

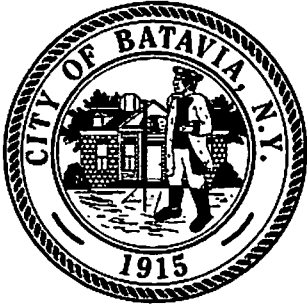


**BATAVIA CITY COUNCIL
SPECIAL CONFERENCE MEETING
(Prior to Business Meeting)**

**City Hall - Council Board Room
One Batavia City Centre
Monday, June 11, 2018 at 7:00 PM**

AGENDA

- I. Call to Order
- II. Police Facility Presentation
- III. Consolidated Funding Grant Application - Recreation Sub Committee
- IV. Consolidated Funding Grant Application – BOA Strategic Plan
- V. Community Development Block Grant (CDBG) Program Monies
- VI. Youth Baseball at MacArthur Park
- VII. Recommendations for Enhanced Police Services
- VIII. Adjournment



City of Batavia

Memorandum

To: Honorable City Council

From: Matt Worth, Interim City Manager

Date: June 4, 2018

Subject: Consolidated Funding Grant Application – Recreation Sub Committee

The deadline for submission of Consolidated Funding Applications (CFA) for the next round of CDBG planning grants is July 27th, 2018. The City has had discussions with the Creek Park Recreation Sub-Committee as to a planning document that would qualify for funding.

The Batavia Development Corporation formed this Sub-Committee with Council representation from Councilpersons Viele and Tabelski, and the planning document would review the feasibility of the construction of an additional sheet of ice, as well as possible indoor recreation facilities. This program has a 10% match requirement which has been committed by private monies the sub-committee has procured.

This document, if funded, would be a critical resource in the scheduled City/County/Town Planning and Recreation plan scheduled for fiscal year 2019. The City has budgeted funds available to commit to the cost of the application preparation by the City's grant consultant.

I would request to receive a general consensus from Council as to its support for the application ahead of the formal presentation, public hearing, resolution, and commitment to prepare the application.



City of Batavia

Memorandum

To: Honorable City Council

From: Matt Worth, Interim City Manager

Date: June 4, 2018

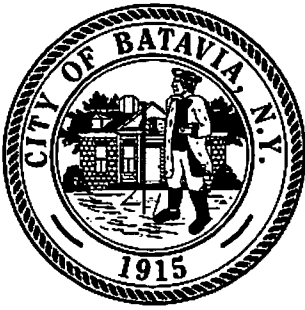
Subject: Consolidated Funding Grant Application – BOA Strategic Plan

The deadline for submission of Consolidated Funding Applications (CFA) for the next round of Empire State Development Corporation (ESDC) Strategic Planning grants is July 27th, 2018. The City has had discussions with the GCEDC and BDC as to a planning document that would qualify for funding as a collaborative effort.

The Batavia Development Corporation, GCEDC and the City have met to discuss planning in the downtown City Centre area in regards to future development. Development of this area is complex and includes several partners to be considered. The ESDC has funding specifically for Strategic Planning Studies which can be applied for through the CFA.

This document, if funded, would be a critical resource in revitalizing the City Centre property. The City would commit to the cost of the application preparation by the City's grant consultant.

I would request to receive a general consensus from Council as to its support for the application ahead of the formal presentation, public hearing, resolution, and commitment to prepare the application.



City of Batavia

Memorandum

To: Honorable City Council

From: Matt Worth, Interim City Manager

Date: June 5, 2018

Subject: Community Development Block Grant (CDBG) Program Monies

Recent changes to the way New York State administers the CDBG program has resulted in the City having to determine the amount of monies that have come back to the City through a revolving loan program. These monies which are paid back by the loan recipients have to be dedicated to a CDBG eligible project for use or returned back to the State.

Currently, the City of Batavia has a CDBG grant to install new watermain on Brooklyn Avenue in 2019. It is my recommendation that the watermain project be authorized to have an expanded scope which would allow for the installation of a larger culvert pipe in Williams Park (Adjacent to Brooklyn Ave) and a flood control gate on the Brooklyn Ave storm sewer system at the outfall at the Tonawanda Creek. This expanded scope would allow for better utilization of Williams Park after storm events, as well as providing a level of flood protection during high-water events. This storm water project was identified as part of a CDBG funded storm water plan.

The estimate for the storm water improvements is \$60,000 and there is \$40,109.66 available in CDBG program funds. Upon updated estimates with the detailed design, additional funding will be budgeted in the 2019 FY capital plan. The necessary design work would be completed utilizing budgeted engineering funds this year.

Supporting Documentation:
Draft Resolution
CDBG Program Funds Certification

#59-2018

**A RESOLUTION TO COMMIT CDBG PROGRAM INCOME TO EXPAND
BROOKLYN AVENUE PROJECT TO INCLUDE STORMWATER IMPROVEMENTS**

Motion of Councilperson

WHEREAS, the City of Batavia is in possession of \$40,109.66 of CDBG program income received from various CDBG projects such as microenterprise programs, economic development programs, and housing rehabilitation programs stemming from repayments of loans or grants; and

WHEREAS, the New York State Office of Community Renewal advised the City in March, 2018 of a policy change to CDBG Program Income Guidelines where the City is required to report all program income receipts in their possession by May 31, 2018; and

