

CITY OF BATAVIA

BUSINESS MINUTES

JUNE 14, 2021

The regular business meeting of the City Council was held Monday, June 14, 2021 in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Jankowski presiding.

Present were Council President Jankowski and Councilmembers Pacino, Briggs, Viele, Canale, Christian, McGinnis, Bialkowski, and Karas.

Council President Jankowski called the meeting to order at 8:15 PM immediately following the special conference meeting.

The minutes from the May 2021 meetings and the April 2021 financials were approved.

The Council President assigned the regular agenda items.

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Communications

Just Kings submitted an application for Juneteenth to be held in Williams Park on Saturday, June 19th from 12:00 – 7:00pm. Council approved.

The Batavia Business Improvement District requested to hold the Jackson Square Concert Series in Jackson Square on Friday nights from June 25th through August 27th from 7:00 – 9:00pm. Council approved.

An application was received for two additional Home to Home Concert Series on Sunday, August 8th and September 19th from 1:00 – 5:00pm in Jackson Square. Council approved.

All Babies Cherished submitted an application for a Fall Vendor Festival on Saturday, October 23rd from 10:00am – 3:00pm in the City Centre concourse. Council approved.

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Council President's Report

Council President Jankowski announced that the next City Council Conference Meeting would be held on Monday, June 28th at 7:00 p.m. at City Hall, Council Board Room, 2nd Floor, City Centre.

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City Attorney's Report

David Fitch, representing the City Attorney's office, noted that there was nothing specific to report.

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City Manager's Report

Rachael Tabelski noted that she had attended the NYCOM annual meeting in Lake George and one of the topics was neighborhood decline. She noted that overall the consensus was that it was really hard to fix and there were no good ideas to fix right now. She noted that the ARPA money would be coming to the City by June 28, 2021 or New York State would have to file an extension. She noted she would have to review how to spend the money.

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Committee Reports

Councilmember Viele wanted to share that the same U10 team that was recognized by Council a couple of years ago are now U12 baseball and they are doing great.

Councilmember Canale congratulated the Batavia boys track and field for winning the Section V Class B1 title. He also wanted to thank the police and fire for welcoming the kids back on the buses.

Councilmember Christian thanked Mrs. Tabelski, Chief Napolitano and others for the meeting they held.

Councilmember Bialkowski noted that the parade went well despite the lower numbers.

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Public Comments

None. Councilmember Bialkowski, however, noted that he had received a phone call about the Ellicott Street project and an e-mail about water shortage. Council President Jankowski stated that he didn't want the letter read during the meeting and if these types of things came up to submit them to Mrs. Tabelski and they could be discussed.

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Council Responses to Public Comments

None.

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Unfinished Business

None.

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#41-2021

A RESOLUTION AMENDING THE 2021-2022 BUDGET AND AUTHORIZING EXPENSES RELATED TO THE CENTER STREET, CANALE, AND LIONS PARKING LOT RESURFACING

Motion of Councilmember McGinnis

WHEREAS, the Council of the City of Batavia recognizes that the financing, replacement and maintenance of infrastructure and equipment is a crucial aspect of providing excellent service to residents, businesses, visitors and property owners in the City of Batavia; and

WHEREAS, the Parking Lot/Sports Surface Management Plan was created to assist the City in defining infrastructure and equipment needs, establish priorities and pursue concrete actions and strategies for funding projects in future budget years; and

WHEREAS, the Council of the City of Batavia is desirous in maintaining parking lots for the use of City residents and visitors in and around Batavia.

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Batavia hereby approves the following budget amendments.

Increase Revenue:

A.00.0000 0511-2111	Appropriated Reserve Parking Lot	\$70,000
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Increase Expense:

A.03.5010.5650 401-2111	Center, Canale and Lions Parking Lots	\$70,000
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Seconded by Councilmember Christian and on roll call approved 9-0.

