

BATAVIA CITY COUNCIL CONFERENCE MEETING

City Hall - Council Board Room
One Batavia City Centre
February 26, 2024 at 7:00 p.m.

AGENDA

- I. Call to Order
- II. Invocation – Councilmember Schmidt
- III. Pledge of Allegiance
- IV. Public Comments
- V. Council Response to Public Comments
- VI. Communications
 - a. GO ART Steel Band Festival – 4/13/24
 - b. Ever Present Church Worship Concert – 4/26/24
 - c. Genesee Country Farmer’s Market – 6/7/24-11/1/24
 - d. BID Jackson Square Concerts – Fridays 7/12/24-8/17/24
 - e. BID Live Band Music – Saturdays 7/13/24-8/17/24
 - f. Living Waters Community Outreach – 7/28/24
 - g. O’Lacy’s Liquor License
- VII. Council President Report
 - a. Announcement of the next City Council Meeting to be held on Monday, March 11, 2024 at 7:00 p.m. at the City Hall Council Board Room, 2nd Floor, City Centre
 - b. Resolution to Request Additional AIM Funding from NYS Governor Hochul
- VIII. Proclamation
 - a. Retirement Police Sergeant – Daniel Coffey
- IX. Public Hearings:
 - a. A Public Hearing to Adopt the 2024/25 Budget Ordinance #001-2024

- b. A Public Hearing to Adopt an Amendment to Local Law No. 1 of the Year 2024 §184-41 (A), (B), (C), And (O) of the Batavia Municipal Code to establish New Water Rates, Meter Fees and a Capital Improvement Fee Adoption

- X. Appointments
 - a. City Historian - Ryan Duffy
- XI. Adoption of FY 2024/25 Budget Ordinance
- XII. Local Law No. 1 of the Year 2024 §184-41 (A), (B), (C), And (O) of the Batavia Municipal Code to establish New Water Rates, Meter Fees and a Capital Improvement Fee Adoption
- XIII. Annual Resolutions
 - a. Investment Policy
 - b. Parking Permits
 - c. Employee Accrued Liability Reserves
 - d. Purchasing Manual
- XIV. Surplus of Police Equipment for Disposal
- XV. Additional STOP-DWI Funds for Equipment
- XVI. NYS Division of Homeland Security and Emergency Services Grant
- XVII. Assistance Firefighter Grant
- XVIII. Health Care Worker Bonus
- XIX. NYS Pro Housing Community
- XX. Appointment of Pro Housing Officer
- XXI. Water Source Protection Program
- XXII. WIIA Water Plant Project
- XXIII. Bureau of Maintenance Surplus Equipment – Vehicles
- XXIV. Austin Park Grant Acceptance
- XXV. LED Street Light Authorization to Borrow
- XXVI. Executive Session.....Employment Matters
- XXVII. Adjournment



MEMORANDUM

To: Rachael Tabelski, City Manager
From: Heidi J. Parker, Clerk-Treasurer
Date: 2/20/24
Subject: Event Summary

Below please find the summary for the events to be reviewed by City Council on February 26, 2024:

(City Centre Event)

GO ART Steel Band Festival – 4/13/24

Estimated cost from public works is \$321.42. There are no costs from the other departments.

(City Centre Event)

EverPresent Church Worship Concert – 4/26/24

There are no costs from the departments.

Genesee Country Farmers' Market – 6/7 to 11/1/24

There are no costs from the departments.

Batavia Business Improvement District Jackson Square Concerts – Fridays 7/12 – 8/30/24

There are no costs from the departments.

Batavia Business Improvement District Live Band Music – Saturdays 7/13 – 8/17/24

There are no costs from the departments.

Living Waters Community Outreach – 7/28/24

There are no costs from the departments.

****NOTE** – Event sponsors are responsible for costs that may be incurred because of their event and have been made aware of estimated costs, if any. For final approval, all applicants must submit a certificate of liability insurance to the Clerk's Office prior to the event date.



City of Batavia
Batavia, New York 14020
(585) 345-6300

Official Use Only:

2024-5
Event Application #:

Event Application Fee - \$25.00 (non-refundable)
(A separate permit must be issued for each item requested)

Event Sponsor Genesee-Orleans Regional Arts Council
Type of Event Steel Band Festival
Day and Date of Event April 13 2024
Time of Event (don't include set up time here – just actual event time) 3:00 - 6:00
Location of Event Batavia City Centre Concourse
Details of Event (be as specific as possible) Music festival featuring multiple steelbands in performance.
Up to 2 food vendors. Seating for 250 audience members.

Contact Information:

Primary contact:

Name Ted Canning
Phone # 585-519-1935
Mailing address 3518 River Rd. Piffard, NY 14533
E-mail address panloco@rochester.rr.com

Secondary contact:

Name Gregory Hallock
Phone # 646 530-1980
Mailing address 201 East Main St. Batavia, NY 144020
E-mail address ghallock@goart.org

* Events will be posted on the City's website calendar. If there is a website you would like to include that people can visit for more information or registration, if applicable, note website here: _____

Will there be alcohol at your event? Yes No If yes, complete the following:
Type of alcoholic beverage to be served: Liquor Wine Beer
Will you be providing alcohol to your group? Yes No
Will you be selling alcohol to your group? Yes No Insurance certificate **WILL BE** required with Liquor Legal.
Will people be allowed to bring alcohol to the event? Yes No

Who will be applying to the NYS Liquor Authority for the permit to sell? _____

It is the Applicant's responsibility to police the area during the gathering to make sure all Alcohol Beverage Control rules are followed. Also, after the event Applicant is responsible to dispose of all empty bottles and debris.

**** If you are contracting with a group to sell alcohol during your event on city property, separate insurance is required from them with Liquor Legal in addition to your insurance. ****

PAID
JAN 19 2024
CITY OF BATAVIA
CLERK-TREASURER

EVENT INFORMATION (required):

Set up date: April 13, 2023

Set up time: 12:00 pm

Tear down date: April 13

Tear down time: 7:30 pm

PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:

Date: April 15, 2023

Start time: 3:00

End time: 6:00

Estimated crowd size: 300

of Vendors/Displays 2

WILL THE EVENT INCLUDE:

- Parade: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
 - Run or Walk: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
 - Music: Yes No (SITE DRAWING OF STAGE OR DJ LOCATION ATTACHED)
 - Street Closure(s): Yes No (MAP OF CLOSED STREETS AND DROP LOCATION OF BARRICADES)
 - Other: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Fireworks or Hazardous Materials? Yes No Carnival or Amusement Rides? Yes No

Name of Company Providing Above:

Company Contact/Representative

(585) 343-9313

Phone #

Address, Street

City

Zip Code

Music: Live Group Recorded/DJ

GoArt Gregory Hallock

(585) 343-9313

Name of Company Providing Above:

Company Contact/Representative

Phone #

201 East Main St. Batavia, NY 14020

Address, Street

City

Zip Code

CITY SERVICES SUPPORT:

City Code 66-15, D-2

The City reserves the right, as part of the permitting process, to require the applicant to pay for additional operational costs of the City associated with the event.

FOR EVENTS IN CITY PARKS, GARBAGE PICK-UP WILL BE MADE ONLY TO GARBAGE CANS ON SITE. ADDITIONAL GARBAGE MUST BE BAGGED AND REMOVED FROM PREMISES BY EVENT SPONSOR.

ELECTRIC:

Will electric be needed for the event? Yes No

What will you be providing electric to? Sound amplification, possible food vendors

Will generators be used? Yes No *see Special Events Inspection ✓ list for compliance*

If yes, INCLUDE SITE DRAWING INDICATING PLACEMENT/LOCATION OF GENERATOR

SIZE OF GENERATOR(S) _____ FUEL SOURCE - GAS - - DIESEL - - PROPANE -

TENTS/CANOPIES/POP-UPS: See appendices for compliance checklist – all tents will be inspected **

Will Tents/Canopies or other membrane structures be erected at event? Yes No
Will a bounce house or other air supported structures be erected at event? Yes No

NOTE – Appropriate anchoring is required for all tents, canopies, and pop-up structures

Please list size(s) of Tents/Canopies or other temporary structures erected* _____

ANCHORING INTO PAVEMENT IS PROHIBITED!

If anchoring in grass, soil areas please contact the NYS Dig Safe # at: 1-800-962-7962 or 811

STREET CLOSURE(S):

ANY EVENT REQUIRING A STREET CLOSURE REQUIRES 90 DAY ADVANCE NOTICE

Will street(s) need to be closed for the event? Yes No Reason: _____

List Street(s) and Cross Street(s) that will be affected:

_____	_____	&	_____
Street to be closed		Cross Streets	
_____	_____	&	_____
Street to be closed		Cross Streets	
_____	_____	&	_____
Street to be closed		Cross Streets	
_____	_____	&	_____
Street to be closed		Cross Streets	

Will street barricades be requested from the City? Yes No How Many? _____

Will traffic cones be requested from the City? Yes No How Many? _____

(Drop off locations of requested items must be identified on the site drawing)

BANNERS / SIGNS OR OTHER DECORATIONS ARE NOT TO BE ATTACHED TO STREET BARRICADES, TRAFFIC CONES, LIGHT POLES, OR ANY OTHER CITY PROPERTY

Are there any other city materials or personnel requested for the event? Identify below: *(there may be additional costs)*

Block parties must allow local traffic and driveways cannot be blocked. Initial here: _____ (if hosting block party)

POLICE

Will City Police Officers be requested for the event? Yes No

If yes, what type of request? Traffic control Security Community Policing
Other : Specify _____

FINAL DETERMINATION FOR NUMBER OF POLICE OFFICERS and UTILIZATION WILL BE AT THE DISCRETION OF THE CITY.

PLEASE NOTE:

1. Be as specific as possible in the description so we have the best understanding of your event. Also, be clear as to what you would like provided by the City. **Applications should be submitted at least 30 days in advance.**
2. Fire hydrants, Cross Streets/Alleys and Store Fronts **Shall Not Be Blocked** by any Vehicle or Concession at any time.
3. An Emergency Vehicle Safety Lane Must be Maintained at All times at All Locations
4. Fuel Containers Must be of an Approved type and Must be Properly Secured
5. Deep Fryers Must Be Approved. Commercial Types Require a Type "K" Portable Fire Extinguisher
6. All Food Vendors Must Have a Type ABC Fire Extinguisher. All Fire Extinguishers Must Be Inspected Within The Last Year. **A Valid Health Department Permit Must Be Displayed.**
7. No grease or substance of any kind may be discharged upon the streets, sidewalks, or into the storm drains and/or sewers
8. City Sign Ordinances Shall Be Complied With At All Times And In All Regards
9. No paint or other markings may be placed on the street surface.
10. Additional operational costs of the City, as determined by City Departments, must be paid by the event sponsor at the conclusion of the event. The application fee is due at time of submission and is non-refundable.
11. Vendor/participants must also follow all inspection/temporary structure rules found in the appendices (pg 6-7)
12. For block parties, sponsors must notify all affected neighbors and local traffic/driveway access must be maintained.
13. If approved, a Certificate of Liability Insurance of at least \$1,000,000 naming the City of Batavia as an additional insured for at least the day(s) of the event must be submitted to the City Clerk prior to the event date.

Hold Harmless Agreement

GO ART!, the organizer/sponsor, shall indemnify, hold harmless, assume liability for and defend the City of Batavia, its employees, officers and agents from any and all damages, costs and expenses including but not limited to, attorney's fees, court costs, and all other sums which the City of Batavia its employees, officers and agents may pay or become obligated to pay on account of any and every demand, claim or assertion of liability, or any claim founded thereon, arising or alleged to have arisen out of the activities described in this special event application and sanctioned by the permit issued by the City of Batavia or by any act or omission of the GO ART! (Organizer/Sponsor), its members, agents, employees, volunteers, officers, or directors in relation to activities described in this application and sanctioned by the issuance of a special event permit.

01/18/2024
Date:

GO ART!
Name of Event Sponsor:
Gregory A. Hallock, Executive Director
Authorized Signature, Title
Gregory A. Hallock
Name - Printed or Typed

The rules and information contained within this application have been read and will be adhered to.

01/18/2024
Date:

Gregory A. Hallock
Signature of Applicant:

Please forward this application to:

**City Clerk's Office
Attention: Events Applications Department
One Batavia City Centre
Batavia, New York 14020**



GENEORL-01

RBJENJAMIN

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/19/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # 1009544 Lawley Genesee 20 Jefferson Square Batavia, NY 14020	CONTACT NAME: Theresa DeMars	
	PHONE (A/C, No, Ext): (585) 344-9511 9511	FAX (A/C, No): (716) 849-8291
E-MAIL ADDRESS: tdemars@lawleyinsurance.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A : Philadelphia Indemnity Ins Co		18058
INSURER B : Philadelphia Insurance Co Group		23850
INSURER C : Hartford Fire Insurance Co		19682
INSURER D :		
INSURER E :		
INSURER F :		

INSURED

Genesee Orleans Regional Arts Council Inc
 201 East Main St
 Batavia, NY 14020

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**


THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	X		PHPK2564257	6/9/2023	6/9/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 1,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			PHPK2564257	6/9/2023	6/9/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 500,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			PHUB867577	6/9/2023	6/9/2024	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ \$ 1,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	01WECTS7130	7/13/2023	7/13/2024	<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Steel Bank Festival 4/13/24

CERTIFICATE HOLDER**CANCELLATION**

City of Batavia One Batavia City Centre Batavia, NY 14020	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

ACORD 25 (2016/03)

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City of Batavia
Batavia, New York 14020
(585) 345-6300

PAID
JAN 30 2024
CITY OF BATAVIA
CLERK-TREASURER

Official Use Only:

2024-7
Event Application #:

Event Application Fee - \$25.00 (non-refundable)

(A separate permit must be issued for each item requested)

Event Sponsor EverPresent Church

Type of Event Worship Concert

Day and Date of Event April 26th - 24 Friday

Time of Event (don't include set up time here - just actual event time) 6:00 pm - 10:00 pm

Location of Event Everpresent Church and Concourse outside our church

Details of Event (be as specific as possible!) we have a worship artist coming and approximately 175 persons in attendance

Contact Information:

Primary contact:

Name Jason Norton

Phone # 585-993-1892

Mailing address 4 Batavia Hydrant Batavia NY 14020

E-mail address Pastorjason@everpresent.com

Secondary contact:

or - Pastormichelle@everpresentchurch.com

* Events will be posted on the City's website calendar. If there is a website you would like to include that people can visit for more information or registration, if applicable, note website here: _____

Will there be alcohol at your event? Yes No If yes, complete the following:

Type of alcoholic beverage to be served: Liquor Wine Beer

Will you be providing alcohol to your group? Yes No

Will you be selling alcohol to your group? Yes No Insurance certificate **WILL BE** required with Liquor Legal.

Will people be allowed to bring alcohol to the event? Yes No

Who will be applying to the NYS Liquor Authority for the permit to sell? N/A

Is the Sponsor requesting waiver of the Open Container law per §34-7 of the City Code? Yes No

It is the Applicant's responsibility to police the area during the gathering to make sure all Alcohol Beverage Control rules are followed. Also, after the event Applicant is responsible to dispose of all empty bottles and debris.

**** If you are contracting with a group to sell alcohol during your event on city property, separate insurance is required from them with Liquor Legal in addition to your insurance. ****

EVENT INFORMATION (required):

Set up date: 4-25-24 Set up time: 4 PM

Tear down date: 4-27-24 Tear down time: 10-noon

PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:

Date: 4-26-24 Start time: 6:30 am End time: 10:00 pm

Estimated crowd size: 175 # of Vendors/Displays 0

WILL THE EVENT INCLUDE:

- Block Party: Yes No (MAP OF STREET CLOSURE MUST BE ATTACHED)
- Parade: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Run or Walk: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Music: Yes No (SITE DRAWING OF STAGE OR DJ LOCATION ATTACHED)
- Street Closure(s): Yes No (MAP OF CLOSED STREETS AND DROP LOCATION OF BARRICADES)
- Other: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)

Fireworks or Hazardous Materials? Yes No Carnival or Amusement Rides? Yes No

Name of Company Providing Above:

Company Contact/Representative

Phone #

Address, Street

City

Zip Code

Music: Live Group Recorded/DJ

Everpresent Church
Name of Company Providing Above:

Jason Norton
Company Contact/Representative

585 993-1888
Phone #

4 City Centre
Address, Street

Batavia
City

14020
Zip Code

CITY SERVICES SUPPORT:

City Code 66-15, D-2

The City reserves the right, as part of the permitting process, to require the applicant to pay for additional operational costs of the City associated with the event.

FOR EVENTS IN CITY PARKS, GARBAGE PICK-UP WILL BE MADE ONLY TO GARBAGE CANS ON SITE. ADDITIONAL GARBAGE MUST BE BAGGED AND REMOVED FROM PREMISES BY EVENT SPONSOR.

ELECTRIC:

Will electric be needed for the event? Yes No

What will you be providing electric to? concourse area outside of church
warming food and lighting + sound equipment

Will generators be used? Yes No *see Special Events Inspection list for compliance*

If yes, INCLUDE SITE DRAWING INDICATING PLACEMENT/LOCATION OF GENERATOR

SIZE OF GENERATOR(S) _____ FUEL SOURCE - GAS - - DIESEL - - PROPANE -

TENTS/CANOPIES/POP-UPS: See appendices for compliance checklist – all tents will be inspected **

Will Tents/Canopies or other membrane structures be erected at event? Yes No
Will a bounce house or other air supported structures be erected at event? Yes No

NOTE – Appropriate anchoring is required for all tents, canopies, and pop-up structures

Please list size(s) of Tents/Canopies or other temporary structures erected* _____

ANCHORING INTO PAVEMENT IS PROHIBITED!

If anchoring in grass, soil areas please contact the NYS Dig Safe # at: 1-800-962-7962 or 811

STREET CLOSURE(S):

ANY EVENT REQUIRING A STREET CLOSURE REQUIRES 90 DAY ADVANCE NOTICE

Will street(s) need to be closed for the event? Yes No Reason: N/A

List Street(s) and Cross Street(s) that will be affected:

_____	_____	&	_____
Street to be closed		Cross Streets	
_____	_____	&	_____
Street to be closed		Cross Streets	
_____	_____	&	_____
Street to be closed		Cross Streets	
_____	_____	&	_____
Street to be closed		Cross Streets	

Will street barricades be requested from the City? Yes No How Many? _____

Will traffic cones be requested from the City? Yes No How Many? _____
(Drop off locations of requested items must be identified on the site drawing)

BANNERS, SIGNS OR OTHER DECORATIONS ARE NOT TO BE ATTACHED TO STREET BARRICADES, TRAFFIC CONES, LIGHT POLES, OR ANY OTHER CITY PROPERTY

Are there any other city materials or personnel requested for the event? Identify below: *(there may be additional costs)*

Block parties must allow local traffic and driveways cannot be blocked. Initial here: _____ (if hosting block party)

POLICE

Will City Police Officers be requested for the event? Yes No
If yes, what type of request? Traffic control Security Community Policing
Other : Specify Own Security Provided

FINAL DETERMINATION FOR NUMBER OF POLICE OFFICERS and UTILIZATION WILL BE AT THE DISCRETION OF THE CITY.

PLEASE NOTE:

1. Be as specific as possible in the description so we have the best understanding of your event. Also, be clear as to what you would like provided by the City. **Applications should be submitted at least 30 days in advance.**
2. Fire hydrants, Cross Streets/Alleys and Store Fronts **Shall Not Be Blocked** by any Vehicle or Concession at any time.
3. An Emergency Vehicle Safety Lane Must be Maintained at All times at All Locations
4. Fuel Containers Must be of an Approved type and Must be Properly Secured
5. Deep Fryers Must Be Approved. Commercial Types Require a Type "K" Portable Fire Extinguisher
6. All Food Vendors Must Have a Type ABC Fire Extinguisher. All Fire Extinguishers Must Be Inspected Within The Last Year. **A Valid Health Department Permit Must Be Displayed.**
7. No grease or substance of any kind may be discharged upon the streets, sidewalks, or into the storm drains and/or sewers
8. City Sign Ordinances Shall Be Complied With At All Times And In All Regards
9. No paint or other markings may be placed on the street surface.
10. Additional operational costs of the City, as determined by City Departments, must be paid by the event sponsor at the conclusion of the event. The application fee is due at time of submission and is non-refundable.
11. Vendor/participants must also follow all inspection/temporary structure rules found in the appendices (pg 6-7)
12. For block parties, sponsors must notify all affected neighbors and local traffic/driveway access must be maintained.
13. If approved, a Certificate of Liability Insurance of at least \$1,000,000 naming the City of Batavia as an additional insured for at least the day(s) of the event must be submitted to the City Clerk prior to the event date.

Hold Harmless Agreement

Evangelical Church, the organizer/sponsor, shall indemnify, hold harmless, assume liability for and defend the City of Batavia, its employees, officers and agents from any and all damages, costs and expenses including but not limited to, attorney's fees, court costs, and all other sums which the City of Batavia its employees, officers and agents may pay or become obligated to pay on account of any and every demand, claim or assertion of liability, or any claim founded thereon, arising or alleged to have arisen out of the activities described in this special event application and sanctioned by the permit issued by the City of Batavia or by any act or omission of the Evangelical Church (Organizer/Sponsor), its members, agents, employees, volunteers, officers, or directors in relation to activities described in this application and sanctioned by the issuance of a special event permit.

