

# **CITY OF BATAVIA BUSINESS MINUTES AUGUST 11, 2014**

The regular business meeting of the City Council was held Monday, August 11, 2014 at 7:00 PM in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Hawley presiding.

Present were Council President Hawley and Councilpersons Pacino, Cipollone, Canale, Briggs, Jankowski, Doeringer, Deleo and Christian.

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

The minutes from the July meetings and June 2014 draft monthly financial statements were approved.

The Council President assigned the regular agenda items.

\* \* \*

## **Communications**

Billy Goat's Restaurant submitted their liquor license renewal. There were no objections from the police department. Council approved.

Kelly's Holland Inn submitted their liquor license renewal. There were no objections from the police department. Council approved.

VFW submitted their liquor license renewal. There were no objections from the police department. Council approved.

Mother's Supporting Children and Families submitted an application for a kid's event on Saturday, August 30<sup>th</sup> from 12:00 – 4:00pm in Austin Park. Council approved.

The Batavia Area Jaycees submitted an application for their annual Labor Day 5K on Monday, September 1<sup>st</sup> from 8:00am – 1:00pm starting at MacArthur Park. Council approved.

\* \* \*

## **Council President's Report**

NYCOM recognizes public service milestones. Chuck Neilans was recognized for twenty-five years of service and Gary Raphael for thirty years of service to the community. Chuck's recognition was presented by Councilperson Pacino and Gary's by Councilperson Cipollone.

Chuck works in the water department and is the chief operator of the water plant. Gary is a heavy equipment operator for the Bureau of Maintenance in the public works department.

Council President Hawley announced that the next regular City Council Business Meeting would be held on Monday, September 8, 2014 at 7:00 PM at the City Hall Council Board Room, 2<sup>nd</sup> Floor, City Centre.

\* \* \*

### **City Attorney's Report**

Mr. Van Nest noted that they continued to work on a variety of matters across the board but there was nothing specific to report at that time.

\* \* \*

### **City Manager's Report**

Mr. Molino noted that there was nothing to report at that time.

\* \* \*

### **Committee Reports**

Councilperson Christian noted that Vibrant Batavia would be at Farrall Park on September 13<sup>th</sup> from 4:00 – 7:00pm selling pizzas for Habitat for Humanity and that the OHMS Band would be playing at the event. She also noted that she went to the Lewis Ave block party on Saturday, August 9<sup>th</sup> and that it was very pleasant. Councilperson Pacino noted that the BID was getting ready for Summer in the City on August 16<sup>th</sup> and they were having a raffle to raise money for the BID. Councilperson Cipollone noted there was a Youth Board picnic on August 12<sup>th</sup> from 5:00 – 6:00pm followed by a board meeting. He also noted that Toni and Jocelyn do a fantastic job with the kids.

\* \* \*

### **Public Comments**

None.

\* \* \*

### **Council Responses to Public Comments**

None.

\* \* \*

## Unfinished Business

Councilperson Jankowski wanted to know what was happening with the clean up on Bank St. Mr. Molino noted that they were beginning the cleanup and remediation. Mr. Van Nest added that the DEC said it was being done in steps starting with the offsite cleanup of the residential sites near Bank St.

Councilperson Christian noted that she had received an e-mail from Gretchen Difante concerning flood insurance and wondered where the City was at with regards to that topic. Mr. Molino noted that there would be an update at the next council meeting.

Councilperson Deleo wanted to know why the graffiti legislation was on hold and Mr. Molino said it would be discussed more with Council during the strategic planning sessions.

\* \* \*

## New Business

### #59-2014

#### **RESOLUTION TO ENTER INTO AN AGREEMENT WITH PARK LANE CONSTRUCTION AND DEVELOPMENT CORPORATION FOR THE DEMOLITION OF THE EXISTING SALT BARN AND CONSTRUCTION OF A NEW SALT STORAGE FACILITY**

### **Motion of Councilperson Cipollone**

**WHEREAS**, a project for demolition of the existing salt barn and construction of a new Salt Storage Facility located at 147 Walnut Street and funded in the General Fund Budget adopted by City Council; and

**WHEREAS**, a competitive bid was made by Park Lane Construction and Development Corporation, for the demolition of the existing salt barn and construction of a new facility specified in the contract document titled Salt Storage Facility, Bid No. 2014-5; and

**WHEREAS**, Park Lane Construction and Development Corporation is the only responsible bidder (\$308,582.00);

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia that the City Council President is hereby authorized on behalf of the City to execute an agreement with Park Lane Construction and Development Corporation for demolition of the existing structure and installation of a new salt storage facility.

