



BATAVIA CITY COUNCIL CONFERENCE MEETING

**City Hall - Council Board Room
One Batavia City Centre
Monday, February 24, 2020 at 7:00 PM**

AGENDA

- I. Call to Order
- II. Invocation – Councilmember Viele
- III. Pledge of Allegiance
- IV. Presentation from BDC
- V. Public Comments
- VI. Council Response to Public Comments
- VII. Communications
 - a. Eli Fish Jackson Square Luau – April 2020
 - b. BID Jackson Square Summer Concert Series – June to August 2020
 - c. All Babies Cherished 5K – July 2020
 - d. Batavia Concert Band – February 2020
 - e. Living Waters Community Outreach – May 2020
- VIII. Council President Report
 - a. Announcement of the next regular City Council business meeting to be held on Monday, March 09, 2020 at 7:00 p.m. at the City Hall Council Board Room, 2nd Floor, City Centre
- IX. Public Hearings
 - a. A Public Hearing Introducing 2020/2021 Local Law No. 1 of the Year 2020 City of Batavia a Local Law Authorizing a Property Tax Levy in Excess of the Limit Established in General Municipal Law § 3-C”
 - b. A Public Hearing Introducing 2020/2021 Budget Ordinance #001-2020
 - c. A Public Hearing Introducing an Amendment to Local Law No. 2 of the Year 2020/2021 §184-41 (A), B9B), (C), And (O) of the Batavia Municipal Code to establish New Water Rates, Meter Fees and a Capital Improvement Fee

- X. Local Law No. 1 of the Year 2020 City of Batavia a Local Law Authorizing a Property Tax Levy in Excess of the Limit Established in General Municipal Law § 3-C”
- XI. 2020/2021 Budget Ordinance
- XII. Local Law No. 2 of 2020 Amending Batavia Municipal Code to establish new water rates, meter fees and a capital improvement fee
- XIII. Year-end Close Out Resolutions
 - a. Strategic Plan
 - b. Investment Policy
 - c. Parking Permits and Employee Accrued Liability Reserves
 - d. Capital Improvement Plans for 2019-2020 Budget
 - e. Establish and Update Current Capital Projects and Transfer Funds for Capital Project Budgets
- XIV. Appoint Members to Various City Committees/Boards
- XV. Discovery Reform
- XVI. Health Insurance Reserve
- XVII. Comprehensive Plan – Committed Fund Balance
- XVIII. Vibrant Batavia – Committed Fund Balance
- XIX. Chemical Bids
- XX. Review Zoning Use for Public Repair Garage
- XXI. Disposition of Surplus Property - Obsolete Information Technology Equipment
- XXII. PBA Tentative Agreement
- XXIII. Executive Session...Litigation and Employment Matters
- XXIV. Adjournment

Eli Fish Jackson Square Luau (2020-4)

There are no estimated costs from the departments.

BID Jackson Square Summer Concert Series (2020-6)

The estimated costs from the departments are as follows:

Public Works - \$100

All Babies Cherished 5K (2020-7)

The estimated costs from the departments are as follows:

Police - \$290

Batavia Concert Band (2020-2)

There are no costs from the departments.

Living Waters Community Outreach (2020-5)

There are no costs from the departments.



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

Official Use Only:

2020-4
Event Application #:

Event Application Fee - \$25.00 (non-refundable)
(A separate permit must be issued for each item requested)

Event Sponsor Eli Fish Brewing Co

Type of Event Lugau

Date of Event May 30, 2020, Saturday

Time of Event (don't include set up time here - just actual event time) 5pm - 9pm

Location of Event Jackson Sq.

Details of Event (be as specific as possible!) Tented event with Lugau type food.

We will be selling tickets and will have live music.
(Low Key) we will speak to all our neighbors to inform them of event

Contact Information:

Primary contact:

Secondary contact:

Name Shannon Maute

Matthew Gray

Phone # 585-343-0008

585-343-0008

E-mail address Shannon@elifishbrewing.com

zarkel21@gmail.com

* Events will be posted on the City's website calendar. If there is a website you would like to include that people can visit for more information or registration, if applicable, note website here: _____

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? Matthew Gray

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):

Set up date: May 30th Set up time: 10 Am
Tear down date: 10pm May 30th Tear down time: 10 pm

PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:

Date: 5/30/2020 Start time: 5 pm End time: 9 pm
Estimated crowd size: 200 # of Vendors/Displays 1 (us)

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)
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 ☐
TBD
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? music/Band and light in tent
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/POP-UPS:

Will Tents/Canopies or other membrane structures be erected at event?
Will a bounce house or other air supported structures be erected at event?

Yes ☒ No ☐
Yes ☐ No ☒

NOTE – Appropriate anchoring is required for all tents, canopies, and pop-up structures

Please list size(s) of Tents/Canopies or other temporary structures erected.

20 x 20 (1)

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)

Trash cans & picnic tables (6)

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. **Applications should be submitted at least 30 days in advance.**
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 approved, a Certificate of Liability Insurance of at least \$1,000,000 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.

Hold Harmless Agreement

Eli Fish Brewing Co 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 Eli Fish Brewing Co (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.

1-17-2020
Date:

Matthew Gray
Name of Event Sponsor:

Managing Member
Authorized Signature, Title

Matthew Gray
Name - Printed or Typed

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

1-17-2020
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

**SPECIAL EVENT APPLICATION
DEPARTMENT APPROVAL SUMMARY**

FOR OFFICIAL CITY USE ONLY

OFFICIAL USE ONLY			
Department Recommendations	Approved	Denied	Additional Costs
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"/>	

Department Initials _____

If recommendation is denied, please attach a brief explanation.

OFFICIAL USE ONLY	
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:*

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

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Submitted By: _____
Name / Title

Date Submitted _____



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

DATE: 01/29/2020

TIME: 13:54:36

GENERAL RECEIPTS

RECEIPT TYPE: 2590

RECEIPT # 416375

AMOUNT PAID -----

25.00

Official Use Only:

2020-6
Event Application #.

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

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

Event Sponsor Batavia Business Improvement District Management Assoc.

Type of Event Jackson Square Summer Concert Series

Date of Event every Friday beginning June 12 thru Aug 28th

Time of Event (don't include set up time here - just actual event time) 7PM-9PM

Location of Event Jackson Square

Details of Event (be as specific as possible!) Free Live Music in Jackson Square every Friday throughout the summer. Local bands perform each week.

Contact Information:

Primary contact:

Secondary contact:

Name Boeth Kemp
Phone # 344-0900
E-mail address director@downtownbataviany.com

* Events will be posted on the City's website calendar. If there is a website you would like to include that people can visit for more information or registration, if applicable, note website here: _____

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? _____

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):Set up date: Friday June 12thSet up time: 12:00 PMTear down date: Friday Aug 28thTear down time: 9:00 PM**PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:**Date: June 12 - every Friday night
Aug 28Start time: 7:00 PMEnd time: 9:00 PMEstimated crowd size: 100-300# of Vendors/Displays 2-3**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)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 ☐List of Bands available after March 1st, 2020

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? Band Speakers & instrumentsWill 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/POP-UPS:

Will Tents/Canopies or other membrane structures be erected at event?
Will a bounce house or other air supported structures be erected at event?

Yes ☒ No ☐
Yes ☐ No ☒

NOTE – Appropriate anchoring is required for all tents, canopies, and pop-up structures

Please list size(s) of Tents/Canopies or other temporary structures erected. Tent over stage,
Food/Craft vendors may bring a 10x10.

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)

POLICE

Will City Police Officers be requested for the event? Yes ☐ No ☒ would love a walk
through if possible,

**FINAL DETERMINATION FOR NUMBER OF POLICE OFFICERS
and UTILIZATION WILL BE AT THE DISCRETION OF THE CITY.** but not
required.

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. **Applications should be submitted at least 30 days in advance.**
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 approved, a Certificate of Liability Insurance of at least \$1,000,000 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.

Hold Harmless Agreement

Downtown Batavia
B.I.D.

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 Downtown Batavia B.I.D. (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.

1/22/20
Date:

Downtown Batavia Business Improvement District
Name of Event Sponsor:
Elizabeth M Kemp, Director
Authorized Signature, Title:
Elizabeth (Beth) Kemp
Name - Printed or Typed

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

1/22/20
Date:

Elizabeth M Kemp
Signature of Applicant

Please forward this application to:

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

**SPECIAL EVENT APPLICATION
DEPARTMENT APPROVAL SUMMARY**

FOR OFFICIAL CITY USE ONLY

OFFICIAL USE ONLY				
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

OFFICIAL USE ONLY	
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



City of Batavia
Batavia, New York 14020
(585) 347-6300

DATE: 02/11/2020 TIME: 15:34:14
GENERAL RECEIPTS
RECEIPT TYPE: 2590
RECEIPT # 417195
AMOUNT PAID ----- 25.00

Official Use Only:

2020-7

Event Application #

Event Application Fee - \$25.00 (non-refundable)
(A separate permit must be issued for each item requested)

Event Sponsor ALL BABIES CHERISHED
Type of Event 5K Benefit Run
Date of Event June 13, 2020
Time of Event (don't include set up time here - just actual event time) 9:00 - 11:00 am
Location of Event 350 Bank Street Road
Details of Event (be as specific as possible!) 5K Run along streets around John Kennedy School and the east side of Batavia - Beginning and ending at Northgate Church

Contact Information:

Primary contact:

Name Sue Sherman
Phone # 585-356-2583
E-mail address Sueatcherished@gmail.com

Secondary contact:

Richard Dunn
585-297-0371
richarddunn@me.com

* Events will be posted on the City's website calendar. If there is a website you would like to include that people can visit for more information or registration, if applicable, note website here: _____

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? _____

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):

Set up date: 6/13/20 Set up time: 07:00
Tear down date: 6/13/20 Tear down time: 13:00

PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:

Date: 6/13/20 Start time: 09:00 End time: 12:00
Estimated crowd size: 150 # 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)
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 ☐

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? Race Timing Devices - Private Property

Will generators be used? Yes ☒ No ☐

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

SIZE OF GENERATOR(S) 2,000W FUEL SOURCE - GAS ☒ - DIESEL ☐ - PROPANE ☐

TENTS/CANOPIES/POP-UPS:

Will Tents/Canopies or other membrane structures be erected at event?
Will a bounce house or other air supported structures be erected at event?

Yes ☐ No ☒
Yes ☐ No ☒

NOTE – Appropriate anchoring is required for all tents, canopies, and pop-up structures

Please list size(s) of Tents/Canopies or other temporary structures erected.

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: Just Police Assist

List Street(s) and Cross Street(s) that will be affected:

Bank Street East Ave North Street Street to be closed	Bank & Ross North Street to be closed	Bank & Vine North Street to be closed
--	--	--

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)

Police Assist

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. **Applications should be submitted at least 30 days in advance.**
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
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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 approved, a Certificate of Liability Insurance of at least \$1,000,000 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.

Hold Harmless Agreement

ALL BABIES CHERISHED 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 ABC (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.

2/6/20
Date:

ALL BABIES CHERISHED
Name of Event Sponsor

Richard Dunn
Authorized Signature Title

RICHARD DUNN
Name - Printed or Typed

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

2/6/20
Date:

Richard Dunn
Signature of Applicant

Please forward this application to:

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

**SPECIAL EVENT APPLICATION
DEPARTMENT APPROVAL SUMMARY**

FOR OFFICIAL CITY USE ONLY

<u>OFFICIAL USE ONLY</u>				
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"/>	_____	_____
<i>If recommendation is denied, please attach a brief explanation</i>				

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

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

ALL BABIES CHERISHED



RUN BABY RUN

5th Annual

SATURDAY, JUNE 13, 2020

Registration 8:00 am / Race begins 9:00 am
Northgate Church, 350 Bank Street, Batavia, NY

