

CITY OF BATAVIA – CONFERENCE MINUTES

MONDAY, APRIL 23, 2018

Present were Council President Jankowski and Councilpersons Canale, Bialkowski, Viele, Briggs, Pacino, and, Christian.

Call to Order

Council President Jankowski called the meeting to order at 7:00 PM. Councilperson Christian led the Invocation and the Pledge of Allegiance.

Public Comments

Dan Utter, 7565 Conley Rd, Bergen, stated that he was the president of the Batavia Minor League baseball and they have made a significant investment in the fields over many years but there have been some issues with the current proposed project with Batavia Little League. He explained that they weren't proposing to put up a fence to keep people from using the field but for safety of everyone and asked Council to allow them to put up the fence.

Shelley Falitico, 123 Naramore Dr, wanted to share how Batavia Minor League has been a good friend to the youth she works with. She noted that she works with youth with disabilities and it's not always easy to find people to help but she has worked with Batavia Minor League for the past 12 years helping her kids. She noted that the field is completely accessible to anyone with a disability and Batavia Minor League has been a community friend. She just wanted to share her support for what they are looking to do.

Jeff Grazioplene, 17 Allenvue, noted that Batavia Little League had concerns about the new fence because it would infringe on their foul area. He also stated that the proposal would lock Minor League from everyone else as everyone would be shut out due to the fencing. He felt that what was presented to the City by Batavia Minor League was not what was planned on happening.

Mark Clark, 32 Woodcrest Dr, noted that he was in pursuit of a dog park in the City of Batavia. He received 262 yes votes from a simple poll he put out and would like a cost analysis to see if it's feasible.

Council Response to Public Comments

Councilperson Pacino asked where Mr. Clark envisioned the dog park. Mr. Clark heard that a dog park had been proposed before and thought maybe Williams or Kibbe Park. Councilperson Bialkowski noted that Brockport has an impressive dog park to possibly use as a model. Council President Jankowski asked Mr. Clark to get some information together from a committee of other interested individuals and bring that back to Council for further consideration. Mr. Worth noted that a dog park would be discussed during the next budget process as part of plans for park revamping.

Communications

None.

Council President's Report

Council President Jankowski announced the next regular City Council Business meeting to be held on Monday, May 14, 2018 at 7:00pm at the City Hall Council Board Room, 2nd Floor, City Centre.

Appoint Members to Various City Committees / Boards

Councilperson Briggs noted that this is a reappointment for the community garden. Council agreed to move the item forward.

Surplus of Weapons for Trade-In

Chief Heubusch noted that there were weapons that the police department wanted to declare as surplus and they must go before Council to do so. Councilperson Bialkowski asked if this was the best way to get rid of the weapons and Chief Heubusch noted that it was. Council agreed to move the item forward.

Surplus of Vehicles for Disposal

Chief Heubusch noted that the police department wanted to trade in two vehicles for a new vehicle and they get a good return for the old cars. Council agreed to move the item forward.

Preventative Maintenance Resurfacing Project

Mr. Worth noted that they opened bids for a preventative maintenance project on six streets and the low bid was about \$47,000 over the program amount. Mr. Worth noted, however, that the project has a \$50,000 contingency built in so they are actually slightly under budget. He noted that D&H Excavating was the low bidder. Councilperson Bialkowski asked where they were located and Mr. Worth noted they were from Arcade. Mr. Worth also noted that if they go beyond the projected timeframe, there were significant damages they would be charged. Council agreed to move the item forward.

TIP Project, Preventative Maintenance of Six Streets Supplemental Agreement #2

Mr. Worth noted this was the same project but this is NYS authorizing the reimbursement of the funds. Council agreed to move the item forward.

