

CITY OF BATAVIA

BUSINESS MINUTES

JULY 12, 2021

The regular business meeting of the City Council was held Monday, July 12, 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, Canale, Christian, McGinnis, Bialkowski, and Karas. Councilmember Viele was absent.

Council President Jankowski called the meeting to order at 7:43 PM immediately following the conference meeting.

The minutes from the June 2021 meetings and the May 2021 financials were approved.

The Council President assigned the regular agenda items.

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City Attorney's Report

Mr. Van Nest noted that they worked on a variety of matters across the spectrum and that code enforcement has continued to be fairly quiet. He noted that it has not been put back on the docket by the local courts.

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City Manager's Report

Mrs. Tabelski noted that the new Assistant City Manager would be starting on July 21st and that Savarino should be closing that day as well. She noted that Andrew Maguire took another job so the BDC was looking for a new director. She stated that the City is still seeking candidates for the Director of Public Works position.

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Committee Reports

Councilmember Christian noted that the sixth ward had met at 5:30pm before the Council meetings and noted some of the issues they discussed. She thanked management for working so well with the people from the sixth ward.

Councilmember Pacino noted that GO ART! was open and well and would be reopening the tavern from Wednesdays to Saturdays very soon.

Mrs. Tabelański noted that Community Night Out, sponsored by the police department, would be Tuesday, August 10th at St. Anthony's and there were several large sponsors of the event. Detective Wojtaszczyk noted that he would be throwing out the first pitch at the Muckdog's game on July 15th and there would be game between the fire department and police department after the Muckdog's game on July 18th.

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Unfinished Business

None.

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#53-2021

A RESOLUTION TO SUPPORT THE SUBMISSION A COMMUNITY DEVELOPMENT BLOCK GRANT – CONSOLIDATED FUNDING APPLICATION FOR JACKSON STREET

Motion of Councilmember Briggs

WHEREAS, the Community Development Block Grant (CDBG) in partnership with the New York State Department of State, is offering funding for economic development and infrastructure projects; and

WHEREAS, the City of Batavia is eligible to apply for CDBG grants; and

WHEREAS, the City of Batavia would like to apply for an infrastructure grant to upgrade water lines on Jackson Street; and

WHEREAS, the estimated cost of the project is \$1.36 million; and

NOW THEREFORE, BE IT RESOLVED, that the City Manager of the City of Batavia, New York, is hereby authorized as the official representative of the City to execute and submit a Consolidated Funding Application for Community Development Block Grant funding to the administrative agency for the Fiscal Year 2021 program, all understandings and assurances contained therein, and is hereby directed and authorized to act in connection with the submission of the application and to provide such additional information as may be required.

Seconded by Councilmember Christian and on roll call approved 8-0.

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#54-2021

**A RESOLUTION TO INTRODUCE AN ORDINANCE AMENDING CHAPTER 190
ENTITLED “ZONING” OF THE CITY OF BATAVIA MUNICIPAL CODE TO AMEND
THE ZONING MAP OF THE CITY OF BATAVIA AND TO SCHEDULE A PUBLIC
HEARING**

Motion of Councilmember Bialkowski

BE IT RESOLVED that a proposed Ordinance entitled “AN ORDINANCE AMENDING CHAPTER 190 ENTITLED “ZONING” OF THE CITY OF BATAVIA MUNICIPAL CODE TO AMEND THE ZONING MAP OF THE CITY OF BATAVIA” is introduced before the City Council of the City of Batavia, New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Ordinance be laid upon the desk of each member of the City Council; and

BE IT FURTHER RESOLVED that the City Council hold a public hearing on said proposed Ordinance at the City Hall, One Batavia City Centre, Batavia, New York, at 7:00 P.M. on Monday, August 9, 2021; 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 days prior thereto.

Seconded by Councilmember McGinnis and roll call approved 8-0.

ORDINANCE #002-2021

**AN ORDINANCE AMENDING CHAPTER 190 ENTITLED “ZONING” OF THE CITY OF
BATAVIA MUNICIPAL CODE TO AMEND THE ZONING MAP OF THE CITY OF BATAVIA**

**SECTION 1. AMENDMENT OF THE ZONING MAP OF THE CITY OF BATAVIA TO REZONE
PREMISES FROM A P-2 DISTRICT TO A C-3 DISTRICT.**

All that tract or parcel of land situate in the City of Batavia, County of Genesee, State of New York, being part of Original Village Lot 26 and further described as follows.