Saturday, June 13, 2020

9:00 am Race Start Time

Northgate Free Methodist Church
350 Bank Street, Batavia, NY 14020

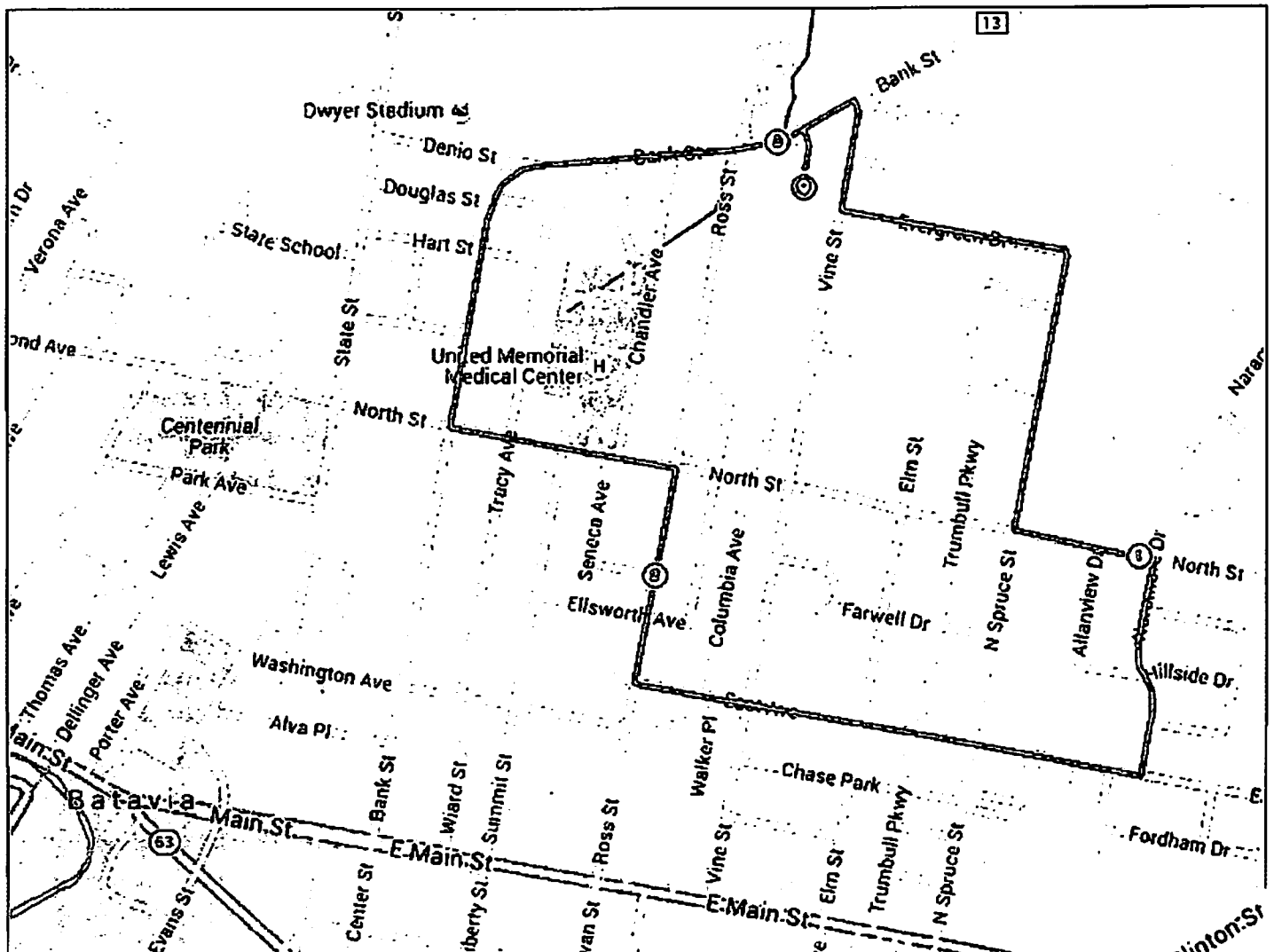
\$25 Entry Fee

Register online @ RunSignup.com

Benefit to support All Babies Cherished
Pregnancy Assistance Center

T-Shirts for all entrants registered by May 28
Prizes for 5 age categories, male and female

Timing by ScoreThis!





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

Official Use Only:

2020-2

Event Application #:

PAID

OCT 29 2019

CITY OF BATAVIA
CLERK-TREASURER

Event Application Fee - \$25.00 (non-refundable)
(A separate permit must be issued for each item requested)

Event Sponsor BATAVIA CONCERT BAND
Type of Event SUMMER CONCERT SERIES
Date of Event 6/24, 7/1, 7/8, 7/15, 7/22, 7/29, 8/5/2020
Time of Event (don't include set up time here - just actual event time) 7⁰⁰ - Wednesday
Location of Event CENSAHARA PARK
Details of Event (be as specific as possible!) FREE SUMMER CONCERT SERIES
ON WEDNESDAY NIGHTS
(on Wednesday Nights)

Contact Information:

Primary contact:

Name JASON SMITH
Phone # 590-0743
E-mail address JASOCLORI0799@YAHOO.COM

Secondary contact:

* Events will be posted on the City's website calendar. If there is a website you would like to include that people can visit for more information or registration, if applicable, note website here: WWW.BATAVIACONCERTBAND.NET

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? _____

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):

Set up date: SAME AS CONCERT DATES Set up time: 6¹⁵
 Tear down date: Tear down time: 8³⁰

PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:

Date: 6/24-5/5 WHEELSONS Start time: 7⁰⁰ End time: 8³⁰
 Estimated crowd size: 200 # of Vendors/Displays 0

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)
 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 ☐

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? SOUND EQUIPMENT

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

Yes ☐ No ☒
Yes ☐ No ☒

Please list size(s) of Tents/Canopies or other temporary structures erected.

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)

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. **Applications should be submitted at least 30 days in advance.**
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 approved, a Certificate of Liability Insurance of at least \$1,000,000 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.

Hold Harmless Agreement

BATAVIA CANCER BAND, 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 CANCER BAND 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.

10/8/19
Date:

BATAVIA CANCER BAND
Name of Event Sponsor:
JASON A SMITH
Authorized Signature, Title
JASON A SMITH
Name - Printed or Typed

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

10/8/19
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



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

DATE: 01/23/2020
GENERAL RECEIPTS
RECEIPT TYPE: 2590
RECEIPT # 415827
AMOUNT PAID ----

TIME: 15:37:15

25.00 C

Official Use Only:

2020-5

Event Application #:

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

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

Event Sponsor Living Waters Apostolic Ministries Inc.

Type of Event Charitable/Religious

Date of Event July 19, 2020 Sunday

Time of Event (don't include set up time here - just actual event time) 10:30am - 5:00pm.

Location of Event Austin Park

Details of Event (be as specific as possible!) Community Outreach with games, food, music, sermon, prayer, showing love to the community

Contact Information:

Primary contact:

Secondary contact:

Name Pastor Timothy Young
Phone # (585) 305-6518
E-mail address lwministries@yahoo.com

Name Paul Ohlson
Phone # (585) 343-0095

* Events will be posted on the City's website calendar. If there is a website you would like to include that people can visit for more information or registration, if applicable, note website here: _____

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? _____

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):Set up date: July 19, 2020Set up time: 8:00 a.m.Tear down date: July 19, 2020Tear down time: 5:00 p.m.**PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:**Date: July 21, 2019 Start time: 10:30 a.m. End time: 5:00 p.m.Estimated crowd size: 100 - 500 # of Vendors/Displays 10-15**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)
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 ☐Various Church groups(559) 305-6518

Name of Company Providing Above:

Company Contact/Representative

Phone #

8831 Hopkins RdBatavia, N.Y.14020

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?

P.A. / Audio EquipmentWill generators be used? Yes ☒ No ☐

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

SIZE OF GENERATOR(S) 6500 + 5500 FUEL SOURCE - GAS - ☒ - DIESEL - ☐ - PROPANE - ☐

TENTS/CANOPIES:

Will Tents/Canopies or other membrane structures be erected at event?
Will a bounce house or other air supported structures be erected at event?

Yes ☒ No ☐
Yes ☒ No ☐

Please list size(s) of Tents/Canopies or other temporary structures erected.

10' X 10' + 10' X 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. **Applications should be submitted at least 30 days in advance.**
2. Fire hydrants, Cross Streets/Alleys and Store Fronts **Shall Not Be Blocked** by any Vehicle or Concession at any time.
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4. Fuel Containers Must be of an Approved type and Must be Properly Secured
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12. If approved, a Certificate of Liability Insurance of at least \$1,000,000 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.

Hold Harmless Agreement

Living Waters Apostolic Ministries Inc.

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

Living Waters Apostolic Ministries Inc. (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.

1/24/20

Living Waters Apostolic Ministries Inc.

Name of Event Sponsor:

Pastor Timothy Gray, President/Founder

Authorized Signature, Title

Pastor Timothy Gray

Name - Printed or Typed

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

1/24/20

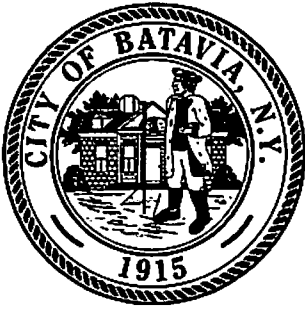
Date:

Pastor Timothy Gray

Signature of Applicant:

Please forward this application to:

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



City of Batavia

Memorandum

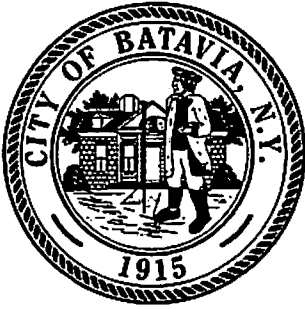
To: Honorable City Council
From: Dr. Martin D. Moore (Marty)
Date: February 14, 2020
Subject: Property Tax Cap Override

The City of Batavia is facing a \$700,000 revenue shortfall. As a result, I am recommending the following direction.

RECOMMENDED- BALANCING THE LOAD EQUALLY BETWEEN EXPENSES AND REVENUES

Choosing to balance the \$700,000 burden equally between cutting expenses and increasing property tax revenues helps the City of Batavia retain the ability to accomplish the following:

1. Maintain our credit rating for bonds to build a new Police Station and secure short term bond funds up front for reimbursement grants.
2. Maintain the property tax rate BELOW \$10 per \$1,000 taxable assessed value. The rate in this scenario would be \$9.59 per \$1,000 of taxable assessed value, and would surpass the property tax cap by approximately \$327,000.
3. Cover unexpected budget cost overruns and emergency purchases.
4. Maintain sufficient room in the budget to provide for current programs.
5. Cover deductibles and improve the City's ability to absorb unknown future insurance claims for worker's compensation, health insurance, property damage, and other liability insurance claims.
6. Assign funds to capital, retirement, and/or insurance reserves.
7. Maintain lower levels of fiscal stress. The lower the stress score, the lower the stress level on the City budget. This scenario allows the City to accomplish this by allowing the City to:
 - Maintain the total General Fund Balance as a Percent (%) of Gross Expenditures
 - Maintain Assigned and Unassigned General Fund Balance as a Percent (%) of Gross Expenditures
 - Maintain the Cash Position of the combined funds
 - Lower likelihood of operating deficits.



City of Batavia

Property Tax Cap Override Answers To Frequently Asked Questions

1. How much revenue does the City of Batavia need to cover its budget expenses?
 - a. \$700,000
2. What about expense cuts?
 - a. The City has cut expenses \$350,000 to reduce the budget.
3. Where will the remaining \$350,000 come from?
 - a. A \$350,000 increase in property tax
4. What is the new property tax rate?
 - a. The new property tax rate is \$9.59 per \$1,000 of value. This is still lower than the school and county rates.
5. How much does the property tax rate increase?
 - a. The tax rate increase is \$0.67 per \$1,000 of taxable assessed value, or 7.48%
6. How much will the new property tax rate cost me?
 - a. Home taxable value is \$50,000 dollars; the tax increase is \$33.50.
 - b. Home taxable value is \$100,000 dollars; the tax increase is \$67.00.
 - c. Home taxable value is \$150,000 dollars; the tax increase is \$100.50.
 - d. Home taxable value is \$200,000 dollars; the tax increase is \$134.00.
7. Will this increase exceed the property tax cap?
 - a. Yes, the City Council will vote to exceed the Property Tax Cap to keep our current level of services.
8. Is this tax increase for all property taxes or just the City tax?
 - a. The increase is only for the City portion of the property tax bill.
9. What did the \$350,000 of cuts target?
 - a. The City will keep one (1) but not add an additional School Resource Officer.
 - b. The City has reduced the Youth Bureau budget.
 - c. The City has reduced funding for overtime, special events, travel and fuel expenses.
 - d. The City has suspended its routine computer replacement program and software purchases.
 - e. The City has postponed Fire Department, Police Department, and Department of Public Works vehicle and equipment replacement where the equipment or vehicles are safe enough or mechanically sound enough to postpone replacement for a year.

#-2020

**A RESOLUTION TO ADOPT A LOCAL LAW TO OVERRIDE THE TAX CAP LIMIT
FOR THE BUDGET FISCAL YEAR COMMENCING APRIL 1, 2020**

Motion of Councilmember

WHEREAS, according to New York State's Property Tax cap legislation, if a City government decides to adopt a budget with a property tax levy that exceeds the level set by the State, the City government must pass a local law to override that cap; and

WHEREAS, adopting said local law is not predictive of the final tax levy but will provide the City of Batavia flexibility to exceed the Property Tax Cap if it is deemed necessary, and to ensure that any State re-calculation of the applicable limit will not make the City inadvertently out of compliance, and;

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. 1 of 2020 entitled **"LOCAL LAW NO. 1 OF THE YEAR 2020 CITY OF BATAVIA A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C"** 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 will hold a public hearing on said proposed Local Law in the Council Room, Second Floor, One Batavia City Centre, Batavia New York, at 7:00 p.m. on Monday, February 24, 2020; and

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

**Seconded by Councilmember
and on roll call**

LOCAL LAW NO. 1 OF THE YEAR 2020
CITY OF BATAVIA
A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF
THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C

Be it enacted, by the City Council of the City of Batavia, New York, as follows:

Section 1. Legislative Intent

It is the intent of this Local Law No. 1 to override the limit on the amount of real property taxes that may be levied by the City of Batavia, County of Genesee, State of New York (hereinafter "City of Batavia" pursuant to General Municipal Law § 3-c, and to allow the City of Batavia to adopt a budget for the fiscal year commencing April 01, 2020 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to Subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the City Council to override the property tax cap for the next fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of the City Council.

