

CITY OF BATAVIA – CONFERENCE MINUTES

MONDAY, MARCH 26, 2018

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

Call to Order

Council President Jankowski called the meeting to order at 7:00 PM. Council President Jankowski led the Invocation and the Pledge of Allegiance.

Public Comments

Kathy Owen, 2 Redfield Parkway, felt she was given no option but to discharge her sump pump into her yard and was concerned that a large tree may uproot because of the extra moisture. She asked if the pump station would ever fail and thought a bigger one was needed. She asked who was regulating where water was being discharged.

Alecia Kaus, 8 Redfield Parkway, told Council that unplugging her sump pump won't work and dumping the water into lawns was just like putting it right back into the basement. She felt putting the water into the lawn would ruin the foundation of the homes and also felt that a plumbing inspector was needed. Ms. Kaus suggested looking into grants to upgrade the City's equipment and felt the City's idea was just a Band-Aid.

Don Fryling, 6 Redfield Parkway, noted that there hadn't been any changes to the homes on Redfield for the last 40 years and additional buildings were the cause of the problem. He felt it was cost prohibitive to do the changes the City was suggested because he was on a fixed income.

Keith Bergman, 35 Redfield Parkway, noted that the Batavia Downs track more than doubled in the size of the pavement and thus there was no ground to absorb the water. He wondered if anyone ever studied where all the water went during heavy rain with the extra pavement in the way.

James Owen, 2 Redfield Parkway, encouraged the neighbors to get relief from the City. He felt the City may have to add a larger sewer line to absorb the water. He noted that Redfield was grandfathered in but if the neighbors could help the City it would also be helping other neighbors. He thanked Council for listening and thought that other areas must be having similar problems.

Council Response to Public Comments

Mr. Worth noted that the City ordinance prohibits water from being pumped into the sanitary sewer since as far back as 1966. He noted that a similar issue began about a year ago with residents on Bank St. He noted that Redfield residents discharge into the Redfield lift station and if there was a complete failure, the people with the lowest basements would get all the backup. He explained that they want to meet with residents to try to find a low

cost solution and gather information to try to solve the problem. He noted that he understood residents' concerns and requests and was trying to protect basements from water. He stated that the lift stations are visited twice a week to make sure there are no problems. He also stated that prior grants received for sewer systems, required that those systems not be used to deal with clean water which is why rain discharge cannot be hooked up to the sanitary sewer. He noted that sanitary sewers are becoming overloaded so getting rid of the sump pumps will help. Councilperson Tabelski asked if there have been many people who have contacted the City for help. Jim Ficarella noted that he has spoken to or met with 15 people and some were able to plumb right into the storm sewer, contacted plumbers and resolved the issue. Councilperson Viele asked if there were any grants to help with this situation and Mr. Worth was not aware of any.

Communications

Batavia High School sports requested to hold a Color-A-Thon 5K on Saturday, June 16th at 9:00am. The run would start and end at the high school. Council approved.

All Babies Cherished submitted an application for a 5K on Saturday, June 9th from 9:00 – 11:00am starting and ending at Northgate Church on Bank Street. Council approved.

The Memorial Day parade is slated for Monday, May 28th at 9:45am. The parade will start at Eastown Plaza and end on Alva Place. Council approved.

The Genesee County Downtown Farmer's Market is looking to be open every Tuesday, Thursday and Friday in the Alva and Bank St parking lot starting June 8th and running through October 26th. The market would be open from 9:00am – 4:00pm. Council approved.

The Batavia Business Improvement District submitted their application for Jackson Square Concert Series running from June 22nd through August 24th in Jackson Square. Concerts would go from 7:00 – 9:00pm. Council approved.

The Batavia Business Improvement District submitted their application for Beertavia on Saturday, July 28th from 2:00 – 6:00pm in the Alva and Bank St Parking lot. Council approved.

Council President's Report

Council President Jankowski noted that he was invited to be at the Eli Fish ribbon cutting and he was proud to have that new business in the downtown area. He felt there was a good momentum for downtown.

Council President Jankowski announced the next regular City Council Business meeting to be held on Monday, April 9, 2018 at 7:00pm at the City Hall Council Board Room, 2nd Floor, City Centre.

He also noted that a special meeting would be held on March 28th at 7:00pm in City Hall to meet with the consultant from the city manager search firm. The meeting is open to the

public.

