

WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

Minutes of the regular meeting of the Board of Directors of the Western Regional Off-Track Betting Corporation, ("Western") held on the 23rd day of January 2025 and commencing at 10:01 a.m. in the *Boardroom*, Corporate Headquarters at 8315 Park Road Batavia, New York.

Participating was:

Absent:

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

constituting the Directors of all participating municipalities

Also participating were Byron W. Brown, President & CEO; 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, Howard Owens, The Batavian.

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

Chairman Bassett proceeded to conduct the meeting following the published Agenda for this regular meeting.

Chairman Bassett asked Director Black to lead the assemblage in the Pledge of Allegiance.

Approval of Previous Minutes:

Chairman Bassett called for amendments, additions, deletions, or corrections to the minutes of the previous meeting of December 12, 2024. There being none, a motion was made by Director Rodriguez-Dabney and seconded by Director Bartow to approve December 12, 2024, minutes as submitted. The minutes were approved unanimously by voice vote.

Chairman Bassett asked for nominations from the floor for the position of the Vice-Chairman of the Board of Directors. Director Horton nominated Director Morgan. Director Baxter seconded the nomination. Chairman Bassett moved to close the request for nominations seconded by Director Horrigan. A voice vote was taken and passed unanimously.

Newly elected Vice-Chairman Morgan thanked the members of the Board and looks forward to serving as Vice-Chairman.

Personnel Committee Report:

Committee Chairman Winter reported that the Personnel Committee meeting was held on Wednesday January 22, 2025, at 1:05 p.m.

Director Winter reported that at 1:05 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 2:36 p.m.

Director Winter reported that the salary grade for the Executive Office Manager position will move to a Grade 7 with a salary increase for that grade to reflect a range of \$90,000.00 to \$110,000.00 per year and to add the General Counsel position back into the salary grades due to the retirement of the President/CEO/General Counsel at a Grade 15 with a salary range of \$160,000.00 to \$180,000.00.

Upon motion by Director Winter and seconded by Director May a roll call vote was taken and passed. Ayes: 13; Nays: 1; Callan, Absent: 1; Wilmot; Vacant: 2; Livingston, Wayne.
See Resolution 23-2025

Personnel Committee Report:

Director Winter reported that Resolution 21-2025 was presented to amend the Executive Office Manager salary to \$105,737.60 effective October 24, 2024, it was mistakenly set at \$95,000.00 when it should have been set at \$105,737.60.

Upon motion by Director Winter and seconded by Director May a roll call vote was taken and passed. Ayes: 13; Nays: 1; Callan, Absent: 1; Wilmot; Vacant: 2; Livingston, Wayne. **See Resolution 21-2025**

Director Winter reported that there was a discussion regarding the Chief Financial Officer's contract amendment.

Upon motion by Director Winter and seconded by Director May a roll call vote was taken and did not pass. Ayes: 12; Nays: 2; Callan, Rodriguez-Dabney; Absent: 1; Wilmot; Vacant: 2; Livingston, Wayne.

Director Winter reported that the Personnel Committee agreed to table the two proposed employment contracts for the Chief Administrative Officer/Chief of Staff and Director of Communications.

The Personnel Committee adjourned at 2:39 p.m.

Finance Committee Report:

Committee Chairman Horton reported that the Finance Committee meeting was held on Wednesday January 22, 2025, at 2:45p.m.

Director Horton reported that Resolution 03-2025 was presented for ABC Cleaning Services for the additional two-year term of March 1, 2025, through February 28, 2027., at a monthly cost of \$8,905.97.

Upon motion by Director Winter and seconded by Director May a roll call vote was taken and passed. Ayes: 14; Nays: 0; Absent: 1; Wilmot; Vacant: 2; Livingston, Wayne. **See Resolution 03-2025**

Finance Committee Report continued:

Director Horton reported that Resolution 04-2025 was presented for ABC Cleaning Services for the additional two-year term of March 1, 2025, through February 28, 2027, at a monthly cost of \$2,901.93.

