



**BATAVIA CITY COUNCIL  
BUSINESS MEETING**

**City Hall - Council Board Room  
One Batavia City Centre  
Monday, July 11, 2016  
7:00 PM**

**AGENDA**

- I. Call to Order
- II. Invocation – Council President Jankowski
- III. Pledge of Allegiance
- IV. Approval of June 2016 Minutes
- V. Approval of May 2016 Financials
- VI. Assignment of Agenda Items
- VII. Communications
  - a. Batavia First United Methodist Children's Carnival
  - b. Kelly's Holland Inn Liquor License Renewal
- VIII. Council President Report
  - a. Announcement of the City Council July Conference Meeting to be held following this meeting in the City Hall Council Board Room, 2<sup>nd</sup> Floor, City Centre.
  - b. The August Business and Conference meeting will be held August 8, 2016 in the City Hall Council Board Room, 2<sup>nd</sup> 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

- #76-2016    A Resolution in the Matter of the Granting of a Cable Television Franchise to Community Cable Corporation D/B/A North Penn Video in the City of Batavia, County of Genesee, New York
- #77-2016    A Resolution in the Matter of the Granting of a Cable Television Franchise to Empire Video Services Corporation in the City of Batavia, County of Genesee, New York
- #78-2016    A Resolution to Authorize Budget Transfers and Budget Amendments
- #79-2016    A Resolution to Appoint/Reappoint Members to Various City Committees/Boards

XVI.    Executive Session...Real Property

XVII.    Adjournment

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

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %	Change \$
<b>Revenues</b>						
Real Property Taxes	\$ 5,111,384.00	\$ 5,131,895.26	100.40%	\$ 5,041,556.33	1.79%	\$ 90,339
Gain -Sale Tax Acquired Prop.	\$ -	\$ 2,166.68		\$ -		\$ 2,167
Payments in Lieu of Tax	\$ 52,265.00	\$ 45,587.30	87.22%	\$ 114,182.80	-60.08%	\$ (68,596)
Interest & Pen. on Tax	\$ 190,000.00	\$ 12,022.41	6.33%	\$ 10,985.04	9.44%	\$ 1,037
Sales and Use Tax	\$ 6,130,000.00	\$ 401.27	0.01%	\$ -		\$ 401
Utility Gross Receipts Tax	\$ 220,000.00	\$ 3,684.28	1.67%	\$ 3,799.52	-3.03%	\$ (115)
Cable TV Franchise	\$ 165,000.00	\$ -	0.00%	\$ -		\$ -
Clerk/Treasurer Fees	\$ 32,000.00	\$ 4,921.71	15.38%	\$ 7,341.42	-32.96%	\$ (2,420)
Charges for Tax Redemption	\$ -	\$ 600.00		\$ 300.00	100.00%	\$ 300
Marriage Licenses	\$ 3,000.00	\$ 950.00	31.67%	\$ 925.00	2.70%	\$ 25
Other Gen Govern Dept Inc.	\$ 15,391.00	\$ -	0.00%	\$ -		\$ -
Police Fees	\$ 2,800.00	\$ 351.75	12.56%	\$ 508.25	-30.79%	\$ (157)
Dog Seizure Fees	\$ 600.00	\$ 90.00	15.00%	\$ 110.00	-18.18%	\$ (20)
Other Public Safety Dept Inc	\$ -	\$ 742.01		\$ -		\$ 742
Vital Statistics Fees	\$ 33,000.00	\$ 5,900.00	17.88%	\$ 5,360.00	10.07%	\$ 540
Ambulance service revenue	\$ -	\$ -		\$ -		\$ -
Public Works Services	\$ 12,000.00	\$ 63.73	0.53%	\$ -		\$ 64
Fines & Forfeited Bail	\$ 125,000.00	\$ 13,782.00	11.03%	\$ 13,979.00	-1.41%	\$ (197)
Maintenance Fee - Ice Rink	\$ 36,480.00	\$ -	0.00%	\$ -		\$ -
Park User Fees	\$ 3,100.00	\$ 1,325.00	42.74%	\$ 900.00	47.22%	\$ 425
Special Recreat. Fac Charges	\$ 20,000.00	\$ -	0.00%	\$ -		\$ -
Other Culture & Rec income	\$ 3,000.00	\$ -	0.00%	\$ -		\$ -
Zoning Fees	\$ 1,000.00	\$ 200.00	20.00%	\$ 250.00	-20.00%	\$ (50)
Code Violation Charges	\$ 36,000.00	\$ 320.00	0.89%	\$ 225.00	42.22%	\$ 95