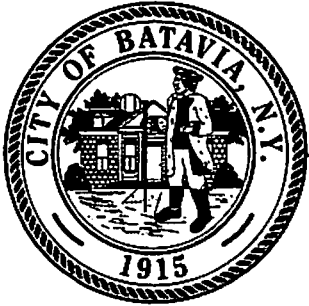
WHEREAS, New York State is requiring these funds be returned to the state by March 31, 2019 if the City does not commit the funds to a CDBG eligible activity, approved by NYS Office of Community Renewal, by April 30, 2019; and

WHEREAS, any program income received that is not committed will be used to offset CDBG grant reimbursement requests submitted by the City; and

WHEREAS, New York State Office of Community Renewal has approved this use of this program income to expand the scope of the Brooklyn Avenue watermain project to include the installation of a larger culvert pipe in Williams Park, adjacent to Brooklyn Avenue, and a flood control gate on the Brooklyn Avenue storm sewer system to better utilization of Williams Park after storm events.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia commit \$40,109.66 of CDBG program income to expand the Brooklyn Avenue watermain project to include stormwater improvements to Williams Park, adjacent to Brooklyn Avenue.

**Seconded by Councilperson
and on roll call**



City of Batavia

Memorandum

To: Honorable City Council

From: Matt Worth, Interim City Manager

Date: June 6, 2018

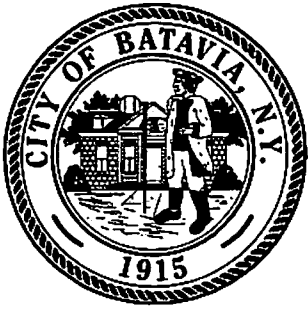
Subject: Youth Baseball at MacArthur Park

City Consulting Engineers GHD have reviewed conditions at MacArthur Park as to the suitability of the field located at the northeast section of the ballfield areas. The recommendation is that the field be fenced-in to provide separation of playing areas from spectators, and to limit the age group able to utilize this field to 8 and under. This would be in accordance with guidelines established by the Protect our Nations Youth (PONY) organization, specifically for their 8 and under PINTO Baseball Field Specification. Increased fence height or netting along the 3rd base foul line and spectator area is also recommended to reduce foul balls from crossing fields which has been an ongoing condition. This would be similar to the graphic drawing "Fence Option 2" attached.

Utilization of this field was also considered, and the ability to access this field should always be available. Accessibility may be necessary for first responder access, retrieval of errant baseballs and tennis balls from adjacent facilities, and the ability for other users to enjoy the park are all considerations. The ability of the Little League organization to utilize this area for pre-game warm-ups is also important as this provides a fenced area for this activity separate from spectators. This accessibility issue is also applicable to the field in the southwest corner that has been primarily a "coach pitch" field.

Additional safety items noted are needed padding at light poles and removal of some blacktop adjacent to the tennis court fence. Specific increase in fencing/netting height would also be determined if approved.

I have met with both Minor League and Little League organizations to present the recommendations. Minor League is generally in agreement with the recommendations and would like to move forward with their project. Minor League also does not object to Little League utilizing these fields for pre-



City of Batavia

game warm-ups as long as it does not conflict with their scheduled games and practices. Little League still has concerns with the utilization of this field by age groups greater than 6yrs of age and would prefer that the outfield area remain un-fenced. This request would be similar to the graphic drawing "Fence @ Baselines" attached.

It is my recommendation that any improvements to the field are in accordance with the recommendations of the GHD memo for fence layout, increased height areas, and accessibility. In addition, I would recommend the following restrictions:

- Field use limited to age groups 8 and under for any batting activity
- This Field and the field located at the southwest corner of the park are not to be locked and are able to be utilized by all organizations when a scheduled Minor League activity is not ongoing

This recommendation allows for an improved field for the youth to utilize and also increases safety aspects by separating the activities from the spectators which both organizations could utilize.

If Council wishes to Adopt the "Fence @ Baselines" layout which is preferred by the Little League organization it should be approved with the following restrictions"

- Field use limited to age groups 6 and under for any batting activity
- Outfield area should not be utilized for warm-up by teams while spectators are present.

Supporting Documentation:

GHD Memo with supporting documentation

Graphic "Fence Option 2"

Graphic "Fence @ Baselines"

