

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 12th day of December 2024 and commencing at 11:04 a.m. in the *Boardroom*, Corporate Headquarters at 8315 Park Road Batavia, New York.

Participating was:

Absent:

Erie	Timothy Callan	Seneca	Vacant
Monroe	James Wilmot	Livingston	Vacant
Buffalo	Crystal Rodriguez-Dabney	Wayne	Vacant
Niagara	Elliott Winter	Chautauqua	Horrigan
Oswego	Mark Bombardo	Wyoming	May
Steuben	Michael Horton	Rochester	Bassett
Cattaraugus	Mark Burr		
Cayuga	Terrance Baxter		
Genesee	Charles Zambito		
Orleans	Edward Morgan		
Schuyler	Paul Bartow		

constituting the Directors of all participating municipalities.

Also participating were Byron W. Brown, President & CEO; Henry F. Wojtaszek, General Council; Steven M. Casey, Chief Administrative Officer/Chief of Staff; Scott P. Kiedrowski, Chief Operating Officer; Jacquelyne A. Leach, Chief Financial Officer; Sean S. Schiano, Vice President – Operations; Ryan Hasenauer, Vice President-Business Development Danielle N. Fleming, Vice President-Human Resources; John M. Owens, Associate Council; Steven Haigh, Internal Auditor, Megan Glor, Director of Purchasing; Zachary Elliott, Controller, Michael DeGeorge, Director of Communications, Mike Pettinella, The Daily News, Dale Shoemaker, Investigative Post.

A roll of the membership of the Board having been called, Mr. Kiedrowski declared a quorum present.

Vice-Chairman Morgan proceeded to conduct the meeting following the published Agenda for this regular meeting.

Vice-Chairman Morgan asked Henry Wojtaszek to lead the assemblage in the Pledge of Allegiance.

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Approval of Previous Minutes:

Vice-Chairman Morgan called for amendments, additions, deletions, or corrections to the minutes of the previous meeting of November 21, 2024. There being none, a motion was made by Director Rodriguez-Dabney and seconded by Director Bartow to approve November 21, 2024, minutes as submitted. The minutes were approved unanimously by voice vote.

Personnel Committee Report:

Committee Chairman Winter reported that the Personnel Committee meeting was held on Wednesday December 11, 2024, at 1:16 p.m.

Director Winter reported that at 1:16 p.m. a motion was made by Director Winter, seconded by Director Morgan to enter into Executive session for the discussion of the legal, 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 Winter reported that the Executive Session ended at 1:44 p.m.

Director Winter reported that Resolution 114-2024 was presented to obtain the service from BambooHR for the period of January 1, 2025, through December 31, 2025, at a cost not to exceed \$48,400.00.

Upon motion by Director Winter and seconded by Director Rodriguez-Dabney a roll call vote was taken and passed. Ayes: 11; Nays; Absent: 3; Bassett, Horrigan, May; Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 114-2024**

The Personnel Committee adjourned at 1:52 p.m.

Finance Committee Report:

Committee Chairman Horton reported that the Finance Committee meeting was held on Wednesday December 11, 2024, at 1:59 p.m.

Director Horton reported that Resolution 115-2024 was presented to renew its agreement with Kaseya US, LLC as Western has utilized Unitrends/Kaseya for the past 6 years and it houses all our current backups for a cost not to exceed \$28,684.45 for 2025.

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Finance Committee Report continued:

Upon motion by Director Horton and seconded by Director Bombardo a roll call vote was taken and passed. Ayes: 11; Nays; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 115-2024**

Director Horton reported that Mrs. Jacquelyne Leach, Chief Financial Officer, reviewed the October 2024 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$41,531.83 in surcharge revenues to member municipalities for October.

Director Horton reported that Mrs. Leach reviewed the weekly Regional VGM Numbers highlighting Batavia Downs Gaming net win performance from October/November 2024 as compared to same period 2023.

Director Horton reported that Mrs. Leach and Mr. Zachary Elliott, Controller-WROTBC-Operations, reviewed the summary of the 2025 Operating Plan Report.

Upon motion by Director Horton and seconded by Director Baxter to approve the WROTBC 2025 Operating Plan. A voice vote was taken and passed. Ayes: 10; Nays: 1; Callan; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne.

The Finance Committee meeting adjourned at 2:59 p.m.

Advertising & Promotions Committee Report:

Director Morgan reported that Chairperson May called the Advertising & Promotions Committee meeting to order on Wednesday December 11, 2024, at 3:11 p.m.

Director Morgan reported that Mr. Ryan Hasenauer, Vice President-Business Development, reviewed images of upcoming hotel offers. Also, review were the recent events held on site including Roswell Night, Legends & Stars, Uncle Louie Comedy, Anne Burell and Bar Crawl. The new Thursday night Concert Series was presented.

Director Morgan reported that Mr. Hasenauer reviewed the charitable/corporate ticket giving program with members.

Director Morgan reported that the following Resolutions were presented to the Committee.

Advertising & Promotions Committee Report continued:

Resolution 111-2024 was presented to the Committee to increase the award to Electronic Field Productions (Resolution 2023-116) for the purpose of video and audio advertising conception and production for 2024.

Upon motion by Director Morgan and seconded by Director Wilmot a roll call vote was taken and passed. Ayes: 10; Nays; 1; Callan; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 111-2024**

Resolution 119-2024 was presented to obtain text services from the Pidj at a cost not to exceed \$35,000.00 for the period from January 1, 2025, through December 31, 2025.