EMS Program	\$ 45,590.00	\$ (12,800.00)	-28.08%	\$ (13,250.00)	-3.40%	\$ 450
Interest and Earnings	\$ 2,000.00	\$ 45.89	2.29%	\$ 386.63	-88.13%	\$ (341)
Interest and Earnings Reserves	\$ -	\$ 774.67		\$ 1,201.30	-35.51%	\$ (427)
Rental of Real Property	\$ 24,480.00	\$ 12,378.74	50.57%	\$ 15,557.56	-20.43%	\$ (3,179)
Rental, other - facility usage	\$ 500.00	\$ 435.00	87.00%	\$ 295.00	47.46%	\$ 140
Business/Occup. Licenses	\$ 5,000.00	\$ 1,220.00	24.40%	\$ 75.00	1526.67%	\$ 1,145
Games of Chance	\$ 100.00	\$ 135.00	135.00%	\$ 50.00	170.00%	\$ 85
Bingo Licenses	\$ 2,500.00	\$ 336.47	13.46%	\$ 130.12	158.58%	\$ 206
Dog Licenses	\$ 12,000.00	\$ 1,840.00	15.33%	\$ 2,038.50	-9.74%	\$ (199)
Licenses, Other	\$ 700.00	\$ 182.64	26.09%	\$ 766.84	-76.18%	\$ (584)
Bldg/Alter Permits	\$ 50,000.00	\$ 5,517.00	11.03%	\$ 16,547.61	-66.66%	\$ (11,031)
Street Opening Permits	\$ 10,000.00	\$ 950.00	9.50%	\$ 1,000.00	-5.00%	\$ (50)
Plumbing Permits	\$ 3,700.00	\$ 786.00	21.24%	\$ 339.00	131.86%	\$ 447
Permits, Other	\$ 6,000.00	\$ 3,545.00	59.08%	\$ 4,000.00	-11.38%	\$ (455)
Parking ticket fees	\$ 35,000.00	\$ 2,650.00	7.57%	\$ 7,150.00	-62.94%	\$ (4,500)
Forfeiture of Deposits	\$ 500.00	\$ 1,350.00	270.00%	\$ -		\$ 1,350
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	\$ 55.55	4.27%	\$ 172.09	-67.72%	\$ (117)
Minor Sales - EMS Program	\$ -	\$ -		\$ -		\$ -
Sale of Real Property	\$ -	\$ -		\$ -		\$ -
Sale of Equipment	\$ 30,000.00	\$ 28,400.33	94.67%	\$ -		\$ 28,400
Insurance Recoveries	\$ -	\$ -		\$ -		\$ -
Other Comp for Loss	\$ -	\$ 4,607.45		\$ -		\$ 4,607
Refund-Prior Year Exps	\$ -	\$ 22.42		\$ 1,031.00	-97.83%	\$ (1,009)
Healthcare Premiums	\$ 59,540.00	\$ 10,775.95	18.10%	\$ 12,431.36	-13.32%	\$ (1,655)
Healthcare Revenue	\$ -	\$ -		\$ 3,442.63	-100.00%	\$ (3,443)
Gifts and Donations	\$ -	\$ -		\$ -		\$ -
VLT	\$ -	\$ -		\$ -		\$ -
Unclassified Revenue	\$ 1,000.00	\$ (100.00)	-10.00%	\$ -		\$ (100)
Reserve revenue	\$ -	\$ -		\$ -		\$ -
Per Capita State Aid	\$ 1,750,975.00	\$ 1,504,868.00	85.94%	\$ 1,504,868.00	0.00%	\$ -
Mortgage Tax	\$ 115,000.00	\$ -	0.00%	\$ -		\$ -
Real Property Tax Admin	\$ -	\$ -		\$ -		\$ -
State Aid - Record Mgmt	\$ -	\$ -		\$ 2,616.00	-100.00%	\$ (2,616)
Rail Infrastructure Invest. Act	\$ -	\$ -		\$ -		\$ -
State Aid - Public Safety	\$ 16,035.03	\$ (24,031.04)	-149.87%	\$ (1,917.15)	1153.48%	\$ (22,114)
Consolidate Highway (CHIPS)	\$ 519,980.00	\$ (164,237.66)	-31.59%	\$ (129,055.52)	27.26%	\$ (35,182)
State Aid - Sidewalk repair	\$ -	\$ (35,286.03)		\$ -		\$ (35,286)
Code Enforcement - member it	\$ -	\$ -		\$ -		\$ -
Recreation Program	\$ 19,715.00	\$ 3,442.00	17.46%	\$ 3,442.00	0.00%	\$ -
Arterial Reimbursement	\$ 157,400.00	\$ -	0.00%	\$ (63,694.80)	-100.00%	\$ 63,695
State Aid - Planning Studies	\$ 50,848.75	\$ (24,151.25)	-47.50%	\$ -		\$ (24,151)
State Aid Conservation Progr	\$ 15,000.00	\$ -	0.00%	\$ -		\$ -
Fed. Aid - Bullet Proof Vest	\$ 1,890.00	\$ -	0.00%	\$ -		\$ -
Fed. Aid - Hmld Security	\$ 69,966.01	\$ (30,033.99)	-42.93%	\$ -		\$ (30,034)
Fed Aid - Public Safety	\$ 4,615.20	\$ (385.80)	-8.36%	\$ -		\$ (386)
Interfund Transfers	\$ 200,000.00	\$ -	0.00%	\$ -		\$ -
<b>TOTAL REVENUES</b>	<b>\$ 15,405,354.99</b>	<b>\$ 6,519,886.48</b>	<b>42.32%</b>	<b>\$ 6,570,106.63</b>	<b>-0.76%</b>	<b>\$ (50,220)</b>

