

CITY OF BATAVIA BUSINESS MINUTES DECEMBER 9, 2013

The regular business meeting of the City Council was held Monday, December 9, 2013 at 7:00 PM in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Buckley presiding.

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

Council President Buckley called the meeting to order at 7:00 PM. Councilperson Christian led the Lord's Prayer and the Pledge of Allegiance.

The minutes from the November meetings and draft monthly financial statements were approved.

The Council President assigned the regular agenda items.

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Communications

None.

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Council President's Report

Councilperson Hawley presented Councilperson Russell a plaque for his most recent service from January 2012 to December 2013. Councilperson Russell stated that Council had been great to work with, they focused on getting the job done and he thanked the taxpayers for giving him the opportunity to serve again. He also thanked Mr. Molino for his work as well. Councilperson Christian presented a plaque to Council President Buckley for his dedication of service from January 2006 through December 2013. Council President Buckley noted that he came on Council when the City was in dire straits, they acted on things other Councils only talked about doing and thanked Mr. Molino and his staff for their hard work. He noted that he was excited about the new councilmembers and felt that if they worked as a team and respected each other they could get the job done.

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City Attorney's Report

None.

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City Manager's Report

None.

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Committee Reports

None.

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Public Comments

None.

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Council Responses to Public Comments

None.

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Unfinished Business

Councilperson Christian suggested having the organizational meeting on January 1, 2014 at 1:00pm. Councilperson Cipollone noted that the organizational meeting just had to be held prior to the regular business meeting so suggested a date between the 6th and the 13th. Council agreed to have the meeting on January 8th at 7:00pm.

Councilperson Doeringer asked who made the decision to salt the roads. Mr. Molino noted that it was the bureau of maintenance superintendent.

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New Business

#93-2013
**RESOLUTION TO APPOINT MEMBERS TO VARIOUS CITY COMMITTEES/
BOARDS**

Motion of Councilperson Briggs

WHEREAS, certain vacancies exist on various City Committees/Boards.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the following appointments be made:

Board of Assessment Review

Dwight Thornton – Ward 3

September 30, 2018

Youth Board

Connor Logsdon

December 31, 2015

Seconded by Councilperson Russell and on roll call approved 9-0.

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#94-2013
**RESOLUTION TRANSFERRING \$14,731.78 FROM THE LIABILITY AND
CASUALTY RESERVE FUND TO THE GENERAL FUND UNASSIGNED FUND
BALANCE**

Motion of Councilperson Cipollone

WHEREAS, pursuant to General Municipal Law 6-n the City of Batavia has an established Liability and Casualty Reserve fund for payments and costs related to judgments, actions or claims against the City of Batavia; and

WHEREAS, the City of Batavia has incurred costs in defense of *Butler/Sojda vs. City of Batavia*, Decision and Order 10-CV-699S of \$14,731.78; and

WHEREAS, the City Council is desirous of transferring \$14,731.78 of Liability and Casualty reserve restricted fund balance to the General Fund unassigned fund balance to assist with the expenditure as a result of the incurred costs in defense of the City;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Batavia does hereby transfer \$14,731.78 from the Liability and Casualty Reserve Fund to the General Fund; and

BE IT FURTHER RESOLVED, by the Council of the City of Batavia that the City Manager be and hereby is authorized to make the following budget amendment:

Expense

1.1315.0740 Administrative services Judgments and Claims \$14,731.78

Revenue

1.1.511.2104 Appropriated reserves liability and casualty \$14,731.78

Seconded by Councilperson Briggs and on roll call approved 9-0.

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#95-2013

**RESOLUTION TO SET CITY COUNCIL'S ORGANIZATIONAL MEETING DATE
AND TIME**

Motion of Councilperson Canale

NOW, THEREFORE, BE IT RESOLVED, that the Organizational Meeting of the Batavia City Council is hereby scheduled for Wednesday, January 8, 2014 at 7:00 p.m., to be held at City Hall, Council Board Room, 2nd Floor, Batavia City Centre, Batavia, New York.

Seconded by Councilperson Russell and on roll call approved 9-0.

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#96-2013

**RESOLUTION SCHEDULING REGULAR COUNCIL MEETINGS THROUGH
DECEMBER 31, 2014**

Motion of Councilperson Hawley

WHEREAS, the Batavia City Council, pursuant to the City Charter, is required to schedule regular Council meetings through the standard resolution process; and

WHEREAS, City Council historically meets on the second and fourth Monday of each month except during the months of July, August and December where the Council meets only on the second Monday; and

WHEREAS, City Council must designate the specific location and time of meetings on an annual basis.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia hereby designates the Council Board Room located at City Hall, One Batavia City Centre, as the regular meeting place for the scheduled Council meetings through December 31, 2014; and

BE IT FURTHER RESOLVED, that the City Council shall meet at 7:00 p.m. at the City Council Board Room on the designated dates as outlined on Attachment "A" through December 31, 2014.

Seconded by Councilperson Briggs and on roll call approved 9-0.

Attachment "A"

2014 CITY COUNCIL MEETING DATES

Meeting Date

January 13, 2014

January 27, 2014

February 10, 2014

February 24, 2014

March 10, 2014

March 24, 2014

April 14, 2014

April 28, 2014

May 12, 2014

May 27, 2014 (Tuesday)

June 9, 2014

June 23, 2014

July 14, 2014

August 11, 2014

September 8, 2014

September 22, 2014

October 14, 2014 (Tuesday)

October 27, 2014

November 10, 2014
November 24, 2014

December 8, 2014

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MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilperson Pacino

WHEREAS, Article 7, Section 105(1)(e), of the Public Officer's Law permits the legislative body of a municipality to enter into Executive Session to discuss "...collective negotiations pursuant to article fourteen of the civil service law...".

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...".

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 Russell and all of Council approved.

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Meeting adjourned at 7:13 PM.

Respectfully submitted,

**Heidi J. Parker
Clerk-Treasurer**