

# **CITY OF BATAVIA BUSINESS MINUTES FEBRUARY 10, 2020**

The regular business meeting of the City Council was held Monday, February 10, 2020 in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Jankowski presiding.

Present were Council President Jankowski and Councilmembers Briggs, Viele, Canale, Christian, McGinnis, and Bialkowski. Councilmembers Pacino and Karas were absent.

In attendance from the City of Batavia were Matt Worth, Chief Napolitano, Chief Heubusch, Rachael Tabelski, Lisa Neary, and Lisa Casey.

Council President Jankowski called the meeting to order at 7:21 PM following the special conference meeting.

The financials from November and December 2019 were approved.

The minutes from the January 2020 meetings were approved.

The Council President assigned the regular agenda items.

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## **City Attorney's Report**

George Van Nest, City Attorney, noted they continue to work on a variety of matters but these was nothing specific to report.

## **City Manager's Report**

Martin Moore, City Manager, said the Deer Committee had met two times and was looking to make a recommendation in approximately three months. The committee is currently looking at eight different areas or zones. He said that the committee was looking at which one to tackle first. He noted that the committee was looking to get the best bang for the buck or probably doe at this point. He noted that the Jackson Square RFP was getting ready to go out and the steering committee would be helping with reviewing the scoring. He also said the stakeholders and merchants in the City Center were able to hear construction sounds this week, as the crews were working on the skylights in preparation of further work in the spring.

Matthew Worth said that he and staff had researched the zoning change on Ellicott Street. He noted that there wasn't a path in our current zoning ordinance to allow this to go forward. He suggested a zoning change to an I-1 industrial zone. He noted that the City's Comprehensive Plan does have a commercial zone designated in that area. He recommended going back to Planning and Development on how to proceed. He said that Mr. Biscaro would be given the details of the scope of the project moving forward. He noted that Mr. Biscaro might rethink the feasibility of the venture. Mr. Worth said that with deadlines for Council with regard to the zoning ordinance change. Mr. Van Nest said that this change would have to be a full scale rezoning. He said that this use requires a feasibility study for a commercial garage. Councilmember Bialkowski asked if this would be spot zoning. Mr. Worth said it would not, as the railroad on Cedar Street is in a commercial zone.

Councilmember Christian asked if Savarino would be boarding up the remaining broken windows. Mr. Moore said that he was meeting with Savarino in the near future.

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### **Committee Reports**

None

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### **Unfinished Business**

Councilmember Christian noted that the meeting of the sixth ward had gone well. She noted that residents from her ward were very concerned with tenant housing. She also noted that she was working with the scouts on a cleanup project with more details to come in March.

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### **New Business**

#### **#7-2020**

#### **A RESOLUTION TO INTRODUCE A LOCAL LAW TO OVERRIDE THE TAX CAP LIMIT FOR THE BUDGET FISCAL YEAR COMMENCING APRIL 1, 2020 AND TO SCHEDULE A PUBLIC HEARING**

#### **Motion of Councilmember Canale**

**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 Briggs and on roll call approved 7-0. Councilmembers Karas and Pacino were absent.**

**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 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.

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**#8-2020**

**A RESOLUTION INTRODUCING 2020-2021 BUDGET ORDINANCE AND  
SCHEDULING A PUBLIC HEARING**

**Motion of Councilmember McGinnis**

**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**, a Public Hearing is required for compliance with the City Charter and the public hearing will be held on February 24, 2020 at 7:00 PM in the Council Board Room of City Hall.

**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 Canale and on roll call approved 7-0. Councilmembers Karas and Pacino were absent.**

**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
<b>TOTAL GENERAL FUND</b>	<b>\$ 17,598,636.00</b>

**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
<b>TOTAL WATER</b>	<b>\$ 4,996,794.00</b>

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
<b>TOTAL WASTEWATER</b>	<b>\$ 2,772,921.00</b>

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

<b>TOTAL WATER, WASTEWATER, WORKERS' COMP</b>	<b>\$ 8,132,895.00</b>
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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
<b>TOTAL CITY CENTRE</b>	<b>\$ 206,447.00</b>

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

<b>TOTAL CITY CENTRE &amp; HEALTH INSURANCE</b>	<b>\$ 2,810,537.00</b>
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**TOTAL ALL FUNDS \$ 28,542,068**

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#### **#9-2020**

### **A RESOLUTION INTRODUCING 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 AND PROVIDING FOR PUBLIC NOTICE AND HEARING**

#### **Motion of Councilmember Canale**

**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 McGinnis and on roll call approved 5-2. Councilmembers Viele and Christian voted no. Councilmembers Karas and Pacino were absent.**