1-29-24
Date:

Evangelical Church
Name of Event Sponsor:
~~Pastor Jason Norton~~ Pastor
Authorized Signature, Title
Pastor Jason Norton
Name - Printed or Typed

The rules and information contained within this application have been read and will be adhered to.
1-29-24
Date: Pastor Jason Norton
Signature of Applicant:

Please forward this application to:

City Clerk's Office
Attention: Events Applications Department
One Batavia City Centre
Batavia, New York 14020

**SPECIAL EVENT APPLICATION
DEPARTMENT APPROVAL SUMMARY**

FOR OFFICIAL CITY USE ONLY

OFFICIAL USE ONLY				
Department Recommendations:	Approved	Denied	Additional Costs	Department Initials
DPW (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Fire Dept. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Police Dept. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

If recommendation is denied, please attach a brief explanation

OFFICIAL USE ONLY	
_____	_____
<i>Date Received</i>	<i>Council Action: (Approved / Disapproved)</i>
_____	_____
<i>Date of Council Action:</i>	<i>Insurance Received (if applicable)</i>

Event Application #: _____

Department: _____
List Department Name Here

Department Approval

	YES	NO
DPW	<input type="checkbox"/>	<input type="checkbox"/>
Fire	<input type="checkbox"/>	<input type="checkbox"/>
Police	<input type="checkbox"/>	<input type="checkbox"/>

Department Cost Estimate: _____
If applicable

Estimate based on: *Fillable table – type your response here:*

--

If Application not Approved, Provide Reason Here: *Fillable table – type your response here:*

--

Submitted By: _____
Name / Title

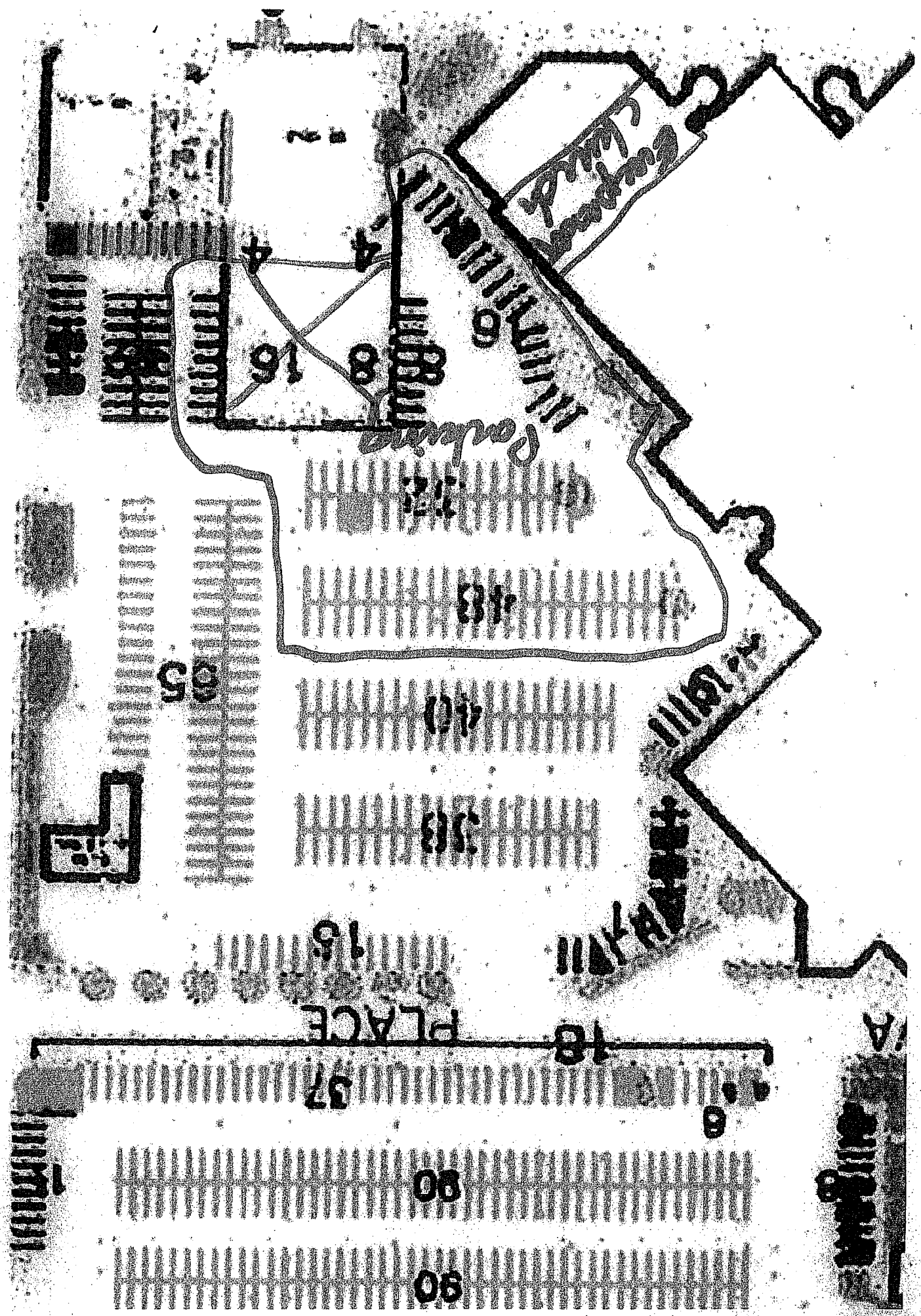
_____ Date Submitted

Appendices

SPECIAL EVENTS INSPECTION			
YES	Item to verify	NO	Corrective action
	Extension cords plugged into approved electrical boxes?		Do not use unless cords plugged direct
	Generator in use 20 feet from any structure?		Do not use generator unless moved to safe area
	Generator has appropriate extinguisher available		Do not use unless extinguisher present
	Generator grounded?		Do not use unless grounded
	Inflatable secured to ground?		Do not use unless secured
	Inflatable rods covered?		Do not use unless rods are covered for safety
	Propane tanks secured?		Do not use unless secured
	Outside cooking has appropriate extinguisher?		Do not use unless extinguisher present
	Fireworks display 75 feet from any structure?		Do not light unless in approved location
	Fireworks display has proper extinguishers?		Do not light unless extinguisher is present
	Does cooking under tent meet the safety standard?		Do not cook unless tent is rated for fire resistance or cooking outside tent
	Are Easy up tents properly roped, braced or anchored to withstand elements of weather and collapse?		Do not occupy until proper securing is approved by inspector
	Does Easy up tent have permanent label ID of size and fabric?		Tent not to be used without proper label
	Outdoor cooking that produces sparks or grease laden vapors?		Shall be outside of tents unless tent is fire rated and extinguishers or hood present
	Does the venue have a crowd of 250 people or more?		Must have crowd managers trained as approved by inspector

TEMPORARY STRUCTURE SETUP AND DAILY CHECKLIST (tent and membrane structures)

YES	Item to Verify	NO	Corrective Action
	Is structure at least 20 feet from any property lines?		Do not occupy or use structure. Structure needs to be relocated a minimum of 20 feet from any property lines.
	Is structure within 20 feet of any building?		Do not occupy or use structure. Structure needs to be relocated a minimum of 20 feet from any building.
	Is structure within 20 feet of another structure?		Evaluate all structures within 20 feet of each other as a single structure meeting all applicable requirements.
	Is structure within 20 feet of parking?		Restrict parking or relocate structure at least 20 feet from parking.
	Is structure within 20 feet of any internal combustion engines?		Do not use internal combustion engine until relocated at least 20 feet from structure.
	Are "No Smoking" signs posted inside and outside?		Do not occupy or use structure unless no smoking signs are posted and enforced.
	Are fireworks and unapproved open flames prohibited inside and outside the structure?		Do not occupy or use structure unless fireworks and all unapproved open flames are prohibited in the structure and within 20 feet of exterior of structure.
	Are all points in the structure within 100 feet of an exit?		Do not occupy or use structure unless sufficient nearby exits are provided.
	Ensure "Exit" signs are posted and clearly visible.		Do not occupy or use structure unless required "Exit" signs are provided.
	Ensure "Exit" signs are illuminated.		Do not use or occupy structure unless illuminated exits are provided.
	Ensure that exit signs have either two separate circuits or two sources of power depending on occupant load.		Do not use or occupy structure until a minimum of two circuits or sources of power are provided as required. Typically this is accomplished through the use of AC Powered Exit signs with internal battery backup.
	Are exits open and uncovered?		Do not occupy or use structure unless all required exits are functional.
	Are all aisles at least 44 inches wide? Do aisles increase in width where required?		Do not occupy or use structure unless proper aisle widths are maintained.
	Is the Occupant Load posted appropriately?		Do not occupy or use structure unless the correct occupant load is posted appropriately.
	Ensure emergency lighting is provided.		Do not use or occupy structure unless emergency lighting is provided.
	Is a label permanently affixed to the structure bearing the identification of size and material type?		Do not use or occupy structure unless label is present.
	2A:10BC Fire extinguishers are provided (see information packet for minimum number required).		Do not use or occupy structure until sufficient, properly sized, fire extinguishers are provided.
	At least one 4OBC rated fire extinguisher shall be provided for each kitchen, mess hall, power generator, or transformer and at locations where flammable or combustible liquids are used, stored, or dispensed.		Do not use or operate any of these hazards unless appropriate fire extinguishers are provided as described in Temporary Membrane Structures, Tents and Canopies document and applicable codes.
	Weeds and other combustible vegetation shall be removed from within 30 feet of the structure area.		Do not use or occupy the structure unless combustible vegetation has been removed from the specified area.
	The floor surface inside, including the grounds adjacent to or within 30 feet outside of temporary tents, canopies, and membrane structures, shall be kept free of combustible waste.		Do not use or occupy the structure unless combustible waste is removed or stored in proper containers.
	Such waste shall be stored in approved containers until removed from the premises.		Do not use or occupy the structure unless trash containers have been emptied from the previous day.
	Outdoor cooking that produces sparks or grease-laden vapors. Must be outside tent.		Do not use cooking source under tent
	Is tent secure		20 lbs per leg or tent stakes
Inspection performed by:		Date:	





City of Batavia
Batavia, New York 14020
(585) 345-6300

PAID
JAN 22 2024
CITY OF BATAVIA
CLERK-TREASURER

Official Use Only:

2024-6
Event Application #:

Event Application Fee - \$25.00 (non-refundable)
(A separate permit must be issued for each item requested)

Event Sponsor Genesee Country Farmers' Market, Inc.

Type of Event Farmers Market - outdoors

Day and Date of Event June 7, 2024 to Nov. 1, 2024 every Tues, Thurs, Fri

Time of Event (don't include set up time here - just actual event time) 9AM-4PM

Location of Event Bank St mall parking lot

Details of Event (be as specific as possible) Farmers market will be open Tues, Thurs, Fri 9AM-4PM Vendors will be selling fruit, vegetables, baked goods, cheese, flowers, crafts, wine, kettlecorn, etc. Food truck available each day with required permits

Contact Information:

Primary contact:
Name Rebecca Grek
Phone # 716-870-3828
Mailing address PO Box 88 Oakfield NY 14128
E-mail address greka86@gmail.com

Secondary contact:
Sharon Brent
716-560-0853
PO Box 342 Gasport NY 14067
sharon_brent@hotmail.com

* Events will be posted on the City's website calendar. If there is a website you would like to include that people can visit for more information or registration, if applicable, note website here: _____

Will there be alcohol at your event? Yes No If yes, complete the following:

Type of alcoholic beverage to be served: Liquor Wine Beer x Cider

Will you be providing alcohol to your group? Yes No tastings only

Will you be selling alcohol to your group? Yes No Insurance certificate **WILL BE** required with **Liquor Legal**.

Will people be allowed to bring alcohol to the event? Yes No We have a special Farmers' mkt. permit thru NY Ag+Markets and Liquor Authority for tastings only. they can sell product in approved containers

Who will be applying to the NYS Liquor Authority for the permit to sell? _____

Is the Sponsor requesting waiver of the Open Container law per §34-7 of the City Code? Yes No

It is the Applicant's responsibility to police the area during the gathering to make sure all Alcohol Beverage Control rules are followed. Also, after the event Applicant is responsible to dispose of all empty bottles and debris.

**** If you are contracting with a group to sell alcohol during your event on city property, separate insurance is required from them with Liquor Legal in addition to your insurance. ****

EVENT INFORMATION (required):

Set up date: Every Tues, Thurs, Fri starting 6/7/24 to 11/1/24 Set up time: 7:30 AM
Tear down date: each market day Tear down time: 4:00-4:30 PM

PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:

Date: every Tues, Thurs, Fri 6/7/24 - 11/1/24 Start time: 7:30 AM End time: 5:00 PM

Estimated crowd size: 200-300 # of Vendors/Displays depending on the day of the week 5-30

WILL THE EVENT INCLUDE:

- Block Party: Yes No (MAP OF STREET CLOSURE MUST BE ATTACHED)
- Parade: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Run or Walk: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Music: Yes No (SITE DRAWING OF STAGE OR DJ LOCATION ATTACHED)
- Street Closure(s): Yes No (MAP OF CLOSED STREETS AND DROP LOCATION OF BARRICADES)
- Other: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)

Fireworks or Hazardous Materials? Yes No Carnival or Amusement Rides? Yes No

Name of Company Providing Above: _____ Company Contact/Representative: _____ Phone #: _____

Address, Street _____ City _____ Zip Code _____

Music: Live Group Recorded/DJ

Name of Company Providing Above: _____ Company Contact/Representative: _____ Phone #: _____

Address, Street _____ City _____ Zip Code _____

CITY SERVICES SUPPORT:

City Code 66-15, D-2 *The City reserves the right, as part of the permitting process, to require the applicant to pay for additional operational costs of the City associated with the event.*

FOR EVENTS IN CITY PARKS, GARBAGE PICK-UP WILL BE MADE ONLY TO GARBAGE CANS ON SITE. ADDITIONAL GARBAGE MUST BE BAGGED AND REMOVED FROM PREMISES BY EVENT SPONSOR.

ELECTRIC:

Will electric be needed for the event? Yes No

What will you be providing electric to? _____

Will generators be used? Yes No *see Special Events Inspection ✓ list for compliance*

If yes, INCLUDE SITE DRAWING INDICATING PLACEMENT/LOCATION OF GENERATOR

SIZE OF GENERATOR(S) _____ FUEL SOURCE - GAS - - DIESEL - - PROPANE -

TENTS/CANOPIES/POP-UPS: See appendices for compliance checklist – all tents will be inspected **

Will Tents/Canopies or other membrane structures be erected at event? Yes No
Will a bounce house or other air supported structures be erected at event? Yes No

NOTE – Appropriate anchoring is required for all tents, canopies, and pop-up structures

Please list size(s) of Tents/Canopies or other temporary structures erected* Vendors use 10x10
to 20x20 tents weighted down properly

ANCHORING INTO PAVEMENT IS PROHIBITED!

If anchoring in grass, soil areas please contact the NYS Dig Safe # at: 1-800-962-7962 or 811

STREET CLOSURE(S):

ANY EVENT REQUIRING A STREET CLOSURE REQUIRES 90 DAY ADVANCE NOTICE

Will street(s) need to be closed for the event? Yes No Reason: _____

List Street(s) and Cross Street(s) that will be affected:

Street to be closed & Cross Streets _____

Street to be closed & Cross Streets _____

Street to be closed & Cross Streets _____

Street to be closed & Cross Streets _____

Will street barricades be requested from the City? Yes No How Many? _____

Will traffic cones be requested from the City? Yes No How Many? _____
(Drop off locations of requested items must be identified on the site drawing)

BANNERS, SIGNS OR OTHER DECORATIONS ARE NOT TO BE ATTACHED TO STREET BARRICADES, TRAFFIC CONES, LIGHT POLES, OR ANY OTHER CITY PROPERTY

Are there any other city materials or personnel requested for the event? Identify below: (there may be additional costs)

Block parties must allow local traffic and driveways cannot be blocked. Initial here: _____ (if hosting block party)

POLICE

Will City Police Officers be requested for the event? Yes No

If yes, what type of request? Traffic control Security Community Policing
Other : Specify _____

FINAL DETERMINATION FOR NUMBER OF POLICE OFFICERS and UTILIZATION WILL BE AT THE DISCRETION OF THE CITY.

PLEASE NOTE:

1. Be as specific as possible in the description so we have the best understanding of your event. Also, be clear as to what you would like provided by the City. **Applications should be submitted at least 30 days in advance.**
2. Fire hydrants, Cross Streets/Alleys and Store Fronts **Shall Not Be Blocked** by any Vehicle or Concession at any time.
3. An Emergency Vehicle Safety Lane Must be Maintained at All times at All Locations
4. Fuel Containers Must be of an Approved type and Must be Properly Secured
5. Deep Fryers Must Be Approved. Commercial Types Require a Type "K" Portable Fire Extinguisher
6. All Food Vendors Must Have a Type ABC Fire Extinguisher. All Fire Extinguishers Must Be Inspected Within The Last Year. **A Valid Health Department Permit Must Be Displayed.**
7. No grease or substance of any kind may be discharged upon the streets, sidewalks, or into the storm drains and/or sewers
8. City Sign Ordinances Shall Be Complied With At All Times And In All Regards
9. No paint or other markings may be placed on the street surface.
10. Additional operational costs of the City, as determined by City Departments, must be paid by the event sponsor at the conclusion of the event. The application fee is due at time of submission and is non-refundable.
11. Vendor/participants must also follow all inspection/temporary structure rules found in the appendices (pg 6-7)
12. For block parties, sponsors must notify all affected neighbors and local traffic/driveway access must be maintained.
13. If approved, a Certificate of Liability Insurance of at least \$1,000,000 naming the City of Batavia as an additional insured for at least the day(s) of the event must be submitted to the City Clerk prior to the event date.

Hold Harmless Agreement

GCFM, the organizer/sponsor, shall indemnify, hold harmless, assume liability for and defend the City of Batavia, its employees, officers and agents from any and all damages, costs and expenses including but not limited to, attorney's fees, court costs, and all other sums which the City of Batavia its employees, officers and agents may pay or become obligated to pay on account of any and every demand, claim or assertion of liability, or any claim founded thereon, arising or alleged to have arisen out of the activities described in this special event application and sanctioned by the permit issued by the City of Batavia or by any act or omission of the GCFM (Organizer/Sponsor), its members, agents, employees, volunteers, officers, or directors in relation to activities described in this application and sanctioned by the issuance of a special event permit.

1/16/2024
Date:

Genesee Country Farmers Market, Inc
Name of Event Sponsor:

Sharon Brent, Treasurer GCFM
Authorized Signature, Title

Sharon Brent
Name - Printed or Typed

The rules and information contained within this application have been read and will be adhered to.

1/16/2024
Date:

Sharon Brent
Signature of Applicant:

Please forward this application to:

**City Clerk's Office
Attention: Events Applications Department
One Batavia City Centre
Batavia, New York 14020**

**SPECIAL EVENT APPLICATION
DEPARTMENT APPROVAL SUMMARY**

FOR OFFICIAL CITY USE ONLY

OFFICIAL USE ONLY				
Department Recommendations:	Approved	Denied	Additional Costs	Department Initials
DPW (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Fire Dept. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Police Dept. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<i>If recommendation is denied, please attach a brief explanation</i>				

OFFICIAL USE ONLY	
_____	_____
<small>Date Received</small>	<small>Council Action: (Approved / Disapproved)</small>
_____	_____
<small>Date of Council Action:</small>	<small>Insurance Received (if applicable)</small>

Event Application #: _____

Department: _____
List Department Name Here

Department Approval	YES	NO
DPW	<input type="checkbox"/>	<input type="checkbox"/>
Fire	<input type="checkbox"/>	<input type="checkbox"/>
Police	<input type="checkbox"/>	<input type="checkbox"/>

Department Cost Estimate: _____
If applicable

Estimate based on: Fillable table – type your response here:

If Application not Approved, Provide Reason Here: Fillable table – type your response here:

Submitted By: _____ _____
Name / Title Date Submitted



City of Batavia
Batavia, New York 14020
(585) 345-6300

Official Use Only:

2024-8
Event Application #:

PAID
JAN 30 2024
CITY OF BATAVIA
CLERK-TREASURER

Event Application Fee - \$25.00 (non-refundable)
(A separate permit must be issued for each item requested)

Event Sponsor The BID

Type of Event Jackson Sq. Concert Series

Day and Date of Event 7/12 7/19 7/26 8/2 8/9 8/16 8/23 8/30 - Fridays

Time of Event (don't include set up time here - just actual event time) 7-9pm

Location of Event Jackson Sq.

Details of Event (be as specific as possible!) live music

Contact Information:

Primary contact: Name Shannon Mante Secondary contact:
Phone # 409-5531
Mailing address 206 E. main St Suite 12
E-mail address Director@DowntownBataviaNY.com

* Events will be posted on the City's website calendar. If there is a website you would like to include that people can visit for more information or registration, if applicable, note website here: _____

Will there be alcohol at your event? Yes No Probably if they choose to purchase
If yes, complete the following:
Type of alcoholic beverage to be served: Liquor Wine Beer
Will you be providing alcohol to your group? Yes No
Will you be selling alcohol to your group? Yes No Insurance certificate WILL BE required with Liquor Legal.
Will people be allowed to bring alcohol to the event? Yes No
Who will be applying to the NYS Liquor Authority for the permit to sell? We have open container
Is the Sponsor requesting waiver of the Open Container law per §34-7 of the City Code? Yes No Jackson Sq has one

It is the Applicant's responsibility to police the area during the gathering to make sure all Alcohol Beverage Control rules are followed. Also, after the event Applicant is responsible to dispose of all empty bottles and debris.

**** If you are contracting with a group to sell alcohol during your event on city property, separate insurance is required from them with Liquor Legal in addition to your insurance. ****

EVENT INFORMATION (required):

Set up date: 7/12 7/19 7/26 8/2 8/9 8/16 8/23 8/30 Set up time: No earlier than 5pm
Tear down date: Same day Tear down time: 9:30pm

PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:

Date: Fridays in July + Aug. Start time: 7pm End time: 9pm
Estimated crowd size: 150 # of Vendors/Displays: 0

WILL THE EVENT INCLUDE:

- Block Party: Yes No (MAP OF STREET CLOSURE MUST BE ATTACHED)
- Parade: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Run or Walk: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Music: Yes No (SITE DRAWING OF STAGE OR DJ LOCATION ATTACHED)
- Street Closure(s): Yes No (MAP OF CLOSED STREETS AND DROP LOCATION OF BARRICADES)
- Other: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)

Fireworks or Hazardous Materials? Yes No Carnival or Amusement Rides? Yes No

Name of Company Providing Above: _____ Company Contact/Representative: _____ Phone #: _____

Address, Street _____ City _____ Zip Code _____

Music: Live Group Recorded/DJ

TBD
Name of Company Providing Above: _____ Company Contact/Representative: _____ Phone #: _____

Address, Street _____ City _____ Zip Code _____

CITY SERVICES SUPPORT:

City Code 66-15, D-2 *The City reserves the right, as part of the permitting process, to require the applicant to pay for additional operational costs of the City associated with the event.*

FOR EVENTS IN CITY PARKS, GARBAGE PICK-UP WILL BE MADE ONLY TO GARBAGE CANS ON SITE. ADDITIONAL GARBAGE MUST BE BAGGED AND REMOVED FROM PREMISES BY EVENT SPONSOR.

ELECTRIC:

Will electric be needed for the event? Yes No

What will you be providing electric to? Band

Will generators be used? Yes No *see Special Events Inspection list for compliance*

If yes, INCLUDE SITE DRAWING INDICATING PLACEMENT/LOCATION OF GENERATOR

SIZE OF GENERATOR(S) _____ FUEL SOURCE - GAS - - DIESEL - - PROPANE -

TENTS/CANOPIES/POP-UPS: See appendices for compliance checklist – all tents will be inspected **

Will Tents/Canopies or other membrane structures be erected at event? Yes No
Will a bounce house or other air supported structures be erected at event? Yes No

NOTE – Appropriate anchoring is required for all tents, canopies, and pop-up structures

Please list size(s) of Tents/Canopies or other temporary structures erected* _____

ANCHORING INTO PAVEMENT IS PROHIBITED!