Beginning at a point in the north bounds of East Main Street, said point being 78.29 feet westerly from the intersection of the north bounds of East Main Street with the west bounds of Wiard Street; thence

- 1) N 79°-59’-40” W along the north bounds of East Main Street, a distance of 106.00 feet to a point; thence
- 2) N 09°-55’-45” E partially along the east bounds of lands conveyed to the Young Men’s Christian Association, as recorded in liber 220 of deeds at page 154, a distance of 300.30 feet to a point; thence
- 3) S 80°-36’-49” E a distance of 106.42 feet to a point; thence
- 4) S 10°-00’-30” W a distance of 301.45 feet to the point of beginning.

Containing 0.734 acre.

SECTION 2. AMENDMENT OF THE ZONING MAP OF THE CITY OF BATAVIA TO REZONE PREMISES FROM A P-2 DISTRICT TO A C-3 DISTRICT.

All that tract or parcel of land situate in the City of Batavia, County of Genesee, State of New York, being part of Original Village Lots 26 & 28 and further described as follows.

Beginning at a point in the west bounds of Wiard Street, said point being 341.45 feet northerly from the intersection of the west bounds of Wiard Street with the north bounds of East Main Street; thence the following 3 courses being along the west bounds of Wiard Street.

- 1) N 10°-00'-30" E a distance of 8.35 feet to a point; thence
- 2) N 79°-59'-30" W a distance of 4.00 feet to a point; thence
- 3) N 10°-00'-30" E a distance of 169.13 feet to a point; thence
- 4) N 79°-59'-30" W a distance of 89.00 feet to a point; thence
- 5) N 10°-00'-30" E a distance of 179.66 feet to a point; thence
- 6) S 79°-57'-20" E a distance of 15.00 feet to a point; thence
- 7) N 10°-00'-30" E a distance of 24.00 feet to a point; thence
- 8) N 79°-57'-20" W a distance of 108.39 feet to a point; thence
- 9) S 09°-55'-53" W a distance of 152.33 feet to a point; thence
- 10) S 08°-34'-45" W a distance of 95.00 feet to a point; thence the following 5 courses being along the faces of the brick walls on the eastern side of the multistory hospital building.
- 11) S 09°-57'-21" W a distance of 5.95 feet to a point; thence
- 12) S 80°-02'-39" E a distance of 7.07 feet to a point; thence
- 13) S 09°-57'-21" W a distance of 20.30 feet to a point; thence
- 14) N 80°-02'-39" W a distance of 7.07 feet to a point; thence
- 15) S 09°-57'-21" W a distance of 31.47 feet to a point; thence
- 16) S 10°-45'-27" W a distance of 76.38 feet to a point; thence
- 17) S 09°-55'-45" W a distance of 40.95 feet to a point; thence

18) S 80°-36'-49" E a distance of 106.42 feet to a point; thence

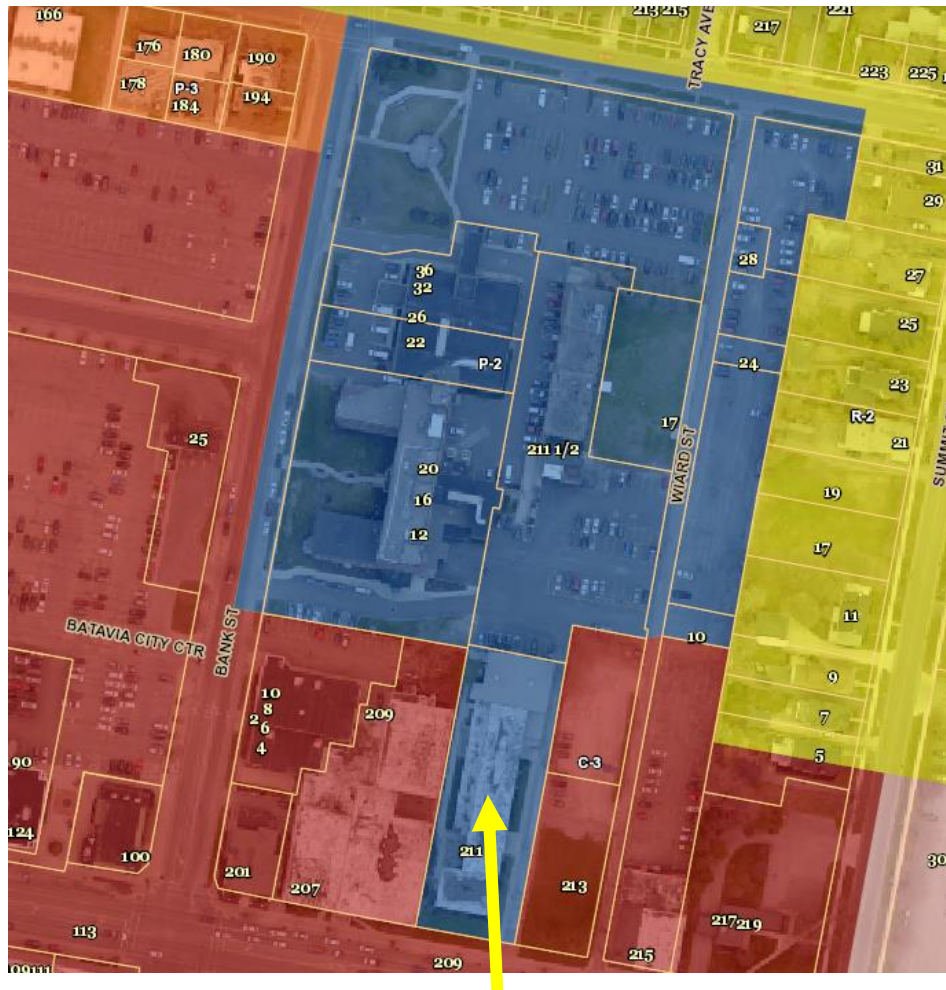
19) N 10°-00'-30" E a distance of 40.00 feet to a point; thence