**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:**

<b>Type</b>	<b>Size in Inches</b>	<b>Quarterly Fee</b>
Disc	5/8	<del>\$10.69</del> [\$11.06]
Disc	3/4	<del>\$13.53</del> [\$14.00]
Disc	1	<del>\$14.25</del> [\$14.75]
Disc	1 ½	<del>\$24.22</del> [\$25.06]
Disc	2	<del>\$33.62</del> [\$34.80]
Compound	2	<del>\$28.48</del> [\$29.48]
Compound	3	<del>\$108.33</del> [\$112.12]
Compound	4	<del>\$172.43</del> [\$178.46]
Compound	6	<del>\$260.47</del> [\$269.59]
Turbo	3	<del>\$64.10</del> [\$66.34]
Turbo	4	<del>\$108.33</del> [\$112.12]
Fireline	4	<del>\$108.33</del> [\$112.12]
Fireline	6	<del>\$172.43</del> [\$178.46]
Fireline	8	<del>\$240.36</del> [\$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	<del>\$6.59</del> [\$7.25]
Disc	3/4	<del>\$8.35</del> [\$9.18]
Disc	1	<del>\$8.78</del> [\$9.66]
Disc	1 1/2	<del>\$14.93</del> [\$16.43]
Disc	2	<del>\$20.73</del> [\$22.80]
Compound	2	<del>\$17.57</del> [\$19.33]
Compound	3	<del>\$66.81</del> [\$73.49]
Compound	4	<del>\$106.34</del> [\$116.97]
Compound	6	<del>\$160.65</del> [\$176.71]
Turbo	3	<del>\$39.53</del> [\$43.48]
Turbo	4	<del>\$66.81</del> [\$73.49]
Fireline	4	<del>\$66.81</del> [\$73.49]
Fireline	6	<del>\$106.34</del> [\$116.97]
Fireline	8	<del>\$148.24</del> [\$163.06]
Fireline	10	<del>\$193.59</del> [\$212.95]

Deletions designated by ~~strikeout~~

Additions designated as [brackets]

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**#10-2020**

## **A RESOLUTION TO CLOSE OUT CAPITAL PROJECTS**

### **Motion of Councilmember Viele**

**WHEREAS**, The City of Batavia should periodically close capital projects which are completed; and

**WHEREAS**, projects completed at this time that require official closing are listed as follows:

#0901 Summit Street Road Improvement

**WHEREAS**, the City Council authorizes the City Manager to make the recommended transfers and close out the specified capital projects effective March 31, 2020; and

**WHEREAS**, in order to close the Summit Street Road Improvement project, the City will need to transfer approximately \$1,660 from the Capital Projects Fund to the General Fund.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia that the Summit Street Road Improvement capital project be closed effective March 31, 2020.

**Seconded by Councilmember Briggs and on roll call approved 7-0. Councilmembers Karas and Pacino were absent.**

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**#11-2020**

**A RESOLUTION AUTHORIZING THE ADOPTION OF THE 2019 GENESEE  
COUNTY, NY HAZARD MITIGATION PLAN**

**Motion of Councilmember Christian**

**WHEREAS**, all jurisdictions within Genesee County have exposure to natural hazards that increase the risk of life, property, environment, and the County and local economy; and

**WHEREAS**, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

**WHEREAS**, The Disaster Mitigation Act of 2000 (Public Law 106-390 established new requirements for pre and post disaster hazard mitigation programs; and

**WHEREAS**, a coalition of Genesee County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Genesee County; and

**WHEREAS**, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Batavia that the City Council President is hereby authorized on behalf of the City to execute an agreement

1. Adopts in its entirety, the 2019 Genesee County Hazard Mitigation Plan (the "Plan") as the jurisdiction's Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
2. Will use the adopted and approved portions of the Plan to guide pre-and post-disaster mitigation of the hazards identified.
3. Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
4. Will continue its support of the Hazard Mitigation Steering Committee and Planning Partnership as described within the Plan.
5. Will help to promote and support the mitigation successes of all participants in this Plan.

6. Will incorporate mitigation planning as an integral component of government and partner operations.
7. Will provide an update of the Plan in conjunction with the County no less than every five years.

**Seconded by Councilmember Viele and on the roll call approved 7-0. Councilmembers Karas and Pacino were absent.**

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#### **#12-2020**

### **A RESOLUTION TO AMEND THE 2019-2020 POLICE DEPARTMENT BUDGET TO REFLECT THE RECEIPT OF A STOP-DWI GRANT AMENDMENT IN THE AMOUNT OF \$25,481 TO ADDRESS THE CRIMES OF DRIVING WHILE INTOXICATED AND/OR DRIVING WHILE ABILITY IMPAIRED BY DRUGS**

#### **Motion of Councilmember Bialkowski**

**WHEREAS**, the City of Batavia Police Department has received grant funding in the amount of \$17,981 from THE GENESEE COUNTY STOP-DWI PROGRAM TO COMBAT IMPAIRED DRIVING BY FUNDING SPECIALIZED PATROL FUNCTIONS, TRAINING AND EQUIPMENT; and

