

CITY OF BATAVIA

BUSINESS MINUTES

APRIL 9, 2018

The regular business meeting of the City Council was held Monday, April 9, 2018 at 7:00 PM in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Jankowski presiding.

Present were Council President Jankowski and Councilpersons Pacino, Briggs, McGinnis, Tabelski, Canale, Bialkowski, Christian, and Viele.

Council President Jankowski called the meeting to order at 7:00 PM. Councilperson Canale led the Lord's Prayer and the Pledge of Allegiance.

The minutes from the March 2018 meetings and the February 2018 financials were approved.

The Council President assigned the regular agenda items.

* * *

Communications

Batavia Muckdogs, Inc, submitted a liquor license application. There was no objection from the police department. Council approved.

* * *

Council President's Report

Council President Jankowski announced the next regular City Council Conference meeting would be held Monday, April 23, 2018 in the City Hall Council Board Room, 2nd Floor, City Centre.

* * *

City Attorney's Report

Mr. David Fitch reported that the City Attorney continued to work on an array of projects but there was nothing specific to report.

* * *

City Manager's Report

Matt Worth, Interim City Manager, noted that City staff attended the Home Show and was well received. Mr. Worth noted that mall operations started last week and working on successful relationships with the mall merchants. He stated that the State Comptroller's audit was received via e-mail and he would make that report public once the hard copy was received. Mr. Worth reported that the police attended the job fair at GCC, approval was received from DOT for the Memorial Day parade, and the City was in full swing with pothole season and actively trying to manage that process. Councilperson Canale noted that while he was at the Home Show one of the mall tenants came up to him and wanted to thank the City and express their gratitude, on behalf of other tenants as well, for the quickly moving improvements in the mall.

* * *

Committee Reports

Councilperson Pacino reminded Council that they all got an invitation to the annual BID meeting on April 27th. She also noted that GoArt re-opened the bar in the former Batavia Club that had been closed for 20 years and they are trying to support themselves. Councilperson Viele asked if anyone would be picking up the debris from the windstorm. Mr. Worth noted that, as time allows, the City would pick up items but no specific time frame to do a city-wide pickup.

* * *

Public Comments

None.

* * *

Council Responses to Public Comments

None.

* * *

Unfinished Business

Councilperson Christian noted that on April 28th at 10:00am there would be a 6th ward neighborhood meeting at Ascension Parish.

* * *

#41-2018

**A RESOLUTION TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH
GENESEE COUNTY, THE VILLAGE OF LEROY AND THE VILLAGE OF CORFU
FOR LAW ENFORCEMENT MUTUAL AID**

Motion of Councilperson Canale

WHEREAS, the County maintains the Genesee County Sheriff's Office with offices at 165 Park Road, Batavia, New York, which has law enforcement jurisdiction throughout the County of Genesee, New York; and

WHEREAS, the City of Batavia maintains a police department with offices at 10 West Main Street, Batavia, New York, which has law enforcement jurisdiction within the geographical boundaries of the City of Batavia; and

WHEREAS, the Village of LeRoy maintains a police department with offices at 3 West Main Street, LeRoy, New York, which has law enforcement jurisdiction within the geographical boundaries of the Village of LeRoy, New York; and

WHEREAS, The Village of Corfu maintains a police department with offices at 116 East Main Street, Corfu, New York, which has law enforcement jurisdiction within the geographical boundaries of the Village of Corfu, New York; and

WHEREAS, from time to time, law enforcement demands exceed the resources of a particular law enforcement agency so that mutual assistance and cooperation from other law enforcement agencies is necessary to properly respond to provide law enforcement services; and

WHEREAS, the parties desire to enter into agreement providing for mutual aid law enforcement services among the parties in time of need;

NOW THEREFORE, BE IT RESOLVED, that the City Council President for the City of Batavia is hereby authorized to sign an Inter-Municipal Agreement with Genesee County, the Village of LeRoy and the Village of Corfu a law enforcement mutual aid services as attached hereto.

Seconded by Councilperson Christian and on roll call approved 9-0.

* * *

#42-2018

A RESOLUTION FOR BRIDGE NEW YORK GRANT APPLICATIONS

Motion of Councilperson McGinnis

WHEREAS, the New York State Department of Transportation is soliciting applications for the Bridge-NY Program which provides 100% State funding for up to 1 bridge replacements and 3 culvert replacements for a municipality per year; and

WHEREAS, Genesee County maintains all bridges and culverts over 5 feet in diameter for each municipality in the County; and

WHEREAS, the New York State Department of Transportation allows municipalities to sponsor applications to the Bridge-NY program for all bridges and culverts within their community regardless of ownership; and

WHEREAS, Genesee County is looking to maximize the use of State aid to help alleviate its backlog of bridge and culvert replacements; and

WHEREAS, Genesee County will prepare Bridge-NY applications, provide interim funding and administer the program at no cost to the City of Batavia; and

WHEREAS, the City of Batavia is required to authorize Bridge-NY applications as the sponsor of the project.