Section 3. Tax Levy Limit Override

The City Council of the City of Batavia is hereby authorized to adopt a budget for the fiscal year commencing April 1, 2020 that may require a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

#-2020

A RESOLUTION TO ADOPT 2020-2021 BUDGET ORDINANCE

Motion of Councilmember

WHEREAS, the City Manager prepared and submitted to the City Council a Proposed Budget for the 2020-2021 fiscal year on January 13, 2020 pursuant to Section 16.3 of the City Charter, copies of which were received by all members of the City Council and a copy placed on file in the City Clerk's Office; and

WHEREAS, the City Council has reviewed and amended the City Manager's proposed budget.

WHEREAS, said proposed budget estimated revenues and expenditures for all operating funds of the City of Batavia at \$28,542,068 including the General Fund at \$17,598,636; and

WHEREAS, said proposed budget includes revenues to be received through the property tax levy of \$5,779,333; and

WHEREAS, the City Council of the City of Batavia wishes to grant wage adjustments to its non-union City employees at a salary increase of 2.75%, longevity schedule and retirement healthcare effective April 1, 2020; and

WHEREAS, the City Council of the City of Batavia wishes to grant a salary adjustment due to the minimum wage increase for all seasonal and part-time employees; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the 2020-2021 Budget Ordinance is hereby introduced pursuant to Section 3.13 of the City Charter.

BE IT FURTHER RESOLVED, that the City Council hold a public hearing on said Budget Ordinance in the Council Board Room, Second Floor, One Batavia City Centre, Batavia, New York, at 7:00 PM on Monday, February 24, 2020; and

BE IT FURTHER RESOLVED, that the City Clerk publish or cause 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 Councilmember
and on roll call**

ORDINANCE #001-2020
AN ORDINANCE ADOPTING THE 2020-2021 BUDGET AND DETERMINING THE
AMOUNT OF TAX TO BE LEVIED ON ALL REAL PROPERTY FOR THE 2020-2021
FISCAL YEAR

BE IT ENACTED, by the Council of the City of Batavia, New York:

SECTION 1. The proposed Budget for 2020-2021, submitted by the City Manager pursuant to Sections 16.3, 16.4, and 16.5 of the City Charter on January 13, 2020, setting forth the estimates of revenues and expenditures for the fiscal year 2020-2021, including all wage adjustments and salary schedules for all employees covered under collective bargaining agreements, and non-union, part-time and seasonal employees, of the various funds of the City of Batavia, namely, General Fund, Water Fund, Sewer Fund, City Centre Fund, Workers' Compensation Fund, and Health Insurance Fund is hereby approved and that the several amounts allowed as estimated expenditures be and are hereby appropriated to the use of the several departments of the City of Batavia for the purpose set forth in each estimate in the proposed budgets for the fiscal year 2020-2021.

SECTION 2. The City Council does hereby finally ascertain, fix, and determine that the entire amount necessary, proper, and legal be raised by tax to defray the expenditures of the City of Batavia for the fiscal year of 2020-2021 is \$5,779,333.

SECTION 3. The sum of \$5,779,333 the entire amounts heretofore ascertained, fixed, and determined as necessary, proper, and legal be raised by tax to defray the expenditures of the City of Batavia for the fiscal year 2020-2021, be and the same is hereby levied on all the real property subject to taxation by the City of Batavia according to valuation upon the assessment roll for the fiscal year 2020-2021.

SECTION 4. The amounts to be raised by taxation as hereby stated for City purposes is hereby a warrant upon the Clerk-Treasurer to spread and extend such levies upon the current assessment tax roll and to collect the same.

SECTION 5. The budget summaries, as filed in the Clerk-Treasurer's Office of the various funds of the City of Batavia, are made a part hereof and are hereby declared to be part of the Ordinance.

SECTION 6. This Ordinance shall become effective April 1, 2020.

Budget Summaries

General Fund

General Fund - Capital Reserves	\$ 185,000.00
City Council	\$ 46,867.00
City Manager	\$ 180,626.00
Finance	\$ 132,605.00
Administrative Services	\$ 369,045.00
Clerk/Treasurer	\$ 174,760.00
City Assessment	\$ 146,130.00
Legal Services	\$ 234,917.00
Personnel	\$ 155,510.00
Engineering	\$ 26,800.00
Elections	\$ 21,230.00
Public Works Administration	\$ 105,430.00
City Facilities	\$ 314,790.00
Information Systems	\$ 109,300.00
General Fund - Contingency	\$ 240,000.00
Police	\$ 3,844,350.00
Fire	\$ 3,838,795.00
Control of Dogs	\$ 1,450.00
Inspection	\$ 357,810.00
Vital Statistics	\$ 19,615.00
Maintenance Administration	\$ 199,680.00
Street Maintenance	\$ 834,290.00
Public Works Garage	\$ 468,720.00
Snow Removal	\$ 481,881.00
Street Lights & Traffic Signals	\$ 271,940.00
Sidewalk Repairs	\$ 111,000.00
Parking Lots	\$ 60,620.00
Community Development	\$ 20,157.00
Economic Development	\$ 110,000.00
Council on Arts	\$ 6,250.00
Parks	\$ 544,130.00
Summer Recreation	\$ 84,925.00
Youth Services	\$ 168,791.00
Historic Preservation	\$ 2,177.00
Community Celebrations	\$ 15,080.00
Planning & Zoning Boards	\$ 2,300.00
Storm Sewer	\$ 184,890.00
Refuse & Recycling	\$ 87,290.00
Street Cleaning	\$ 124,880.00
General Fund - Debt Service/Bonds	\$ 459,022.00
General Fund – BAN	\$ 14,843.00

Install Pur Debt - Municipal Lease	\$ 28,487.00
Gen. Fund – Debt Srvc-Energy Lease	\$ 85,043.00
Gen. Fund – Transfer for Cap Proj	\$ 335,500.00
General Fund - Transfer/Other Funds	\$ 2,391,710.00
TOTAL GENERAL FUND	\$ 17,598,636.00

**Water, Wastewater &
Workers Comp Funds**

**PROPOSED
2020/21**

Water Administration	\$ 2,650,738.00
Pump Station & Filtration	\$ 1,264,470.00
Water Distribution	\$ 378,610.00
Water Fund Contingency	\$ 20,000.00
Water Fund - Debt Service/Bonds	\$ 89,025.00
Install Pur Debt – Municipal Lease	\$.00
Water Fund– Debt Srvc-Energy Lease	\$ 16,294.00
Water Fund - Transfer to Other Funds	\$ 470,790.00
Water Fund - Reserve	\$ 69,246.00
Water Fund – Debt Service - BAN	\$ 37,621.00
TOTAL WATER	\$ 4,996,794.00

Wastewater Administration	\$ 331,528.00
Sanitary Sewers	\$ 459,190.00
Wastewater Treatment	\$ 836,490.00
WW Fund Contingency	\$ 15,000.00
WW Fund - Debt Service/Bonds	\$ 297,269.00
WW Fund - Debt Srvc-Energy Lease	\$ 8,419.00
Install Pur Debt – Municipal Lease	\$.00
WW Fund – Transfer to Other Funds	\$ 214,760.00
WW Fund - Reserve	\$ 610,265.00
TOTAL WASTEWATER	\$ 2,772,921.00

Workers' Compensation	\$ 363,180.00
Transfer to Reserves	\$.00
TOTAL WORKER'S COMP	\$ 363,180.00

TOTAL WATER, WASTEWATER, WORKERS' COMP	\$ 8,132,895.00
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**CITY CENTRE & HEALTH
INSURANCE FUNDS**

Administration	\$ 173,872.00
Contingency	\$ 2,665.00
City Centre Fund-Transfer to Other Funds	\$ 29,910.00
TOTAL CITY CENTRE	\$ 206,447.00

Medical Insurance	\$ 2,494,090.00
Transfer to Reserves	\$ 110,000.00
TOTAL HEALTH INSURANCE	\$ 2,604,090.00

TOTAL CITY CENTRE & HEALTH INSURANCE	\$ 2,810,537.00
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TOTAL ALL FUNDS \$ 28,542,068

#-2020

A RESOLUTION TO ADOPT A LOCAL LAW AMENDING SECTION 184-41 (A), (B), (C), AND (O) OF THE BATAVIA MUNICIPAL CODE TO ESTABLISH NEW WATER RATES, METER FEES AND A CAPITAL IMPROVEMENT FEE

Motion of Councilmember

BE IT RESOLVED, that Local Law No. 2 of the Year 2020 entitled “**LOCAL LAW NO. 2 OF THE YEAR 2020 CITY OF BATAVIA TO AMEND §184-41 (A), (B), (C), AND (O) OF THE CODE OF THE CITY OF BATAVIA TO ESTABLISH NEW WATER RATES, METER FEES AND A CAPITAL IMPROVEMENT FEE**” 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, February 24, 2020; 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 three (5) days prior thereto.

**Seconded by Councilmember
and on roll call**

**LOCAL LAW NO. 2 OF THE YEAR 2020
CITY OF BATAVIA**

**A LOCAL LAW TO AMEND §184-41(A), (B), (C), AND (O) OF THE CODE OF THE
CITY OF BATAVIA TO ESTABLISH NEW WATER RATES, METER FEES AND A
CAPITAL IMPROVEMENT FEE**

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

Section 1. § 184-41. Water rates.

A. Water Rates

City – Water – Quarterly Schedule

~~\$5.49~~ [\$5.68] per 1,000 gallons

Town Served Directly by the City – Building and Hydrants

~~\$7.04~~ [\$7.29] per 1,000 gallons

B. Bulk rate at water plant fill station: ~~\$7.35~~ [\$7.61] per 1,000 gallons; cards: \$12.50 each.

Section 3. Effective Date

The foregoing amendment shall become effective with the water consumed ~~April 1, 2019~~
~~as billed on and after June 1, 2019~~ [April 1, 2020 billed on and after June 1, 2020]

C. Quarterly meter service and availability charge for meters:

Type	Size in Inches	Quarterly Fee
Disc	5/8	\$10.69 [\$11.06]
Disc	3/4	\$13.53 [\$14.00]
Disc	1	\$14.25 [\$14.75]
Disc	1 ½	\$24.22 [\$25.06]
Disc	2	\$33.62 [\$34.80]
Compound	2	\$28.48 [\$29.48]
Compound	3	\$108.33 [\$112.12]
Compound	4	\$172.43 [\$178.46]
Compound	6	\$260.47 [\$269.59]
Turbo	3	\$64.10 [\$66.34]
Turbo	4	\$108.33 [\$112.12]
Fireline	4	\$108.33 [\$112.12]
Fireline	6	\$172.43 [\$178.46]

Fireline	8	\$240.36 [\$248.78]
Fireline	10	\$313.88 [\$324.87]

All of the above meter service charges include the required remote reading encoder systems.

O. Quarterly Capital Improvement fee for meters:

Type	Size in Inches	Quarterly Fee
Disc	5/8	\$6.59 [\$7.25]
Disc	¾	\$8.35 [\$9.18]
Disc	1	\$8.78 [\$9.66]
Disc	1 ½	\$14.93 [\$16.43]
Disc	2	\$20.73 [\$22.80]
Compound	2	\$17.57 [\$19.33]
Compound	3	\$66.81 [\$73.49]
Compound	4	\$106.34 [\$116.97]
Compound	6	\$160.65 [\$176.71]
Turbo	3	\$39.53 [\$43.48]
Turbo	4	\$66.81 [\$73.49]
Fireline	4	\$66.81 [\$73.49]
Fireline	6	\$106.34 [\$116.97]
Fireline	8	\$148.24 [\$163.06]
Fireline	10	\$193.59 [\$212.95]

Deletions designated by ~~strikeout~~

Additions designated as [brackets]

#-2020
**A RESOLUTION ADOPTING THE CITY OF BATAVIA STRATEGIC PLAN FOR
FISCAL YEAR 2020-2021**

Motion of Councilmember

WHEREAS, the City Council has been engaged in the development of a City of Batavia Strategic Plan in recognition of the changing needs and challenges of the City of Batavia; and

WHEREAS, the intent of developing a Strategic Plan is to allocate our available resources to best meet the needs of our residents, while balancing the fiscal, infrastructure and environmental factors that may affect the community in the future; and

WHEREAS, on January 13, 2020 the City Council was presented with the proposed updated City of Batavia Strategic Plan for fiscal year 2017-2022 which contained ongoing and new initiatives for the upcoming fiscal year; and

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Batavia:

1. The Strategic Plan identifies initiatives and projects that allocate staff resources to ensure alignment with the adopted strategic priorities of City Council; and
2. The Strategic Plan is a working document, it is non-binding, but is the first of many steps toward improving rational, long-range planning for the City of Batavia.