Upon motion by Director Morgan and seconded by Director Bartow a roll call vote was taken and passed. Ayes: 10; Nays; 1; Callan; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 119-2024**

Resolution 120-2024 was presented to obtain software that allows the gaming floor and Marketing staff to receive updates from the gaming machines from the William Ryan Group at a cost not to exceed \$16,500.00 for the period from January 1, 2025, through December 31, 2025.

Upon motion by Director Morgan and seconded by Director Callan a roll call vote was taken and passed. Ayes: 11; Nays; 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 120-2024**

Resolution 121-2024 was presented to obtain the service from USPS at a cost not to exceed \$120,000.00 for the period from January 1, 2025, through December 31, 2025

Upon motion by Director Morgan and seconded by Director Callan a roll call vote was taken and passed. Ayes: 11; Nays; 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 121-2024**

Resolution 122-2024 was presented to obtain Tops Markets gift cards for use with hotel specials for the period from January 1, 2025, through December 31, 2025

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken and passed. Ayes: 11; Nays; 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 122-2024**

Advertising & Promotions Committee Report continued:

Resolution 123-2024 was presented to obtain yearly maintenance and storage for the Player Tracking System for the period from January 1, 2025, through December 31, 2025.

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 123-2024**

Resolution 124-2024 was presented to obtain advertising on Facebook/Instagram/Meta for the period from January 1, 2025, through December 31, 2025.

Upon motion by Director Morgan, seconded by Director Bartow a roll call vote was taken and passed Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 124-2024**

Resolution 125-2024 was presented to obtain the service from Game Changing Technologies/Quick Custom Intelligence (GCT) for the period of January 1, 2025, through December 31, 2025, at a cost not to exceed \$120,816.00.

Upon motion by Director Morgan and seconded by Director Bombardo a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 125-2024**

Resolution 126-2024 was presented to extend its agreement with Valpak/Clipper to provide advertising in direct to homes Valpak and Clipper coupon mail pieces for the period from January 1, 2025, through December 31, 2025.

Upon motion by Director Morgan and seconded by Director Bartow a roll call vote was taken and passed. Ayes: 10; Nays: 1; Callan; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 126-2024**

Resolution 128-2024 to provide for ads on tickets, signage on site and recognition when promoting events for the period from January 1, 2025, through December 31, 2025, from the Riviera Theatre.

Upon motion by Director Morgan and seconded by Director Bartow a roll call vote was taken and passed. Ayes: 10; Nays: 1; Callan; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 128-2024**

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Advertising & Promotions Committee Report continued:

Resolution 134-2024 was presented to engage Excel Media and Design for media and advertising consulting services after a review of 4 proposals that were submitted at a cost not to exceed 15% of the Gross Media Spend for 2025.

Upon motion by Director Morgan and seconded by Director Winter a roll call vote was taken and passed. Ayes: 10; Nays: 1; Callan; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne **See Resolution 134-2024**

The Advertising and Promotions Committee meeting adjourned at 4:11 p.m.

Batavia Downs Operations Committee Report:

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Thursday, December 12, 2024, at 9:00 a.m.

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

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

Director Morgan reported the following Resolutions were presented.

Resolution 102-2024 was presented to increase the Burly Brothers purchase order for by \$10,000.00 for 2024.

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 102-2024**

Resolution 103-2024 was presented to increase the 2024 annual spend for charges split with Hart Hotels to \$20,000.00 from \$15,000.00.

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 103-2024**

Batavia Downs Operations Committee Report continued:

Resolution 104-2024 was presented to agree to the annual split charges with Hart Hotels for 2025 at a cost not to exceed \$25,000.00.

Upon motion by Director Morgan and seconded by Director Horton a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 104-2024**

Resolution 105-2024 was presented to increase the 2024 Sysco purchase order by \$40,000.00.

Upon motion by Director Morgan and seconded by Director Bartow a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 105-2024**

Resolution 106-2024 was presented for online hotel reservation booking through Booking.com for a total cost not to exceed \$35,000.00 in 2025.

Upon motion by Director Morgan and seconded by Director Bartow a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 106-2024**

Resolution 107-2024 was presented for online hotel reservation booking through Expedia.com for a total cost not to exceed \$35,000.00 in 2025.

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 107-2024**

Resolution 108-2024 was presented for online hotel reservation booking through Travel Click for a total cost not to exceed \$60,000.00 in 2025.

Upon motion by Director Morgan and seconded by Director Burr a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 108-2024**

Resolution 109-2024 was presented to increase the 2024 Tarantino Foods purchase order by \$30,000.00.

Batavia Downs Operations Committee Report continued:

Upon motion by Director Morgan and seconded by Director Callan a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 109-2024**

Resolution 110-2024 was presented to provide an annual food and beverage spend for 2025 through a quarterly RFP for food vendors per the attached list at a cost not to exceed \$3,480,000.00.

Upon motion by Director Morgan and seconded by Director Callan a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 110-2024**

Resolution 112-2024 was presented to purchase a 2025 Chevrolet Silverado with aluminum dump body from Jim Barnard Chevrolet, Churchville, NY for \$72,321.62 pursuant to NYS OGS Award No. 23166 Contract No. PC68975.

Upon motion by Director Morgan and seconded by Director Callan a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 112-2024**

Resolution 116-2024 was presented to obtain an annual service contract for 6 Kiosks from 8:00am to 5:00 pm, Monday to Friday, for the period of December 1, 2024, through November 30, 2025, at a cost not to exceed \$48,695.14.

