

# **CITY OF BATAVIA BUSINESS MINUTES AUGUST 10, 2015**

The regular business meeting of the City Council was held Monday, August 10, 2015 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, Briggs, Canale, Doeringer, Jankowski, Deleo, and Christian. Councilperson Cipollone was absent.

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

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

The Council President assigned the regular agenda items.

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## **Communications**

EFF Church submitted an application for Saturday, August 22, 2015 from 11:00am – 1:30pm in Williams Park. Council approved.

The City received an application for a softball tournament on Saturday and Sunday, August 22<sup>nd</sup> and 23<sup>rd</sup> at Kibbe and Williams Parks. Council approved.

The Batavia Area Jaycees requested to hold their 29<sup>th</sup> Annual Labor Day 5K on Monday, September 7, 2015 at 9:30am. Council approved.

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## **Council President's Report**

Council President Hawley announced that the next regular City Council Business Meeting would be held on Monday, September 14, 2015 at 7:00 PM at the City Hall Council Board Room, 2<sup>nd</sup> Floor, City Centre.

Police Facility Task Force Report – Marc Staley, chairman of the task force, presented the findings and recommendation of the committee. He noted they completed their work, the group overwhelmingly agreed on the recommendation of a location for the police department and each member spent over 55 hours working on the task. Mr. Staley explained that their recommendation was to build new on Swan St as it was a central location and easily accessible. Mr. Staley noted that it was an honor to serve the City in that capacity and hoped their decision would help Council move forward with their plans. Councilperson Christian thanked the task force for the work they

did and noted that the biggest problem/concern was how to finance the project. She hoped that there would be some grants available to assist. Mr. Staley felt that it wasn't spending but investing in the City's future. Councilperson Jankowski asked if there was any debate over the rating system. Mr. Staley stated they debated over a lot of things, created a matrix and let all opinions be heard. Councilperson Pacino complimented everyone who worked on the task force and considered the ramifications of each site. She was very impressed with their work. Councilperson Canale was happy to hear publicly that the task was to pick the best of the sites that were given to them and thanked the task force for their recommendation. Councilperson Deleo noted that he was glad to see the variety of the members on the task force and that they were able to decide on just one location. David Leone, task force member, noted that the recommended site was at the low range of all the projects as far as cost. Councilperson Doeringer commended the group for getting the public and ward members involved and noted that now it was Council's job to figure out how to pay for it. He also felt it would have taken a lot longer without their help.

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

Mr. Van Nest noted that there was nothing specific to report.

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

Mr. Molino noted that there would be a community based deer management meeting at City Hall with the DEC. Councilperson Jankowski asked if there would be a presentation at a council meeting. Mr. Molino noted that if there was enough interest they could but it may just be informational. Mr. Molino explained it was just the first meeting to gauge interest. Councilperson Pacino noted that it would be nice to have something to give people if they couldn't attend. Councilperson Doeringer explained that the meeting was to give suggestions and if they had to change the code they could evaluate from there.

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### **Committee Reports**

Councilperson Pacino noted that Summer in the City was going to be Saturday, August 15<sup>th</sup> from 11:00am – 9:00pm, invited everyone to come, and wanted to draw attention to the chalk art in front of the buildings. She also noted that Council would be in the dunk tank.

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### **Public Comments**

John Roach, 116 Grandview Ter, thought the task force did a great job on the police department recommendation. He noted there were a lot of complaints about the tree trimming on Oak St and asked what happened on National Grid's part that they went back to butchering the trees.

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

Councilperson Pacino had a call from National Grid who explained that people were calling the wrong number. Mr. Molino noted that National Grid didn't do the trimming themselves, the City's local reps were just as concerned with the trees and have been in discussions on how to do it better. Mr. Molino noted the local reps were aware of Oak St and other issues and would continue to follow up in the next week or two. He noted they would look at what could come down and what could be replanted. Mr. Molino explained that the trees helped slow down traffic by narrowing sight lines.

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### **Unfinished Business**

Councilperson Doeringer congratulated Matt Worth on being the new head of public works.