Inter-Municipal Agreement for Law Enforcement Mutual Aid Services

Chief Heubusch noted that this agreement has been in place with Genesee County for a while but were adding the Village of Corfu and updating the document for new professionals in office. Council agreed to move the item forward.

Bridge NY Program – South Lyon Street Bridge

Mr. Worth noted that this program was a funding designation above and beyond what is normally available. He explained that the County was responsible for all the bridges but the municipality must submit the application. The County would still be responsible for the administration and funding of the bridge. Councilperson Christian asked if the bridge would remain one lane or if it would be changed to two. Mr. Worth was not sure but would find out. Council agreed to move the item forward.

Administrative Services for CDBG Grant for Brooklyn Avenue

Mr. Worth noted that the City was awarded a grant to install a water main on Brooklyn Ave for 2019. There were three proposals and Labella was the only firm within budget and the City is familiar with that firm so they were awarded the bid.

Replacement of Roofs at Dwyer Stadium

Jim Ficarella, Superintendent of Water and Wastewater, issued a notice to bid on new roofs for the clubhouse and bids would come in on April 2nd. He noted the project was budgeted in the 2018-2019 year. Councilperson Christian asked how old the roofs were. Mr. Ficarella said they were from 1986. Councilperson Bialkowski asked the cost range and Councilperson Tabelski asked when it would be done. Mr. Ficarella said it would cost approximately \$40,000 and all had to be done by June 15th before the season started. Council agreed to move the item forward.

Close-out Capital Projects

Mr. Worth noted that formal action was required to close out capital projects that were complete and take them off the books. Council agreed to move the item forward.

Appoint Members to Various City Committees/Boards

I noted that there was a vacancy on the Assessment Board of Review, an application was submitted which was approved by Councilperson Briggs and Pacino as well as the Assessor, and this was a resolution making that appointment. Council agreed to move the item forward.

Opportunity Zones

Mr. Worth noted that there were several zones within the City that would qualify for gap

funding. He recommended that Council endorse these zones so they would qualify as an opportunity zone. He noted that the GCEDC was requesting the City be a signee on the letter of support and the resolution would be approved at the business meeting. It's an opportunity for people to use these funds to help finance development in areas of need. Councilperson Bialkowski did not want to support the initiative because the 4th Ward wasn't included. Mr. Worth explained that the 4th Ward wasn't included because it was financially more well off than other wards in the City. It wasn't purposely left off, it didn't qualify.

Sump Pump Discharges into Sanitary Sewer

Councilperson Bialkowski asked that if the City sends out letters to the streets to send to Council as well. He noted that he had been in contact with a lot of people and wasn't sure what they were talking about. He explained that people felt threatened by the letter but figured it was just a lack of understanding and some had been told not to worry because they were grandfathered in. Councilperson Bialkowski asked if the sewer line was big enough to handle all of the water in that area with the addition of the buildings on the VA property. Mr. Worth explained that the water from the new buildings was not going into the Redfield line and went into detail where the storm sewer goes. He noted that it was an issue when there was heavy rain and not on a regular day. Councilperson Bialkowski asked if residents on the west side could use the ditch by Tops. Mr. Worth stated that it was privately owned but could be a solution. Mr. Worth noted that the City wasn't trying to strong arm anyone and wanted to meet with residents face-to-face to see if there were other solutions that could help with the problem. He stated that if no solutions were found then the pumps could remain but if they could eliminate even a percentage of them it would help. Council President Jankowski asked if when the track added their other buildings would they have to have had permits, etc. Mr. Worth said absolutely and catch basins would be required so they didn't add to the problem. Mr. Worth noted that every house is different so just need to see what can be done and ultimately trying to protect the residents. Council President Jankowski stated if the residents can do it, it would help the City and their neighbors. Councilperson Bialkowski asked how much old infrastructure was still there that may be causing the problem. Mr. Worth noted that any time there is digging in the City they always come across old infrastructure and try to fix it as they can. Councilperson Christian asked if anyone had seen the drain at Batavia Downs to see if it was plugged. Mr. Ficarella stated that he would contact them and coordinate a visit.

Executive Session ... Real Property

MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilperson Pacino

WHEREAS, Article 7, Section 105(1)(h), of the Public Officer's Law permits the legislative body of a municipality to enter into Executive Session to discuss "...the proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof...".

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia, that upon approval of this Motion, the City Council does hereby enter into Executive Session.

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

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Conference Meeting adjourned at 8:08 PM.

Respectfully submitted,

**Heidi J. Parker
Clerk-Treasurer**