NOW THEREFORE BE IT RESOLVED, the City of Batavia does hereby authorize the City Council President to submit the applications for the Bridge NY Program as recommended by Genesee County.

Second by Councilperson Viele and on roll call approved 9-0.

* * *

#43-2018

A RESOLUTION TO ENTER INTO AN AGREEMENT WITH LABELLA ASSOCIATES FOR ADMINISTRATIVE SERVICES FOR THE 2017 CDBG PROGRAM AWARD- BROOKLYN AVENUE WATER IMPROVEMENT PROJECT

Motion by Councilperson Briggs

WHEREAS, a Project for the replacement of 900 linear feet of water mains on a portion of Brooklyn Avenue was awarded Communities Development Block Grant; and

WHEREAS, a request for proposals were received for a consultant to perform the Administrative Services, and a committee of City personnel selected LaBella Associates to perform the work;

NOW, THEREFORE, BE IT RESOLVED, that City Council approves the award of a contract for Administrative Services for the replacement of water mains on Brooklyn Avenue to LaBella Associates in the amount of \$12,000.

Seconded by Councilperson McGinnis and on roll call approved 9-0.

* * *

#1601 Wet Well
#1605 Dehumidification – Ice Rink

WHEREAS, the City Council authorizes the City Manager to make the recommended transfers and close out the specified capital projects effective March 31, 2018.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the capital projects, Wet Well and Dehumidification, be closed effective March 31, 2018.

Seconded by Councilperson Tabelski and on roll call approved 9-0.

* * *

#46-2018
**A RESOLUTION TO APPOINT MEMBERS TO VARIOUS CITY COMMITTEES/
BOARDS**

Motion of Councilperson Briggs Briggs

WHEREAS, certain vacancies exist on various City Committees/Boards.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the following appointments be made:

Board of Assessment Review

Tammy Hathaway

September 30, 2020

Seconded by Councilperson McGinnis and on roll call approved 9-0.

* * *

#47-2018
**A RESOLUTION TO RECOMMEND THE DESIGNATION OF FOUR SPECIFIC AND
ELIGIBLE CENSUS TRACTS AS FEDERAL QUALIFIED OPPORTUNITY ZONES
(QOZ)**

Motion of Councilperson Bialkowski

WHEREAS, New York State is participating in the newly introduced federal Opportunity Zone community development program to spur private investment in distressed communities nationwide offered through the *Tax Cuts and Job Acts of 2017*; and

WHEREAS, the federal program reassures private investment in urban and rural communities as Qualified Opportunity Zones (QOZ) by providing federal tax incentives for

private entities to reinvest capital gains into Opportunity Funds that will stimulate investment in disadvantaged areas; and

WHEREAS, New York State is currently reviewing eligible census tracts to nominate as Qualified Opportunity Zones (QOZ) wherein New York State leadership encourages public engagement during this process; and

WHEREAS, coupling Opportunity Funds with the locally enacted Pathway to Prosperity tax increment financing program may assure clean-up of brownfield sites, gain new investor commitments to Batavia and will ensure that our region can be an attractive economic driver creating jobs, building tax base and increasing population, as well as providing new pathways to prosperity for all citizens; and

WHEREAS, in the City of Batavia, under the 2011-2015 American Community Survey (ACS) 5-Year data from the Census Bureau has a total of four (4) census tracts eligible for QOZ designation as Low-Income Communities (LIC's) and further extends to include Qualified Contiguous Tracts making the entire City of Batavia eligible; and

WHEREAS, providing investments through Opportunity Funds to these identified census tracts will re-define the lives of the individuals that live in our lowest income areas of the City of Batavia; and

WHEREAS, the four (4) eligible census tracts qualified for the Opportunity Zone program within the designated New York State plan are;

1. CT9508 – City of Batavia – Ward 2
2. CT 9506- City of Batavia – Ward 3
3. CT 9507- City of Batavia – Ward 5
4. CT 9510- City of Batavia – Ward 6

WHEREAS, this district has been identified by the economic development agencies at the State, Region, Genesee County and City of Batavia as priority investment areas including designation as the Department of State Brownfield Opportunity Area, Batavia Pathway to Prosperity PILOT Increment Financing District, and most recently the Governor's Downtown Revitalization Initiative (DRI); and

WHEREAS, the City of Batavia has momentum and is slated to double the community's public-private investment, expand affordable high-quality downtown housing and create new jobs that will surpass all accounts of the previous decade having suffered stagnation or decline for years;

NOW THEREFORE BE IT RESOLVED, the City of Batavia recommends the designation of all four (4) specific and eligible census tracts as Qualified Opportunity Zone (QOZ) which have 20% or higher poverty and a median family income 80% below the area median income; and

BE IT FURTHER RESOLVED, the City of Batavia does hereby authorize the City Council President to submit the nomination to New York State for the four specific and eligible census tracts as Qualified Opportunity Zone (QOZ).

Second by Councilperson Christian and on roll call approved 9-0.

* * *

Meeting adjourned at 7:21 PM.

Respectfully submitted,

**Heidi J. Parker
Clerk-Treasurer**