

BATAVIA CITY COUNCIL BUSINESS MEETING

**City Hall - Council Board Room
One Batavia City Centre
Monday, August 8, 2016
7:00 PM**

AGENDA

- I. Call to Order
- II. Invocation – Councilperson Canale
- III. Pledge of Allegiance
- IV. Approval of July 2016 Minutes
- V. Approval of June 2016 Financials
- VI. Assignment of Agenda Items
- VII. Communications
 - a. Billy Goats Bar & Grill Liquor License
 - b. MG Services LLC DBA Sunny's Restaurant Renewal Liquor License
- VIII. Council President Report
 - a. Announcement of the City Council August Conference Meeting to be held following this meeting in the City Hall Council Board Room, 2nd Floor, City Centre.
 - b. The September Business Meeting will be held September 12, 2016 in 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

- #82-2016 A Resolution Authorizing Agreement with New York State Department of Transportation for Supplemental Agreement 7 Marchiselli Portion of PE/Design Associated with the Reconstruction of Summit Street from East Main Street to North Street
- #83-2016 A Resolution Providing Section 384-e to IAFF Employees Covered by Section 384-d of the New York State Retirement and Social Security Law and to Adjust the Fire Department Budget
- #84-2016 A Resolution to Adopt Local Law No. 3 of 2016 Entitled a Local Law to Amend the Business Improvement District Plan

