

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

Participating was:

Absent:

| | | | |
|-------------|--------------------------|-------|--------|
| Erie | Timothy Callan | Wayne | Vacant |
| Monroe | James Wilmot | | |
| Buffalo | Crystal Rodriguez-Dabney | | |
| Rochester | Dennis Bassett | | |
| Niagara | Elliott Winter | | |
| Chautauqua | Vincent W. Horrigan | | |
| 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 | | |
| Seneca | Kyle Black | | |

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; Zachary Elliott, Controller, Kyle Black, Seneca County; Mike Pettinella, The Daily News, Howard Owens, The Batavian, Mark Sheer, Niagara Gazette, Channel 7

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 Horton to lead the assemblage in the Pledge of Allegiance.

Board of Directors
Meeting #567
August 22, 2024
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Approval of Previous Minutes:

Chairman Bassett called for amendments, additions, deletions, or corrections to the minutes of the previous meetings of June 27, and July 25, 2024. There being none, a motion was made by Director Horton and seconded by Director Rodriguez-Dabney to approve the June and July minutes as submitted. The minutes were approved unanimously by voice vote.

Communications:

There were no communications

Personnel Committee Report:

Committee Vice-Chairman Horrigan reported that the Personnel Committee meeting was held on Wednesday August 21, 2024, at 1:00 p.m.

Director Horrigan reported that at 1:21 p.m. a motion was made by Director Morgan, seconded by Director Wamp to enter into 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.

Director Horrigan reported that the Executive Session ended at 2:38 p.m.

The Personnel Committee adjourned at 2:38 p.m.

Insurance Committee Report:

The Insurance Committee did not meet.

Audit Committee Report:

The Audit Committee did not meet.

Advertising & Promotions Committee Report:

Committee Chairperson May reported that the Advertising & Promotions Committee meeting was held on Wednesday August 21, 2024, at 3:09 p.m.

Director May reported that Mr. Ryan Hasenauer, Director of Marketing, provided a gaming update with images of the upcoming hotel offers. Photos of the Summer Concert Series Smashmouth were also reviewed.

Director May reported that Batavia Downs sponsored and had staff run in the GLOW 5k. Pictures and stats from "Rockin the Downs" Concerts including the Bacon Brothers, Fleetwood Mac and Tom Petty Tributes, 38 Special and Tommy DeCarlo were shown.

Director May reported the following Resolutions were presented:

Resolution 68-2024 was presented 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.

Upon motion by Director May and seconded by Director Bombardo a roll call vote was taken and passed 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 Ayes: 13; Nays: 1; Callan; Absent: 1; Winter; Vacant: 2; Seneca, Wayne. **See Resolution 68-2024.**

Resolution 69-2024 was presented to accept the bid of AJR Equities for a cost of \$171,040.00 for continuity promotional items of luggage, small appliances, and bedding.

Upon motion by Director May and seconded by Director Horton a roll call vote was taken and passed to accept the bid of AJR Equities for a cost of \$171,040.00 for continuity promotional items of luggage, small appliances, and bedding. Ayes: 14; Nays: 0; Absent: 1; Winter; Vacant: 2; Seneca, Wayne. **See Resolution 69-2024.**

Resolution 70-2024 was presented to accept the bid of Mark It Smart for a cost of \$269,060.00 for continuity items of Bel Fer cookware, Marilyn Monroe purses, Talon outdoor sets, and Thanksgiving sets.

Upon motion by Director May and seconded by Director Burr a roll call vote was taken and passed to accept the bid of AJR Equities for a cost of \$171,040.00 for continuity promotional items of luggage, small appliances, and bedding. Ayes: 14; Nays: 0; Absent: 1; Winter; Vacant: 2; Seneca, Wayne. **See Resolution 70-2024.**

Advertising & Promotions Committee Report continued:

Resolution 71-2024 was presented to accept the bid of Power Promotions LLC to provide 800 units of Hex Cookware for a cost of \$49,280.00 for February 2025 as a promotional continuity item.

Upon motion by Director May and seconded by Director Horrigan a roll call vote was taken and passed to accept the bid of Power Promotions LLC to provide 800 units of Hex Cookware for a cost of \$49,280.00 for continuity items in February 2025. Ayes: 14; Nays: 0; Absent: 1; Winter; Vacant: 2; Seneca, Wayne. **See Resolution 71-2024.**

Resolution 72-2024 was presented to accept the bid of Link Promotional Marketing for a cost of \$137,088.00 Talon gardening and Bel Fer holiday sets for promotional continuity.

Upon motion by Director May and seconded by Director Morgan a roll call vote was taken and passed to accept the bid of Link Promotional Marketing for a cost of \$137,088.00 Talon gardening and Bel Fer holiday sets for promotional continuity. Ayes: 14; Nays: 0; Absent: 1; Winter; Vacant: 2; Seneca, Wayne. **See Resolution 72-2024.**

Resolution 74-2024 was presented to offer Cooking Live with Anne Burrell as an onsite cooking demonstration for the benefit and enjoyment of its customers with Grand Promotions for a cost not to exceed \$48,000.00.

Upon motion by Director May and seconded by Director Bartow a roll call vote was taken and passed to offer Cooking Live with Anne Burrell as an onsite cooking demonstration for the benefit and enjoyment of its customers with Grand Promotions for a cost not to exceed \$48,000.00. Ayes: 13; Nays: 1; Callan; Absent: 1; Winter; Vacant: 2; Seneca, Wayne. **See Resolution 74-2024.**

The Advertising & Promotions Committee meeting adjourned at 3:37 p.m.