**Seconded by Councilmember
and on roll call**

#-2020

**A RESOLUTION AUTHORIZING THE ADOPTION OF AN INVESTMENT POLICY
FOR THE CITY OF BATAVIA, NEW YORK**

Motion of Councilmember

WHEREAS, the City of Batavia is the custodian of moneys and is authorized to invest such money; and

WHEREAS, the City's independent auditor has recommended an investment policy be updated and reviewed annually by Council; and

WHEREAS, the Council of the City of Batavia originally adopted the Investment Policy April 11, 2011 and has subsequently revised and adopted it each year thereafter; and

WHEREAS, such policy is in compliance with the current legal requirements under New York State General Municipal Law Sections 10 and 11 and is in the required format mandated by the State Comptroller; and

WHEREAS, said policy has been reviewed and approved by both the City's Fiscal Advisor and the City's Independent Auditor;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia, New York hereby authorizes the adoption of the attached Investment Policy effective immediately.

**Seconded by Councilmember
and on roll call**

City of Batavia Investment Policy

I. Scope

This investment policy applies to all money and other financial resources available to the City of Batavia for deposit and/or investment on its own behalf or on behalf of any other entity or individual.

II. Objective

The primary objectives of the local government's investment activities are, in priority order:

1. To conform with all applicable federal, State and other legal requirements (legality)
2. To adequately safeguard principal (safety)
3. To provide sufficient liquidity to meet all operating requirements (liquidity)
4. To obtain a reasonable rate of return (yield)

III. Delegation of Authority

The governing board's responsibility for administration of the investment program is delegated to the City Manager who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

IV. Prudence

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the City of Batavia to govern effectively.

Investments shall be made with prudence, diligence, skill, judgment, and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety and liquidity of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict or appear to conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. Diversification

It is the policy of the City of Batavia to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

The governing board shall establish appropriate limits for the amount of investments which can be made with each financial institution or dealer, and shall evaluate this listing at least annually.

VI. Internal Controls

It is the policy of the City of Batavia for all moneys collected by any officer or employee of the government to transfer those funds to the Clerk-Treasurer within one (1) day of receipt, or within the time period specified by law, whichever is shorter.

The City Manager is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

VII. Designation of Depositories

The banks and trust companies that are authorized for the deposit of moneys, and the maximum amount which may be kept on deposit at any time, are:

<u>Depository Name</u>	<u>Maximum Amount</u>	<u>Officer</u>
Bank of Castile	\$15,000,000	Jaime Sallome
Bank of America	\$15,000,000	Timothy Clark
JP Morgan Chase	\$15,000,000	Pamela Thompson
Key Bank	\$15,000,000	Julie Holman
Manufacturers & Traders Trust Company	\$15,000,000	Joe Cosimeno
Five Star Bank	\$15,000,000	Jane Scott
Edward Jones Investments	\$15,000,000	Michael Marsh

VIII. Securing Deposits and Investments:

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, "deposits") made by officers of the City of Batavia that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by:

1. A pledge of "eligible securities" with an aggregate "market value" (as provided in GML Section 10) that is at least equal to the aggregate amount of deposits by the officers. See Attachment A of this policy for a listing of "eligible securities."
2. A pledge of a pro rata portion of a pool of eligible securities, having in the aggregate a market value at least equal to the aggregate amount of deposits from all such officers within the State at the bank or trust company
3. An "eligible surety bond" payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims – paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The governing board shall approve the terms and conditions of the surety bond.
4. An "irrevocable letter of credit" issued in favor of the City of Batavia by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100% of the aggregate amount of deposits and the agreed-upon interest, if any.

IX. Collateralization and Safekeeping

Eligible securities used for collateralizing deposits made by officers of the City of Batavia shall be held by (the depository or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities (or the pro rata portion of a pool of eligible securities) are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities (or pro rata portion of a pool of eligible securities) may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities.

In the event that the pledged securities are not registered or inscribed in the name of the City of Batavia, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the City of Batavia or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the government in the securities (or the pro rata portion of a pool of eligible securities) as set forth in the security agreement.

The custodial agreement shall provide that pledged securities (or the pro rata portion of a pool of eligible securities) will be held by the bank or trust company as agent of, and custodian for, the City of Batavia, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt, substitution, or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the City of Batavia with a perfected security interest in the eligible securities and to otherwise secure the local government's interest in the collateral, and may contain other provisions that the governing board deems necessary.

X. Permitted investments

As provided by General Municipal Law Section 11, the City of Batavia authorizes the City Manager to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in the State of New York
- Through a deposit placement that meets the conditions set forth in General Municipal Law Section 10(2)(a)(ii)
- Obligations of the United States of America
- Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America
- Obligations of the State of New York

- Obligations of the City of Batavia, but only with moneys in a reserve fund established pursuant to General Municipal Law Section 6-c, 6-d, 6-e, 6-f, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the City of Batavia within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the City of Batavia within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Sections VIII and IX herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the City of Batavia authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the City of Batavia within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

XI. Authorized financial institutions and dealers

All financial institutions and dealers with which the City of Batavia transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size, and other factors that make the financial institution or the dealer capable and qualified to transact business with the City of Batavia. The City Manager shall evaluate the financial position and maintain a listing of proposed depositories, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers.

The City of Batavia shall maintain a list of financial institutions and dealers approved for investment purposes, and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealers.

XII. Purchase of investments

The City Manager is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner
2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold, or presented for redemption or payment by such bank or trust company only in

accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the City of Batavia by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the City of Batavia, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government's perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the City of Batavia with a perfected interest in the securities.

The City Manager can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for their deposit with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

XIII. Courier service

The City Manager may, subject to the approval of the governing board by resolution, enter into a contract with a courier service for the purpose of causing the deposit of public funds with a bank or trust company. The courier service shall be required to obtain a surety bond for the full amount entrusted to the courier, payable to the City of Batavia and executed by an insurance company authorized to do business in the State of New York, with a claims-paying ability that is rated in the highest rating category by at least two nationally recognized statistical rating organizations, to insure against any loss of public deposits entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier service.

The City of Batavia may agree with the depository bank or trust company that the bank or trust company will reimburse all or part of, but not more than, the actual cost incurred by the City of Batavia in transporting items for deposit through a courier service. Any such reimbursement agreement shall apply only to a specified deposit transaction, and may be subject to such terms, conditions and limitations as the bank or trust company deems necessary to ensure sound banking practices, including, but not limited to, any terms, conditions or limitations that may be required by the banking department or other federal or State authority.

XIV. Annual review and amendments

The City of Batavia shall review this investment policy annually, and it shall have the power to amend this policy at any time.

XV. Definitions

The terms “public funds”, “public deposits”, “bank”, “trust company”, “eligible securities”, “eligible surety bond”, and “eligible letter of credit” shall have the same meanings as set forth in General Municipal Law Section 10.

XVI. Reference(s)

- City of Batavia Charter
- New York State General Municipal Code

Original Author: Lisa Neary, Deputy Director of Finance
Heidi Parker, Clerk/Treasurer

Date Revised/ Adopted		4/11/11	2/27/12	3/11/13	2/19/14	3/9/15	3/14/16	3/13/17	3/12/18
Revised by			L Neary	L Neary	L Neary	L Neary	H Parker	H Parker	H Parker
Revised by		2/18/20	H Parker						

Attachment A

Schedule of Eligible Securities

(i) Obligations issued by the United States of America, an agency thereof or a United States government sponsored corporation or obligations fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof or a United States sponsored corporation.

(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.

(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.

(iv) Obligations issued or fully insured or guaranteed by this state, obligations issued by a municipal corporation, school district or district corporation of this state or obligations of any public benefit corporation which under specific state statute may be accepted as security for deposit of public moneys.

(v) Obligations issued by states (other than this state) of the United States rated in one of the three highest categories at least one nationally recognized statistical rating organization.

(vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

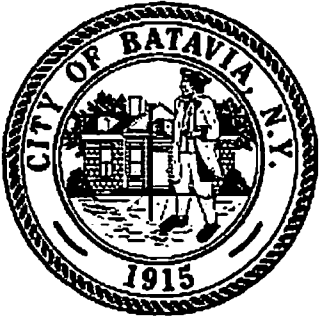
(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

(ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.

(x) Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than sixty days from the date they are being pledged.

(xi) Zero-coupon obligations of the United States government marketed as "Treasury STRIPS".



City of Batavia

TO: Martin Moore, Ph.D., City Manager
FROM: Lisa Neary, Deputy Director of Finance
DATE: February 12, 2020
RE: Parking Permits and Employee Accrued Liability Reserve

In preparation of the City's fiscal year end, there are certain resolutions that require Council action.

- Annually the City transfers dumpster permit revenue and parking permit revenue received throughout the fiscal year into the parking lot reserve to assist with future replacement and improvements to the City's parking lots.
- Annually, Employee Benefit Accrued Liability Reserve is used to cover moneys paid out throughout the year to employees who retired or terminated their employment with the City. In the fiscal year ending March 31, 2020, the City has had (or will have) 10 employees who have retired/resigned.

Attached please find resolutions supporting these actions to be presented to City Council at the February 24, 2020 conference meeting. Please let me know if you have any questions.

#- 2020
**A RESOLUTION TRANSFERRING \$3,075 TO THE PARKING LOT CAPITAL
RESERVE FUND**

Motion of Councilmember

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

WHEREAS, the City of Batavia, through January 31, 2020, received parking and dumpster permit revenue in the amount of \$3,075 and is desirous of transferring said \$3,075 to the Parking Lot Capital Reserve Fund to assist with future replacement and improvements of City parking lots.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia does hereby transfer \$3,075 of parking and dumpster permit revenue to the Parking Lot Capital Reserve Fund.

**Seconded by Councilmember
and on roll call**

DRAFT

- 2020

**A RESOLUTION TRANSFERRING FROM THE EMPLOYEE BENEFIT ACCRUED
LIABILITY RESERVE AND TO AMEND THE BUDGET**

Motion of Councilperson

WHEREAS, pursuant to General Municipal Law 6-p, the City of Batavia has an established Employee Benefit Accrued Liability Reserve fund for payment of accrued benefits due to employees upon termination of the employees' service; and

WHEREAS, the City of Batavia for the fiscal year ending March 31, 2020 has approximately \$419,000.00 of Employee Benefit Accrued Liability Reserve; and

WHEREAS, the City of Batavia for the fiscal year ending March 31, 2020 will have had 10 employees retire/terminate from General Fund employment with payable accrued employee benefits totaling approximately \$146,146.56.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the City Manager is hereby authorized to use approximately \$146,146.56 of Employee Benefit Accrued Liability Reserve to make the following budget transfers:

Effective March 31, 2020, the following transfers are hereby approved:

Increasing expenditure accounts:

Police Department	001.3120.0100.2109	\$40,633.05
Police Department	001.3120.0101.2109	\$ 7,253.10
Police Department	001.3120.0102.2109	\$ 2,685.87
Police Department	001.3120.0103.2109	\$ 3,302.20
Fire Department	001.3410.0100.2109	\$86,191.69
Fire Department	001.3410.0101.2109	\$ 935.90
Fire Department	001.3410.0102.2109	\$ 1,522.82
Fire Department	001.3410.0103.2109	\$ 1,928.07
Fire Department	001.3410.0104.2109	\$ 487.99
City Facilities	001.1620.0100.2109	\$ 638.88
City Facilities	001.1620.0101.2109	\$ 51.11
City Facilities	001.1620.0103.2109	\$ 113.92
Street Lighting and Traffic Signals	001.5182.0100.2109	\$ 212.96
Street Lighting and Traffic Signals	001.5182.0101.2109	\$ 17.04
Street Lighting and Traffic Signals	001.5182.0103.2109	\$ 37.97
Storm Sewer	001.8140.0100.2109	\$ 106.48
Storm Sewer	001.8140.0101.2109	\$ 8.52
Storm Sewer	001.8140.0103.2109	\$ 18.99

Increasing revenue account:

Appropriated Employee Benefit Accrued Liability Reserve	001.0001.0511.2109	\$146,146.56
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**Seconded by Councilperson
and on roll call**

#-2020

**A RESOLUTION ADOPTING VARIOUS CAPITAL IMPROVEMENT PLANS
OUTLINED IN THE 2020-2021 BUDGET**

Motion of Councilmember

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

WHEREAS, the Water and Wastewater Infrastructure Capital Improvement Plan (CIP), Equipment Replacement Plan (ERP), Parking Lot/Sport Surface Management Plan and Facility Capital Plan are financial and planning tools designated to assist the City in defining infrastructure and equipment needs, establish priorities and pursue concrete actions and strategies for funding projects in future budget years; and

WHEREAS, the City Council of the City of Batavia was presented on January 13, 2020, with staff recommendations for the Water and Wastewater Infrastructure Capital Improvement Plan (CIP), Equipment Replacement Plan (ERP), Parking Lot/Sport Surface Management Plan and Facility Capital Plan; and

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Batavia hereby adopts the proposed Capital Improvement Plans; and

BE IT FUTRHER RESOLVED, that the Capital Improvement Plans are working documents toward improving rational, long-range capital planning and budgeting for the City of Batavia's infrastructure and equipment; and

BE IT FURTHER RESOLVED, that the adoption of the Capital Improvement Plans are consistent with the City's Strategic Plan.