XVI. Adjournment

GENERAL FUND
CITY OF BATAVIA
FOR PERIOD ENDED - June 30, 2016

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %	Change \$
Revenues						
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	\$ 51,921.56	99.34%	\$ 63,346.35	-18.04%	\$ (11,425)
Interest & Pen. on Tax	\$ 190,000.00	\$ 22,505.35	11.84%	\$ 17,741.96	26.85%	\$ 4,763
Sales and Use Tax	\$ 6,130,000.00	\$ 401.27	0.01%	\$ -		\$ 401
Utility Gross Receipts Tax	\$ 220,000.00	\$ 17,284.23	7.86%	\$ 25,633.23	-32.57%	\$ (8,349)
Cable TV Franchise	\$ 165,000.00	\$ -	0.00%	\$ -		\$ -
Clerk/Treasurer Fees	\$ 32,000.00	\$ 7,209.00	22.53%	\$ 11,470.61	-37.15%	\$ (4,262)
Charges for Tax Redemption	\$ -	\$ 600.00		\$ 300.00	100.00%	\$ 300
Marriage Licenses	\$ 3,000.00	\$ 1,495.00	49.83%	\$ 1,480.00	1.01%	\$ 15
Other Gen Govern Dept Inc.	\$ 15,391.00	\$ -	0.00%	\$ -		\$ -
Police Fees	\$ 2,800.00	\$ 523.00	18.68%	\$ 774.50	-32.47%	\$ (252)
Dog Seizure Fees	\$ 600.00	\$ 130.00	21.67%	\$ 160.00	-18.75%	\$ (30)
Other Public Safety Dept Inc	\$ -	\$ 1,117.65		\$ -		\$ 1,118
Vital Statistics Fees	\$ 33,000.00	\$ 8,960.00	27.15%	\$ 9,160.00	-2.18%	\$ (200)
Ambulance service revenue	\$ -	\$ -		\$ -		\$ -
Public Works Services	\$ 12,000.00	\$ 63.73	0.53%	\$ -		\$ 64
Fines & Forfeited Bail	\$ 125,000.00	\$ 23,066.00	18.45%	\$ 26,753.50	-13.78%	\$ (3,688)
Maintenance Fee - Ice Rink	\$ 36,480.00	\$ -	0.00%	\$ -		\$ -
Park User Fees	\$ 3,100.00	\$ 1,925.00	62.10%	\$ 1,810.00	6.35%	\$ 115
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%	\$ 400.00	-50.00%	\$ (200)
Code Violation Charges	\$ 36,000.00	\$ 5,005.10	13.90%	\$ 4,665.00	7.29%	\$ 340
EMS Program	\$ 45,590.00	\$ (12,800.00)	-28.08%	\$ (9,170.00)	39.59%	\$ (3,630)
Interest and Earnings	\$ 2,000.00	\$ 110.45	5.52%	\$ 647.24	-82.94%	\$ (537)
Interest and Earnings Reserves	\$ -	\$ 774.67		\$ 1,854.48	-58.23%	\$ (1,080)
Rental of Real Property	\$ 24,480.00	\$ 12,418.74	50.73%	\$ 17,366.08	-28.49%	\$ (4,947)
Rental, other - facility usage	\$ 500.00	\$ 545.00	109.00%	\$ 295.00	84.75%	\$ 250
Business/Occup. Licenses	\$ 5,000.00	\$ 1,765.00	35.30%	\$ 510.00	246.08%	\$ 1,255
Games of Chance	\$ 100.00	\$ 135.00	135.00%	\$ 20.00	575.00%	\$ 115
Bingo Licenses	\$ 2,500.00	\$ 429.11	17.16%	\$ 230.77	85.95%	\$ 198
Dog Licenses	\$ 12,000.00	\$ 3,522.50	29.35%	\$ 3,422.50	2.92%	\$ 100
Licenses, Other	\$ 700.00	\$ 149.56	21.37%	\$ 321.38	-53.46%	\$ (172)
Bldg/Alter Permits	\$ 50,000.00	\$ 7,840.50	15.68%	\$ 18,804.86	-58.31%	\$ (10,964)
Street Opening Permits	\$ 10,000.00	\$ 1,100.00	11.00%	\$ 3,030.00	-63.70%	\$ (1,930)
Plumbing Permits	\$ 3,700.00	\$ 1,246.00	33.68%	\$ 715.00	74.27%	\$ 531
Permits, Other	\$ 6,000.00	\$ 4,275.00	71.25%	\$ 4,175.00	2.40%	\$ 100
Parking ticket fees	\$ 35,000.00	\$ 3,725.00	10.64%	\$ 9,125.00	-59.18%	\$ (5,400)
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	\$ 113.32	8.72%	\$ 224.81	-49.59%	\$ (111)
Minor Sales - EMS Program	\$ -	\$ -		\$ -		\$ -
Sale of Real Property	\$ -	\$ -		\$ -		\$ -
Sale of Equipment	\$ 30,000.00	\$ 28,400.33	94.67%	\$ -		\$ 28,400
Insurance Recoveries	\$ -	\$ -		\$ 20,423.39		\$ (20,423)
Other Comp for Loss	\$ 5,214.90	\$ 14,237.10		\$ 34.87		\$ 14,202
Refund-Prior Year Exps	\$ -	\$ 599.23		\$ 1,031.00	-41.88%	\$ (432)
Healthcare Premiums	\$ 59,540.00	\$ 11,865.86	19.93%	\$ 14,805.10	-19.85%	\$ (2,939)
Healthcare Revenue	\$ -	\$ -		\$ 7,929.57	-100.00%	\$ (7,930)
Gifts and Donations	\$ -	\$ -		\$ -		\$ -
VLT	\$ 125,000.00	\$ 440,789.00		\$ 440,789.00		\$ -
Unclassified Revenue	\$ 1,000.00	\$ 611.50	61.15%	\$ 112,956.23		\$ (112,345)
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	\$ 52,179.89	45.37%	\$ 76,560.12		\$ (24,380)
Real Property Tax Admin	\$ -	\$ -		\$ -		\$ -
State Aid - Record Mgmt	\$ -	\$ -		\$ 2,616.00	-100.00%	\$ (2,616)
Rail Infrastructure Invest. Act	\$ -	\$ -		\$ -		\$ -
State Aid - Public Safety	\$ 24,915.03	\$ (22,560.60)	-90.55%	\$ 66.97	-33787.62%	\$ (22,628)
Consolidate Highway (CHIPS)	\$ 519,980.00	\$ -	0.00%	\$ -		\$ -
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	\$ -	0.00%	\$ -		\$ -
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	\$ 146,265.00	73.13%	\$ -		\$ 146,265
TOTAL REVENUES	\$ 15,544,449.89	\$ 7,430,885.69	47.80%	\$ 7,442,406.85	-0.15%	\$ (11,521)

