

CITY OF BATAVIA – CONFERENCE MINUTES

MONDAY, SEPTEMBER 23, 2019

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

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

Call to Order

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

Public Comments

John Roach, 116 Grandview Terrace, noted that the garbage used to be picked up on Monday and is now picked up on Wednesday. He stated that Waste Management said that the City made them change dates for pickup and he heard similar things from others. Mr. Roach asked if Council directed someone to make this change.

Council Response to Public Comments

Councilperson Canale noted that the public had been complaining that there was garbage being picked up every day on the streets. In response to that, Mr. Moore worked with the garbage haulers to coordinate collection so garbage could be collected on just a few days a week instead of every day. Mr. Moore stated that he worked with Mr. Worth to find out how this could work and three of the four haulers worked together to accommodate the changes. He also noted they based the changes on when ARC used to pick up garbage in the City. He explained that the goal was to have it down to a couple of days a week. Council President Jankowski noted that the person picking up the trash may not know about the agreement from management to make the changes.

Communications

Mr. Worth noted that the water line project was quite successful with drainage at Williams Park, and water main on Brooklyn, South Main, and Union. He explained that Union St water line had been problematic for a while so that was replaced and there were 132 water line connections that needed to be made. He also noted that the project will be under budget.

Council President's Report

Council President Jankowski announced the next regular City Council Business meeting to be held on Tuesday, October 15, 2019 at 7:00pm at the City Hall Council Board Room, 2nd Floor, City Centre.

Councilperson Bialkowski proclaimed October 6-12th as Fire Prevention Week in the City of Batavia and presented the proclamation to the City of Batavia Fire Department. He read a proclamation from City Council which noted that we all should make a home escape plan and practice it at least two times per year during the day and night. The proclamation provided fire statistics, asked that we make sure everyone in the house knows how to call 911, and reminds us to get low and go under the smoke and to never go back into a fire once you are out.

Chief Napolitano stated that we were extremely grateful to have a great staff to work with but they couldn't be great without the assistance of the other departments as well (referring to police, public works, and codes.)

Presentation Audit Report 2018-2019 by Laura Landers, Freed Maxick

Ms. Landers noted that she met with the audit committee on August 20th and had an in-depth review of the financial statements. She noted that the audit was conducted in accordance with Generally Accepted Auditing Standards and there was also a single audit conducted. Ms. Landers explained that the City implemented GASB 75 during the year and health insurance is now shown in a separate fund. She noted that revenues exceeded expenditures in the general fund, the City continues to be conservative in budgeting sales tax since it is economically driven, and the City continues to fund reserves to stabilize tax rates. She recommended continuing with conservative budgeting. Regarding the other funds, Ms. Landers noted that water and sewer generated operating surpluses and are in good financial position. She explained that the management report noted no material weaknesses or significant deficiencies in the City and some recommendations were made.

Council President Jankowski asked with the state comptroller fiscal stress number went up to 3.3% instead of 0% where it has been in the past. Ms. Landers stated that she wasn't sure what figures were used in the formula and suggested Mrs. Neary ask OSC why it went up. Council President Jankowski was just concerned that it was an indication that we are doing something wrong. Ms. Landers said it could be reported on a lag and there was the planned deficit recently that could have indicated fiscal stress even though it was planned and recommended asking OSC how the figure is calculated.

Transferring Funds from Assigned Fund Balance To Various Reserve Funds

Mr. Moore noted that there is \$1.3 million to commit to various reserves and the reserves to be funded have been reviewed. He noted that the funding was reviewed by the audit committee as well. Council agreed to move the item to the next business meeting.

FEMA's Grant – Amend Fire Department 2019/2020 Budget

Chief Napolitano noted they were able to reassign funds to purchase wireless headsets for firefighters to improve communications. Council agreed to move the item forward.

Child Safety Seat Program Grant – Amend Fire Department 2019/2020 Budget

Chief Napolitano noted that they received \$3,200 for the car seat program and it will pay

for additional training, car seat, and booster seats. Council agreed to move the item forward.

Street Lighting Upgrades – National Grid Power Corporation

Mr. Worth noted that he worked with National Grid to keep elevated street lights but needs Council approval. Councilperson Briggs thanked Mr. Worth and Chief Heubusch noting that this discourages certain activity. Councilperson Canale noted it was also for the safety of the officers. Council agreed to move the item forward.

Easement – Charter / Time Warner Northeast LLC

Mr. Worth explained that there are some areas on Main St that don't have access to high speed cable and this allows an easement on the backside of the properties to install fiber optic and cables, etc. This will allow access to City property with their equipment. Council agreed to move the item forward.

Water Meter Funds Budget Adjustment

Mr. Worth explained that in the Operating and Maintenance agreement \$100,000 should be liquidated by the County and sent to the City to purchase new water meters. Council agreed to move the item forward.

Rezoning Public Hearing – Public Storage Business in I-1 and I-2 Zones

Mr. Worth noted that property was purchased on Cedar St but zoning didn't recognize public storage in any zones and buyer wanted to put public storage in that location. He noted that the zoning changes have been reviewed and there needs to be a public hearing to keep the change process progressing. Council agreed to move the item forward.

Lease Agreement – Batavia Players Theater Company

Mr. Moore noted that he wanted to make sure there was a significant length of time in the lease agreement. He explained that the agreement addressed utilities and insurance and the square footage is now larger because Dent has moved out. He noted that the Department of State has approved the agreement as part of the DRI review. Councilperson Christian asked how much of the concourse would be taken up. Mr. Van Nest noted that any major structural change would have to be approved by the City. She then asked why there was no security deposit. Mr. Van Nest noted that it was part of the DRI project, they are a not-for-profit but it could be considered based on the City's comfort level with the tenant. Councilperson Bialkowski asked where the utilities are identified. Mr. Van Nest explained that it is a commercial lease so not specifically identified and there are some modifications. Councilperson Bialkowski assumed the mall maintenance fees would be paid for by the City taxpayers, the tenant won't pay taxes because they are a not-for-profit and we would be losing out on that revenue. Mr. Van Nest noted that prior analysis of this agreement was fairly thorough and conservative. Council President Jankowski noted that there is still positive revenue and no one else has approached the City to purchase the property. He stated that it could always be reevaluated after the 5-year term. Councilperson Canale

stated it was his understanding they were looking into purchasing he property. Mr. Van Nest stated that the financial analysis had already been done by prior City management and staff and was approved by Council in 2018. Council agreed to move the item forward.

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MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilperson Pacino

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 Viele and on roll call approved 9-0.

Council entered executive session at 8:27pm and adjourned at 8:39pm.

Conference Meeting adjourned at 8:40 PM.

Respectfully submitted,

**Heidi J. Parker
Clerk-Treasurer**