**Seconded by Councilmember
and on roll call**

#-2020

**A RESOLUTION TO ESTABLISH AND UPDATE CURRENT CAPITAL PROJECTS
AND TRANSFER FUNDS FOR CAPITAL PROJECT BUDGETS**

Motion of Councilmember

WHEREAS, the City of Batavia has included funds in its budget for capital projects; and

NOW, THEREFORE, BE IT RESOLVED, that the following capital projects be established and budget be adjusted as follows; and

BE IT FURTHER RESOLVED, the following projects are authorized to be completed for no more than the said estimated amount and may extend no later than March 31, 2021.

<u>PROJECT</u>	<u>PROJECT COST</u>	<u>FUNDING SOURCE</u>	<u>FISCAL YEAR</u>
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General Fund

Healthy Schools Corridor- Transportation Alternatives Program (TAP)	\$	57,600.00	DOT	2015/16
	\$	14,400.00	Sidewalk Reserve	2015/16
	\$	38,400.00	DOT	2016/17
	\$	9,600.00	Sidewalk Reserve	2016/17
	\$	672,800.00	DOT	2017/18/19/20
Highway PM- Transportation Improvement Program (TIP)	\$	216,219.00	Sidewalk Reserve	2017/18/19/20
	\$	2,040,370.00	Federal Grant	2018/19/2020
	\$	382,569.00	Marchiselli	
	\$	127,523.00	CHIPs	
Pedestrian Way – TAP	\$	868,500.00	Federal Grant	2018/19/2020
	\$	150,000.00	CHIPs	
	\$	139,500.00	Sidewalk Reserve	
Facilities Capital Plan – Bureau of Maintenance /Fire Department				2018/19/2020
	\$	1,100,000.00	Facilities Reserve	
Enterprise Information Management Solution	\$	45,000.00	Admin. Reserves	2019-2021
	\$	750,000.00	Finance	
Redfield Pillars	\$	70,000.00	Facilities Reserve	2019-2021
IT Capital Improvement	\$	190,000.00	Administrative Reserves	2019-2021

Water Fund

Union Street Water Improvements	\$ 1,157,500.00 \$ 48,000.00	Finance Filtration Reserve	2018/19/20
S. Main St. & Brooklyn Ave. Water Improvements	\$ 732,800.00 \$ 32,000.00	Finance/CDBG Grant Filtration Reserve	2018/19/20

Sewer Fund

Franklin Street Sanitary Sewer Replacement	\$ 1,048,596.00	Finance	2018/19/20
Maple Street & Mill Street Sanitary Sewer Realignment	\$ 409,803.00	Finance	2018/19/20

City Centre Fund

Facility Improvements - Roof, Silos & Skylights	\$ 650,000.00	Facility Reserve	2018/19/20/21
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**Second by Councilmember
and on roll call**

#-2020
**A RESOLUTION TO APPOINT MEMBERS TO VARIOUS CITY COMMITTEES/
BOARDS**

Motion of Councilmember

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:

Historic Preservation Commission

Caroline Hosek

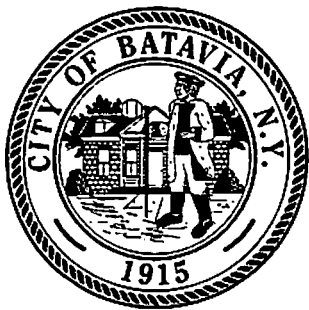
December 31, 2022

Batavia Business Improvement District

Patti Ann Pacino (Councilmember)

March 31, 2022

**Seconded by Councilmember
and on roll call**



City of Batavia

Memorandum

To: Honorable City Council
From: Dr. Martin D. Moore (Marty)
Date: February 14, 2020
Subject: NYCOM Resolution Request-Discovery Reform

The City of Batavia, has been requested by the New York Conference of Mayors (NYCOM) to adopt a resolution supporting objections to criminal justice reforms that were agreed to last session by the Governor and the State Legislature, particularly the drastic changes in the laws pertaining to discovery.

The acceleration in the timing of discovery and the expansion of matters to which it now applies are having significant cost and compliance implications for the City of Batavia, as well as cities and villages around the State of New York. To that end, NYCOM has put together a sample resolution which we have modified to fit the City of Batavia's format.

The resolution outlines what NYCOM believes are a series of reasonable amendments that are consistent with the overall intent of the reforms, but which will allow for more effective and affordable implementation.

The specific reforms called for in the resolution include:

- Ensure that cities and villages are provided with additional financial and operational support to offset the cost of mandated measures;
- **Allow 60 days** (instead of 30) for prosecutors to disclose evidence to the defense for criminal charges;
- Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony;
- Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis;
- Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order.

If any member of City Council has questions or concerns about NYCOM's call for action, let me know and we will contact Wade Beltramo (wade@nycom.org) or Barbara Van Epps (barbara@nycom.org) at the NYCOM office (518-463-1185).

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

**Phone: 585-345-6330
Fax: 585-343-8182
www.batavianewyork.com**

#-2020

**A RESOLUTION TO BE SUBMITTED BY THE CITY OF BATAVIA COUNCIL
SUPPORTING ASSEMBLYMAN BURKE'S DANGEROUSNESS HEARINGS
LEGISLATION KNOWN AS THE "JUSTICE FOR RACHAEL" ACT**

Motion of Councilmember

WHEREAS, bail reform measures were included in the 2019 New York State omnibus budget package; and

WHEREAS, these reforms are causing significant concern in our community and among law enforcement officials; and

WHEREAS, New York State Assemblyman Patrick Burke has introduced legislation that would establish a system of dangerousness hearings that would create a process to keep potentially dangerous individuals in pre-trial custody; and

WHEREAS, the legislation adds a new section 510.55 of the criminal procedure law; and

WHEREAS, section 510.55 of the criminal procedure law establishes the conditions under which the people may seek pretrial detention due to the dangerousness of the principal; and

WHEREAS, upon the appearance of the principal charged with an offense listed in subdivision 1 of the legislation, and upon the motion of the people, the judge shall hold a dangerousness hearing. After the hearing and pending trial, the judge shall issue an order that either the individual be released on his or her own recognizance, released on certain conditions, or detained; and

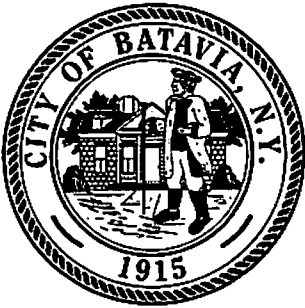
WHEREAS, if after the dangerousness hearing, the judge finds by clear and convincing evidence that no conditions of release will reasonably assure the safety of any other person or the community, the judge shall order the pretrial detention of the principal; and

WHEREAS, this legislation is named in memory of Rachael Wierzbicki, who was killed in a domestic dispute and her alleged murderer was promptly released on bail, not considering the danger he posed to the community.

NOW, THEREFORE, BE IT RESOLVED, City Council of the City of Batavia goes on record in support of the "Justice for Rachael" Act in the New York State Assembly; and be it further

RESOLVED, that a certified copy of this resolution is sent to New York State Governor Andrew Cuomo, the Speaker of the New York State Assembly Carl Heastie, Senate Majority Leader Andrea Stewart-Cousins and any other party deemed necessary and proper.

**Seconded by Councilmember
And on roll call**



City of Batavia

Memorandum

To: Martin D. Moore, Ph.D., City Manager

From: Lisa Neary, Deputy Director of Finance

Date: January 21, 2020

Subject: Health Insurance Reserve

In 2017 the City combined its individual health insurance reserves from the General, Water and Sewer funds into the General Fund. On April 1, 2018, the City started a Health Insurance Fund to account for the City's self-insured health insurance expenses separate from the General Fund. I would like to propose the City move our Self Insurance an effort to keep our capital project fund up to date and current, it is necessary to close out certain capital projects that are completed at this time. Those capital projects are listed as follows:

Summit Street Water Main
Sanitary & Lehigh Lift Electrical Improvement
Vine, Elm & Chase Water Main and Sewer Replacement
Mechanical Fine Screen & Grit Cyclone Classifier
Catepillar 938

With regards to the Sanitary & Lehigh Lift Electrical Improvement project there is a residual balance of approximately \$24,435 to be transferred to the Facilities Reserve.

Attached please find a resolution in support of this action.

#-2020

A RESOLUTION TO COMBINE HEALTH INSURANCE RESERVE FUNDS

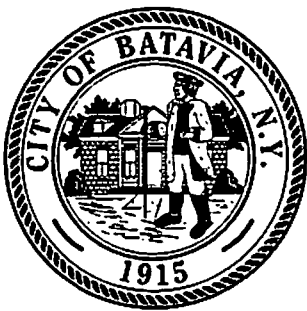
Motion of Councilmember

WHEREAS, pursuant to General Municipal Law 6-n, the City of Batavia has an established Self-Insurance Health Benefit Plan Reserve fund for payment of healthcare benefits claims in the General Fund; and

WHEREAS, the City of Batavia is desirous to move this reserve from the General Fund to the Health Insurance Fund that was formed April 1, 2018.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the City Manager is hereby authorized to transfer the Health Insurance Reserve from the General Fund to the Health Insurance Fund effective 4/1/2020.

**Seconded by Councilmember
and on roll call**



City of Batavia

Memorandum

To: Martin D. Moore, Ph.D., City Manager

From: Lisa Neary, Deputy Director of Finance

Date: February 12, 2020

Subject: Committed Fund Balance – Comprehensive Plan

In October of 2014, a resolution (#79-2014) was passed committing \$100,000 of assigned fund balance to cover the cost of updating the City's comprehensive plan. The City contracted with Elan Planning, Design and Landscape Architecture PLLC and a comprehensive plan has now been completed.

Attached please find a resolution for council to approve transferring the committed fund balance to unassigned fund balance to release the commitment.

Please let me know if you have any questions.

#-2020

**A RESOLUTION TRANSFERRING \$100,000 FROM COMMITTED FUND BALANCE
TO UNASSIGNED FUND BALANCE AFTER COMPLETION OF THE CITY'S
COMPREHENSIVE MASTER PLAN**

Motion of Councilmember

WHEREAS, the City of Batavia committed fund balance in the amount of \$100,000 in October of 2014 to cover the cost of updating the City's comprehensive master plan; and

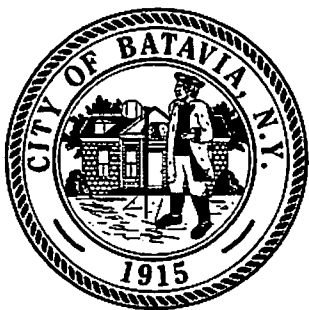
WHEREAS, the City of Batavia contracted with Elan Planning, Design and Landscape Architecture PLLC in order to complete the update of the City's comprehensive plan; and

WHEREAS, in resolution #93-2017, effective October 10 of that same year, the City of Batavia adopted the 2017 City of Batavia Comprehensive Master Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Batavia does hereby release the commitment of Comprehensive Master Plan funds and transfer \$100,000 from committed General Fund balance to unassigned General Fund balance.

**Seconded by Councilmember
On roll call**

DRAFT



City of Batavia

Memorandum

To: Martin D. Moore, Ph.D., City Manager

From: Lisa Neary, Deputy Director of Finance

Date: February 12, 2020

Subject: Committed Fund Balance – Vibrant Batavia

In 2013, a resolution (#36-2013) was passed committing \$45,000 to support the first year's recommendations from the Vibrant Batavia Task Force upon completion of the Community Improvement Plan which outlined a multitude of neighborhood revitalization strategies, community development initiatives and downtown business objectives that identified ways to reinvest and build the community with limited resources.

In the 14/15 fiscal year \$70,000 of additional funds (VLT) were committed to Vibrant Batavia.

At this time \$27,711 remains in Committed Fund Balance for that purpose. Attached please find a resolution for council to approve transferring the balance of the committed fund balance for Vibrant Batavia to unassigned fund balance to release the commitment.

Please let me know if you have any questions.