If anchoring in grass, soil areas please contact the NYS Dig Safe # at: 1-800-962-7962 or 811

STREET CLOSURE(S):

ANY EVENT REQUIRING A STREET CLOSURE REQUIRES 90 DAY ADVANCE NOTICE

Will street(s) need to be closed for the event? Yes No Reason: _____

List Street(s) and Cross Street(s) that will be affected:

Street to be closed & _____
Cross Streets

Street to be closed & _____
Cross Streets

Street to be closed & _____
Cross Streets

Street to be closed & _____
Cross Streets

Will street barricades be requested from the City? Yes No How Many? _____

Will traffic cones be requested from the City? Yes No How Many? _____
(Drop off locations of requested items must be identified on the site drawing)

BANNERS / SIGNS OR OTHER DECORATIONS ARE NOT TO BE ATTACHED TO STREET BARRICADES, TRAFFIC CONES, LIGHT POLES, OR ANY OTHER CITY PROPERTY

Are there any other city materials or personnel requested for the event? Identify below: *(there may be additional costs)*
4 Trash cans

Block parties must allow local traffic and driveways cannot be blocked. Initial here: _____ (if hosting block party)

POLICE

Will City Police Officers be requested for the event? Yes No

If yes, what type of request? Traffic control Security Community Policing
Other : Specify _____

FINAL DETERMINATION FOR NUMBER OF POLICE OFFICERS and UTILIZATION WILL BE AT THE DISCRETION OF THE CITY.

PLEASE NOTE:

1. Be as specific as possible in the description so we have the best understanding of your event. Also, be clear as to what you would like provided by the City. **Applications should be submitted at least 30 days in advance.**
2. Fire hydrants, Cross Streets/Alleys and Store Fronts **Shall Not Be Blocked** by any Vehicle or Concession at any time.
3. An Emergency Vehicle Safety Lane Must be Maintained at All times at All Locations
4. Fuel Containers Must be of an Approved type and Must be Properly Secured
5. Deep Fryers Must Be Approved. Commercial Types Require a Type "K" Portable Fire Extinguisher
6. All Food Vendors Must Have a Type ABC Fire Extinguisher. All Fire Extinguishers Must Be Inspected Within The Last Year. **A Valid Health Department Permit Must Be Displayed.**
7. No grease or substance of any kind may be discharged upon the streets, sidewalks, or into the storm drains and/or sewers
8. City Sign Ordinances Shall Be Complied With At All Times And In All Regards
9. No paint or other markings may be placed on the street surface.
10. Additional operational costs of the City, as determined by City Departments, must be paid by the event sponsor at the conclusion of the event. The application fee is due at time of submission and is non-refundable.
11. Vendor/participants must also follow all inspection/temporary structure rules found in the appendices (pg 6-7)
12. For block parties, sponsors must notify all affected neighbors and local traffic/driveway access must be maintained.
13. If approved, a Certificate of Liability Insurance of at least \$1,000,000 naming the City of Batavia as an additional insured for at least the day(s) of the event must be submitted to the City Clerk prior to the event date.

Hold Harmless Agreement

The BID, the organizer/sponsor, shall indemnify, hold harmless, assume liability for and defend the City of Batavia, its employees, officers and agents from any and all damages, costs and expenses including but not limited to, attorney's fees, court costs, and all other sums which the City of Batavia its employees, officers and agents may pay or become obligated to pay on account of any and every demand, claim or assertion of liability, or any claim founded thereon, arising or alleged to have arisen out of the activities described in this special event application and sanctioned by the permit issued by the City of Batavia or by any act or omission of the The BID (Organizer/Sponsor), its members, agents, employees, volunteers, officers, or directors in relation to activities described in this application and sanctioned by the issuance of a special event permit.

1-23-24
Date:

The BID
Name of Event Sponsor:

Shannon Maule Executive Director
Authorized Signature, Title

Shannon Maule
Name - Printed or Typed

The rules and information contained within this application have been read and will be adhered to.

1-23-24
Date:

Shannon Maule
Signature of Applicant:

Please forward this application to:

**City Clerk's Office
Attention: Events Applications Department
One Batavia City Centre
Batavia, New York 14020**

**SPECIAL EVENT APPLICATION
DEPARTMENT APPROVAL SUMMARY**

FOR OFFICIAL CITY USE ONLY

OFFICIAL USE ONLY				
Department Recommendations:	Approved	Denied	Additional Costs	Department Initials
DPW (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Fire Dept. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Police Dept. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<i>If recommendation is denied, please attach a brief explanation</i>				

OFFICIAL USE ONLY	
_____	_____
<i>Date Received</i>	<i>Council Action: (Approved / Disapproved)</i>
_____	_____
<i>Date of Council Action:</i>	<i>Insurance Received (if applicable)</i>

Event Application #: _____

Department: _____
List Department Name Here

Department Approval	YES	NO
DPW	<input type="checkbox"/>	<input type="checkbox"/>
Fire	<input type="checkbox"/>	<input type="checkbox"/>
Police	<input type="checkbox"/>	<input type="checkbox"/>

Department Cost Estimate: _____
If applicable

Estimate based on: *Fillable table – type your response here:*

If Application not Approved, Provide Reason Here: *Fillable table – type your response here:*

Submitted By: _____ *Name / Title* _____ *Date Submitted*

Appendices

SPECIAL EVENTS INSPECTION			
YES	Item to verify	NO	Corrective action
	Extension cords plugged into approved electrical boxes?		Do not use unless cords plugged direct
	Generator in use 20 feet from any structure?		Do not use generator unless moved to safe area
	Generator has appropriate extinguisher available		Do not use unless extinguisher present
	Generator grounded?		Do not use unless grounded
	Inflatable secured to ground?		Do not use unless secured
	Inflatable rods covered?		Do not use unless rods are covered for safety
	Propane tanks secured?		Do not use unless secured
	Outside cooking has appropriate extinguisher?		Do not use unless extinguisher present
	Fireworks display 75 feet from any structure?		Do not light unless in approved location
	Fireworks display has proper extinguishers?		Do not light unless extinguisher is present
	Does cooking under tent meet the safety standard?		Do not cook unless tent is rated for fire resistance or cooking outside tent
	Are Easy up tents properly roped, braced or anchored to withstand elements of weather and collapse?		Do not occupy until proper securing is approved by inspector
	Does Easy up tent have permanent label ID of size and fabric?		Tent not to be used without proper label
	Outdoor cooking that produces sparks or grease laden vapors?		Shall be outside of tents unless tent is fire rated and extinguishers or hood present
	Does the venue have a crowd of 250 people or more?		Must have crowd managers trained as approved by inspector

TEMPORARY STRUCTURE SETUP AND DAILY CHECKLIST (tent and membrane structures)

YES	Item to Verify	NO	Corrective Action
	Is structure at least 20 feet from any property lines?		Do not occupy or use structure. Structure needs to be relocated a minimum of 20 feet from any property lines.
	Is structure within 20 feet of any building?		Do not occupy or use structure. Structure needs to be relocated a minimum of 20 feet from any building.
	Is structure within 20 feet of another structure?		Evaluate all structures within 20 feet of each other as a single structure meeting all applicable requirements.
	Is structure within 20 feet of parking?		Restrict parking or relocate structure at least 20 feet from parking.
	Is structure within 20 feet of any internal combustion engines?		Do not use internal combustion engine until relocated at least 20 feet from structure.
	Are "No Smoking" signs posted inside and outside?		Do not occupy or use structure unless no smoking signs are posted and enforced.
	Are fireworks and unapproved open flames prohibited inside and outside the structure?		Do not occupy or use structure unless fireworks and all unapproved open flames are prohibited in the structure and within 20 feet of exterior of structure.
	Are all points in the structure within 100 feet of an exit?		Do not occupy or use structure unless sufficient nearby exits are provided.
	Ensure "Exit" signs are posted and clearly visible.		Do not occupy or use structure unless required "Exit" signs are provided.
	Ensure "Exit" signs are illuminated.		Do not use or occupy structure unless illuminated exits are provided.
	Ensure that exit signs have either two separate circuits or two sources of power depending on occupant load.		Do not use or occupy structure until a minimum of two circuits or sources of power are provided as required. Typically this is accomplished through the use of AC Powered Exit signs with internal battery backup.
	Are exits open and uncovered?		Do not occupy or use structure unless all required exits are functional.
	Are all aisles at least 44 inches wide? Do aisles increase in width where required?		Do not occupy or use structure unless proper aisle widths are maintained.
	Is the Occupant Load posted appropriately?		Do not occupy or use structure unless the correct occupant load is posted appropriately.
	Ensure emergency lighting is provided.		Do not use or occupy structure unless emergency lighting is provided.
	Is a label permanently affixed to the structure bearing the identification of size and material type?		Do not use or occupy structure unless label is present.
	2A:10BC Fire extinguishers are provided (see information packet for minimum number required).		Do not use or occupy structure until sufficient, properly sized, fire extinguishers are provided.
	At least one 40BC rated fire extinguisher shall be provided for each kitchen, mess hall, power generator, or transformer and at locations where flammable or combustible liquids are used, stored, or dispensed.		Do not use or operate any of these hazards unless appropriate fire extinguishers are provided as described in Temporary Membrane Structures, Tents and Canopies document and applicable codes.
	Weeds and other combustible vegetation shall be removed from within 30 feet of the structure area.		Do not use or occupy the structure unless combustible vegetation has been removed from the specified area.
	The floor surface inside, including the grounds adjacent to or within 30 feet outside of temporary tents, canopies, and membrane structures, shall be kept free of combustible waste.		Do not use or occupy the structure unless combustible waste is removed or stored in proper containers.
	Such waste shall be stored in approved containers until removed from the premises.		Do not use or occupy the structure unless trash containers have been emptied from the previous day.
	Outdoor cooking that produces sparks or grease-laden vapors. Must be outside tent.		Do not use cooking source under tent
	Is tent secure		20 lbs per leg or tent stakes
Inspection performed by:		Date:	



City of Batavia
Batavia, New York 14020
(585) 345-6300

PAID
JAN 30 2024
CITY OF BATAVIA
CLERK-TREASURER

Official Use Only:

2024-9
Event Application #:

Event Application Fee - \$25.00 (non-refundable)
(A separate permit must be issued for each item requested)

Event Sponsor Batavia Business Improvement District

Type of Event Music

Day and Date of Event 7/13 7/20 7/27 8/3 8/10 8/17 - Saturdays

Time of Event (don't include set up time here - just actual event time) 6pm - 9pm

Location of Event Jackson Square

Details of Event (be as specific as possible!) live Bands

Contact Information:

Primary contact:

Name Shannon Mante

Phone # 985-409-5531

Mailing address 200 E. Main St. Suite 1A

E-mail address director@downtownbatavia.ny.gov

Secondary contact:

* Events will be posted on the City's website calendar. If there is a website you would like to include that people can visit for more information or registration, if applicable, note website here: _____

Will there be alcohol at your event? Yes No If yes, complete the following:

Type of alcoholic beverage to be served: Liquor Wine Beer

Will you be providing alcohol to your group? Yes No

Will you be selling alcohol to your group? Yes No Insurance certificate **WILL BE** required with **Liquor Legal**.

Will people be allowed to bring alcohol to the event? Yes No

Who will be applying to the NYS Liquor Authority for the permit to sell? open container

Is the Sponsor requesting waiver of the Open Container law per §34-7 of the City Code? Yes No
N/A

It is the Applicant's responsibility to police the area during the gathering to make sure all Alcohol Beverage Control rules are followed. Also, after the event Applicant is responsible to dispose of all empty bottles and debris.

** If you are contracting with a group to sell alcohol during your event on city property, separate insurance is required from them with Liquor Legal in addition to your insurance. **

EVENT INFORMATION (required):

Set up date: 7/13 7/20 7/27 8/3 8/10 8/17 Set up time: 4pm
Tear down date: Same Tear down time: 9pm

PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:

Date: Same Start time: 6pm End time: 9pm
Estimated crowd size: 200 maybe # of Vendors/Displays _____

WILL THE EVENT INCLUDE:

- Block Party: Yes No (MAP OF STREET CLOSURE MUST BE ATTACHED)
- Parade: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Run or Walk: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Music: Yes No (SITE DRAWING OF STAGE OR DJ LOCATION ATTACHED)
- Street Closure(s): Yes No (MAP OF CLOSED STREETS AND DROP LOCATION OF BARRICADES)
- Other: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)

Fireworks or Hazardous Materials? Yes No Carnival or Amusement Rides? Yes No

Name of Company Providing Above: _____ Company Contact/Representative _____ Phone # _____

Address, Street _____ City _____ Zip Code _____

Music: Live Group Recorded/DJ

TBD
Name of Company Providing Above: _____ Company Contact/Representative _____ Phone # _____

Address, Street _____ City _____ Zip Code _____

CITY SERVICES SUPPORT:

City Code 66-15, D-2 The City reserves the right, as part of the permitting process, to require the applicant to pay for additional operational costs of the City associated with the event.

FOR EVENTS IN CITY PARKS, GARBAGE PICK-UP WILL BE MADE ONLY TO GARBAGE CANS ON SITE. ADDITIONAL GARBAGE MUST BE BAGGED AND REMOVED FROM PREMISES BY EVENT SPONSOR.

ELECTRIC:

Will electric be needed for the event? Yes No

What will you be providing electric to? PA System + Instruments

Will generators be used? Yes No *see Special Events Inspection list for compliance*

If yes, INCLUDE SITE DRAWING INDICATING PLACEMENT/LOCATION OF GENERATOR

SIZE OF GENERATOR(S) _____ FUEL SOURCE - GAS - - DIESEL - - PROPANE -

TENTS/CANOPIES/POP-UPS: See appendices for compliance checklist – all tents will be inspected **

Will Tents/Canopies or other membrane structures be erected at event? Yes No
Will a bounce house or other air supported structures be erected at event? Yes No

NOTE – Appropriate anchoring is required for all tents, canopies, and pop-up structures

Please list size(s) of Tents/Canopies or other temporary structures erected* _____

ANCHORING INTO PAVEMENT IS PROHIBITED!

If anchoring in grass, soil areas please contact the NYS Dig Safe # at: 1-800-962-7962 or 811

STREET CLOSURE(S):

ANY EVENT REQUIRING A STREET CLOSURE REQUIRES 90 DAY ADVANCE NOTICE

Will street(s) need to be closed for the event? Yes No Reason: _____

List Street(s) and Cross Street(s) that will be affected:

Street to be closed & Cross Streets

Street to be closed & Cross Streets

Street to be closed & Cross Streets

Street to be closed & Cross Streets

Will street barricades be requested from the City? Yes No How Many? _____

Will traffic cones be requested from the City? Yes No How Many? _____
(Drop off locations of requested items must be identified on the site drawing)

BANNERS / SIGNS OR OTHER DECORATIONS ARE NOT TO BE ATTACHED TO STREET BARRICADES, TRAFFIC CONES, LIGHT POLES, OR ANY OTHER CITY PROPERTY

Are there any other city materials or personnel requested for the event? Identify below: (there may be additional costs)

4-6 trash cans

Block parties must allow local traffic and driveways cannot be blocked. Initial here: _____ (if hosting block party)

POLICE

Will City Police Officers be requested for the event? Yes No

If yes, what type of request? Traffic control Security Community Policing
Other : Specify _____

FINAL DETERMINATION FOR NUMBER OF POLICE OFFICERS and UTILIZATION WILL BE AT THE DISCRETION OF THE CITY.

PLEASE NOTE:

1. Be as specific as possible in the description so we have the best understanding of your event. Also, be clear as to what you would like provided by the City. **Applications should be submitted at least 30 days in advance.**
2. Fire hydrants, Cross Streets/Alleys and Store Fronts **Shall Not Be Blocked** by any Vehicle or Concession at any time.
3. An Emergency Vehicle Safety Lane Must be Maintained at All times at All Locations
4. Fuel Containers Must be of an Approved type and Must be Properly Secured
5. Deep Fryers Must Be Approved. Commercial Types Require a Type "K" Portable Fire Extinguisher
6. All Food Vendors Must Have a Type ABC Fire Extinguisher. All Fire Extinguishers Must Be Inspected Within The Last Year. **A Valid Health Department Permit Must Be Displayed.**
7. No grease or substance of any kind may be discharged upon the streets, sidewalks, or into the storm drains and/or sewers
8. City Sign Ordinances Shall Be Complied With At All Times And In All Regards
9. No paint or other markings may be placed on the street surface.
10. Additional operational costs of the City, as determined by City Departments, must be paid by the event sponsor at the conclusion of the event. The application fee is due at time of submission and is non-refundable.
11. Vendor/participants must also follow all inspection/temporary structure rules found in the appendices (pg 6-7)
12. For block parties, sponsors must notify all affected neighbors and local traffic/driveway access must be maintained.
13. If approved, a Certificate of Liability Insurance of at least \$1,000,000 naming the City of Batavia as an additional insured for at least the day(s) of the event must be submitted to the City Clerk prior to the event date.

Hold Harmless Agreement

The BID, the organizer/sponsor, shall indemnify, hold harmless, assume liability for and defend the City of Batavia, its employees, officers and agents from any and all damages, costs and expenses including but not limited to, attorney's fees, court costs, and all other sums which the City of Batavia its employees, officers and agents may pay or become obligated to pay on account of any and every demand, claim or assertion of liability, or any claim founded thereon, arising or alleged to have arisen out of the activities described in this special event application and sanctioned by the permit issued by the City of Batavia or by any act or omission of the The BID (Organizer/Sponsor), its members, agents, employees, volunteers, officers, or directors in relation to activities described in this application and sanctioned by the issuance of a special event permit.

1/30/24
Date:

Shannon Maute / The BID
Name of Event Sponsor:

Shannon Maute Executive Director
Authorized Signature, Title

Shannon Maute
Name - Printed or Typed

The rules and information contained within this application have been read and will be adhered to.

1/30/24
Date:

Shannon Maute
Signature of Applicant:

Please forward this application to:

City Clerk's Office
Attention: Events Applications Department
One Batavia City Centre
Batavia, New York 14020

**SPECIAL EVENT APPLICATION
DEPARTMENT APPROVAL SUMMARY**

FOR OFFICIAL CITY USE ONLY

OFFICIAL USE ONLY				
Department Recommendations:	Approved	Denied	Additional Costs	Department Initials
DPW (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Fire Dept. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Police Dept. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

If recommendation is denied, please attach a brief explanation

OFFICIAL USE ONLY	
_____	_____
<i>Date Received</i>	<i>Council Action: (Approved / Disapproved)</i>
_____	_____
<i>Date of Council Action:</i>	<i>Insurance Received (if applicable)</i>

Event Application #: _____

Department: _____
List Department Name Here

Department Approval

	YES	NO
DPW	<input type="checkbox"/>	<input type="checkbox"/>
Fire	<input type="checkbox"/>	<input type="checkbox"/>
Police	<input type="checkbox"/>	<input type="checkbox"/>

Department Cost Estimate: _____
If applicable

Estimate based on: *Fillable table - type your response here:*

If Application not Approved, Provide Reason Here: *Fillable table - type your response here:*

Submitted By: _____
Name / Title _____ Date Submitted _____

Appendices

SPECIAL EVENTS INSPECTION			
YES	Item to verify	NO	Corrective action
	Extension cords plugged into approved electrical boxes?		Do not use unless cords plugged direct
	Generator in use 20 feet from any structure?		Do not use generator unless moved to safe area
	Generator has appropriate extinguisher available		Do not use unless extinguisher present
	Generator grounded?		Do not use unless grounded
	Inflatable secured to ground?		Do not use unless secured
	Inflatable rods covered?		Do not use unless rods are covered for safety
	Propane tanks secured?		Do not use unless secured
	Outside cooking has appropriate extinguisher?		Do not use unless extinguisher present
	Fireworks display 75 feet from any structure?		Do not light unless in approved location
	Fireworks display has proper extinguishers?		Do not light unless extinguisher is present
	Does cooking under tent meet the safety standard?		Do not cook unless tent is rated for fire resistance or cooking outside tent
	Are Easy up tents properly roped, braced or anchored to withstand elements of weather and collapse?		Do not occupy until proper securing is approved by inspector
	Does Easy up tent have permanent label ID of size and fabric?		Tent not to be used without proper label
	Outdoor cooking that produces sparks or grease laden vapors?		Shall be outside of tents unless tent is fire rated and extinguishers or hood present
	Does the venue have a crowd of 250 people or more?		Must have crowd managers trained as approved by inspector

TEMPORARY STRUCTURE SETUP AND DAILY CHECKLIST (tent and membrane structures)

YES	Item to Verify	NO	Corrective Action
	Is structure at least 20 feet from any property lines?		Do not occupy or use structure. Structure needs to be relocated a minimum of 20 feet from any property lines.
	Is structure within 20 feet of any building?		Do not occupy or use structure. Structure needs to be relocated a minimum of 20 feet from any building.
	Is structure within 20 feet of another structure?		Evaluate all structures within 20 feet of each other as a single structure meeting all applicable requirements.
	Is structure within 20 feet of parking?		Restrict parking or relocate structure at least 20 feet from parking.
	Is structure within 20 feet of any internal combustion engines?		Do not use internal combustion engine until relocated at least 20 feet from structure.
	Are "No Smoking" signs posted inside and outside?		Do not occupy or use structure unless no smoking signs are posted and enforced.
	Are fireworks and unapproved open flames prohibited inside and outside the structure?		Do not occupy or use structure unless fireworks and all unapproved open flames are prohibited in the structure and within 20 feet of exterior of structure.
	Are all points in the structure within 100 feet of an exit?		Do not occupy or use structure unless sufficient nearby exits are provided.
	Ensure "Exit" signs are posted and clearly visible.		Do not occupy or use structure unless required "Exit" signs are provided.
	Ensure "Exit" signs are illuminated.		Do not use or occupy structure unless illuminated exits are provided.
	Ensure that exit signs have either two separate circuits or two sources of power depending on occupant load.		Do not use or occupy structure until a minimum of two circuits or sources of power are provided as required. Typically this is accomplished through the use of AC Powered Exit signs with internal battery backup.
	Are exits open and uncovered?		Do not occupy or use structure unless all required exits are functional.
	Are all aisles at least 44 inches wide? Do aisles increase in width where required?		Do not occupy or use structure unless proper aisle widths are maintained.
	Is the Occupant Load posted appropriately?		Do not occupy or use structure unless the correct occupant load is posted appropriately.
	Ensure emergency lighting is provided.		Do not use or occupy structure unless emergency lighting is provided.
	Is a label permanently affixed to the structure bearing the identification of size and material type?		Do not use or occupy structure unless label is present.
	2A:10BC Fire extinguishers are provided (see information packet for minimum number required).		Do not use or occupy structure until sufficient, properly sized, fire extinguishers are provided.
	At least one 4OBC rated fire extinguisher shall be provided for each kitchen, mess hall, power generator, or transformer and at locations where flammable or combustible liquids are used, stored, or dispensed.		Do not use or operate any of these hazards unless appropriate fire extinguishers are provided as described in Temporary Membrane Structures, Tents and Canopies document and applicable codes.
	Weeds and other combustible vegetation shall be removed from within 30 feet of the structure area.		Do not use or occupy the structure unless combustible vegetation has been removed from the specified area.
	The floor surface inside, including the grounds adjacent to or within 30 feet outside of temporary tents, canopies, and membrane structures, shall be kept free of combustible waste.		Do not use or occupy the structure unless combustible waste is removed or stored in proper containers.
	Such waste shall be stored in approved containers until removed from the premises.		Do not use or occupy the structure unless trash containers have been emptied from the previous day.
	Outdoor cooking that produces sparks or grease-laden vapors. Must be outside tent.		Do not use cooking source under tent
	Is tent secure		20 lbs per leg or tent stakes
Inspection performed by:			Date:



City of Batavia
Batavia, New York 14020
(585) 345-6300

PAID
JAN 10 2024
CITY OF BATAVIA
CLERK-TREASURER

Official Use Only:

2024-4
Event Application #:

Event Application Fee - \$25.00 (non-refundable)
(A separate permit must be issued for each item requested)

Event Sponsor Living Waters Apostolic Ministries Inc
Type of Event Charitable / Religious
Day and Date of Event Sunday July 28, 2024
Time of Event (don't include set up time here - just actual event time) 9:30 a.m. - 5:00 p.m.
Location of Event Austin Park
Details of Event (be as specific as possible!) Community Outreach with games, food, music, sermon, prayer, showing love to the community

Contact Information:

Primary contact:

Name Pastor Timothy Young
Phone # (585) 325-6518
Mailing address 5831 Hopkins Rd. Batavia, NY
E-mail address Lwaministries@yahoo.com

Secondary contact:

Name Paul Olson
Phone # (585) 343-0328
Mailing address P.O. Box 1611, 14021
E-mail address carministries@yahoo.com

* Events will be posted on the City's website calendar. If there is a website you would like to include that people can visit for more information or registration, if applicable, note website here: _____

Will there be alcohol at your event? Yes No If yes, complete the following:

Type of alcoholic beverage to be served: Liquor Wine Beer

Will you be providing alcohol to your group? Yes No

Will you be selling alcohol to your group? Yes No Insurance certificate **WILL BE** required with **Liquor Legal**.

