

Inter-County Association of Western New York

Representing the Counties of Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Tompkins, Wayne, Wyoming, and Yates.

RESOLUTION NO. 2022-04-IC

IN OPPOSITION TO SENATE BILL S7855 AS IT RELATES TO THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE WESTERN REGIONAL OFF-TRACK BETTING CORPORATION

Motioned by: Rochelle M. Stein (*Genesee*)

Seconded by: Mitch Rowe (*Seneca*)

WHEREAS, Western Region Off-Track Betting Corporation (WROTB) is a public benefit corporation with headquarters in Batavia, New York, and

WHEREAS, WROTB is owned and operated by 15 Western New York counties and the cities of Rochester and Buffalo, and

WHEREAS, the corporation owns and operates 11 off-track betting branches, 27 E-Z Bet locations and a telephone wagering service in 15 Western New York counties, as well as Batavia Downs Gaming, a standard bred racetrack and gaming facility, and

WHEREAS, since its inception, WROTB has generated over \$250 million in operating and surcharge revenues to the taxpayers of those participating municipalities, and

WHEREAS, throughout its long history of serving the 15 counties and two cities that comprise the corporation, the Board of Directors of WROTB has been comprised of one representative from each of the 17 municipalities, and

WHEREAS, in 1973, the Genesee County Legislature passed by resolution legislation that authorized and empowered Genesee County to participate in the WROTB that had recently been created by the state and signed by then Governor Nelson Rockefeller, and

WHEREAS, the 1973 legislation passed by the Genesee County Legislature was passed with the stipulation that it was "subject to permissive referendum and shall become effective in accordance with Section 24 of the Municipal Home Rule Law of the State of New York", and

WHEREAS, New York State Senator Timothy M. Kennedy (D - Buffalo) has recently proposed Senate Bill S7855, an act to "amend the racing, pari-mutuel wagering and breeding law, in relation to the membership of the Board of Directors of the WROTB, and

WHEREAS, Senator Kennedy's proposal calls for revising the current fair and equitable representation of the Board of Directors to three members to represent the counties of Monroe, Wyoming, and Orleans; a single member to represent the counties of Chautauqua, Cayuga, Genesee, Livingston, Schuyler, and Seneca; four members to represent Erie County; one member to represent Niagara County, a lone member to represent the counties of Oswego, Cattaraugus, and Orleans; one member to represent the City of Buffalo, one member to represent the City of Rochester, one member appointed by the governor, one member appointed by the temporary president of the senate, and one member appointed by the speaker of the assembly, and

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WHEREAS, under Senate Bill S7855, Steuben County isn't provided any representation on the WROTB Board of Directors even though they have been a member of WROTB since 1973; and

WHEREAS, Senator Kennedy's bill states that its intent is to "provide more equal representation of the people of the area who benefit from proceeds from said corporation", and

WHEREAS, this legislation will in fact have the opposite effect of the stated intention in the bill, as it will decimate the balanced representation formula determined previously by both the state legislature and governor as equitable and impartial, with a clear and explicit intent of providing each municipality that comprises the corporation an equal voice in WROTB matters, and,

WHEREAS, the performance and accomplishments of the current WROTB Board and leadership cannot be discounted when considering this drastic and overreaching legislation, including, but not limited to: the acquisition of an 84-room hotel on the grounds of Batavia Downs that has drawn rave reviews, countless fundraising events for charitable organizations that have benefitted thousands of families across western New York, including Make-A-Wish, the Batavia Police Department K-9 Unit, the Genesee County K-9 Unit, GLOW YMCA, Food Bank of Western New York, and the Breast Cancer Coalition of Rochester, and

WHEREAS, in 2021, Batavia Downs once again shattered attendance and wager records, with more than 625,000 attendees wagering nearly \$700 million this past year alone, leading to record earnings, distributions for the 17 municipalities that have come to rely on their WROTB distributions to balance their local budgets while reducing the property tax burden for businesses and homeowners, and

WHEREAS, the current WROTB Board and leadership have successfully led the corporation through in incredibly difficult period in history, the Covid-19 pandemic, that has ravaged similar entities across the State and the County, and

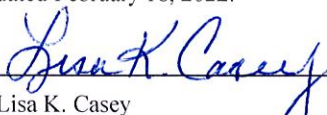
WHEREAS, WROTB currently has 385 full- and part-time employees with a payroll of \$12.5 million; individuals and families from every corner of our region, and all whom could be negatively impacted by this drastic proposal. Now, therefore be it

RESOLVED, that Inter-County Association of Western New York does vehemently oppose Senate Bill S7855, as it will cause irreparable harm to our counties, its interests in WROTB, the economic interests in Western New York, and the taxpayers. Inter-County Association of Western New York does hereby call upon members of the New York State Senate to reject S7855. Therefore, be it further

RESOLVED, that the Secretary of the Inter-County Association of Western New York immediately transmit a true copy of this resolution to Governor Kathy Hochul, Senate and Assembly, Inter-County Association of Western New York, New York State Association of Counties, and such other persons deemed necessary and appropriate.

This is to Certify that I, the undersigned, Secretary of the Inter-County Association of Western New York, have compared the foregoing copy of resolution with the original resolution now on file in this office and which was duly adopted by the Association at a session held on the 18th day of February 2022 and that the same is a true copy of said original and of the whole thereof.

In Witness Whereof, I have hereunto subscribed my name and affixed the official seal of the Inter-County Association of Western New York dated February 18, 2022.



Lisa K. Casey
Inter-County Association of Western New York



Sponsored by: Genesee County, Moved by: R. Stein, Seconded by: M. Rowe (*Seneca*)

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