

# **CITY OF BATAVIA**

## **SPECIAL BUSINESS MINUTES**

### **JUNE 28, 2021**

The special business meeting of the City Council was held Monday, June 28, 2021 at 7:30 PM in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Jankowski presiding. The meeting was held immediately following the conference meeting.

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

Council President Jankowski called the meeting to order at 7:30 PM.

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#### **New Business**

##### **#50-2021**

#### **A RESOLUTION AUTHORIZING THE BATAVIA REVOLVING LOAN FUND GRANT AWARD AND AUTHORIZING EXECUTION OF A PARTICIPATION AGREEMENT**

##### **Motion of Councilmember Canale**

**WHEREAS**, the City Council for the City of Batavia amended the Revolving Loan Fund Agreement on April 8, 2019; and

**WHEREAS**, according to the amendment, notwithstanding any other provisions of the Revolving Loan Fund Agreement, the Loan Fund may also, on a project specific basis and with City Council approval, make a grant for an eligible project or funding purpose within the City; and

**WHEREAS**, the City Council for the City of Batavia enacted a policy to allow for grant funds to be accessed for specific purposes including Brownfield Opportunity Area (BOA) advancement, City Priority Economic Development, and Building Improvements; and

**WHEREAS**, VJ Gautieri Constructors has submitted a completed application for grant funds to the Batavia Development Corporation, the Batavia Development Corporation has acknowledged receipt of the application and application fee, received the deed to the property, the project financials, reviewed and scored the project, and advanced the project to the City Council of the City of Batavia to review; and

**WHEREAS**, VJ Gautieri Constructors intends to complete improvements of the property located at 45-47 Ellicott St. using funds to be provided through the Program; and

**WHEREAS,** The City of Batavia will distribute grant funds to VJ Gautieri Constructors for the project in accordance with the terms and conditions of the City of Batavia Revolving Loan Fund Grant Policy dated June 14, 2019 and the Grant Agreement; and

**WHEREAS,** after evaluation of the application, based on the Grant Policy, the City of Batavia City Council finds that the award of the grant to be consistent with the policy and in the interest of the City of Batavia.

**NOW, THEREFORE, BE IT RESOLVED,** that the City of Batavia City Council approves granting \$18,800 to the project; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED,** that the City of Batavia City Council authorize the City Council President to execute the Grant Agreement with VJ Gautieri Constructors.

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

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**#51-2021**

**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 McGinnis and on roll call approved 8-0.**

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**#52-2021**

**A RESOLUTION TO SCHEDULE A PUBLIC HEARING TO PROVIDE  
INFORMATION TO THE PUBLIC ON THE COMMUNITY DEVELOPMENT BLOCK  
GRANT (CDBG) PROGRAM**

**Motion of Councilmember Viele**

**WHEREAS**, it is the desire of the City of Batavia to submit a funding application for the Program Year 2021 New York State Community Development Block Grant (CDBG) program; and

**WHEREAS**, the process for CDBG applications involves holding one public hearing prior to submission of any CDBG grant applications to provide residents with information about the CDBG program and to discuss community development needs and priorities; and

**WHEREAS**, residents are invited to attend the hearing to assist the City in defining community development priorities.

**NOW THEREFORE, BE IT RESOLVED**, that the City of Batavia will hold a Public Hearing on the CDBG program at City Hall, One Batavia City Centre, Batavia, NY at 7:00 p.m. on July 12, 2021; and

**BE IT FURTHER RESOLVED**, that the City Clerk publish or cause to be published a Public Hearing notice in the official newspaper of the City of said Public Hearing.

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

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**MOTION TO ENTER EXECUTIVE SESSION**

**Motion of Councilmember 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...";

**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 Councilmember Briggs and on roll call approved 8-0.** Council entered executive session at 7:34 PM and ended at 8:15 PM.

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**Meeting adjourned at 8:16 PM.**

**Respectfully submitted,**

**Heidi J Parker  
Clerk-Treasurer**