Will people be allowed to bring alcohol to the event? Yes No

Who will be applying to the NYS Liquor Authority for the permit to sell? _____

Is the Sponsor requesting waiver of the Open Container law per §34-7 of the City Code? Yes No

It is the Applicant's responsibility to police the area during the gathering to make sure all Alcohol Beverage Control rules are followed. Also, after the event Applicant is responsible to dispose of all empty bottles and debris.

**** If you are contracting with a group to sell alcohol during your event on city property, separate insurance is required from them with Liquor Legal in addition to your insurance. ****

EVENT INFORMATION (required):

Set up date: July 28, 2024

Set up time: 8:00 a.m.

Tear down date: July 28, 2024

Tear down time: 5:00 p.m.

PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:

Date: July 28, 2024 Start time: 10:30 a.m. End time: 5:00 p.m.

Estimated crowd size: 100-500 # of Vendors/Displays 10-15

WILL THE EVENT INCLUDE:

- Block Party: Yes No (MAP OF STREET CLOSURE MUST BE ATTACHED)
- Parade: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Run or Walk: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)
- Music: Yes No (SITE DRAWING OF STAGE OR DJ LOCATION ATTACHED)
- Street Closure(s): Yes No (MAP OF CLOSED STREETS AND DROP LOCATION OF BARRICADES)
- Other: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)

Fireworks or Hazardous Materials? Yes No Carnival or Amusement Rides? Yes No

Name of Company Providing Above: _____ Company Contact/Representative _____ Phone # _____

Address, Street _____ City _____ Zip Code _____

Music: Live Group Recorded/DJ

Various Church groups
Name of Company Providing Above: _____ Company Contact/Representative _____ Phone # (585) 305-6528

6831 Hopkins Rd. Batavia, N.Y. 14020
Address, Street _____ City _____ Zip Code _____

CITY SERVICES SUPPORT:

City Code 66-15, D-2 The City reserves the right, as part of the permitting process, to require the applicant to pay for additional operational costs of the City associated with the event.

FOR EVENTS IN CITY PARKS, GARBAGE PICK-UP WILL BE MADE ONLY TO GARBAGE CANS ON SITE. ADDITIONAL GARBAGE MUST BE BAGGED AND REMOVED FROM PREMISES BY EVENT SPONSOR.

ELECTRIC:

Will electric be needed for the event? Yes No

What will you be providing electric to? P.A. / Audio Equipment

Will generators be used? Yes No *see Special Events Inspection list for compliance*

If yes, INCLUDE SITE DRAWING INDICATING PLACEMENT/LOCATION OF GENERATOR

SIZE OF GENERATOR(S) 6500 / 13,000 FUEL SOURCE - GAS - - DIESEL - - PROPANE -

TENTS/CANOPIES/POP-UPS: See appendices for compliance checklist – all tents will be inspected **

Will Tents/Canopies or other membrane structures be erected at event? Yes No
Will a bounce house or other air supported structures be erected at event? Yes No

NOTE – Appropriate anchoring is required for all tents, canopies, and pop-up structures

Please list size(s) of Tents/Canopies or other temporary structures erected* 10' x 10' + 10' x 20'

ANCHORING INTO PAVEMENT IS PROHIBITED!

If anchoring in grass, soil areas please contact the NYS Dig Safe # at: 1-800-962-7962 or 811

STREET CLOSURE(S):

ANY EVENT REQUIRING A STREET CLOSURE REQUIRES 90 DAY ADVANCE NOTICE

Will street(s) need to be closed for the event? Yes No Reason: _____

List Street(s) and Cross Street(s) that will be affected:

Street to be closed & Cross Streets

Street to be closed & Cross Streets

Street to be closed & Cross Streets

Street to be closed & Cross Streets

Will street barricades be requested from the City? Yes No How Many? _____

Will traffic cones be requested from the City? Yes No How Many? _____
(Drop off locations of requested items must be identified on the site drawing)

BANNERS, SIGNS OR OTHER DECORATIONS ARE NOT TO BE ATTACHED TO STREET BARRICADES, TRAFFIC CONES, LIGHT POLES, OR ANY OTHER CITY PROPERTY

Are there any other city materials or personnel requested for the event? Identify below: *(there may be additional costs)*

None

Block parties must allow local traffic and driveways cannot be blocked. Initial here: _____ (if hosting block party)

POLICE

Will City Police Officers be requested for the event? Yes No

If yes, what type of request? Traffic control Security Community Policing
Other : Specify _____

FINAL DETERMINATION FOR NUMBER OF POLICE OFFICERS and UTILIZATION WILL BE AT THE DISCRETION OF THE CITY.

PLEASE NOTE:

1. Be as specific as possible in the description so we have the best understanding of your event. Also, be clear as to what you would like provided by the City. **Applications should be submitted at least 30 days in advance.**
2. Fire hydrants, Cross Streets/Alleys and Store Fronts **Shall Not Be Blocked** by any Vehicle or Concession at any time.
3. An Emergency Vehicle Safety Lane Must be Maintained at All times at All Locations
4. Fuel Containers Must be of an Approved type and Must be Properly Secured
5. Deep Fryers Must Be Approved. Commercial Types Require a Type "K" Portable Fire Extinguisher
6. All Food Vendors Must Have a Type ABC Fire Extinguisher. All Fire Extinguishers Must Be Inspected Within The Last Year. **A Valid Health Department Permit Must Be Displayed.**
7. No grease or substance of any kind may be discharged upon the streets, sidewalks, or into the storm drains and/or sewers
8. City Sign Ordinances Shall Be Complied With At All Times And In All Regards
9. No paint or other markings may be placed on the street surface.
10. Additional operational costs of the City, as determined by City Departments, must be paid by the event sponsor at the conclusion of the event. The application fee is due at time of submission and is non-refundable.
11. Vendor/participants must also follow all inspection/temporary structure rules found in the appendices (pg 6-7)
12. For block parties, sponsors must notify all affected neighbors and local traffic/driveway access must be maintained.
13. If approved, a Certificate of Liability Insurance of at least \$1,000,000 naming the City of Batavia as an additional insured for at least the day(s) of the event must be submitted to the City Clerk prior to the event date.

Hold Harmless Agreement

Living Waters Apostolic Ministries Inc., the organizer/sponsor, shall indemnify, hold harmless, assume liability for and defend the City of Batavia, its employees, officers and agents from any and all damages, costs and expenses including but not limited to; attorney's fees, court costs, and all other sums which the City of Batavia its employees, officers and agents may pay or become obligated to pay on account of any and every demand, claim or assertion of liability, or any claim founded thereon, arising or alleged to have arisen out of the activities described in this special event application and sanctioned by the permit issued by the City of Batavia or by any act or omission of the Living Waters Apostolic Ministries Inc. (Organizer/Sponsor), its members, agents, employees, volunteers, officers, or directors in relation to activities described in this application and sanctioned by the issuance of a special event permit.

1/10/2024
Date:

Living Waters Apostolic Ministries Inc.
Name of Event Sponsor:
Pastor Timothy Young, Pastor/President/Founder
Authorized Signature, Title
Pastor Timothy Young
Name - Printed or Typed

The rules and information contained within this application have been read and will be adhered to.

1/10/2024
Date:

Pastor Timothy Young
Signature of Applicant:

Please forward this application to:

**City Clerk's Office
Attention: Events Applications Department
One Batavia City Centre
Batavia, New York 14020**

**SPECIAL EVENT APPLICATION
DEPARTMENT APPROVAL SUMMARY**

FOR OFFICIAL CITY USE ONLY

<u>OFFICIAL USE ONLY</u>				
Department Recommendations:	Approved	Denied	Additional Costs	Department Initials
DPW (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Fire Dept. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Police Dept. (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
<i>If recommendation is denied, please attach a brief explanation</i>				

<u>OFFICIAL USE ONLY</u>	
_____	_____
<i>Date Received</i>	<i>Council Action: (Approved / Disapproved)</i>
_____	_____
<i>Date of Council Action:</i>	<i>Insurance Received (if applicable)</i>

Event Application #: _____

Department: _____
List Department Name Here

Department Approval	YES	NO
DPW	<input type="checkbox"/>	<input type="checkbox"/>
Fire	<input type="checkbox"/>	<input type="checkbox"/>
Police	<input type="checkbox"/>	<input type="checkbox"/>

Department Cost Estimate: _____
If applicable

Estimate based on: *Fillable table – type your response here:*

If Application not Approved, Provide Reason Here: *Fillable table – type your response here:*

Submitted By: _____ _____
Name / Title *Date Submitted*

Appendices

SPECIAL EVENTS INSPECTION			
YES	Item to verify	NO	Corrective action
	Extension cords plugged into approved electrical boxes?		Do not use unless cords plugged direct
	Generator in use 20 feet from any structure?		Do not use generator unless moved to safe area
	Generator has appropriate extinguisher available		Do not use unless extinguisher present
	Generator grounded?		Do not use unless grounded
	Inflatable secured to ground?		Do not use unless secured
	Inflatable rods covered?		Do not use unless rods are covered for safety
	Propane tanks secured?		Do not use unless secured
	Outside cooking has appropriate extinguisher?		Do not use unless extinguisher present
	Fireworks display 75 feet from any structure?		Do not light unless in approved location
	Fireworks display has proper extinguishers?		Do not light unless extinguisher is present
	Does cooking under tent meet the safety standard?		Do not cook unless tent is rated for fire resistance or cooking outside tent
	Are Easy up tents properly roped, braced or anchored to withstand elements of weather and collapse?		Do not occupy until proper securing is approved by inspector
	Does Easy up tent have permanent label ID of size and fabric?		Tent not to be used without proper label
	Outdoor cooking that produces sparks or grease laden vapors?		Shall be outside of tents unless tent is fire rated and extinguishers or hood present
	Does the venue have a crowd of 250 people or more?		Must have crowd managers trained as approved by inspector

TEMPORARY STRUCTURE SETUP AND DAILY CHECKLIST (tent and membrane structures)

YES	Item to Verify	NO	Corrective Action
	Is structure at least 20 feet from any property lines?		Do not occupy or use structure. Structure needs to be relocated a minimum of 20 feet from any property lines.
	Is structure within 20 feet of any building?		Do not occupy or use structure. Structure needs to be relocated a minimum of 20 feet from any building.
	Is structure within 20 feet of another structure?		Evaluate all structures within 20 feet of each other as a single structure meeting all applicable requirements.
	Is structure within 20 feet of parking?		Restrict parking or relocate structure at least 20 feet from parking.
	Is structure within 20 feet of any internal combustion engines?		Do not use internal combustion engine until relocated at least 20 feet from structure.
	Are "No Smoking" signs posted inside and outside?		Do not occupy or use structure unless no smoking signs are posted and enforced.
	Are fireworks and unapproved open flames prohibited inside and outside the structure?		Do not occupy or use structure unless fireworks and all unapproved open flames are prohibited in the structure and within 20 feet of exterior of structure.
	Are all points in the structure within 100 feet of an exit?		Do not occupy or use structure unless sufficient nearby exits are provided.
	Ensure "Exit" signs are posted and clearly visible.		Do not occupy or use structure unless required "Exit" signs are provided.
	Ensure "Exit" signs are illuminated.		Do not use or occupy structure unless illuminated exits are provided.
	Ensure that exit signs have either two separate circuits or two sources of power depending on occupant load.		Do not use or occupy structure until a minimum of two circuits or sources of power are provided as required. Typically this is accomplished through the use of AC Powered Exit signs with internal battery backup.
	Are exits open and uncovered?		Do not occupy or use structure unless all required exits are functional.
	Are all aisles at least 44 inches wide? Do aisles increase in width where required?		Do not occupy or use structure unless proper aisle widths are maintained.
	Is the Occupant Load posted appropriately?		Do not occupy or use structure unless the correct occupant load is posted appropriately.
	Ensure emergency lighting is provided.		Do not use or occupy structure unless emergency lighting is provided.
	Is a label permanently affixed to the structure bearing the identification of size and material type?		Do not use or occupy structure unless label is present.
	2A:10BC Fire extinguishers are provided (see information packet for minimum number required).		Do not use or occupy structure until sufficient, properly sized, fire extinguishers are provided.
	At least one 40BC rated fire extinguisher shall be provided for each kitchen, mess hall, power generator, or transformer and at locations where flammable or combustible liquids are used, stored, or dispensed.		Do not use or operate any of these hazards unless appropriate fire extinguishers are provided as described in Temporary Membrane Structures, Tents and Canopies document and applicable codes.
	Weeds and other combustible vegetation shall be removed from within 30 feet of the structure area.		Do not use or occupy the structure unless combustible vegetation has been removed from the specified area.
	The floor surface inside, including the grounds adjacent to or within 30 feet outside of temporary tents, canopies, and membrane structures, shall be kept free of combustible waste.		Do not use or occupy the structure unless combustible waste is removed or stored in proper containers.
	Such waste shall be stored in approved containers until removed from the premises.		Do not use or occupy the structure unless trash containers have been emptied from the previous day.
	Outdoor cooking that produces sparks or grease-laden vapors. Must be outside tent.		Do not use cooking source under tent
	Is tent secure		20 lbs per leg or tent stakes
Inspection performed by:		Date:	

Parking lot

Generator

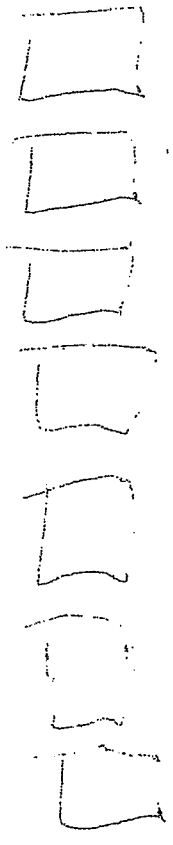
Bounce House

Popcorn
*
Sho. Cakes

Paper Tent

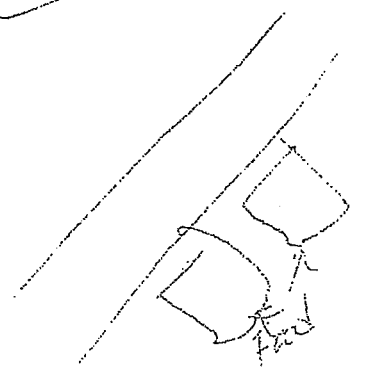
Seating

Pavillion



Play Ground

Water Park



OOT Building

Bath Rooms

Generator

OFFICE USE ONLY
Original Amended Date

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice Sent: February 1, 2024 1a. Delivered by: Personal Delivery with Proof of Receipt

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License: For premises outside the City of New York:

New Application Removal Class Change

For premises in the City of New York:

New Application New Application and Temporary Retail Permit Temporary Retail Permit Removal
Class Change Method of Operation Corporate Change Renewal Alteration

For New and Temporary Retail Permit applicants, answer each question below using all information known to date
For Renewal applicants, answer all questions
For Alteration applicants, attach a complete written description and diagrams depicting the proposed alteration(s)
For Corporate Change applicants, attach a list of the current and proposed corporate principals
For Removal applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation
For Class Change applicants, attach a statement detailing your current license type and your proposed license type
For Method of Operation Change applicants, although not required, if you choose to submit, attach an explanation detailing those changes

Please include all documents as noted above. Failure to do so may result in disapproval of the application.

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: City of Batavia

Applicant/Licensee Information:

4. Licensee Serial Number (if applicable): n/a Expiration Date (if applicable): n/a

5. Applicant or Licensee Name: TD Irish Corp.

6. Trade Name (if any): O'Lacy's Irish Pub

7. Street Address of Establishment: 5 School Street

8. City, Town or Village: Batavia, NY Zip Code: 14020

9. Business Telephone Number of applicant/ Licensee: 585-356-5141

10. Business E-mail of Applicant/Licensee: derekgeib@yahoo.com

11. Type(s) of alcohol sold or to be sold: Beer & cider Wine, Beer & Cider Liquor, Wine, Beer & Cider

12. Extent of Food Service: Full Food menu; full kitchen run by a chef/cook Menu meets legal minimum food requirements; food prep area required

13. Type of Establishment: Restaurant (full kitchen and full menu required)

Seasonal Establishment Juke Box Disc Jockey Recorded Music Karaoke

14. Method of Operation: Live Music (give details i.e., rock bands, acoustic, jazz, etc.):

Patron Dancing Employee Dancing Exotic Dancing Topless Entertainment

Video/Arcade Games Third Party Promoters Security Personnel

Other (specify):

15. Licensed Outdoor Area: None Patio or Deck Rooftop Garden/Grounds Freestanding Covered Structure
Sidewalk Cafe Other (specify):

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

16. List the floor(s) of the building that the establishment is located on:

17. List the room number(s) the establishment is located in within the building, if appropriate:

18. Is the premises located within 500 feet of three or more on-premises liquor establishments? Yes No

19. Will the license holder or a manager be physically present within the establishment during all hours of operation? Yes No

20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:

Name

Serial Number

21. Does the applicant or licensee own the building in which the establishment is located? Yes (if YES, SKIP 23-26) No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name:

23. Building Owner's Street Address:

24. City, Town or Village: State: Zip Code:

25. Business Telephone Number of Building Owner:

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name:

27. Representative/Attorney's Street Address:

28. City, Town or Village: State: Zip Code:

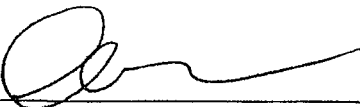
29. Business Telephone Number of Representative/Attorney:

30. Business E-mail Address of Representative/Attorney:

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: Title:

Principal Signature: 



New York State Conference of Mayors and Municipal Officials

119 Washington Avenue, Albany, New York 12210
Ph (518) 463-1185 • Toll free number for NYCOM members 1-800-446-9266
www.nycom.org • info@nycom.org

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Kathy M. Sheehan
Mayor, Albany

Hon. Kathy Hochul
Governor
State of New York
State Capitol
Albany, NY 12224

Hon. Andrea Stewart-Cousins
Senate Majority Leader
New York State Senate
State Capitol
Albany, NY 12247

Hon. Carl Heastie
Speaker of the Assembly
New York State Assembly
Legislative Office Building
Albany, NY 12248

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Gary A. Vegliante
Mayor, West Hampton Dunes

Executive Director
Barbara J. Van Epps

Dear Governor Hochul, Leader Stewart-Cousins and Speaker Heastie:

We are writing to once again reiterate our desire to forge a meaningful partnership that would be mutually beneficial to our cities and villages and the State. For years, local governments have not been given the critical assistance they need from the State to improve our communities and, in turn, New York's quality of life. Revenue sharing (the precursor to AIM) was established with the goal of providing local governments with predictable amounts of state aid that would increase as state income tax collections grew over time. Not only has this "formula" been ignored for decades, but AIM funding remains flat once again in the Executive Budget and has not increased in fifteen years. This neglect from state government has led to rising municipal tax burdens and harmful disinvestment in essential municipal services and staff.

It is also important to consider that the Governor has indicated that her Executive Budget proposal is guided by the twin goals of affordability and public safety. NYCOM contends, and I suspect you would agree, that New York's local governments, who are on the frontlines of controlling property tax affordability and ensuring public safety, are integral to achieving those goals. Every community has public safety needs and for many local budgets, it is the largest cost driver. If the State truly wants to ensure affordability and public safety for all New Yorkers, now is the time for an increase in AIM funding for cities, villages and towns.

Given the current challenges of rising inflation, the end of extraordinary federal aid, and the leveling off of sales tax revenue, local leaders are having to institute new and different ways to achieve fiscal sustainability. In recent years, both the Senate and Assembly have demonstrated their support for a significant and long-overdue increase in AIM funding. We hope we can count on all of you to finally, after 15 years, come together to make this a reality in the adopted 2024-25 State Budget.

[A list of mayors that agree to sign-on will be attached.]

#XX-2024

**A RESOLUTION TO REQUEST ADDITIONAL AIM FUNDING FROM NYS
GOVERNOR HOCHUL**

Motion of Councilmember

WHEREAS, the Aid and Incentives for Municipalities (AIM) program plays a critical role in funding essential municipal services for cities and villages across New York State; and

WHEREAS, city and village officials share the same priorities as our state leaders which is to make New York safer and more affordable; and

WHEREAS, New York's local governments, who are on the frontlines of controlling property tax affordability and ensuring public safety, are integral to achieving those goals; and

WHEREAS, the State has not increased AIM funding in 15 years and according to the Bureau of Labor Statistics, inflation has increased by nearly 45% during that same period; and

WHEREAS, this neglect from the State has led to rising municipal tax burdens and harmful disinvestment in essential municipal services and staff; and

WHEREAS, the property tax cap further limits the ability of local governments to properly fund the services their residents need; and

WHEREAS, the challenges of rising inflation, the increasing costs of labor and supplies, and the end of extraordinary federal aid, only accentuate the need for an increase in AIM funding; and

WHEREAS, the Governor's 2024-25 Executive Budget proposes to keep AIM funding flat; and

WHEREAS, an increase in AIM funding would reduce the local tax burden and help revitalize communities across New York;

NOW, THEREFORE, BE IT RESOLVED that the City of Batavia urges Governor Hochul to work with the leaders of the Senate and Assembly and increase AIM funding in the 2024-25 adopted State Budget.

**Seconded by Councilmember
and on roll call**



City of Batavia

Memorandum

To: Honorable City Council Members

From: Rebecca McGee, Director of Human Resources

Date: February 12, 2024

Subject: Historian Appointment

The City of Batavia would like to announce the appointment of Ryan Duffy to the position of City Historian for the City of Batavia.

