

BATAVIA CITY COUNCIL BUSINESS MEETING

**City Hall - Council Board Room
One Batavia City Centre
Monday, December 12, 2016
7:00 PM**

AGENDA

- I. Call to Order
- II. Invocation – Councilperson Canale
- III. Pledge of Allegiance
- IV. Approval of November 2016 Minutes
- V. Approval of October 2016 Financials
- VI. Assignment of Agenda Items
- VII. Communications
- VIII. Council President Report
 - a. Announcement of the next regular City Council Business meeting to be held on Monday, January 9, 2017 at 7:00 p.m. at the City Hall Council Board Room, 2nd Floor, City Centre.
- IX. City Attorney's Report
- X. City Manager's Report
- XI. Committee Reports
- XII. Public Comments
- XIII. Council Responses to Public Comments
- XIV. Unfinished Business
- XV. New Business
 - #110-2016 A Resolution to Set a Public Hearing Introducing a Local Law Amending §190-3, Zoning, Definitions, §190-14(D), Zoning, C-3 Central Commercial District, Downtown Design Guidelines, and §190-43, Signs and Exhibit A of the Batavia Municipal Code to Amend the City Sign Code and Related Provisions

#111-2016 A Resolution to Contract for Prosecutorial Services with Genesee County

#112-2016 A Resolution Scheduling Regular Council Meetings through December 31, 2017

#113-2016 A Resolution to Authorize Budget Amendments

#114-2016 A Resolution Authorizing Agreement with New York State Department of Transportation for Preliminary Engineering and Design For the City of Batavia, Highway Preventive Maintenance (Six Streets)

XVI. Adjournment

GENERAL FUND
CITY OF BATAVIA
FOR PERIOD ENDED - October 31, 2016

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %	Change \$
Revenues						
Real Property Taxes	\$ 5,111,384.00	\$ 5,089,118.20	99.56%	\$ 5,041,556.33	0.94%	\$ 47,562
Gain -Sale Tax Acquired Prop.	\$ -	\$ 35,166.68		\$ 36,277.26	-3.06%	\$ (1,111)
Payments in Lieu of Tax	\$ 52,265.00	\$ 51,921.56	99.34%	\$ 63,346.35	-18.04%	\$ (11,425)
Interest & Pen. on Tax	\$ 190,000.00	\$ 189,022.64	99.49%	\$ 81,141.90	132.95%	\$ 107,881
Sales and Use Tax	\$ 6,130,000.00	\$ 3,125,049.31	50.98%	\$ 3,225,586.64	-3.12%	\$ (100,537)
Utility Gross Receipts Tax	\$ 220,000.00	\$ 91,674.23	41.67%	\$ 106,408.72	-13.85%	\$ (14,734)
Cable TV Franchise	\$ 165,000.00	\$ -	0.00%	\$ -		\$ -
Clerk/Treasurer Fees	\$ 32,000.00	\$ 21,425.18	66.95%	\$ 21,313.63	0.52%	\$ 112
Charges for Tax Redemption	\$ -	\$ 1,368.79		\$ 4,340.00	-68.46%	\$ (2,971)
Marriage Licenses	\$ 3,000.00	\$ 2,382.50	79.42%	\$ 3,097.50	-23.08%	\$ (715)
Other Gen Govern Dept Inc.	\$ 15,391.00	\$ 15,390.65	100.00%	\$ 15,618.10	-1.46%	\$ (227)
Police Fees	\$ 2,800.00	\$ 1,270.00	45.36%	\$ 1,389.25	-8.58%	\$ (119)
Dog Seizure Fees	\$ 600.00	\$ 400.00	66.67%	\$ 340.00	17.65%	\$ 60
Other Public Safety Dept Inc	\$ -	\$ 1,252.65		\$ 367.00	241.32%	\$ 886
Vital Statistics Fees	\$ 33,000.00	\$ 20,330.00	61.61%	\$ 21,722.00	-6.41%	\$ (1,392)
Ambulance service revenue	\$ -	\$ -		\$ -		\$ -
Public Works Services	\$ 12,000.00	\$ 63.73	0.53%	\$ 4,214.37	-98.49%	\$ (4,151)
Fines & Forfeited Bail	\$ 125,000.00	\$ 79,743.00	63.79%	\$ 77,588.50	2.78%	\$ 2,155
Maintenance Fee - Ice Rink	\$ 36,480.00	\$ -	0.00%	\$ -		\$ -
Park User Fees	\$ 3,100.00	\$ 3,793.00	122.35%	\$ 3,195.00	18.72%	\$ 598
Special Recreat. Fac Charges	\$ 20,000.00	\$ -	0.00%	\$ -		\$ -
Other Culture & Rec income	\$ 3,000.00	\$ 1,226.22	40.87%	\$ 2,000.00	-38.69%	\$ (774)
Zoning Fees	\$ 1,000.00	\$ 550.00	55.00%	\$ 550.00	0.00%	\$ -
Code Violation Charges	\$ 36,000.00	\$ 25,077.00	69.66%	\$ 18,496.00	35.58%	\$ 6,581
EMS Program	\$ 45,590.00	\$ (12,760.00)	-27.99%	\$ 7,725.00	-265.18%	\$ (20,485)
Interest and Earnings	\$ 2,000.00	\$ 1,451.19	72.56%	\$ 1,109.69	30.77%	\$ 342
Interest and Earnings Reserves	\$ -	\$ 4,997.44		\$ 4,527.16	10.39%	\$ 470
Rental of Real Property	\$ 24,480.00	\$ 14,121.49	57.69%	\$ 42,937.76	-67.11%	\$ (28,816)
Rental, other - facility usage	\$ 500.00	\$ 820.00	164.00%	\$ 655.00	25.19%	\$ 165
Business/Occup. Licenses	\$ 5,000.00	\$ 4,775.00	95.50%	\$ 1,480.00	222.64%	\$ 3,295
Games of Chance	\$ 100.00	\$ 160.15	160.15%	\$ 20.00	700.75%	\$ 140
Bingo Licenses	\$ 2,500.00	\$ 1,146.63	45.87%	\$ 869.75	31.83%	\$ 277
Dog Licenses	\$ 12,000.00	\$ 8,051.00	67.09%	\$ 7,816.50	3.00%	\$ 235
Licenses, Other	\$ 700.00	\$ 376.84	53.83%	\$ 1,290.45	-70.80%	\$ (914)
Bldg/Alter Permits	\$ 50,000.00	\$ 26,470.00	52.94%	\$ 41,014.06	-35.46%	\$ (14,544)
Street Opening Permits	\$ 10,000.00	\$ 2,500.00	25.00%	\$ 4,560.00	-45.18%	\$ (2,060)
Plumbing Permits	\$ 3,700.00	\$ 2,613.00	70.62%	\$ 1,590.00	64.34%	\$ 1,023
Permits, Other	\$ 6,000.00	\$ 5,736.25	95.60%	\$ 5,865.00	-2.20%	\$ (129)
Parking ticket fees	\$ 35,000.00	\$ 11,250.00	32.14%	\$ 17,150.00	-34.40%	\$ (5,900)
Forfeiture of Deposits	\$ 500.00	\$ 1,875.00	375.00%	\$ 200.00	837.50%	\$ 1,675
White Goods	\$ -	\$ -		\$ -		\$ -
Sale of Scrap/Excess Mat.	\$ 2,000.00	\$ 1,590.74	79.54%	\$ 61.00	2507.77%	\$ 1,530
Minor Sales	\$ 1,300.00	\$ 259.69	19.98%	\$ 333.91	-22.23%	\$ (74)
Minor Sales - EMS Program	\$ -	\$ -		\$ -		\$ -
Sale of Real Property	\$ -	\$ -		\$ -		\$ -
Sale of Equipment	\$ 30,000.00	\$ 43,450.33	144.83%	\$ -		\$ 43,450
Insurance Recoveries	\$ -	\$ 17,152.55		\$ 46,115.77	-62.81%	\$ (28,963)
Other Comp for Loss	\$ 5,214.90	\$ 14,289.96	274.02%	\$ 14,785.16	-3.35%	\$ (495)
Refund-Prior Year Exps	\$ -	\$ 599.23		\$ 1,031.00	-41.88%	\$ (432)
Healthcare Premiums	\$ 59,540.00	\$ 19,120.73	32.11%	\$ 19,406.19	-1.47%	\$ (285)
Healthcare Revenue	\$ -	\$ 11,591.03		\$ 61,616.14	-81.19%	\$ (50,025)
Gifts and Donations	\$ -	\$ -		\$ -		\$ -
VLT	\$ 125,000.00	\$ 440,789.00	352.63%	\$ 440,789.00	0.00%	\$ -
Unclassified Revenue	\$ 1,000.00	\$ 611.50	61.15%	\$ 7,400.79	-91.74%	\$ (6,789)
Reserve revenue	\$ -	\$ -		\$ -		\$ -
Per Capita State Aid	\$ 1,750,975.00	\$ 1,750,975.00	100.00%	\$ 1,750,975.00	0.00%	\$ -
Mortgage Tax	\$ 115,000.00	\$ 52,179.89	45.37%	\$ 76,560.12	-31.84%	\$ (24,380)
Real Property Tax Admin	\$ -	\$ -		\$ -		\$ -
State Aid - Record Mgmt	\$ -	\$ -		\$ 3,271.00	-100.00%	\$ (3,271)
Rail Infrastructure Invest. Act	\$ -	\$ -		\$ -		\$ -
State Aid - Public Safety	\$ 29,809.03	\$ (12,868.88)	-43.17%	\$ 11,605.03	-210.89%	\$ (24,474)
Consolidate Highway (CHIPS)	\$ 519,980.00	\$ 50,475.12	9.71%	\$ -		\$ 50,475
State Aid - Sidewalk repair	\$ -	\$ -		\$ -		\$ -
Code Enforcement - member ite	\$ -	\$ -		\$ -		\$ -
Recreation Program	\$ 19,715.00	\$ 3,442.00	17.46%	\$ 3,442.00	0.00%	\$ -
Arterial Reimbursement	\$ 157,400.00	\$ 86,949.91	55.24%	\$ -		\$ 86,950
State Aid - Planning Studies	\$ 50,848.75	\$ (24,151.25)	-47.50%	\$ 25,818.30	-193.54%	\$ (49,970)
State Aid Conservation Progr	\$ 15,000.00	\$ -	0.00%	\$ -		\$ -
Fed. Aid - Bullet Proof Vest	\$ 1,890.00	\$ 1,972.04	104.34%	\$ 774.96	154.47%	\$ 1,197
Fed. Aid - Hmld Security	\$ 69,966.01	\$ 69,966.01	100.00%	\$ -		\$ 69,966
Fed Aid - Public Safety	\$ 16,015.20	\$ 2,945.43	18.39%	\$ -		\$ 2,945
Interfund Transfers	\$ 200,000.00	\$ 1,354,875.58	677.44%	\$ 201,303.00	573.05%	\$ 1,153,573
TOTAL REVENUES	\$ 15,560,743.89	\$ 12,716,024.94	81.72%	\$ 11,532,647.29	10.26%	\$ 1,183,378

