

CITY OF BATAVIA – CONFERENCE MINUTES

MONDAY, MARCH 25, 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 7:25 PM immediately following the special business meeting.

Public Comments

Mary Ellen Wilber, 205 Liberty St, noted that it wasn't easy to hear criticism and she was saddened by the comments the community made to her. She felt there was a sense of distrust in the community, no one knew the trash issue was going to happen and that the numbers were very confusing.

Carol Grasso, 45 Oak St, thought Council could have waited until after the meeting to publish the headlines in the news and asked them to slow down before signing another contract.

Council Response to Public Comments

Councilperson Christian noted that ARC had every opportunity to come in with an offer lower than anyone else and that Council were all caring people. She noted that there might be even lower costs for garbage out there. Councilperson Russell noted that the Council did not control the Daily News, they dealt with facts and not emotions, the bidders had to bid prevailing wage so there could be cost reduction to individuals. He suggested waiting to see how things turned out, giving the new system a fair chance instead of brooding over the issue and helping the City make it work. Councilperson Cipollone stated that there was no intent to mislead or hide any information from the public. Councilperson Canale wished the public could realize that Council's intentions were to do the best they could for the community. He stated that they were looking down the road at cost increases and trying to maintain and control costs. He noted that their intentions were with the residents in mind, they don't come to the public with every project and work on projects as a Council would do. He took great offense to the accusations of contempt and hoped the issue would turn out to be for the good of the community like the ambulance and dispatch changes. Councilperson Pacino explained that what Council had done was woke everyone up and said she would like to see the room that filled all the time. She noted that the community had great ideas and wanted to see how the trash thing worked out. Councilperson Hawley said it was great that people came out to speak but did feel that the trash idea came out in the wrong way to the public. Council President Buckley noted that the staff had been through a lot, it was done for the betterment of the City, and he hoped it was the best system. He wanted the refuse to be fair and felt it was now. He was proud of the Council and staff who listened to the public and respected them.

BDC Presentation

Julie Pacatte showed Council the plaques for those businesses who paid off their loans during 2012 including Batavia Homes and Development, Mane Attraction, Subway and Pat's Critter Sitter Service. She asked Council to join them for photo opportunities when the plaques were presented to the business owners.

BID Presentation

Jim Isaac, Vice President of the Batavia Business Improvement District, gave some background of the BID and quarterly updates. He noted that there were 1200 bids in the US, the Batavia BID was formed in 1998 and was made up of 193 businesses. He noted that there was a lot of information on the website and on Facebook. He explained that they worked hard to bring people downtown and have a good time. He mentioned upcoming events, read the new mission statement and noted that an important part of that mission statement was regarding downtown living. He explained they would concentrate on that because they had a lot of requests for downtown apartments. Mr. Isaac said the BID was the link between its members and the City.

Event Applications

The GLOW YMCA committee requested to hold a 5K run on Thursday, August 1st. The participants would meet before and after at Centennial Park. The 5K run would take them through the City with corporate teams gathering after for food and drinks in the park. They requested street closure of Ellicott Ave from noon – 8pm. Council approved.

Round Up Rally Productions would like to hold their rally on Friday, August 9th through Sunday, August 11th. They are requesting street closures from 8:00am Friday through 6:00pm Sunday. They would be utilizing three tents on Jackson and School streets. Council approved.

Committee Appointments

Mr. Molino noted there was one recommendation for the Youth Board and Council agreed to move the item to the next business agenda.

Auctioned Properties

Mr. Molino noted that three properties were auctioned on March 16th and he recommended moving forward with the sale to the highest bidders who were responsible property owners in the City. Council agreed to move the item to the next business agenda.

Refunding USDA Loan

Mr. Molino noted they were considering refinancing debt because of lower interest rates and the refunding resolution would allow the City to go to market for those new rates.

He projected over \$300,000 worth of savings based on the current market. Council agreed to move the item to the next business agenda.

Accrued Liability Payouts

Mr. Molino noted that an accrued liability reserve was established in 2010, there were 16 retirements resulting in over \$400,000 worth of payouts and he recommended using VLT aid to fill the gap in the reserves. He noted that the recommendation would be to fund the reserve going forward but there would need to be a transfer of funds from the current reserves and use of VLT aid to cover the payouts. Councilperson Doeringer asked Mr. Molino to let Council know as soon as possible when he is aware of a retirement so they could plan for the funding. Mr. Molino noted he would take a snapshot of the average age of the workforce five years ago and now to see where the City stood. Council agreed to move forward with the recommendations.

Community Garden

Jocelyn Sikorski, Youth Bureau Director, noted they had been working on a community garden for the past four years, they realized a lot of youth weren't getting fresh fruits and vegetables at home and wanted to encourage better eating habits. She noted the Youth Bureau was trying to get the old wading pool removed and make a full community garden. She hoped to sell 25 beds for people to have their own garden space. Council agreed to move forward with the idea.

Subordination Agreement

Mr. Molino noted the agreement would allow people to refinance loans and the City would take second position on the homes. Council approved.

Agri-Business Park Easements

Mr. Molino noted the easements allowed the City to gain access to lines on Ellicott St, Cedar St and at the Oatka Pump Station. Council approved.

NYSDOT Right of Way Agreement

Mr. Molino noted it was a standard agreement. Sally Kuzon noted that the DOT required a permit to work in the state right of way and it was just a renewal. Council approved.

Park Pavilion Rules

Ms. Kuzon noted that the rules regarding park pavilion rentals had been reviewed and updated and asked more pointed questions of applicants to get a better understanding of what it was being rented for. Councilperson Canale asked how the rule changes would affect Care-A-Van ministries events in the park. Ms. Kuzon noted that that was really an event and the rule changes just pertained to pavilion rental. She noted the City was in discussion with Care-A-Van to determine their best course of action. Councilperson Russell asked to see a copy of the current and updated application before he could

approve any changes. Councilperson Hawley stated that he didn't want Care-A-Van to not be able to have their event and felt they did a great job. Councilperson Christian wanted to see Care-A-Van move around to different parks instead of staying at Austin to get more people involved. Council agreed to move the item to the next business agenda but would be given the old and new rules prior to the next meeting.

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Executive Session – Real Property

MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilperson Russell

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...".

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 Briggs and all of Council approved.

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Conference Meeting adjourned at 8:30 PM.

Respectfully submitted,

**Heidi J. Parker
Clerk-Treasurer**