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

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %	Change \$
<b>Expenses</b>						
City Council	\$ 51,700.00	\$ 7,352.22	14.22%	\$ 9,156.20	-19.70%	\$ (1,804)
City Manager	\$ 160,700.00	\$ 17,338.03	10.79%	\$ 16,894.58	2.62%	\$ 443
Finance	\$ 151,972.42	\$ 17,433.78	11.47%	\$ 15,931.69	9.43%	\$ 1,502
Administrative Services	\$ 326,550.00	\$ 69,243.47	21.20%	\$ 120,686.62	-42.63%	\$ (51,443)
Clerk-Treasurer	\$ 122,750.00	\$ 14,840.09	12.09%	\$ 14,894.13	-0.36%	\$ (54)
City Assessment	\$ 138,442.00	\$ 5,384.29	3.87%	\$ 28,870.74	-81.42%	\$ (23,506)
Legal Services	\$ 223,805.00	\$ 34,278.55	15.32%	\$ 24,784.04	38.31%	\$ 9,495
Personnel	\$ 139,900.00	\$ 12,211.27	8.73%	\$ 12,155.67	0.46%	\$ 56
Engineering	\$ 32,000.00	\$ -	0.00%	\$ -		\$ -
Elections	\$ 18,210.00	\$ 18,210.00	100.00%	\$ 11,835.00	53.87%	\$ 6,375
Public Works Admin	\$ 94,960.00	\$ 8,944.98	9.42%	\$ 13,330.64	-32.90%	\$ (4,386)
City Facilities	\$ 353,837.39	\$ 43,784.26	12.37%	\$ 50,923.79	-14.02%	\$ (7,140)
Information Systems	\$ 79,575.00	\$ 38,256.00	48.08%	\$ 42,971.00	-10.97%	\$ (4,715)
Contingency	\$ 250,000.00	\$ -	0.00%	\$ -		\$ -
Police	\$ 3,623,642.95	\$ 375,371.22	10.36%	\$ 368,081.99	1.98%	\$ 7,289
Fire	\$ 4,552,583.03	\$ 1,286,801.81	28.27%	\$ 381,770.15	237.06%	\$ 905,032
Control of Dogs	\$ 1,310.00	\$ 17.90	1.37%	\$ 995.21	-98.20%	\$ (977)
Inspection	\$ 296,400.00	\$ 29,858.09	10.07%	\$ 28,731.28	3.92%	\$ 1,127
Vital Statistics	\$ 18,410.00	\$ 1,572.63	8.54%	\$ 1,739.12	-9.57%	\$ (166)
Maintenance Admin	\$ 180,153.52	\$ 19,821.21	11.00%	\$ 20,412.68	-2.90%	\$ (591)
Street Maintenance	\$ 757,435.00	\$ 63,251.73	8.35%	\$ 44,382.17	42.52%	\$ 18,870
Public Works Garage	\$ 443,782.00	\$ 37,476.92	8.44%	\$ 41,709.82	-10.15%	\$ (4,233)
Snow Removal	\$ 587,609.00	\$ 7,156.49	1.22%	\$ 48,818.56	-85.34%	\$ (41,662)
Street Lights/Traf Signals	\$ 305,960.60	\$ 21,639.96	7.07%	\$ 8,181.47	164.50%	\$ 13,458
Sidewalk Repairs	\$ 259,990.00	\$ 10,779.20	4.15%	\$ -		\$ 10,779
Parking Lots	\$ 35,200.00	\$ -	0.00%	\$ -		\$ -
Community Development	\$ 95,848.75	\$ 722.35	0.75%	\$ 2,853.55	-74.69%	\$ (2,131)
Economic Development	\$ -	\$ -		\$ -		\$ -
Council on Arts	\$ 2,250.00	\$ -	0.00%	\$ 2,250.00	-100.00%	\$ (2,250)
Parks	\$ 614,430.60	\$ 112,925.75	18.38%	\$ 70,223.30	60.81%	\$ 42,702
Summer Recreation	\$ 70,636.58	\$ 2,104.12	2.98%	\$ 1,352.08	55.62%	\$ 752
Youth Services	\$ 159,775.00	\$ 14,865.96	9.30%	\$ 14,207.63	4.63%	\$ 658
Historic Preservation	\$ 2,100.00	\$ 1.02	0.05%	\$ 155.62	-99.34%	\$ (155)
Celebrations	\$ 13,640.00	\$ 2,124.78	15.58%	\$ 1,907.85	11.37%	\$ 217
Planning & Zoning Boards	\$ 3,200.00	\$ 246.17	7.69%	\$ 630.35	-60.95%	\$ (384)
Storm Sewers	\$ 209,809.69	\$ 16,396.09	7.81%	\$ 12,777.92	28.32%	\$ 3,618
Refuse & Recycling	\$ 64,762.00	\$ 9,015.14	13.92%	\$ 2,917.46	209.01%	\$ 6,098
Street Cleaning	\$ 310,950.00	\$ 4,089.47	1.32%	\$ 8,948.18	-54.30%	\$ (4,859)
Medical Insurance	\$ 1,611,970.00	\$ 327,226.04	20.30%	\$ 238,433.57	37.24%	\$ 88,792
Debt Service	\$ 644,445.00	\$ 96,070.89	14.91%	\$ 56,156.45	71.08%	\$ 39,914
Energy Lease	\$ 75,475.00	\$ -	0.00%	\$ -		\$ -
Transfer for capital projects	\$ -	\$ -		\$ -		\$ -
Transfer to other funds	\$ 322,090.00	\$ 60,750.00	18.86%	\$ 19,740.00	207.75%	\$ 41,010
Capital Reserves	\$ 146,265.00	\$ 146,265.00	100.00%	\$ 201,303.00	-27.34%	\$ (55,038)
<b>TOTAL EXPENSES</b>	<b>\$ 17,554,525.53</b>	<b>\$ 2,933,806.88</b>	<b>16.71%</b>	<b>\$ 1,941,113.51</b>	<b>51.14%</b>	<b>\$ 992,693</b>
<b>Operating Income (Loss)</b>		<b>\$ 3,586,079.60</b>		<b>\$ 4,628,993.02</b>	<b>-22.53%</b>	<b>\$ (1,042,913)</b>