Upon motion by Director Horton and seconded by Director Morgan a roll call vote was taken and passed. Ayes: 14; Nays: 0; Absent: 1; Wilmot; Vacant: 2; Livingston, Wayne. **See Resolution 04-2025**

Director Horton reported that Mrs. Jacquelyne Leach, Chief Financial Officer, reviewed the November 2024 Chief Financial Officer Reports with Committee members. Mrs. Leach discussed the results of operations for branches and Batavia Downs. The Corporation will distribute \$43,853.91 in surcharge revenues to member municipalities for November.

The Finance Committee meeting adjourned at 3:45 p.m.

Advertising & Promotions Committee Report:

Committee Chairperson May called the Advertising & Promotions Committee meeting to order on Wednesday January 22, 2025, at 3:52 p.m.

Director May reported that Mr. Ryan Hasenauer, Vice President-Business Development, reviewed images of upcoming hotel offers. Also, reviewed were the recent events held on site including New Year's Eve parties and Polka Buzz. The Thurman Thomas tailgate party on January 5th provided an opportunity for staff to talk with local elected officials.

Director May reported that Mr. Hasenauer reviewed upcoming events including Valentine's Weekend Dinner and Brunch, the Meat Raffle to benefit Roswell Park, the Legends and Stars Sports Expo, and the Brew Fest.

Director May reported that Resolution 06-2025 was presented for Electronic Field Productions in an amount not to exceed \$50,000.00 for the one-year period from February 1, 2025, through January 31, 2026, with three one-year options after the request for proposals were sent to two vendors and three local papers and received only one response.

Advertising & Promotions Committee Report continued:

Upon motion by Director May and seconded by Director Rodriguez-Dabney, a roll vote was taken and passed. Ayes: 13; Nays: 1; Callan, Absent: 1; Wilmot; Vacant: 2; Livingston, Wayne. **See Resolution 06-2025**

Director May reported that the committee decided to merge Resolutions 07-20 into one.

Upon motion by Director May and seconded by Director Bombardo a roll call vote was taken and passed by slate. Ayes: 13; Nays: 1; Callan, Absent: 1; Wilmot; Vacant: 2; Livingston, Wayne. **See Resolution 07-2025 through Resolution 20-2025.**

The Advertising and Promotions Committee meeting adjourned at 4:38 p.m.

Batavia Downs Operations Committee Report:

Committee Chairman Morgan reported the Batavia Downs Operations Committee meeting was held on Wednesday January 22, 2025, at 4:39 p.m.

Director Morgan reported that Mr. Don Hoover, Director Live Racing, provided a live racing handle update that included the five winter race days to date.

Director Morgan reported that Mr. Sean S. Schiano, Vice President - Operation provided gaming statics to the Committee. There are 939 games on the floor.

Director Morgan reported that Resolution 02-2025 was presented for Barre Stone Products Inc. Western recommends accepting the bid from Barre Stone Products, Inc. in an amount not to exceed \$50,000.00 annually with a 2-year contract, 1/31/25 – 12/31/27, with 2-year options to renew in an annual amount not to exceed \$50,000.00, which sum is an estimated annual cost savings of \$6,000.00 compared to previous pricing.

Upon motion by Director Morgan and seconded by Director Bartow a roll call vote was taken and passed. Ayes: 14; Nays: 0; Absent: 1; Wilmot; Vacant: 2; Livingston, Wayne. **See Resolution 02-2025**

Batavia Downs Operations Committee Report continued:

Resolution 05-2025 was presented for Sysco Syracuse, LLC to approve a supplemental purchase order in the amount of \$6,162.04 with Sysco for food and related items through the end of 2024.

Upon motion by Director Morgan and seconded by Director Horton a roll call vote was taken and passed. Ayes: 14; Nays: 0; Absent: 1; Wilmot; Vacant: 2; Livingston, Wayne. **See Resolution 05-2025**

The Batavia Downs Operations committee meeting adjourned at 4:55 p.m.

Legal Committee Report:

Committee Chairperson Rodriguez-Dabney reported the Legal Committee meeting was held on Wednesday January 22, 2025, at 5:00 p.m.