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### **New Business**

**#68-2015**

### **A RESOLUTION ADOPTING A PROGRAM FOR PUBLIC INFORMATION**

#### **Motion of Councilperson Christian**

**WHEREAS**, a substantial portion of the City of Batavia, New York is located within the special flood hazard area; and

**WHEREAS**, a discount is applied to the flood insurance premium amounts which are paid by property owners with the City of Batavia based on the City's "Community Rating System" (CRS) score; and

**WHEREAS**, the adoption of a Program for Public Information (PPI) which is in compliance with FEMA requirements can be used to improve the City's CRS score, upon adoption of the PPI by the City Council; and

**WHEREAS**, the PPI Committee has prepared a PPI document for the consideration of the City Council, and the City Council finds the adoption of the PPI document and the implementation of the program to be in the best interests of the City of Batavia, New York; and

**NOW THEREFORE, BE IT RESOLVED**, that the City of Batavia program for public information, attached hereto as Exhibit "A" and by this reference incorporated herein, is hereby approved and adopted, and the PPI Committee is hereby empowered to implement said program and to undertake the activities called for therein.

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

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**#69-2015**

**A RESOLUTION TO AMEND THE 2015-2016 FIRE DEPARTMENT BUDGET TO REFLECT THE RECEIPT OF A NEW YORK STATE-DEPARTMENT OF HOMELAND SECURITY GRANT – IN THE AMOUNT OF \$100,000.00**

**Motion of Councilperson Briggs**

**WHEREAS**, the City of Batavia Fire Department has received a grant in the amount of \$100,000.00 for award period October 16, 2015 through August 31, 2016 from the New York State Department of Homeland Security for increased Technical Water Rescue Training and Response capabilities in the City of Batavia and Genesee County; and

**WHEREAS**, to properly account for the expenditure of this money, a budget amendment needs to be made; and

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Batavia that the City Manager be and hereby is authorized to make the following budget amendment to the 2015-2016 budget effective July 13, 2015, to cover various details and equipment purchases associated with this grant:

Increase expenditure accounts:

001.3410.0200.1148	\$51,025
Fire Department Equipment	
001.3410.0201.1148	\$48,975
Fire Department Small Equipment	

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

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**#70-2015**

**A RESOLUTION AUTHORIZING AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FINAL DESIGN PLANS ASSOCIATED WITH THE RECONSTRUCTION OF SUMMIT STREET FROM EAST MAIN STREET TO NORTH STREET**

**Motion of Councilperson Deleo**

**WHEREAS**, a project for the reconstruction of Summit Street from East Main Street to North Street, City of Batavia, Genesee County, P.I.N. 475436 (the “project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

**WHEREAS**, the City of Batavia desires to advance the Project by making a commitment of 100% of the non-Federal share of the cost to prepare final design plans; and

**NOW THEREFORE**, the City Council, duly convened does hereby resolve that the above-

referenced project is approved; and

**IT IS FURTHER RESOLVED**, that the City Council hereby authorizes the payment in the first instance 100% of the Federal and non-Federal share of the cost to prepare final design plans for the project or portions thereof; and

**IT IS FURTHER RESOLVED**, that the sum of \$232,578 is hereby appropriated and made available to cover the cost of participation in the above phase of the project; and

**IT IS FURTHER RESOLVED**, that in the event the full Federal and non-Federal share of the project costs exceeds the amount appropriated above, the City Council shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof; and

**IT IS FURTHER RESOLVED**, that the Council President be and is hereby authorized to execute all necessary agreements, and the City Manager is authorized to execute certifications or reimbursement requests for Federal aid and/or Marchiselli aid on behalf of the City Council with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of Federal aid and State aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

**IT IS FURTHER RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

**IT IS FURTHER RESOLVED**, that this resolution shall take effect immediately.

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

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**#71-2015**

**A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT  
WITH THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. (CSEA)**

**Motion of Councilperson Doeringer**

**WHEREAS**, the City of Batavia and the Civil Service Employees Association, Inc. (CSEA) have had collective bargaining sessions; and

**WHEREAS**, the parties have since been able to negotiate a tentative collective bargaining agreement; and

**WHEREAS**, City Council is of the opinion that it is in the best interest of the City of Batavia to approve the tentative collective bargaining agreement as negotiated; and

**WHEREAS**, on August 5, 2015 the CSEA Union secured the necessary votes to ratify the tentative agreement; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council President be and is hereby authorized and directed to execute said collective bargaining agreement.

