

**BATAVIA CITY COUNCIL  
BUSINESS MEETING**

**City Hall - Council Board Room  
One Batavia City Centre  
Monday, January 13, 2020  
7:00 PM**

**AGENDA**

- I. Call to Order
- II. Approval of December 2019 Minutes
- III. Assignment of Agenda Items
- IV. Communications
- V. Council President Report
  - a. Announcement of the City Council Conference Meeting to be held on Monday, January 27, 2020 at 7:00 p.m. at the City Hall Council Board Room, 2<sup>nd</sup> Floor, City Centre.
- VI. City Attorney's Report
- VII. City Manager's Report
  - a. Stadium Parking
  - b. DPW update
  - c. Deer Committee
  - d. Police Station RFP
  - e. Manholes on Route 98 (Oak Street)
  - f. Intranet/email security
- VIII. Committee Reports
- IX. Public Comments
- X. Council Responses to Public Comments
- XI. Unfinished Business
- XII. New Business

2020/2021 Budget Presentation and State of the City

#3-2020 A Resolution Authorizing the Batavia Revolving Loan Fund Grant Award and Authorizing Execution of a Participation Agreement

#4-2020 A Resolution to Amend the 2019-2020 Budget to Reflect the Receipt of \$300,000 from New York State Main Street Grant

#5-2020 A Resolution to Authorize the Batavia Development Corporation to Administer the 2020 New York Main Street Grant

#6-2020 A Resolution Appointing the Part-Time City Court Judge (AMENDED RESOLUTION from #134-2019)

XIII. Executive Session...Real Property and Employment Matters

XIV. Adjournment

# BATAVIA DEVELOPMENT CORPORATION

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One City Centre  
Batavia, NY 14020

Office: 585-345-6380  
Fax: 585-343-8182  
[www.BataviaDevelopmentCorp.org](http://www.BataviaDevelopmentCorp.org)

**Project #: 3- 2019**

**Address: 201 East Main St.**

**Date Received: August 5<sup>th</sup>, 2019**

**Date Reviewed by BDC: November 21<sup>st</sup>, 2019**

## City of Batavia Revolving Loan Fund - Grant Request

**TO: Dr. Martin Moore, City of Batavia Manager**  
**FROM: Andrew Maguire, Director of Economic Development**  
**RE: Grant Application**  
**DATE: January 8<sup>th</sup>, 2020 – (Updated from December 9<sup>th</sup>, 2019)**

Applicant: GO-ART!  
Location: 201 East Main St., Batavia, NY 14020  
Capital Investment: \$218,300  
Grant Request: \$20,000  
Application Complete: Yes  
Proof of Financing: Bank letter and statement/Audited financial statements  
RLF Grant Funds Available: Yes Currently \$263,637 cash available in the fund

GO-ART! is requesting a \$20,000 grant from the City of Batavia Revolving Fund Grant Program to help support repairs and renovations to the building's foundation, roof and drainage, chimney, windows, fence, painting the interior, as well as repairing the elevator for convenience and handicap accessibility, located at 201 East Main Street. The project scope is accordant with the City goal of improving and repairing façades and preservations to historical buildings in our downtown area and in the BID/DRI boundary.

This \$218,300 project, that prioritizes façade, windows, masonry and safety improvements, will be funded by many sources; 1) GO-ART! has been awarded \$20,000 from the Community Foundation for Greater Buffalo. 2) \$2,000 from the Community Foundation for Greater Rochester. 3) \$10,000 from Western New York Foundation. 4) \$4,000 from NYS Preservation League. **5) and most recently through the CFA program, \$72,500 from ARTS ACFIP.** GO-ART! currently has another grant application pending for funding. The \$20,000 RLF Grant Funds will help ensure that the project can proceed to protect this historical cultural icon can be realized. Despite other funding, the RLF Funds will be used in compliance with the grant policy.