Director Rodriguez-Dabney reported at 5:00 p.m. Director Zambito made a motion to enter into Executive Session seconded by Director Horrigan 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 unanimously.

Director Rodriguez-Dabney reported that the Legal Committee came out of Executive Session at 5:30 p.m.

Director Rodriguez-Dabney reported that Resolution 01-2025 was presented for Schroder Joseph & Associates, LLC to authorize Western to make a settlement payment of \$20,000.00 directly through its attorneys Schroder, Joseph & Associates LLC.

Upon motion by Director Rodriguez-Dabney and seconded by Director Baxter a roll call vote was taken and passed. Ayes: 14; Nays: 0; Absent: 1; Wilmot; Vacant: 2; Livingston, Wayne. **See Resolution 01-2025**

Director Rodriguez-Dabney reported that Wester will continue its legal representation by Gallo & Iacovangelo LLP as Associate Counsel with a retainer fee at \$100,000 effective January 1, 2025

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Legal Committee Report continued:

Upon motion by Director Rodriguez-Dabney and seconded by Director Horrigan a roll call vote was taken and passed to continue its legal representation by Gallo & Iacovangelo LLP as Associate Counsel with a retainer fee at \$100,000 effective January 1, 2025. Ayes: 13; Nays: 1; Callan; Absent: 1; Wilmot; Vacant: 2; Livingston, Wayne. **See Resolution 22-2025**

The Legal Committee meeting adjourned at 5:30 p.m.

Branch Operations Committee:

Committee Chairperson Burr reported the Branch Operations Committee meeting was held on Thursday January 23, 2025, at 8:30 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.

Director Burr reported that Mr. Scott P. Kiedrowski, Chief Operating Officer, discussed a detailed analysis of the branches that is still ongoing.

The Branch Committee meeting adjourned at 9:10 a.m.

Audit Committee Report:

Committee Chairman Zambito reported the Audit Committee meeting was held on Thursday January 23, 2025, at 9:20 a.m.

Director Zambito reported that Mr. Steve Haigh, Internal Auditor, held a discussion that included the Minimum Internal Control Standards (MICS) update for 2025, and the recent approval of Corporate Policies.

The Audit Committee meeting adjourned at 9:32 a.m.

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Legislative Committee Report:

Committee Chairperson Bombardo reported the Legislative Committee meeting was held on Thursday January 23, 2025, at 9:33.

Director Bombardo reported that Mr. Byron W. Brown, President & CEO traveled to Albany for the State of the State. He reported that Mr. Brown met with elected leaders of Albany for discussions that included tax reduction, Igaming, OTB statutory payment reduction, and EZ-Bet 40-mile restriction.

The Legislative Committee meeting adjourned at 9:50 a.m.

Insurance Committee Report:

The Insurance Committee did not meet.

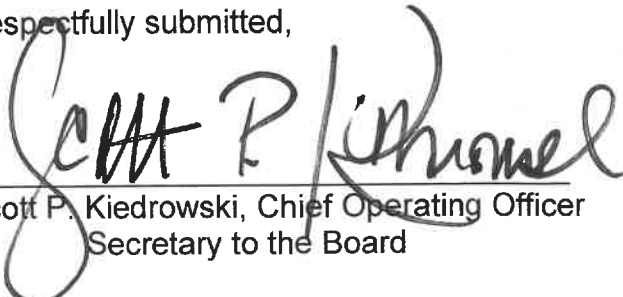
New Business:

The next meeting is scheduled for February 26 and 27, 2025 respectively.

Adjournment:

Upon motion by Director Morgan, seconded by Director Baxter, the meeting was adjourned at 10:36 a.m.