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 116-2024**

Resolution 117-2024 was presented to obtain the service from Cummins Allison Corp for the period of October 1, 2024, through September 30, 2025, at a cost not to exceed \$43,047.08.

Upon motion by Director Morgan and seconded by Director Bartow a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 117-2024**
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Batavia Downs Operations Committee Report continued:

Resolution 118-2024 was presented to continue to obtain the service from Loomis for the period of January 1, 2025, through December 31, 2025, at a cost not to exceed \$25,000.00.

Upon motion by Director Morgan and seconded by Director Bombardo a roll call vote was taken and passed. Ayes: 11; Nays;0 Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 118-2024**

Resolution 133-2024 was presented for point-of-sale interface maintenance, as well as POS and IGS interface terminal maintenance software for 2025 with Agilysys in the amount of \$26,351.06.

Upon motion by Director Morgan and seconded by Director Bartow a roll call vote was taken and passed. Ayes: 11; Nays; 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 133-2024**

Resolution 136-2024 approves paying Danny Gare \$2,000.00 per appearance in 2025, not to exceed \$24,000.00 with the option to renew, pursuant to contract details to be worked out between Western and Danny Gare.

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken to approve appearances for Danny Gare in 2025 and did not pass. Ayes: 7; Nays: 3; Callan, Rodriguez-Dabney, Horton; Absent: 3; Bassett, Horrigan, May; Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 136-2024.**

Resolution 137-2024 was presented to enter into a two (2) year extension of the agreement with Mariacher along the same terms as set forth in the original agreement for the annual amount of \$120,000.00 for the period January 1, 2025, to December 31, 2026.

Upon motion by Director Morgan and seconded by Director Zambito a roll call vote was taken and passed. Ayes: 10; Nays; 1; Callan; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 137-2024**

The Batavia Downs Operations committee meeting adjourned at 9:50 a.m.

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Legislative Committee Report:

Committee Chairperson Bombardo reported the Legislative Committee meeting was held on Wednesday December 11, 2024, at 4:29 p.m.

Director Bombardo reported the following Resolutions were presented.

Resolution 129-2024 was presented to accept the quote from Mercury Public Affairs, LLC to provide consulting and advocacy services consisting of regulatory and legal representation for \$10,000.00 per month from December 15, 2024, through May 15, 2025.

Upon motion by Director Bombardo and seconded by Director Rodriguez- Dabney a vote was taken and passed. Ayes: 10; Nays: 1; Callan; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 129-2024**

Resolution 130-2024 was presented to accept Masiello, Martucci & Associates, to provide consulting and advocacy services consisting of regulatory and legal representation for \$10,000.00 per month from December 15, 2024, through May 15, 2025.

Upon motion by Director Bombardo and seconded by Director Wilmot a vote was taken and passed. Ayes: 10; Nays: 0; Abstain:1; Callan; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 130-2024**

The Legislative Committee meeting adjourned at 4:38 p.m.

Insurance Committee Report:

Committee Chairperson Horrigan called the Insurance Committee meeting to order at 4:20 p.m. on Wednesday December 11, 2024.

Director Morgan reported that Resolution 113-2024 was presented to secure general liability insurance coverage for the hotel for the period from December 10, 2024, through May 30, 2025. Several different companies all declined since they could not meet the target price except Travelers Insurance Co. who will supply the coverage for \$30,394.00.

Upon motion by Director Bombardo and seconded by Director Bartow a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 113-2024**

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Insurance Committee Report continued:

Director Morgan reported that Resolution 127-2024 was presented to obtain the coverage from Shelter Point Life to renew its NYS Disability Insurance for the period from January 1, 2025, through December 31, 2025, at a cost not to exceed \$40,000.00.

Upon motion by Director Bombardo and seconded by Director Horton a roll call vote was taken and passed. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 127-2024**

The Insurance Committee meeting adjourned at 4:28 p.m.

Audit Committee Report:

Committee Chairman Zambito reported the Audit Committee meeting was held on Wednesday December 12, 2024, at 9:51 a.m.

Director Zambito reported that at 9:51 p.m. a motion was made to enter into an Executive Session for the discussion of the legal, medical, financial, credit or employment history of a particular person or corporation or matters leading to appointment, employment, promotion, promotion, promotion, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation, seconded by Director Morgan Executive Session ended at 10:20 a.m.

Director Zambito reported that Mr. Steven J. Haigh, Internal Auditor, presented updated policies for approval.

Upon motion by Director Zambito and seconded by Director Bartow a voice vote was taken and passed to approve the updated policies. Ayes: 11; Nays: 0; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne.

The Audit Committee meeting adjourned at 10:25 a.m.

Legal Committee Report:

Committee Chairperson Rodriguez-Dabney reported the Legal Committee meeting was held on Wednesday December 12, 2024, at 10:34 a.m.

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Legal Committee Report continued:

Director Rodriguez-Dabney reported at 10:34 p.m. the Committee entered into Executive Session for the discussion of the legal, 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. A voice vote was taken and passed.

Director Rodriguez-Dabney reported that the Legal Committee came out of Executive Session at 11:00 a.m.

Director Rodriguez-Dabney reported that Resolution 131-2024 was presented to retain Harris Beach PLLC in respect to its hotel expansion, CEO search committee, and general advice at a cost not to exceed \$100,000.00.

