

**SPECIAL BUSINESS MEETING MINUTES
CITY OF BATAVIA
JUNE 24, 2019**

The special business meeting of the City Council was held Tuesday, May 28, 2019 in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Jankowski presiding.

Present were Council President Jankowski and Councilpersons Pacino, Briggs, Christian, McGinnis, Bialkowski, Tabelski, and Canale. Councilperson Viele was absent.

Council President Jankowski called the meeting to order at 8:30 PM immediately following the conference meeting.

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#79- 2019

**A RESOLUTION TO SCHEDULE A PUBLIC HEARING ABOUT A NEW YORK
STATE OFFICE OF COMMUNITY RENEWAL CDBG SMALL BUSINESS
ASSISTANCE PROGRAM REQUEST TO BENEFIT GENESEE DENTAL**

Motion of Councilperson Canale

WHEREAS, it is the desire of the City Council to submit an application to the NYS CDBG Economic Development Grant on behalf of Genesee Dental; and

WHEREAS, the process for this application involves holding a public hearing to provide residents with information about the resources requested to foster development and support the growth of small business while providing job opportunities for low to moderate income persons.

NOW THEREFORE, BE IT RESOLVED, that the City of Batavia will hold a Public Hearing on said CDBG Small Business Assistance Program at City Hall, One Batavia City Centre, Board Room, Batavia, New York at 7:00 p.m. on Monday, July 8, 2019; 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 Hearings at least seven days prior thereto.

Seconded by Councilperson McGinnis and on roll call approved 8-0.

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#80-2019

A RESOLUTION AUTHORIZING SUBMISSION OF A 2019 BROWNFIELD OPPORTUNITY AREA (BOA) GRANT APPLICATION FOR PRE-DEVELOPMENT ACTIVITIES TO ADVANCE REDEVELOPMENT AT BATAVIA OPPORTUNITY AREA STRATEGIC SITES

Motion of Councilperson Christian

WHEREAS, the City of Batavia, herein called the "Applicant", after thorough consideration, has hereby determined that certain work, as described in its 2019 Consolidated Funding Application (CFA) for Batavia Opportunity Area (BOA) Pre-Development Activities at Strategic BOA sites and attachments, herein called the "Project", is desirable; and

WHEREAS, the work will consist of pre-development activities at three strategic sites – City Centre, Healthy Living/Bank Street Corridor, and Harvester Center; and

WHEREAS, pre-development activities can include any work needed to advance redevelopment of the strategic sites; and

WHEREAS, the BOA grant provides 90% of funding for the project; and

WHEREAS, the required 10% MATCH will be covered by in-kind services from the Batavia Development Corporation and City of Batavia staff; and

WHEREAS, §970-r of the General Municipal Law authorizes State assistance to eligible parties for Brownfield Opportunity Areas Program grants by means of a State Assistance Contract (SAC) and the Applicant deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY the City of Batavia

1. That Martin Moore, City Manager is the representative authorized to act in behalf of the City of Batavia in all matters related to State assistance under §970-r of the General Municipal Law for the Project. The representative is also authorized to sign and submit the application, execute the SAC, request SAC advances and reimbursements, redistribute SAC reimbursements as appropriate, submit Project documentation, and otherwise act for all applicants in all matters related to the Project and to State assistance;
2. That this Authorization take effect immediately;
3. That the City of Batavia hereby requests a \$225,000 grant to fund a \$250,000 project;
4. That the City of Batavia agrees that it will complete the Project;
5. That the City of Batavia agrees that it will fund its portion of the Applicant's 10% share of the Project totaling \$25,000 through in-kind services.

Seconded by Councilperson Briggs and on roll call approved 8-0.

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#81-2019

A RESOLUTION AUTHORIZING THE CITY COUNCIL TO HOLD A PUBLIC HEARING AS REQUIRED BY GENERAL MUNICIPAL LAW SECTION 6(D) FOR THE PURPOSE OF AUTHORIZING A RESOLUTION FOR BUDGET ADJUSTMENT TO THE DWYER STADIUM REPAIR RESERVE, AND THE CITY MANAGER TO MAKE THE NEEDED FISCAL 2019/20 BUDGET ADJUSTMENTS

Motion of Councilperson Bialkowski

WHEREAS, the City Council, on June 10, 2019 authorized the Council President to sign an Amendment of the Dwyer Stadium Sublease Agreement that allows the advance of \$25,000 allocated for year two (2) to be utilized in year one (1) for essential repairs and upgrades; and

WHEREAS, the \$25,000 advance of funds requires a budget amendment resolution to utilize funds from the Dwyer Stadium Repair Reserve; and

WHEREAS, General Municipal Law Section 6(D) requires that the City Council hold a Public Hearing prior to adopting a budget resolution appropriating additional Repair Reserve funds and the City Manager to make a budget amendment to revenues and expenses reflecting this appropriation.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that a Public Hearing is scheduled for July 8, 2019 at 7:00 p.m. in the City Council Chambers regarding a resolution appropriating Dwyer Stadium Repair Reserve Funds and authorizing the City Manager to make the following budget amendment:

Amend the 2019-20 budget by increasing the following expenditure account:

001.1620.0439.2105	\$25,000.00
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And by increasing the following revenue account:

001.0001.0511.2105	\$25,000.00
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Seconded by Councilperson Pacino and on roll call approved 8-0.

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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...”.

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 Christian and on roll call approved 8-0.

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Meeting Adjourned at 8:35 PM.

Respectfully submitted,

**Heidi J Parker
Clerk-Treasurer**