Respectfully submitted,



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

/pma

RESOLUTION - 01-2025

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 has entered into a settlement agreement for pending litigation; and

WHEREAS, the settlement agreement requires a \$20,000.00 payment to be made through Western’s attorneys, Schroder, Joseph & Associates LLC; and

WHEREAS, staff recommends that Western make this settlement payment of \$20,000.00 directly through its attorneys Schroder, Joseph & Associates LLC; and now therefore

BE IT RESOLVED, that Western’s Board of Directors hereby authorizes the settlement payment of \$20,000.00 as set forth above; 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: January 23, 2025
 Batavia, New York

Resolution #01-2025 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 Baxter which results were as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[X] 24	[]	[]	[]
James Wilmot	[] 20	[]	[]	[X]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
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	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Kyle Black	[X] 1	[]	[]	[]
Paul Bartow	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

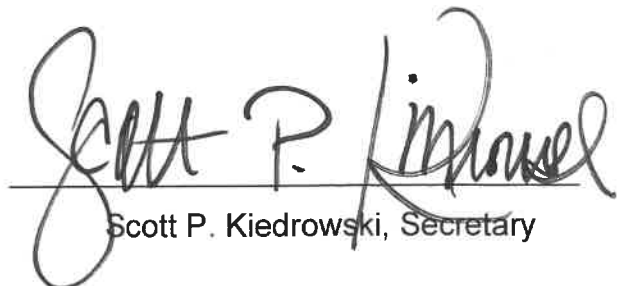
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 January 23, 2025 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 23rd day of January 2025.


Scott P. Kiedrowski, Secretary

RESOLUTION - #02-2025

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 requires aggregate stone materials to maintain the racetrack as well as ice control sand; and

WHEREAS, Western placed legal notices for public bids in Buffalo, Rochester and Batavia and as a result sent bid specification packages to three vendors; and

WHEREAS, Western received one response, that being from Barre Stone Products, Inc. West Lee Road, Albion, NY with the following pricing:

Item 1: ¼ inch screenings

Truckload per ton - \$18.50

Delivery per ton - \$7.25; and

Item 2: Ice control sand

Truckload per ton - \$19.50

Delivery per ton - \$7.25; and

WHEREAS, the bid pricing received will result in an annual not to exceed amount of \$50,000.00, which sum is an estimated annual cost savings of \$6,000.00 compared to previous pricing; and

WHEREAS, staff recommends that Western accept the bid from Barre Stone Products, Inc. in an amount not to exceed \$50,000.00 annually with a 2 year contract, 1/31/25 – 12/31/27, with 2 year options to renew; and now therefore

BE IT RESOLVED, that Western’s Board of Directors hereby accepts the bid from Barre Stone Products, Inc. in an amount not to exceed \$50,000.00 annually with a 2 year contract, 1/31/25 – 12/31/27, with 2 year options to renew; 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: January 22, 2025
Batavia, New York

Resolution #02-2025 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	[] 20	[]	[]	[X]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
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	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Kyle Black	[X] 1	[]	[]	[]
Paul Bartow	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

RESOLUTION - #03-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to maintain facilities in Erie County for patronage by its customers; and

WHEREAS, Western previously invited bids for a two (2) year cleaning service contract; with an option to renew; and

WHEREAS, on February 9, 2023, a public bid was held, and proposals were opened and read. The Board of Directors accepted the bid of ABC Cleaning Services, Buffalo, for such Erie County cleaning contract; and

WHEREAS, the ABC Cleaning Services bid was for a monthly cost of \$8,905.97 for the term of March 1, 2023 through February 28, 2025 with an option to renew at the same terms and pricing of the original bid; and

WHEREAS, staff recommends that Western exercise the option to renew with ABC Cleaning Services for an additional two years, March 1, 2025 through February 28, 2027 at a monthly cost of \$8,905.97; and now therefore

BE IT RESOLVED, that Western's Board of Directors hereby authorizes the exercise of the option with ABC Cleaning Services for the term of March 1, 2025 through February 28, 2027 at a monthly cost of \$8,905.97; 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: January 22, 2025
Batavia, New York

Resolution #03-2025 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 Bartow which results were as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[X] 24	[]	[]	[]
James Wilmot	[] 20	[]	[]	[X]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
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	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Kyle Black	[X] 1	[]	[]	[]
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 January 23, 2025 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 23rd day of January 2025.