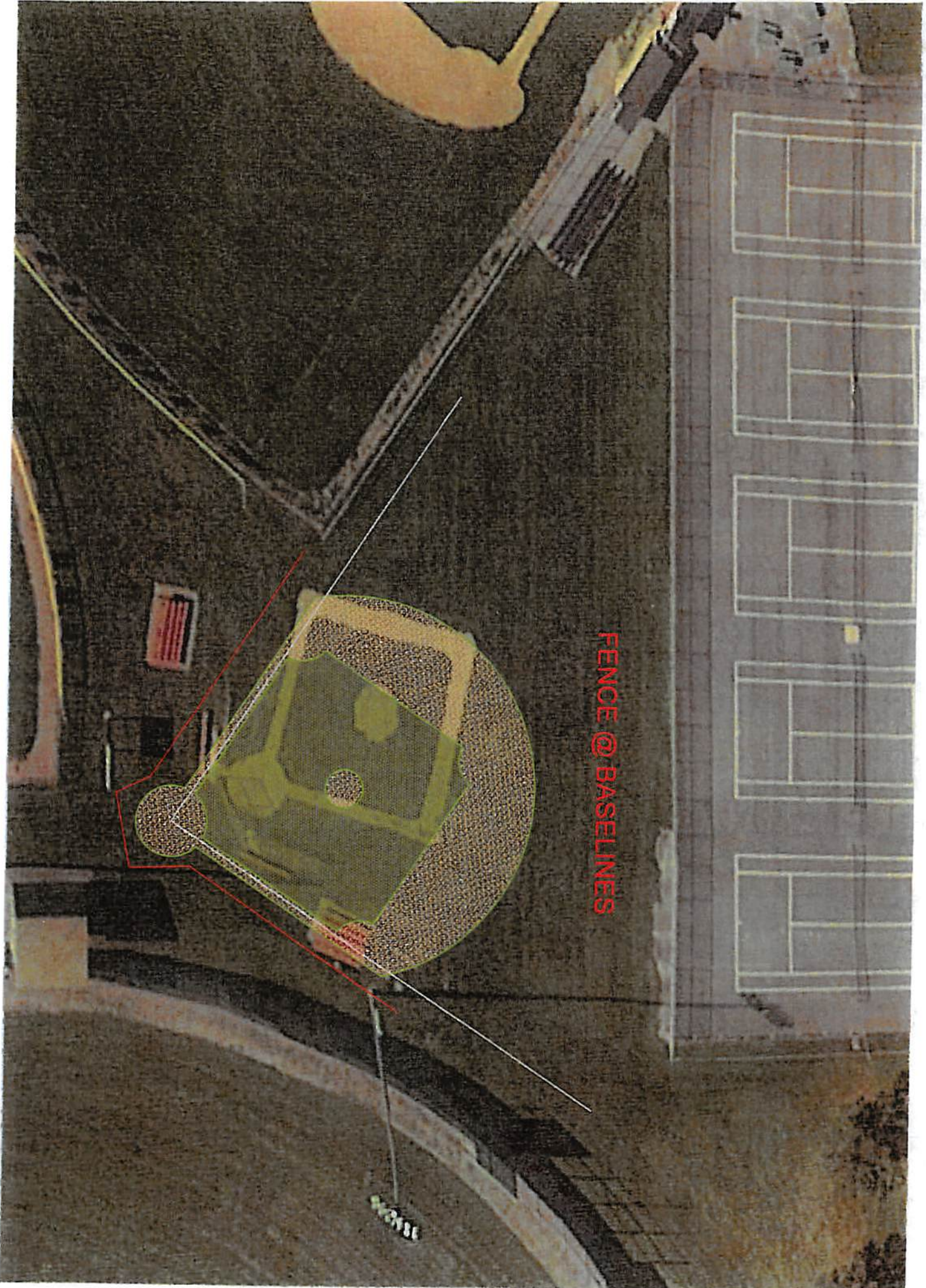
Draft Resolution



Double Gate

FENCE OPTION 2

Double Gate



FENCE @ BASELINES




Memorandum

Original sent via email only

May 18, 2018

To: Matt Worth, Interim City Manager Ref. No.: 630577

From: Gregory Keyser/jas  Tel: (716) 856-2142

cc: Robert P. Lannon Jr., P.E. - GHD

Subject: Baseball Fencing at MacArthur Park

On behalf of the City of Batavia (City), GHD has reviewed fencing options for an existing youth baseball field at MacArthur Park (Park). It is our understanding that the Batavia Minor/Major League Youth Organization (League) used the field for a t-ball program and recently made improvements to expand its use as a coach pitch league for youths approximately 8 years old. The League has requested to enclose the existing field with fencing and the City is considering various options to accommodate the League and balance other interests at the Park. Our review is based on field observations, conversations with City officials and suggested facility-planning guidelines available through PONY League, Babe Ruth Inc., and Little League Baseball. We offer the following comments.

- The area is not generally appropriate for full sized play based on Babe Ruth and Little League field guidelines, which generally recommend an outfield distance of at least 200 feet for youth ages 6 to 12 playing in Rookie, Minor, or Major League divisions. However, a restricted age field of eight and under per PONY League guidelines with some modifications to fence height would seem most appropriate. See attached field guidelines.
- An accessible fenced in area is preferred for teams to utilize and Fencing Option 2 appears to be the most appropriate option. Reasons supporting this opinion include the following:
 - Does not encroach on the existing baseball field located to the west.
 - Restricts pedestrian access and limits interruptions during games.
 - Increases safety to spectators and players in the bench area.
 - Delineates the playing area in left field and creates a safety barrier between players and spectators from other fields.
 - Creates a fenced in area for pregame warmups by Little League and provides a safety barrier for this activity.
- Safety concerns and other observations regarding the field of play include the following.
 - Asphalt from the tennis court extends into the right-center field area and creates a safety concern for outfielders trying to field fly balls. The asphalt should be removed and the ground area leveled.
 - An existing light pole is situated in close proximity to the first base line area. The proposed fence should be located such that the light pole is outside the fence line.



- It appears there is a shortened foul ball area along the third base line. Netting should be installed or the height of proposed fence increased to address the safety of players and spectators.
- The fencing plan should allow adequate access to and egress from fields for emergency responders.

We understand that the League is an independent youth organization and is not currently affiliated with a specific baseball league. However, the guides serve as a resource for the development of playing fields and provide recommendations for the safety of players and spectators. Furthermore, the guides do not exempt the League or City from any state or local laws that may apply to athletic fields or insurance requirements concerning their use.