#-2020

**A RESOLUTION TRANSFERRING \$27,711 FROM COMMITTED FUND BALANCE
RELATED TO VIBRANT BATAVIA TO UNASSIGNED FUND BALANCE**

Motion of Councilmember

WHEREAS, in 2013 the City of Batavia completed a Community Improvement Plan which outlined a multitude of neighborhood revitalization strategies, community development initiatives and downtown business objectives that identified ways to reinvest and build the community with limited resources; and

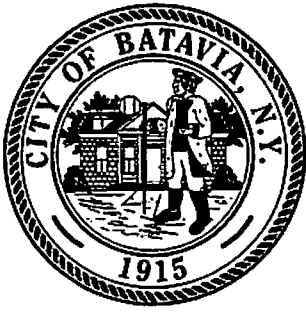
WHEREAS, the City of Batavia committed fund balance in the amount of \$45,000 (#36-2013) in 2013 to support the first year's recommendations from the Vibrant Batavia Task Force; and

WHEREAS, in the City's 14/15 fiscal year, \$70,000 of additional funds from VLT, were committed to Vibrant Batavia; and

WHEREAS, as of February, 2020, there remains \$27,711 of committed fund balance for the purpose of Vibrant Batavia.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Batavia does hereby release the commitment of Vibrant Batavia funds and transfer \$27,711 from the committed General Fund balance to unassigned General Fund balance.

Seconded by Councilmember
On roll call



City of Batavia

Memorandum

To: Martin Moore, City Manager

From: Matt Worth, Director of Public Works

Date: February 13, 2020

Subject: Chemical Bids

The Bureau of Water and Wastewater issued a Request for Bids on January 28th, 2020 for chemicals to be used at the Water Filtration Plant and Wastewater Treatment Plant during the 2020-2021 fiscal year. The chemicals are used in various aspects of the treatment processes at these facilities.

Bids were opened on February 12, 2020 at which time they will be reviewed and verified by staff. Seven chemical bids were submitted by 20 bidders. The lowest responsible bidders will be recommended for award at the March 9th business meeting.

Supporting Documentation
Draft Resolution

#-2020

A RESOLUTION AWARDING PURCHASE CONTRACTS FOR CHEMICALS

Motion of Councilperson

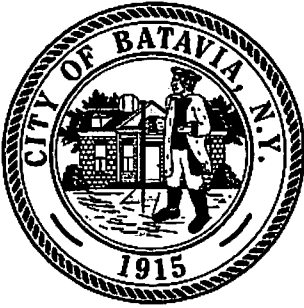
WHEREAS, the City has advertised for competitive, sealed bids for the purchase of various chemicals used for the operation of the Water and Wastewater Treatment facilities; and

WHEREAS, Twenty (20) companies submitted bids, and seven (7) low bidders were identified for the seven (7) chemicals.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that one (1) year purchase contracts for various chemicals be awarded to the lowest responsible bidder hereinafter identified.

Company Name	Chemical	Bid Amount
Carmeuse Lime	Quicklime	\$ 183.22/Ton
Faesy & Bestoff	Ferric Sulfate	\$ 903.00/Ton
Univar Solutions	Fluosilicic Acid	\$ 599.00/Ton
Irish Welding	Carbon Dioxide	\$ 376.00/Ton
Thatcher Corp.	Liquid Alum	\$ 286.00/Ton
Coyne Chemical	Liquid Phosphate	\$349.2216/Drum
JCI Jones Chemical Inc.	Sodium Hypochlorite	\$.78/gallon

**Seconded by Councilperson
and on roll call**



City of Batavia

Memorandum

To: Martin Moore, City Manager

From: Matt Worth, Director of Public Works

Date: February 18, 2020

Subject: Petition for Zoning Ordinance Change

The City received a formal petition from Mr. Eric V. Biscaro who is the owner of 653 Ellicott Street for a change to the current Zoning Ordinance. Currently, the City of Batavia Zoning Ordinance does not allow for any public repair garages in an I-1 Industrial zone and that type of use is limited to C-2 Commercial zones with a special use permit per the Zoning Ordinance.

The petition as received requests that I-1 Industrial Zones be changed to allow for the operation of a public automotive service garage business. This item was originally considered for a use variance, however, granting a variance would not have been a successful approach due to NYS General City Law. The recommendation from the Genesee County Planning Board of Referrals was to file the petition before you to consider changing the code to allow this use. A review of the updated comprehensive plan does not appear to address this issue specifically, as it relates to either Industrial Zones, however it does suggest a change to a commercial zone for this section of the City.

It is appropriate for City Council to consider referring this matter to the City of Batavia Planning and Development Committee for review.

Supporting Documentation:
Draft Resolution
Genesee County Planning Response
Petition for Zoning Change

#-2020

**A RESOLUTION REFERRING THE REVIEW OF THE PERMITTED ZONING USE
OF PUBLIC REPAIR GARAGE IN THE BATAVIA MUNICIPAL CODE TO THE
PLANNING AND DEVELOPMENT COMMITTEE**

Motion of Councilmember

WHEREAS, the City Council is desirous of reviewing the Batavia Municipal Code, Section §190, in response to a petition from Eric V. Biscaro, owner of 653 Ellicott Street, in relation to the lack of permitted zoning use of public repair garage; and

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

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

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia hereby requests that the City Planning and Development Committee is to review permitted zoning of public repair garage in the Batavia Municipal Code, to include application and implementation matters, as well as potential revisions, and make a recommendation to the City Council for consideration.

**Seconded by Councilmember
and on roll call**



GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID	C-03-BAT-1-20
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Review Date	1/16/2020
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Municipality

BATAVIA, C.

Board Name

ZONING BOARD OF APPEALS

Applicant's Name

Eric Biscaro

Referral Type

Variance(s)

Use Variance

Description:

Use Variance to operate a motor vehicle repair shop.

Location

653 Ellicott St. (NYS Rt. 63), Batavia

Zoning District

Industrial (I-1) District

PLANNING BOARD DECISION

DISAPPROVAL

EXPLANATION:

Under the criteria set forth in NYS General City Law, this proposal does not appear to meet the thresholds for the granting of a Use Variance. The parcel was purchased by the applicant with the prohibition in place therefore the hardship appears to be self-created. Additionally, the applicant's financial data arguably shows that the property is making a reasonable return with the uses currently allowed under the zoning law. Furthermore, there is no evidence that the property and its circumstances are unique in this zoning district. By State Law, the applicant must meet all four tests in order for the Zoning Board of Appeals to grant the use variance. The applicant should instead approach City Council and ask if such a use could be added to the list of allowed uses in the I-1 district. Possible inappropriate application of use variances may pose significant impacts upon the development policies/processes of the City.

Felix A. Gomez

Director

January 16, 2020

Date _____

If the County Planning Board disapproved the proposal, or recommends modifications, the referring agency shall NOT act contrary to the recommendations except by a vote of a majority plus one of all the members and after the adoption of a resolution setting forth the reasons for such contrary action. Within 30 days after the final action the referring agency shall file a report of final action with the County Planning Board. An action taken in form is provided for this purpose and may be obtained from the Genesee County Planning Department.

THE WILLIAMS LAW FIRM, LLP

(FORMERLY MURRAY & WILLIAMS)

ATTORNEYS AT LAW

2 COURT STREET PLAZA

P.O. BOX 402

BATAVIA, NEW YORK 14021-0402

TELEPHONE: (585) 343-1486

FAX: (585) 343-1487

E-MAIL: bjk@williamsllp.com

JAMES W. MURRAY (1908-1994)

GERALD O. WILLIAMS

THOMAS D. WILLIAMS

February 13, 2020

Martin D. Moore, City Manager City of Batavia
One Batavia City Centre
Batavia, NY 14020

Dear Mr. Moore:

Enclosed please find a Petition to Amend the City of Batavia Zoning Code, with attachments, on behalf of our client, Eric V. Biscaro, and respectfully request that you submit it to the Batavia City Council for their consideration.

Please let me know if you would like anything further at this time. Thank you for your assistance in this matter.

Respectfully yours,

THE WILLIAMS LAW FIRM, LLP



Thomas D. Williams

**PETITION TO AMEND
CITY OF BATAVIA ZONING CODE**

I, Eric V. Biscaro, am the owner of the property located at 653 Ellicott Street in the City of Batavia. The property is Tax Map Parcel Number 97.008-1-4. It consists of 3.22 acres of land improved by commercial/industrial buildings. It is presently located in an I-1 zone (Industrial District).

We wish to remodel part of an existing building to allow for a two-bay automotive service garage.

We have been advised that the City of Batavia Zoning Code does not allow an automotive service garage in an I-1 zone.

We respectfully request that the City Code be amended to include automotive service garages as a permitted use in an I-1 zoned property.

We have attached an aerial photograph of the property at 653 Ellicott Street.

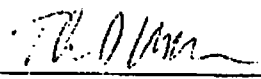
Respectfully submitted,


Eric V. Biscaro

STATE OF NEW YORK

COUNTY OF GENESEE) SS.

On the 13th day of February, 2020, before me, the undersigned, a Notary Public in and for New York State, personally appeared Eric V. Biscaro, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

THOMAS D. WILLIAMS
Notary Public, State of New York
No. 02W14839065
Qualified in Genesee County 21
Commission Expires: Dec 31, 20__

CITY OF BATAVIA

BUILDING PERMIT APPLICATION

DATE: 2-13-2020APPLICANT NAME & PHONE: Eric Biscaro 585-356-4423**Project Location and Information**

Permit #: _____ Fee: _____

Address of Project: 653 Ellicott St Batavia N.Y.Owner & Address: Eric Biscaro 4977 Ellicott St Rd BataviaPhone: 585-356-4423**Project Type/Describe Work**Estimated cost of work: 60,000 - 90,000 Start date: after zoning

Describe project:

Re work 40% of existing open shed into a
2 Bay Automotive service garage**Contractor Information** – Insurance certificates (liability & workers comp) required being on file**GENERAL**Name/Address: Self - Armor Building SupplyPhone: 343-5367**PLUMBING** (City of Batavia Licensed Plumber Required)Name/Address: To be determined

Phone: _____

HEATINGName/Address: To be determined

Phone: _____

ELECTRICAL (Third Party Electrical Inspection Required)Name/Address: To be determined

Phone: _____

FOR OFFICE USE ONLY

Zoning District: _____ Flood Zone: _____ Corner Lot: _____ Historic District/Landmark: _____

Zoning Review: _____ Variance Required: _____ Site Plan Review: _____ Other: _____

National Grid Sign Off (Pools): _____ Lot Size: _____

Existing Use: _____ NYS Building Code Occupancy Class: _____

Proposed Use: _____ NYS Building Code Occupancy Class: _____

REQUIRED INSPECTIONS

Contact the Bureau of Inspection at (585) 345-6345 twenty-four (24) hours in advance to schedule all inspections.

IT IS THE RESPONSIBILITY OF THE OWNER AND/OR AGENT TO CONTACT THIS OFFICE & BE PRESENT FOR ALL INSPECTIONS

<input type="checkbox"/> Site	<input type="checkbox"/> Water Service	<input type="checkbox"/> Sewer Service
<input type="checkbox"/> Footing before Placing Concrete	<input type="checkbox"/> Smoke & Carbon Monoxide Detectors	
<input type="checkbox"/> Foundation before backfill		
<input type="checkbox"/> Framing before enclosing (After mechanical inspection)		
<input type="checkbox"/> Electrical before enclosing (Third Party Electrical Inspection Agency)		
<input type="checkbox"/> Plumbing before enclosing (City of Batavia Licensed Plumber Required)		
<input type="checkbox"/> Insulation before enclosing	<input type="checkbox"/> Ice/Water Shield	<input type="checkbox"/> Final Completion

In consideration of the granting of the permit hereby petitioned for, the undersigned hereby agrees to: 1) comply with the terms thereof, the laws of the State of New York, the Ordinance of the City of Batavia, and the Regulations of the various departments of the County of Genesee and the State of New York; 2) preserve the established building line; 3) request all the necessary inspections and authorize and provide the means of entry to the premises and building to the Bureau of Inspection, and 4) will not use or permit to be used the structure or structures covered by the permit until sanitary facilities are completely furnished and either a Certificate of Occupancy or Certificate of Completion is issued. The undersigned hereby certifies that all of the information in this petition is correct and true.

Applicant Signature

Date

Roofing Disclaimer - Per the Residential & Building Code of New York State

R908.3.1.1 (3) Roof re-cover not allowed:

New roof coverings shall not be installed without first removing existing roof coverings where...the existing roof has two or more applications of any type of roof covering.

I, ERIC BISCARO owner and/or agency of the property located at 653 ELLICOTT ST have reviewed and understand the requirements of Section 907.3 Recovering versus Replacement.


Applicant Signature

2-13-2020
Date

Fence Disclaimer

I understand Section 190-33.B Fences, Walls and Hedges of the City of Batavia Zoning Ordinance regulated the installation of fences as follows:

"Fences, hedges and walls in Residential Districts shall not exceed three (3) feet above ground level when located within fifteen (15) feet of the property line abutting any street and shall not exceed six (6) feet above ground level when located elsewhere on the property. However, there shall be no height limit for hedges in rear yards within residential zones. In commercial and Industrial Districts, fences, hedges, and walls shall not exceed eight (8) feet in height unless permitted by a special use permit from the Planning & Development Committee. A fence designed to be structurally supported by posts, cross members or rails on one (1) side only shall be erected with the posts, cross members or rails on the fence owner's side, and the finished side of the fence shall face adjacent properties."

I, _____ owner and/or agent of the property located at _____ for Permit No. _____ understand that this permit is issued based on information supplied by owner/agent and that the City of Batavia accepts no responsibility for inaccurate documentation or information supplied to secure the permit.