Scott P. Kiedrowski, Secretary

RESOLUTION - #04-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to maintain its facility in Niagara County for patronage by its customers and;

WHEREAS, Western previously invited bids for a two (2) year cleaning service contract; with an option to renew; and

WHEREAS, on February 9, 2023, a public bid was held, and proposals were opened and read. The Board of Directors accepted the bid of ABC Cleaning Services, Buffalo, New York for such Niagara County cleaning contract; and

WHEREAS, the ABC Cleaning Services bid was for a monthly cost of \$2,901.93 for the term of March 1, 2023 through February 28, 2025 with an option to renew at the same terms and pricing of the original bid; and

WHEREAS, staff recommends that Western exercise the option to renew with ABC Cleaning Services for an additional two years, March 1, 2025 through February 28, 2027 at a monthly cost of \$2,901.93; and now therefore

BE IT RESOLVED, that Western’s Board of Directors hereby authorizes the exercise of the option with ABC Cleaning Services for the term of March 1, 2025 through February 28, 2027 at a monthly cost of \$2,901.93; 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: January 22, 2025
Batavia, New York

Resolution #04-2025 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 Morgan which results were as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[X] 24	[]	[]	[]
James Wilmot	[] 20	[]	[]	[X]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
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	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Kyle Black	[X] 1	[]	[]	[]
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 January 23, 2025 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 23rd day of January 2025.


Scott P. Kiedrowski, Secretary

RESOLUTION - #05-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to provide the best dining experience to its patrons at Western’s Batavia Downs restaurants; and

WHEREAS, Western had previously approved a 2024 purchase order for food and related items from Sysco Syracuse LLC. (“Sysco”); and

WHEREAS, Western requires a supplemental purchase order in the amount of \$6,162.04 for use by the Food and Beverage Department through the end of 2024; and

WHEREAS, staff requests the board of Directors of Western approve a supplemental purchase order in the amount of \$6,162.04 with Sysco for food and related items through the end of 2024.

BE IT RESOLVED, that the Western Board of Directors hereby approves a supplemental purchase order in the amount of \$6,162.04 from Sysco through the end of 2024: 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: January 23, 2025
Batavia, New York

Resolution #05-2025 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	[] 20	[]	[]	[X]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
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	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Kyle Black	[X] 1	[]	[]	[]
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 January 23, 2025 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 23rd day of January 2025.



Scott P. Kiedrowski, Secretary

RESOLUTION - #06-2025

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 Video and Audio production services for the year; and

WHEREAS, Western sent the request for proposals to two vendors and three local papers and received only one response; and

WHEREAS, Electronic Field Productions Inc submitted a response at \$125 per hour for Video or Audio, and \$190 per hour for Editing with a 1 year contract and 3 one year options; and

WHEREAS, staff recommends that the Board of Western obtain the service from Electronic Field Productions Inc. in an amount not to exceed \$50,000.00 for the one year period from February 1, 2025 through January 31, 2026 with 3 one year options; and now therefore

BE IT RESOLVED, that Western’s Board of Directors agrees to obtain the service from Electronic Field Productions Inc for the period from February 1, 2025 through January 31, 2026 at a cost not to exceed \$50,000.00 with 3 one year options, 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: January 23, 2025
Batavia, New York

Resolution #06-2025 shall take effect immediately upon adoption.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, motion was made by Director May and seconded by Director 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	[20	[]	[]	[X
Crystal Rodriguez-Dabney	[X	10	[]	[]	[
Dennis Bassett	[X	8	[]	[]	[
Elliott Winter	[X	8	[]	[]	[
Vincent W. Horrigan	[X	5	[]	[]	[
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	[X	1	[]	[]	[
Edward Morgan	[X	1	[]	[]	[
Kyle Black	[X	1	[]	[]	[
Paul Bartow	[X	1	[]	[]	[

The Resolution was thereupon duly adopted.

