincent Horrigan - Member

AGENDA

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

BRANCH OPERATIONS COMMITTEE MEETING

Thursday, September 26, 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