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

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %
<b>Revenues</b>					
Metered Water Sales	\$ 2,413,047.00	\$ 120,149.57	4.98%	\$ 169,248.59	-29.01%
Bulk Water Sales	\$ 15,000.00	\$ 1,082.90	7.22%	\$ 1,148.65	-5.72%
Water Service Charges	\$ 2,500.00	\$ 945.00	37.80%	\$ 1,945.00	-51.41%
Capital improvement fee	\$ 128,439.00	\$ 23,824.11	18.55%	\$ 21,557.21	10.52%
Int/Pen-Water Rents	\$ 35,000.00	\$ 2,608.01	7.45%	\$ 4,921.10	-47.04%
County Contract	\$ 1,344,083.00	\$ -	0.00%	\$ -	-
Other Govt - Walnut St Const	\$ -	\$ -	-	\$ -	-
Interest and Earnings	\$ 1,000.00	\$ 134.26	13.43%	\$ 1,054.92	-87.27%
Interest and Earnings-Reserve	\$ -	\$ 407.32	-	\$ 726.35	-43.92%
State Aid - Rate study	\$ -	\$ -	-	\$ -	-
State Aid - Planning	\$ -	\$ -	-	\$ -	-
Federal Aid - Bank Street CDB	\$ -	\$ -	-	\$ -	-
Rental of Real Property	\$ 550,000.00	\$ -	0.00%	\$ -	-
Sale of scrap	\$ 1,800.00	\$ -	0.00%	\$ -	-
Sale of equipment	\$ -	\$ 135.00	-	\$ -	-
Gain on disposition of asset	\$ -	\$ -	-	\$ -	-
Insurance recoveries	\$ -	\$ -	-	\$ -	-
Other Compensation for Loss	\$ -	\$ 468.94	-	\$ -	-
Healthcare premiums	\$ 11,500.00	\$ -	0.00%	\$ -	-
Healthcare revenue	\$ -	\$ -	-	\$ 359.12	-100.00%
Unclassified revenue	\$ 5,000.00	\$ 445.00	8.90%	\$ 547.50	-18.72%
Reserve revenue	\$ 768,151.00	\$ 140,939.00	18.35%	\$ 142,507.11	-1.10%
Interfund transfers	\$ -	\$ -	-	\$ (91,442.64)	-100.00%
<b>Total Revenue</b>	<b>\$ 5,275,520.00</b>	<b>\$ 291,137.11</b>	<b>5.52%</b>	<b>\$ 252,572.91</b>	<b>15.27%</b>
<b>Expenses</b>					
Contingency	\$ 15,000.00	\$ -	0.00%	\$ -	0.00%
Water Admin	\$ 2,438,745.42	\$ 28,247.89	1.16%	\$ 25,822.42	9.39%
Pump Station & Filtration	\$ 1,212,678.91	\$ 107,717.90	8.88%	\$ 102,424.68	5.17%
Water Distribution	\$ 379,440.00	\$ 40,038.57	10.55%	\$ 50,622.92	-20.91%
Medical Insurance	\$ 160,210.00	\$ 21,947.66	13.70%	\$ 14,895.77	47.34%
Debt Service bonds	\$ 33,131.00	\$ 5,707.79	17.23%	\$ 1,934.82	195.00%
Energy lease	\$ 18,010.00	\$ -	0.00%	\$ -	-
Transfers for capital projects	\$ 700,000.00	\$ -	0.00%	\$ 60,421.11	-100.00%
Transfer to Other Funds	\$ 243,740.00	\$ 8,250.00	3.38%	\$ 2,680.00	207.84%
Capital Reserves	\$ 140,939.00	\$ 140,939.00	100.00%	\$ 82,086.00	71.70%
<b>Total Expense</b>	<b>\$ 5,341,894.33</b>	<b>\$ 352,848.81</b>	<b>6.61%</b>	<b>\$ 340,887.72</b>	<b>3.51%</b>
<b>Operating Income (Loss)</b>		<b>\$ (61,711.70)</b>		<b>(\$88,314.81)</b>	<b>-30.12%</b>

**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	0	-100.00%	21,102	2.19%	20,649
July	0	-100.00%	70,939	4.61%	67,810
August	0	-100.00%	21,623	3.00%	20,993
Sept	0	-100.00%	22,223	0.62%	22,085
Oct*	0	-100.00%	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
<b>Total</b>	<b>89,363</b>	<b>0.15%</b>	<b>474,159</b>	<b>6.03%</b>	<b>447,182</b>

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

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %
<b>Revenues</b>					
Sewer Rents	\$ 2,473,988.00	\$ 352,140.99	14.23%	\$ 400,542.83	-12.08%
Sewer Surcharge	\$ -	\$ 27,089.42		\$ 22,235.81	21.83%
Int/Pen-Sewer Rents	\$ 25,000.00	\$ 1,767.61	7.07%	\$ 2,286.75	-22.70%
Interest and earnings	\$ 1,280.00	\$ 495.80	38.73%	\$ 10,432.98	-95.25%
Interest & Earnings Cap. Rsv	\$ -	\$ 505.84		\$ 356.69	41.82%
CHIPS - North/Ross	\$ -	\$ -		\$ -	
Sale of equipment	\$ -	\$ 13,500.00		\$ -	
Healthcare premiums	\$ 1,600.00	\$ -	0.00%	\$ -	
Healthcare revenue	\$ -	\$ -		\$ 328.10	-100.00%
Unclassified revenue	\$ 70,000.00	\$ 19,285.48	27.55%	\$ 109,098.50	-82.32%
Interfund transfers inc	\$ -	\$ -		\$ -	
Reserve revenue	\$ 646,200.00	\$ 730,000.00	112.97%	\$ -	
<b>Total Revenues</b>	<b>\$ 3,218,068.00</b>	<b>\$ 1,144,785.14</b>	<b>35.57%</b>	<b>\$ 545,279.66</b>	<b>109.94%</b>
<b>Expenses</b>					
Contingency	\$ 15,000.00	\$ -	0.00%	\$ -	
Wastewater Admin	\$ 301,265.41	\$ 30,641.44	10.17%	\$ 41,987.02	-27.02%
Sanitary Sewers	\$ 422,740.00	\$ 37,970.08	8.98%	\$ 35,443.08	7.13%
Wastewater Treatment	\$ 843,888.08	\$ 65,221.59	7.73%	\$ 78,893.83	-17.33%
Medical Insurance	\$ 95,310.00	\$ 10,160.85	10.66%	\$ 13,275.45	-23.46%
Debt Service	\$ 229,287.00	\$ 10,134.60	4.42%	\$ 3,708.70	173.27%
Energy lease	\$ 7,471.00	\$ -	0.00%	\$ -	
Transfer to Other Funds	\$ 31,810.00	\$ 6,000.00	18.86%	\$ 1,950.00	207.69%
Transfers for Capital projects	\$ 562,000.00	\$ -	0.00%	\$ -	
Capital Reserves	\$ 730,000.00	\$ 730,000.00	100.00%	\$ 120,500.00	505.81%
<b>Total Expenses</b>	<b>\$ 3,238,771.49</b>	<b>\$ 890,128.56</b>	<b>27.46%</b>	<b>\$ 295,758.08</b>	<b>200.97%</b>
<b>Operating Income (Loss)</b>		<b>\$ 254,656.58</b>		<b>\$ 249,521.58</b>	<b>2.06%</b>