[HOME](#)
[ABOUT PONY](#)
[FOR ATHLETES & COACHES](#)
[FOR UMPIRES](#)
[FOR LEAGUES & ORGANIZATIONS](#)
[TOURNAMENT INFORMATION](#)
[WORLD SERIES INFORMATION](#)
[TECHNICAL SUPPORT](#)
[REGISTRATION & AFFIDAVITS](#)
[STORE](#)

PINTO 8U™ LEAGUE

PINTO 8U || LEAGUE is an instructional league to teach eight and under (Minimum age 3 in *Baseball*, 4 in *Girls Softball*) players the fundamentals of baseball and Softball.

PINTO 8U || LEAGUE comes in three flavors, Coach Pitch, Machine Pitch and Player Pitch. If your community does not offer a **SHETLAND LEAGUE** it is recommended the pitching core be handled by coach-pitchers, or a pitching machine. If the Shetland League is not used in your community, it may even be good to start **PINTO 8U || LEAGUE** players with the batting-tee, switching to the coach-pitch format in the latter part of the season.

PINTO 8U || LEAGUE teams are full members of PONY, receive supplies and the full support of the headquarters staff and Field Director organization. International tournament play is not conducted at these age levels. Leagues may play in regional invitational tournaments, but it is recommended they do so with regular season team rosters. The focus should remain on training more than competition.

Pinto teams may be attired in cap and t-shirt rather than full baseball uniforms. The cap and t-shirt will thrill a beginning player almost as much as a full uniform, will leave the player the added thrill of receiving a full uniform for a later day, and will prevent excessive demands on the league budget.

Managers and coaches at this level must be concerned with the development of all of the players on their team. These are training leagues and the development of a player's skill and personality must remain the prime goal of the manager and coach, rather than the winning of a league title.

Every effort should be made to place every player who registers for the program on a team in these early years, and every effort should be made to play every player on the team in every game.



PINTO BASEBALL FIELD SPECIFICATIONS AND DIMENSIONS

BASES : 60 feet

PITCHING : Pinto Baseball (Machine & Coach Pitch): 38 feet, Pinto Baseball (Player Pitch): 40 feet.

FAIR PLAY AREA : Within the first base and third base foul lines and a fence or marked line 150 feet from home plate. A ball hit beyond that distance on the fly will be a home run. A minimum home run distance of 125 feet or a maximum of 200 feet will be recognized, with the recommendation that the home run distance be 150 feet at the foul lines and 200 feet in center field to a six or eight foot barrier wherever possible.

BASES, PLATES : The home plate, pitcher's rubber and the bases shall be official size as used in regulation baseball.

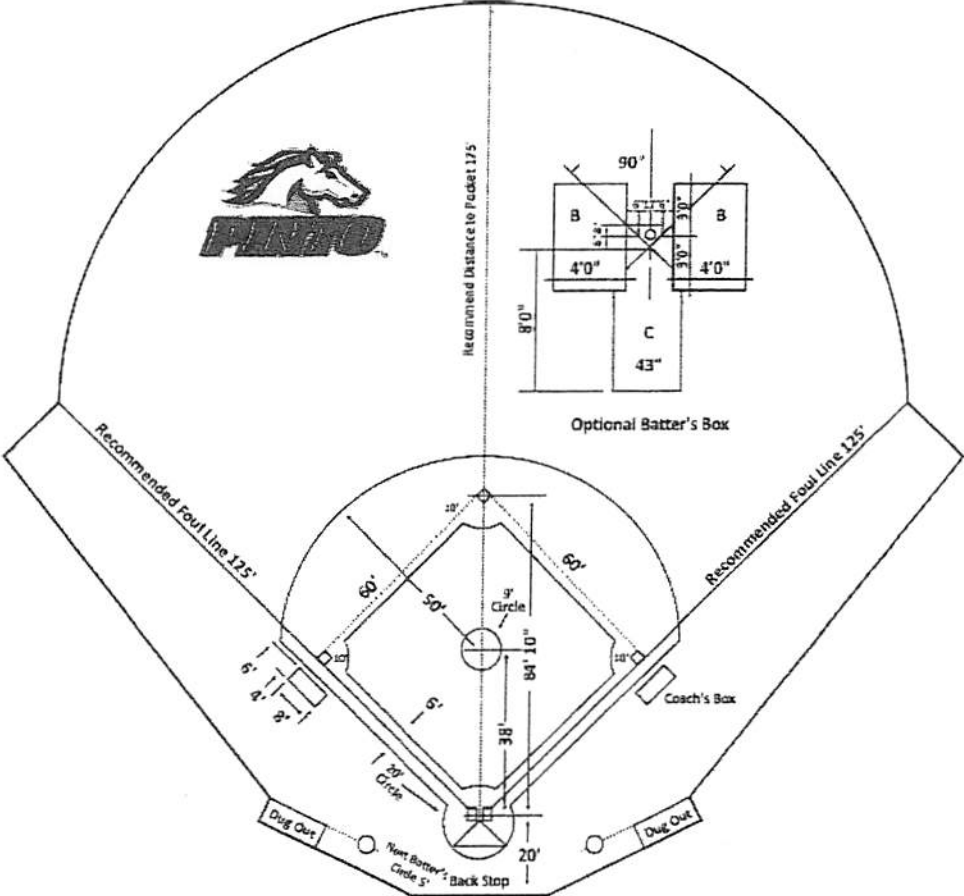
PITCHING MOUND : Shall be raised by a gradual slope to a height of four inches above the level of home plate and the base paths.