**GENERAL FUND
CITY OF BATAVIA
FOR PERIOD ENDED - June 30, 2016**

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %	Change \$
Expenses						
City Council	\$ 51,700.00	\$ 7,743.14	14.98%	\$ 9,628.93	-19.58%	\$ (1,886)
City Manager	\$ 160,700.00	\$ 32,453.84	20.20%	\$ 26,642.44	21.81%	\$ 5,811
Finance	\$ 151,972.42	\$ 23,138.75	15.23%	\$ 30,872.09	-25.05%	\$ (7,733)
Administrative Services	\$ 326,550.00	\$ 79,254.19	24.27%	\$ 126,264.46	-37.23%	\$ (47,010)
Clerk-Treasurer	\$ 122,750.00	\$ 38,267.28	31.17%	\$ 44,428.93	-13.87%	\$ (6,162)
City Assessment	\$ 138,442.00	\$ 16,256.47	11.74%	\$ 32,126.75	-49.40%	\$ (15,870)
Legal Services	\$ 223,805.00	\$ 49,460.58	22.10%	\$ 26,689.54	85.32%	\$ 22,771
Personnel	\$ 139,900.00	\$ 23,461.39	16.77%	\$ 20,791.90	12.84%	\$ 2,669
Engineering	\$ 32,000.00	\$ -	0.00%	\$ 7,500.00		\$ (7,500)
Elections	\$ 18,210.00	\$ 18,210.00	100.00%	\$ 11,835.00	53.87%	\$ 6,375
Public Works Admin	\$ 94,960.00	\$ 17,434.77	18.36%	\$ 16,008.47	8.91%	\$ 1,426
City Facilities	\$ 353,837.39	\$ 78,346.71	22.14%	\$ 70,084.48	11.79%	\$ 8,262
Information Systems	\$ 79,575.00	\$ 50,668.00	63.67%	\$ 48,125.00	5.28%	\$ 2,543
Contingency	\$ 250,000.00	\$ -	0.00%	\$ -		\$ -
Police	\$ 3,637,737.85	\$ 682,577.17	18.76%	\$ 640,751.87	6.53%	\$ 41,825
Fire	\$ 4,552,583.03	\$ 1,631,651.96	35.84%	\$ 583,635.47	179.57%	\$ 1,048,016
Control of Dogs	\$ 1,310.00	\$ 41.85	3.19%	\$ 995.21	-95.79%	\$ (953)
Inspection	\$ 296,400.00	\$ 57,503.59	19.40%	\$ 46,445.40	23.81%	\$ 11,058
Vital Statistics	\$ 18,410.00	\$ 3,091.90	16.79%	\$ 2,745.89	12.60%	\$ 346
Maintenance Admin	\$ 180,153.52	\$ 35,667.15	19.80%	\$ 34,468.98	3.48%	\$ 1,198
Street Maintenance	\$ 757,435.00	\$ 154,450.17	20.39%	\$ 73,279.95	110.77%	\$ 81,170
Public Works Garage	\$ 443,782.00	\$ 69,654.48	15.70%	\$ 99,176.59	-29.77%	\$ (29,522)
Snow Removal	\$ 587,609.00	\$ 10,641.20	1.81%	\$ 53,011.99	-79.93%	\$ (42,371)
Street Lights/Traf Signals	\$ 305,960.60	\$ 39,061.04	12.77%	\$ 27,856.59	40.22%	\$ 11,204
Sidewalk Repairs	\$ 259,990.00	\$ 10,779.20	4.15%	\$ -		\$ 10,779
Parking Lots	\$ 35,200.00	\$ -	0.00%	\$ -		\$ -
Community Development	\$ 95,848.75	\$ 21,741.07	22.68%	\$ 5,797.15	275.03%	\$ 15,944
Economic Development	\$ -	\$ -		\$ -		\$ -
Council on Arts	\$ 2,250.00	\$ -	0.00%	\$ 2,250.00	-100.00%	\$ (2,250)
Parks	\$ 614,430.60	\$ 172,071.49	28.01%	\$ 134,829.31	27.62%	\$ 37,242
Summer Recreation	\$ 70,636.58	\$ 4,580.62	6.48%	\$ 4,170.01	9.85%	\$ 411
Youth Services	\$ 159,775.00	\$ 27,689.38	17.33%	\$ 23,726.33	16.70%	\$ 3,963
Historic Preservation	\$ 2,100.00	\$ 21.90	1.04%	\$ 181.08	-87.91%	\$ (159)
Celebrations	\$ 13,640.00	\$ 6,271.05	45.98%	\$ 2,339.30	168.07%	\$ 3,932
Planning & Zoning Boards	\$ 3,200.00	\$ 348.66	10.90%	\$ 797.02	-56.25%	\$ (448)
Storm Sewers	\$ 209,809.69	\$ 30,675.37	14.62%	\$ 19,120.25	60.43%	\$ 11,555
Refuse & Recycling	\$ 64,762.00	\$ 11,468.92	17.71%	\$ 5,114.13	124.26%	\$ 6,355
Street Cleaning	\$ 310,950.00	\$ 6,053.67	1.95%	\$ 9,937.13	-39.08%	\$ (3,883)
Medical Insurance	\$ 1,611,970.00	\$ 579,070.51	35.92%	\$ 407,925.68	41.95%	\$ 171,145
Debt Service	\$ 644,445.00	\$ 110,363.83	17.13%	\$ 56,156.45	96.53%	\$ 54,207
Energy Lease	\$ 75,475.00	\$ -	0.00%	\$ -		\$ -
Transfer for capital projects	\$ 125,000.00	\$ 125,000.00		\$ -		\$ 125,000
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)
TOTAL EXPENSES	\$ 17,693,620.43	\$ 4,432,186.30	25.05%	\$ 2,926,752.77	51.44%	\$ 1,505,434
Operating Income (Loss)		\$ 2,998,699.39		\$ 4,515,654.08	-33.59%	\$ (1,516,955)