The City of Batavia recognizes and values the work of the City Historian, and appreciates the time and dedication to the record keeping of the City and of documenting of current events for future generations.

Mr. Duffy, is currently the Executive Director of the Holland Land Office in the City of Batavia since 2017. In addition to Mr. Duffy's full time position he has many volunteer experiences such as current Chair of the Historic Preservation Commission.

The appointment of the City Historian is a function of the City Manager. We would like to appoint Mr. Duffy for a four (4) year term that will end in 2027.

"In accordance with federal civil rights law, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity." This institution is an equal opportunity provider and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov

**Human Resources Department
One Batavia City Centre
Batavia, New York 14020**

Phone: 585-345-6340

www.batavianewyork.com

#XX-2024

A RESOLUTION APPOINTING RYAN DUFFY TO THE CITY HISTORIAN POSITION

Motion of Councilmember

WHEREAS, the position of City Historian is mandated by the Arts and Cultural Affairs Law of New York State; and

WHEREAS, a specific appointment process and certain specific responsibilities of the City Historian are also mandated by the Arts and Cultural Affairs Law of New York State; and

WHEREAS, both the New York State Museum and the Association of Public Historians of New York State have published at length the appropriate role of a City Historian; and

WHEREAS, Consistent with Article 57 of the Arts and Cultural Affairs Law of New York, guidelines published by the New York State Museum, and the job description recommended by the Association of Public Historians of New York State.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that Ryan Duffy is hereby appointed as the City Historian for the City of Batavia effective immediately, such appointment to remain in force until the end of the four year term.

**Seconded by Councilmember
and on roll call**

DRAFT

HISTORIAN-CITY, TOWN, VILLAGE

DISTINGUISHING FEATURES OF THE CLASS: This is a responsible part-time position involving the compiling of information and data and the maintenance of records concerning the history of the locality. A general program is outlined but an employee in this class has wide leeway in the planning and implementation of projects.

TYPICAL WORK ACTIVITIES:

Assembles historical data of significance to the locality by consulting various sources of such information;

Does research work into genealogy, maintains family files;

Organizes and evaluates research data as to its authenticity and significance;

Maintains in narrative form, with photographs when available, a chronological record of the locality's past and current history;

Handles correspondence and requests for information concerning the locality's history, may act as advisor or consultant on research studies relating to the locality.

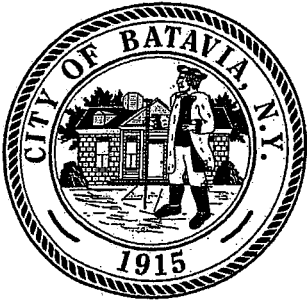
The above examples of duties are intended only as illustrations of the various types of work performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

FULL PERFORMANCE, KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL

CHARACTERISTICS: Good knowledge of practices and techniques used in historical research activities; good knowledge of sources of historical information and data; good knowledge of and interest in local history; ability to keep historical records and to prepare historical reports; ability to write in a clear, descriptive and interesting manner; ability to establish and maintain favorable contacts with individuals and groups; initiative and resourcefulness.

MINIMUM QUALIFICATIONS: Graduation from a standard senior high school.

Non-Competitive Classification



City of Batavia

Memorandum

To: Honorable City Council

From: Rachael J. Tabelski, City Manager

Date: February 15, 2024

Subject: FY 24/25 Budget Ordinance Resolution

Attached is the City of Batavia Fiscal Year 24/25 Budget Ordinance Resolution.

City of Batavia Budget Highlights:

- The fiscal year begins on April 1, 2024;
- The budget property tax levy does not exceed the 2% tax cap;
- **Ave. Homeowner, \$100K home, will pay \$896 in City Taxes;**
- **Ave. Homeowner, family of four, will pay \$149 per quarter for both water and sewer;**
- \$37 M Total City Budget.

- **\$21.8 M General Fund Budget**
 - Tax Rate increases \$0.02
 - Tax Rate \$8.96
 - General Fund budget increase of \$2.3M
 - \$1.13 M Capital investment (vehicles, buildings, and parking lots/sport court resurfacing)
 - \$1.37 M in street and sidewalk investment
 - Property tax levy is projected to be \$6,710,000
 - The City will collect an additional \$110,000 in property taxes in the FY 24/25 budget

- **\$4.4 M Sewer Budget**
 - Sewer Rate \$3.14 per 1,000 gallons
 - Sewer Rate remains the same



City of Batavia

- **\$6.6 M Water Budget**
 - Water Rate \$6.46 per 1,000 gallons
 - Water Rate increases by \$0.19

General Fund Budget Details:

- The inflation the economy is facing challenges this budget, forcing the City to explore alternative sources of revenue to provide the same level of services;
- The budget does not include use of retirement reserves for the City's annual retirement payment;
- The budget does not include Video Lottery Terminal (VLT) aid;
- The budget relies on a \$275,000 Water Fund transfer;
- The budget relies on a \$275,000 appropriation of unassigned fund balance.

Proposed City Tax Bill

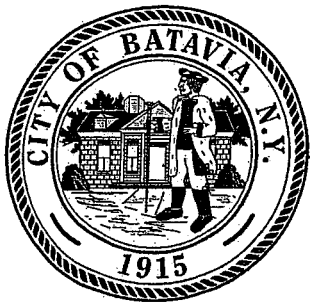
Value of Property	Estimated City Tax Bill
\$50,000	\$448
\$75,000	\$672
\$100,000	\$896
\$150,000	\$1,344
\$200,000	\$1,792

The City of Batavia continues to deliver balanced budgets, and reduce debt service; and the City compares favorably to other similar sized cities across New York State. City Council, Management, and the City Audit Committee continue to build reserve accounts and keep a healthy balance in unassigned General Fund fund balance.

The City is working to build an unassigned fund balance that is 25% of General Fund expenses, to mitigate any emergencies or unexpected issues in the future. Today the fund balance is 20%.

Office of the City Manager
One Batavia City Centre
Batavia, New York 14020

Phone: 585-345-6330
Fax: 585-343-8182
www.batavianewyork.com



City of Batavia

- Both the Water and Wastewater Funds continue to operate in a cost-effective manner and both fund balances remain in a healthy position.
- The City continues to cut costs by administering its own self-insured health insurance plan and workers compensation fund.
- Sales tax continues to grow and online sales, automobile sales, and gasoline have been a driving force in that growth as well as inflationary prices for goods.

City Management and City Council work hard to maintain a positive financial status on behalf of the residents that depend on the City for services. City leaders take a proactive approach with responsible budgeting, particularly when it comes to building reserve balances to address the future needs of our community. The City also maintains a 'level debt' that ensures we can make our annual debt payments and continue to place funds in reserves.

The City's continued focus on building fund reserves for long-term projects, future capital expenses, and employee liabilities provides the framework for a strong financial position that exceeds other like-sized municipalities in New York State.

City of Batavia Budget Details:

Financial transparency and engaging the public remain critical pillars to effective budgeting and governing. As services are needed and demanded by the public the City can provide more services during the budget process.

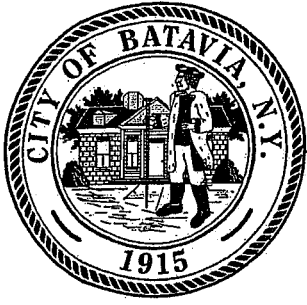
The City of Batavia continues to grow core services, and is focused on fostering vibrant neighborhoods and increasing public safety, as residents have been clear this is what they expect.

The housing market remains active and there is economic pressure to build new market rate housing in the City so that baby boomers can age in place and millennials and recent college graduates can move back home. Overall, the City is experiencing a season of growth with continued investment in commercial, residential and public infrastructure.

Staffing and Core Services: The 24/25 budget includes:

**Office of the City Manager
One Batavia City Centre
Batavia, New York 14020**

**Phone: 585-345-6330
Fax: 585-343-8182
www.batavianewyork.com**



City of Batavia

1. Creating Confidential Secretary position to the Police Department;
2. Funding the additional Neighborhood Enforcement Team (NET) Officer (added in July of FY 23/24);
3. Funding a Police Officer position that was frozen during the pandemic;
4. Funding an additional Fire Fighter position per a contract agreement executed in 2019;
5. Maintaining the full-time positions of Parking and Recycling Officer and;
6. Maintaining the full-time Ordinance Enforcement Officer included in last year's budget.

In 2023 the City discontinued the afterschool program at the Liberty Centre for Youth due to low enrollment, but will continue to offer free summer recreation programming (parks program), in partnership with the YMCA for all City youth.

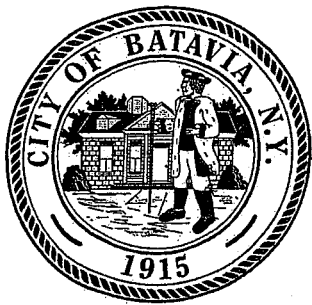
Infrastructure and Capital Projects: The 24/25 budget includes:

Improvement of City infrastructure and safety is the focus of this budget and associated capital plans. The police facility construction will begin this year, marking a long awaited change for the City and our police force. In addition, the Department of Public Works will be finishing up the facilities construction project at the Fire Station and the Bureau of Maintenance, as well as the ongoing Water Plant projects. The City Centre facility will see an over \$1M investment in the demolition and rebuilding on the silos (entrance and exits) in early 2024. This facility project is crucial for service delivery to the public and employees alike. A safe healthy work environment is the goal of the City with each of the buildings we own and maintain.

Current projects in design include:

1. the Ice Rink Chiller project;
2. The Bank Street Streetscape project;
3. Cohocton/Walnut Water Main;
4. Maple and Mill Sanitary Sewer;
5. Pearl Street Water Main;
6. Wastewater Treatment Plant pond sludge removal;
7. Various street and sidewalk projects;
8. Paving of the BOM parking lot;
9. Resurfacing courts at Kibbe Park for Pickle ball;
10. Replace playground equipment at Austin Park;
11. \$350,000 Housing Grant for single family home rehabilitation;

The City's LED light project finished in 2023, as well as several street resurfacing and sidewalk projects.



City of Batavia

Ongoing projects currently under construction include Jackson Square, Bank Street Water, Jackson Street Water, and Bank Street Streetscape.

I recommended that the Budget Ordinance be moved to the March 11th meeting for final approval.

#-2024

A RESOLUTION TO ADOPT 2024-2025 BUDGET ORDINANCE

Motion of Councilmember

WHEREAS, the City Manager prepared and submitted to the City Council a Proposed Budget for the 2024-2025 fiscal year on January 8, 2024 pursuant to Section 16.3 of the City Charter, copies of which were received by all members of the City Council and a copy placed on file in the City Clerk's Office; and

WHEREAS, the City Council has reviewed and amended the City Manager's proposed budget.

WHEREAS, said proposed budget estimated revenues and expenditures for all operating funds of the City of Batavia are \$37,061,280 including the General Fund at \$21,757,873.00; and

WHEREAS, said proposed budget includes revenues to be received through the property tax levy of \$6,710,000; and

WHEREAS, the City Council of the City of Batavia wishes to grant its non-union City employees a scheduled salary increase of 2.5%, effective April 1, 2024; and

WHEREAS, the City Council of the City of Batavia wishes to grant a salary adjustment due to the minimum wage increase for all seasonal and part-time employees; and

WHEREAS, the City Council held a public hearing on said Budget Ordinance in the Council Board Room, Second Floor, One Batavia City Centre, Batavia, New York, at 7:00 PM on Monday, February 26, 2024; and

WHEREAS, the City Clerk published a public notice in the official newspaper of the City of said public hearing at least five (5) days prior thereto.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia hereby adopts the 2024-2025 Budget Ordinance pursuant to Section 16.6 of the City Charter.

**Seconded by Councilmember
and on roll call**

ORDINANCE #001-2024
AN ORDINANCE ADOPTING THE 2024-2025 BUDGET AND DETERMINING THE
AMOUNT OF TAX TO BE LEVIED ON ALL REAL PROPERTY FOR THE 2024-2025
FISCAL YEAR

BE IT ENACTED, by the Council of the City of Batavia, New York:

SECTION 1. The proposed Budget for 2024-2025, submitted by the City Manager pursuant to Sections 16.3, 16.4, and 16.5 of the City Charter on January 8, 2024, setting forth the estimates of revenues and expenditures for the fiscal year 2024-2025 of the various funds of the City of Batavia, namely, General Fund, Water Fund, Sewer Fund, City Centre Fund, Workers' Compensation Fund, and Health Insurance Fund is hereby approved and that the several amounts allowed as estimated expenditures be and are hereby appropriated to the use of the several departments of the City of Batavia for the purpose set forth in each estimate in the proposed budgets for the fiscal year 2024-2025.

SECTION 2. The City Council does hereby finally ascertain, fix, and determine that the entire amount necessary, proper, and legal be raised by tax to defray the expenditures of the City of Batavia for the fiscal year of 2024-2025 is \$6,710,000.

SECTION 3. The sum of \$6,710,000 the entire amounts heretofore ascertained, fixed, and determined as necessary, proper, and legal be raised by tax to defray the expenditures of the City of Batavia for the fiscal year 2024-2025, be and the same is hereby levied on all the real property subject to taxation by the City of Batavia according to valuation upon the assessment roll for the fiscal year 2024-2025.

SECTION 4. The amounts to be raised by taxation as hereby stated for City purposes is hereby a warrant upon the Clerk-Treasurer to spread and extend such levies upon the current assessment tax roll and to collect the same.

SECTION 5. The budget summaries, as filed in the Clerk-Treasurer's Office of the various funds of the City of Batavia, are made a part hereof and are hereby declared to be part of the Ordinance.

SECTION 6. This Ordinance shall become effective April 1, 2024.

Budget Summaries

General Fund

General Fund – Reserves	\$	690,000.00
City Council	\$	45,717.00
City Manager	\$	147,638.00
Finance	\$	115,700.00
Legal Services	\$	230,167.00
General Fund - Contingency	\$	375,000.00
Community Development	\$	6,000.00
Economic Development	\$	113,300.00
Council on Arts	\$	5,000.00
Community Celebrations	\$	13,500.00
General Fund - Debt Service/Bonds	\$	440,463.00
General Fund - Debt Service/BAN	\$	40,000.00
General Fund – Interfund Transfer	\$	3,144,885.00
General Fund – Transfer to Cap Proj	\$	310,000.00
Administrative Services	\$	237,711.00
Clerk-Treasurer	\$	148,956.00
Elections	\$.00
Control of Dogs	\$	1,460.00
Vital Statistics	\$	21,916.00
Assessment	\$	146,328.00
Personnel	\$	196,065.00
Information Services	\$	89,000.00
Youth Bureau – Summer Recreation	\$	85,288.00
Youth Bureau – Youth Service	\$.00
Engineering	\$	13,000.00
Department of Public Works	\$	107,260.00
City Facilities – Facilities	\$	289,316.00
Facilities – Ice Rink	\$	20,500.00
Facilities – Dwyer	\$	43,500.00
Inspection	\$	461,005.00
Public Works BOM Admin	\$	173,205.00
Street Maintenance	\$	533,974.00
CHIPS Perm Improv Highway	\$	1,009,754.00
Public Works Garage	\$	523,494.00
Snow Removal	\$	465,890.00
Street Lighting Traffic Signals	\$	107,791.00

Sidewalks	\$ 300,000.00
Parking Lots	\$ 278,510.00
Parks	\$ 605,747.00
Storm Sewer – BOM	\$ 163,672.00
Street Cleaning	\$ 129,593.00
Historic Preservation	\$ 6,283.00
Planning and Zoning	\$ 1,800.00
Storm Sewer – Water-WW	\$ 26,577.00
Refuse and Recycling	\$ 122,201.00
Police	\$ 4,768,850.00
Emergency Response Team	\$ 39,336.00
Police – Net	\$ 221,579.00
Community Policing & Events	\$ 18,147.00
K-9	\$ 950.00
Fire	\$ 4,700,470.00
State Internal EMS Program	\$ 2,035.00
State External EMS Program	\$ 9,513.00
Non-State EMS Program	\$ 9,827.00

TOTAL GENERAL FUND \$ 21,757,873.00

Water, Wastewater & Workers Comp Funds **PROPOSED 2024/25**

Water Fund – Reserves	\$ 80,000.00
Water Fund Contingency	\$ 50,000.00
Water Administration	\$ 3,304,185.00
Pump Station and Filtration	\$ 2,048,967.00
Water Distribution	\$ 509,053.00
Water Fund – Debt Srvc - Bonds	\$ 186,408.00
Water Fund – Debt Service - BAN	\$.00
Water Fund – Interfund Transfer	\$ 392,588.00

TOTAL WATER \$ 6,571,201.00

WW Fund – Reserves	\$ 1,110,000.00
Wastewater Administration	\$ 724,077.00
WW Contingency	\$ 100,000.00
WW Fund Sanitary Sewers BOM	\$ 282,176.00
WW Fund Sanitary Sewer Water/WW	\$ 432,180.00
WW Fund Wasterwater Treatment	\$ 1,061,467.00
WW Fund – Debt Service - Bonds	\$ 328,059.00

WW Fund – Interfund Transfer \$ 350,520.00

TOTAL WASTEWATER \$ 4,388,479.00

Workers' Compensation \$ 332,621.00

TOTAL WORKER'S COMP \$ 332,621.00

TOTAL WATER, WASTEWATER,
WORKERS' COMP \$ 11,292,301.00

**CITY CENTRE & HEALTH
INSURANCE FUNDS**

Administration \$ 537,545.00

City Centre Fund-Interfund Transfer \$ 29,593.00

TOTAL CITY CENTRE \$ 567,138.00

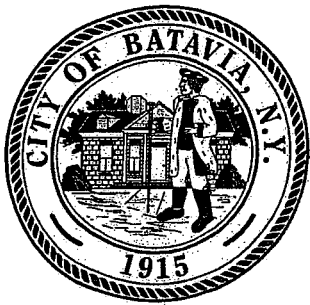
Medical Insurance \$ 3,443,968.00

Transfer to Reserves \$ 0.00

TOTAL HEALTH INSURANCE \$ 3,443,968.00

TOTAL CITY CENTRE & HEALTH
INSURANCE \$ 4,011,106.00

TOTAL ALL FUNDS \$37,061,280



City of Batavia

Memorandum

To: Honorable City Council

From: Rachael J. Tabelski, City Manager

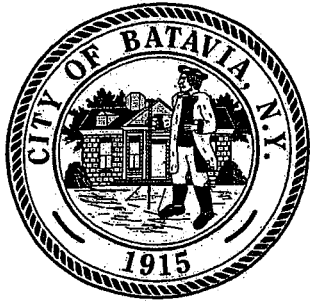
Date: February 15, 2014

Subject: FY 24/25 Water Rates – Local Law

Attached is the City of Batavia Resolution introducing the law to amend the Batavia Municipal Code to establish new water rate, meter fees, and a capital improvement fee.

Water Fund Budget Highlights Include:

- The fiscal year begins on April 1, 2024.
- Total Water Fund Budget \$6.6M a \$750,000 increase from last year. Mainly due to the increases in the price of chemicals, inflation, and capital purchases.
- Water Rate = \$6.46 per 1,000 gallons
 - A rate increase of \$0.19 per 1,000 gallons
- Meter Fee = \$17.45 per quarter (\$69.80 annually)
 - An increase of \$8 annually
- Capital Improvement Fee = \$18.97 per quarter (75.88 annually)
 - An increase of \$24 annually
- Typical City Water and Sewer Bill combined annually for a household with four residents is \$149 per quarter (\$596 annually).
 - Residents with smaller households or who use less water have smaller bills.
- Batavia Strategic Water Rate and Capital Plan was created and 2015 and updated in 2023 to reflect current priorities in capital improvements.



City of Batavia

- Rate adjustments and capital fees allow the City to invest in infrastructure improvement over time.

Needed Infrastructure Improvements and Estimated Costs: Below are some of the major infrastructure projects facing the city in the next five years that we have to plan to fund through multiple avenues including the water/sewer rates, meter fees and capital improvement fees.

- Water Meters (\$1,743,000) – The City of Batavia has invested in advanced meter infrastructure system that allows meters to be read remotely, simultaneously, frequently and with reduced personnel investment. The City recently completed a meter reading software upgrade and since 2015 has successfully updated approximately 33% of City meters. The City has applied for a GIGP grant. Without grant funding the city will still need to replace 3,871 meters as the technology supporting the “old” meters is obsolete.
- Lead Service Lines (\$30,000,000)- The City of Batavia and all cities with aging infrastructure is facing an extremely large lead water replacement project over the next decade. The city is currently trying to ascertain the number of lead lines on the public and private homeowner side that will need replacement. This is extremely important project as we are working with Genesee County on a source supply change of water for the Phase III water project and need to eliminate as many lead lines as possible and continue to ensure that safe water is delivered to our residents.
- WWTP facility improvements (\$10,000,000) The City is evaluating the WWTP and projects that need to be completed in the next five year include bypass system repairs, air system upgrades, generator replacement, central pump station fire suppression system improvements, and aerated ponds sludge removal for ponds 1, 2, and 3.
- Maple Mill Sanitary Sewer Realignment Project (\$535,000) The 8” sanitary sewer main line, which services 11 residential properties and 1 commercial multi-unit property, is showing signs of distress. This sewer line begins at a dead end manhole at #30 Maple Ave. flows west 540’ to a point at which the line turns very abruptly to the north at this point the 8” sewer line is located directly under the commercial property for a distance of 400’ of the 600’ line that terminates at Mill St. The Bureau’s Sewer Department has cleaned original line as well as possible and is not able to perform a video inspection due to a potential blockage under the commercial building. There is no access to the line at the point of blockage. The Bureau would like to split this line at the point of the direction change allowing the 11 residential services to flow to the east and create a connection to existing sanitary sewer line at the intersection of Maple Ave. and Evans St.



City of Batavia

- Cohocton/Walnut Water Line (\$3,100,000) The Cohocton is approximately 3,500 linear feet of 12" Pipe and Walnut is 2,600 linear feet of 8" pipe with approximately 30 service connections and 4 hydrants. The Walnut Pipe also feeds the town of Batavia. The Cohocton also allows Franklin to make a Loop for continuous flow. The line has suffered many breaks over the years and needs to be replaced.

To continue to maintain the water and sewer system the City continue to balance, rate, meter and capital increases with the ability to obtain grant funding and bond for projects.

I recommended that the Water Rate Local Law is moved to the March 11th business meeting.

#-2024

A RESOLUTION ADOPTING LOCAL LAW NO. 1 OF THE YEAR 2024 TO AMEND SECTION 184-41 (A), (B), (C), AND (O) OF THE CODE OF THE CITY OF BATAVIA TO ESTABLISH NEW WATER RATES, METER FEES AND A CAPITAL IMPROVEMENT FEE

Motion of Councilmember

WHEREAS, Local Law No. 1 of the Year 2024 entitled "LOCAL LAW NO. 1 OF THE YEAR 2024 TO AMEND §184-41 (A), (B), (C), AND (O) OF THE CODE OF THE CITY OF BATAVIA TO ESTABLISH NEW WATER RATES, METER FEES AND A CAPITAL IMPROVEMENT FEE" was introduced before the City Council of Batavia, New York; and

WHEREAS, copies of the aforesaid proposed Local Law were laid upon the desk of each member of the City Council by the City Clerk; and

WHEREAS, the City Council held a public hearing on said proposed Local Law in the Council Board Room, Second Floor, One Batavia City Centre, Batavia, New York, at 7:00 p.m. on Monday, February 26, 2024; and

WHEREAS, the City Clerk published or caused to be published a public notice in the official newspaper of the City of said public hearing at least three (3) days prior thereto.