RESTRAINING LINE : Located along first base, beginning 25 feet from home base and extending three feet beyond the first and second base line. The line, paralleling the first base foul line and extending three feet (36 inches) into foul territory, shall be marked with chalk or other white material two inches wide.

DISTANCE TO BACKSTOP : Recommended distance from home plate to the backstop is 20 feet.

CATCHER'S BOX : By local option, the catcher's box may be rectangular in shape 43 inches wide and eight feet deep from the point of home plate or it may be triangular in shape extending eight feet from the rear of home plate, being a continuation of the foul lines, in which case the line closest to the backstop shall be 16 feet in length.

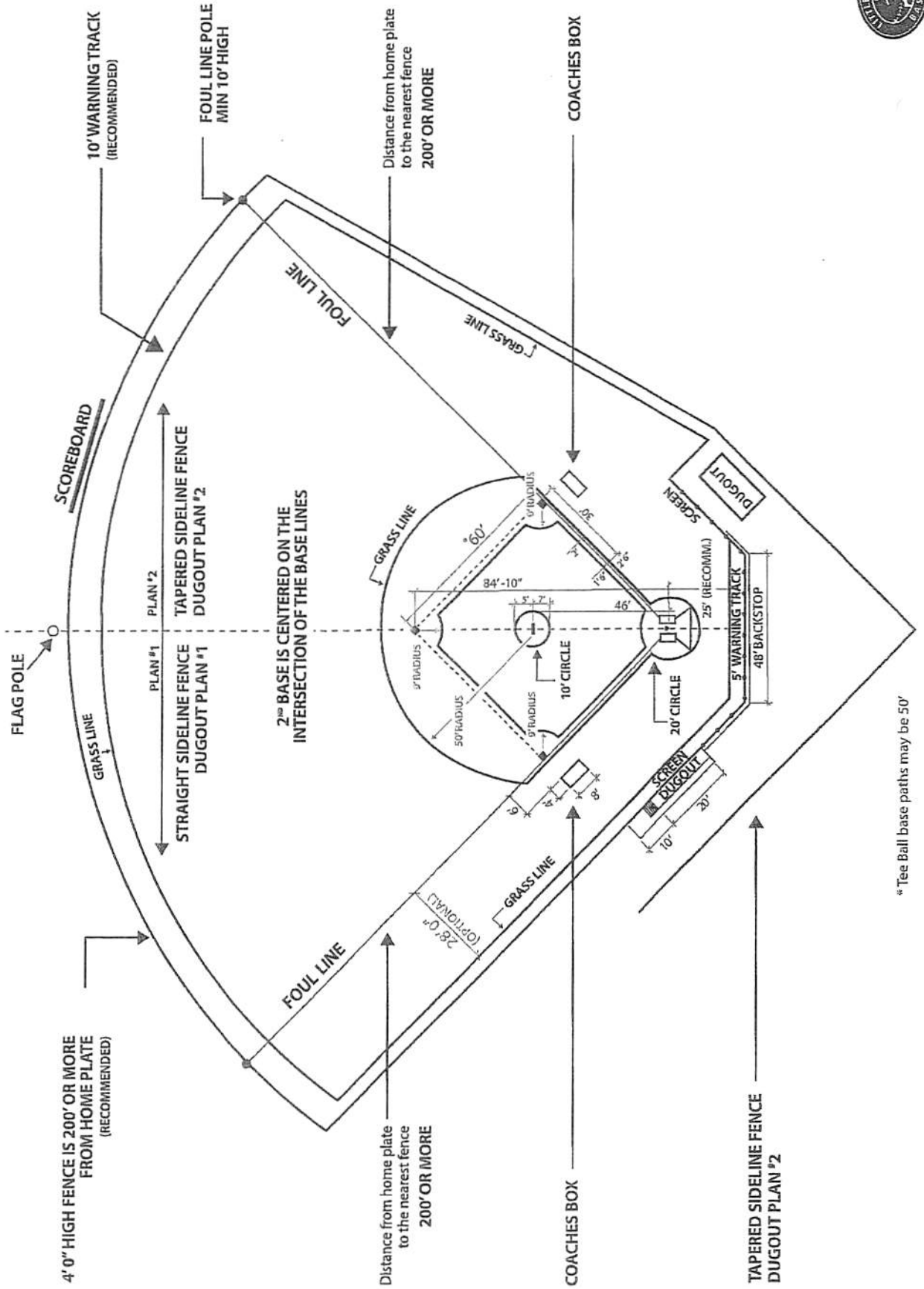
FIELD DIMENSIONS DRAWING:





LITTLE LEAGUE BASEBALL® (MAJOR/MINOR) DIVISIONS FIELD LAYOUT

TEE BALL, COACH AND MACHINE PITCH



* Tee Ball base paths may be 50'

Recommended Area

Ground space is 1.2 acres minimum

Dimensions – Minimum recommendations/suggestions

Baselines: 60 feet (Rookie, Minor, or Major League 60' Programs) or 70 feet (Major League 70' Program)

Pitching distance: 46 feet (Rookie, Minor, or Major League 60' Programs) or 50 feet (Major League 70' Program) **Pitcher's plate:** 6 inches above home plate level

Distance down foul line: Recommend/Suggest 200 feet – 225 feet

Outfield distance to pocket in center field: 250 feet

Backstop: Distance: Minimum 25 feet from home plate and the foul lines extending from home plate edge to first and third base dugouts. Height: 24 feet with five foot overhang

Side fencing: Distance: Minimum of 30 feet from foul lines from home plate to foul pole. Tapering from third base to the foul pole is permitted. Recommended/Suggested Height: 8 feet

Height of back field fence: 4 feet with appropriate covering

Protective fence in front of dugouts: Recommended/Suggested - 6 feet high

Orientation

Optimum orientation is to locate home plate so that the pitcher is throwing across the sun and the batter is not facing it. The line from home plate through the pitcher's mound and second base should run east-northeast.

