

# **CITY OF BATAVIA**

## **BUSINESS MINUTES**

### **MAY 10, 2021**

The regular business meeting of the City Council was held Monday, May 10, 2021 in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Jankowski presiding.

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

Council President Jankowski called the meeting to order at 7:05 PM immediately following the special conference meeting.

The minutes from the April 2021 meetings and the March 2021 financials were approved.

The Council President assigned the regular agenda items.

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#### **Communications**

All Babies Cherished requested to hold a vendor event on Saturday, May 22, 2021 in the City Centre concourse from 10:00am – 4:00pm. Council approved.

The Memorial Day Parade will be held on Monday, May 31<sup>st</sup> at 9:45am on East Main Street. It will follow the same route as in the past. Council approved.

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#### **Council President's Report**

Council President Jankowski announced that the next City Council Conference Meeting would be held on Monday, May 24<sup>th</sup> at 7:00 p.m. at City Hall, Council Board Room, 2<sup>nd</sup> Floor, City Centre.

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#### **City Attorney's Report**

A representative from the City Attorney's office noted that she had nothing specific to report.

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## **City Manager's Report**

Rachael Tabelski noted that there were a variety of projects on which the City continued to work.

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## **Committee Reports**

Councilmember McGinnis noted that the BHA wanted to thank Chief Heubusch for their quick response to the drug situation at 400 Towers.

Councilmember Bialkowski noted that he was still collecting hold harmless agreements for the parade and wanted to compliment the tax assessor and Vickie Klein, Assessment Clerk, for helping citizens with their assessment issues. He noted that everyone he spoke to commented on how helpful they were.

Council President Jankowski noted that he attended a GAM meeting and there was a lot of talk about the water.

Councilmember Christian noted that she attended a school board meeting and told them they had the highest tax rate and asked if the rate would go down. She noted that it was very informative.

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## **Public Comments**

None.

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## **Council Responses to Public Comments**

None.

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## **Unfinished Business**

None.

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**#37-2021**

**A RESOLUTION TO ENTER INTO AN AGREEMENT WITH  
GROVE ROOFING SERVICES INC. FOR BATAVIA CITY CENTRE PHASE II  
ROOF REPLACEMENT PROJECT**

**Motion of Councilmember Canale**

**WHEREAS**, the City of Batavia has solicited bids for the replacement of sections of concourse roof for the Batavia City Centre; and

**WHEREAS**, One bid were received on April 29, 2021 and Grove Roofing Services Inc. from Buffalo, NY was the lowest responsible bidder in the amount of \$161,890.00 for Batavia City Centre Phase II Roof Replacement Project; and

**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 the agreement “Phase II Roof Replacement Project” with Grove Roofing Services Inc.

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

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**#38-2021**

**A RESOLUTION TO ENTER INTO AN AGREEMENT WITH  
AJ’S TREE SERVICE FOR THE TRIMMING AND REMOVAL OF CITY TREES  
CONTRACT #2021-05**

**Motion of Councilmember Viele**

**WHEREAS**, Tree trimming and removal services funded in fiscal year 2021/2022 City Budget; and

**WHEREAS**, a competitive bid was made by AJ’s Tree Service of East Amherst, NY to provide services as specified in the contract document titled Trimming & Removal of City Tree #2021-05; and

**WHEREAS**, there were three (3) bidders and AJ’s Tree Service is the lowest responsible bidder; and

**WHEREAS**, AJ’s Tree Service and the City may mutually agree to extend this contract for two one-year terms as provided in the contract documents.

**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 with AJ’s Tree Service for the annual service of Trimming & Removal of City Trees and two one-year extensions if mutually agreed upon.

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

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**#39-2021**

**A RESOLUTION REFERRING THE PETITION TO REZONE 211 EAST MAIN STREET  
TO THE PLANNING AND DEVELOPMENT COMMITTEE**

**Motion of Councilmember Christian**

**WHEREAS**, the City Council is desirous of reviewing the Batavia Municipal Code, Section §190, in response to a petition from United Memorial Medical Center (UMMC), requesting a parcel, 211 East Main Street, to be re-zoned; 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 - GCT § 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.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Batavia hereby request that the City Planning and Development Committee review a Petition to Re-Zone 211 East Main Street, and make a recommendation to the City Council for consideration.

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

**Discussion** – Councilmember Canale asked if once this is rezoned, if everything in that area would be zoned the same. Mrs. Tabelski noted that there would still be some other zones in that area but the only P2 would be where the hospital is located.

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**#40-2021**

**A RESOLUTION CLOSING THE MALL FUND – A GOVERNMENTAL SPECIAL  
REVENUE FUND EFFECTIVE MAY 10, 2021**

**Motion of Councilmember Karas**

**WHEREAS**, the City of Batavia financial records contain a Governmental – Special Revenue Fund called the Mall Fund (CM); and

**WHEREAS**, pursuant to the City of Batavia's settlement agreement with the Batavia City Centre Merchants Association, Inc., dated October 24, 2017, the Mall fund balance was turned over

to the Merchants Association; and

**WHEREAS**, the payment of the Mall Fund Balance has cleared the City's financial institution effective April 19, 2021, leaving no cash or future transactions to be recorded in that fund.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia that the City Manager is hereby authorized to close the Mall Fund (CM) effective May 10, 2021.

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

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**Meeting adjourned at 7:18 PM.**

**Respectfully submitted,**

**Heidi J Parker  
Clerk-Treasurer**