**Consumption**

\*consumption in 1,000 gallons

	2016	Difference	2015	Difference	2014
April	107,238	1.26%	105,899	17.73%	89,954
May	0	-100.00%	56,263	4.28%	53,952
June	0	-100.00%	20,897	1.95%	20,497
July	0	-100.00%	108,610	5.57%	102,880
Aug	0	-100.00%	60,763	3.70%	58,595
Sept	0	-100.00%	22,148	0.59%	22,017
Oct *	0	-100.00%	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
<b>Total</b>	<b>107,238</b>	<b>1.26%</b>	<b>772,093</b>	<b>5.51%</b>	<b>731,754</b>
			105,899		

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

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %
<b>Revenues</b>					
Workers Compensation	\$ 322,640.00	\$ -	0.00%	\$ -	
Interest and earnings	\$ -	\$ 9.46		\$ 8.05	17.52%
Interest and earnings - Cap Rsrvs	\$ -	\$ 37.59		\$ 73.41	-48.79%
Insurance Recoveries	\$ -	\$ -		\$ -	
Refunds of Prior Years Expend	\$ -	\$ -		\$ 74.95	-100.00%
Reserve revenue	\$ -	\$ 75,000.00		\$ 24,370.00	207.76%
<b>Total Revenues</b>	\$ 322,640.00	\$ 75,047.05	23.26%	\$ 24,526.41	205.98%
Contractual Expense	\$ 322,640.00	\$ 80,733.01	25.02%	\$ 82,742.49	-2.43%
<b>Total Expenses</b>	\$ 322,640.00	\$ 80,733.01	25.02%	\$ 82,742.49	-2.43%
<b>Operating Income/(Loss)</b>		\$ (5,685.96)		\$ (58,216.08)	-90.23%

## **Batavia First United Methodist Children's Carnival**

**There are no estimated costs from any departments.**





City of Batavia  
Batavia, New York 14020  
(585) 345-6300

Official Use Only:

2016-26

Event Application #: \_\_\_\_\_

pyt. rec'd  
6/6/16

\* Barry Whitmore  
C- 409-9300

**Event Application Fee - \$25.00 (non-refundable)**

(A separate permit must be issued for each item requested)

Batavia First United Methodist Church

(Carnival Games, Picnic, Public Outreach -  
"Fantastic Fun Fest" Free to the Public)

Type / Name of Event: \_\_\_\_\_

Date(s) & Time(s) of Event: 08/20/2016 : 11:00 a.m. to 3:00 p.m.

Profit ☐ Non-Profit ☒

**CONTACT INFORMATION:**

Pam Whitmore

Primary Contact Name

whitmore.pam@gmail.com

E-Mail Address

10 Fairway Dr. Batavia

Primary Contact Address

343-1226

Home Phone #

356-0839

Cell Phone #

Other # \_\_\_\_\_

Reverend Pamela Klotzbach

Secondary Contact Name

revpamumc@gmail.com

E-Mail Address

8221 Lewiston Rd, Batavia

Secondary Contact Address

716-560-0290

Cell Phone #

343-4708, ext. 11  
(work)

Other # \_\_\_\_\_

**EVENT DAY CONTACT INFORMATION:**

Pam Whitmore

Contact Name

343-1226

Home Phone #

356-0839

Cell Phone #

Other # \_\_\_\_\_

Location of your event: Williams Park

Please provide details of your event: Children's carnival games (e.g., bubble machine, sensory table for small children, bean bag toss, basketball shot game), would like to do a bounce house, picnic food (hot dogs, hamburgers, etc.). Free to public - public outreach.

Will there be alcohol at your event? Yes ☐ No ☒ If yes, complete the following:

Type of alcoholic beverage to be served: Liquor ☐ Wine ☐ Beer ☐

Will you be providing alcohol to your group? Yes ☐ No ☐

Will you be selling alcohol to your group? Yes ☐ No ☐ Insurance certificate WILL BE required with Liquor Legal.

Will people be allowed to bring alcohol to the event? Yes ☐ No ☐

Who will be applying to the NYS Liquor Authority for the permit to sell? N/A

It is the Applicant's responsibility to police the area during the gathering to make sure all Alcohol Beverage Control rules are followed. Also, after the event Applicant is responsible to dispose of all empty bottles and debris.

"If you are contracting with a group to sell alcohol during your event on city property, separate insurance is required from them with Liquor Legal in addition to your insurance."

**EVENT INFORMATION (required):**

08/20/2016 9:00 a.m. - 11:00 a.m. 08/20/2016 3:00 p.m. - 5:00 p.m.  
Set-Up Date: Set-Up Time: Tear Down Date: Tear Down Time:

**PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:**

08/20/2016 11:00 a.m. 3:00 p.m. Up to 100 No vendors -  
Date: Start Time: End Time: Estimated Crowd Size: Misc. games/activities  
# of Vendors / Displays

Date: Start Time: End Time: Estimated Crowd Size: # of Vendors / Displays

**WILL THE EVENT INCLUDE:**

Parade: Yes ☐ No ☒ (MAP OF DESIRED ROUTE MUST BE ATTACHED)  
Run or Walk: Yes ☐ No ☒ (MAP OF DESIRED ROUTE MUST BE ATTACHED)  
Music: Yes ☒ No ☐ (SITE DRAWING OF STAGE OR DJ LOCATION ATTACHED) - Playing a radio  
Street Closure(s): Yes ☐ No ☒ (MAP OF CLOSED STREETS AND DROP LOCATION OF BARRICADES)  
Other: Yes ☒ No ☐ (MAP OF DESIRED ROUTE MUST BE ATTACHED)

Fireworks or Hazardous Materials? Yes ☐ No ☒ Carnival or Amusement Rides? Yes ☐ No ☒

Name of Company Providing Above:

Company Contact/Representative

Phone #

Address, Street

City

Zip Code

Music: Live Group ☐ Recorded/DJ ☐

Playing a radio

Name of Company Providing Above:

Company Contact/Representative

Phone #

Address, Street

City

Zip Code

**CITY SERVICES SUPPORT:****City Code 66-15, D-2**

The City reserves the right, as part of the permitting process, to require the applicant to pay for additional operational costs of the City associated with the event.