Surface and Drainage

Infield – A dirt, clay, and sand mixture surface for the non-grassy areas is easy to maintain and is durable. The infield should be graded so that the base lines and home plate are level.

Outfield – Outfields should be grass with a proper irrigation system. Preventive maintenance should be used to minimize "wear spots." A scheduled annual resodding of these areas is recommended. Irrigation systems should be properly monitored to prevent man-induced wet spots. A three percent grade should be constructed through the turf areas to move the water.

Recommended Safety Features

Warning tracks – A warning track of at least three running steps (approximately 10 feet) should be planned near each fence. The change in surfaces will warn the fielder he is approaching the fence and is a definite safety feature for the ball park.

The material used is not as critical as that used in the infield. A crushed rock mix that will absorb water is most appropriate – generally the same substance as used around the parking lot, walkways, etc. It is critical, for maintenance purposes that your infield and warning track substances be kept separate.

Foul poles – should be at least six feet above the outfield fence.

Batter's eye – should be placed in dead centerfield approximately 24 feet wide to provide a field of contrast for the white ball allowing hitters to better see pitched balls.

Pitcher's eye – six to eight feet tall behind home plate, allows fielders to better pick up the ball coming off the bat. It also helps avoid pitchers becoming distracted by people behind the fence.

Dugout – installing a roof and protective screening in front of the dugout reduces risk of injuries from foul balls.

Backstop overhead and side screens – protects spectators from being hit by foul balls.

Fencing – enclose the top rail of chain link fencing with PVC drainage tile or similar product and install fence caps to reduce risk of abrasions.

#60-2018
A RESOLUTION FOR THE USE AND IMPROVEMENT OF THE NORTHEAST
BASEBALL FIELD AT MACARTHUR PARK

Motion of Councilperson

WHEREAS, the City of Batavia has several baseball fields located at MacArthur Park which are utilized by various youth organizations; and

WHEREAS, the Batavia Minor League Baseball Youth organization has requested to make improvements to the northeast baseball field with the installation of additional fencing to enclose the field; and

WHEREAS, The City of Batavia utilized GHD Engineers to review this proposal, and make recommendations as to the safe operation of this field; and

WHEREAS, these recommendations set age limits, accessibility requirements, and recommended safety measures; and

WHEREAS, this field exists for the enjoyment of the City's youth and utilization by other youth organizations.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia authorizes Batavia Minor League youth organization to install fencing in accordance with the GHD Engineers recommendations in a memo dated May 18, 2018 and further under the supervision of the Department of Public Works for methods and details of construction.

**Seconded by Councilperson
and on roll call**



City of Batavia

Memorandum

To: Honorable City Council

From: Matt Worth, Interim City Manager

Date: June 6, 2018

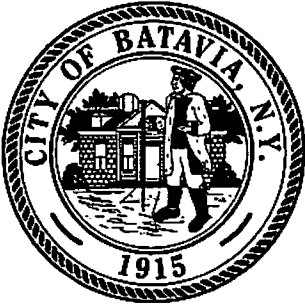
Subject: Recommendations for enhanced police services

Recent events have focused attention on efforts in community policing. The City Council has requested input as to strategies that will enhance the City's ability to provide safer neighborhoods and deter criminal activity. While a larger police force would enhance these efforts, the addition of staff and associated equipment is a much larger question that would require large scale evaluation as to feasibility and timeliness for effect in addition to long term financial impacts. Therefore, it is recommended that existing strategies that have been utilized or under consideration be accelerated for implementation resulting in efficiencies with existing staff.

The installation of a neighborhood mobile camera has been in use for over four years and has been active in several different locations. In each case the presence of the camera has had a positive impact in the neighborhood where it was installed. This demonstrated success resulted in a request in the current budget year for an additional unit to be acquired. The Police Chief has requested that the purchase of an additional three cameras would provide the ability to implement multiple views at multiple locations as necessary. At an estimated cost of \$7,000/unit, the total project for the budgeted camera and three additional would be \$28,000 It is recommended that City Council consider funding this purchase in the following manner:

\$3,300	Existing Budget Funds
\$5,000	Drug Forfeiture Funds
\$20,000	Committed Fund Balance (Requires Council Action)

A second item for Council's consideration is the ability to obtain surplus military equipment that would enhance capabilities. The Police Department has been investigating the need, utility, and process for an armored rescue vehicle for some time. In fact, a presentation was and is scheduled for



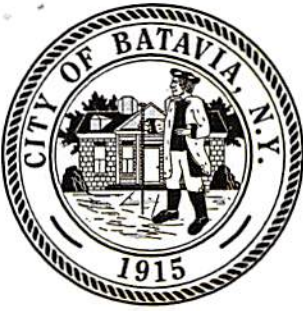
City of Batavia

the June conference meeting on beginning the application process to obtain a Mine Resistant Ambush Protected (MRAP) vehicle through the Federal Government 1033 program. While it is important for the acquisition of these types of vehicles to be fully investigated for need and appropriateness, I do not believe there is reason to not pursue the application process while the ultimate decision of acquisition is determined. I look forward to the Police Departments presentation at the June conference meeting so that Council can become more informed on this initiative.

