

CITY OF BATAVIA – CONFERENCE MINUTES

MONDAY, SEPTEMBER 25, 2017

Present were Council President Jankowski and Councilpersons Canale, Bialkowski, Viele, Briggs, Pacino, Christian, McGinnis and Tabelski.

Call to Order

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

Public Comments

Kathy Owen, 2 Redfield, sent in a letter requesting funding to help restore the historic pillars at the end of Redfield Parkway.

Jim Rosenbeck, 13 Lewis Ave, stated that he didn't believe it was the City's roll to fund a vehicle charging station and felt it would be in competition with the station at Dunkin Donuts. He felt it wasn't benefiting those who live here.

Jonathan Bell, 113 Evans St, noted that he was trying to get a sign on his street that an autistic child lived there. He noted that his child runs out into the street a lot and felt a \$100 sign should be considered when they were considering \$25,000 for pillars.

Council Response to Public Comments

Councilperson Christian felt a sign should be put up. Mr. Molino noted that he would check on the parameters around that type of sign and check with Mr. Tourt and Chief Heubusch about DOT rules. Council President Jankowski wondered why this wasn't handled before now and where the communication breakdown took place.

Communications

While proclaiming October 8-14, 2017 Fire Prevention Week, Councilperson Briggs noted that the City was committed to ensuring the safety of its residents, home fire escape plans should be practiced at least twice a year, and the theme for 2017 was Every Second Counts. Several firefighters were in attendance and noted that people practice fire drills in places such as schools and commercial buildings but not usually at home and suggested doing so at least twice a year.

Council President Jankowski noted that Birchwood Village thanked the City for their participation in National Night Out and GoArt thanked the City for their donation to the Picnic in the Park celebration. He also noted that 22-40 Clinton St applied for Brownfield status through the DEC as was noted in a communication from the NYS DEC and he just wanted to make sure everyone was aware. Mr. Van Nest noted that the site had been in the DEC program for years but this was a transfer from one program to another.

Councilperson Bialkowski continued discussion surrounding Ms. Owen's request for Redfield Parkway funding. He noted that one pillar was on City property and one was just off the sidewalk. Mr. Molino noted that there were four structures – two on private property and two on City property. He noted that grants had been applied for in the past but were not funded. He also stated that there is committed fund balance for community development but there needed to be a better cost estimate for the pillars. Council President Jankowski asked Mr. Molino to look into the cost and suggested there may be volunteer groups that might be interested in this type of project.

Council President's Report

Council President Jankowski announced the next regular City Council Business meeting to be held on Tuesday, October 10, 2017 at 7:00pm at the City Hall Council Board Room, 2nd Floor, City Centre.

2017 Draft Comprehensive Plan

Mr. Molino noted that he took the comments from the prior meeting to the steering committee, the draft went before the Genesee County Planning Board and they supported it, and that the plan had been through 18 months of planning. Councilperson Christian asked when some of the recommendations would happen. Mr. Molino explained that they took the strategic plan and coordinated it with the draft comprehensive plan and put together a 5-year plan of execution. Mr. Molino reminded Council that everything will come back to Council for approval so this would just be for approval of the plan not approval of individual projects. Council agreed to move the item forward.

Electric Vehicle Charging Station

Mr. Molino noted that this idea was brought up a few years ago during budget discussion and it didn't pass but this was brought to the City by the Genesee Transportation Council. He explained that it would be a 2-unit station and the only cost to us would be the cost of installing the conduit. It was determined that the location behind the post office would cost approximately \$1,500, there would be a 3-year requirement to keep it open for use, and an option to charge the cost back to the users. He noted that the unit could also track usage. He discussed it with the BID who supported the idea of it being downtown. This station would be a step in qualifying us for the Cleaner Energy Communities program. Councilperson McGinnis didn't think the government needed to be involved and if it was such a good idea then private enterprise would jump all over it. Councilperson Pacino explained that the BID thought it would draw people into the community to use it that might not otherwise stop here. Councilperson Tabelski noted that the other charging station is on the edge of the City instead of downtown and felt it was a good idea to have one more in the City. He felt it was worth considering. Councilperson Bialkowski felt it was another example of how the state is trying to run our communities and think it should be controlled by the private sector. Councilperson Christian asked if the City would be liable if a car is vandalized. Mr. Van Nest stated that the City would not be liable for an action of a third party. Councilperson Canale noted that charging a car was a time-consuming effort unlike filling your car with gas. He felt the advantage would be that people outside our community, while waiting for the car to charge, would be out and

spending money in our community that might not otherwise be here. He noted that it would attract people from the Thruway to the City of Batavia to spend their money here. Councilperson Briggs clarified that there would be no additional cost for the first three years but going forward it would be \$560/year. That was confirmed but the \$560 would only be in they still wanted to track usage, otherwise no cost. On roll call to move the item forward, it failed 5-4 with Councilpersons Tabelski, Jankowski, Pacino and Canale voting in favor.

Sale of Properties Auctioned on August 24, 2017

Mr. Molino noted that several properties were put up for auction, there were no concerns with the potential buyers and recommended approval of the sale. Councilperson Christian asked why Mr. Viele couldn't purchase the property at 46 Swan St when it was originally auctioned. Mr. Molino noted that the ethics code didn't allow it. Mr. Van Nest cited section 14-3 of the City's ethics code as a reason. Council agreed to move the item forward.

Discussion on title of Assistant City Manager/Director of Administrative Services

Councilperson Bialkowski noted that the Charter allows the City to have an assistant city manager but director of administrative services isn't in the Charter. Mr. Molino noted that civil service also lists it as assistant city manager. Council President Jankowski stated that the descriptive title was probably to make sure the applicant knew what they would be responsible for. Mr. Molino noted that would be part of their job description and reflected the duties of what that person would do.

Executive Session... Real Property & Litigation

Motion of Councilperson Pacino

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...".

WHEREAS, Article 7, Section 105(1)(d), of the Public Officer's Law permits the legislative body of a municipality to enter into Executive Session to discuss "...proposed, pending or current litigation...".

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 Christian and on roll call approved 9-0.

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Conference Meeting adjourned at 8:00 PM.

09/25/2017

Respectfully submitted,

**Heidi J. Parker
Clerk-Treasurer**

09/25/2017