FOR EVENTS IN CITY PARKS, GARBAGE PICK-UP WILL BE MADE ONLY TO GARBAGE CANS ON SITE. ADDITIONAL GARBAGE MUST BE BAGGED AND REMOVED FROM PREMISES BY EVENT SPONSOR.

**ELECTRIC:**

Will electric be needed for the event? Yes ☒ No ☐

What will you be providing electric to? bounce house, radio, basketball shot game,  
water cooler

Will generators be used? Yes ☐ No ☒

If yes, INCLUDE SITE DRAWING INDICATING PLACEMENT/LOCATION OF GENERATOR

SIZE OF GENERATOR(S) \_\_\_\_\_ FUEL SOURCE - GAS - ☐ - DIESEL - ☐ - PROPANE - ☐

**TENTS/CANOPIES:**

Will Tents/Canopies or other membrane structures be erected at event?

Yes ☒ No ☐

Will a bounce house or other air supported structures be erected at event?

Yes ☒ No ☐

Please list size(s) of Tents/Canopies or other temporary structures erected. up to four canopies -  
three of these will be 10' by 10', one canopy will be 18' by 20'

**ANCHORING INTO PAVEMENT IS PROHIBITED!**

If anchoring in grass, soil areas please contact the NYS Dig Safe # at: 1-800-962-7962 or 811

**STREET CLOSURE(S):****ANY EVENT REQUIRING A STREET CLOSURE REQUIRES 90 DAY ADVANCE NOTICE**Will street(s) need to be closed for the event? Yes ☐ No ☒ Reason: \_\_\_\_\_**List Street(s) and Cross Street(s) that will be affected:**

_____	_____	&	_____
Street to be closed	_____	Cross Streets	_____
_____	_____	&	_____
Street to be closed	_____	Cross Streets	_____
_____	_____	&	_____
Street to be closed	_____	Cross Streets	_____
_____	_____	&	_____
Street to be closed	_____	Cross Streets	_____

Will street barricades be requested from the City? Yes ☐ No ☒ How Many? \_\_\_\_\_Will traffic cones be requested from the City? Yes ☐ No ☒ How Many? \_\_\_\_\_*(Drop off locations of requested items must be identified on the site drawing)***BANNERS, SIGNS OR OTHER DECORATIONS ARE NOT TO BE ATTACHED  
TO STREET BARRICADES, TRAFFIC CONES, LIGHT POLES, OR ANY OTHER CITY PROPERTY**Are there any other city materials or personnel requested for the event? Identify below: *(there may be additional costs)*None**POLICE**Will City Police Officers be requested for the event? Yes ☐ No ☒**FINAL DETERMINATION FOR NUMBER OF POLICE OFFICERS  
and UTILIZATION WILL BE AT THE DISCRETION OF THE CITY.**

**PLEASE NOTE:**

1. Be as specific as possible in the description so we have the best understanding of your event. Also, be clear as to what you would like provided by the City.
2. Fire hydrants, Cross Streets/Alleys and Store Fronts **Shall Not Be Blocked** by any Vehicle or Concession at any time.
3. An Emergency Vehicle Safety Lane Must be Maintained at All times at All Locations
4. Fuel Containers Must be of an Approved type and Must be Properly Secured
5. Deep Fryers Must Be Approved. Commercial Types Require a Type "K" Portable Fire Extinguisher
6. All Food Vendors Must Have a Type ABC Fire Extinguisher. All Fire Extinguishers Must Be Inspected Within The Last Year. **A Valid Health Department Permit Must Be Displayed.**
7. No grease or substance of any kind may be discharged upon the streets, sidewalks, or into the storm drains and/or sewers
8. City Sign Ordinances Shall Be Complied With At All Times And In All Regards
9. No paint or other markings may be placed on the street surface.
10. Any overtime and/or material costs in excess of \$500, as determined by City Departments, must be paid by the event sponsor or other party
11. The application fee is due at time of submission of the application and is non-refundable.
12. If the event is approved, a Certificate of Liability Insurance naming the City of Batavia as an additional insured for at least the day(s) of the event must be submitted to the City Clerk prior to the event date.

Batavia First

**Hold Harmless Agreement**

United Methodist Church, the organizer/sponsor, shall indemnify, hold harmless, assume liability for and defend the City of Batavia, its employees, officers and agents from any and all damages, costs and expenses including but not limited to, attorney's fees, court costs, and all other sums which the City of Batavia its employees, officers and agents may pay or become obligated to pay on account of any and every demand, claim or assertion of liability, or any claim founded thereon, arising or alleged to have arisen out of the activities described in this special event application and sanctioned by the permit issued by the City of Batavia or by any act or omission of the Batavia First United Methodist Church (Organizer/Sponsor), its members, agents, employees, volunteers, officers, or directors in relation to activities described in this application and sanctioned by the issuance of a special event permit.

6/5/2016

Date:

Batavia First United Methodist Church

Name of Event Sponsor:

Rev. Pamela S. Klotzbach

Authorized Signature, Title

Rev. Pamela S. Klotzbach

Name - Printed or Typed

The rules and information contained within this application have been read and will be adhered to.

6/5/2016

Date:

[Signature]

Signature of Applicant:

Please forward this application to:

City Clerk's Office  
Attention: Events Applications Department  
One Batavia City Centre  
Batavia, New York 14020



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/10/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Church Mutual Insurance Company 3000 Schuster Lane Merrill WI 54452		<b>CONTACT NAME:</b> Jennifer L Hartwig <b>PHONE (A/C No. Ext):</b> 1-800-554-2642 Option 1 <b>E-MAIL ADDRESS:</b> cs4@churchmutual.com <b>FAX (A/C No):</b> 855-264-2329	
<b>INSURED</b> UPPER NEW YORK ANNUAL CONFERENCE UNITED METHODIST CHURCH 324 UNIVERSITY AVE SYRACUSE NY 13210-1811		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Church Mutual Insurance Company <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	
		<b>NAIC #</b> 18787	

