

# **CITY OF BATAVIA – CONFERENCE MINUTES**

## **MONDAY, NOVEMBER 23, 2015**

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

### **Call to Order**

Council President Hawley called the meeting to order at 7:00 PM. Councilperson Deleo led the Invocation and the Pledge of Allegiance.

### **Public Comments**

John Roach, 116 Grandview Terr, asked if anyone could tell him the attendance rules for the Batavia Housing Authority because Mr. Mancuso had missed 28 meetings since January 2013. He felt that missing 50% of meetings was unacceptable.

### **Council Response to Public Comments**

Council President Hawley noted that the City didn't own 400 Towers but only appointed members to the board. Mr. Molino noted that the Housing Authority had its own by-laws and is its own entity. He also noted that HUD was their regulatory agency. Councilperson Christian asked Council President Hawley to check the by-laws for attendance rules. Councilperson Jankowski felt the by-laws should be available for the public to view.

### **Communications**

None.

### **Council President Report**

Council President Hawley announced the next regular City Council business meeting would be held on Monday, December 14, 2015 at 7:00pm at the City Hall Council Board Room, 2<sup>nd</sup> Floor, City Centre.

### **Public Meeting – Police Facility Discussion**

Bob Bialkowski, 16 Union St, applauded the police task force for their volunteer hours but felt the final decision would require more work. He asked Council to consider what we can afford and that nothing had been addressed regarding the annual cost of a new police station such as insurance and loss of tax revenue as well as continued utilities and maintenance on the old building. He noted that the County didn't think they could use their current facilities efficiently but have updated them and been able to use them. He suggested not making the same mistake the City made with City Hall with a lot of wasted space. He felt the citizens needed answers to many questions and concerns and didn't want to be saddled with more debt.

Peter Garlock, 67 Ellicott Ave, noted that taxpayers were being asked to pay for what Council spends and thought that \$10-\$14 million was too much to spend. He noted that the Brisbane building would need to be preserved and will be a hard sell to an outside purchaser. He felt there was a need to share services with County government and asked how Council would design government today if they could start all over. He asked Council to just “think.”

Chuck Ruffino, 105 East Ave, asked if Council really knew where they wanted the police department to be in the next 10 to 20 years and would the same upgrades be needed then. He noted some facts about other new buildings in the area and felt the annual cost would likely be \$500,000 - \$650,000. He noted that upgrading the Brisbane building would retain the central location in an historical building. He felt Swan St wasn't centrally located and the City didn't know what was on the site or what was in the ground. He felt we needed to live within our capacity.

Jim Rosenbeck, 13 Lewis Ave, thought there were some important questions that still needed to be asked and Council needed to see what the people wanted. He wondered if the City could get a greater value from a County/City partnership and asked what the tax implications would be on residents and businesses. He asked Council to resist the temptation to build new, don't ask citizens to pay for the old and new building, and sympathized with police but noted you can't get everything on your wish list if it isn't practical.

David Olsen, 1166 McAlpine Rd, Basom, represented the Genesee County Libertarian party and spoke on behalf of Robert Brown. He noted that the City was already paying for about 30% of the County facility and Council needed to ask the tough questions. He noted the Brisbane building would need renovation whether it was a police station or not and they had a lot of work to do before building a new police facility. Mr. Olsen noted that there had been creative leadership in the City in the past and asked if we could eliminate the police force all together. He suggested Council be creative and be innovative.

Roger Martin, 309 East Ave, noted he enjoyed living in Batavia and appreciated the service it provides but was concerned about spending money on a new police station. He felt that was a want and not a need and there is always more spent than anticipated.

John Roach, 116 Grandview Terr, noted that shared services was a polite way of questioning the need for the City police. He felt if we were going to keep the police then keeping the old building was as money loser and that utility costs in a new building were usually less. He thought that building new would be cheaper than keeping the old building.

Daniel DelPlato, 50 Chandler Ave, didn't know why they would want the police station on Swan St and suggested adding on to the old City Hall. He said Council has to keep taxes down, they represent senior citizens as well, and the City Manager shouldn't have the final say.

David Leone, 32 Bogue Ave, noted that he was on the task force and knew that this would be a big decision for his generation and his kid's generation. He noted that they met for seven months, looked at all the opportunities, the site they selected came in at the lower

end of the spectrum. He stated that the police department could remain in their current location for a little longer but it was in rough shape and it wasn't designed as a police station but rather it was designed as a mansion. He noted that this was a large financial commitment and that now was the time to build a modern facility. He explained that interest on borrowings were at historical lows and waiting could add hundreds of thousands of dollars in interest to the cost. Mr. Leone stated they couldn't keep kicking the can down the road, Council had all the information they needed and it was time to go forward.

Diana Kastenbaum, 71 Ellicott Ave, thought Council should move forward with the project. She noted this had been an issue for several years and feared it would be postponed again. She noted that the task force was made up of people from all sections of the City and offered kudos to that committee who were dedicated, responsible citizens who gave their time to put forth a financially responsible choice. She stated that keeping the Brisbane building and adding onto it was more costly and it couldn't sustain another upgrade. She felt the time to move was now and asked Council to be progressive and bold in their decision making.

Theresa Siverling, 7 South Main St, was just interested in clarifying the funding sources and wondered if it was all going to be bonding or all taxpayer dollars.