**WHEREAS**, to properly account for the expenditure of this money, a budget amendment needs to be made; and

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia that the City Manager be and hereby is authorized to make the following budget amendment to the 2019-2020 budget to cover various initiatives to combat alcohol and drug related traffic offenses:

Effective February 10, 2020 amend the 2019-20 budget:

Increase expenditure accounts

001.3120.0101.1190	\$	18,000.00
001.3120.0431.1190	\$	481.00
001.3120.0201.1190	\$	2,000.00
001.3120.0435.1190	\$	5,000.00

Increase revenue accounts

1.1.3389.1190	\$	25,481.00
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**Seconded by Councilmember McGinnis and on roll call approved 7-0. Councilmembers Karas and Pacino were absent.**

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#### **#13-2020**

### **A RESOLUTION TO DISCONTINUE THE PUBLIC USE AND TO AUTHORIZE THE COUNCIL PRESIDENT TO SIGN AGREEMENTS FOR THE SALE OF A 12' x 50'**

## **PARCEL OF PROPERTY ABUTTING JACKSON SQUARE**

### **Motion of Councilmember Canale**

**WHEREAS**, AGRV Properties has offered the city of Batavia \$840.00 to purchase 12' x 50' parcel of land abutting Jackson Square and the Eli Fish Restaurant; and

**WHEREAS**, AGRV Properties Inc., a New York corporation located in Batavia New York owns Eli Fish Restaurant and Brewery in Jackson Square; and

**WHEREAS**, AGRV Properties plans to expand their restaurant offerings to include outdoor dining into Jackson Square.

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia, that it discontinues the public use of this property and authorizes the City Council President to sign a Purchase Agreement, and any other related documents, including easements, with AGRV Properties, to sell said property for \$840.

**Seconded by Councilmember Christian and on roll call approved 7-0. Councilmembers Karas and Pacino were absent.**

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**#14-2020**

### **A RESOLUTION TO AUTHORIZE THE CITY COUNCIL PRESIDENT TO EXECUTE AN AGREEMENT WITH LABELLA ASSOCIATES**

### **Motion of Councilmember Christian**

**WHEREAS** the City of Batavia is the recipient of a \$300,000 New York Main Street grant to assist property owners within a specified target area, the Batavia Business Improvement District; and

**WHEREAS**, the funding will be used primarily by owners to improve the appearance and economic conditions for mixed – use buildings in the Batavia Business Improvement District; and

**WHEREAS**, the city of Batavia, with assistance from the Batavia Development Corporation (BDC), requested proposals from multiple architectural and engineering firms to provide specialized administrative professional services for the grant; and

**WHEREAS**, these activities will include- assist with outreach to property owners, prepare forms and contracts, monitor and supervise the NY Main Street program, schedule activities, comply with environmental and historic preservation requirements and other regulations, provide fiscal monitoring, and coordinate directly with the New York State Office of Community Renewal; and

**WHEREAS**, LaBella Associates was selected to provide professional services after the City evaluated and scored proposals.

**NOW THEREFORE, BE IT RESOLVED**, that the Council President of the City of Batavia is hereby authorized to execute a professional services agreement; not to exceed \$22,500.

**Seconded by Councilmember Viele and on roll call approved 7-0. Councilmembers Karas and Pacino were absent.**

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**#15-2020**

**A RESOLUTION TO APPOINT MEMBERS TO VARIOUS CITY COMMITTEES/  
BOARDS**

**Motion of Councilmember Bialkowski**

**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:

**Board of Assessment Review**

Lois Gerace

September 30, 2024

**Seconded by Councilmember Viele and on roll call approved 7-0. Councilmembers Karas and Pacino were absent.**

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**#16-2020**

**A RESOLUTION APPOINTING MARRIAGE OFFICER(S)**

**Motion of Councilmember Briggs**

**WHEREAS**, pursuant to Domestic Relations Law, Section 11-C, "Marriage Officers", one or more Marriage Officers may be appointed to have the authority to perform marriage ceremonies; and

**WHEREAS**, certain City Council members are desirous of having said authority to perform marriage ceremonies;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia that Councilmembers may be authorized to perform marriage ceremonies pursuant to Domestic Relations Law, Section 11-C. Those members desirous of having said authority are:

Rose Mary Christian

Paul Viele

**BE IT FURTHER RESOLVED**, the term of appointment as Marriage Officer shall be for the length of the Councilmembers term of office but shall not exceed four years.

**Seconded by Councilmember Canale and on roll call approved 5-2. Councilmembers Christian and Viele abstained. Councilmembers Karas and Pacino were absent.**

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**Meeting adjourned at 7:56 PM.**

**Respectfully submitted,**

**Aimslee M. Cassidy  
Deputy Clerk-Treasurer**