Upon motion by Director Rodriguez-Dabney and seconded by Director Wilmot a roll call vote was taken and passed. Ayes: 9; Nays; 2; Callan, Bartow; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 131-2024**

Director Rodriguez-Dabney reported that Resolution 132-2024 to continue its representation by Holland and Knight in respect to its Employee Retention Credit Application for a sum not to exceed \$150,000.00.

Upon motion by Director Rodriguez-Dabney and seconded by Director Bombardo a roll call vote was taken and passed. Ayes: 9; Nays; 2; Callan, Bartow; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 132-2024**

Director Rodriguez-Dabney reported that Resolution 135-2024 was presented to authorize Western's legal counsel to continue to defend the Michael Nolan lawsuit and prosecute any potential claims or counterclaims against Michael Nolan or any others associated with this matter with Hodgson Russ to represent Western to continue to provide legal services to Western in the additional amount of \$150.00 per hour not to exceed \$75,000.00.

Upon motion by Director Rodriguez-Dabney and seconded by Director Wilmot a vote was taken and passed. Ayes: 10; Nays; 1; Callan; Absent: 3; Bassett, Horrigan, May Vacant: 3; Livingston, Seneca, Wayne. **See Resolution 135-2024**

The Legal Committee meeting adjourned at 11:00 a.m.

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Branch Operations Committee:

Committee Chairperson Burr reported the Branch Operations Committee meeting was held on Thursday December 12, 2024, at 9:00 a.m.

Director Burr reported that Ms. Dina Pane, General Manager of OTB Operations, provided a Branch Update

Director Burr reported that Ms. Pane provided an E-Z Bet and Batavia Bets Update

The Branch Committee meeting adjourned at 9:15 a.m.

New Business:

The next meeting is scheduled for January 15 and 16, 2025 respectively.

Adjournment:

Upon motion made by Director Horton to adjourn seconded by Director Rodriguez-Dabney the meeting was adjourned at p.m.

Respectfully submitted,

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

/pma

RESOLUTION - #102-2024

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 increase the Burly Brothers purchase order for 2024; and

WHEREAS, staff recommends that Western increase the 2024 Burly Brothers purchase order by \$10,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to increase the 2024 Burly Brothers purchase order by \$10,000.00 and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #102-2024 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #103-2024

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 increase the annual spend for split charges with Hart Hotel for 2024; and

WHEREAS, staff recommends that Western increase the 2024 annual spend for charges split with Hart Hotels to \$20,000.00 from \$15,000.00; and now therefore

BE IT RESOLVED, that Western’s Board of Directors agrees to increase the 2024 annual spend for charges split with Hart Hotels to \$20,000.00 from \$15,000.00; and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board’s actions.

Respectfully submitted,

Dated: December 12, 2024
 Batavia, New York

Resolution #103-2024 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION – #104-2024

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 provide for the annual spend for split charges with Hart Hotel for 2025; and

WHEREAS, staff recommends that Western provide for the split charges with Hart Hotels for 2025 at a cost not to exceed \$25,000.00; and now therefore

BE IT RESOLVED, that Western’s Board of Directors agrees to provide for the split charges with Hart Hotels for 2025 at a cost not to exceed \$25,000.00; and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board’s actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #104-2024 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #105-2024

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 increase the Sysco purchase order for 2024; and

WHEREAS, staff recommends that Western increase the 2024 Sysco purchase order by \$40,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to increase the 2024 Sysco purchase order by \$40,000.00 and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #105-2024 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #106-2024

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 arrange for online reservation hotel booking for 2025; and

WHEREAS, staff recommends that Western arrange for online hotel reservation booking through Booking.com for a total cost not to exceed \$35,000.00 in 2025; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to arrange for online hotel reservation booking through Booking.com for a total cost not to exceed \$35,000.00 in 2025; and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #106-2024 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #107-2024

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 arrange for online reservation hotel booking for 2025; and

WHEREAS, staff recommends that Western arrange for online hotel reservation booking through Expedia.com for a total cost not to exceed \$35,000.00 in 2025; and now therefore

BE IT RESOLVED, that Western’s Board of Directors agrees to arrange for online hotel reservation booking through Expedia.com for a total cost not to exceed \$35,000.00 in 2025; and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #107-2024 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca Vacant	[] 1	[]	[]	[X]
Paul Bartow	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

RESOLUTION - #108-2024

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 arrange for online reservation hotel booking for 2025; and

WHEREAS, staff recommends that Western arrange for online hotel reservation booking through Travel Click for a total cost not to exceed \$60,000.00 in 2025; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to arrange for online hotel reservation booking through Travel Click for a total cost not to exceed \$60,000.00 in 2025; and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #108--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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #109-2024

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 increase the Tarantino Foods purchase order for 2024; and

WHEREAS, staff recommends that Western increase the 2024 Tarantino Foods purchase order by \$30,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to increase the 2024 Tarantino Foods purchase order by \$30,000.00 and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #109-2024 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 Callan 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #110-2024

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 provide for an annual food and beverage spend for 2025 and

WHEREAS, staff recommends that Western provide an annual food and beverage spend for 2025 through a commodity bid for food vendors per the attached list at a cost not to exceed \$3,480,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to provide an annual food and beverage spend for 2025 through a commodity bid for food vendors per the attached list at a cost not to exceed \$3,480,000.00; and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