WATER FUND
CITY OF BATAVIA
FOR PERIOD ENDED - June 30, 2016

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %
Revenues					
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	\$ 2,606.01	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 CDBC	\$ -	\$ -		\$ -	
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%
Total Revenue	\$ 5,275,520.00	\$ 291,137.11	5.52%	\$ 252,572.91	15.27%
Expenses					
Contingency	\$ 15,000.00	\$ -	0.00%	\$ -	0.00%
Water Admin	\$ 2,438,745.42	\$ 48,553.61	1.99%	\$ 37,713.82	28.74%
Pump Station & Filtration	\$ 1,212,678.91	\$ 199,680.14	16.47%	\$ 209,020.25	-4.47%
Water Distribution	\$ 379,440.00	\$ 74,021.86	19.51%	\$ 78,746.97	-6.00%
Medical Insurance	\$ 160,210.00	\$ 46,784.41	29.20%	\$ 31,121.69	50.33%
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%
Total Expense	\$ 5,341,894.33	\$ 523,936.81	9.81%	\$ 503,724.66	4.01%
Operating Income (Loss)		\$ (232,799.70)		(\$251,151.75)	-7.31%

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
Total	89,363	0.15%	474,159	6.03%	447,182

**SEWER FUND
CITY OF BATAVIA
FOR PERIOD ENDED - June 30, 2016**

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %
Revenues					
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	\$ -	\$ -		\$ 326.10	-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%	\$ -	
Total Revenues	\$ 3,218,068.00	\$ 1,144,785.14	35.57%	\$ 545,279.66	109.94%
Expenses					
Contingency	\$ 15,000.00	\$ -	0.00%	\$ -	
Wastewater Admin	\$ 301,265.41	\$ 53,610.81	17.80%	\$ 55,538.45	-3.47%
Sanitary Sewers	\$ 422,740.00	\$ 55,579.95	13.15%	\$ 66,840.89	-16.85%
Wastewater Treatment	\$ 843,888.08	\$ 143,168.81	16.97%	\$ 118,359.84	20.96%
Medical Insurance	\$ 95,310.00	\$ 23,655.45	24.82%	\$ 26,412.23	-10.44%
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%
Total Expenses	\$ 3,238,771.49	\$ 1,022,149.62	31.56%	\$ 393,310.11	159.88%
Operating Income (Loss)		\$ 122,635.52		\$ 151,969.55	-19.30%

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
Total	107,238	1.26%	772,093	5.51%	731,754

105,899

WORKERS COMPENSATION FUND
CITY OF BATAVIA
FOR PERIOD ENDED - June 30, 2016

DESCRIPTION	ADJUSTED BUDGET	YTD TOTAL	% OF BUDGET	YTD 2015	YTD Change %
<u>Revenues</u>					
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%
 Total Revenues	 \$ 322,640.00	 \$ 75,047.05	 23.26%	 \$ 24,526.41	 205.98%
 Contractual Expense	 \$ 322,640.00	 \$ 80,733.01	 25.02%	 \$ 113,146.32	 -28.65%
 Total Expenses	 \$ 322,640.00	 \$ 80,733.01	 25.02%	 \$ 113,146.32	 -28.65%
 Operating Income/(Loss)		 \$ (5,685.96)		 \$ (88,619.91)	 -93.58%