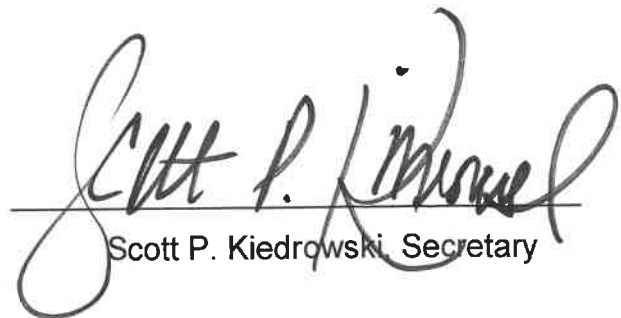
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 January 23, 2025 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 23rd day of January 2025.


Scott P. Kiedrowski, Secretary

RESOLUTION - #07-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western wishes to advertise with the Audacy Media Company including its stations in Buffalo and Rochester; and

WHEREAS, the Audacy Media Company is the sole source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from the Audacy Media Company at a cost not to exceed \$80,000.00 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 Audacy Media Company for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$80,000.00, 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: January 23, 2025
 Batavia, New York

:

RESOLUTION - #08-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western wishes to advertise with the Cumulus Media Company including its radio stations in Buffalo; and

WHEREAS, the Cumulus Media Company is the sole source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from the Cumulus Media Company at a cost not to exceed \$60,000.00 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 Cumulus Media Company for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$60,000.00, 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: January 23, 2025
 Batavia, New York

RESOLUTION - #09-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western wishes to advertise with the Spectrum Media Company cable stations in Buffalo, Rochester and Syracuse; and

WHEREAS, the Spectrum Media Company is the sole source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from the Spectrum Media Company at a cost not to exceed \$150,000.00 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 Spectrum Media Company for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$150,000.00, 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: January 23, 2025
 Batavia, New York

RESOLUTION - #10-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western wishes to advertise with the Sinclair Media Company stations in Buffalo and Rochester; and

WHEREAS, the Sinclair Media Company is the sole source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from the Sinclair Media Company 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 the Sinclair Media Company 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: January 23, 2025
 Batavia, New York

RESOLUTION - # 11-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western wishes to advertise with the Nexstar Media Company stations in Buffalo and Rochester; and

WHEREAS, the Nexstar Media Company is the sole source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from the Nexstar Media Company at a cost not to exceed \$250,000.00 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 Nexstar Media Company for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$250,000.00, 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: January 23, 2025
Batavia, New York

RESOLUTION - #12-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western wishes to advertise with the Hubbard Media Company station (WHEC Channel 10) in Rochester; and

WHEREAS, the Hubbard Media Company is the sole source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from the Hubbard Media Company at a cost not to exceed \$75,000.00 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 Hubbard Media Company for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$75,000.00, 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: January 23, 2025
 Batavia, New York

RESOLUTION - #13-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western wishes to advertise with the iHeart Media Company radio stations including WHAM 1180, Hot Talk 1280, and others; and

WHEREAS, the iHeart Media Company is the sole source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from the iHeart Media Company 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 iHeart Media Company 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: January 23, 2025
 Batavia, New York

RESOLUTION - #14-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western wishes to advertise with the Katz Media-Spotify radio stations; and

WHEREAS, the Katz Media-Spotify is the sole source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from the Katz Media-Spotify 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 the Katz Media-Spotify 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: January 23, 2025
 Batavia, New York

RESOLUTION - #15-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western wishes to advertise with the Scripps Media Company station (WKBW Channel 7) in Buffalo; and

WHEREAS, the Scripps Media Company is the sole source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from the Scripps Media Company at a cost not to exceed \$55,000.00 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 Scripps Media Company for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$55,000.00, 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: January 23, 2025
 Batavia, New York

RESOLUTION - #16-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western wishes to advertise with the Majic Tones Media Company radio stations including WBTA in Batavia, New York; and

WHEREAS, the Majic Tones Media Company is the sole source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from the Majic Tones Media Company 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 Majic Tones Media Company 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: January 23, 2025
 Batavia, New York