BE IT RESOLVED, that the City Council of the City of Batavia hereby adopts Local Law No. 1 of the year 2024, entitled "Local Law No. 1 of 2024 to Amend §184-41 (A), (B), (C), And (O) of the Code of The City Of Batavia to Establish New Water Rates, Meter Fees And A Capital Improvement Fee"

**Seconded by Councilmember
and on roll call**

**LOCAL LAW NO. 1 OF THE YEAR 2024
CITY OF BATAVIA**

**A LOCAL LAW TO AMEND §184-41(A), (B), (C), AND (O) OF THE CODE OF THE
CITY OF BATAVIA TO ESTABLISH NEW WATER RATES, METER FEES AND A
CAPITAL IMPROVEMENT FEE**

Be It Enacted by the City Council of the City of Batavia, New York as follows:

Section 1. § 184-41. Water rates.

A. Water Rates

City – Water – Quarterly Schedule

~~\$6.27~~ [\$6.46] per 1,000 gallons

Town Served Directly by the City – Building and Hydrants

~~\$7.92~~ [\$8.16] per 1,000 gallons

~~B. Bulk rate at water plant fill station: \$7.61 [\$7.88] per 1,000 gallons; cards: \$12.50 each.~~

Section 3. Effective Date

The foregoing amendment shall become effective with the water consumed ~~April 1, 2023~~
as billed on and after ~~June 1, 2023~~ [April 1, 2024 billed on and after June 1, 2024]

C. Quarterly meter service and availability charge for meters:

Type	Size in inches	Quarterly Fee
Disc	5/8	\$15.45 [\$17.45]
Disc	3/4	\$19.55 [\$22.08]
Disc	1	\$20.60 [\$23.27]
Disc	1 1/2	\$35.00 [\$39.53]
Disc	2	\$48.60 [\$54.90]
Compound	2	\$41.17 [\$46.50]
Compound	3	\$156.58 [\$176.85]
Compound	4	\$294.24 [\$281.50]
Compound	6	\$376.49 [\$425.23]
Turbo	3	\$92.65 [\$104.64]
Turbo	4	\$156.58 [\$176.85]
Fireline	4	\$156.58 [\$176.85]
Fireline	6	\$249.24 [\$281.50]
Fireline	8	\$347.43 [\$392.40]

Fireline

10

\$453.70 [\$512.44]

All of the above meter service charges include the required remote reading encoder systems.

O. Quarterly Capital Improvement fee for meters:

Type	Size in Inches	Quarterly Fee
Disc	5/8	\$12.97 [\$18.97]
Disc	3/4	\$16.44 [\$24.04]
Disc	1	\$17.30 [\$25.30]
Disc	1 1/2	\$29.41 [\$43.01]
Disc	2	\$40.83 [\$59.72]
Compound	2	\$34.60 [\$50.60]
Compound	3	\$131.56 [\$192.41]
Compound	4	\$209.39 [\$306.26]
Compound	6	\$316.32 [\$462.66]
Turbo	3	\$77.84 [\$113.84]
Turbo	4	\$131.56 [\$192.41]
Fireline	4	\$131.56 [\$192.41]
Fireline	6	\$209.39 [\$306.26]
Fireline	8	\$291.90 [\$426.93]
Fireline	10	\$381.19 [\$557.53]

Deletions designated by ~~strikeout~~

Additions designated as [brackets]

-2024

**A RESOLUTION AUTHORIZING THE ADOPTION OF AN INVESTMENT POLICY
FOR THE CITY OF BATAVIA, NEW YORK**

Motion of Councilperson

WHEREAS, the City of Batavia is the custodian of moneys and is authorized to invest such money; and

WHEREAS, the City's independent auditor had recommended an investment policy be updated and reviewed annually by Council; and

WHEREAS, the Council of the City of Batavia originally adopted the Investment Policy April 11, 2011 and has subsequently revised and adopted it each year thereafter; and

WHEREAS, such policy is in compliance with the current legal requirements under New York State General Municipal Law Sections 10 and 11 and is in the required format mandated by the State Comptroller; and

WHEREAS, said policy has been reviewed and approved by both the City's Fiscal Advisor and the City's Independent Auditor;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Batavia, New York hereby authorizes the adoption of the attached Investment Policy effective immediately.

**Seconded by Councilperson
and on roll call**

City of Batavia Investment Policy

I. Scope

This investment policy applies to all money and other financial resources available to the City of Batavia for deposit and/or investment on its own behalf or on behalf of any other entity or individual.

II. Objective

The primary objectives of the local government's investment activities are, in priority order:

1. To conform with all applicable federal, State and other legal requirements (legality)
2. To adequately safeguard principal (safety)
3. To provide sufficient liquidity to meet all operating requirements (liquidity)
4. To obtain a reasonable rate of return (yield)

III. Delegation of Authority

The governing board's responsibility for administration of the investment program is delegated to the City Manager who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

IV. Prudence

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the City of Batavia to govern effectively.

Investments shall be made with prudence, diligence, skill, judgment, and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety and liquidity of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict or appear to conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. Diversification

It is the policy of the City of Batavia to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

The governing board shall establish appropriate limits for the amount of investments which can be made with each financial institution or dealer, and shall evaluate this listing at least annually.

VI. Internal Controls

It is the policy of the City of Batavia for all moneys collected by any officer or employee of the government to transfer those funds to the Clerk-Treasurer within one (1) day of receipt, or within the time period specified by law, whichever is shorter.

The City Manager is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

VII. Designation of Depositories

The banks and trust companies that are authorized for the deposit of funds:

<u>Depository Name</u>	<u>Officer</u>
Bank of Castile	Jaime Sallome
Bank of America	Kevin Gilbert
JP Morgan Chase	Pamela Thompson
Key Bank	Amanda Vigneri
Manufacturers & Traders Trust Company	Glen Liucci
Five Star Bank	Elizabeth Nowak
Edward Jones Investments	
BankonBuffalo	David Paul

**Per a December 14, 2020 resolution passed by The City of Batavia City Council, this policy allows the City Manager, in consultation with the City Clerk-Treasurer and Deputy Director of Finance, to authorize the deposit of funds into established financial institutions so the City can make investments in a timely manner to ensure maximum return of the taxpayer's money. Furthermore, to ensure full accountability and transparency, the City Manager must advise Council of the new financial institution added, if any, to the list of designated depositories at the next council meeting during the City Manager's report.*

VIII. Securing Deposits and Investments:

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, "deposits") made by officers of the City of Batavia that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by:

1. A pledge of "eligible securities" with an aggregate "market value" (as provided in GML Section 10) that is at least equal to the aggregate amount of deposits by the officers. See Attachment A of this policy for a listing of "eligible securities."
2. A pledge of a pro rata portion of a pool of eligible securities, having in the aggregate a market value at least equal to the aggregate amount of deposits from all such officers within the State at the bank or trust company

3. An "eligible surety bond" payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims – paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The governing board shall approve the terms and conditions of the surety bond.
4. An "irrevocable letter of credit" issued in favor of the City of Batavia by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100% of the aggregate amount of deposits and the agreed-upon interest, if any.

IX. Collateralization and Safekeeping

Eligible securities used for collateralizing deposits made by officers of the City of Batavia shall be held by (the depository or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities (or the pro rata portion of a pool of eligible securities) are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities (or pro rata portion of a pool of eligible securities) may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities.

In the event that the pledged securities are not registered or inscribed in the name of the City of Batavia, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the City of Batavia or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the government in the securities (or the pro rata portion of a pool of eligible securities) as set forth in the security agreement.

The custodial agreement shall provide that pledged securities (or the pro rata portion of a pool of eligible securities) will be held by the bank or trust company as agent of, and custodian for, the City of Batavia, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt, substitution, or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the City of Batavia with a perfected security interest in the eligible securities and to otherwise secure the local government's interest in the collateral, and may contain other provisions that the governing board deems necessary.

X. Permitted investments

As provided by General Municipal Law Section 11, the City of Batavia authorizes the City Manager to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in the State of New York
- Through a deposit placement that meets the conditions set forth in General Municipal Law Section 10(2)(a)(ii)
- Obligations of the United States of America
- Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America
- Obligations of the State of New York
- Obligations of the City of Batavia, but only with moneys in a reserve fund established pursuant to General Municipal Law Section 6-c, 6-d, 6-e, 6-f, 6-g, 6-h, 6-i, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the City of Batavia within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the City of Batavia within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Sections VIII and IX herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the City of Batavia authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the City of Batavia within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

XI. Authorized financial institutions and dealers

All financial institutions and dealers with which the City of Batavia transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size, and other factors that make the financial institution or the dealer capable and qualified to transact business with the City of Batavia. The City Manager shall evaluate the financial position and maintain a listing of proposed depositories, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers.

The City of Batavia shall maintain a list of financial institutions and dealers approved for investment purposes, and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealers.

XII. Purchase of investments

The City Manager is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner
2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold, or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the City of Batavia by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the City of Batavia, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government's perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the City of Batavia with a perfected interest in the securities.

The City Manager can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for their deposit with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

XIII. Courier service

The City Manager may, subject to the approval of the governing board by resolution, enter into a contract with a courier service for the purpose of causing the deposit of public funds with a bank or trust company. The courier service shall be required to obtain a surety bond for the full amount entrusted to the courier, payable to the City of Batavia and executed by an insurance company authorized to do business in the State of New York, with a claims-paying ability that is rated in the highest rating category by at least two nationally recognized statistical rating organizations, to insure against any loss of public deposits entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier service.

The City of Batavia may agree with the depository bank or trust company that the bank or trust company will reimburse all or part of, but not more than, the actual cost incurred by the City of Batavia in transporting items for deposit through a courier service. Any such reimbursement agreement shall apply only to a specified deposit transaction, and may be subject to such terms, conditions and limitations as the bank or trust company deems necessary to ensure sound banking practices, including, but not limited to, any terms, conditions or limitations that may be required by the banking department or other federal or State authority.

XIV. Annual review and amendments

The City of Batavia shall review this investment policy annually, and it shall have the power to amend this policy at any time.

XV. Definitions

The terms “public funds”, “public deposits”, “bank”, “trust company”, “eligible securities”, “eligible surety bond”, and “eligible letter of credit” shall have the same meanings as set forth in General Municipal Law Section 10.

XVI. Reference(s)

- City of Batavia Charter
- New York State General Municipal Code

Original Author: Lisa Neary, Deputy Director of Finance
Heidi Parker, Clerk/Treasurer

Date Revised/ Adopted	4/11/11	2/27/12	3/11/13	2/19/14	3/9/15	3/14/16	3/13/17	3/12/18
Revised by		L Neary	L Neary	L Neary	L Neary	H Parker	H Parker	H Parker
Date Adopted	3/9/2020	12/14/2020	3/14/22	3/13/23				
Revised by	H Parker	H Parker	H Parker	H Parker				

Attachment A

Schedule of Eligible Securities

(i) Obligations issued by the United States of America, an agency thereof or a United States government sponsored corporation or obligations fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof or a United States sponsored corporation.

(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.

(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.

(iv) Obligations issued or fully insured or guaranteed by this state, obligations issued by a

municipal corporation, school district or district corporation of this state or obligations of any public benefit corporation which under specific state statute may be accepted as security for deposit of public moneys.

(v) Obligations issued by states (other than this state) of the United States rated in one of the three highest categories at least one nationally recognized statistical rating organization.

(vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

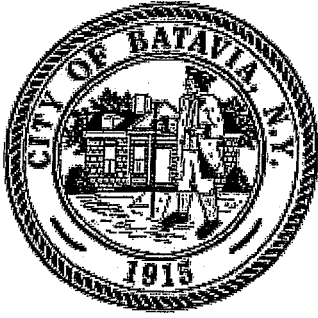
(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

(ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.

(x) Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than sixty days from the date they are being pledged.

(xi) Zero-coupon obligations of the United States government marketed as "Treasury STRIPS".



City of Batavia

TO: Rachael Tabelski, City Manager
FROM: Lisa Neary, Deputy Director of Finance
DATE: February 2, 2024
RE: Parking Permits and Employee Accrued Liability Reserve

In preparation of the City's fiscal year end, there are certain resolutions that require Council action.

- Annually the City transfers dumpster permit revenue and parking permit revenue received throughout the fiscal year into the parking lot reserve to assist with future replacement and improvements to the City's parking lots.
- Annually, Employee Benefit Accrued Liability Reserve is used to cover moneys paid out throughout the year to employees who retired or terminated their employment with the City. In the fiscal year ending March 31, 2024, the City had three (3) General Fund employees who have retired/resigned.

Attached please find resolutions supporting these actions to be presented to City Council at the February 26, 2024 conference meeting. Please let me know if you have any questions.

#XX-2024
**A RESOLUTION TRANSFERRING \$6,200 TO THE PARKING LOT CAPITAL
RESERVE FUND**

Motion of Councilmember

WHEREAS, pursuant to General Municipal Law 6-c the City of Batavia has an established Parking Lot Reserve Fund; and

WHEREAS, the City of Batavia, through December 31, 2023, received parking and dumpster permit revenue in the amount of \$6,200 and is desirous of transferring said \$6,200 to the Parking Lot Capital Reserve Fund to assist with future replacement and improvements of City parking lots.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia does hereby authorize the transfer \$6,200 of parking and dumpster permit revenue to the Parking Lot Capital Reserve Fund.

**Seconded by Councilmember
and on roll call**

DRAFT

#XX-2024

A RESOLUTION TRANSFERRING \$7,110.31 FROM THE EMPLOYEE BENEFIT ACCRUED LIABILITY RESERVE AND TO AMEND THE BUDGET

Motion of Councilmember

WHEREAS, pursuant to General Municipal Law 6-p, the City of Batavia has an established Employee Benefit Accrued Liability Reserve fund for payment of accrued benefits due to employees upon termination of the employees' service; and

WHEREAS, the City of Batavia for the fiscal year ending March 31, 2024 will have approximately \$241,115 of Employee Benefit Accrued Liability Reserve; and

WHEREAS, the City of Batavia for the fiscal year ending March 31, 2024 will have had three employees retire/terminate from General Fund employment with payable accrued employee benefits totaling approximately \$7,110.31.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Batavia that the City Manager is hereby authorized to use approximately \$7,110.31 of Employee Benefit Accrued Liability Reserve and to make the following budget transfers:

Effective March 31, 2024, the following transfers are hereby approved:

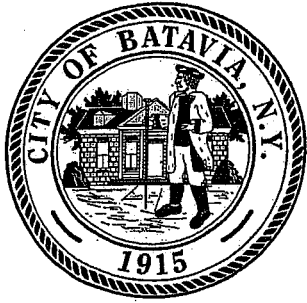
Increasing expenditure accounts:

Fire Department	A 043120.3120 100	\$ 7,110.31
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Increasing revenue account:

Appropriated Employee Benefit Accrued Liability Reserve	A 00.0000.0000 0511.2109	\$ 7,110.31
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**Seconded by Councilmember
and on roll call**



City of Batavia

Memorandum

To: Rachael Tabelski, City Manager

From: Lisa Neary, Deputy Director of Finance

Date: February 2, 2024

Subject: Purchasing Manual

As required by General Municipal Law §104-b(4), the City's Purchasing Manual must be reviewed by City Council annually. This helps ensure that procedures are current and appropriate to meet the changing needs of the City of Batavia. A procurement policy and procedures manual generally ensures that competition is sought in a reasonable and cost effective manner for procurements below the bidding thresholds and for other contracts exempt from bidding.

Significant changes made to the purchasing manual at this time include the following:

- 1) Competitive Bidding - Change in the link for the Department of Labor as it relates to debarred vendors; and
- 2) The list of Individuals Responsible for Purchasing has been updated.

I am attaching the following pages showing the changes:

1. VI. Competitive Bidding
2. Appendix B – Individuals Responsible for Purchasing

#XX-2024

**RESOLUTION AUTHORIZING THE ADOPTION OF A PURCHASING MANUAL FOR
THE CITY OF BATAVIA, NEW YORK**

Motion of Councilmember

WHEREAS, General Municipal Law §104-b (4) requires the governing body of every municipality annually review and adopt a procurement policy for all goods and services; and

WHEREAS, the City Council last adopted its Purchasing Manual on March 13, 2023; and

WHEREAS, comments have been solicited from all Department Heads and Bureau Chiefs in the City of Batavia involved in the procurement process; and

WHEREAS, said Purchasing Manual has been reviewed and approved by the City's Attorney; and

NOW THEREFORE, BE IT RESOLVED, that the Batavia City Council of the City of Batavia, New York does hereby adopt the following Purchasing Manual effective immediately.

Seconded by Councilmember

and on roll call

DRAFT

VI. Competitive Bidding

Pursuant to General Municipal Law, Article 5A, Section 103, all purchases for materials, equipment or supplies of the same category that involve an aggregate annual estimated total expenditure over \$20,000 (combining all City departments) shall be awarded only after public advertising soliciting formal bids. All competitive bids for purchase contract awards require City of Batavia Council approval.

Also pursuant to General Municipal Law, Article 5A, Section 103, all public work contracts (those projects that involve labor or both material and labor) involving an expenditure of over \$35,000 shall be awarded only after public advertising soliciting formal bids. All competitive bids for public works contracts need City of Batavia Council approval in order to be bid and awarded.

Alternatives to competitive bidding, where City Council approval is not required for procurements not to exceed budgeted amounts:

1. New York State Office of General Services awards centralized contracts based on competitive bidding for commodities, services, information technology and telecommunications. The City of Batavia is eligible to purchase through state contracts as a political subdivision of New York State. Since New York State General Municipal Law does not require competitive bidding if purchases are made under State Contract, spending levels (aggregate) do not apply if the purchase is made under New York State Contract. Purchases made from vendors offering "lower than state contract" prices do not qualify under this exception. State contracts are accessible on-line at <http://www.ogs.state.ny.us>. As noted elsewhere in this policy, the purchase order should contain the State contract number in the "Resolution #" field of the purchase order in New World.
2. The City of Batavia may piggyback on municipal County and New York State contracts that have been extended to local governments. The contract must explicitly authorize piggybacking and must be let in accordance with competitive bidding laws. The purchase contract being utilized is to be scanned and attached to the purchase order in New World. And the procurement method needs to be noted in the "Resolution #" field of the purchase order in New World.
3. The City is also eligible to purchase from Federal GSA Schedule 70 Technology contracts, as well as equipment for counter-drug, homeland security and emergency response activities. This contract is accessible on-line at <http://www.gsa.gov/portal/content/104506>. The procurement method needs to be noted in the "Resolution #" field of the purchase order in New World.
4. The City of Batavia is permitted to purchase surplus and second-hand supplies, materials or equipment from Federal or State government or other political subdivisions or public benefit corporations within the State. However, purchases or used items from any other

source (e.g. private sources like auctions or going-out-of-business sales) are not exempt from bidding requirements.

Each bid submitted to the City of Batavia must contain a statement asserting prices in the bid were arrived at independently, without collusion; prices quoted were not knowingly disclosed by the bidder prior to bid opening; and the bidder did not induce any other person to not submit a bid.

General Municipal Law, Section 101 states that contracts for the erection, construction or alteration of buildings exceeding \$500,000 (for Genesee County), must separately and independently bid (1) Plumbing and gas fitting, (2) Steam heating, hot water heating, ventilating and air-conditioning apparatus, and (3) Electric wiring and standard illuminating fixtures. Referred to as the Wicks Law, when this law does not apply, bidders must submit with its bid a separate sealed list that names each subcontractor that the bidder will use to perform the work. After the low bid is announced, the sealed list is opened and the names of subcontractors are announced. The sealed lists of unsuccessful bidders are to be returned.

Every bid must contain a statement that the bidder is not on a list of entities that invest in the Iranian Energy Sector. A bid cannot be considered or contract awarded without that statement. The exception to this is if a bidder's investment activities were made prior to this law (April 12, 2012) or if the municipality determines in writing that the purchase of goods or services are necessary and are unable to be purchased from any other entity.

Advertising for each contract or bid shall be in the designated official newspaper of the City of Batavia. The advertisement should contain the time and place where all of the bids received will be opened. It should state if bids can be received electronically. It should name the City of Batavia and describe the project. It is required there be 5 days between the date of the advertisement and the opening of the bids. If the date of opening changes, re-advertising is required. Failure to comply with the advertising requirements will result in an illegal contract.

Prior to awarding a bid, City of Batavia personnel must first consult a list of debarred vendors on the Department of Labor website. New York State Labor law sets a five-year ban on bidding or award of public work projects to contractors, sub-contractors, successors, and/or substantially owned or affiliated entities who have been debarred for violations of Article 8 or Article 9 of Department of Labor laws, which are related to prevailing wages. The list is located at the link on the bottom of the page of this website: <https://dol.ny.gov/system/labor.ny.gov/workerprotection/publicwork/PWDebarmentInformation.shtm> In addition, City of Batavia personnel must also check the System for Award Management (SAM) Exclusions which is maintained by the General Services Administration (GSA) and is available at <https://www.sam.gov/portal/public/SAM/> Vendors on either list may not be awarded a competitive bid by the City of Batavia.

Field Code Changed

All formal bid contracts (those which require public advertising and competitive bidding according to General Municipal Law, Article 5A, Section 103) shall be awarded as provided by law and by Resolution of the City Council.

It shall be the policy of the City of Batavia that a low tie bid be rejected and re-bid to eliminate any question of vendor favoritism by making a choice of an award other than low price.

In New World, the competitive bid should be referenced as the procurement method in the "Resolution #" field when the purchase order is entered and the award letter and resolution and any other due diligence should be scanned attached to the purchase order.

A blanket purchase order should be issued for the purpose of consolidation of bulk or numerous purchases over the year to eliminate the necessity for issuance of separate orders for groups of items which are purchased frequently by the same vendor and to permit the department to purchase items of this nature on an "as needed" basis. Blanket purchase orders generally should be closed out at the end of a fiscal year and a new one issued for the new fiscal year.