GENERAL FUND
CITY OF BATAVIA
FOR PERIOD ENDED - October 31, 2016

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %	Change \$
Expenses						
City Council	\$ 51,700.00	\$ 26,587.86	51.43%	\$ 28,539.94	-6.84%	\$ (1,952)
City Manager	\$ 160,700.00	\$ 76,407.07	47.55%	\$ 75,818.60	0.78%	\$ 588
Finance	\$ 151,972.42	\$ 66,959.57	44.06%	\$ 68,303.63	-1.97%	\$ (1,344)
Administrative Services	\$ 326,550.00	\$ 225,072.17	68.92%	\$ 210,759.37	6.79%	\$ 14,313
Clerk-Treasurer	\$ 122,750.00	\$ 83,863.66	68.32%	\$ 98,778.48	-15.10%	\$ (14,915)
City Assessment	\$ 138,442.00	\$ 75,201.34	54.32%	\$ 48,041.78	56.53%	\$ 27,160
Legal Services	\$ 223,805.00	\$ 150,972.44	67.46%	\$ 104,673.21	44.23%	\$ 46,299
Personnel	\$ 139,900.00	\$ 59,737.39	42.70%	\$ 58,235.73	2.58%	\$ 1,502
Engineering	\$ 32,000.00	\$ 9,307.20	29.09%	\$ 31,569.00	-70.52%	\$ (22,262)
Elections	\$ 18,210.00	\$ 18,210.00	100.00%	\$ 11,835.00	53.87%	\$ 6,375
Public Works Admin	\$ 94,960.00	\$ 41,238.17	43.43%	\$ 39,182.65	5.25%	\$ 2,056
City Facilities	\$ 353,837.39	\$ 140,466.04	39.70%	\$ 160,031.74	-12.23%	\$ (19,566)
Information Systems	\$ 79,575.00	\$ 58,567.58	73.60%	\$ 53,897.08	8.67%	\$ 4,671
Contingency	\$ 250,000.00	\$ -	0.00%	\$ -		\$ -
Police	\$ 3,637,737.85	\$ 1,590,804.51	43.73%	\$ 1,538,614.54	3.39%	\$ 52,190
Fire	\$ 4,579,004.37	\$ 2,483,441.94	54.24%	\$ 1,501,771.94	65.37%	\$ 981,670
Control of Dogs	\$ 1,310.00	\$ 129.31	9.87%	\$ 1,046.43	-87.64%	\$ (917)
Inspection	\$ 296,400.00	\$ 139,779.14	47.16%	\$ 132,041.10	5.86%	\$ 7,738
Vital Statistics	\$ 18,410.00	\$ 7,658.03	41.60%	\$ 7,581.15	1.01%	\$ 77
Maintenance Admin	\$ 180,153.52	\$ 79,888.39	44.34%	\$ 76,389.03	4.58%	\$ 3,499
Street Maintenance	\$ 757,435.00	\$ 497,928.39	65.74%	\$ 405,562.68	22.77%	\$ 92,366
Public Works Garage	\$ 443,782.00	\$ 175,346.77	39.51%	\$ 204,234.95	-14.14%	\$ (28,888)
Snow Removal	\$ 587,609.00	\$ 24,857.97	4.23%	\$ 118,137.22	-78.96%	\$ (93,279)
Street Lights/Traf Signals	\$ 305,960.60	\$ 141,131.47	46.13%	\$ 117,556.60	20.05%	\$ 23,575
Sidewalk Repairs	\$ 259,990.00	\$ 207,601.00	79.85%	\$ -		\$ 207,601
Parking Lots	\$ 35,200.00	\$ 35,066.96	99.62%	\$ -		\$ 35,067
Community Development	\$ 95,848.75	\$ 47,891.58	49.97%	\$ 33,896.24	41.29%	\$ 13,995
Economic Development	\$ -	\$ -		\$ -		\$ -
Council on Arts	\$ 2,250.00	\$ 2,250.00	100.00%	\$ 2,250.00	0.00%	\$ -
Parks	\$ 614,430.60	\$ 321,905.34	52.39%	\$ 310,163.02	3.79%	\$ 11,742
Summer Recreation	\$ 70,636.58	\$ 53,188.47	75.30%	\$ 51,198.76	3.89%	\$ 1,990
Youth Services	\$ 159,775.00	\$ 71,928.64	45.02%	\$ 80,462.73	-10.61%	\$ (8,534)
Historic Preservation	\$ 2,100.00	\$ 87.85	4.18%	\$ 245.32	-64.19%	\$ (157)
Celebrations	\$ 13,640.00	\$ 6,544.55	47.98%	\$ 6,627.57	-1.25%	\$ (83)
Planning & Zoning Boards	\$ 3,200.00	\$ 916.67	28.65%	\$ 1,450.92	-36.82%	\$ (534)
Storm Sewers	\$ 209,809.69	\$ 69,369.32	33.06%	\$ 83,737.31	-17.16%	\$ (14,368)
Refuse & Recycling	\$ 64,762.00	\$ 37,108.96	57.30%	\$ 13,811.72	168.68%	\$ 23,297
Street Cleaning	\$ 310,950.00	\$ 214,205.40	68.89%	\$ 33,014.31	548.83%	\$ 181,191
Medical Insurance	\$ 1,611,970.00	\$ 1,115,899.26	69.23%	\$ 980,953.43	13.76%	\$ 134,946
Debt Service	\$ 644,445.00	\$ 337,527.28	52.37%	\$ 284,882.05	18.48%	\$ 52,645
Energy Lease	\$ 75,475.00	\$ 75,475.48	100.00%	\$ 73,255.10	3.03%	\$ 2,220
Transfer for capital projects	\$ 125,000.00	\$ 125,000.00	100.00%	\$ 125,000.00	0.00%	\$ -
Transfer to other funds	\$ 322,090.00	\$ 322,090.00	100.00%	\$ 398,230.00	-19.12%	\$ (76,140)
Capital Reserves	\$ 146,265.00	\$ 146,265.00	100.00%	\$ 201,303.00	-27.34%	\$ (55,038)
TOTAL EXPENSES	\$ 17,720,041.77	\$ 9,363,878.17	52.84%	\$ 7,773,083.33	20.47%	\$ 1,590,795
Operating Income (Loss)		\$ 3,352,146.77		\$ 3,759,563.96	-10.84%	\$ (407,417)

WATER FUND
CITY OF BATAVIA
FOR PERIOD ENDED - October 31, 2016

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %
Revenues					
Metered Water Sales	\$ 2,413,047.00	\$ 1,400,747.13	58.05%	\$ 1,317,985.03	6.28%
Bulk Water Sales	\$ 15,000.00	\$ 19,485.47	129.90%	\$ 13,113.76	48.59%
Water Service Charges	\$ 2,500.00	\$ 1,915.00	76.60%	\$ 3,360.00	-43.01%
Capital improvement fee	\$ 128,439.00	\$ 80,627.77	62.78%	\$ 73,000.62	10.45%
Int/Pen-Water Rents	\$ 35,000.00	\$ 11,402.14	32.58%	\$ 15,291.85	-25.44%
County Contract	\$ 1,344,083.00	\$ 647,310.00	48.16%	\$ 648,480.00	-0.18%
Interest and Earnings	\$ 1,000.00	\$ 1,134.35	113.44%	\$ 1,429.76	-20.66%
Interest and Earnings-Reserve	\$ -	\$ 2,607.69		\$ 2,718.49	-4.08%
State Aid - Planning	\$ -	\$ -		\$ -	
Rental of Real Property	\$ 550,000.00	\$ 275,000.00	50.00%	\$ 275,000.00	0.00%
Sale of scrap	\$ 1,800.00	\$ 89.37	4.97%	\$ -	
Sale of equipment	\$ -	\$ 135.00		\$ -	
Gain on disposition of asset	\$ -	\$ -		\$ -	
Insurance recoveries	\$ -	\$ -		\$ -	
Other Compensation for Loss	\$ -	\$ 7,839.06		\$ 4,109.54	90.75%
Healthcare premiums	\$ 11,500.00	\$ 3,788.72	32.95%	\$ -	
Healthcare revenue	\$ -	\$ 1,155.07		\$ 6,361.65	-81.84%
Unclassified revenue	\$ 5,000.00	\$ 1,451.20	29.02%	\$ 2,490.94	-41.74%
Reserve revenue	\$ 768,151.00	\$ 140,939.00	18.35%	\$ 142,507.11	-1.10%
Interfund transfers	\$ -	\$ -		\$ -	
Total Revenue	\$ 5,275,520.00	\$ 2,595,626.97	49.20%	\$ 2,505,848.75	3.58%
Expenses					
Contingency	\$ 15,000.00	\$ -	0.00%	\$ -	0.00%
Water Admin	\$ 2,438,745.42	\$ 1,180,905.03	48.42%	\$ 638,262.72	85.02%
Pump Station & Filtration	\$ 1,212,678.91	\$ 523,682.53	43.18%	\$ 575,736.94	-9.04%
Water Distribution	\$ 379,440.00	\$ 177,811.43	46.86%	\$ 193,995.66	-8.34%
Medical Insurance	\$ 160,210.00	\$ 100,191.20	62.54%	\$ 89,886.54	11.46%
Debt Service bonds	\$ 33,131.00	\$ 7,812.71	23.58%	\$ 2,075.66	276.40%
Energy lease	\$ 18,010.00	\$ -	0.00%	\$ 2,279.57	-100.00%
Transfers for capital projects	\$ 700,000.00	\$ -	0.00%	\$ 60,421.11	-100.00%
Transfer to Other Funds	\$ 243,740.00	\$ 43,740.00	17.95%	\$ 54,070.00	-19.10%
Capital Reserves	\$ 140,939.00	\$ 140,939.00	100.00%	\$ 82,086.00	71.70%
Total Expense	\$ 5,341,894.33	\$ 2,175,081.90	40.72%	\$ 1,698,814.20	28.04%
Operating Income (Loss)		\$ 420,545.07		\$807,034.55	-47.89%

Consumption

*consumption in 1,000 gallons

	2016	Difference	2015	Difference	2014
April	68,563	-0.48%	68,893	14.34%	60,255
May	20,800	2.27%	20,338	22.24%	16,638
June	20,079	-4.85%	21,102	2.19%	20,649
July	67,894	-4.29%	70,939	4.61%	67,810
August	21,283	-1.57%	21,623	3.00%	20,993
Sept	24,753	11.38%	22,223	0.62%	22,085
Oct*	102,492	22.17%	83,891	9.00%	76,963
Nov	0	-100.00%	21,604	0.14%	21,574
Dec	0	-100.00%	21,247	-1.07%	21,477
Jan*	0	-100.00%	79,880	5.50%	75,713
Feb	0	-100.00%	20,838	0.39%	20,758
March	0	-100.00%	21,581	-3.08%	22,267
Total	325,864	265.19%	474,159	6.03%	447,182

SEWER FUND
CITY OF BATAVIA
FOR PERIOD ENDED - October 31, 2016

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %
Revenues					
Sewer Rents	\$ 2,473,988.00	\$ 1,495,065.26	60.43%	\$ 1,567,956.37	-4.65%
Sewer Surcharge	\$ -	\$ 100,193.47		\$ 52,610.01	90.45%
Int/Pen-Sewer Rents	\$ 25,000.00	\$ 7,892.62	31.57%	\$ 9,617.23	-17.93%
Interest and earnings	\$ 1,280.00	\$ 2,649.43	206.99%	\$ 11,785.81	-77.52%
Interest & Earnings Cap. Rsv	\$ -	\$ 3,205.40		\$ 1,433.28	123.64%
CHIPS - North/Ross	\$ -	\$ -		\$ -	
Sale of equipment	\$ -	\$ 13,500.00		\$ -	
Refunds of prior years expend.	\$ -	\$ 3,788.71		\$ -	
Healthcare premiums	\$ 1,600.00	\$ -	0.00%	\$ -	
Healthcare revenue	\$ -	\$ 684.99		\$ 5,776.67	-88.14%
Unclassified revenue	\$ 70,000.00	\$ 56,064.62	80.09%	\$ 174,337.18	-67.84%
Interfund transfers inc	\$ -	\$ -		\$ -	
Reserve revenue	\$ 646,200.00	\$ 730,000.00	112.97%	\$ 120,500.00	505.81%
Total Revenues	\$ 3,218,068.00	\$ 2,413,044.50	74.98%	\$ 1,944,016.55	24.13%
Expenses					
Contingency	\$ 15,000.00	\$ -	0.00%	\$ -	
Wastewater Admin	\$ 301,265.41	\$ 127,918.13	42.46%	\$ 117,720.70	8.66%
Sanitary Sewers	\$ 422,740.00	\$ 136,725.83	32.34%	\$ 137,299.53	-0.42%
Wastewater Treatment	\$ 843,888.08	\$ 369,633.36	43.80%	\$ 343,463.76	7.62%
Medical Insurance	\$ 95,310.00	\$ 55,196.76	57.91%	\$ 80,005.03	-31.01%
Debt Service	\$ 229,287.00	\$ 14,098.91	6.15%	\$ 8,784.83	60.49%
Energy lease	\$ 7,471.00	\$ 828.91	11.10%	\$ 945.56	-12.34%
Transfer to Other Funds	\$ 31,810.00	\$ 31,810.00	100.00%	\$ 39,330.00	-19.12%
Transfers for Capital projects	\$ 562,000.00	\$ -	0.00%	\$ -	
Capital Reserves	\$ 730,000.00	\$ 730,000.00	100.00%	\$ 120,500.00	505.81%
Total Expenses	\$ 3,238,771.49	\$ 1,466,211.90	45.27%	\$ 848,049.41	72.89%
Operating Income (Loss)		\$ 946,832.60		\$ 1,095,967.14	-13.61%