## COVERAGES

## CERTIFICATE NUMBER:

## REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	SUBROGATION	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	Y		0248024-02-648019	01/01/2014	01/01/2017	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMPIOP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE <input type="checkbox"/> OTHER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CMIC# 0187450 First United Methodist Church 8221 Lewiston Road Batavia NY 14020 Evidence of liability insurance for a carnival on August 20th 2016 at Williams Park in Batavia NY 14020. Commercial General Liability Additional Insured= City of Batavia; subject to the coverage provided by the referenced policy. SRAP 528 A220

## CERTIFICATE HOLDER

## CANCELLATION

City of Batavia  
 One Batavia City Centre  
 Batavia, NY 14020-2050

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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**SPECIAL EVENT APPLICATION  
DEPARTMENT APPROVAL SUMMARY**

**FOR OFFICIAL CITY USE ONLY**

<b>OFFICIAL USE ONLY</b>				
Department Recommendations:	Approved	Denied	Additional Costs	Department Initials
DPW (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>		
Fire Dept. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>		
Police Dept. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>		

*If recommendation is denied, please attach a brief explanation.*

<b>OFFICIAL USE ONLY</b>	
Date Received	Council Action: (Approved / Disapproved)
Date of Council Action:	Insurance Received (if applicable)

Event Application #: \_\_\_\_\_

Department: \_\_\_\_\_  
List Department Name Here

**Department Approval**

	YES	NO
DPW	<input type="checkbox"/>	<input type="checkbox"/>
Fire	<input type="checkbox"/>	<input type="checkbox"/>
Police	<input type="checkbox"/>	<input type="checkbox"/>

Department Cost Estimate: \_\_\_\_\_  
if applicable

Estimate based on: Fillable table - type your response here:

--

If Application not Approved, Provide Reason Here: Fillable table - type your response here:

--

Submitted By: \_\_\_\_\_  
Name / Title

\_\_\_\_\_ Date Submitted

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____


**State Liquor Authority**
**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a Local Municipality or Community Board**

(Page 1 of 2)

1. Date Notice Was Sent: 7/1/2016 1a. Delivered by: Certified Mail Return Receipt Requested

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License

☐ New Application ☒ Renewal ☐ Alteration ☐ Corporate Change ☐ Removal ☐ Class Change

For New applicants, answer each question below using all information known to date.

For Renewal applicants, set forth your approved Method of Operation only.

For Alteration applicants, attach a complete written description and diagrams depicting the proposed alteration(s).

For Corporate Change applicants, attach a list of the current and proposed corporate principals.

For Removal applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation.

For Class Change applicants, attach a statement detailing your current license type and your proposed license type.

**This 30-Day Advance Notice is Being Provided to the Clerk of the following Local Municipality or Community Board**

3. Name of Municipality or Community Board: City of Batavia, NY
**Applicant/Licensee Information**

4. License Serial Number, if Applicable: 3008166 Expiration Date, if Applicable: 09/30/2018

5. Applicant or Licensee Name: Gerard S. Potrzebowski

6. Trade Name (if any): Kelly's Holland Inn

7. Street Address of Establishment: 25 Evans Street

8. City, Town or Village: Batavia, NY Zip Code: 14020

9. Business Telephone Number of Applicant/Licensee: (585) 343-9726

10. Business Fax Number of Applicant/Licensee: \_\_\_\_\_

11. Business E-mail of Applicant/Licensee: \_\_\_\_\_

12. Type(s) of Alcohol sold or to be sold: ☐ Beer & Cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

13. Extent of Food Service: ☐ Full food menu; Full Kitchen run by a chef or cook ☒ Menu meets legal minimum food availability requirements; Food prep area at minimum

14. Type of Establishment: Bar / Tavern

15. Method of Operation: (Check all that apply)

<input type="checkbox"/> Seasonal Establishment	<input checked="" type="checkbox"/> Juke Box	<input type="checkbox"/> Disc Jockey	<input type="checkbox"/> Recorded Music	<input type="checkbox"/> Karaoke
<input type="checkbox"/> Live Music (Give details: i.e. rock bands, acoustic, jazz, etc.): _____				
<input type="checkbox"/> Patron Dancing	<input type="checkbox"/> Employee Dancing	<input type="checkbox"/> Exotic Dancing	<input type="checkbox"/> Topless Entertainment	
<input checked="" type="checkbox"/> Video/Arcade Games	<input type="checkbox"/> Third Party Promoters	<input type="checkbox"/> Security Personnel		
<input type="checkbox"/> Other (specify): _____				

16. Licensed Outdoor Area: (Check all that apply)

<input checked="" type="checkbox"/> None	<input type="checkbox"/> Patio or Deck	<input type="checkbox"/> Rooftop	<input type="checkbox"/> Garden/Grounds	<input type="checkbox"/> Freestanding Covered Structure
<input type="checkbox"/> Sidewalk Cafe <input type="checkbox"/> Other (specify): _____				


**State Liquor  
Authority**

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a  
Local Municipality or Community Board**

(Page 2 of 2)

17. List the floor(s) of the building that the establishment is located on:
18. List the room number(s) the establishment is located in within the building, if appropriate:
19. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☐ Yes ☒ No
20. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
21. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee.
22. Does the applicant or licensee own the building in which the establishment is located? ☒ Yes (If Yes SKIP 23-26) ☐ No

**Owner of the Building in Which the Licensed Establishment is Located**

23. Building Owner's Full Name:
24. Building Owner's Street Address:
25. City, Town or Village:  State:  Zip Code:
26. Business Telephone Number of Building Owner:

**Representative or Attorney representing the Applicant in Connection with the  
application for a license to traffic in alcohol at the establishment identified in this notice**

27. Representative/Attorney's Full Name:
28. Street Address:
29. City, Town or Village:  State:  Zip Code:
30. Business Telephone Number of Representative/Attorney:
31. Business Email Address:

I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

32. Printed Name:  Title:

Signature: X 



**#76-2016**

**A RESOLUTION IN THE MATTER OF THE GRANTING OF A CABLE TELEVISION  
FRANCHISE TO COMMUNITY CABLE CORPORATION D/B/A NORTH PENN  
VIDEO IN THE CITY OF BATAVIA, COUNTY OF GENESEE, NEW YORK**