Applicant Signature

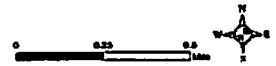
2-13-2020
Date

4.B Future Land Use Map

City of Batavia Comprehensive Plan Future Land Use Plan

Existing Land Use Legend

- City Boundary
- Land Use Type
- Agricultural
- Commercial
- Community Services
- Industrial
- Mixed Use
- Parks, Recreation & Conservation Lands
- Public Services
- Residential - Low Density
- Residential - Medium Density
- Residential - High Density
- Vacant Land
- Unshaded

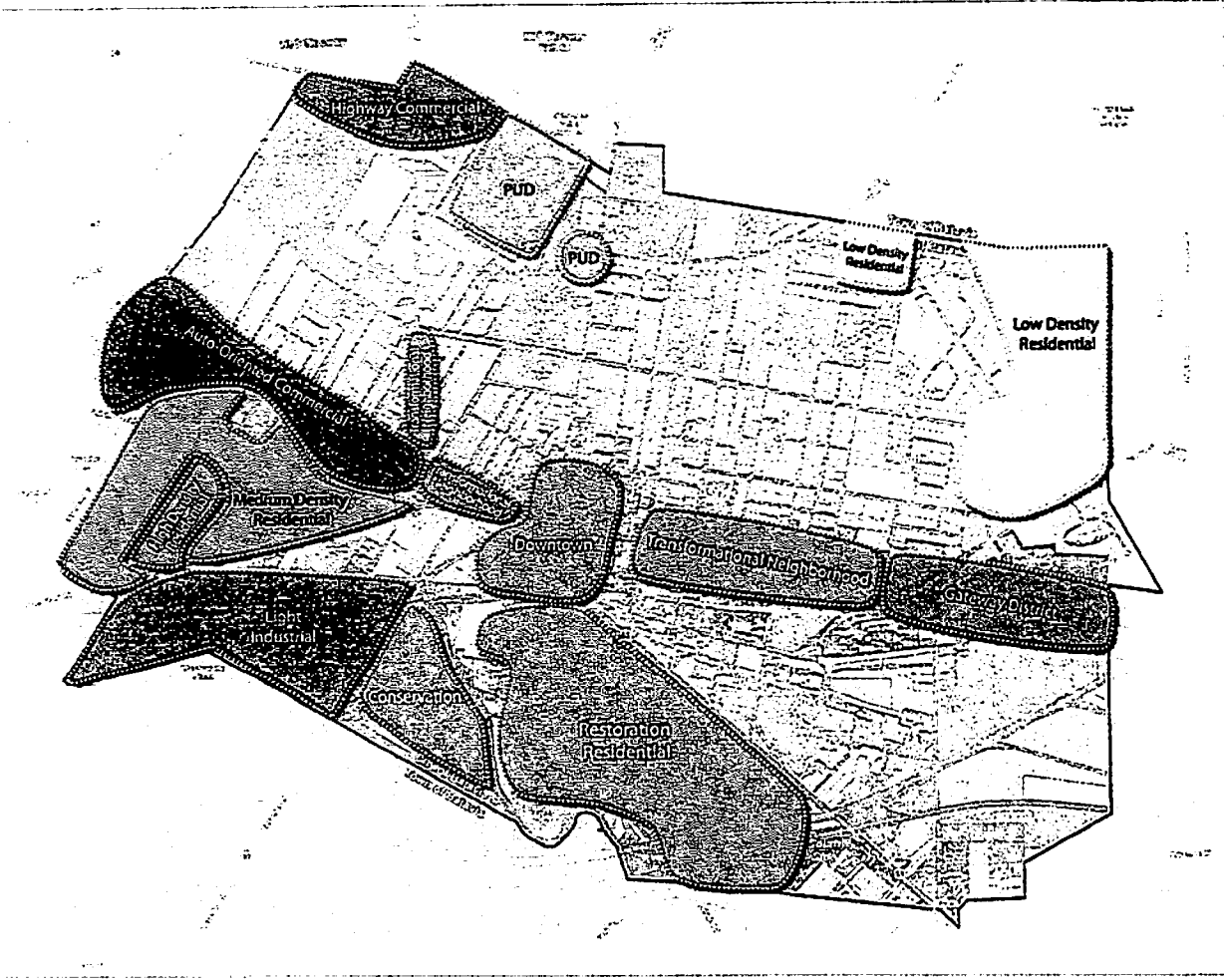


Date: January 2016
Source: City of Batavia, NAD 83/13 Imagery, NYGIS

ELAN
Planning & Design Solutions, Inc.

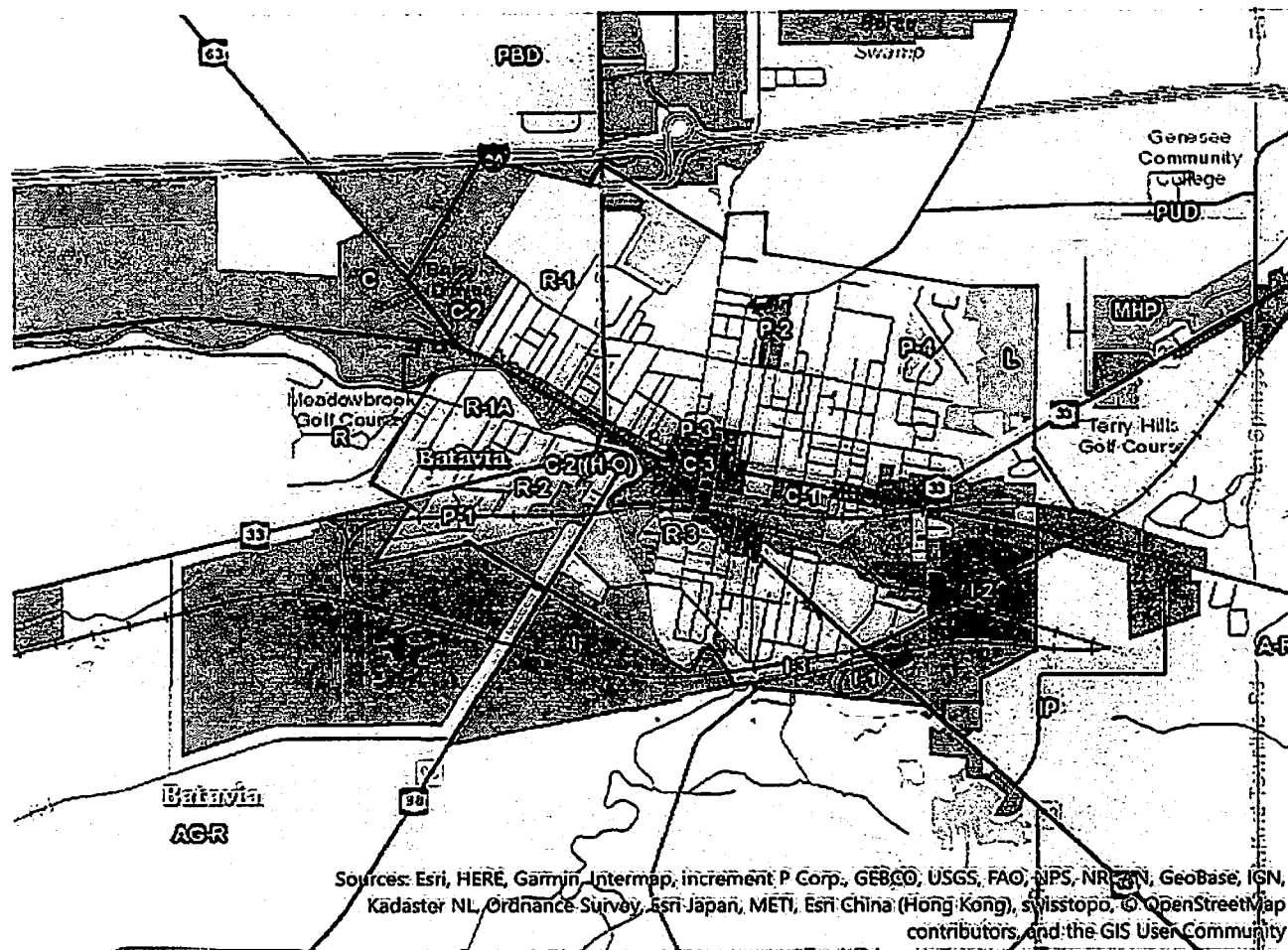
Engineering and
Land Surveying, P.C.
INCORPORATED IN THE STATE OF NEW YORK

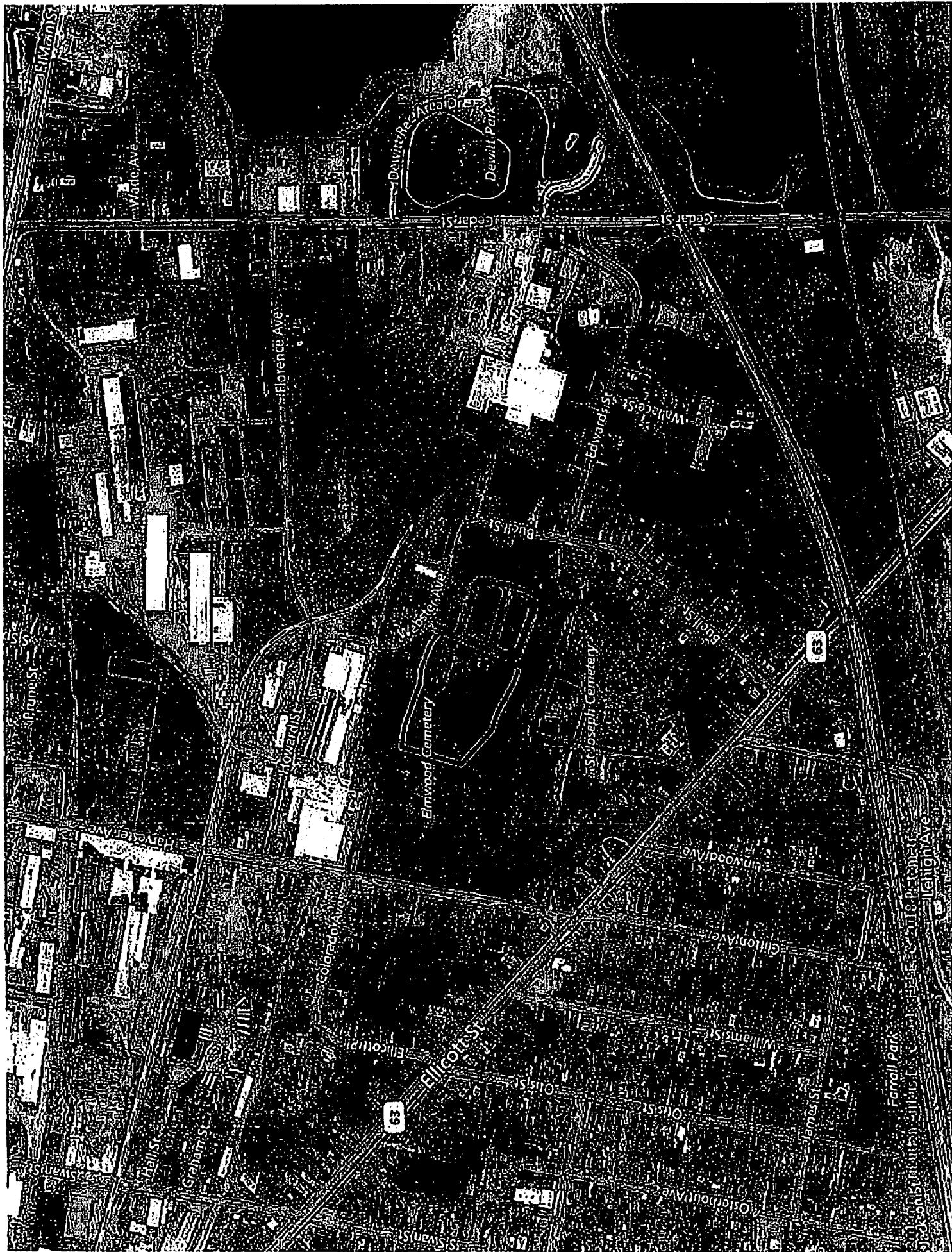
This map is prepared for the purpose of planning
only and is not suitable for engineering
purposes or other projects.





NOT FOR PUBLICATION AND NOT HERE © 2018 P. K. M. M. M.





need new one

**OFFICIAL ZONING MAP
OF THE CITY OF BATAVIA
GENESSEE COUNTY, NY**

Update



Blue highlighted area
IS: 653 Ellicott St.