Consumption

*consumption in 1,000 gallons

	2016	Difference	2015	Difference	2014
April	107,238	1.26%	105,899	17.73%	89,954
May	46,669	-17.05%	56,263	4.28%	53,952
June	20,070	-3.96%	20,897	1.95%	20,497
July	104,963	-3.36%	108,610	5.57%	102,880
Aug	49,374	-18.74%	60,763	3.70%	58,595
Sept	24,633	11.22%	22,148	0.59%	22,017
Oct *	122,632	3.43%	118,568	8.66%	109,123
Nov	0	-100.00%	62,618	1.53%	61,673
Dec	0	-100.00%	21,183	-1.01%	21,399
Jan *	0	-100.00%	117,594	3.30%	113,840
Feb	0	-100.00%	55,978	0.49%	55,705
March	0	-100.00%	21,572	-2.47%	22,119
Total	475,579	349.09%	772,093	5.51%	731,754

105,899

WORKERS COMPENSATION FUND
CITY OF BATAVIA
FOR PERIOD ENDED - October 31, 2016

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %
<u>Revenues</u>					
Workers Compensation	\$ 322,640.00	\$ 322,640.00	100.00%	\$ 467,260.00	-30.95%
Interest and earnings	\$ -	\$ 106.06		\$ 43.04	146.42%
Interest and earnings - Cap Rsrvs	\$ -	\$ 232.04		\$ 272.49	-14.84%
Insurance Recoveries	\$ -	\$ -		\$ -	
Refunds of Prior Years Expend	\$ -	\$ -		\$ 74.95	-100.00%
Reserve revenue	\$ -	\$ 75,000.00		\$ 24,370.00	207.76%
 Total Revenues	 \$ 322,640.00	 \$ 397,978.10	 123.35%	 \$ 492,020.48	 -19.11%
 Contractual Expense	 \$ 322,640.00	 \$ 188,626.05	 58.46%	 \$ 330,764.25	 -42.97%
 Total Expenses	 \$ 322,640.00	 \$ 188,626.05	 58.46%	 \$ 330,764.25	 -42.97%
 Operating Income/(Loss)		 \$ 209,352.05		 \$ 161,256.23	 29.83%

#110-2016

A RESOLUTION INTRODUCING A LOCAL LAW AMENDING §190-3, ZONING, DEFINITIONS, §190-14(D), ZONING, C-3 CENTRAL COMMERCIAL DISTRICT, DOWNTOWN DESIGN GUIDELINES, AND §190-43, SIGNS AND EXHIBIT A OF THE BATAVIA MUNICIPAL CODE TO AMEND THE CITY SIGN CODE AND RELATED PROVISIONS

Motion of Councilperson

BE IT RESOLVED, that Local Law No. 4 of the Year 2016 entitled “**LOCAL LAW NO. 4 OF THE YEAR 2016 CITY OF BATAVIA TO AMEND §190-3, ZONING, DEFINITIONS, §190-14(D), ZONING, C-3 CENTRAL COMMERCIAL DISTRICT, DOWNTOWN DESIGN GUIDELINES, AND §190-43, SIGNS AND EXHIBIT A OF THE BATAVIA MUNICIPAL CODE TO AMEND THE CITY SIGN CODE AND RELATED PROVISIONS**” be introduced before the City Council of Batavia, New York; and

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the City Council by the City Clerk; and

BE IT FURTHER RESOLVED, that the City Council hold a public hearing on said proposed Local Law in the Council Board Room, Second Floor, One Batavia City Centre, Batavia, New York, at 7:00 p.m. on Monday, January 9, 2016; and

BE IT FURTHER RESOLVED, that the City Clerk publish or caused to be published a public notice in the official newspaper of the City of said public hearing at least five (5) days prior thereto.

**Seconded by Councilperson
and on roll call**

**LOCAL LAW NO. 4 OF THE YEAR 2016
CITY OF BATAVIA**

**TO AMEND §190-3, ZONING, DEFINITIONS, §190-14(D), ZONING, C-3
CENTRAL COMMERCIAL DISTRICT, DOWNTOWN DESIGN GUIDELINES,
AND §190-43, SIGNS AND EXHIBIT A OF THE BATAVIA MUNICIPAL CODE
TO AMEND THE CITY SIGN CODE AND RELATED PROVISIONS**

Be It Enacted by the City Council of the City of Batavia, New York as follows:

Section 1. §190-3. Definitions

SIGN²

(1) AWNING/CANOPY SIGN

A sign where graphics or symbols are painted, sewn, or otherwise adhered to the awning material as an integrated part of the awning itself. ~~A sign incorporated into an awning attached to a structure.~~

(2) BACKLIT ILLUMINATION

Signs that are backlit illuminated involve a low level of external light shining out from behind solid object, most often letters, creating a soft glow around the outside of the objects.

(3) BRACKET SIGN

A freestanding sign attached to the ground by one or more support structures that is not higher than 5 feet and hangs from a bracket or support.

(4) CANOPY SIGN

A sign placed on a canopy so that the display surface is parallel to the plane of the wall.

COPY CHANGE SIGN

~~A sign on which the visual message may be periodically changed.~~

~~(2)~~(5) DIRECTIONAL SIGN

A permanent sign which is designed for the purpose of directing traffic or pedestrian traffic to the location of an activity or business. ~~A logo or advertising is not permitted.~~

(6) ELECTRICAL RACEWAY

A raceway (sometimes referred to as a raceway system) is an enclosed conduit that forms a physical pathway for electrical wiring. Raceways

protect wires and cables from heat, humidity, corrosion, water intrusion and general physical threats.

(7) ELECTRONIC MESSAGE BOARD

An illumination type that produces a static or changeable electronic message using light-emitting diodes (LED), liquid crystal display (LCD) or other digital display method; that is designed to provide an electronic message or display that may generate and periodically changed using an internal, external or remotely located electronic control system; which contains an illuminated, programmable message or graphic, whether fixed or moving.

(8) EXTERNAL ILLUMINATION

Signs that are externally illuminated have light shining on to the outer surface of the sign. External illumination may be downlit (lit from above) and uplit (lit from below).

(3)(9) FREESTANDING SIGN

A self-supporting sign not attached to any building, wall or fence, but in a fixed location, includes pole signs, pylon signs, and masonry wall-type signs, but does not include portable trailer-type signs.

(10) ICONIC SIGN

A sculptural, typically three-dimensional sign whose form suggests its meaning, and which can either be building-mounted or freestanding.

(4)(11) ILLUMINATED SIGN

Any sign illuminated by electricity, gas or other artificial light either for the interior, back lit or exterior of the sign, and which includes reflective and phosphorescent light.

(12) INTERNAL ILLUMINATION

Signs that are internally illuminated have light shining through the surface of the sign. Typically, these either involve a rectangular-shaped box sign or individual letters (channel letters) that are lit from inside. Neon signs are not considered internally illuminated.

(5)(13) MARQUEE SIGNS

A sign attached to the top or the face of a permanent roof-like structure. A sign, usually associated with a movie house or playhouse, projecting over an entrance to a building.

(14) MONUMENT SIGN

A freestanding sign attached to the ground along its entire length to a continuous pedestal. A monument sign is horizontally oriented or is square.

~~(6)~~(15) OFF-PREMISES SIGN

A sign unrelated to a business or a profession conducted, or to a commodity or service sold or offered, upon the premises where such a sign is located.

(16) POLE SIGN

A freestanding sign constructed on a structure of one or more poles.

~~(7)~~(17) PORTABLE SIGN

A sign designed to be portable and not structurally attached to the ground, building, structure or another sign.

~~PRICE~~ POD

~~A secondary sign located on the same pole as a primary freestanding dedicated to displaying prices of products, such as gasoline, sold on premises~~

~~(8)~~(18) PROJECTING SIGN

~~A sign attached to the building facade at a 90-degree angle, extending more than 15 inches. A projecting sign may be two or three-dimensional. A sign which hangs perpendicular to a building wall.~~

(19) SHINGLE SIGN

A small projecting sign that hangs from a bracket or support.

(20) SIDEWALK SIGN

A moveable sign not secured or attached to the ground or surface upon which it is located.

~~(9)~~(21) SIGN

A structure or device designed or intended to convey information to the public in written or pictorial form.

~~SIGN~~ DIRECTORY

~~A listing of two or more business enterprises, consisting of a matrix and sign components.~~

~~(10)~~(22) SIGN STRUCTURE

~~The supports, uprights, bracing and framework for the sign. In the case of a sign structure consisting of two or more sides where the angle formed between any two of the sides or the projections thereof exceeds 30°, each side shall be considered a separate sign structure.~~

~~(11)~~(23) SIGN SURFACE AREA

The entire area within the single, continuous perimeter enclosing the limits of writing representation, emblem or any figure or similar character. Supports, uprights or structures on which any sign is supported shall not be included in the sign face area unless it is an integral part of the sign.

~~SUSPENDED SIGNS~~

~~A sign which hangs down horizontally from a plane surface such as a porch or other structural element.~~

~~(12)(24)~~ TEMPORARY SIGN

~~A sign related to a single activity or event having a duration of no more than 60 days.~~

~~(13)(25)~~ WALL SIGN

~~A sign placed or painted against a building and attached to the exterior front, rear or side so that the display surface is parallel to the plane of the wall. A sign that is painted on or attached to the outside wall of a building with the face of the sign in the plane parallel to such wall, and not extending more than 15 inches from the face of such wall.~~

~~(14)(26)~~ WINDOW SIGN

~~A sign visible from a sidewalk, street or other public place, painted or affixed on glass or other window material, or located inside within four feet of the window, but not including graphics in connection with customary window display of products.~~

Section 2. §190-14(D), ZONING, C-3 CENTRAL COMMERCIAL DISTRICT

D. Downtown design guidelines.

- (2) Application procedures. The Planning and Development Committee shall review all applications for the following actions that lie within the Downtown Batavia Business Improvement District as described in Chapter 58 of the Code of the City of Batavia:

(a) Any action, except those solely related to sign permits, involving exterior changes which requires the issuance of a building permit or demolition permit.

(b) Any application for a sign or sign structure. Applications are not necessary for the following actions:

[1] Any actions that require review by the Historic Preservation Commission.

[2] Any action reviewed and approved for a Facade Grant award from the Downtown Batavia Business Improvement District (BID). A letter confirming approval of the award shall be forwarded to the Code Enforcement Officer by the BID Manager or President.

[3] Any ordinary maintenance or repair that does involve a change in design, material or outer appearance thereof. The Committee must act on all applications within 60 days of their receipt.

(d) Standards to guide Committee.

[8] ~~Signs and awnings~~Awnings. ~~Signs in the Downtown Batavia Business Improvement District shall comply with § and the following:~~

~~[a] Primary signs are restricted to displaying the name of the business and some immediate relevant information only. They should be simple, straightforward and easy to read from a distance. Secondary information, such as details about the business, hours of operation, etc., should be reserved for smaller window signs which may be read close up at the pedestrian level.~~

~~[b] Primary signs should be located directly above the front door, within a vertical band down one side near the door, or on the awning face. Such signs should not project more than six inches from the plane of the facade.~~

~~[c] Long, continuous lengths of awnings are not recommended. Instead, a series of similar sized smaller ones is preferred.~~

~~[d] Building identification and signs should be incorporated into the design of the facade itself, with a clear and distinguishable portion of the facade reserved solely for the purpose of framing it. It is recommended that lettering be applied directly to the building itself, instead of onto a sign which is tacked on the building. Colors should be kept to a minimum, and should complement those found on the building.~~

~~[e] Exterior box type backlit, moving, flashing or neon signs and awnings are discouraged. Other types of signs not recommended are those made of plywood and plastic materials.~~

~~[f] The use of small lettering on the inside of the upper floor windows to identify the businesses within is encouraged.~~

Section 3. §190-43, SIGNS AND EXHIBIT A

Deleted existing §190-43, Signs and EXHIBIT A in entirety and replace it with the following §190-43, Signs:

§ 190-43 Signs.

A. Statement of Purpose. The purpose of this section is to promote the public health, safety and welfare of the community by regulating the placement and size of outdoor signs and advertising displays. It is intended to protect all property values by ensuring that individual signs do not detract from the overall appearance and safety of the community.

B. Applicability.

- (1) Permit required. It is unlawful for any person to erect, enlarge, relocate or change the copy of any sign other than those identified as exempt in this section, without first obtaining a sign permit and paying the fee therefor as provided in this section. Routine maintenance of existing signs, not involving erection, enlargement, relocation or change of copy, shall not require a permit.
- (2) All signs must be located on the same lot as the permitted use.

C. Application for Permit. Application shall be made in writing to the Department of Public Works on forms prescribed and provided by the City of Batavia and shall contain the following information:

- (1) Name address and telephone number of applicant and property owner.
- (2) Location of building, structure or land upon which the sign now exists or is to be erected.