FOOD AND BEVERAGE 2025

VENDOR	AMOUNT
CH WRIGHT	\$ 300,000.00
EMPIRE MERCHANTS	\$ 175,000.00
JACOB KERN	\$ 95,000.00
JFS/CURTZE	\$ 170,000.00
PALMER FOODS	\$ 575,000.00
TRY-IT DIST. - SANZO BEVERAGE	\$ 175,000.00
SCHNEIDER'S SEAFOOD	\$ 100,000.00
SOUTHERN WINE	\$ 325,000.00
SYSCO-food	\$ 375,000.00
SYSCO-dishwasher lease	\$ 25,000.00
TARANTINO FOOD	\$ 175,000.00
US FOOD SERVICE	\$ 700,000.00
WARREN BROTHERS <i>BURLY</i>	\$ 70,000.00
LATINA	\$ 220,000.00
TOTAL	\$ 3,480,000.00

Resolution #110-2024 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 Callan 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #111-2024

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 increase the award to Electronic Field Productions (Resolution 2023-116) for the purpose of video and audio advertising conception and production for 2024; and

WHEREAS, staff recommends that Western increase the 2024 award to Electronic Field Productions by \$15,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to increase the 2024 award to Electronic Field Productions by \$15,000.00; and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #111-2024 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	[] 24	[X]	[]	[]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca Vacant	[] 1	[]	[]	[X]
Paul Bartow	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

RESOLUTION - #112-2024

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 purchase a 2025 Chevrolet Silverado with aluminum dump body; and

WHEREAS, after receiving two quotes, staff recommends that Western purchase the vehicle from Jim Barnard Chevrolet, Churchville, NY for \$72,321.62 pursuant to NYS OGS Award No. 23166 Contract No. PC68975; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to purchase the vehicle from Jim Barnard Chevrolet, Churchville, NY for \$72,321.62 pursuant to NYS OGS Award No. 23166 Contract No. PC68975; and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #112-2024 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 Callan 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca Vacant	[] 1	[]	[]	[X]
Paul Bartow	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

RESOLUTION - #113-2024

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 general liability insurance coverage for the hotel for the period from December 10, 2024 through May 30, 2025; and

WHEREAS, Western's agent, Lawley, solicited coverage from 10 different companies, and all declined since they could not meet the target price except Travelers Insurance Co who will supply the coverage for \$30,394.00; and

WHEREAS, staff recommends that Western accept the quote from Travelers in the amount of \$30,394.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors accepts the quote from Travelers in the amount of \$30,394.00; and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: November 13, 2024
 Batavia, New York

Resolution #113-2024 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 Bombardo 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #114-2024

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 agreement with BambooHR to provide HRIS software on a month-month basis for the period from January 1, 2025 through December 31, 2025; and

WHEREAS, there is a 5% discount available if the year is paid upfront saving approximately \$2,400.00; and

BE IT RESOLVED, that Western's Board of Directors agrees to obtain the service from BambooHR for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$48,400.00, 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: December 12, 2024
Batavia, New York

Resolution #114-2024 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 Winter and seconded by Director Rodriguez-Dabney 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #115-2024

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 renew its agreement with Kaseya US, LLC for Unitrends backup appliance, cloud storage and 24/7 support from January 1, 2025 through December 31, 2025; and

WHEREAS, staff recommends that Western renew its agreement with Kaseya US, LLC as Western has utilized Unitrends/Kaseya for the past 6 years and it houses all our current backups for a cost not to exceed \$28,684.45 for 2025; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to renew its agreement with Kaseya US, LLC for this service as Western has utilized Unitrends/Kaseya for the past 6 years and it houses all our current backups for a cost not to exceed \$28,684.45 for 2025; and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #115-2024 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 Horton and seconded by Director Bombardo 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #116-2024

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 annual service contract for 6 Kiosks from 8:00am to 5:00 pm, Monday to Friday, from December 1, 2024 through November 30, 2025; and

WHEREAS, staff recommends that the Board of Western obtain the service from Everi at a cost not to exceed \$48,695.14; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to obtain the service from Everi for the period of December 1, 2024 through November 30, 2025 at a cost not to exceed \$48,695.14, 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: December 12, 2024
Batavia, New York

Resolution #116-2024 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca Vacant	[] 1	[]	[]	[X]
Paul Bartow	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

RESOLUTION - #117-2024

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 annual maintenance contract for all Jet Scans, MPX machines, printers and strapper for the period from October 1, 2024 through September 30, 2025; and

WHEREAS, staff recommends that the Board of Western obtain the service from Cummins Allison Corp at a cost not to exceed \$43,047.08; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to obtain the service from Cummins Allison Corp for the period of October 1, 2024 through September 30, 2025 at a cost not to exceed \$43,047.08, 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: December 12, 2024
Batavia, New York

Resolution #117-2024 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	[]	8	[]		[]		[X]
Elliott Winter	[X]	8	[]		[]		[]
Vincent W. Horrigan	[]	5	[]		[]		[X]
Mark Bombardo	[X]	4	[]		[]		[]
Michael Horton	[X]	3	[]		[]		[]
Wayne Vacant	[]	3	[]		[]		[X]
Mark Burr	[X]	3	[]		[]		[]
Terrance Baxter	[X]	3	[]		[]		[]
Livingston Vacant	[]	2	[]		[]		[X]
Charles Zambito	[X]	2	[]		[]		[]
Susan May	[]	1	[]		[]		[X]
Edward Morgan	[X]	1	[]		[]		[]
Seneca Vacant	[]	1	[]		[]		[X]
Paul Bartow	[X]	1	[]		[]		[]

The Resolution was thereupon duly adopted.