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#42-2021

A RESOLUTION TO ENTER INTO AN AGREEMENT WITH CASELLA WASTE MANAGEMENT OF NY PARTNER AGREEMENT FOR GARBAGE SERVICES IN CITY PARK AND MAIN STREET

Motion of Councilmember Bialkowski

WHEREAS, the City agrees to partner contract with the Casella Waste Management of NY

for trash removal and refuse services on Main Street and in multiple city park locations for the enjoyment of all Batavia residents; and

WHEREAS, Casella Waste Management of NY, a for-profit organization servicing the community in refuse collection, would like to volunteer their services for trash removal and refuse collection; and

WHEREAS, the City is desirous to maintaining refuse collection services on Downtown Business District and within city parks and will supplement collection with City staff; and

WHEREAS, the City agrees to the contract with Casella Waste Management of NY and Casella Waste Management of NY agrees to provide the services set forth herein partner agreement for garbage services with Casella Waste Management of NY in City parks and Main Street.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the City Council President is hereby authorized on behalf of the City to execute an agreement with Casella Waste Management of NY for voluntary collection service for the removal of trash from City parks and the downtown business district for a term of from May 24, 2021 to November 30, 2021 with a renewal for up to two(2) one (1) year periods after November 30, 2021.

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

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#43-2021

**A RESOLUTION TO APPOINT MEMBERS TO
VARIOUS CITY COMMITTEES/ BOARDS**

Motion of Councilmember Pacino

WHEREAS, certain vacancies exist on various City Committees/Boards; and

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

Audit Advisory Board

Nicholas Harris	December 31, 2021
Marc Staley	December 31, 2021
Paul Battaglia	December 31, 2021

Councilmembers:	
F. Robert Bialkowski	December 31, 2021
Eugene Jankowski Jr.	December 31, 2021

Seconded by Councilmember Briggs and on roll call approved 9-0.

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#44-2021

A RESOLUTION REFERRING THE PETITION TO REZONE 211 ½ EAST MAIN STREET TO THE PLANNING AND DEVELOPMENT COMMITTEE

Motion of Councilmember Christian

WHEREAS, the City Council is desirous of reviewing the Batavia Municipal Code, Section §190, in response to a petition from United Memorial Medical Center (UMMC), requesting a parcel, 211 ½ East Main Street, to be re-zoned; and

WHEREAS, under the City Charter § 13-3 the City Planning and Development Committee shall have such powers and duties to serve in an advisory capacity and provide such advice as to assist the City Council in developing a strategy that interprets, plans and leads in the implementation of land use matters relating to public and private development within the City of Batavia; and

WHEREAS, General City Law - GCT § 27 provides City Council with the authority to refer matters to the Planning and Development Committee requesting reviews and recommendations regarding planning and development within the City of Batavia.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia hereby request that the City Planning and Development Committee review a Petition to Re-Zone 211 ½ East Main Street, and make a recommendation to the City Council for consideration.

Seconded by Councilmember Viele and on roll call approved 9-0.

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#45-2021

A RESOLUTION TO AUTHORIZE BUDGET AMENDMENTS FOR 2020/2021 FISCAL YEAR

Motion of Councilmember Canale

WHEREAS, in order to close out the 2020-2021 fiscal year budget certain budget transfers and amendments need to be made:

WHEREAS, the City of Batavia experienced expenses over budget in General Fund areas including legal, unemployment insurance and debt service in the 20/21 fiscal year; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Batavia does hereby authorize the City Manager to utilize contingency, other revenue accounts and reserves as shown below; and

BE IT FURTHER RESOLVED, by the Council of the City of Batavia that the City Manager be and hereby is authorized to make the following budget amendments and transfers:

Effective March 31, 2021 amend the 2020-21 budget by increasing expenditure accounts:

A.01.1420 437	Legal Professional Fees	\$ 37,377.72
A.01.9710 600	Bond Principal Debt	\$ 2,872.38
A.02.1430 454	Personnel Insurance	\$ 6,601.21

by decreasing expense account:

001.1990.0500.0000	General Fund Contingency	\$ 46,851.31
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Seconded by Councilmember Karas and on roll call approved 9-0.

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#46-2021

A RESOLUTION TO CLOSE OUT CAPITAL PROJECTS

Motion of Councilmember Viele

WHEREAS, The City of Batavia should periodically close capital projects which are completed; and

WHEREAS, projects completed at this time that require official closing are listed as follows:

#200008	Vac Truck
#180004	Mall Roof I

WHEREAS, the City borrowed \$420,000 for the Vac Truck project which totaled \$383,816.62 upon completion of the purchase, therefore, to close the Vac Truck project, the City will transfer approximately \$36,183.38 of unspent bond proceeds into Debt reserves. These proceeds will be used in the next fiscal year budget to pay down debt; and

WHEREAS, the City Council authorizes the City Manager to make the recommended transfers and close out the specified capital projects effective March 31, 2021.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the above referenced capital projects be closed effective March 31, 2021.