Finance Committee Report:

Committee Chairman Horton reported that the Finance Committee meeting was held on Wednesday August 21, 2024, at 2:42 p.m.

Finance Committee Report continued:

Director Horton reported that Zachary Elliott, Controller reviewed the July 2024 Chief Financial Officer Reports with Committee members. Mr. Elliott discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$45,341 in surcharge revenues to member municipalities for July.

Director Horton reported that Jacquelyne A. Leach, Chief Financial Officer reviewed the weekly Regional VGM Numbers highlighting Batavia Downs Gaming net win performance from July 2024 as compared to same period 2023.

The Finance Committee meeting adjourned at 3:08 p.m.

Batavia Downs Operations Committee Report:

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Wednesday August 21, 2024, at 3:40 p.m.

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

Director Morgan reported that Don Hoover, Director of Live Racing provided a live racing update to the Committee.

Director Morgan reported that Mr. Wojtaszek reviewed the 2024 Batavia Downs Concert Series and is considering reducing the number of concert dates and is considering the quality of the bands next year.

Director Morgan reported that Mr. Wojtaszek provided a brief update on the possible hotel expansion.

Director Morgan reported that Mr. White presented Resolution 73-2024 to retain Rel-Comm Inc. to provide the Wi-Fi Service for a total cost of \$104,868.28.

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken and passed unanimously to accept the proposal from Superstruct Architecture PC, for the architectural services for the construction of a partial 2-story 1000 sq. ft. continuity warehouse at Batavia Downs Gaming. Ayes: 13; Nays: 0; Absent: Vacant: 2; Seneca, Wayne. **See Resolution 73-2024.**

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Batavia Downs Operations Committee Report continued:

The Batavia Downs Operations committee meeting adjourned at 4:10p.m.

Legislative Committee Report:

The Legislative Committee did not meet.

Branch Operations Committee:

Committee Chairman Burr reported the Branch Operations Committee meeting was held on Thursday August 22, 2024, at 9:07 a.m.

Director Burr reported that Ms. Dina Pane, General Manager of OTB Operations presented a Branch update including hours, handle, revenue and operating costs

Director Burr reported that Ms. Pane reviewed E-Z Bet and Batavia Bets with the committee.

The Branch Committee meeting adjourned at 10:02 a.m.

New Business:

The next Committee and Board meeting is scheduled for September 25 and 26, 2024, respectively.

Adjournment:

Upon motion made by Director Bombardo to adjourn seconded by Director Horton the meeting was adjourned at 10:31 a.m.

Respectfully submitted,

/pma

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

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 #68 -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 Bombardo which results were as follows:

| | <u>Aye</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 | [] 8 | [] | [] | [X] |
| Vincent W. Horrigan | [X] 5 | [] | [] | [] |
| 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 | [] | [] | [] |
| Vacant | [] 1 | [] | [] | [X] |
| Paul Bartow | [X] 1 | [] | [] | [] |

The Resolution was thereupon duly adopted.

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 #69-2024 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 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 | [] 8 | [] | [] | [X] |
| Vincent W. Horrigan | [X] 5 | [] | [] | [] |
| 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 | [] | [] | [] |
| Vacant | [] 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 August 22, 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 22nd day of August 2024.

Scott P. Kiedrowski, Secretary

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, TALN 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 #70-2024 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 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 | []8 | [] | [] | [X] |
| Vincent W. Horrigan | [X]5 | [] | [] | [] |
| 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 | [] | [] | [] |
| Vacant | []1 | [] | [] | [X] |
| Paul Bartow | [X]1 | [] | [] | [] |

The Resolution was thereupon duly adopted.

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 #71-2024 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 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 | []8 | [] | [] | [X] |
| Vincent W. Horrigan | [X]5 | [] | [] | [] |
| 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 | [] | [] | [] |
| Vacant | []1 | [] | [] | [X] |
| Paul Bartow | [X]1 | [] | [] | [] |

The Resolution was thereupon duly adopted.

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:

TALN 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

Resolution #72-2024 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 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 | []8 | [] | [] | [X] |
| Vincent W. Horrigan | [X]5 | [] | [] | [] |
| 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 | [] | [] | [] |
| Vacant | []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 August 22, 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 22nd day of August 2024.

Scott P. Kiedrowski, Secretary

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

Resolution #73-2024 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 | [] 8 | [] | [] | [X] |
| Vincent W. Horrigan | [X] 5 | [] | [] | [] |
| 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 | [] | [] | [] |
| Vacant | [] 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 August 22, 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 22nd day of August 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #74-2024

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 offer Cooking Live with Anne Burrell as an onsite cooking demonstration for the benefit and enjoyment of its customers; and

WHEREAS, Grand Promotions will make this demonstration available for a cost not to exceed \$48,000.00; and

WHEREAS, staff recommends that the Board of Western use Grand Promotions to provide the service; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to use Grand Promotions to provide Cooking Live with Anne Burrell at a cost not to exceed \$48,000.00; 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: August 21, 2024
Batavia, New York

Resolution #74-2024 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 Bartow which results were as follows:

| | <u>Aye</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 | [] 8 | [] | [] | [X] |
| Vincent W. Horrigan | [X] 5 | [] | [] | [] |
| 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 | [] | [] | [] |
| Vacant | [] 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 August 22, 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 22nd day of August 2024.

Scott P. Kiedrowski, Secretary