RESOLUTION - #118-2024

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 armored car service five days a week with the exception of banking holidays for the period from January 1, 2025 through December 31, 2025; and

WHEREAS, staff recommends that the Board of Western to continue to obtain the service from Loomis at a cost not to exceed \$25,000.00; and now therefore

BE IT RESOLVED, that Western’s Board of Directors agrees to continue to obtain the service from Loomis for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$25,000.00, and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to execute an agreement that reflects the Board’s actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #118-2024 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 Bombardo 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #119-2024

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 increase the ways to effectively reach out to its guests and thus has started and maintained a text club where guests can opt into receiving messages from Western, and whereby Western can send out reminders and offers on its promotions and events to guests for the period from January 1, 2025 through December 31, 2025; and

WHEREAS, staff recommends that the Board of Western obtain the service from the Pidj at a cost not to exceed \$35,000.00 for the period from January 1, 2025 through December 31, 2025; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to obtain the service from the Pidj for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$35,000.00, 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: December 12, 2024
Batavia, New York

Resolution #119-2024 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	[] 24	[X]	[]	[]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca Vacant	[] 1	[]	[]	[X]
Paul Bartow	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

RESOLUTION - #120-2024

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 software that allows the gaming floor and Marketing staff to receive updates from the gaming machines when there are jackpots, vouchers outs/jams and when certain players deserving of special treatment arrive at the facility for the period from January 1, 2025 through December 31, 2025; and

WHEREAS, staff recommends that the Board of Western obtain the service from the William Ryan Group at a cost not to exceed \$16,500.00 for the period from January 1, 2025 through December 31, 2025; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to obtain the service from the William Ryan Group for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$16,500.00, 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: December 12, 2024
Batavia, New York

Resolution #120-2024 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 Callan 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #121-2024

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 USPS postage for postcards/direct mailings for the period from January 1, 2025 through December 31, 2025; and

WHEREAS, the United States Post Office (USPS) is the single source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from USPS at a cost not to exceed \$120,000.00 for the period from January 1, 2025 through December 31, 2025; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to obtain the service from USPS for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$120,000.00, and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #121-2024 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 Callan 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #122-2024

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 Tops Markets gift cards for use with hotel specials for the period from January 1, 2025 through December 31, 2025; and

WHEREAS, staff recommends that the Board of Western obtain the service from Cash Star at a cost not to exceed \$200,000.00 for the period from January 1, 2025 through December 31, 2025; and now therefore

BE IT RESOLVED, that Western’s Board of Directors agrees to obtain the service from Cash Star for the period of January 1, 2025 through December 31, 2025 at a cost 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: December 12, 2024
Batavia, New York

Resolution #122-2024 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca Vacant	[] 1	[]	[]	[X]
Paul Bartow	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

RESOLUTION - #123-2024

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 yearly maintenance and storage for the Player Tracking System for the period from January 1, 2025 through December 31, 2025; and
service; and

WHEREAS, staff recommends that the Board of Western obtain the service from Light and Wonder at a cost not to exceed \$53,667.21 for the period from January 1, 2025 through December 31, 2025; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to obtain the service from Light and Wonder for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$53,667.21, 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: December 12, 2024
Batavia, New York

Resolution #123-2024 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca Vacant	[] 1	[]	[]	[X]
Paul Bartow	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

RESOLUTION - #124-2024

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 advertising on Facebook/Instagram/Meta for the period from January 1, 2025 through December 31, 2025; and

WHEREAS, Meta/Facebook is the single source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from Meta/Facebook at a cost not to exceed \$20,000.00 for the period from January 1, 2025 through December 31, 2025; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to obtain the service from Meta/Facebook for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$20,000.00, 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: December 12, 2024
 Batavia, New York

Resolution #124-2024 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #125-2024

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 software that pulls together all monthly mailing lists for postcards and allows it to pull various lists for Hosts to drive traffic from the top players and to track in real time player preference to be able to provide customer service January 1, 2025 through December 31, 2025; and

WHEREAS, Game Changing Technologies/Quick Custom Intelligence (GCT) is the sole source provider; and

WHEREAS, staff recommends that the Board of Western obtain the service from the GCT at a cost not to exceed \$120,816.00 for the period from January 1, 2025 through December 31, 2025; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to obtain the service from GCT for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$120,816.00, 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: December 12, 2024
Batavia, New York

Resolution #125-2024 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 Bombardo 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca Vacant	[] 1	[]	[]	[X]
Paul Bartow	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

RESOLUTION - #126-2024

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 agreement with Valpak/Clipper to provide advertising in direct to homes Valpak and Clipper coupon mail pieces for the period from January 1, 2025 through December 31, 2025; and

WHEREAS, Valpak is the sole source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from Valpak at a cost not to exceed \$50,000.00 for the period from January 1, 2025 through December 31, 2025; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to obtain the service from Valpak for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$50,000.00, 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: December 12, 2024
Batavia, New York

Resolution #126-2024 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	[	]	24	[X]	[]	[]
James Wilmot	[X	]	20	[]	[]	[]
Crystal Rodriguez-Dabney	[X	]	10	[]	[]	[]
Dennis Bassett	[	]	8	[	]	[	]	[X]
Elliott Winter	[X	]	8	[]	[]	[]
Vincent W. Horrigan	[	]	5	[	]	[	]	[X]
Mark Bombardo	[X	]	4	[]	[]	[]
Michael Horton	[X	]	3	[]	[]	[]
Wayne Vacant	[	]	3	[	]	[	]	[X]
Mark Burr	[X	]	3	[]	[]	[]
Terrance Baxter	[X	]	3	[]	[]	[]
Livingston Vacant	[	]	2	[	]	[	]	[X]
Charles Zambito	[X	]	2	[]	[]	[]
Susan May	[	]	1	[	]	[	]	[X]
Edward Morgan	[X	]	1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #127-2024