Google Maps 653 Ellicott St



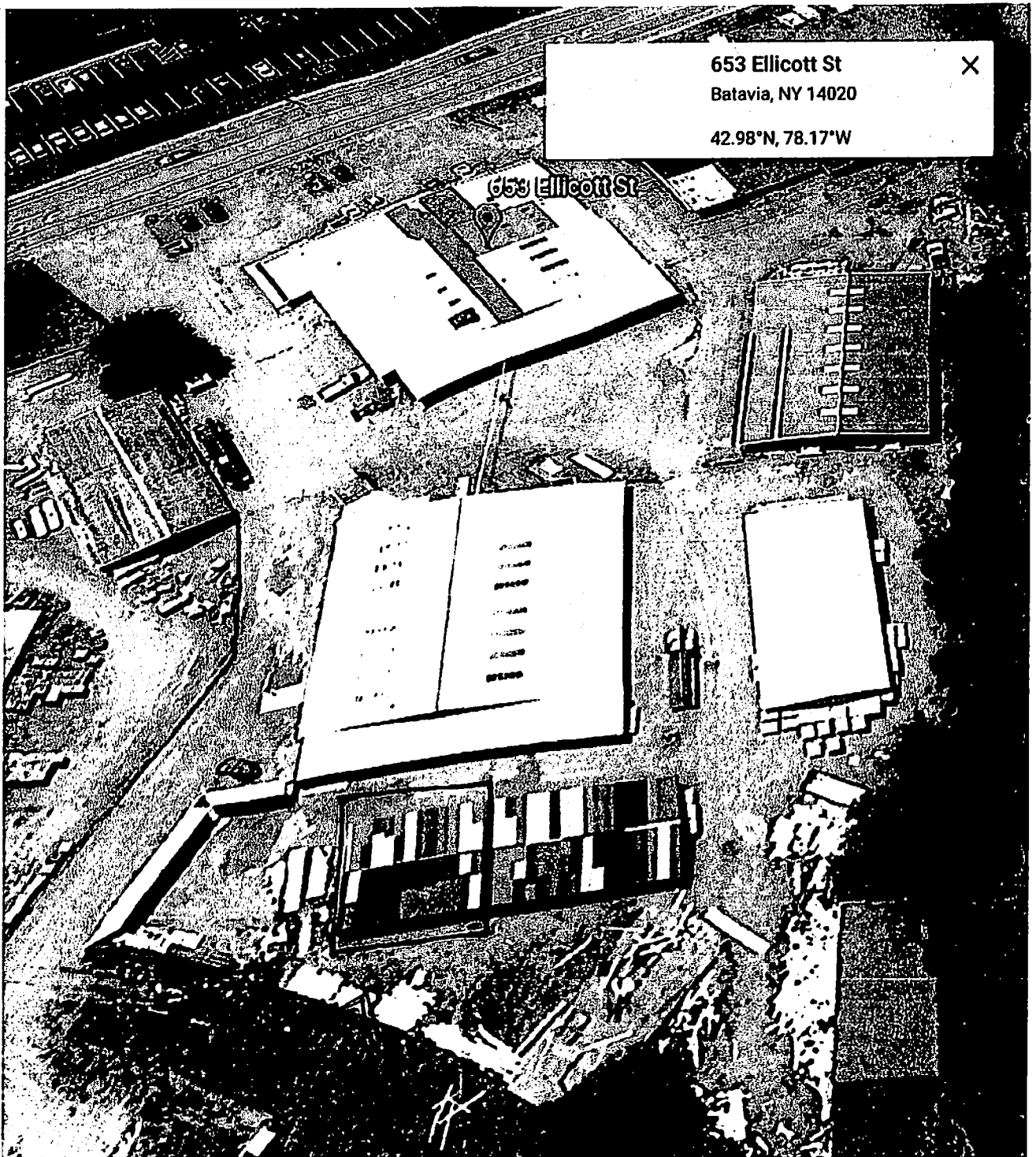
Image capture: Oct 2018 © 2020 Google

Batavia, New York

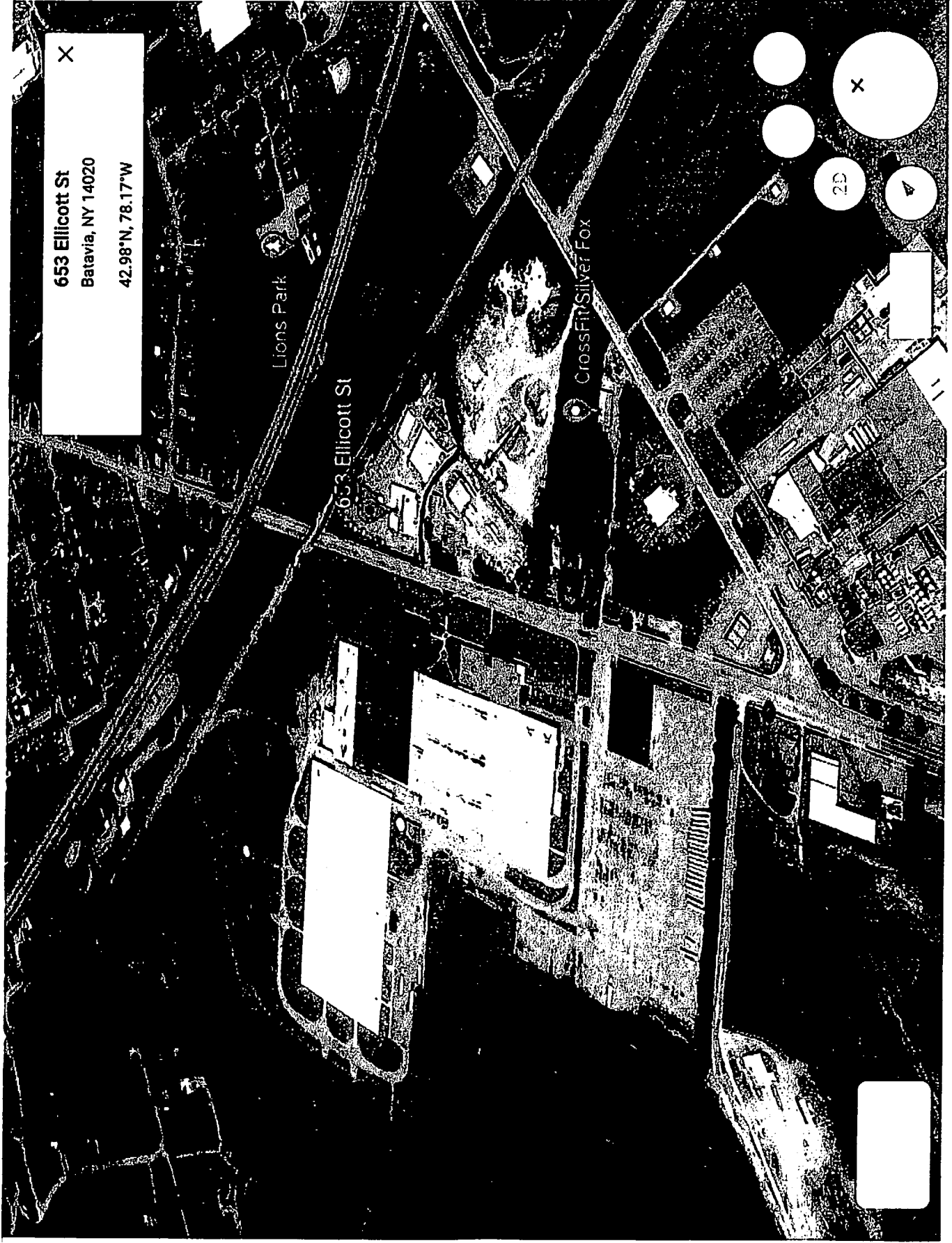
Google

Street View

* Building 400 ft. down driveway

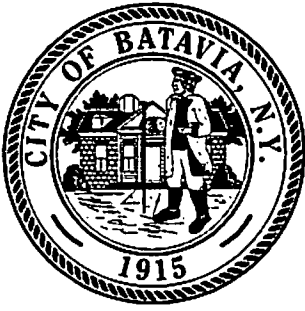


purposed building area
outlined in red.



653 Ellicott St
Batavia, NY 14020
42.98°N, 78.17°W

Camera: 1.166 m 42° 50' 34" N 78° 09' 41" W 274 m



City of Batavia

Memorandum

To: Dr. Martin Moore & City of Batavia Councilmembers

From: Rachael J. Tabelski, MPA

Date: February 21, 2020

Subject: Disposition of Surplus Property – Computer and Electronic Equipment

As part of the City's Information Technology Phase I project there have been 48 computers replaced city-wide. The surplus computers and other obsolete electronic equipment that is considered surplus with no other use.

A Rochester firm, Computer Systems Asset Disposal, will dispose of all of the City's surplus electronics. Computer Systems Asset Disposal is an asset management company that provides municipalities with the highest return on decommissioned technology. They are not focused on scrap, but the re-use of technology. They work with clients on a consignment basis returning around 30% of a refurbished to the client of computers that can be rehabilitated and sold.

Hard Drives on computers are wiped to Department of Defense standards by Computer Systems Asset Disposal. They are also a National Association of Information Destruction registrant. The equipment they take on is never left unattended and when it arrives at their facility it is secured individually in the Asset Refinement Center until engineers and technicians can clean the device.

Data destruction complies with the following government regulations:

- Sarbanes-Oxley Act
- HIPPA
- Resource Conservation Act
- Gramm-Leach Bliley Act
- Fair and Accurate Credit Transaction Act

I respectfully request that council approve the accompanying resolution to dispose of surplus computer and electronic equipment.

#-2020

**A RESOLUTION TO DECLARE COMPUTERS, COMPUTER EQUIPMENT,
ELECTRONICS, AND ELECTRONIC EQUIPMENT, AND OTHER INFORMATION
TECHNOLOGY EQUIPMENT SURPLUS FOR THE PURPOSE OF SALVAGE AND
DISPOSAL**

Motion of Councilmember

WHEREAS, the Department of Administration has declared the lot of outdated and obsolete equipment surplus, with no other use by the Department of Administration or other city departments or bureaus; and

WHEREAS, the City of Batavia requires a surplus declaration of property to be made prior to disposal; and

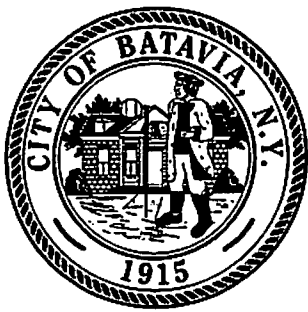
WHEREAS, any revenue received from disposal is to be put into the respective department's reserve fund.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the City Manager is authorized to declare the following as surplus for the purpose of salvage and disposal; and

BE IT FURTHER RESOLVED, that the City Manager be and hereby is authorized to make the necessary budget transfers of any proceeds:

- 36 Lenovo personal desktop computers
- 6 Monitors
- Typewriter
- Security appliances
- Cords
- Keyboards
- 8 Casino Verizon flip phones
- 19 Samsung Flip Phones
- 2 Motorola Flip Phones
- 6 LG Flip Phones
- 1 Kyocera Flip Phone
- Projector
- TV
- DVD Player
- VCR
- Obsolete Phone cases

**Seconded by Councilmember
and on roll call**



City of Batavia

To: Honorable City Council

From: Dr. Martin Moore (Marty), City Manager

Date: February 24, 2020

Subject: PBA Tentative Agreement

The current Collective Bargaining Agreement with the PBA will expire on March 31, 2020. The City and union representatives have been negotiating terms for a new agreement. On January 27, 2020, a Tentative Agreement was reached with the PBA Union which union membership ratified on January 30, 2020.

The PBA Tentative Agreement includes changes to the collective bargaining agreement as follows:

- Salary Increase of 3% each year for three years (Contract 4/1/2020 – 3/31/2023)
- Change in uniform purchase and maintenance allowance from \$700/year to \$650/year and the elimination of uniform reimbursable expenses of \$300/year.

Total Budget Impact: First year wages including, retirement and social security (4/1/2020-3/31/2021: Approximately \$84,000) With a cost savings of approximately \$11,900 for the uniform allowance changes. Net budget impact of approximately \$72,100 or 2.67% for the first year of the contract.

Recommended Action: It is recommended by the City Manager that City Council approve the Tentative Agreement with the PBA Union.

Supporting Documents:

1. Draft Resolution

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

#-2020

**A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT
WITH THE POLICE BENEVOLANT ASSOCIATION (PBA)**

Motion of Councilmember

WHEREAS, the City of Batavia and the PBA have had collective bargaining sessions; and

WHEREAS, the parties have since been able to negotiate a tentative collective bargaining agreement; and

WHEREAS, City Council is of the opinion that it is in the best interest of the City of Batavia to approve the tentative collective bargaining agreement as negotiated; and

WHEREAS, on January 30, 2020 the PBA Union secured the necessary votes to ratify the tentative agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council President be and is hereby authorized and directed to execute said collective bargaining agreement.

**Seconded by Councilmember
and on roll call**

MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilmember

WHEREAS, Article 7, Section 105(1)(d), of the Public Officer's Law permits the legislative body of a municipality to enter into Executive Session to discuss "...proposed, pending or current litigation...".

WHEREAS, Article 7, Section 105(1)(f), of the Public Officer's Law permits the legislative body of a municipality to enter into Executive Session to discuss "...the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation..."and;

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 Councilmember
and on roll call**