Donald Shirk, 365 Bank St, submitted a written communication that was distributed to Council. He noted that he was the police chaplain and he watched the police work tirelessly and without complain in a facility that is not only old but inefficient for what they are using it for. He encouraged Council to proceed now with the construction of the new facility especially due to the increasingly sophisticated, violent and unpredictable criminal activity of late. He felt the decision to move forward was an investment in the future and safety of the community and would never be a comfortable decision to make. He suggested Council be responsible and prudent with the recommendation they had from the task force. He offered his appreciation to the task force for the work they had done to get to this point.

Council President Hawley suggested creating a task force to consider the possibility of a merger with the County. He felt he needed to do his due diligence and hoped to collaborate and cooperate with the County and the rest of Council to make sure this made sense. Councilperson Christian asked who would pay for the study, felt the police department was phenomenal, and was in favor of the study as long as the County was willing to help pay. Councilperson Briggs was all for the study, also wanted the County to help pay, and wanted to make sure the same level of service would be maintained. Councilperson Deleo felt the decision should include the newly elected officials. Councilperson Jankowski wondered why Greece's new building only cost \$6 million when the City's was projected at around \$10 million. He noted that the Sheriff had tried to wait and collaborate with the City but the City kept delaying so they couldn't wait any longer and moved forward with their new facility. He addressed the question of whether we were paying for two police departments and listed several services we received at no cost from the Sheriff's department. Those services included the following as an example: prisoners were held for free, County dispatch did fingerprinting and dispatched City fire and City police, County covered the IT cost. He asked how much more we could dump on the Sheriff and stated that at some point we needed to take responsibility for our own. He felt this issue needed to be put to rest but would like to see the study. Councilperson Canale supported looking into some other

possibilities, didn't think a merger was the way to go, and there was a lot on the horizon that would bring more population into the City which could create more activity. He felt it needed to be studied and suggested a shared facility. He noted that the County was discussing a new jail and suggested talking to them before we both built new facilities. Councilperson Pacino appreciated Councilperson Jankowski's knowledge of the police, didn't want a study just to do another study, and felt that the people of Batavia knew more about what we wanted than someone in charge of doing a study. She noted that she wouldn't live in a place where there wasn't a police department and felt the study needed to be feasible and include the people. Council President Hawley noted that everyone seemed to be interested in having a study regarding a merger. Mr. Molino suggested Council meet along with him and legislative leaders for the discussion. Councilperson Jankowski noted there had been many discussions about a merger but no one ever went to speak with the sheriff's office about it.

### **Deferred Compensation**

Mrs. Difante noted that every five years they do an RFP for management of the City's deferred compensation plan and that four were received back. She recommended going with Mass Mutual, who was the City's current provider, and there was no budget impact. Councilperson Jankowski asked if he should vote since he was invested with them. The City Attorney would let him know if it was a conflict or not. Councilperson Deleo made a motion to move the item to the next business meeting, motion seconded by Councilperson Briggs and all were in favor.

### **6 Month Budget Review**

Mr. Molino noted that he recommended adjusting foreclosure expense and Summit St reconstruction expense through the contingency budget. He noted there would still be \$190,000 left in contingency. He also informed Council that sales tax revenue was a little behind where it was last year at this time and would continue to monitor it. Councilperson Deleo made a motion to move the item to the next business meeting, motion seconded by Councilperson Canale and all were in favor.

### **Video Lottery Terminal (VLT) Aid Allocations**

Mr. Molino noted that the City didn't budget for VLT aid but got a payment of \$440,000 in June. He noted that the match on the Summit St reconstruction was \$192,000 and suggested allocation money from VLT to cover the match. He also suggested moving \$150,000 to reserves for sidewalk repairs. Councilperson Pacino made a motion to move the item to the next business meeting, motion seconded by Councilperson Christian and all were in favor.

### **Batavia Pathway to Prosperity (BP<sup>2</sup>) Agreement**

Mr. Molino noted that there was a presentation in October and this had been worked on for several months with all other parties involved. He expected to have a finalized version for the December 14<sup>th</sup> meeting and noted that the school had already took action on the agreement at their November meeting. Councilperson Deleo made a motion to move the

item to the next business meeting, motion seconded by Councilperson Canale and all were in favor.

### **Ice Rink Lease Agreement**

Mr. Molino noted they had a five year agreement with a five year extension with Firland Management for management of the ice rink and it was going to expire in March. He noted he had to go through the procurement process, suggested an RFP, and would come back in January or February with a recommendation. He noted that he would issue the RFP in the next few weeks.

### **Youth Board Appointment**

Mr. Molino noted there was an appointment for a youth board vacancy. Councilperson Briggs made a motion to move the item to the next business meeting, motion seconded by Councilperson Canale and all were in favor.

### **2016 City Council Meeting Dates**

Mr. Molino noted the schedule was out for the 2016 meeting dates and recommended moving the February 8<sup>th</sup> meeting to the 9<sup>th</sup> to avoid a NYCOM meeting conflict. Councilperson Briggs made a motion to move the item to the next business meeting, motion seconded by Councilperson Canale and all were in favor.

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**Conference Meeting adjourned at 8:35 PM.**

**Respectfully submitted,**

**Heidi J Parker  
Clerk-Treasurer**