Supporting Documentation:

Police Chief Heubusch Memos (Cameras and MRAP)


Draft Resolution



City of Batavia

Memorandum

To: Matt Worth, Interim City Manager

From: Shawn Heubusch, Police Chief 

Date: June 4, 2018

Subject: Public Safety Issues

As part of the 2018-19 budget the Police Department budgeted for an additional street surveillance camera to enhance our ability to detect and deter crime. The current street surveillance camera has proven beneficial in not only deterring crime from occurring in the area where it is placed, but in helping to solve crime as well. The unit is portable and fairly easy to install with the assistance of DPW, National Grid and our IT services contractor. Unfortunately, we have a need for further cameras to aid in the surveillance of targeted and high crime areas. A single camera is not capable of providing the necessary coverage of any one single area and we have seen the need for the camera to be in different locations at the same time. We wish to increase the department's capabilities by purchasing additional cameras. The intent would be to saturate a trouble spot from as many angles as possible to provide a better deterrent to criminal activity and to capture video evidence in the event a crime does take place. Additionally, cameras could be placed in the downtown area focusing on parking lots and areas where theft and disorder has been known to occur or City Parks when appropriate.

I have spoken with vendors and other police departments to discuss different options. I am recommending purchasing four (4) additional rapid deployment cameras. These cameras would operate on the Verizon 4G LTE network, and therefore they do not rely upon any costly City infrastructure. There are many configuration options available and equipment of this type is available to municipalities on State Contract pricing. Depending on configuration they can cost between \$6000 and \$8000 per unit. This cost is all-inclusive of hardware, training, software, and warranty. Other costs associated with this project will be on-going access charges, which is currently \$40.01 per month through the City's Verizon plan. This cost would work out to be approximately \$3000 per year.

It is anticipated that once approved the cameras would be installed and active within 2-3 weeks. The placement of the cameras would be based upon need as assessed by calls for service in an area, severity

Police Department
10 Main Street
Batavia, New York 14020



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Fax: 585-344-1878
Records: 585-345-6303
Detective Bureau: 585-345-6370
www.batavianewyork.com



City of Batavia

of the calls, officer input and community feedback. I would anticipate the need for Bureau of Maintenance personnel to install the cameras with the use of the City's bucket truck along with the cooperation of National Grid for the placement of power outlets at the locations selected. Once installed the cameras would be operational immediately and provide video surveillance to the areas in question. The cameras would not be remotely monitored continuously, as this is not possible with our staff, but would be able to be called up at a moment's notice to view and of course would be reviewed when necessary to capture and store video evidence to aid in the investigation or prosecution of a crime.

Video surveillance is very common these days to the point that the Police Department has created a voluntary database of privately owned surveillance systems around the City. This database and resulting video has been extremely beneficial in gathering evidence for the prosecution of crimes. We look forward to being able to provide a safer environment for our residents and are dedicated to using whatever means necessary to accomplish that goal.

Another important item that will be brought before Council in the coming weeks is the Department's pursuit of an armored rescue vehicle to support the Emergency Response Team as well as other critical rescue missions within the City and surrounding County. Currently the Department does not have any type of armored personnel carrier or vehicle capable of providing protection to the members of the ERT when responding to high risk operations. The Department has researched many options and found that the most cost-effective option to be the acquisition of a Mine Resistant Ambush Protected (MRAP) vehicle via the Federal 1033 program. These vehicles are more than capable of providing the type of support necessary to render aid during a law enforcement situation or other natural disaster.

The Department's Emergency Response team is a Multijurisdictional Team made up of members from the City Police Department and Genesee County Sheriff's Office. I have spoken with the Sheriff and he has agreed to aid the City in supporting this vehicle with a 50% match to any expenditures, pending Legislative approval of the expenses. There will be further details forthcoming during the presentation to City Council on June 25.

Thank you for your consideration and do not hesitate to contact me with any questions.

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#61-2018

A RESOLUTION TRANSFERING \$20,000 FROM UNASSIGNED FUND BALANCE TO COMMITTED FUND BALANCE TO PURCHASE AND INSTALL NEIGHBORHOOD MOBILE CAMERAS

Motion of Councilperson

WHEREAS, the City of Batavia for the fiscal year ending March 31, 2018 has unassigned General Fund balance for funding various capital projects; and

WHEREAS, recent events have focused attention on efforts in community policing and after careful consideration it is recommended that existing strategies be utilized and accelerated to increase efficiencies with existing staff; and

WHEREAS, the current neighborhood mobile camera in the City's possession has demonstrated success and has had a positive impact in the neighborhood where it was installed and, because of this, the City's current 17/18 fiscal year budget includes the purchase of an additional camera; and

WHEREAS, the City of Batavia Chief of Police is requesting the City purchase an additional three cameras at a cost of \$28,000 using \$3,000 in existing budget funds, \$5,000 in drug forfeiture funds and \$20,000 in Committed Fund Balance.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia does hereby transfer \$20,000 from the unassigned General Fund balance to Committed fund balance; and

BE IT FURTHER RESOLVED, that the transfer of funds to Committed fund balance is consistent with the City's Strategic Plan.