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

(Page 1 of 2)

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

1. Date Notice Was Sent: 06/03/2016 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

Applicant/Licensee Information

4. License Serial Number, if Applicable: 3104861 Expiration Date, if Applicable: 07/31/2016

5. Applicant or Licensee Name: Sharkos Enterprises, LLC

6. Trade Name (if any): Billy Goats Bar & Grill

7. Street Address of Establishment: 345 West Main Street

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

9. Business Telephone Number of Applicant/Licensee: 585-343-3434

10. Business Fax Number of Applicant/Licensee: 585-343-3872

11. Business E-mail of Applicant/Licensee: jspro8663@gmail.com

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 & Grill

15. Method of Operation: (Check all that apply) ☐ Seasonal Establishment ☒ Juke Box ☒ Disc Jockey ☒ Recorded Music ☒ Karaoke

☐ Live Music (Give details: i.e. rock bands, acoustic, jazz, etc.):

☒ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☒ Video/Arcade Games ☐ Third Party Promoters ☒ Security Personnel

☐ Other (specify):

16. Licensed Outdoor Area: (Check all that apply) ☐ None ☒ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure ☐ Sidewalk Cafe ☐ Other (specify):



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(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 *Stylianios Spyropoulos*

To Whom it May Concern,

This letter is to inform the Batavia City Council that effective September 1, 2016 MG Services LLC DBA Sunny's Restaurant will be renewing their liquor license.

#82-2016

**A RESOLUTION AUTHORIZING AGREEMENT WITH NEW YORK STATE
DEPARTMENT OF TRANSPORTATION FOR SUPPLEMENTAL AGREEMENT 7
MARCHISELLI PORTION OF PE/DESIGN ASSOCIATED WITH THE
RECONSTRUCTION OF SUMMIT STREET FROM EAST MAIN STREET TO NORTH
STREET**

Motion of Councilperson

WHEREAS, a project for the Reconstruction of Summit Street from East Main Street to North Street, City of Batavia, Genesee County, P.I.N. 475436 (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 cost for PE/Design, R.O.W. Incidentals and Construction/CI/CS; and

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

IT IS FURTHER RESOLVED, that the City Council hereby authorizes the payment in the first instance 100% of the Federal and non-Federal share for the cost of PE/Design, R.O.W. Incidentals, and Construction/CI/CS for the Project or portions thereof; and

IT IS FURTHER RESOLVED, that the sum of \$2,452,001 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and

IT IS 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

IT IS 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 and/or Marchiselli 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

IT IS 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

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

**Seconded by Councilperson
and on roll call**

#83-2016
A RESOLUTION PROVIDING SECTION 384-e TO IAFF EMPLOYEES COVERED
BY SECTION 384-d OF THE NEW YORK STATE RETIREMENT AND
SOCIAL SECURITY LAW AND TO ADJUST THE FIRE DEPARTMENT BUDGET

Motion of Councilperson

WHEREAS, a Memorandum of Agreement with the International Association of Fire Fighters (IAFF) provides a retirement benefit for those employees currently enrolled in the 384-d retirement plan; and

WHEREAS, the City and the IAFF Union agreed to provide the 384-e retirement benefit plan to those employees currently in the 384-d retirement plan; and

WHEREAS, pursuant to General Municipal Law 6-r, the City of Batavia has an established Retirement Contribution Reserve Fund for payment of retirement contributions pursuant to Sections 17 and 317 of the Retirement and Social Security Law; and

WHEREAS, the City of Batavia for the fiscal year ending March 31, 2016 has approximately \$433,895 of Retirement Contribution Reserve; and

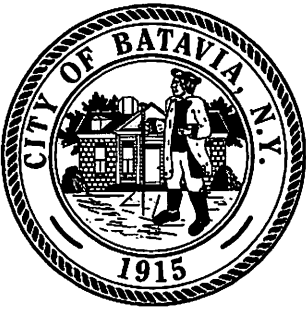
NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Batavia does hereby elect to provide the additional pension benefits of Section 384-e of the Retirement and Social Security Law for any member of its Fire Department who duly elects Section 384-d of the Retirement and Social Security Law, as presently or hereafter amended; and

BE IT FURTHER RESOLVED, that this election shall become effective beginning on the 9th day of August, 2016 and end on the 8th day of August, 2017; and

BE IT FURTHERED RESOLVE, by the Council of the City of Batavia that the City Manager is hereby authorized to make the following budget transfers effective August 9, 2016.