**Seconded by Councilperson Christian and on the roll call approved 9-0.**

\* \* \*

**#60-2014**

**RESOLUTION TO DECLARE DEPARTMENT OF PUBLIC WORKS VEHICLES SURPLUS FOR THE PURPOSE OF SALVAGE AND DISPOSAL**

**Motion of Councilperson Canale**

**WHEREAS**, the Department of Public Works have declared the vehicles listed below surplus and the cost of needed repairs exceeding the vehicle's value; and

**WHEREAS**, the City of Batavia requires a surplus declaration of property to be made prior to disposal or sale of vehicles and equipment; and

**WHEREAS**, any revenue received from disposal is to be put into the respective department's equipment reserve fund general, fund revenue or be used for trade in value for approved equipment replacement;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia that the City Manager is authorized to declare the following as surplus for the purpose of salvage and disposal; and

**BE IT FURTHER RESOLVED**, that the City Manager be and hereby is authorized to make the necessary budget transfers in the 2014-2015 budget:

- 1997 Ford, F-350 Dump Truck, VIN# 1FDKF37H8VEC11392
- 1990 Ford, E-150 Van, VIN# 1FTPE242XXHC16182
- 2005 Chevy Impala, VIN# 2G1WF52E959310572

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

\* \* \*

**#61-2014**

**RESOLUTION TO AUTHORIZE BUDGET TRANSFER AND AMENDMENT TRANSFERRING \$21,550 OUT OF THE WATER CAPITAL IMPROVEMENT RESERVE TO THE WATER FUND**

**Motion of Councilperson Briggs**

**WHEREAS**, the Public Works Department bid for a water system improvement valve installation project, contract # 2014-2. The project consists of the installation of a 16 inch insertion valve along with associated work on Sumner Street and Liberty Street; and

**WHEREAS**, bids were received on August 1, 2014 and the lowest bid received was for \$91,550; and

**WHEREAS**, the 2014/2015 adopted budget included \$70,000 for this 16” Main Insertion Valve project and therefore an amendment to the budget and transfer will need to be made; and

**WHEREAS**, pursuant to General Municipal Law 6-c the City of Batavia has an established Water Capital Improvement Reserve with an approximate balance of \$2,054,341; and

**WHEREAS**, the City Council is desirous of transferring \$21,550.00 out of the Water Capital Improvement Reserve to the Water Fund to cover the cost of the water system improvement valve installation project.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Batavia does hereby transfer \$21,550 from the Water Capital Improvement Reserve 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:

Effective August 11, 2014, amend the 2014-15 budget by increasing expenditure account:

002-8340.0423.2124 Water Distribution contract services \$ 21,550.00

and increasing revenue account:

002.0002.0511.2124 Water Capital Improvement Reserve \$ 21,550.00

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

\* \* \*

#### **#62-2014**

### **RESOLUTION TO ENTER INTO AN AGREEMENT WITH KANDEY CO. INC. FOR 2014 WATER SYSTEM IMPROVEMENTS VALVE INSTALLATION PROJECT**

#### **Motion of Councilperson Doeringer**

**WHEREAS**, a project for valve insertion on the 16” water main on Liberty Street and Sumner Street has been identified as a priority project and funded in the Infrastructure Capital Improvement Plan adopted by City Council; and

**WHEREAS**, a competitive bid was made by Kandey Co. Inc., for the valve insertions as specified in the contract document titled 2014 Water system Improvements Valve Installation Project, Contract No. 2014-2; and

**WHEREAS**, Kandey Co. Inc. is the lowest responsible bidder (\$91,550.00);

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia that the City Council President is hereby authorized on behalf of the City to execute an agreement with Kandey Co. Inc. for valve insertions.

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

\* \* \*

**#63-2014**

**RESOLUTION TO AUTHORIZE THE CITY COUNCIL PRESIDENT TO EXECUTE AN AGREEMENT WITH LABELLA ASSOCIATES, D.P.C.**

**Motion of Councilperson Christian**

**WHEREAS**, the City of Batavia requested proposals from qualified firms to provide program delivery and administrative services for the implementation of the City's 2014 CDBG Housing Rehabilitation Program;

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Batavia hereby accepts the proposal from Labella Associates, D.P.C. dated July 29, 2014, and

**BE IT FURTHER RESOLVED**, that the Council President is hereby authorized to execute an agreement with Labella Associates, D.P.C. on behalf of the City.

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

\* \* \*

**#64-2014**

**RESOLUTION TO ACCEPT A PROPOSAL WITH ENVIRONMENTAL TESTING & CONSULTING INC.**

**Motion of Councilperson Pacino**

**WHEREAS**, the City of Batavia has received proposals from qualified firms to provide lead based paint testing services for the implementation of the City's 2014 CDBG Housing Rehabilitation Program;

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Batavia hereby accepts the proposal from Environmental Testing & Consulting Inc. (ETC) to provide lead paint testing services at a cost of \$550 per unit for risk assessments and \$215 per unit for clearance testing, consistent with the firm's proposal dated July 29, 2014;

**BE IT FURTHER RESOLVED**, that the Council President is hereby authorized to execute an agreement with Environmental Testing & Consulting Inc. (ETC).

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

\* \* \*

**Meeting adjourned at 7:20 PM.**

**Respectfully submitted,**

**Heidi J. Parker  
Clerk-Treasurer**