- (a) If a new sign is to be erected, elevation and plan drawings should be included. A clear description of the placement and appearance of the proposed sign should include the following:

- [1] Location on the premises, specifically, its position in relation to adjacent buildings, structures and property lines.
- [2] The method of illumination, and position of lighting.
- [3] Graphic design, including symbols, letters, materials, and possible color combinations.



- (b) If the sign is in compliance, the Department of Public Works shall issue a permit for the proposed or existing sign. The Department of Public Works shall give written notice to the applicant if the sign application has been denied.

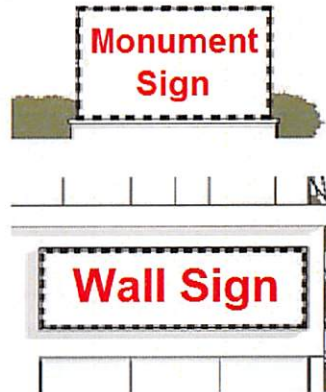
D. Common Sign Plan. A common sign plan must be filed with the Department of Public Works for all sites occupied by more than one tenant. After the filing of a common sign plan, all tenant signs must meet the requirements of the common sign plan.

E. Computation of Sign Type Area. The area of a sign type is determined as follows:

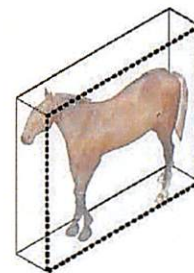
- (1) For signs consisting of freestanding letters or logos, sign area is calculated as the total area of the rectangle, circle or square that fully encloses each word or logo.



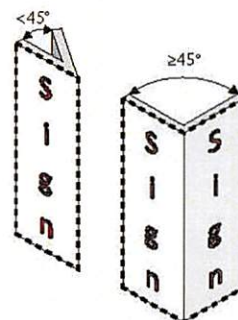
- (2) For wall signs and signs on a background, the entire area of the background is calculated as sign area, including any material or color forming the sign face and the background used to differentiate the sign from the structure against which it is mounted. Sign area does not include any supports or bracing.



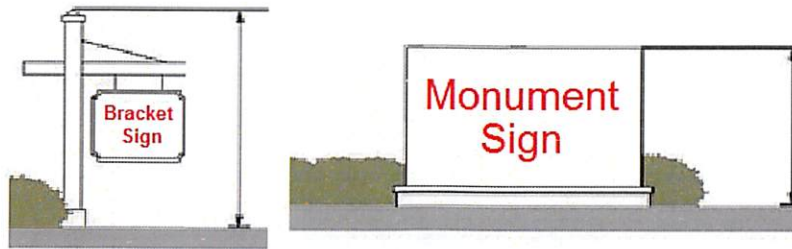
- (3) The sign area of a three-dimensional sign is calculated as total area of the smallest rectangle, circle or square that fully encloses the largest profile of the three-dimensional sign.



- (4) The area for a sign with more than one face is computed by adding together the area of all sign faces, except where the angle at which the two sign faces are placed does not exceed 45 degrees.



- F. **Measurement of Sign Height.** The total height of a freestanding sign is measured from the highest point of the sign or supporting structure to the adjacent grade.



- G. **Fees.** Fees for sign permits shall be as set by resolution of the City Council.
- H. **Permitted Signs.** All signs which comply with the provisions and conditions set forth in this Section and obtain a permit shall be allowed, and all signs not so compliant are specifically prohibited.
- I. **Exempt Signs.** The following signs are considered to be exempt from obtaining a permit, but not exempt from the provisions of this section. Exempt signs of a temporary nature shall not be attached to fences, utility poles or the like and shall not impair traffic visibility. Exempt signs, not in compliance with the provisions of Subsections (1) through (5) below may not continue after the effective date of any amendment of this section.
- (1) Historical markers, tablets and statues, memorial signs or plaques; when cut into masonry surface or when constructed of bronze, stainless steel or similar material and not exceeding six square feet.
 - (2) Flags
 - (3) Non-illuminated warning, private drive, posted or no trespassing signs, not exceeding two square feet per face.
 - (a) "Warning," "private drive," "posted" or "no trespassing" signs shall not be in excess of four feet in height and shall not be in excess of two square foot per face. A maximum of one posted, "warning" or "no trespassing" sign shall be permitted to be placed along the perimeter of property lines at intervals not less than 100 feet apart. This restriction will not apply to properties owned by public entities or utility companies.
 - (4) Three or fewer temporary signs (window, posters, lawn, and directional) not exceeding 60 days, and per the overall area allocation in Sec. M below.
 - (5) Decorations, including lighting.
- J. **Prohibited Signs.**
- (1) No off-premises signs shall be allowed other than those allowed.
 - (2) No sign shall be illuminated by or contain flashing, rotating, scrolling, strobing, or moving lights.
 - (3) No sign shall impair or cause confusion of vehicular or pedestrian traffic, in its design color or placement.
 - (4) No sign shall be placed upon the roof of any building.
 - (5) No sign shall consist of or simulate moving, revolving or fluttering devices such as ribbons and streamers.
 - (6) No advertising message shall be extended over more than one sign placed along a street or highway.
 - (7) No signs shall be attached to utility poles in all zones of the City of Batavia. No permanent, temporary or exempt signs shall be attached, placed, painted or drawn upon fences, trees or man-made or natural features, including permanent, temporary or exempt signs.
 - (8) No signs shall be placed anywhere within the City or state rights-of-way without the permission of the Department of Public Works, excepting awning signs, canopy signs, projecting signs, and

shingle signs in commercial, industrial and planned development districts not exceeding six square feet and sidewalk signs not exceeding 20 square feet in commercial industrial and planned development districts. All signs must be a minimum of 18 inches inside the street line.

K. Portable Signs.

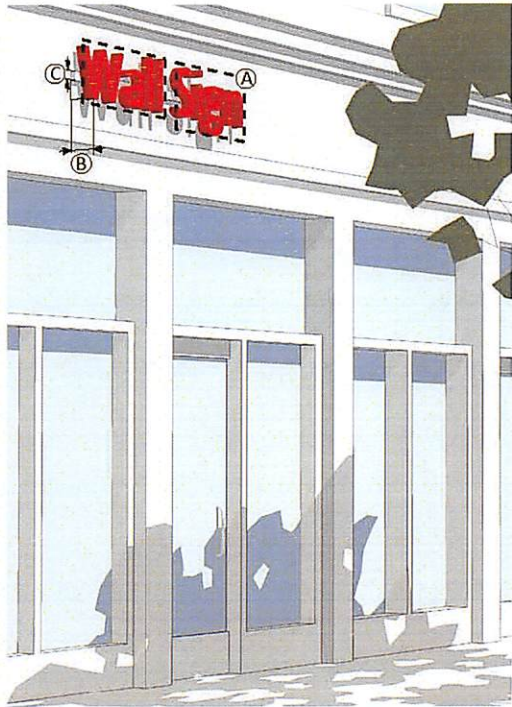
- (1) Portable signs, if powered by electric, must meet all the construction standards of the New York State Uniform Fire Prevention and Building Code.
- (2) Portable sign size shall not exceed 32 square feet and shall be limited to five feet above grade.
- (3) Portable signs must be removed after 60 days. Another portable sign permit can be applied for 30 days after removal of a portable sign.

L. Sign Types Allowed by District. Signs are allowed by district as set forth below. Specific requirements for each sign are shown on the following pages.

Sign Types	Zoning Districts							
	R-1, R-1A, R-2	R-3	C-1	C-2	C-3, H-O	I-1	I-2, I-3, P-1, P-2, P-3	L
Wall Sign	●	●	●	●	●	●	●	
Awning Sign			●	●	●	●	●	
Canopy Sign			●	●	●	●	●	
Projecting Sign	●	●	●	●	●			
Shingle Sign	●	●	●	●	●	●		
Window Sign			●	●	●	●	●	
Pole Sign				●		●		
Monument Sign	●	●	●	●	●	●	●	●
Marquee Sign				□	●			
Iconic Sign			□	□	●			
Bracket Sign	●	●	●	●	●	●	●	●
Sidewalk Sign			●	●	●			

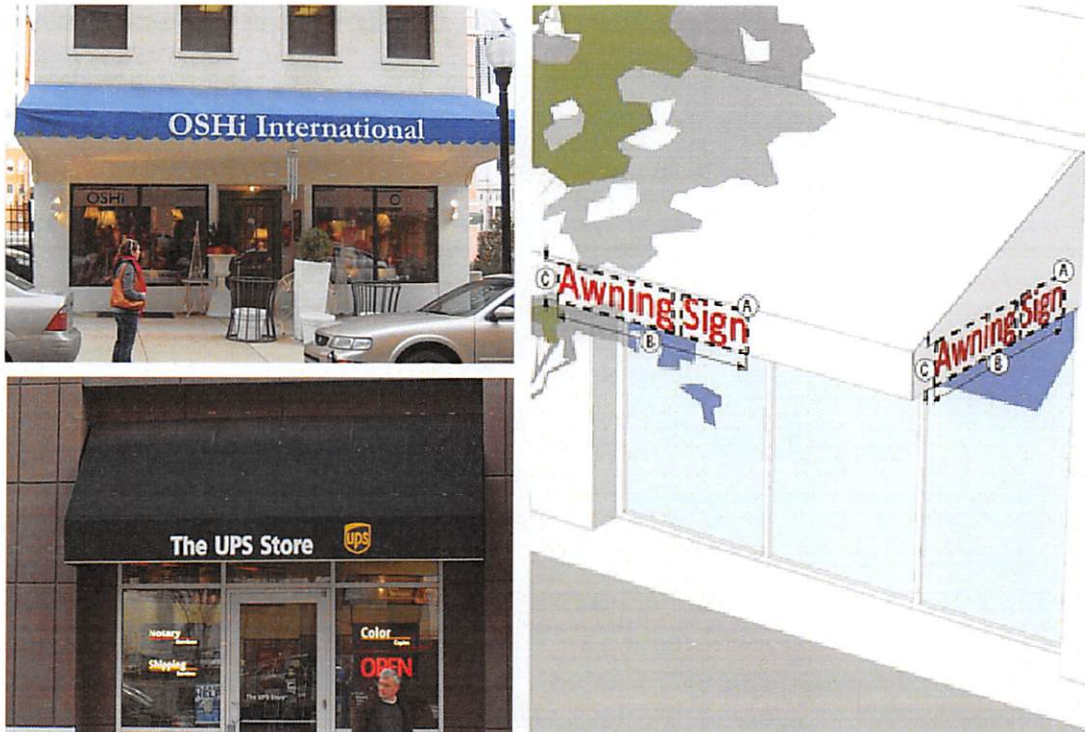
KEY: ● = Sign type allowed □ = Sign type allowed on State highways Blank Cell = Sign type not allowed

N. Wall Signs.



Description		
A sign placed or painted against a building and attached to the exterior front, rear or side so that the display surface is parallel to the plane of the wall.		
General Provisions		
<div>1. No portion of a wall sign may extend beyond the ends, above the roof line, above a parapet wall of a building with a flat roof, or above the second story in a building with more than two stories.</div> <div>2. No portion of a wall sign may extend above the lower eave line of a building with a pitched roof.</div> <div>3. A wall sign cannot cover windows or architectural details.</div> <div>4. A wall sign may be illuminated in accordance with <u>Sec. Z</u> below.</div>		
Standards		
A	Overall area allocation (max)	<u>Sec. M</u> above
B	Projection - measured from building facade (max)	15 in.
C	Electrical raceway (max % of letter height)	50%

O. Awning Signs.



Description

A sign where graphics or symbols are painted, sewn, or otherwise adhered to the awning material as an integrated part of the awning itself.

General Provisions

1. An awning sign cannot extend outside the awning.
2. Only awnings over ground story doors or windows may contain signs.
3. A maximum of one sign is allowed per awning face per establishment.
4. Signs are only allowed in the vertical areas of the awning.
5. An awning sign may only be externally illuminated in accordance with Sec. Z below.

Standards

A	Overall area allocation (max)	<u>Sec. M</u> above
B	Width (max % of awning width/depth)	75%
C	Height of text and graphics on valance (max)	2 ft.