RESOLUTION - #17-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western wishes to advertise with the Stevens Media Company radio stations including WARM 101>3 and others in Rochester, New York; and

WHEREAS, the Stevens Media Company is the sole source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from the Stevens Media Company 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 the Stevens Media Company 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: January 23, 2025
 Batavia, New York

RESOLUTION - #18-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation (“Western”) to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western wishes to advertise with the Tenga Media Company station (WGRZ Channel 2) in Buffalo; and

WHEREAS, the Tenga Media Company is the sole source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from the Tenga Media Company at a cost not to exceed \$225,000.00 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 Tenga Media Company for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$225,000.00, 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: January 23, 2025
 Batavia, New York

RESOLUTION - #19-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western wishes to advertise with WUFO radio in Buffalo, New York; and

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

WHEREAS, staff recommends that the Board of Western obtain the service from WUFO 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 WUFO 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: January 23, 2025
 Batavia, New York

RESOLUTION - #20-2025

WHEREAS, it is the corporate responsibility of the Western Regional Off-Track Betting Corporation ("Western") to operate its various locations including its Batavia Downs Gaming location in a safe and efficient manner, while providing the best experience available to our patrons and employees; and

WHEREAS, Western wishes to advertise with the Townsquare Media Company radio stations including WYRK, WBLK, and others; and

WHEREAS, the Townsquare Media Company is the sole source provider for this service; and

WHEREAS, staff recommends that the Board of Western obtain the service from the Townsquare Media Company at a cost not to exceed \$15,000.00 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 Townsquare Media Company for the period of January 1, 2025 through December 31, 2025 at a cost not to exceed \$15,000.00, 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: January 23, 2025
Batavia, New York

Resolution #07 - #20 - 2025 shall take effect immediately upon adoption.

The question of the adoption of the foregoing Resolutions #07-#20 was duly put to a vote by slate on roll call, motion was made by Director May and seconded by Director Bombardo which results were as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[] 24	[X]	[]	[]
James Wilmot	[] 20	[]	[]	[X]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
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	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Kyle Black	[X] 1	[]	[]	[]
Paul Bartow	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

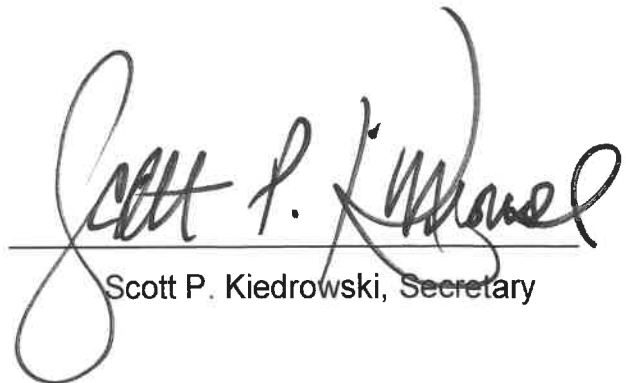
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 January 23, 2025 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 23rd day of January 2025.



Scott P. Kiedrowski, Secretary

RESOLUTION - #21-2025

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 amend the salary set forth for Pauline Andrews as the Executive Office Manager; and

WHEREAS, Western advised Pauline Andrews that her salary would increase by \$20,000.00 upon accepting and starting her new position on October 24, 2024; and

WHEREAS, Western mistakenly set her new salary at \$95,000.00 when it should have been set at \$105,737.60; and

WHEREAS, staff recommends that Western amend her salary to \$105,737.60 effective October 24, 2024; and now therefore

BE IT RESOLVED, that Western's Board of Directors hereby amends her salary to \$105,737.60 effective October 24, 2024; 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: January 23, 2025
 Batavia, New York

Resolution #21-2025 shall take effect immediately upon adoption.

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

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[] 24	[X]	[]	[]
James Wilmot	[] 20	[]	[]	[X]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
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	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Kyle Black	[X] 1	[]	[]	[]
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 January 23, 2025 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 23rd day of January 2025.