**GO ART!**  
 For all recommendations in  
 Article 27



o sds architecture



Figure 1 The upper part of the upper window



Figure 2 The mortar joints



Figure 3 The red brick on the upper window



Figure 4 Missing mortar of the window sill



Figure 5 Missing mortar



Figure 10 Deteriorated splash block

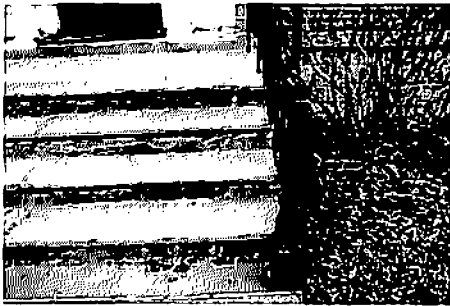


Figure 11 Falling mortar joints at south stoop

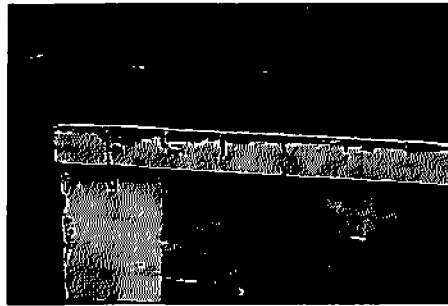


Figure 12 Open vertical joints at Kitchen water table

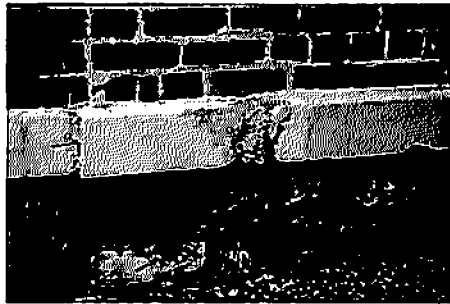


Figure 13 Inappropriate patch at water table



Figure 14 Falling parging at Kitchen addition

**#3-2020**

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

**Seconded by Councilperson**

**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 Downtown Revitalization Initiative Area (DRI) advancement, City Priority Economic Development, and Building Improvements; and

**WHEREAS**, GO-ART!, (“Owner”) 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**, the Owner intends to complete repairs and improvements of the property located at 201 East Main St. Batavia, NY 14020 using funds to be provided through the Program; and

**WHEREAS**, The City of Batavia will distribute grant funds to the Owner 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 \$20,000 to the project; and

**NOW, THEREFORE, BE IT RESOLVED** that the City of Batavia City Council authorizes the City Council President to execute the Grant Agreement with the Owner.

**Seconded by Councilperson  
and on roll call**

**#4-2020**

**A RESOLUTION TO AMEND THE 2019-2020 BUDGET TO REFLECT THE RECEIPT OF \$300,000 FROM NEW YORK STATE MAIN STREET GRANT**

**Motion of Councilperson**

**WHEREAS**, the City received \$300,000 from the NY Main Street Grant Program for addressing downtown revitalization efforts; and

**WHEREAS**, the NY Main Street Grant funds will be available to building owners in the Downtown Revitalization Initiative (DRI) or Batavia Business Improvement District (BID) to rehabilitate interior spaces, enhance façades, and add upper floor apartments to downtown buildings; and

**WHEREAS**, the goal is to revitalize and additional eight buildings with this funding award, in addition to the projects currently moving forward with funds from the Downtown Revitalization Initiative (DRI) Building Improvement Fund administered by the Batavia Development Corporation; and

**WHEREAS**, to properly account for the expenditure of this money, a budget amendment needs to be made.

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia that the City Council President execute the New York Main Street Program Grant Agreement.

**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 amendments to the 2019-2020 budget to undertake the project of “City of Batavia NY Main Street Grant Program.”

Effective January 13, 2020 amend the 2019-20 budget by increasing revenue accounts

29.29.3089.1191 by \$300,000

and increasing expense account

29.8668.0423.1191 by \$300,000

**Seconded by Councilperson  
and on roll call**

**#5-2020**

**A RESOLUTION TO AUTHORIZE THE BATAVIA DEVELOPMENT CORPORATION  
TO ADMINISTER THE 2020 NEW YORK MAIN STREET GRANT**

**Motion of Councilperson**

**WHEREAS** the City of Batavia was the recipient of a \$300,000 New York Main Street grant to assist property owners within a specified target area, the Batavia Improvement District; and

**WHEREAS**, the funding will be used primarily by owners to improve the appearance and economic conditions for mixed – use buildings in the Batavia Improvement District; and

**WHEREAS**, the Batavia Development Corporation’s mission is to improve economic conditions in the City of Batavia; and

**WHEREAS**, the Batavia Development Corporation is staffed by an Economic Development Coordinator; and

**WHEREAS**, the grant provided funding for administrative services;

**NOW THEREFORE, BE IT RESOLVED**, that the City Council hereby designates the Batavia Development Corporation staff to administer the New York Main Street grant utilizing NY Main Street administrative funding to be reimbursed by New York State.

**BE IT FURTHER RESOLVED**, that the City Council hereby authorizes the Batavia Development Corporation Board to review and make decisions on NY Main Street awards to individual applicants.

**Seconded by Councilperson  
and on roll call**



**#6-2020**

**A RESOLUTION APPOINTING THE PART-TIME CITY COURT JUDGE**

**Motion of Councilperson**

**WHEREAS**, Section 2104 of the Uniform City Court Act provides for the appointment of a City Court Judge who, in the temporary absence or inability of the City Judge, shall exercise all power of said Judge, and

**WHEREAS**, Section 2104(e)(1) (ii) and Section 2104(b)(3) of the Uniform City Court Act provides that the City Court Judge shall be appointed by Council and serve for a six (6) year term, and

**WHEREAS**, David J. Saleh will be appointed to this position on January 1, 2020 and their term as City Court Judge is due to expire on December 31, 2025.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia that, David J. Saleh, a resident attorney, possessing the necessary qualifications, is hereby appointed to the position of City Court Judge, for a six year term commencing on January 1, 2020 and expiring on December 31, 2025, with all of the powers and authority granted by Local and State Law; and be it

**FURTHER RESOLVED** that this resolution shall be effective nunc pro tunc.

**Seconded by Councilperson  
and on roll call**

## **MOTION TO ENTER EXECUTIVE SESSION**

### **Motion of Councilperson**

**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..."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  
and on roll call**