Increasing expenditure account:	
Fire Department	001.3410.0801.2110 \$27,441
Increasing revenue account:	
Appropriated Retirement	
Contribution Reserve	001.3410.0511.2110 \$27,441

Seconded by Councilperson
and on roll call



City of Batavia

Memorandum

To: Honorable City Council

From: Jason Molino, City Manager

Date: August 3, 2016

Subject: Business Improvement District Plan Amendments

At the July 11th Council meeting City Council was advised that the City had exchanged with BID legal counsel the proposed district plan and were awaiting responses for further discussion. We have received responses, however due to summer vacation scheduling, discussing issues with the BID has experienced unintended delays. It is requested that additional time be provided to allow both parties to further discuss and conclude matters.

It is requested that City Council table Local Law No. 3 at the August 8th Council meeting, to allow us to continue our dialogue with the BID legal counsel. This should provide sufficient time to review matters collectively and report back should any changes be warranted. If no movement is made within the month, City Council may take action on the originally proposed district plan changes at the September 12th Council meeting.

Thank you for your patience regarding this matter. Please don't hesitate to contact me if you have any questions.

This institution is an equal opportunity provider and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov

**Office of the City Manager
One Batavia City Centre
Batavia, New York 14020**

**TDD 800-662-1220
Phone: 585-345-6330
Fax: 585-343-8182
www.batavianewyork.com**

#84-2016

**A RESOLUTION TO ADOPT LOCAL LAW NO. 3 OF 2016 ENTITLED A LOCAL LAW
TO AMEND THE BUSINESS IMPROVEMENT DISTRICT PLAN**

Motion of Councilperson

WHEREAS, City Council having found that the amendment of the district plan, herein attached, is in the public interest, that all notice and hearing requirements have been complied with, that all properties within the district will benefit from the amendments and that all property benefited is included in the boundaries of the district; and

WHEREAS, a public hearing on this proposed Local Law was held on Monday, June 27, 2016 before this Council, pursuant to public notice duly published in **The Daily News**.

NOW, THEREFORE, BE IT RESOLVED, that proposed Local Law No. 3 of 2016 entitled **A Local Law to Amend the Business Improvement District Plan in the City of Batavia** accordance with Article 19-A of the General Municipal Law be and the same is hereby enacted by City Council of the City of Batavia, New York.

Seconded by Councilperson
And on roll call

LOCAL LAW NO. 3 OF THE YEAR 2016 CITY OF BATAVIA

A LOCAL LAW AMENDING THE BUSINESS IMPROVEMENT DISTRICT PLAN

A LOCAL LAW amending the Business Improvement District Plan in the City of Batavia in accordance with Article 19-A of the General Municipal Law submitted to the City Clerk on June 9, 2016.

BE IT ENACTED by the City Council of the City of Batavia as follows:

SECTION 1. The Downtown Business Improvement District established by Local Law No. 6 of 1997 adopted on November 24, 1997 and further outlined in Chapter 58 of the Code of the City of Batavia, and was amended by Local Law No. 3 of 2005 adopted on June 27, 2005 to include the Ellicott Street business area, the City Council having found that the amendment of the district plan, herein attached, is in the public interest, that all notice and hearing requirements have been complied with, that all properties within the district will benefit from the amendments and that all property benefited is included in the boundaries of the district.

SECTION 2. The provision of services within the district shall be pursuant to said amended district plan of the Downtown Batavia Business Improvement District (BID). All said services shall be in addition to, and not a substitution for required municipal services provided by the City of Batavia on a city-wide basis.

SECTION 3. To the extent not explicitly provided herein, the provisions set forth in Article 19-A of the General Municipal Law shall govern the operation of the Downtown Batavia Business Improvement District and the Batavia Business Improvement District Management Association. Insofar as the provisions of this Local Law are inconsistent with the provisions of any other Local Law or act, the provisions of this local law shall be controlling.

SECTION 4. Any additional amendments to the BID or the BID Plan shall be made in accordance with the provisions set forth in section 980-i of Article 19-A of the General Municipal Law.

SECTION 5. The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or parts.