Seconded by Councilperson
On roll call



City of Batavia

Memorandum

To: Matt Worth, Interim-City Manager

From: Shawn Heubusch, Police Chief 

Date: June 4, 2018

Subject: Authorization to acquire an armored vehicle via the 1033 program

The City of Batavia Police Department commands the County's only Multi-Jurisdictional Emergency Response Team (ERT) for the purpose of tactical responses to situations that occur throughout the County that are beyond the capability of ordinary patrol officers. Some examples of these situations include, but are not limited to, hostage situations, barricaded individuals that are armed or thought to be armed with firearms, high risk search/arrest warrant services as well as situations where suspects are actively firing at first responders to name a few. The ERT exists to mitigate the risk involved with these high-risk operations that must be dealt with by law enforcement for the sake of the safety of the community. The ERT is currently composed of 15 members from the various law enforcement agencies throughout the County. This team operates under an Inter-Municipal Agreement that was updated on July 30, 2015 and covers liability, training and command and control issues respective to the operations of the ERT. The ERT is used regularly to accomplish a variety of missions as outlined above (unfortunately, these situations are becoming more prevalent in our society). The team trains regularly in an effort to obtain standards as outlined by the MPTC for NYS.

The team currently has a single vehicle dedicated to its operations, this vehicle is a 2010 Ford cargo van. This vehicle works well as a transport vehicle and command post while on the scene of an incident, however provides no ballistic protection from any type of firearm. We are looking to obtain an armored vehicle that can be used as a rescue vehicle in many different situations and also provide much needed ballistic protection to our officers.

The City of Batavia Police Department is currently enrolled in the Federal 1033 program and has been a recipient of the program in the past. We would like to apply to the program to obtain an armored vehicle. The military makes available to local law enforcement armored vehicles that are no longer in-service for military operations, the most popular, and practical, being the Mine Resistant Ambush Protected vehicle more commonly known as the MRAP. This vehicle provides the ballistic protection

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www.batavianewyork.com



City of Batavia

necessary to keep officers and civilians safe during high risk operations. This vehicle can be, and has been, used as a high water rescue vehicle and is also capable of rescuing individuals from a variety of terrains. The vehicle was purpose built for the military to withstand firearm rounds up to and including .50 caliber ammunition. The vehicle was also built to withstand explosions from improvised explosive devices (IED's) that would be encountered in combat areas. The vehicle itself is manufactured by Navistar International, the same company that provides diesel trucks such as dump trucks and snow plows to municipalities.

The ideal vehicle for the law enforcement tactical use is a Lenco Bearcat. This vehicle is purpose built for law enforcement and sold to law enforcement agencies across the world. The Police Department obtained an estimate for the purchase of a Lenco Bearcat in 2016 of \$254,452. This estimate included minimal options that would be necessary for this region, such as diesel engine and off-road package.

The MRAP is offered to local law enforcement agencies through the 1033 program for a cost of \$ 0*. The only costs to the municipalities are the costs of transport from whatever port it is located (worst case scenario estimate of \$7,000 depending on location), repairs and upfitting (dependent upon condition) and yearly maintenance (estimated at \$500 to \$1,500). All of these costs are estimates based upon similar expenditures by other law enforcement agencies in New York State over the last 5 years. In total an MRAP can be obtained and upfitted for approximately \$11,500 to \$17,000, a fraction of the cost of a Lenco Bearcat. The costs would be split evenly between the City of Batavia Police Department and the Genesee County Sheriff's Office (see attached letter of support from Sheriff William Sheron).

The MRAP is considered "controlled property" under the 1033 Program and therefore needs the signature of the City Council President to apply to the Program for the vehicle.

It is my recommendation that City Council approve the Council President to sign the New York 1033 Law Enforcement Agency Controlled Property Request Authorization form. This signature will allow the City of Batavia to be put on a list to obtain an MRAP when one becomes available through the program.

Thank you for your time and consideration.

Police Department
10 Main Street
Batavia, New York 14020



Phone: 585-345-6350
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Detective Bureau: 585-345-6370
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New York State
Accredited Agency

Office of the Sheriff

Genesee County, New York

William A. Sheron, Jr., Sheriff

Gregory H. Walker, Undersheriff

April 18, 2018

Chief Shawn Heubusch
City of Batavia Police Department
10 West Main Street
Batavia, New York 14020

Re: **Letter of Support**

Dear Chief Heubusch:

The purpose of my letter is to express full support for the purchase of a Mine Resistant Ambush Protected (MRAP) vehicle to be utilized by the Emergency Response Team (ERT) along with other police emergency situations.

Per our discussions, the Genesee County Sheriff's Office is prepared to cover up to 50% of the purchase cost and annual maintenance. If the Batavia City Council approves this request, I will move forward and present it to the Genesee County Legislature for approval.

Sincerely,

William A. Sheron, Jr.
Sheriff

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165 Park Road
Batavia, NY 14020
(585) 345-3000
FAX: (585) 343-9129

Genesee County Jail
P.O. Box 151
Batavia, NY 14021-0151
(585) 343-0838
FAX: (585) 344-2541

Genesee Justice
14 West Main Street
Batavia, NY 14020
(585) 815-7821
FAX: (585) 345-3095

**Justice for Children
Advocacy Center**
304 East Main Street
Batavia, NY 14020
(585) 344-8576
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