**Motion of Councilperson**

**WHEREAS**, an application has been duly made to the City Council of the City of Batavia, County of Genesee, New York, by Community Cable Corporation d/b/a North Penn Video, a corporation organized and existing in good standing under the laws of the Commonwealth of Pennsylvania doing business at 34 Main Street, Prattsburg, New York 14873 for the approval of an agreement for North Penn Video's cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission; and

**WHEREAS**, the Franchise Agreement is in conformity with the applicable provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings; and

**WHEREAS**, a public hearing was held in the City of Batavia, New York on June 27, 2016 at 7:00 P.M. and notice of the hearing was published in the Daily News on June 17, 2016; and

**WHEREAS**, a copy of the cable television franchise agreement was available for public inspection during normal business hours at the City Clerk's Office, One Batavia City Centre, Batavia, NY 14020; and

**NOW, THEREFORE**, the City Council of the City of Batavia finds that:

1. North Penn Video has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
2. North Penn Video can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED** that the City Council of the City of Batavia hereby grants the cable television franchise of North Penn Video in the City of Batavia for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence; and

**BE IT FURTHER RESOLVED** that the City Council of the City of Batavia hereby confirms acceptance of this Franchise Agreement.

**Seconded by Councilperson  
and on roll call**

**#77-2016**

**A RESOLUTION IN THE MATTER OF THE GRANTING OF A CABLE TELEVISION  
FRANCHISE TO EMPIRE VIDEO SERVICES CORPORATION IN THE CITY OF  
BATAVIA, COUNTY OF GENESEE, NEW YORK**

**Motion of Councilperson**

**WHEREAS**, an application has been duly made to the City Council of the City of Batavia, County of Genesee, New York, by Empire Video Services Corporation, a corporation organized and existing in good standing under the laws of the State of New York doing business at 34 Main Street, Prattsburg, New York 14873 for the approval of an agreement for Empire Video Services Corporation's cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission; and

**WHEREAS**, the Franchise Agreement is in conformity with the applicable provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings; and

**WHEREAS**, a public hearing was held in the City of Batavia, New York on June 27, 2016 at 7:00 P.M. and notice of the hearing was published in the Daily News on June 17, 2016; and

**WHEREAS**, a copy of the cable television franchise agreement was available for public inspection during normal business hours at the City Clerk's Office, One Batavia City Centre, Batavia, NY 14020; and

**NOW, THEREFORE**, the City Council of the City of Batavia finds that:

1. Empire Video Services Corporation has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
2. Empire Video Services Corporation can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED**, that the City Council of the City of Batavia hereby grants the cable television franchise of Empire Video Services Corporation in the City of Batavia for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence.

**BE IT FURTHER RESOLVED**, that the City Council of the City of Batavia hereby confirms acceptance of this Franchise Agreement.

**Seconded by Councilperson  
and on roll call**

**#78-2016**  
**A RESOLUTION TO AUTHORIZE BUDGET TRANSFERS AND BUDGET**  
**AMENDMENTS**

**Motion of Councilperson**

**WHEREAS**, in order to close out the 2015-2016 fiscal year budget certain budget amendments and transfers need to be made:

**WHEREAS**, pursuant to General Municipal Law 6-n, the City of Batavia has an established Self Insurance Health Benefit reserve fund for payment of benefits with a balance at March 31, 2016 of \$500,705 in the General Fund, \$40,868.82 in the Water Fund and \$38,555.83 in the Wastewater Fund; and

**WHEREAS**, the City of Batavia's Medical Insurance expense increased in the 15/16 fiscal year; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Batavia does hereby authorize the City Manager to transfer \$99,810.59 from the General Fund Self-Insurance Health Benefit reserve; \$7,384.88 from the Water Fund Self-Insurance Health Benefit reserve and \$16,592.86 from the Wastewater Fund Self-Insurance Health Benefit reserve to accounts 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:

Effective March 31, 2016, amend the 2015-16 budget by increasing expenditure accounts:

001-9060.0802.2108 Medical Ins Social Security - reserve	\$ 291.18
001-9060.0807.2108 Medical Insurance - reserve	\$ 99,519.41
002-9060.0807.2123 Water Fund Medical Ins - reserve	\$ 7,384.88
003.9060.0807.2133 Wastewater Fund Medical Ins-reserve	\$ 16,592.86
001.1325.0472.0000 Tax Foreclosure Expenses	\$ 34,822.89

by decreasing expense account:

001-1990.0500 Contingency	\$ 34,822.89
---------------------------	--------------

and increasing revenue account:

001.0001.0511.2108 Appropriated reserves Health Ins.	\$ 99,810.59
002.0002.0511.2123 Appropriated reserves Health Ins.	\$ 7,384.88
003.0003.0511.2133 Appropriated reserves Health Ins.	\$ 16,592.86

**Seconded by Councilperson**  
**and on roll call**

**#79-2016**  
**A RESOLUTION TO APPOINT/REAPPOINT MEMBERS TO VARIOUS CITY**  
**COMMITTEES/ BOARDS**

**Motion of Councilperson**

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

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

**Youth Board**

Paige Wasilewski	December 31, 2018
Brooks Hawley, Councilperson	December 31, 2016

**Audit Advisory Board**

Marc Staley	December 31, 2016
Nicholas Harris	December 31, 2016
David Leone	December 31, 2016
Adam Tabelski, Councilperson	December 31, 2016
Paul Viele, Councilperson	December 31, 2016

**Deer Management Committee**

Kenneth Alfes	December 31, 2018
Gus Galliford	December 31, 2018
Mike Freeman	December 31, 2018
Dann Neale	December 31, 2018
Joe Rowbottom	December 31, 2018
Al Hemer	December 31, 2018
Ryan Whitcombe	December 31, 2018
Paul Viele, Councilperson	December 31, 2018

**Seconded by Councilperson**  
**and on roll call**

## **MOTION TO ENTER EXECUTIVE SESSION**

### **Motion of Councilperson**

**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  
and on roll call**