



NEW YORK STATE SENATOR

Sean M. Ryan

State Legislators Ask Inspector General, Attorney General To Review Illegal Otb Buyouts

SEAN M. RYAN August 21, 2024

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Assemblymember Monica Wallace, Senator Sean Ryan, and Erie County Comptroller Kevin Hardwick call on OTB board to rescind illegal buyouts, July 12, 2024

Legal Analysis Shows Western Regional OTB Buyouts Totaling Over Half a Million Dollars Violate Severance Pay Limitation Act

BUFFALO – Today, August 21, 2024, New York State Senator Sean Ryan and Assemblymember Monica Wallace announced they are urging New York State to review

severance packages recently granted by Western Regional OTB to three of its officers who are stepping down from their positions amidst allegations of impropriety.

Senator Ryan and Assemblymember Wallace last month called on the WROTB board of directors to rescind the wasteful buyouts totaling more than half a million dollars at their next meeting. Further analysis of the Public Authorities Law has supported the legislators' claims that the buyouts violated the Severance Pay Limitation Act. Today, the legislators sent a [joint letter and supporting memo](#) to the New York State Office of the Inspector General and the New York State Office of the Attorney General outlining their conclusions and urging both offices to review the legality of the buyouts.

The Severance Pay Limitation Act, which Assemblymember Wallace passed in 2019 with support from Senator Ryan, then a member of the New York State Assembly was passed in the wake of a similar golden parachute buyout at the Erie County Water Authority. It limits severance packages for at-will employees at public-benefit authorities to three months' salary. Yet the severance packages awarded to all three departing WROTB executives are above the three-month threshold. The package for CEO Wojtaszek, who is already among the highest paid public officials in New York, is for an entire year's salary.

Assemblymember Wallace and Senator Ryan worked with the Legislature to pass changes reforming Western Regional OTB in an effort to curb abuses of public funds. Those changes include introducing weighted voting to ensure residents of larger counties like Erie County have equal representation on the OTB Board. Notwithstanding these changes, however, WROTB board members have continued to allow fiscal misconduct.

Western Regional OTB is a public-benefit corporation that exists for the benefit of 15 counties in Western New York, as well as the cities of Buffalo and Rochester. It operates dozens of betting parlors, as well as a racetrack, hotel, and casino in Batavia. Proceeds from its operations are to be distributed back to the municipalities, helping to reduce the local tax burden and paying for much-needed county and city services. By awarding these lucrative buyouts to departing executives, WROTB is wasting money that would otherwise be distributed back to the municipalities. The three severance packages alone exceed the entire revenue share provided to 12 of the 15 counties in 2022.

Western Regional OTB has a well-documented history of misusing public resources under Wojtaszek's leadership. In 2021, New York State Comptroller Thomas DiNapoli issued two audits, one that found that hundreds of Buffalo Bills, Buffalo Sabres, and concert tickets purchased by WROTB and intended to be given to players as incentives were instead used by WROTB executives and board members, who then racked up thousand-dollar concession bills for food and alcohol. The Comptroller also cited the impropriety of OTB giving free, high-end health, dental, and vision insurance for board members.

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