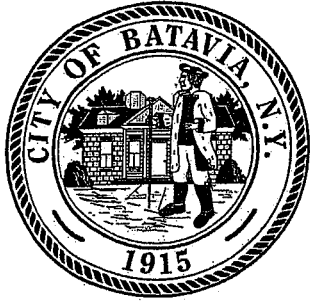
The following include but are not limited to situations that are exempt from competitive bidding requirements:

- Public emergencies
- Sole source providers of goods or services
- Municipal cooperation agreements
- Purchases of surplus/second hand supplies materials or equipment from the Federal Government, State of New York, or any other political subdivision or district
- Real property purchases or leases
- New York State preferred source purchases
- State contract purchases
- Genesee County or other municipal contracts properly extended to municipalities
- Professional service contracts
- Special skill contracts

Appendix B

Individuals Responsible for Purchasing

Last Name	First Name	Title
Allen	Scott	Superintendent of Maintenance
Best	Jessica	Secretary
Betters	Kelly	Human Resource Clerk
Borchert	Dan	Financial Clerk Typist
Call	James	Fire Captain
Camp	Chris	Assistant Police Chief
Cassidy	Amy	Deputy Clerk/Treasurer
Chilano	Meg	Secretary
Cowen	Mitchel	Police Sergeant
Dahlie	Julie	Grants Administrator
Dean	Teri	Employee Payroll/Insurance Clerk
DeFelice	Kevin	Police Sergeant
Donovan	Lauren	Secretary
Downey	McKenna	Secretary
Fix	Bob	Fire Captain
Fix	Erik	Assistant City Manager
Frank	Brett	Director of Public Works
Graham	Josh	Fire Chief
Galdun	Krista	Confidential Secretary
Gowanlock	Zechariah	Fire Lieutenant
Green	Dave	Fire Lieutenant
Herberger	Dan	Fire Captain
Heubusch	Shawn	Police Chief
Houseknecht	Doug	Water & Wastewater Maint. Supervisor
Klein	Vickie	Assessment Clerk
Lindsay	Christopher	Police Sergeant
Lutey	Matthew	Police Detective Sergeant
Mayeu	Mark	Automotive Mechanic
McGee	Rebecca	Director of Human Resources
Metz	Brian	Supervisor, Public Works
Morris	Michael	Fire Captain
Neary	Lisa	Deputy Director of Finance
Parker	Heidi	Clerk/Treasurer
Patterson	Rebecca	Secretary
Perkins	Arick	Police Sergeant
Phelps	Tom	Superintendent of Water and Wastewater
Saulsbury	Rhonda	Assessor
Stevenson	Brett	Supervisor, Public Works
Tabelski	Rachael	City Manager
Tedford	Robert	Fire Lieutenant
Volk	Kevin	Chief WW Treatment Plant Operator
Weibel	Nelson	Chief Water Treatment Plant Operator
Whitcombe	Jeff	Fire Lieutenant



City of Batavia

Memorandum

To: Rachael Tabelski, City Manager

From: Shawn Heubusch, Police Chief

Date: February 9, 2024

Subject: Surplus of police equipment for disposal

Per the City of Batavia Purchasing Manual property valued over \$1000 must be declared surplus by resolution of City Council prior to being disposed of.

The attached draft resolutions calls for the surplus of six (6) police vehicles and ammunition. The police vehicles have been replaced as part of the on-going updating of fleet vehicles and/or declared a total loss by our insurance company following a collision. The .40 caliber ammunition is no longer needed as part of the transition to 9mm handguns. The 12 gauge ammunition is no longer needed as the shotguns have been taken out of service.

I request the proceeds from any sales to be placed into the Police Equipment Reserve Fund to offset the costs of future equipment purchases.

Please advise if you should have any questions or concerns regarding this MEMO.

Thank you.

**Police Department
10 Main Street
Batavia, New York 14020**



**Phone: 585-345-6350
Fax: 585-344-1878
Records: 585-345-6303
Detective Bureau: 585-345-6370
www.batavianewyork.com**

#XX-2024

**RESOLUTION TO DECLARE POLICE DEPARTMENT EQUIPMENT SURPLUS FOR
THE PURPOSE OF DISPOSAL**

Motion of Councilmember

WHEREAS, The Police Department has declared the equipment listed below surplus;
and

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

WHEREAS, the Police Department desires to use the proceeds from selling the equipment
listed below in order to offset the purchase of future equipment needs by placing the proceeds into
the Police Equipment Reserve account.

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

2009 Chrysler Towne & Country	VIN - 2A8HR44E29R577372
2010 Chevrolet Impala	VIN - 2G1WA5EKXA1260452
2010 Chevrolet Impala	VIN - 2G1WA5EK4A1260432
2010 Chevrolet Impala	VIN - 2G1WASEN2A1147654
2012 Ford Escape	VIN - 1FMCU9DG2CKA51033
2020 Ford PI Utility	VIN - 1FM5K8AB1LGB22937

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia
does hereby authorize the transfer of the proceeds from the sale of said equipment to the Police
Equipment Reserve Fund.

**Seconded by Councilmember
and on roll call**

#XX-2024

**RESOLUTION TO DECLARE POLICE DEPARTMENT EQUIPMENT SURPLUS FOR
THE PURPOSE OF DISPOSAL**

Motion of Councilmember

WHEREAS, The Police Department has declared the equipment listed below surplus;
and

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

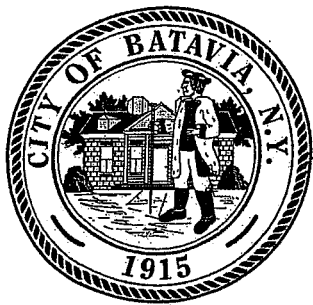
WHEREAS, the Police Department desires to trade-in the equipment listed below towards
the purchase of new equipment.

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

16,000 rounds of AE40R3 - .40 caliber ammunition
2,000 rounds of P40HST3 - .40 caliber ammunition
1,000 rounds of LE12700 - 12 gauge ammunition
500 rounds of F127RS - 12 gauge ammunition

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia
does hereby authorize the surplus of said equipment for the purpose of trade-in.

**Seconded by Councilmember
and on roll call**



City of Batavia

Memorandum

To: Rachael Tabela, City Manager

From: Shawn Heubusch, Chief of Police

Date: February 12, 2024

Subject: Additional STOP-DWI funds for equipment

In September of 2023 the City Police were awarded \$12,550 in additional funding from the Genesee County STOP-DWI program to purchase an additional 2 seat pedal car and enclosed trailer for impaired driving demonstrations.

As you may recall the Department was awarded funding for a marijuana impairment driving simulator kit in 2019 and have made use of the kit during multiple public demonstrations to educate the public about the effects of marijuana and impaired driving on driving skills. The demonstration has become very popular and therefore we found the need to apply for an additional kit to utilize at various functions as well as support other schools in the Genesee County. We were awarded the funds and therefore the attached resolution is needed to properly account for the receipt of those funds.

Feel free to call with any questions you may have. Thank you.

Police Department
10 Main Street
Batavia, New York 14020



Phone: 585-345-6350
Fax: 585-344-1878
Records: 585-345-6303
Detective Bureau: 585-345-6370
www.batavianewyork.com

#XX-2024

A RESOLUTION TO AMEND THE 2023-2024 POLICE DEPARTMENT BUDGET TO REFLECT THE RECEIPT OF ADDITIONAL STOP-DWI GRANT FUNDS IN THE AMOUNT OF \$12,550 TO ADDRESS THE CRIMES OF DRIVING WHILE INTOXICATED AND/OR DRIVING WHILE ABILITY IMPAIRED BY DRUGS

Motion of Councilmember

WHEREAS, the City of Batavia Police Department has received additional grant funding in the amount of \$12,550 from THE GENESEE COUNTY STOP-DWI PROGRAM TO COMBAT IMPAIRED DRIVING BY FUNDING SPECIALIZED PATROL FUNCTIONS AND EQUIPMENT; 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 Council of the City of Batavia that the City Manager be and hereby is authorized to make the following budget amendment to the 2023-2024 budget to cover various initiatives to combat alcohol and drug related traffic offenses:

Increase expenditure accounts

A.04.3120.3120.299-100001 \$ 12,550.00

Increase revenue accounts

A.00.0000.0000 3389-100001 \$ 12,550.00

**Seconded by Councilmember
and on roll call**



County of Genesee

MEMO

To: Shawn Heubusch, Chief of Police
From: Tammi Ferringer, Deputy County Manager/STOP-DWI Coordinator
Subject: STOP-DWI GTSC Award
Date: February 9, 2024

Please accept this letter as official notification of the one-time award of funds not to exceed \$12,550 for the purchase of:

- Roadster 2-seater pedal cart – ultimate package
- Enclosed trailer
- Graphics for trailer
- Additional impairment goggles

This is funded thru a one-time allocation from the Governor's Traffic Safety Committee which had to be fully committed before 12/31/2023.

Thank you for your time and commitment to keeping our community safe. Please reach out with any questions or concerns.



City of Batavia

Memorandum

To: Rachael Tabelski, City Manager

From: Shawn Heubusch, Police Chief

Date: February 2, 2024

Subject: NYS Division of Homeland Security and Emergency Services Grant

In November of 2023 the Department participate in the NYS Division of Homeland Security and Emergency Services for Operation Safeguard – Red Team Exercise CTZ10.

Counter Terrorism Zone (CTZ) 10, encompassing Genesee, Orleans, and Wyoming Counties, will conduct an exercise to test and evaluate the effectiveness of New York State's suspicious activity reporting programs, and further enhance the relationship between law enforcement, private sector businesses, and the general public.

The Department was awarded funding from the NYSDHSES to cover overtime costs associated with the exercise in the amount of \$4,231.41.

Attached are the documents received to properly account for this receipt of funding.

Feel free to call with any questions you may have. Thank you.

Attachments: Award Contract
Grant Information Form
Draft Resolution

Cc: Lisa Neary, Deputy Director of Finance

Police Department
10 Main Street
Batavia, New York 14020



Phone: 585-345-6350
Fax: 585-344-1878
Records: 585-345-6303
Detective Bureau: 585-345-6370
www.batavianewyork.com

#XX -2024

A RESOLUTION TO AMEND THE 2023-24 POLICE DEPARTMENT BUDGET TO REFLECT THE RECEIPT OF A NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES GRANT

Motion of Councilmember

WHEREAS, the City of Batavia Police Department has received a grant in the amount of \$4,232 from the New York State Division of Homeland Security and Emergency Services to participate in Operation Safeguard Program – Red Team Exercise Counter Terrorism Zone (CTZ) 10. The exercise tested various locations to evaluate the effectiveness of New York State’s suspicious activity reporting programs, and further enhance the relationship between law enforcement, private sector businesses, and the general public and

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

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the City Manager be and hereby is authorized to make the following budget amendment to the 2023-2024 budget to cover personnel expenses incurred during Red Team Exercise CTZ 10:

Increase expenditure accounts:

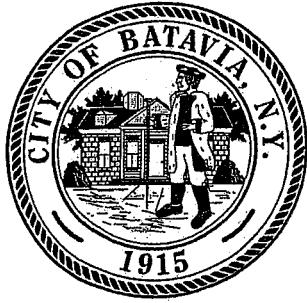
A.04.3120.3120 199-100004 \$ 4,232

Increase revenue accounts:

A.00.0000.0000 4389-100004 \$ 4,232

Seconded by Councilmember

and on roll call



City of Batavia

Memorandum

To: Honorable City Council Members

From: Julie Dahlie, Grants Administrator

Date: February 8, 2024

Subject: Assistance Firefighters Grant Application

The Assistance Firefighters Grant Program has released its notice of funding opportunities. Fire safety grants play a crucial role in providing the necessary resources to equip and train emergency personnel, thereby enhancing efficiencies and bolstering community resilience, as outlined by FEMA.

This program is designed to augment public and firefighter safety by extending financial assistance to eligible fire departments for essential resources, training initiatives, and operational enhancements. The City of Batavia Fire Department is keen on leveraging this program to address its needs and is fully committed to meeting the requisite 5% matching fund requirement, as stipulated by the AFG guidelines.

Since 2017, the City of Batavia Fire Department has diligently pursued opportunities within the Assistance Firefighters Grant (AFG) framework. Over this period, they have successfully secured upwards of \$400,000 in funding, which has been instrumental in procuring a diverse array of critical equipment, facilitating essential training sessions, and implementing crucial building upgrades. Specifically, these funds have enabled the acquisition of self-contained breathing apparatus, wireless communication headsets, a state-of-the-art sprinkler system for the fire hall, turn out gear, and specialized training for recruits, including water rescue operations.

The tangible impact of these investments is evident in the enhanced operational capabilities of our fire department, ultimately translating to a safer environment for both our firefighters and the community they serve. Therefore, I recommend that City Council endorse the submission of an AFG application.

#XX-2024

**RESOLUTION TO SUBMIT AN APPLICATION FOR THE 2023 ASSISTANCE FIREFIGHTERS
GRANT PROGRAM**

Motion of Councilmember

WHEREAS, the Department of Homeland Security (DHS) is requesting funding proposals for the Fiscal Year 2023 Assistance to Firefighters Grant Program; and

WHEREAS, the purpose of the Assistance to Firefighters Grant (AFG) Program is to enhance the safety of the public and firefighters with respect to fire and fire-related hazards by providing direct financial assistance to eligible fire departments for critically-needed resources to equip and train emergency personnel, enhance operational efficiencies, and support community resilience; and

WHEREAS, the City of Batavia Fire Department is seeking such assistance and will honor the AFG required 5% match of funds awarded should the application be successful.

NOW THEREFORE, LET IT BE RESOLVED by the City of Batavia Council that it hereby authorizes submission of an application to the Assistance to Firefighters Grant program.

**Seconded by Councilmember
and on the roll call**

DRAFT



City of Batavia

To: Honorable City Council Members

From: Rebecca McGee, Human Resources Director

Date: February 9, 2024

Subject: Healthcare Worker Bonus

As part of the 2022-2023 enacted New York State Budget, Governor Hochul and the State Legislature allocated \$1.2 billion in funding to the NYS Health Care Worker Bonus (HWB) program for the payment of bonuses for certain frontline health care workers as Part ZZ of Chapter 56 of the Laws of 2022.

The HWB Program provision allows for the payment of bonuses to "recruit, retain, and reward health care and mental hygiene workers" meeting certain eligibility requirements.

The Human Resources Department applied for the first payment in April of 2023. We received payment from NY State in August of 2023 along with F.I.C.A. The second payment was applied for in October of 2023 and funds were received in February. Both payments have been paid to the eligible members of the Fire Department.

Total Budget Impact: No budget impact to the City.

Recommended Action: It is recommended that City Council approve the draft resolution to amend the 23/24 budget.

Supporting Documents:

1. Draft Resolution

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**Human Resources Department
One Batavia City Centre
Batavia, New York 14020**

**TDD 800-662-1220
Phone: 585-345-6340
www.batavianewyork.com**

#XX-2024

**RESOLUTION TO APPROVE THE HEALTHCARE AND MENTAL HYGIENE
WORKER BONUS PROGRAM AND AMEND THE 2023/2024 CITY BUDGET**

Motion of Councilmember

WHEREAS, New York State allocated funding to the NYS Healthcare Worker Bonus Program for the purpose of recruitment and retention which mandates the payment of bonuses for certain frontline healthcare workers; and

WHEREAS, Human Resources submitted claims for eligible titles based on criteria designed by New York State two vesting periods; and

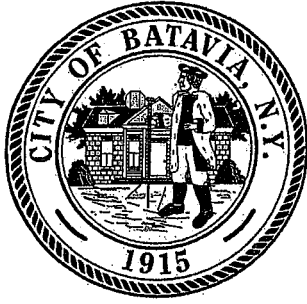
WHEREAS, the City of Batavia received two payments from the state including F.I.C.A. which was paid as a bonus to the City's frontline healthcare workers; and

WHEREAS, the City is requesting to amend the 2023-2024 budget to properly account for this revenue and expense.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia to authorize the City Manager to accept the funding from NYS Healthcare Worker Bonus Program and to amend the budget for the 23/24 fiscal year as follows:

Increase expense:		
A.05.340.3410 100	Fire Department Salaries	\$99,000.00
A.05.340.3410 802	Fire Dept. Social Security	\$ 7,573.50
Increase revenue:		
A.00.0000.0000 3489	State Aid, other health	\$106,573.50

**Seconded by Councilmember
and on roll call**



City of Batavia

Memorandum

To: Honorable Council Members

From: Erik Fix, Assistant City Manager

Date: February 15, 2024

Subject: Pro-Housing Communities

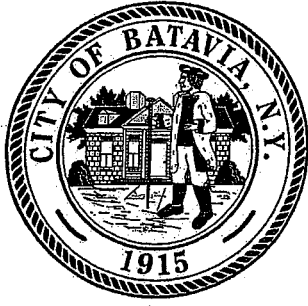
In 2023, Governor Hochul signed an Executive Order to establish the statewide Pro-Housing Community Program in order to recognize and reward municipalities actively working to build and rehabilitate housing in their communities.

Municipalities that have successfully increased housing or commit to taking steps to support housing, will receive a certification from New York State Homes and Community Renewal that will make them eligible for \$650 million in state discretionary funding, and allowed to apply for statewide grant programs such as:

- Downtown Revitalization Initiative;
- NY Forward;
- Regional Council Capital Fund;
- New York Main Street;
- Market New York capital grants, administered by Empire State Development;
- Transportation grants; and
- Housing grants.

Attached is a draft Letter of Intent to be designated as a Pro-Housing Community. The Letter of Intent coupled with the City of Batavia's 1.5% growth from 2018-2022 will allow for the designation as a Pro-Housing Community.

With the continued Economic Development across Genesee County and the multiple market studies that identify market rate, multi-generational, and senior condominiums with maintenance free living as significant need in Batavia, funding for Pro-Housing Communities will assist developers with difficult costs such as rehabilitation, soil clean up, and community improvements.



City of Batavia

Municipalities retain the right to develop per their zoning code, market need, and private sector developer's interest.

Current homeowners can continue to access rehabilitation funding through the Batavia Home Fund and soon to be available CBDG block grant.

#-2024

**A RESOLUTION FOR THE CITY OF BATAVIA TO BECOME A PRO-HOUSING
COMMUNITY**

Motion of Councilmember

WHEREAS, the City of Batavia has shown at least a 1.5% growth in the housing market since 2018, and

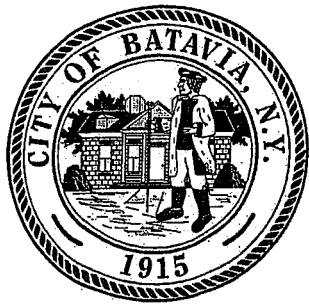
WHEREAS, we believe that supporting housing production of all kinds in our community will bring multiple benefits, and

WHEREAS, the City of Batavia has drafted a Letter of Intent to be named a NYS Pro-Housing Community that will make it eligible for \$650 million in state discretionary funding and allowed to apply for statewide grant programs,

NOW BE IT THEREFORE RESOLVED, the City of Batavia authorizes City Manager Rachael Tabelski to send the attached Letter of Intent to the NYS Office of Housing and Community Renewal so that it may be considered for the designation as a Pro-Housing Community.

**Seconded by Councilmember
and on roll call**

DRAFT



City of Batavia

February 20, 2024

Subject: Pro-Housing Community Designation

Homes and Community Renewal,

I am writing to express the City of Batavia's intention become a Pro-Housing community.

The City has experienced growth and development of the Downtown Revitalization Initiative (DRI) with upper floor market rate apartments downtown, Supportive Veteran's units at Liberty Square, and the ongoing construction of Ellicott Station apartments we hope will be workforce and senior driven housing. These investments create the necessary increase in the number of available housing units in the City to qualify the City as a Pro-Housing Community.

As a Pro-Housing Designated community the City will continue to see positive growth in housing. Recent housing studies have revealed that the City of Batavia has an ample supply of affordable and supportive housing, and needs to foster the creation of market rate housing for millennials, active baby boomers, seniors, and families alike.

Through the Brownfield Opportunity Area (BOA) planning and development work the City has identified multiple locations that will support market rate housing. Including Creek Park, the Harvester, The Armory Property, the cleaned up Batavia Metals and Iron site, and existing greenfield areas that boarder the City for high-end condos and/or single family homes.

By embracing the Pro Housing principles and working collaboratively with stakeholders, we can create a comprehensive, vibrant, and resilient community where our families can access multi-generational housing.

We look forward to partnering with Homes and Community Renewal (HCR), and other stakeholders, to advance our shared goals and realize our vision of a Pro-Housing community. We have begun collecting the required permitting and zoning data for your consideration and will forward once completed.

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**Office of the City Manager
One Batavia City Centre
Batavia, New York 14020**

**TDD 800-662-1220
Phone: 585-345-6330
Fax: 585-343-8182
www.batavianewyork.com**



City of Batavia

Thank you for your consideration. We are eager to begin this journey and are available to discuss this matter further at your convenience.

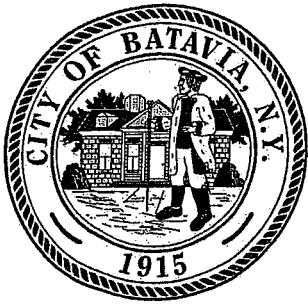
Sincerely,

Rachael J. Tabela
City Manager

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Office of the City Manager
One Batavia City Centre
Batavia, New York 14020

TDD 800-662-1220
Phone: 585-345-6330
Fax: 585-343-8182
www.batavianewyork.com



City of Batavia

Memorandum

To: Honorable City Council Members

From: Julie Dahlie, Grants Administrator

Date: February 9, 2024

Subject: Pro Housing Officer

The City of Batavia recognizes the significance of nurturing housing growth and reaping the benefits of a thriving housing market within our community. Certification as a Pro Housing community not only reflects our strategic objectives but also unlocks funding opportunities that would otherwise remain inaccessible to us.

To effectively manage permit data and zoning codes in alignment with our housing growth goals, it is imperative to appoint a dedicated Pro Housing Officer. This individual will spearhead initiatives aimed at fostering housing growth and ensuring adherence to City and State regulations. Collaborating closely with the fair housing officer and other stakeholders, the Pro Housing Officer will play a pivotal role in advancing our objectives.

In light of these considerations, I recommend that the City Council of the City of Batavia appoint the Assistant City Manager as the Pro Housing Officer.

#XX-2024

A RESOLUTION APPOINTING A PROHOUSING OFFICER

Motion of Councilmember

WHEREAS, the City of Batavia, State of New York, wants to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities; and

WHEREAS, certification as a Pro Housing community opens doors to funding opportunities that would otherwise be unavailable to the City of Batavia; and

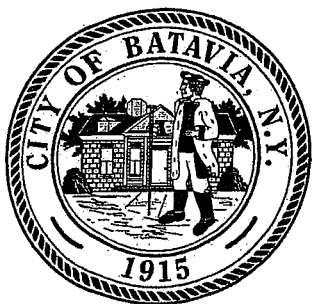
WHEREAS, the Pro Housing officer is committed to maintaining City Zoning Codes and permit data to maintain pro housing status; and

WHEREAS, the Pro Housing officer supports the fair housing officer and their directives;

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Batavia appoints the Assistant City Manager to serve as the Pro Housing Officer for the City of Batavia.

**Seconded by Councilmember
and on roll call**

DRAFT



City of Batavia

Memorandum

To: Honorable City Council

From: Rachael J. Tabelski, City Manager

Date: February 15, 2024

Subject: Drinking Water Source Protection Program Technical Assistance

The City of Batavia strives provide its residents with a safe, potable supply of drinking water, while operating the Batavia Water Treatment Plant. To this end, the City has been chosen to participate in the Drinking Water Source Protection Program Technical Assistance Planning Grant.