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 renew its NYS Disability Insurance for the period from January 1, 2025 through December 31, 2025; and

WHEREAS, Western’s insurance agent, Lawley, has secured the coverage through Shelter Point Life at the same rate charged in 2024; and

WHEREAS, staff recommends that the Board of Western obtain the coverage from the Shelter Point Life at a cost not to exceed \$40,000.00 for the period from January 1, 2025 through December 31, 2025; and now therefore

BE IT RESOLVED, that Western’s Board of Directors agrees to obtain the coverage from the Shelter Point Life for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$40,000.00, 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: December 12, 2024
Batavia, New York

Resolution #127-2024 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 Bombardo 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #128-2024

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 provide for ads on tickets, signage on site and recognition when promoting events for the period from January 1, 2025 through December 31, 2025; and

WHEREAS, the Riviera Theatre is the single source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from the Riviera Theatre at a cost not to exceed \$25,000.00 for the period from January 1, 2025 through December 31, 2025; and now therefore

BE IT RESOLVED, that Western’s Board of Directors agrees to obtain the service from the Riviera Theatre for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$25,000.00, and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to execute an agreement that reflects the Board’s actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #128-2024 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	[] 24	[X]	[]	[]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #129-2024

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 arrange for consulting and advocacy services consisting of regulatory and legal representation; and

WHEREAS, Western advertised this service, and statements of qualifications and proposals were sent to 6 firms; and

WHEREAS, staff recommends that Western engage Mercury Public Affairs, LLC, 33 Elk St. Albany, NY 12207 to provide such services for \$10,000.00 per month from December 15, 2024 through May 15, 2025; and now therefore

BE IT RESOLVED, that Western's Board of Directors accepts the quote from Mercury Public Affairs, LLC to provide such services for \$10,000.00 per month from December 15, 2024 through May 15, 2025; and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #129-2024 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 Bombardo and seconded by Director Rodriguez-Dabney 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	[]	8	[]	[]	[]	[X]	[]
Elliott Winter	[X]	8	[]	[]	[]	[]	[]
Vincent W. Horrigan	[]	5	[]	[]	[]	[X]	[]
Mark Bombardo	[X]	4	[]	[]	[]	[]	[]
Michael Horton	[X]	3	[]	[]	[]	[]	[]
Wayne Vacant	[]	3	[]	[]	[]	[X]	[]
Mark Burr	[X]	3	[]	[]	[]	[]	[]
Terrance Baxter	[X]	3	[]	[]	[]	[]	[]
Livingston Vacant	[]	2	[]	[]	[]	[X]	[]
Charles Zambito	[X]	2	[]	[]	[]	[]	[]
Susan May	[]	1	[]	[]	[]	[X]	[]
Edward Morgan	[X]	1	[]	[]	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #130-2024

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 arrange for consulting and advocacy services consisting of regulatory and legal representation; and

WHEREAS, Western advertised for this service, and statements of qualifications and proposals were sent to 6 firms; and

WHEREAS, staff recommends that Western engage Masiello, Martucci & Associates, 438 Main St. Buffalo, NY 14202 to provide such services for \$10,000.00 per month from December 15, 2024 through May 15, 2025; and now therefore

BE IT RESOLVED, that Western's Board of Directors accepts the quote from Masiello, Martucci & Associates to provide such services for \$10,000.00 per month from December 15, 2024 through May 15, 2025; and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #130-2024 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 Bombardo and seconded by Director Wilmot 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #131-2024

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 retain Harris Beach PLLC in respect to its hotel expansion, CEO search committee, and general advice; and

WHEREAS, staff recommends that Western continue such engagement at a cost not to exceed \$100,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to continue such engagement at a cost not to exceed \$100,000.00 and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
 Batavia, New York

Resolution #131-2024 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 Rodriguez-Dabney and seconded by Director Wilmot 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #132-2024

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 its representation by Holland and Knight in respect to its Employee Retention Credit Application; and

WHEREAS, staff recommends that Western continue its representation by Holland and Knight in respect to its Employee Retention Credit Application for a sum not to exceed \$150,000.00; and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to continue its representation by Holland and Knight in respect to its Employee Retention Credit Application for a sum not to exceed \$150,000.00 and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
 Batavia, New York

Resolution #132-2024 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 Rodriguez-Dabney 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #133-2024

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 arrange for point of sale interface maintenance, as well as POS and IGS interface terminal maintenance software for 2025; and

WHEREAS, Agilysys was chosen pursuant to a public bid for the hardware dated May 1, 2023; and

WHEREAS, staff recommends that Western renew the agreement with Agilysys in the amount of \$26,351.06; and now therefore

BE IT RESOLVED, that Western's Board of Directors accepts the quote from Agilysys in the amount of \$26,351.06; and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #133-2024 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION - #134-2024

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 arrange for media and advertising consulting services; and

WHEREAS, staff recommend that Western engage Excel Media and Design after a review of 4 proposals that were submitted at a cost not to exceed 15% of the Gross Media Spend for 2025, and now therefore

BE IT RESOLVED, that Western's Board of Directors agrees to engage Excel Media and Design; and

BE IT FURTHER RESOLVED, that an officer of Western is authorized to execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #134-2024 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	[] 24	[X]	[]	[]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION #135-2024

WHEREAS, the Western Regional Off-Track Betting Corporation ("Western") has previously engaged the law firm of Hodgson Russ to represent Western regarding an ongoing personnel matter; and

WHEREAS, Western wishes to continue to engage Hodgson Russ to represent Western in its efforts to deal with any such personnel matters, including defending Western against any and all claims or actions brought against it, and to provide a legal defense to any such claim; and

WHEREAS, Western wishes to continue to engage Hodgson Russ to provide legal services to Western, and now be it

WHEREAS, we hereby authorize the law firm of Hodgson Russ to continue to defend the Michael Nolan lawsuit and prosecute any potential claims or counterclaims against Mike Nolan or any others associated with this matter to continue to provide legal services to Western in the additional amount of \$150.00 per hour not to exceed \$75,000.00; and now be it.