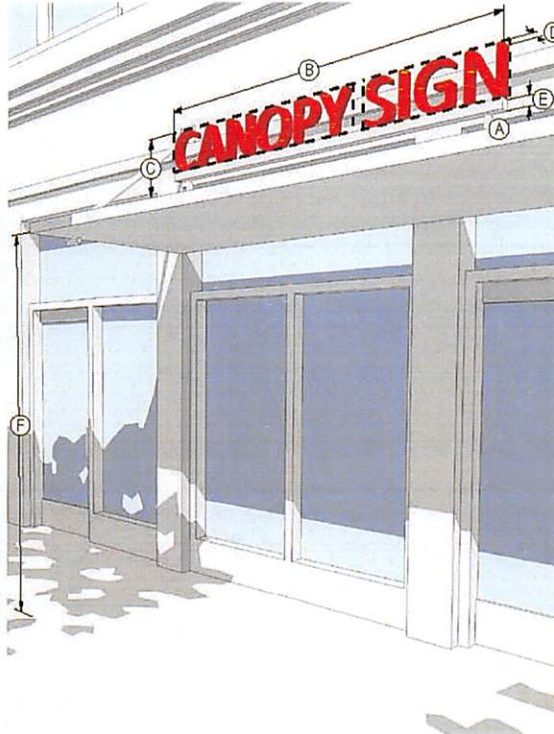
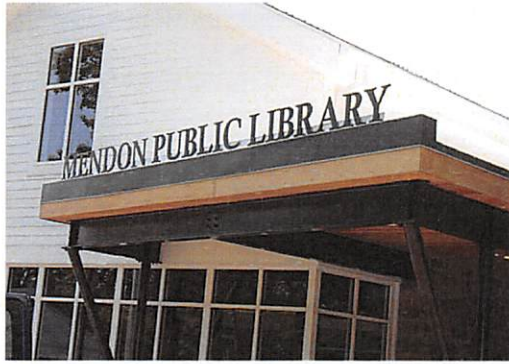
Q. Projecting Signs.



Description		
A sign attached to the building facade at a 90-degree angle, extending more than 15 inches. A projecting sign may be two or three-dimensional.		
General Provisions		
<ol style="list-style-type: none"> 1. A projecting sign must be located at least 25 feet from any other projecting sign. 2. A projecting sign may be erected on a building corner when the building corner adjoins the intersection of two streets. Allocation of sign area from both streets may be used; however, in no case can the sign exceed the maximum height and width standards. 3. The top of a projecting sign can be no higher than the top of the building. However, on one story buildings, the top of a projecting sign may have a maximum of 20% of the sign height above the top of the building. 4. Buildings four stories and higher, a projecting sign must be located below the window sills of the 4th story. 6. A projecting sign may be illuminated in accordance with <u>Sec. Z</u> below. 		
Standards		
A	Overall area allocation (max)	<u>Sec. M</u> above
B	Height ⁽¹⁾ (max)	
	Mounted below 2nd floor	4 ft.
	Mounted on 2nd or 3rd floor	8 ft.
C	Spacing from building facade (min/max)	1 ft./2 ft.
D	Projection width (max)	6 ft.
E	Depth (max)	1 ft.
F	Clear height above sidewalk (min)	10 ft.

(1) If a sign is mounted across two floors then the maximum height is the average of the maximum heights for each respective floor.

P. Canopy Signs.



Description

A sign placed on a canopy so that the display surface is parallel to the plane of the wall.

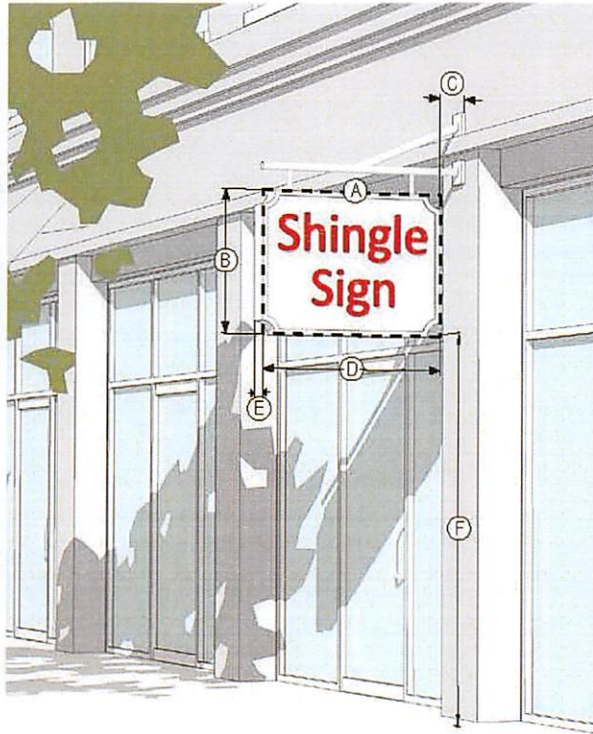
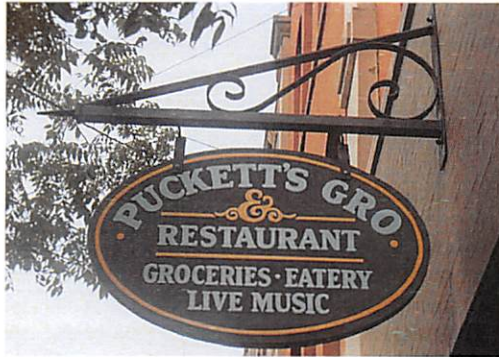
General Provisions

1. A canopy sign cannot extend outside the overall length or width of the canopy. However, a canopy sign may extend above or below the canopy.
2. A maximum of one sign is allowed per canopy per establishment.
3. A canopy sign must be located over an accessible building entrance.
4. Electrical raceways are permitted for signs extending below or above the canopy. Otherwise, electrical raceways are not permitted and the sign must be flush with the canopy face.
5. A canopy sign may be illuminated in accordance with Sec. Z below.

Standards

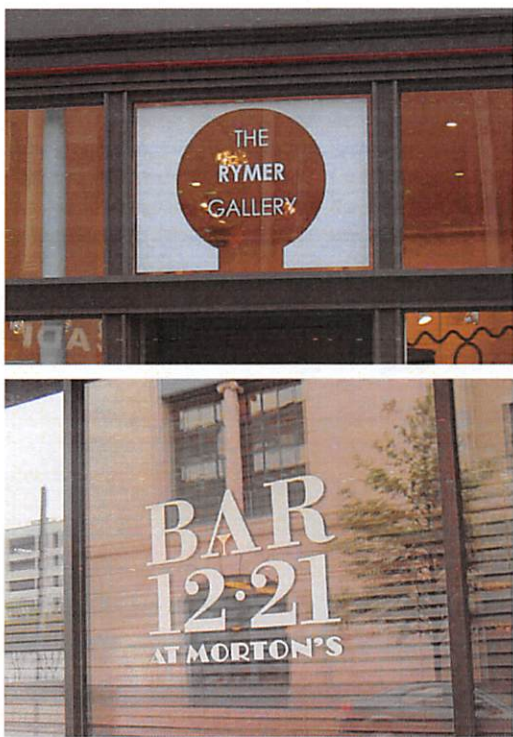
A	Overall area allocation (max)	<u>Sec. M</u> above
B	Width (max % of canopy width)	75%
C	Height of text and graphics (max)	2 ft.
D	Depth (max)	1 ft.
E	Electrical Raceway (max % of letter height)	50%
F	Clear height above sidewalk (min)	10 ft.

R. Shingle Signs.



Description		
A small projecting sign that hangs from a bracket or support.		
General Provisions		
<ol style="list-style-type: none"> 1. A shingle sign must be located within 5 feet of an accessible building entrance. 2. The hanging bracket must be an integral part of the sign design. 3. A shingle sign must be located below the window sills of the second story on a multi-story building or below the roof line on a single-story building. 4. A shingle sign cannot be illuminated. 		
Standards		
A	Overall area allocation (max)	<u>Sec. M</u> above
B	Height (max)	3 ft.
C	Spacing from building facade (min/max)	6 in./12 in.
D	Projection width (max)	3.5 ft.
E	Depth (max)	6 in.
F	Clear height above sidewalk (min)	10 ft.

S. Window Signs.



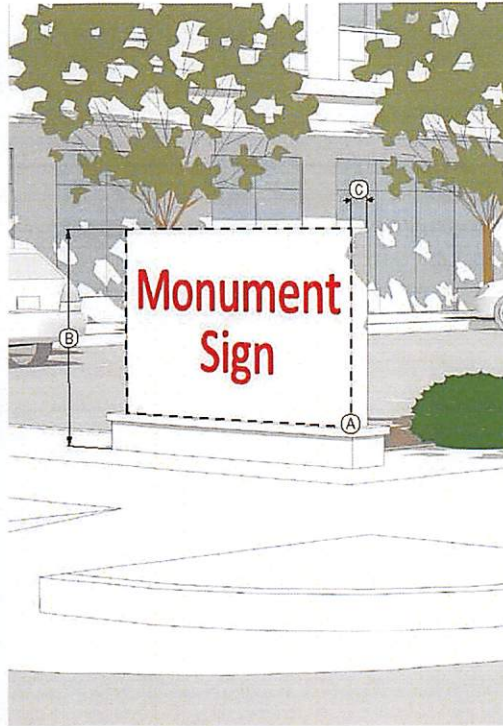
Description		
A sign visible from a sidewalk, street or other public place, painted or affixed on glass or other window material, or located inside within four feet of the window, but not including graphics in connection with customary window display of products.		
General Provisions		
<div>1. Windows signs are only allowed on ground and second story windows and doors, except that second story windows sings are only allowed if for a different establishment than that of the ground story and if no other sign is attached to the building for that establishment.</div> <div>2. A window sign can only be internally illuminated in accordance with Sec. Z below.</div> <div>3. Overall area allocation shall be calculated for all windows per floor, per establishment, per side of the building.</div>		
Standards		
A	Overall area allocation (max)	Sec. M above

T. Pole Signs.



Description		
A freestanding sign constructed on a structure of one or more poles.		
General Provisions		
<ol style="list-style-type: none"> 1. One pole sign is allowed per street frontage, except that one additional monument sign is allowed for properties with 200 feet or more of street frontage. Where more than one monument sign is permitted, signs along the same street frontage must be spaced a minimum of 150 feet apart. 2. A pole sign must be set back at least 5 feet from any property line. 3. A pole sign may be illuminated in accordance with <u>Sec. Z</u> below. 		
Standards		
A	Overall area allocation (max)	<u>Sec. M</u> above
B	Height (max)	25 ft. (C-2), 18 ft. (I-2)
C	Vertical clearance (min/max)	10 ft./15 ft.

U. Monument Signs.



Description

A freestanding sign attached to the ground along its entire length to a continuous pedestal. A monument sign is horizontally oriented or is square.

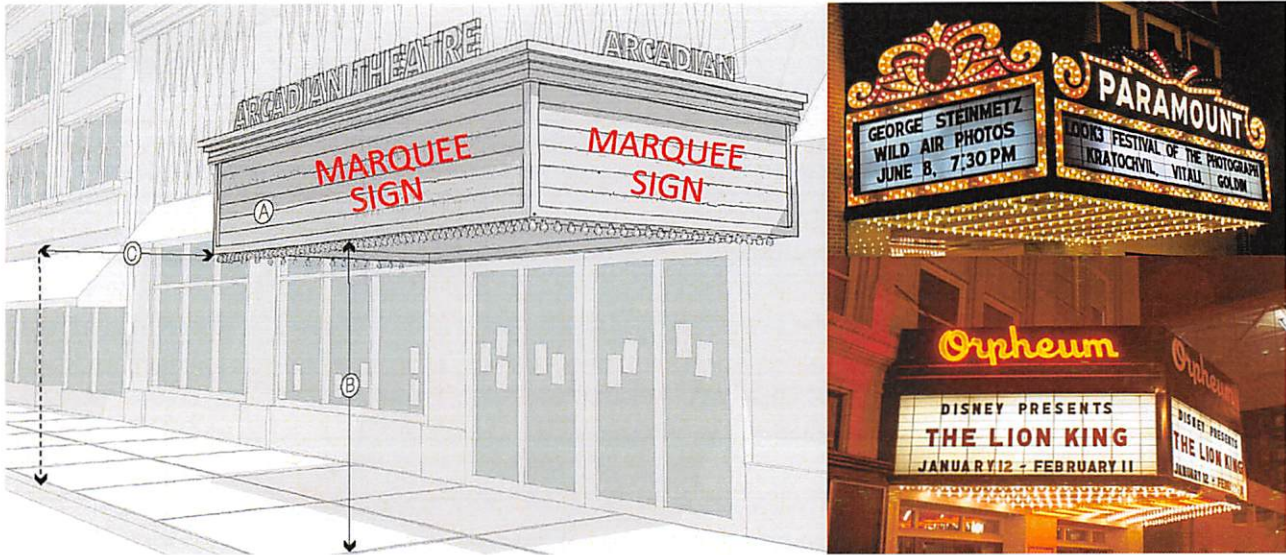
General Provisions

1. One monument sign is allowed per street frontage, except that one additional monument sign is allowed for properties with 200 feet or more of street frontage. Where more than one monument sign is permitted, signs along the same street frontage must be spaced a minimum of 150 feet apart.
2. A monument sign must be set back at least 5 feet from any property line, except for signs in the Land Conservation (L) District where the sign has to be 10 feet from any property line.
3. A sign erected on a retaining wall is required to meet the standards for a monument sign. The height of the wall is included in the overall height calculation.
4. A monument sign may be illuminated in accordance with Sec. Z below.