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

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**#72-2015**

**A RESOLUTION TRANSFERRING \$33,720 FROM THE CONTINGENCY BUDGET TO AMEND THE 2015/2016 BUDGET DUE TO CSEA CONTRACT SETTLEMENT**

**Motion of Councilperson Christian**

**WHEREAS**, on July 13, 2015 the City Council and the CSEA union mutually agreed to the terms of a collective bargaining agreement; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia that the City Manager is hereby authorized to make the following budget transfers to account for the expenditure increase due to the collective bargaining agreement with CSEA in the General, Water and Wastewater Funds; and

Effective August 10, 2015, the following transfers are hereby approved:

Increasing expenditure accounts:

<b>Clerk</b>	1.1325.0100	\$330.00
	1.1325.0801	\$60.00
	1.1325.0802	\$30.00
<b>Assessment</b>	1.1355.0100	\$800.00
	1.1355.0801	\$150.00
	1.1355.0802	\$60.00
<b>Public Works Administration</b>	1.1490.0100	\$410.00
	1.1490.0801	\$60.00
	1.1490.0802	\$30.00
<b>City Facilities</b>	1.1620.0100	\$140.00
	1.1620.0801	\$30.00
	1.1620.0802	\$10.00
<b>Police</b>	1.3120.0100	\$1,850.00
	1.3120.0801	\$350.00
	1.3120.0802	\$140.00
<b>Fire</b>	1.3410.0100	\$760.00
	1.3410.0801	\$140.00
	1.3410.0802	\$60.00
<b>Inspection</b>	1.3620.0100	\$3,900.00
	1.3620.0801	\$740.00

	1.3620.0802	\$300.00
<b>Vital Statistics</b>	1.4020.0100	\$240.00
	1.4020.0801	\$50.00
	1.4020.0802	\$20.00
<b>Maintenance Administration</b>	1.5010.0100	\$1,700.00
	1.5010.0801	\$300.00
	1.5010.0802	\$130.00
<b>Street Maintenance</b>	1.5110.0100	\$750.00
	1.5110.0801	\$130.00
	1.5110.0802	\$50.00
<b>Garage</b>	1.5132.0100	\$2,450.00
	1.5132.0801	\$470.00
	1.5132.0802	\$180.00
<b>Snow Removal</b>	1.5142.0100	\$410.00
	1.5142.0801	\$70.00
	1.5142.0802	\$30.00
<b>Street Lights/Traffic Signals</b>	1.5182.0100	\$50.00
	1.5182.0801	\$10.00
	1.5182.0802	\$10.00
<b>Parks</b>	1.7110.0100	\$2,860.00
	1.7110.0801	\$510.00
	1.7110.0802	\$230.00
<b>Summer Recreation</b>	1.7140.0100	\$260.00
	1.7140.0801	\$50.00
	1.7140.0802	\$20.00
<b>Youth Services</b>	1.7310.0100	\$1,510.00
	1.7310.0801	\$160.00
	1.7310.0802	\$110.00
<b>Celebrations</b>	1.7550.0100	\$20.00
	1.7550.0801	\$10.00
	1.7550.0802	\$10.00
<b>Storm Sewer</b>	1.8140.0100.5010	\$390.00
	1.8140.0100.8310	\$20.00
	1.8140.0801	\$60.00
	1.8140.0802	\$30.00
<b>Street Cleaning</b>	1.8170.0100	\$290.00
	1.8170.0801	\$50.00
	1.8170.0802	\$20.00
<b>Water Administration</b>	2.8310.0100	\$710.00
	2.8310.0801	\$130.00
	2.8310.0802	\$50.00
<b>Pump Station</b>	2.8320.0100	\$1,520.00
	2.8320.0801	\$280.00