20) S 79°-59'-40" E a distance of 78.29 feet to the point of beginning.

Containing 1.274 acres.

SECTION 3. EFFECTIVE DATE

This Ordinance shall take effect immediately after the date of passage and in accordance with law.



211 and 211 1/2 East Main St.
Parcel Request for Rezoning from P2 to C3

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#55-2021

A RESOLUTION TO AMEND THE 2020-2021 POLICE DEPARTMENT BUDGET TO REFLECT THE RECEIPT OF A STOP-DWI GRANT IN THE AMOUNT OF \$32,981 TO ADDRESS THE CRIMES OF DRIVING WHILE INTOXICATED AND/OR DRIVING WHILE ABILITY IMPAIRED BY DRUGS

Motion of Councilmember McGinnis

WHEREAS, the City of Batavia Police Department has received grant funding in the amount of \$32,981 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 2021-2022 budget to cover various initiatives to combat alcohol and drug related traffic offenses:

Effective July 13, 2021 amend the 2021-22 budget:

Increase expenditure accounts

A04.3120.3120.101.XXXXXXX	\$	22,000.00
A04.3120.3120.431.XXXXXXX	\$	3,291.00
A04.3120.3120.201.XXXXXXX	\$	1,000.00
A04.3120.3120.435.XXXXXXX	\$	6,000.00

Increase revenue accounts

A00.0000.0000.4389	\$	32,981.00
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Seconded by Councilmember Christian and on roll call approved 8-0.

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#56-2021

A RESOLUTION TO AMEND THE 2021-2022 POLICE DEPARTMENT BUDGET TO REFLECT THE RECEIPT OF ADDITIONAL STOP-DWI GRANT FUNDS IN THE AMOUNT OF \$2,400 TO ADDRESS THE CRIMES OF DRIVING WHILE INTOXICATED AND/OR DRIVING WHILE ABILITY IMPAIRED BY DRUGS DURING SPECIFIED CRACKDOWN (HIGH VISIBILITY) PERIODS

Motion of Councilmember Canale

WHEREAS, the City of Batavia Police Department has received additional grant funding in the amount of \$2,400 from THE GENESEE COUNTY STOP-DWI PROGRAM TO COMBAT IMPAIRED DRIVING BY FUNDING SPECIALIZED PATROL FUNCTIONS 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 2021-2022 budget to cover various initiatives to combat alcohol and drug related traffic offenses:

Effective July 12, 2021 amend the 2021-22 budget:

Increase expenditure accounts

A 04.3120 0101 \$ 2,400.00

Increase revenue accounts

A 00.0000.0000 4389 \$ 2,400.00

Seconded by Councilmember Karas and on roll call approved 8-0.

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#57-2021

A RESOLUTION TO SUBMIT A NEW YORK MAIN STREET TECHNICAL ASSISTANCE GRANT APPLICATION

Motion of Councilmember Pacino

WHEREAS, the Batavia Development Corporation desires to apply for \$20,000 in financial assistance through the 2021 Consolidated Funding Application (CFA) under the New York Main Street Technical Assistance grant program; and

WHEREAS, the Batavia Development Corporation would like to hire a design professional to prepare building reuse analysis, renderings, and cost estimates for the reuse and rehabilitation of 10 West Main Street, the Historic Brisbane Mansion, in order to prepare for a future New York Main Street building renovation grant; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia approves and endorses the 2021 New York Main Street Technical Assistance grant application for assistance prepared and to be submitted by the Batavia Development Corporation.

Seconded by Councilmember Bialkowski and on roll call approved 8-0.

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Meeting adjourned at 7:54 PM.

Respectfully submitted,

**Heidi J Parker
Clerk-Treasurer**