Standards

A	Overall area allocation (max)	<u>Sec. M</u> above
B	Height (max)	6 ft.
C	Depth (max)	18 in.

V. Marquee Signs.



Description

A sign attached to the top or the face of a permanent roof-like structure.

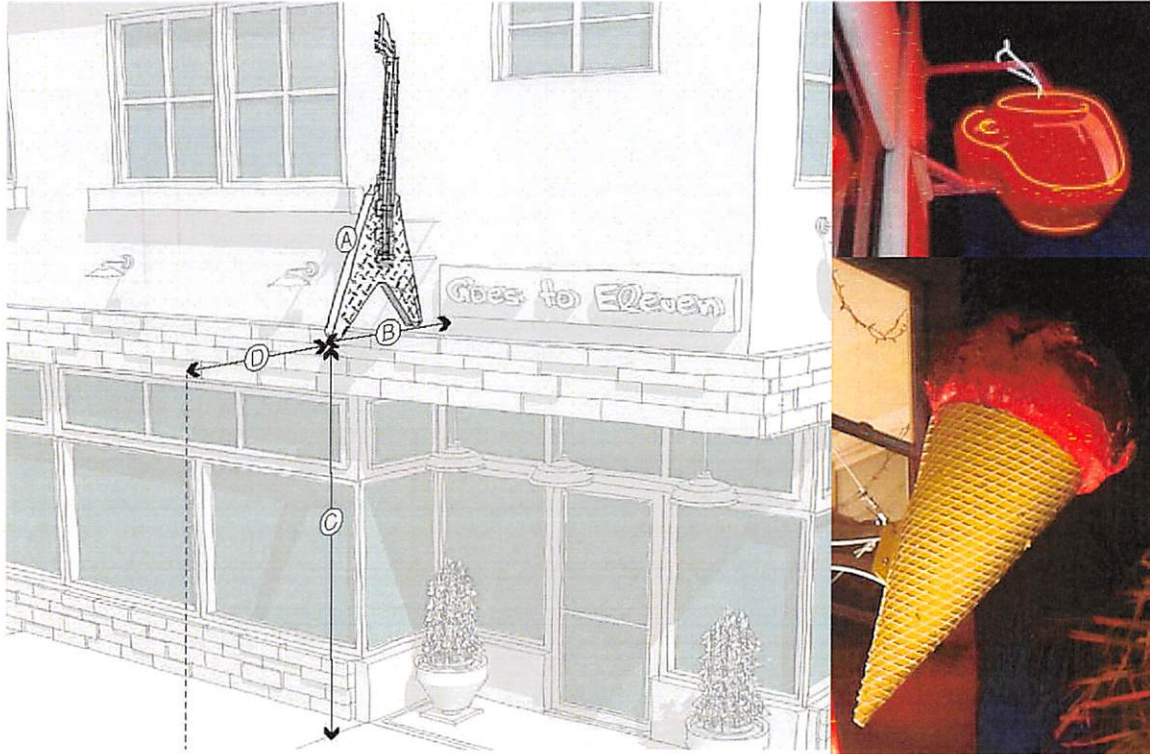
General Provisions

1. A maximum of one marquee sign is permitted per building. Only the following types of establishments may erect a marquee sign: assembly, large or small; cultural facility; school, college/university; hotel/hostel; amusement facility, indoor or outdoor; or live entertainment.
2. A marquee may be erected over a main entrance only, and may be no wider than the entrance over which it is erected, plus five feet on each side.
3. A marquee sign must be supported solely by the building to which it is attached. No exterior columns or posts are permitted as supports.
4. All marquees, including anchors, bolts, supporting rods and braces, must be constructed of non-combustible material and must be designed by a licensed design professional.
5. Water from the marquee roof must not drain, drip, or flow onto the surface of a public right-of-way. Sufficient gutters, downspouts, and drains must be installed as part of each marquee to prevent water from flowing onto the surface of a public right-of-way.
6. A marquee sign may be illuminated in accordance with Sec. Z below.

Standards

A	Overall area allocation (max)	<u>Sec. M</u> above
B	Vertical clearance from sidewalk level (min/max)	10 ft.
C	Setback from curb line (min)	18 in.

W. Iconic Signs.



Description

A sculptural, typically three-dimensional sign whose form suggests its meaning, and which can either be building-mounted or freestanding.

General Provisions

1. A maximum of one iconic sign is permitted per establishment.
2. An iconic sign may contain only iconographical elements representing a product or service offered on site, and may not contain any other items of information.
3. The top of an iconic sign can be no higher than the top of the building. However, on one story buildings, the top of an iconic sign may have a maximum of 20% of the sign height above the top of the building.
4. Buildings four stories and higher, an iconic sign must be located below the window sills of the 4th story.
5. An iconic sign may be illuminated in accordance with [Sec. Z](#) below.

Standards

A	Overall area allocation (max)	Sec. M above
B	Projection from wall (max, including supports)	5 ft.
C	Vertical clearance from sidewalk level (min)	10 ft.
D	Setback from curb line (min)	18 in.

X. Bracket Signs.



Description

A freestanding sign attached to the ground by one or more support structures that is not higher than 5 feet and hangs from a bracket or support.

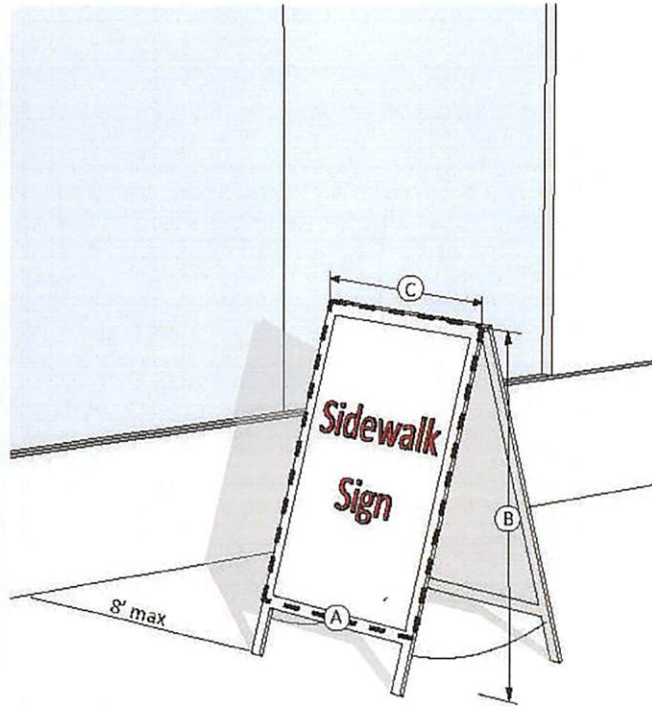
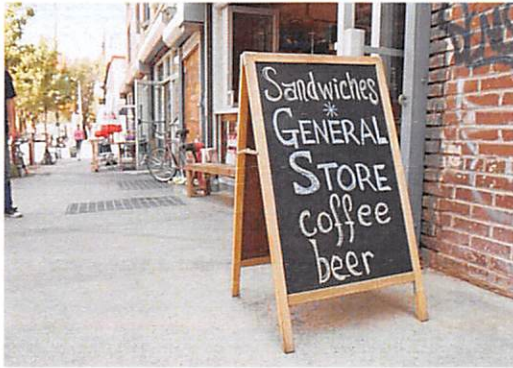
General Provisions

1. Only one bracket sign is allowed per building.
2. A bracket sign must be located at least 25 feet from any other bracket sign.
3. The hanging bracket must be an integral part of the sign design.
4. A bracket sign can only be externally illuminated in accordance with Sec. Z below.

Standards

A	Overall area allocation (max)	<u>Sec. M</u> above
B	Sign structure height (max)	5 ft.
C	Sign area height (max)	3 ft.
D	Sign area width (max)	3 ft.
E	Sign structure/area depth (max)	6 in.

Y. Sidewalk Signs.



Description

A moveable sign not secured or attached to the ground or surface upon which it is located.

General Provisions

1. Sidewalk signs do not require a permit but must be taken inside the place of business at the close of business.
2. A sidewalk sign must be located at least 25 feet from any other sidewalk sign.
3. Sidewalk signs cannot obstruct vehicular, bicycle or pedestrian traffic and must comply with ADA clearance and accessibility.
4. A sidewalk sign cannot be illuminated.

Standards

A	Overall area allocation (max)	<u>Sec. M</u> above
B	Height (max)	5 ft.
C	Width (max)	4 ft.

Z. Sign illumination.

Illumination of signs must be in accordance with the following requirements.

(1) External Illumination

- (a) Lighting directed toward a sign must be shielded so that it illuminates only the face of the sign and does not shine directly onto public right-of-way or adjacent properties.
- (b) Projecting light fixtures used for externally illuminated signs must be simple and unobtrusive in appearance, and not obscure the sign.

(2) Internal Illumination

- (a) The background must be opaque or a darker color than the message of the sign.

(3) Exposed Neon

- (a) Exposed neon may be used for lettering or as an accent.

(4) Backlit Illumination

- (a) Light can be white or a color.
- (b) The background surface that the light shines onto shall not be reflective.

(5) Prohibited Light Sources.

The following light sources are not allowed:

- (a) Blinking, flashing and chasing.
- (b) Bare bulb illumination except for Marquee Signs.

(6) Electrical Raceways and Transformers

- (a) If a raceway is necessary, it cannot extend in width or height beyond the area of the sign.
- (b) A raceway must be finished to match the background wall or canopy, or integrated into the overall design of the sign.
- (c) Visible transformers are not allowed.



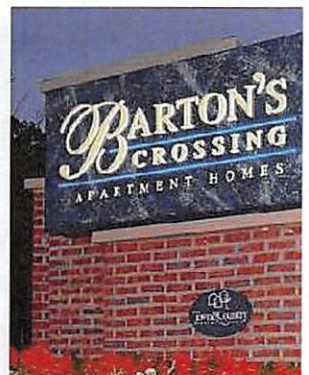
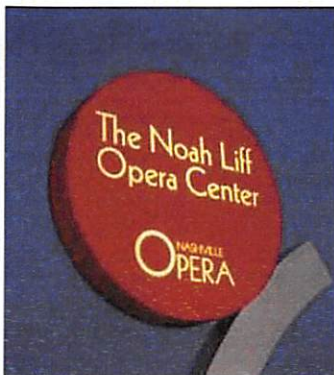
External light sources



Internally lit channel letters



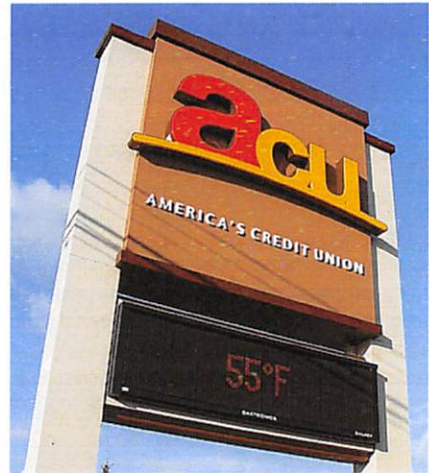
Back lit channel letters



Internally lit sign with darker background

(7) Electronic Message Boards

- (a) Electronic message boards are allowed as part of a permanent freestanding sign and can only comprise as much as 30% of the total square footage permitted in Sec. M above.
- (b) One electronic message board is allowed per street frontage and shall also be considered a pole or monument sign per the density/spacing provision in those sections above.
- (c) An electronic message board may not change or move more often than once every ten seconds.
- (d) The images and messages displayed must be static and shall not produce the illusion of scrolling, moving objects, expanding or contracting shapes, rotation or any similar effect of animation.
- (e) The transition from one static display to another must be instantaneous without any special effects.
- (f) The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.
- (g) An electronic message board must be designed and equipped to freeze the device in one position if a malfunction occurs. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the display when notified by the City that it is not complying with this section.
- (h) An electronic message board must not be brighter than is necessary for clear and adequate visibility.
- (i) An electronic message board must not be of such intensity or brilliance as to impair the vision of a motor vehicle driver or to otherwise interfere with the driver's operation of a motor vehicle.
- (j) An electronic message board must not be of such intensity or brilliance that it interferes with the effectiveness of an official traffic-control sign, device or signal.
- (k) An electronic message board must be equipped with a mechanism that automatically adjusts the brightness in response to ambient conditions.
- (l) An electronic message board must not be equipped with audio speakers, excluding two-way communication devices.



