

CITY OF BATAVIA

BUSINESS MINUTES

JANUARY 11, 2021

The regular business meeting of the City Council was held Monday, January 11, 2021 at 7:55 PM in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Jankowski presiding. The meeting was held immediately following the special conference meeting.

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

Council President Jankowski called the meeting to order at 7:55 PM.

The minutes from the December 2020 meetings and the November 2020 financials were approved.

The Council President assigned the regular agenda items.

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City Attorney's Report

George Van Nest, City Attorney, noted that they continued to work on a variety of matters and identified complication of code enforcement due to COVID. He also noted that more guidance had been issued regarding foreclosures.

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City Manager's Report

Rachael Tabelski, Acting City Manager, presented the 2021/2022 Budget and wanted to acknowledge all the staff who worked with her and union leaders who met with her to create the budget. She noted that everyone should be commended for keeping the City running smoothly. She was proud to offer a budget that was fiscally sound but noted that management didn't like the budget because of the reduced revenue and not having the ability to run the City how we would like. She noted that the budget did include cuts. She reviewed national and state trends regarding COVID-19, noted the proposed budget was within the NYS tax cap, and the tax rate would rise by 1.38%. She explained that restoration of City services would depend on the stability of the nation and economy and their ability to recover. She reviewed assessed value growth, state and federal revenue sources, tax cap, use of fund balance, reserves, reduction of expenses by department, and discussed personnel expenditures. She showed an updated strategic plan, reviewed the

workers' comp and health insurance fund, both of which are self-insured, and the water, wastewater, and city centre funds.

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Committee Reports

Councilmember Pacino noted that the BID was working on updating the Christmas decorations for the City.

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Unfinished Business

None.

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#1-2021

A RESOLUTION TO SUBMIT A NEW YORK MAIN STREET GRANT APPLICATION

Motion of Councilmember Bialkowski

WHEREAS, the New York State Office of Community Renewal (NYSOCR) is offering New York Main Street Grants of up to \$500,000; and

WHEREAS, the New York Main Street Program offers grant funding to assist “Main Street” or downtown businesses and property owners, including anchor buildings, with facade and building improvements; and

WHEREAS, the Downtown Batavia Business Improvement District is an eligible applicant for the New York Main Street program; and

WHEREAS, the Downtown Batavia Business Improvement District would like to apply for a Winter 2020 Downtown Anchor Grant under the New York Main Street Program to renovate a commercial property in the Business Improvement District boundary; and

WHEREAS, municipalities in which New York Main Street projects are located are required to provide a resolution supporting the application for funding.

NOW THEREFORE, BE IT RESOLVED, that the City of Batavia does hereby enthusiastically authorize submission of a New York Main Street grant application of up to \$500,000 in grant funding.

Seconded by Councilmember McGinnis and on roll call approved 9-0.

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#2-2021

**A RESOLUTION AUTHORIZING THE CITY COUNCIL PRESIDENT TO SIGN AN
AMENDED AND RESTATED DWYER STADIUM LEASE AND SUBLEASE
AGREEMENT**

Motion of Councilmember Viele

WHEREAS, the City of Batavia is the owner of Dwyer Stadium and the Batavia Regional Recreation Corporation (BRRC) operates and manages the Dwyer Stadium facility as outlined in the Dwyer Stadium Lease Agreement; and

WHEREAS, the BRRC has sublet the premises to the Batavia Muckdogs, Inc. minor league franchise so that the Batavia Muckdogs can use the facility to play its home baseball games at Dwyer Stadium; and

WHEREAS, due to changes in Major League Baseball, the New York Penn League has ceased operations and BATAVIA MUCKDOGS, INC. (BMI), no longer has a Player Development Agreement with a professional baseball franchise; and

WHEREAS, based on the Penn League's termination the City of Batavia has terminated the sublease to Batavia Muckdogs, Inc.; and

WHEREAS, the Perfect Game Collegiate Baseball League (PGCBL) has approved adding a team in Batavia, New York to the league; and

WHEREAS, the PGCBL has also approved CAN-USA Sports, LLC to own and operate the PGCBL team in Batavia; and

WHEREAS, CAN-USA Sports desires to operate the team at Dwyer Stadium under a new Sublease; and

WHEREAS, the parties need to amend and restate the Lease and Sublease agreements.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the Council President be and is hereby authorized to sign said Amended and Restated Dwyer Stadium Lease and Sublease Agreement as attached on behalf of the City of Batavia.

Seconded by Councilmember Christian and on roll call approved 9-0.

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MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilperson Pacino

WHEREAS, Article 7, Section 105(1)(h), of the Public Officer's Law permits the legislative body of a municipality to enter into Executive Session to discuss "...the proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof..."and;

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 Councilperson Bialkowski and on roll call approved 9-0. Council entered executive session at 8:29 PM and ended at 8:54 PM.

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Meeting adjourned at 8:55 PM.

Respectfully submitted,

**Heidi J Parker
Clerk-Treasurer**