RESOLVED, the Board of Directors of Western wishes to continue to engage the law firm of Hodgson Russ to provide such continued legal services as outlined above; and further

RESOLVED, that the Board of Directors of Western hereby authorizes Western's legal counsel to continue to defend the Michael Nolan lawsuit and prosecute any potential claims or counterclaims against Michael Nolan or any others associated with this matter with Hodgson Russ to represent Western to continue to provide legal services to Western in the additional amount of \$150.00 per hour not to exceed \$75,000.00 as set forth in this resolution.

Respectfully Submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #135-2024 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 Rodriguez-Dabney and seconded by Director Wilmot 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	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[X] 3	[]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca Vacant	[] 1	[]	[]	[X]
Paul Bartow	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

RESOLUTION - #136-2024

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 desires to have Danny Gare make goodwill appearances on behalf of Western; and

WHEREAS, staff recommends that the Board of Western approve paying Danny Gare \$2,000.00 per appearance in 2025, not to exceed \$24,000.00 with the option to renew pursuant to contract details to be worked out between Western and Danny Gare; and now therefore

BE IT RESOLVED, that Western's Board of Directors approves paying Danny Gare \$2,000.00 per appearance in 2025, not to exceed \$24,000.00 with the option to renew, pursuant to contract details to be worked out between Western and Danny Gare; and

BE IT FURTHER RESOLVED, that an officer of Western is hereby authorized to prepare and execute an agreement that reflects the Board's actions.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #136-2024 Did not pass

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	[] 24	[X]	[]	[]
James Wilmot	[X] 20	[]	[]	[]
Crystal Rodriguez-Dabney	[] 10	[X]	[]	[]
Dennis Bassett	[] 8	[]	[]	[X]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[] 5	[]	[]	[X]
Mark Bombardo	[X] 4	[]	[]	[]
Michael Horton	[] 3	[X]	[]	[]
Wayne Vacant	[] 3	[]	[]	[X]
Mark Burr	[X] 3	[]	[]	[]
Terrance Baxter	[X] 3	[]	[]	[]
Livingston Vacant	[] 2	[]	[]	[X]
Charles Zambito	[X] 2	[]	[]	[]
Susan May	[] 1	[]	[]	[X]
Edward Morgan	[X] 1	[]	[]	[]
Seneca Vacant	[] 1	[]	[]	[X]
Paul Bartow	[] 1	[X]	[]	[]

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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary

RESOLUTION #137-2024

WHEREAS, as part of its ongoing patron attraction and retention program, Western Regional Off-Track Betting Corporation (“Western”) has in the past contracted with Mariacher Thomas LLC (“Mariacher”) for Thurman Thomas to act a Western’s spokesman; and

WHEAREAS, Western wishes to continue to engage Mariacher for purposes of having Thurman Thomas as Western’s spokesman; and

WHEREAS, Staff recommends that the Board of Directors of Western enter into a two (2) year extension of the agreement with Mariacher along the same terms as set forth in the original agreement for the amount of \$120,000.00 for the period January 1, 2025 to December 31, 2026; and; therefore

BE IT RESOLVED, that the Board of Directors of Western hereby approves entering a two (2) year extension with Mariacher for Thurman Thomas spokesman services for the amount of \$120,000.00; and further

RESOLVED, that the Board of Directors of Western hereby authorizes an officer of Western to execute an agreement in furtherance of this resolution.

Respectfully submitted,

Dated: December 12, 2024
Batavia, New York

Resolution #137-2024 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	[]	24	[X]	[]	[]	[]	[]
James Wilmot	[X]	20	[]	[]	[]	[]	[]
Crystal Rodriguez-Dabney	[X]	10	[]	[]	[]	[]	[]
Dennis Bassett	[]	8	[]	[]	[]	[X]	[]
Elliott Winter	[X]	8	[]	[]	[]	[]	[]
Vincent W. Horrigan	[]	5	[]	[]	[]	[X]	[]
Mark Bombardo	[X]	4	[]	[]	[]	[]	[]
Michael Horton	[X]	3	[]	[]	[]	[]	[]
Wayne Vacant	[]	3	[]	[]	[]	[X]	[]
Mark Burr	[X]	3	[]	[]	[]	[]	[]
Terrance Baxter	[X]	3	[]	[]	[]	[]	[]
Livingston Vacant	[]	2	[]	[]	[]	[X]	[]
Charles Zambito	[X]	2	[]	[]	[]	[]	[]
Susan May	[]	1	[]	[]	[]	[X]	[]
Edward Morgan	[X]	1	[]	[]	[]	[]	[]
Seneca 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 December 12, 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 12th day of December 2024.

Scott P. Kiedrowski, Secretary