Scott P. Kiedrowski, Secretary

RESOLUTION - #22-2025

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 intends to continue its legal representation by Gallo & Iacovangelo LLP as Associate Counsel; and

WHEREAS, the current annual retainer/fee paid to Gallo & Iacovangelo LLP as Associate Counsel is \$76,800.00; and

WHEREAS, the amount of time spent by Gallo & Iacovangelo LLP is ever increasing and the law firm has agreed to also function as General Counsel for the next few months until General Counsel is hired; and ,

WHEREAS, Western needs to review and reset the annual retainer/fee to be paid to Gallo & Iacovangelo LLP; and staff recommends that Western set the retainer/annual fee at \$100,000.00 effective January 1, 2025; and now therefore

BE IT RESOLVED, that Western's Board of Directors hereby sets the annual retainer/fee for Gallo & Iacovangelo as Associate Counsel at \$100,000.00 effective January 1, 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: January , 2025
 Batavia, New York

Resolution #22-2025 shall take effect immediately upon adoption.

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

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[] 24	[X]	[]	[]
James Wilmot	[] 20	[]	[]	[X]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
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	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Kyle Black	[X] 1	[]	[]	[]
Paul Bartow	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

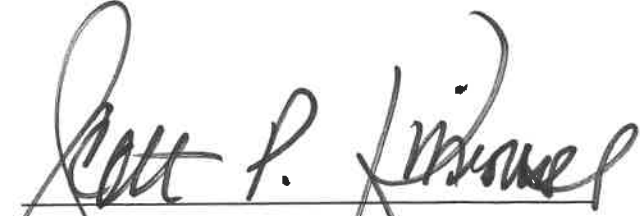
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 January 23, 2025 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 23rd day of January 2025.



Scott P. Kiedrowski, Secretary

RESOLUTION - #23-2025

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 update salary grades to reflect two recent changes; and

WHEREAS, Western needs to move the Executive Office Manager position to a Grade 7 with a salary increase for that grade to reflect a range of \$90,000.00 to \$110,000.00 per year as opposed to \$80,000.00 to \$95,000.00 per year; and

WHEREAS, Western needs to add the General Counsel position back into the salary grades due to the retirement of the President/CEO/General Counsel at a Grade 15 with a salary range of \$160,000.00 to \$180,000.00; and

WHEREAS, staff recommends that the Board of Western make these two adjustments to the salary grades 7 and 15; and now therefore

BE IT RESOLVED, that Western’s Board of Directors does authorize the adjustment of salary grades 7 and 15 to reflect these changes, 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: January 23, 2025
Batavia, New York

Resolution #23-2025 shall take effect immediately upon adoption.

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

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Timothy Callan	[] 24	[X]	[]	[]
James Wilmot	[] 20	[]	[]	[X]
Crystal Rodriguez-Dabney	[X] 10	[]	[]	[]
Dennis Bassett	[X] 8	[]	[]	[]
Elliott Winter	[X] 8	[]	[]	[]
Vincent W. Horrigan	[X] 5	[]	[]	[]
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	[X] 1	[]	[]	[]
Edward Morgan	[X] 1	[]	[]	[]
Kyle Black	[X] 1	[]	[]	[]
Paul Bartow	[X] 1	[]	[]	[]

The Resolution was thereupon duly adopted.

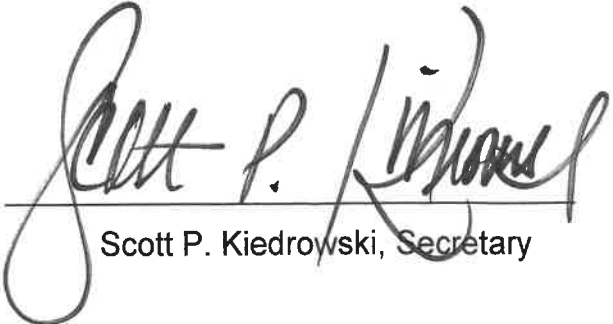
STATE OF NEW YORK)
) SS:
COUNTY OF GENESEE)

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 January 23, 2025 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 23rd day of January 2025.


Scott P. Kiedrowski, Secretary