(8) Illumination Types Allowed by District.

Illumination Types	Zoning Districts							
	R-1, R-1A, R-2	R-3	C-1	C-2	C-3, H-O	I-1	I-2, P-1, P-2, P-3	L
External Illumination	•	•	•	•	•	•	•	•
Internal Illumination			•	•		•	•	
Backlit Illumination			•	•	•	•	•	
Exposed Neon				•	•			
Electronic Message Board				□		□		

KEY: ● = Allowed Blank Cell = Not allowed

□ = Allowed on State highways except where entire parcel is directly adjacent to the H-O District

AA. Nonconforming Signs.

- (1) Any sign not conforming to the regulation of the district in which it is located at the time of adoption of this chapter shall be nonconforming.
- (2) Any sign or other advertising structure in existence on the date this amendment to this section is enacted or the effective date of any amendment to this section may continue and shall be maintained.
- (3) An existing sign may change the face or panel of the sign that does not meet the area or height standards of this law. However, there shall be no increase in the degree of nonconformity. All new panels must conform to all illumination standards of Sec. Z above.
- (4) A sign must be brought into compliance with this law if at any time the sign is altered, repaired, restored or rebuilt to the extent that the cost exceeds 50% of the estimated replacement cost of the sign (in current dollar value). All sign permits within any 6 consecutive calendar months will be aggregated for purposes of measuring the 50% standard.
- (5) If the repair is caused by involuntary damage or casualty and not deferred maintenance, the sign may be repaired to any extent.

BB. Removal of Signs. Any sign, existing on or after the effective date of this amendment to this section, which is no longer associated with the establishment upon which such a sign is located, or is unsafe shall be removed within 30 days upon written notice from the Department of Public Works. Upon failure to correct, the Department of Public Works shall remove or cause to be removed said sign and shall cause to be assessed against the property all costs and expenses incurred.

CC. Maintenance. All signs shall be maintained in such a condition so as to not constitute a danger to the public health, safety or welfare. The Department of Public Works shall inspect and have the authority to order the painting, repair and alteration or removal of signs which become dilapidated or are abandoned, or which constitute physical hazard to the public safety.

DD. Construction Standards. All signs shall be constructed and installed in conformance with the New York State Uniform Fire Prevention and Building Code. Separate certification may be required for illuminated signs indicating compliance with the National Electrical Code (NFPA 70). The Department of Public Works shall have the option to require a review by the City Engineer. If the City Engineer finds the mounting technique questionable, a professional review by a New York State registered engineer would be required.

EE. Appeal procedures. Any person aggrieved by a decision of the Department of Public Works relative to dimensional provisions of this section may appeal such decision by applying for an area variance. The Department of Public Works shall refer the application to the Zoning Board of Appeals for approval or denial. In granting a variance, the Zoning Board of Appeals must determine that the sign is in harmony with the general purposes of this section, does not harm the neighborhood character, and is not detrimental to public health, safety or welfare. The Zoning Board of Appeals should also consider the benefit to the applicant versus the detriment to the community in the granting of any variance. The City Planning and Development Committee shall review and issue recommendations to the Zoning Board of Appeals for area variances for signs within the Central Commercial (C-3) District.

FF. Substitution Clause. The owner of any sign which is otherwise allowed by this law may substitute noncommercial copy in lieu of any other commercial or non-commercial copy. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.

GG. Severability Clause. Should any section or provision of this law be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the law as a whole or any part thereof, other than the part so declared to be invalid.

Deletions designated by ~~strikeout~~

Additions designated as underlined

#111-2016
A RESOLUTION TO CONTRACT FOR PROSECUTORIAL SERVICES WITH
GENESEE COUNTY

Motion of Councilperson

WHEREAS, the City of Batavia has contracted with Genesee County for the past several years for Prosecutorial Services; and

WHEREAS, the Contract between the City and County for these services expires December 31, 2016; and

WHEREAS, the City is desirous of continuing with the Inter-Municipal City Court Prosecutorial Services Agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council President for the City of Batavia is hereby authorized to sign an Inter-Municipal City Court Prosecutorial Services Agreement between the City of Batavia and Genesee County.

Seconded by Councilperson
and on roll call

#112-2016
A RESOLUTION SCHEDULING REGULAR COUNCIL MEETINGS THROUGH
DECEMBER 31, 2017

Motion of Councilperson

WHEREAS, the Batavia City Council, pursuant to the City Charter, is required to schedule regular Council meetings through the standard resolution process; and

WHEREAS, City Council historically meets on the second and fourth Monday of each month except during the months of July, August and December where the Council meets only on the second Monday; and

WHEREAS, City Council must designate the specific location and time of meetings on an annual basis.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia hereby designates the Council Board Room located at City Hall, One Batavia City Centre, as the regular meeting place for the scheduled Council meetings through December 31, 2017; and

BE IT FURTHER RESOLVED, that the City Council shall meet at 7:00 p.m. at the City Council Board Room on the designated dates as outlined on Attachment "A" through December 31, 2017.

Seconded by Councilperson
and on roll call

2017 City of Batavia Council Meetings

January 9, 2017 (Business)
January 23, 2017 (Conference)
February 14, 2017 (Tuesday - Business)
February 27, 2017 (Conference)
March 13, 2017 (Business)
March 27, 2017 (Conference)
April 10, 2017 (Business)
April 24, 2017 (Conference)
May 8, 2017 (Business)
May 22, 2017 (Conference)
June 12, 2017 (Business)
June 26, 2017 (Conference)
July 10, 2017 (Business and Conference)
August 14, 2017 (Business and Conference)
September 11, 2017 (Business)
September 25, 2017 (Conference)
October 10, 2017 (Tuesday - Business)
October 23, 2017 (Conference)
November 13, 2017 (Business)
November 27, 2017 (Conference)
December 11, 2017 (Business and Conference)

#113-2016
A RESOLUTION TO AUTHORIZE BUDGET AMENDMENTS

Motion of Councilperson

WHEREAS, the City of Batavia has experienced an increase in tax foreclosures thereby increasing tax foreclosure expenses over and above the adopted budget; and

WHEREAS, the City of Batavia received insurance and other settlements for property damage; and

WHEREAS, the City's Youth Bureau received an increase in funding from Genesee County through their allocation process as a result of state add-on funding; and

WHEREAS, the Washington Street Sewer and Summit Street Water Capital projects were under budget, and the scope of the project was enhanced to include the replacement of 20 year old water meters in the amount of \$16,125.00 and \$21,245.01 respectively, with more accurate and updated radio read meters which will aid in reducing lost water revenues; and

WHEREAS, the City of Batavia is in receipt of a Zombie and Vacant Properties Remediation and Prevention Initiative grant for \$66,500 from the Local Initiatives Support Corporation to assist with supporting housing quality improvement and enforcement programs; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia does hereby authorize the following budget amendments:

Effective November 28, 2016, amend the 2016-17 budget by increasing expenditure accounts:

001.1325.0472	Tax Foreclosure Expenses	\$ 15,000.00
001.3120.0406	Police – Transportation	\$ 3,958.53
001.7310.0401	Youth Service - Supplies	\$ 895.00
001.7310.0456	Youth Service – Contract Program	\$ 450.00
001.6460.0100.1160	Community Devel. – Personnel	\$ 30,750.00
001.6460.0801.1160	Community Devel. – State Retirement	\$ 3,250.00
001.6460.0802.1160	Community Devel. – Social Security	\$ 2,000.00
001.6460.0430.1160	Community Devel – Office Supplies	\$ 10,000.00
001.6460.0435.1160	Community Devel. – Travel & Training	\$ 1,000.00
001.6460.0201.1160	Community Devel – Small Equipment	\$ 7,500.00
001.6460.0423.1160	Community Devel. – Contr Srvs Research	\$ 2,000.00
001.6460.0423.1160	Community Devel. – Contr Srvs (Other)	\$ 10,000.00

Decreasing expense account:

001.1990.0500	Contingency	\$ 15,000.00
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and increasing revenue accounts:

001.0001.2690	Other Compensation for Loss	\$ 3,958.53
001.0001.3820	Recreation Program	\$ 1,345.00
001.0001.3989	State Aid - Other Home and Community Services	\$ 66,500.00

Seconded by Councilperson
and on roll call

#114-2016
A RESOLUTION AUTHORIZING AGREEMENT WITH
NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR
PRELIMINARY ENGINEERING AND DESIGN FOR THE
CITY OF BATAVIA, HIGHWAY PREVENTIVE MAINTENANCE (SIX STREETS)

Motion of Councilperson

WHEREAS, a project for the preventive maintenance of six streets Clinton Street from Routes 5/33 to City Line, East Avenue from Clinton Street to Ross Street, Liberty Street from NYS Route 63 to NYS Route 5/33, South Liberty Street from South Jackson Street to NYS Route 63, Swan Street from NYS Route 63 to NYS Route 5/33, and Vine Street from NYS Route 5/33 to Bank Street, City of Batavia, Genesee County, P.I.N. 4761.16 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the City of Batavia desires to advance the Project by making a commitment of 100% of the non-Federal share of the costs of Preliminary Engineering and Design; and

NOW THEREFORE, the City Council, duly convened does hereby resolve that the above-referenced Project is approved; and

BE IT FURTHER RESOLVED, that the City Council hereby authorizes the payment in the first instance 100% of the Federal and non-Federal share of the cost of Preliminary Engineering and Design for the Project or portions thereof; and

BE IT FURTHER RESOLVED, that the sum of \$60,050 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and

BE IT FURTHER RESOLVED, that in the event the full Federal and non-Federal share of the Project costs exceeds the amount appropriated above, the City Council shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof; and

BE IT FURTHER RESOLVED, that the Council President be and is hereby authorized to execute all necessary agreements, and the Director of Public Works is authorized to execute certifications or reimbursement requests for Federal aid on behalf of the City Council with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of Federal aid and State aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Seconded by Councilperson
and on roll call



City of Batavia

Memorandum

To: Jason Molino, City Manager

From: Matt Worth, Director of Public Works

Date: June 22, 2016

Subject: Notice of Project Inclusion 2017/2020 Transportation Improvement Program (TIP)

This past August, the Genesee Transportation Council (GTC) put out a call for projects to be considered for inclusion in the 2017-2020 Transportation Improvement Program. This program manages projects that use Federal Transportation Funds, and also meet the criteria and are consistent with the Long Range Transportation Plan (LRTP) for this region. The focus of the LRTP is the maintenance of existing pavements, and the preventive maintenance of element-specific work on bridges. After careful consideration the City submitted two project applications to be considered by the GTC for inclusion in the final TIP project list.

We have recently been informed that the City application for our project "City of Batavia Highway PM (Six Streets)" has been approved for inclusion on the final TIP list. This project consists of milling and resurfacing Clinton St, East Ave, Liberty St, South Liberty St, Swan St, and Vine St. In total, it is expected that this work will have an estimated project budget of \$2,550,463 which will be 80% funded through Federal Transportation Funds. The remaining 20% funding will have to be provided through a local match, and other opportunities will be explored to reduce this funding match further if possible.

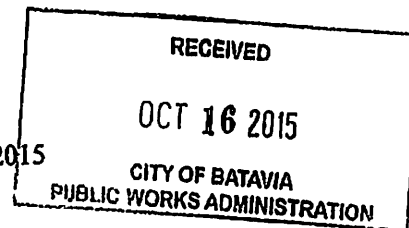
The next steps in the process will be the solicitation of proposals from engineering firms and the formation of a selection committee. Once the Federal Highway Funding is approved in the fall, the selection of an engineering firm can be completed and scoping/preliminary engineering work can begin. Final Design would be expected in the fall of 2017, and construction in the summer of 2018.