BBID State Audit

Mr. Worth noted that he received the audit report from the State Comptroller's Office and it was required to be presented to Council. Mr. Worth noted that he met with the BID board to discuss corrective actions and the BID will prepare and present the budget to

Council for approval each year. He noted that the city will have to monitor the BID's financial operations to measure progress and spending. He explained that the City will create a designated fund with only BID funds in it and will submit a compliance program to NYS. Councilperson Pacino noted that she worked with the BID through three different boards and they really want to make this work.

NYSDOT / City of Batavia to Enter into Supplemental to Arterial Agreement

Ray Tourt, Superintendent of Maintenance, noted that the state is asking for an agreement through 2049 and they don't like the voucher system currently in place. The state won't release the City's \$86,000 until we agree to the new agreement which will bring the City an additional \$9,000. Mr. Tourt noted that the City would like to continue the partnership with the state. Mr. Worth noted that the state is paying 1980's rates for current year costs and would like to see that changed but for now it's a good idea to stay in the agreement. He noted there is an opt out section if the City can't get rates to better reflect current costs. Mr. Worth noted that approximately \$123,000 in arrears payments will be made to the City as well. Council agreed to move the item forward pending receipt of a copy of the agreement.

Install Fencing at MacArthur Park

Mr. Worth explained that the ball fields are used by Batavia Minor League and Batavia Little League and they are very passionate about the services they provide. He noted that the City appreciates the investments by the leagues into the fields and the facilities and the City tries to provide assistance where possible. He noted that the Minor League approached Mr. Tourt with some modifications and the intention is a new field as a coach-pitch field. Mr. Worth noted that the concern is the fence line and the City would partner to increase the height of the fence to keep balls from going into the other field. He explained that he and Mr. Tourt met with both groups and they couldn't find an agreement so the City prepared four different options that Mr. Worth reviewed with Council. Councilperson Christian noted that she went to the field before the meeting, noted that Little League had been there since 1952 and it seemed unlikely for Minor League to request this. She noted that if the fence goes up, Minor League will have to walk all the way around to get to the field, she was concerned about the spectators and the kids, and the fence would make it look like a prison. Councilperson Briggs asked if having no fence was an option and Council responded that that is what is already there – no fence. Councilperson Canale didn't realize that Little League and Minor League were two separate entities since they are serving the same kids in that Minor League kids will eventually move up to Little League. He said he would also be concerned about having their investment vandalized and asked why the fence couldn't go along the baselines to keep people out of the field. He felt that the money invested in the minor league field is unfortunate because the placement of the field is just in a bad location. He was also concerned that Council was just hearing about this now and would like to be made aware of significant changes to City owned property in the future. He asked the ages of the different levels. Dan Utter noted that T-ball was 4-5 year olds, coach-pitch was 6-7 and sometimes 8 year olds, Minor League was 8-10 and Little League was 9 or 10-12. Councilperson Canale encouraged both leagues to try to find a way to work together to let these kids play baseball. Councilperson Bialkowski was disappointed to find two community groups that can't work together and have to come

before Council and put Council in a difficult situation. He noted that the problem was there's construction on fields that are now causing problems and want to see both parties go back to the drawing board and come up with an agreement. Councilperson Viele asked if Little League could use the Minor League field for practice. Mr. Utter said yes and it was an open field right now. Mr. Worth noted this was an existing field that is being re-oriented for safety and suggested having the City's engineer look at alternatives and come back with a recommendation and see if the two groups could agree. Council President Jankowski felt each league needed to convince each other that one league was not trying to take over the other and they needed to mend fences. He felt that was a good place for them to start while the City worked on their recommendation.

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Councilperson Bialkowski commended the City on the handout in the water bill that pointed out some friendly reminders to the community about various City items.

Councilperson Christian reminded everyone of the 6th ward meeting at Ascension Parish on Saturday at 10:00am.

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Executive Session ... Real Property

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...".

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 Viele and on roll call approved 7-0.

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Conference Meeting adjourned at 8:33 PM.

Respectfully submitted,

**Heidi J. Parker
Clerk-Treasurer**

04/23/2018