

CITY OF BATAVIA – CONFERENCE MINUTES

MONDAY, JANUARY 28, 2013

Present were Council President Buckley and Councilpersons Canale, Doeringer, Christian, Pacino, Briggs, Hawley, Russell and Cipollone.

Call to Order

Council President Buckley called the meeting to order at 8:55 PM immediately following the special business meeting.

Public Comments

Public comments were made in the special business meeting immediately preceding this meeting.

Council Response to Public Comments

Councilperson Christian noted that Mr. O'Geen said ARC only had 10 days and NYSID said the City didn't follow preferred source regulations. George Van Nest, City Attorney, noted that the City disagreed with NYSID's response completely.

Refuse Bids

Mr. Molino noted that the cart and hauler bids were attached and that Allied and Cascade were the lowest bids. He wanted to move the item to the next business agenda. Councilperson Christian asked if two-family homes needed two carts. Mr. Molino noted that duplexes would get two carts. Councilperson Doeringer asked about businesses renting space and who would decide about the carts. Mr. Molino noted that the property owner would make those decisions, not the tenants. Councilperson Christian spoke to a lady who didn't want to participate. Mr. Molino noted that all one through five family homes had to participate. She also asked if exempt properties had to pay now and Mr. Molino noted that they would have to only if they participated. Councilperson Doeringer asked what would happen to the blue bins. Mr. Molino noted they could be recycled or could be used for anything. Council President Buckley asked what the mall properties would do for garbage collection. Mr. Molino noted they would have to coordinate as to where they would put trash but they could continue using City's trash collection.

Committee Appointments

Councilperson Briggs added Brooks Hawley to the Youth Board for consideration along with the other names recommended. Council agreed to move the item to the next business agenda.

NYS Archives Grant

Heidi Parker noted that the City had received a grant in the amount of \$14,126 from NYS

Archives for document access and conversion for conference, plumbing, zoning and planning minutes and payroll records required to be held for 55 years. Council agreed to move the item to the next business meeting.

Cedar Street Reconstruction

Sally Kuzon, Director of Public Works, noted that it was a federal pass-through project with 80% funded federally and 20% funded by the state. Ms. Kuzon noted that the City would have to commit \$424,000 up front but the money would be totally refunded.

Zoning Change

Mr. Molino noted that current zoning on property at 665 East Main St was R2 and they wanted it changed to I1 which would be consistent with surrounding property. He noted it was a back and forth process with the planning board. Councilperson Russell asked if they were evaluating the long term ramifications. Mr. Van Nest noted they were and the planning board would review it. He added that the issue was the rezoning and that the planning board had previously approved use variances. Council agreed to move the item to the next business meeting.

Assault Rifles Ban, Mental Health, School Safety and Railroad Safety Discussion

Councilperson Christian wanted to write a letter of support for the assault rifle ban. She supported the 2nd amendment right to bear arms but felt only police and military needed guns of this type. She noted that there needed to be more money for mental health, schools should put in bullet proof glass and railroads should not be transporting hazardous material through the City. Councilperson Briggs believed in the 2nd amendment and felt the schools should be dealing with those issues, not the City. She stated that she would not sign any such letter. Councilperson Doeringer agreed. Councilperson Hawley felt the state shouldn't be able to say what kind of guns people could or couldn't have. Councilperson Russell felt that bans on weapons was just a bandaid and they needed to look at the bigger picture and address the real issue. Councilperson Cipollone didn't think there was a need for an assault rifle except for competitive shooting and the rifles could be kept at the competition. He would need to see the wording of the letter before signing anything. Councilperson Canale said he wouldn't sign the letter. Councilperson Russell appreciated Councilperson Christian's concern about toxic chemicals potentially being transported through the City but felt the same issue could be made for the NYS Thruway. He said there would never be a way to know for sure what was being transported.

Sidewalk Snow Removal

Mr. Molino noted that the owner was responsible for maintaining sidewalks and if the City enforced that maintenance, it would have to enforce it with everyone equally. He noted that the City usually got out eventually to help with sidewalk snow removal. Councilperson Russell asked for more information because there were people who went to Florida in the winter and he wondered who cleared their sidewalks. He questioned if the City was doing it the right way. Councilperson Cipollone suggested using the media

to help pass along information and let residents know what the rules were. Councilperson Doeringer would like issues to be resolved amongst the residents amicably when there are problems without getting the City involved. Councilperson Christian asked what the kids were supposed to do when people didn't clear their sidewalks. She said that people needed to quit being lazy, do something and the City needed to quit coddling everyone. Councilperson Pacino asked who was responsible to clear the sidewalks by the little league fields. Mr. Molino noted that if it was a City sidewalk then we would be responsible. Council President Buckley said he didn't want to see residents being fined for not shoveling but maybe find out why they aren't. He asked how to move forward. Mr. Molino noted that he could look into what other municipalities were doing.

BDC Presentation

Julie Pacatte showed the accomplishments for 2012 and their intentions for 2013. She showed a Powerpoint presentation that illustrated detail of her work over since she began in August 2011 and the plans in place for the future regarding business development in the City of Batavia.

Vibrant Batavia Presentation

Brian Kemp spoke on behalf of Vibrant Batavia, a task force of volunteers organized to address items brought up in the czb report including economic development, marketing and neighborhood revitalization. He noted that the group presented earlier and noted they would come back to Council with a request for financial support to further their mission. Marty McDonald also spoke for the group noting they sent out an RFP for advertising firms for their marketing strategy. They asked Council to commit \$50,000 for three years and the Vibrant Batavia group would raise \$86,000 through sponsorship. They would use this money to hire a part-time coordinator. Councilperson Cipollone asked if any businesses expressed interest in the sponsorship. They noted that they were waiting for the commitment from the City before soliciting sponsorship money. Councilperson Doeringer is part of the group and explained that the ultimate focus would be on the centennial celebration which could be like having the Olympics in your city. Councilperson Russell asked how the \$50,000 was derived. Mr. Kemp noted that they looked at czb's recommendations and went from there. Councilperson Russell asked for a breakdown of where the \$50,000 came from. Council President Buckley noted that it was an outstanding presentation, didn't want to see Vibrant Batavia go away and that czb was an extensive report that he didn't want to lose. He noted that they would try to come up with the \$50,000 for three years. Councilperson Briggs asked if the City Manager or City would have some say as to direction of the group. Mr. McDonald said they would and hopefully it would far outweigh expectations.

Budget Work Session

This was rescheduled for February 4th at 6:00pm. Council asked that the budget be reduced another 1-2%.

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Conference Meeting adjourned at 10:07 PM.

Respectfully submitted,

**Heidi J. Parker
Clerk-Treasurer**

01/28/2013