Supporting Documentation:
TIP Application Cover Letter
TIP Initial Project Proposal



City of Batavia

October 15, 2015



Mr. James Stack, Assistant Director
Genesee Transportation Council
50 West Main Street, Suite 8112
Rochester, NY 14614

RE: 2017/2020 Transportation Improvement Program – City of Batavia Applications

Dear Jim:

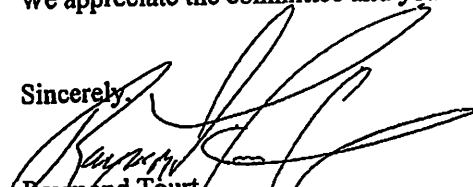
I am submitting applications for two projects on behalf of Matt Worth – Director of Public Works, City of Batavia, for the 2017/2020 TIP program. The two projects are rehabilitative in nature even though one is classified as a reconstruction.

The first of the projects is the milling and resurfacing of seven lane miles involving six streets within the City of Batavia. Two of the streets are minor arterials and the remainder are urban collectors. The involved are Clinton St/Rt33, East Ave, Liberty St, So. Liberty St, Swan St and Vine St. These streets provide travel ways for commuters, business and schools within the community. We will address any pedestrian needs as well as look at potential bicycle accommodations as part of the project.

The second project is the partial reconstruction of Richmond Avenue from Oak St to State St. This is looking to remove the existing composite asphalt/concrete pavement and replacing it with a modern full-depth asphalt pavement. The City continues to absorb costs for various solutions for ride quality but these are short lived and a new structural road bed is needed to prevent movement caused by the existing concrete base. Pedestrian sidewalks were recently rehabilitated so there should be no concerns to address there. There is an opportunity, with the over width pavement to add bicycle lanes if on-street parking is restructured. We feel base rubblization would harm shallow underground utilities and why we are considering reconstruction.

We appreciate the committee and yourself for providing us this opportunity to submit these projects.

Sincerely,


Raymond Tourt
Superintendent of Maintenance.

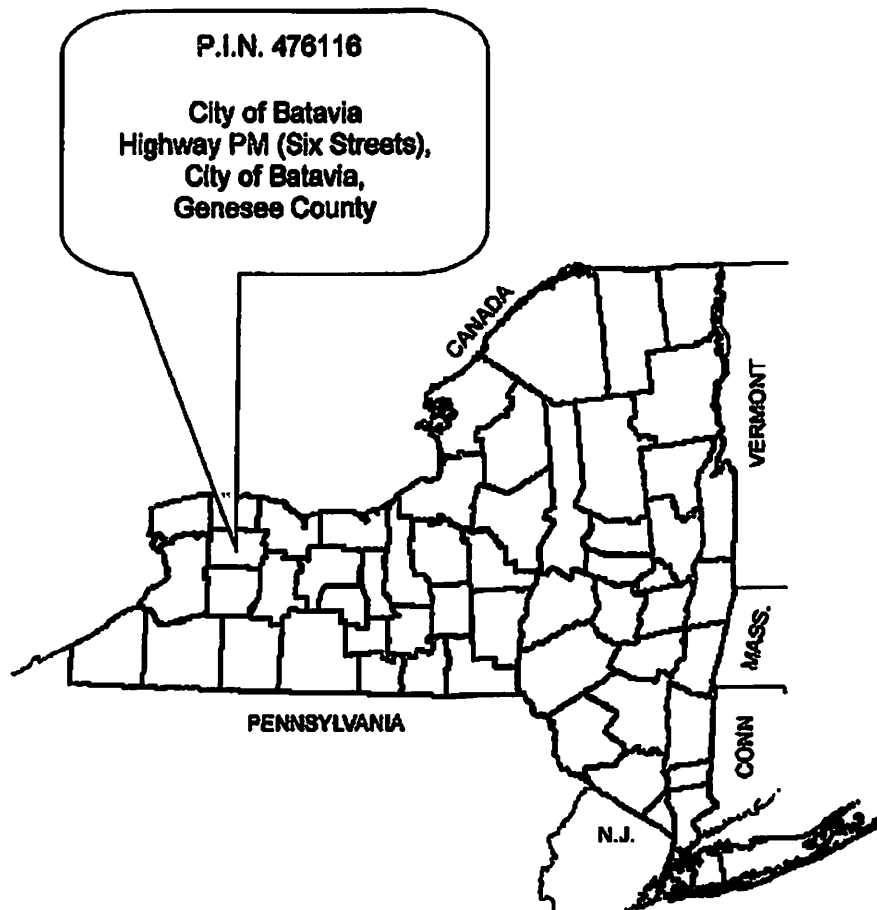
Bureau of Maintenance
147 Walnut Street
Batavia, New York 14020

Phone: 585-345-6400 Opt. 1
Fax: 585-343-6199
www.batavianewyork.com

TRANSPORTATION

INITIAL PROJECT PROPOSAL

June 2016



U.S. Department of Transportation Federal Highway Administration

NEW YORK STATE DEPARTMENT OF TRANSPORTATION
ANDREW M. CUOMO, Governor MATTHEW J. DRISCOLL, Commissioner

PROJECT REPORT



PROJECT APPROVAL SHEET
(Pursuant to SAFETEA-LU Matrix)

Milestones

Signatures

Dates

**A. Recommendation for
IPP Approval:**

The project cost and schedule are consistent with the Regional Capital Program.

James P. Wiler, Regional Program Manager

B. IPP Approval:

The project is ready to be added to the Regional Capital Program and project
scoping or preliminary design can begin.

Kevin C. Bush, Regional Director

PIN: 476116

PROJECT NAME: City of Batavia Highway PM (Six Streets)

MUNICIPALITY: City of Batavia

COUNTY: Genesee

ROUTE/LIMITS: Clinton Street from NYS Routes 5/33 to City Line
 East Avenue from Clinton Street to Ross Street
 Liberty Street from NYS Route 63 to NYS Route 5/33
 South Liberty Street from South Jackson Street to NYS Route 63
 Swan Street from NYS Route 63 to NYS Routes 5/33
 Vine Street from NYS Routes 5/33 to Bank Street

BIN(s): N.A.

PROJECT LENGTH: Clinton Street – 0.65 miles; East Avenue – 0.87 miles; Liberty Street - 0.27 miles; S. Liberty Street – 0.44 miles; Swan Street – 0.36 miles; Vine Street – 0.94 miles. 3.53 miles – total.

FEDERAL AID SYSTEM: FA, Non-NHS

FUNCTIONAL CLASS/ EXISTING AADT (TRUCKS- %):

Clinton Street	Minor Arterial	8,270 AADT (2014)	(6.3%)
East Avenue	Collector	5,878 AADT (2011)	(1.3%)
Liberty Street	Collector	3,958 AADT (2014)	(1.8%)
South Liberty Street	Minor Arterial	1,955 AADT (2014)	(2.9%)
Swan Street	Collector	2,351 AADT (2010)	(3.2%)
Vine Street	Collector	1,991 AADT (2014)	(2.4%)

EXISTING CHARACTERISTICS OF CONCERN:

All roadway surfaces have various levels of pavement distress and will need remedial work (mill and resurface) to restore riding surfaces.

MEASURE/INDICATOR: Pavement Condition*

Clinton Street	69
East Avenue	65
Liberty Street	60
South Liberty Street	64
Swan Street	40
Vine Street	58-73

*Batavia uses a rating of 0 to 100 based on RSMS City developed rating system.

PROJECT OBJECTIVE(S):

Restore to smooth roadway surfaces for safe and efficient motor vehicle travel. Clinton Street, East Ave (portion) and Liberty Street appear to be able to accommodate bicycle lanes if on street parking is restructured. Replacement of any defective sidewalks and installation of compliant ADA curb ramps will ensure pedestrians are provided a safe means of travel along these City streets.

PROJECT ELEMENT(S) TO BE ADDRESSED:

- | | |
|---|--|
| <input type="checkbox"/> Deck/Minor Bridge Rehabilitation | <input type="checkbox"/> Bridge Replacement, Existing Location |
| <input type="checkbox"/> Major Bridge Rehabilitation | <input type="checkbox"/> Bridge Replacement, New Location |
| <input checked="" type="checkbox"/> Highway Resurfacing | <input type="checkbox"/> Highway Reconstruction |
| <input type="checkbox"/> Appurtenance | <input type="checkbox"/> Culvert Rehabilitation/Replacement |
| <input type="checkbox"/> Traffic Control | <input type="checkbox"/> Corrective/Preventative |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Bridge Maintenance |

DESCRIPTION OF PROPOSED WORK:

This project addresses needed pavement rehabilitation work. Clinton Street, East Ave (portion) and Liberty Street appear to be able to accommodate bicycle lanes if on street parking is restructured. Replacement of any defective sidewalks and installation of compliant ADA curb ramps will ensure pedestrians are provided a safe means of travel along these six City street segments.

PRIORITY RESULTS: ☒ Mobility & Reliability ☐ Safety ☐ Security
☐ Economic Competitiveness ☐ Environmental Stewardship

FUNDING SOURCE: ☐ 100% State ☒ Federal

SEQRA AND NEPA CLASSIFICATION [OR] SEQRA CLASSIFICATION:

SEQRA Type: ☐ Exempt ☒ Type II ☐ Non-Type II
☐ Type I* ☐ Unlisted* (*Locally Administered)

NEPA Class: ☒ Class II - CE (C-List or D-List To Be Determined During Design)
☐ N/A – Project is 100% State funded

The following checklists will be completed:

- ☒ Federal Environmental Approval Worksheet
☒ Regional Environmental Checklist
☐ Landscape Architectural/Environmental Services IPP Report

MPO INVOLVEMENT: ☐ No ☒ Yes TIP Name: City of Batavia: Mill & Resurface Six City Street Segments
TIP No.: TBD

TIP AMENDMENT REQUIRED: ☒ No ☐ Yes Needed by:

STIP STATUS: ☒ On STIP ☐ Not on STIP

NOTES ON SPECIAL CIRCUMSTANCES: Scoping, design, and construction are to be administered by the City of Batavia. The sponsor's project manager is Matt Worth, Director – Department of Public Works, (585) 345-6329.

SPECIAL TECHNICAL ACTIVITIES REQUIRED: A State-Local agreement will be required to allow for reimbursement of sponsor expenditures consistent with the applicable Federal Aid Program. A safety screening will be conducted during preliminary engineering.

PLANNED PUBLIC INVOLVEMENT: A Public Involvement Plan will be developed during preliminary engineering and will be implemented throughout final design and construction.

June 2016**Initial Project Proposal****PIN 476116****WORKZONE SAFETY & MOBILITY:**

A Transportation Management Plan (TMP) will be prepared for the project consistent with 23 CFR 630.1012. The TMP will consist of a Temporary Traffic Control (TTC) plan. Transportation Operations (TO) and Public Information (PI) components of a TMP will be considered during final design.

PROBABLE SCHEDULE AND COST:

Consultant selection will start shortly and will be completed by fall 2016. Scoping/Preliminary Engineering will begin in October 2016. Final design will begin in October 2017. The PS&E will be produced in February 2018 for a bid opening in April 2018. The contract award and construction start will be in June 2018 and construction will be completed by November 2018. The estimated cost of engineering, construction and inspection is \$2,086,285.

DESIRED LETTING: 4/2018**DESIRED CONSTRUCTION COMPLETION: 11/2018****SCHEDULE ISSUES:**☐ Public Meeting☐ Permits☒ Consultant(s) for: Design and CI☐ 4(f)/106 FHWA sign-off☐ Other - Identify☐ No Consultant Needed

Project Phase	Activity Duration	Estimated Cost	Fund Source	Obligation Date
Scoping	3 months	\$40,049	STP-Flex	Oct-2016
Design I-IV	8 months	\$19,995	STP-Flex	Oct-2016
Design V-VI	5 months	\$204,133	STP-Flex	Oct-2017
Construction	7 months	\$2,041,327	STP-Flex	Feb-2018
Construction Inspection	7 months	\$244,958	STP-Flex	Feb-2018
TOTAL		\$2,550,463		

BASIS OF ESTIMATE:

Sponsor's TIP Application

PROJECT MANAGEMENT GROUP:☐ Simple☒ Moderate☐ Complex**STATEWIDE SIGNIFICANCE:**☐ Yes☒ No

Remarks:

PUBLIC FRIENDLY DESCRIPTION OF PROJECT:

Project proposes to provide a smooth driving surface by removing the top layer(s) of pavement and replacing in-kind. Work will be conducted on some or all of the following roadways: Clinton St, East Ave, Liberty Street, South Liberty St, Swan St and Vine St in the City of Batavia.

PROJECT MANAGER/JOB MANAGER: Steve Beauvais**FUNCTIONAL AREA(S):**

Local Projects Unit

PHONE(S):

585-272-3466

IPP PREPARED BY:

Steve Beauvais (for the City of Batavia)

DATE: 6/8/16