Seconded by Councilmember Bialkowski and on roll call approved 9-0.

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#47-2021

A RESOLUTION TO AUTHORIZE THE USE OF K-9 COMMITTED FUND BALANCE

Motion of Councilmember Karas

WHEREAS, the Council for the City of Batavia authorized on August 12, 2019 the establishment of a Police Department k-9 program and authorized the receiving of donations and aid

in funding the program; and

WHEREAS, the City of Batavia received \$2,332.47 in donations for the K-9 program in the fiscal year ending 3/31/2021; and

WHEREAS, the City of Batavia had \$9,468.97 in expenses for the K-9 program in the fiscal year ending 3/31/2021; and

WHEREAS, the K-9 Committed Fund balance had a balance at 3/31/20 of \$11,228.53.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia, effective 3/31/21, does hereby release \$7,136.50 (\$9,468.97 less \$2,332.47) of the K-9 Committed Fund Balance as an offset to the cost of running the program.

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

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#48-2021

A RESOLUTION TO AUTHORIZE TRANSFERS AND USE OF RESERVES FOR THE HEALTH INSURANCE FUND FOR 2020/2021 FISCAL YEAR

Motion of Councilmember Canale

WHEREAS, pursuant to General Municipal Law 6-n, the City of Batavia has an established Self-Insurance Health Benefit Plan Reserve fund with an estimated balance of \$110,156 as of March 31, 2021; and

WHEREAS, the City of Batavia experienced expenses in the Health Insurance fund in the 20/21 fiscal year, above what was budgeted; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Batavia does hereby authorize the City Manager to utilize reserves and budget additional transfers from the General, Water, Wastewater, and City Centre Funds as shown below and amend the budget for the 20/21 fiscal year accordingly, as follows:

Effective March 31, 2021 amend the 2020-21 budget by increasing expenditure accounts:

A.01.9901 908	Transfer out to Health Insurance	\$ 205,048.27
EW.03.9901 908	Transfer out to Health Insurance	\$ 25,631.03
ES.03.9901 908	Transfer out to Health Insurance	\$ 23,067.93
EM.039901 908	Transfer out to Health Insurance	\$ 2,563.10
MS1.01.9060 807-2170	Health & Medical Insurance Reserve	\$ 100,000.00
MS1.01.9060 423	Health Ins Fund Contract Services	\$ 2,123.35
MS1.01.9060 802	Health Ins Fund Social Security	\$ 656.69
MS1.01.9060 807-1051	Health Ins Fund Retiree healthcare	\$ 128,196.26
MS1.01.9060 807	Health Ins Fund Health Insurance	\$ 480,785.33

By increasing revenue accounts:

MS1.00.0000.0000 0511-2170 Health Insurance Reserve	\$ 100,000.00
MS1.00.0000.0000 2401 Health Ins Fund Interest Earnings	\$ 772.22
MS1.00.0000.0000 2680 Health Ins Fund Ins. Recovery	\$ 354,679.08
MS1.00.0000.0000 5031 Interfund Transfer	\$ 256,310.33

Seconded by Councilmember Viele and on roll call approved 9-0.

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#49-2021

A RESOLUTION TO AMEND THE FY21/22 BUDGET RESERVE AND EXPENSE ACCOUNTS FOR POLICE DEPARTMENT FLAT ROOF REPLACEMENT PROJECT

Motion of Councilmember Viele

WHEREAS, pursuant to General Municipal Law 6-c the City of Batavia has an established Facilities Reserve Fund; and

WHEREAS, the Facilities Reserve Fund has a current balance of \$1,174,026.19; and

WHEREAS, the current flat roof portions of the police station above the back vestibule and the rear addition require a full replacement as they have been found to be beyond repair and their effective life; and

WHEREAS, the City would like to move forward to bid the roof project pursuant to General Municipal Law, Article 5A, section 103 and in accordance with the City of Batavia Purchasing Manual.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia to authorize the City Manager to utilize Facility Reserves and to amend the FY21/22 budget by increasing the accounts as follows:

Revenue 001.0001.0511.2106 Facility Reserves	\$ 100,000.00
Expense A.01.9950 900-2106 – Transfers out Facilities Reserve	\$ 100,000.00

Seconded by Councilmember Bialkowski and on roll call approved 9-0.

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Meeting adjourned at 8:40 PM.

Respectfully submitted,

**Heidi J Parker
Clerk-Treasurer**