The aquifer directly feeds the Batavia Water Treatment Plant (owned by Genesee County, and operated by the City of Batavia) as a major source of drinking water. While the Tonawanda Creek also contributes as a source of drinking water, the quality and turbidity of the Creek make it a much less desirable source.

Any excess extraction of water from the aquifer, threat of environmental changes, or hydrological issues will force the Batavia Water Treatment Plant to rely more heavily on the Creek, and that will, in turn, increase cost of municipal water treatment and decrease sustainability.

Even as Genesee County continues with the exploration of the Phase III water supply that we anticipate will allow the County to decommission the Water Plant in the next 10 years, protecting our drinking water is extremely important.

I recommend that the City Council of the City of Batavia approve the Drinking Water Source Protection Program Technical Assistance.

Background Information on the Aquifer and Water Plant

The aquifer has seen historic low levels of source water in the last decade, a pattern that has not reversed itself. On June 17, 2021, Genesee County issued a Water Conservation Notice to residents across the County. As noted in the press release, "...the water level in the aquifer that feed the City of Batavia Water Treatment Plant is approaching historic lows." "The deeper the water is below ground



City of Batavia

level the more inefficient the well pumps are.” On July 1, 2022, the County has once again issued a press release calling on voluntary water restrictions from Genesee County residents, marking the third consecutive year of voluntary water restrictions in Genesee County.

The Batavia Water Filtration Plant was built between 1917 and 1918 by the Warsaw Construction Co. At the time citizens were demanding potable water. The new filter plant consisted of an open water basin connected to the intake from the creek and served as a settling basin where the water was cleared and aerated. Water then flowed to the six filters and then to an underground storage tank before being pumped throughout the city. At this time the plant was able to produce 3 million gallons per day.

The Filtration Plant has been renovated many times since 1918. New aeration beds were installed in 1932. In 1938, a WPA project built a 1.5 million gallon storage tank to maintain a constant pressure for the distribution system. The intake from the creek was relocated in 1946 and the use of chlorine was used as a disinfectant. Lime softening was added to the system and was the first in the state to do so. In 1964 a new well site was put into service for use when the creek levels were low.

In 1968 the plant was completely rebuilt with the addition of another softening unit, six more filters, new pumps, feeders and monitoring equipment. This renovation enabled the plant to produce up to six million gallon per day. Between 2001 and 2013 the city invested \$3 million dollars in improvements into the plant with new feeders, pumps, lighting, filter controls and the building of a new storage tank on the east side of town. Most recently the County and City are investing approximately \$4 million in upgrades.

#XX-2024

**RESOLUTION TO ACCEPT THE DRINKING WATER SOURCE PROTECTION
PROGRAM TECHNICAL ASSISTANCE**

Motion of Councilmember

WHEREAS, the preservation and safeguarding of our drinking water sources is paramount to the health and well-being of our community;

WHEREAS, the City of Batavia has applied for the Drinking Water Source Protection Program (DWSP2) free technical assistance from the New York Department of Environmental Conservation (DEC);

WHEREAS, the City of Batavia has been awarded the technical assistance which will aid in the development and implementation of a Drinking Water Source Protection Program, developing actionable steps to protect our drinking water sources now and into the future;

NOW, THEREFORE, BE IT RESOLVED, that the City of Batavia accepts the offer of technical assistance for a Drinking Water Source Protection Program;

BE IT FURTHER RESOLVED, that the committee tasked with overseeing the technical assistance adheres to the two-year timeline;

BE IT FURTHER RESOLVED, that this resolution be communicated to all relevant stakeholders, including members of the community, to promote transparency and instill confidence in our commitment to safeguarding our drinking water sources.

**Seconded by Councilmember
and on the roll call**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

625 Broadway
Albany, New York 12203-1010
www.dec.ny.gov

NEW YORK STATE DEPARTMENT OF HEALTH

Empire State Plaza, Corning Tower
Albany, New York 12237
www.health.ny.gov

Dear Grants Administrator Julie Dahlie,

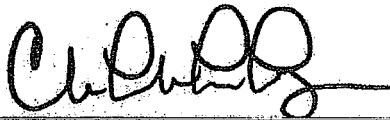
Congratulations! Your community has been selected to work with a technical assistance provider to aid in the development and implementation of a Drinking Water Source Protection Program (DWSP2). As you may recall, the Drinking Water Source Protection Program is a state-run voluntary program created to assist municipalities with proactively protecting their drinking water sources.

State sponsored technical assistance providers use the State's "A Framework for Creating a Drinking Water Source Protection Program Plan" in developing community drinking water source water protection plans.

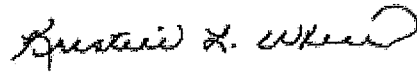
To accept the State's offer of working with a technical assistance provider, read the *Roles and Responsibilities of Participating Municipalities, the State, and the Technical Assistance Providers* below, fill out the form and return to the State at source.water@dec.ny.gov by **2/23/2024**.

Upon receipt of a completed roles and responsibilities form, a technical assistance provider will contact you to begin your work on a Drinking Water Source Protection Plan. In the meantime, if you have questions about the Drinking Water Source Protection Program, the Framework or working with a technical assistance provider, please contact the New York State Drinking Water Source Protection Program team at source.water@dec.ny.gov.

We look forward to working with you!



Carol Lamb-Lafay, Director
Division of Water
New York State Department of Environmental Conservation



Kristine Wheeler, Director
Bureau of Water Supply Protection
New York State Department of Health



Department of Environmental Conservation

Department of Health



Department of
Environmental
Conservation

Department
of Health

Drinking Water Source Protection Program

Roles and Responsibilities of Participating Municipalities, the State, and the Technical Assistance Providers

Please read the document in its entirety and sign and return the form at the end to confirm your interest in participating.

Your community is being offered the opportunity to partner with the State to participate in the Drinking Water Source Protection Program (DWSP2). This document provides background about DWSP2 and the roles and responsibilities of the technical assistance providers and participating municipalities. We are excited to be working with communities across the state to proactively protect vital drinking water sources.

Program Overview

New York State has launched the Drinking Water Source Protection Program (DWSP2) to assist municipalities with proactively protecting their drinking water sources. The goal of the program is to help municipalities develop a DWSP2 Plan for their source(s) of drinking water and launch into implementation. Technical assistance providers (TA provider) are available to help municipalities through every step of the plan development process and initial implementation **at no cost to the municipality for the TA provider services**. TA providers will assist communities transitioning to implementation for six months to a year after plan completion. Following this initial implementation assistance, the community will be responsible for carrying implementation efforts forward.

The State has released a document that will be used as a guide to help communities and their TA provider develop a DWSP2 Plan, "[A Framework for Creating a Drinking Water Source Protection Program Plan](#)". The Framework includes an easy-to-follow summary touching on key components of a protection plan, and a resource kit with more detailed information to help the TA providers and the communities accomplish each component.

Community Commitments and Contribution

This is a voluntary program, and there will be no out-of-pocket costs to participating municipalities for developing their DWSP2 Plan. However, municipalities are expected to commit staff, resources (e.g., local data and source information, conference rooms)



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and time to the process. The TA provider will work with the municipality to execute each step in the DWSP2 Framework, and the municipality will be very involved in the process and make the final decisions about implementation activities.

The municipality, with initial assistance from the TA provider, will be responsible for implementation after plan completion. Like plan development, the municipality is expected to commit staff time, conference rooms, and local data to this effort. To facilitate success with implementation, the municipality will utilize the implementation components of their plan and the DWSP2 Framework to assign team member roles, form essential partnerships, set milestones to track progress, and garner community support for moving implementation forward.

Technical Assistance Providers

Selected communities will work with a TA provider to develop and begin implementation of their DWSP2 Plan. The TA provider will follow the DWSP2 Framework to help communities develop protection plans tailored to their source water and community needs. TA providers will utilize their expertise, information included in the DWSP2 Framework and provided to them by the community, geographic information systems and more to provide the community with a DWSP2 Plan. After the plan is developed, the community will be transitioned to implementation. Six months to a year of implementation assistance following plan completion will be provided.

TA providers will return feedback on the plan development and implementation processes to help the State improve the program going forward.

Anticipated Activities for Community and TA Providers

It is expected that working with a TA provider to develop and begin implementation of a DWSP2 Plan will take 18 months. However, the timeframe is adaptable to allow communities to continue meeting other priorities. Within the first 12-18 months, the following are anticipated activities that the community should be ready to engage in.

First Year

The TA provider will help the municipality create a local stakeholder group to engage in initial and regular (e.g., monthly) meetings throughout the program. The municipality will be responsible for notifying their constituents about participation in the program. Below is an example of the meeting schedule to complete the main DWSP2 phases.

Stakeholder Meeting 1: Month 1

- Stakeholder group will listen to DWSP2 introductory presentation given by the TA provider.



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- Stakeholder group and TA provider will determine goals and a vision statement that help guide source water efforts specific to your community.

Stakeholder Meeting 2: Month 2

- Stakeholder group and TA provider will use a combination of available data and local knowledge to identify potential contaminant sources around your drinking water source.

Stakeholder Meeting 3: Months 3 – 5

- Stakeholder group and TA provider will use a combination of available data and local knowledge to update and complete source water maps.

Stakeholder Meeting 4: Months 6 – 8

- Stakeholder group and TA provider will identify current and future source water protection methods, specific to your community's needs.

Stakeholder Meeting 5: Months 9 – 10

- Stakeholder group and TA provider will create an implementation timeline — including a step-by-step process, cost analysis, and identification of potential funding sources — to guide implementation of protection and management methods.

Stakeholder Meeting 6: Months 11 – 12

- Stakeholder group and TA provider will compile the report, designate members to the plan management team, and submit the final plan for review to the state DWSP2 team.

Second Year

The TA provider will offer guidance to the municipality as they start implementing their DWSP2 Plan. A plan management team at the local level will be created and will be responsible for ensuring the DWSP2 Plan is completed and implemented. The municipality will be responsible for committing staff to this team. The plan management team may seek funding to support implementation activities identified in the plan. Following initial implementation assistance by the TA provider, the municipality will be responsible for carrying implementation efforts forward. Below is an example of a meeting schedule for initial implementation of the DWSP2 plan.

Plan Management Team Meeting 1: Month 12 – 13

- Plan management team and TA provider will orient the community to the plan and review the Implementation Timeline at an initial kick-off meeting.



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of Health

- Plan management team and TA provider will determine the priority Protection/Management Method to implement and gather relevant information for next steps.

Plan Management Team Meeting 2: Month 14

- Plan management team and TA provider will form essential partnerships to implement priority Protection/Management Method. TA provider will assist as needed.
- Plan management team and TA provider will design community engagement strategies to support implementation actions.

Plan Management Team Meeting 3: Months 15 -17

- Plan management team and TA provider will finalize costs for priority Protection/Management Method and identify potential funding sources.

Plan Management Team Meeting 4: Month 18

- Plan management team and TA provider will identify next steps to carry out priority Protection/Management Method and future implementation efforts.
- If grant proposal is needed, plan management team and TA provider will coordinate with partners to prepare and submit grant proposals for priority Protection/Management Method.

Plan Management Team Meeting 5+: Months 19 and On

- Plan management team will continue to implement identified Protection/Management Methods utilizing the identified steps, cost analysis, and funding sources from the DWSP2 plan.
- Plan management team will keep your municipality's implementation methods moving forward, provide updates to your stakeholder group, and monitor outcomes.



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Opting Out of the Program

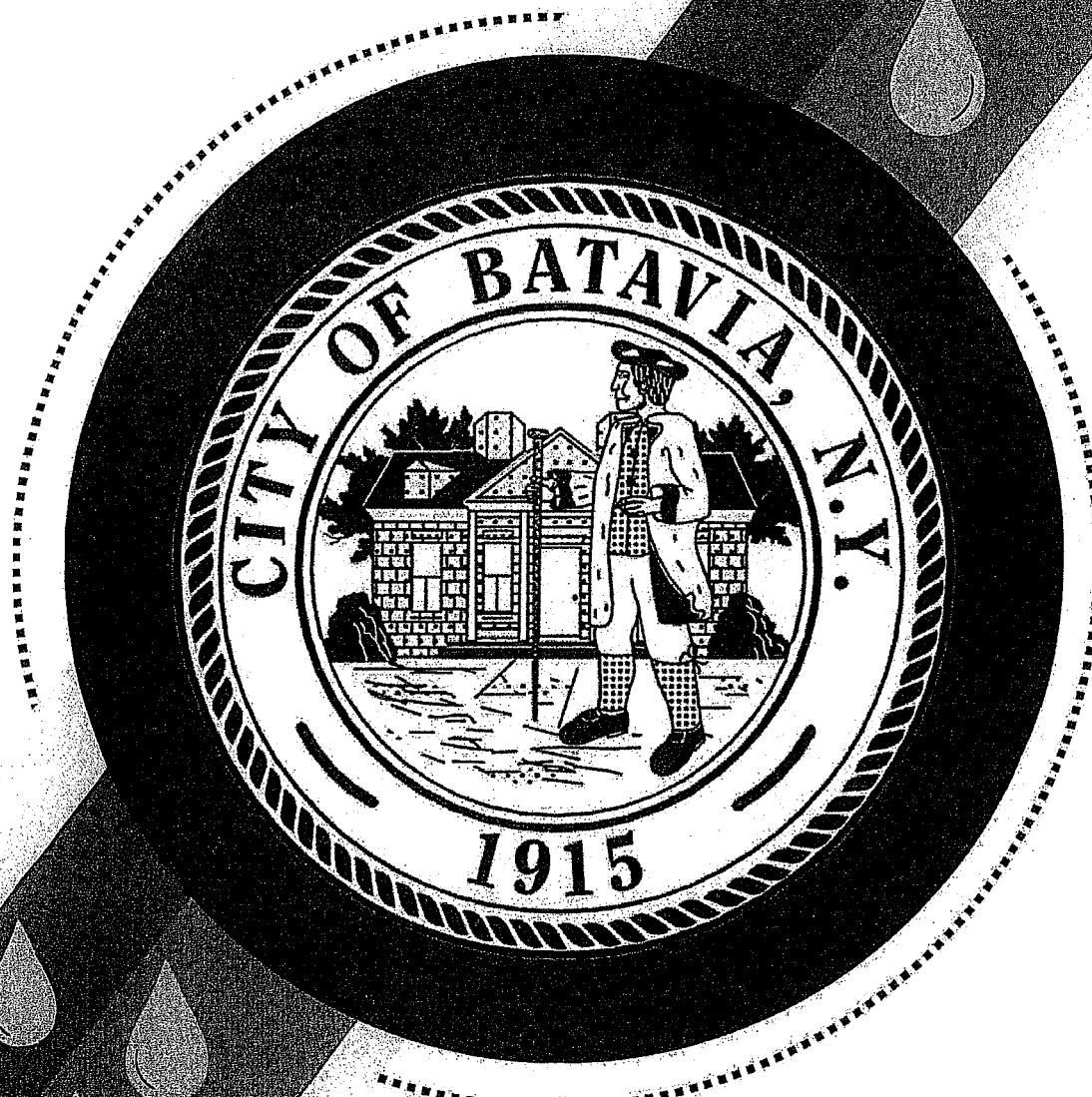
The State is looking to work with municipalities who are committed to the program. However, the State recognizes that there may be extenuating circumstances that cause a municipality to need to opt-out of the DWSP2. In these rare instances, the municipality will be required to notify the State in writing of its decision to end their participation in the program. Within 30 days of the date of the notification, the municipality will be required to set up a meeting for all municipal staff that participated in the program to discuss with the State and the consultant the need to opt-out.

Acceptance of Technical Assistance and Updated Contact Info

Please provide acknowledgement, acceptance and commitment to the roles, responsibilities and local resources required as outlined above by completing the information below.

Community Name:			
<input type="checkbox"/>	Community above accepts the technical assistance being offered by the State.		
<input type="checkbox"/>	Community above hereby acknowledges, accepts, and commits to the Roles and Responsibilities set forth above.		
Primary Authorized Contact		Additional Authorized Contact	
Name:		Name:	
Title:		Title:	
Phone:		Phone:	
Email:		Email:	

ANNUAL WATER QUALITY REPORT 2022



PREPARED BY:
Nelson Weibel
Chief Water Plant Operator

City of Batavia PWS #1800544



ANNUAL WATER QUALITY REPORT 2022

Introduction

To comply with state regulations, the **City of Batavia PWS #1800544** issues our Annual Water Quality Report to inform the customers about the quality of their drinking water. A printed copy of this report is available upon request by calling 585-345-6400, option 2.

Meeting the Challenge

The City of Batavia is pleased to present our annual water quality report for the period of January 1 to December 31, 2022. Over the years, we have dedicated ourselves to producing drinking water that meets all state and federal standards. We continually strive to adopt new methods for delivering the best quality drinking water to you. As new drinking water safety concerns emerge, we stay attentive to meeting the goals of source water protection, water conservation, and community education, while continuing to service the needs of all our water users.

For more information about this report or for any questions relating to your drinking water, please call Tom Phelps, Superintendent of Water and Wastewater, at (585) 345-6324, or Nelson Weibel, Chief Water Plant Operator, at (585) 345-6400, option 2.

Where Does My Water Come From

The City of Batavia receives its water from two sources. Three wells are located on Cedar St. and draw water from the Tonawanda Valley Watershed, one of the largest underground aquifers in New York State. Our well water is exceptionally clear, with an average turbidity of less than 0.05 NTU. Unfortunately, well water in this area is hard (containing dissolved minerals) and requires softening to bring it to a condition that customers find acceptable. Our other source of water is Tonawanda Creek. While the creek has provided us with sufficient quantities and quality of water for over 90 years, it is a surface water source and is susceptible to rapid changes in quality. Weather events and runoff can quickly increase turbidity, making creek water harder and less cost-effective to treat. Creek water is used to supplement our wells and serve as a backup supply. In December of 2020, the City started purchasing water from the Monroe County Water Authority on the east end in addition to city water to help supply the Agricultural Park.



ANNUAL WATER QUALITY REPORT 2022

How is My Water Treated and Purified

Batavia's well water is very clear and requires little treatment other than softening. Soft water cleans better and requires less soap to clean effectively.

Tonawanda Creek enters the water plant through mechanical screens that keep creek debris out. In a flash mixer, creek water is combined with well water before water treatment chemicals are introduced. Ferric sulfate is added as a coagulant to neutralize the charges on particles suspended in water, allowing them to clump together and drop out. To soften the raw water, calcium oxide is added. Lime will cause calcium, magnesium, and other minerals to precipitate or drop out of the water.

The water is then sent to large softening tanks, where it is gently stirred by large paddles. The stirring allows the chemically treated water to form a sludge layer. The sludge is made up of chemicals we added to the water as well as compounds in the water including, clay, silt, dirt, microorganisms, and other minerals that allow most of the impurities to now drop out of the water.

The next step is the settling basin, where the water's velocity is reduced to allow suspended particles to settle to the bottom and be removed. At this point, we add carbon dioxide to lower the pH, and then chlorine to disinfect the water and inhibit the growth of organisms in the drinking water.

The water is channeled from the settling basin to 12 large rapid sand filters. Sand filters allow water to pass through while retaining practically all remaining particles, resulting in very clear finished water with a turbidity of roughly 0.02 NTU. We also add a small, controlled amount of fluoride (0.7 to 0.9mg/l) at this time to help prevent cavities and support good oral health.

Finally, a small amount of polyphosphate corrosion inhibitor is added to prevent minerals dissolved in the water from precipitating onto your pipes. Pumps then push out our finished water at a pressure of around 70 pounds per square inch through the distribution system, two elevated tanks, and into your homes and businesses.

Fluoridation of our Water

Our system is one of the many water system throughout New York State with a controlled, low level of fluoride for consumer dental health protection. According to the United States Center for Disease Control, fluoride is very effective in preventing cavities when present in drinking water at an optimal range of 0.7 to 0.9 ppm. To ensure that the fluoride supplement in your water provides optimal dental health protection, the State Department of health requires that we monitor the fluoride level on a daily basis. During the reporting year, monitoring showed fluoride levels in your water were in the optimal range over 94% of the time. None of the monitoring results showed any levels of fluoride that approach the 2.2-ppm MCL for fluoride.



Important Health Information

Some people may be more susceptible than others to disease causing microorganisms or pathogens in drinking water than the general population. Immunocompromised persons, such as cancer patients receiving chemotherapy, organ transplant recipients, people with HIV/AIDS or other immune system abnormalities, the elderly, and infants, are especially vulnerable to infections. These individuals should consult with their healthcare providers regarding their drinking water. The Safe Drinking Water Hotline at (800) 426-4791 can provide EPA/CDC guidance on recommended measures to reduce the risk of infection by *Cryptosporidium*, *Giardia*, and other microbial infections.

If present, elevated levels of lead can cause major health concerns, particularly in pregnant women, babies, and young children. Because of the materials used in your home's plumbing, lead levels in your home may be higher than in other homes in the neighborhood. We are responsible for providing high-quality drinking water but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can reduce the risk of lead exposure by flushing your tap for 30 seconds to two minutes before using it for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline at (800) 426-4791 or at www.epa.gov/safewater/lead.

Substances That Could Be In Water

Water dissolves naturally occurring minerals and radioactive material as it travels over the land's surface or through the ground, and it can pick up substances caused by the presence of animals or human activity. Contaminants that may be present in source water include microbial contaminants, inorganic contaminants, pesticides and herbicides, organic chemical contaminants, and radioactive contaminants.

Drinking water, including bottled water, may reasonably be expected to contain a small amount of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. To ensure that tap water is safe to drink, the State of New York and the United States Environmental Protection Agency (EPA) issue regulations that limit the amount of certain contaminants in water supplied by public water systems. The State Health Department and the FDA establish limits for contaminants in bottled water, which must provide the same level of public health protection. More information about contaminants and potential health effects can be obtained by calling the EPA's Safe Drinking Water Hotline at (800) 426-4791.



ANNUAL WATER QUALITY REPORT 2022

Source Water Assessment

In 2002, the New York Department of Health conducted a source water assessment. It assessed both potential and actual threats to Batavia's drinking water sources. The susceptibility rating in the state source water assessment is based on the risk posed by each potential source of contamination and how easily contaminants can move through the subsurface into the wells. The susceptibility rating is an estimate of the source water's potential for contamination; it does not imply that the water delivered to consumers is or will become contaminated. A list of contaminants found in water can be found in the section "Substances That Could Be in Water." The source water assessments give resource managers more information about how to protect source waters in the future. Our water is derived from three drilled wells and the Tonawanda Creek. According to the source water assessment, these wells have a medium-high to very high susceptibility to microbials, nitrates, petroleum products, industrial solvents, and other industrial contaminants according to the source water assessment. These ratings are due primarily to the close proximity of permitted discharge facilities (industrial/commercial facilities that discharge wastewater into the environment and are regulated by the state and/or federal government) to the wells and the associated industrial activity in the assessment area. Furthermore, the wells draw from an unconfined aquifer with unknown hydraulic conductivity. The source water assessment for the Tonawanda Creek discovered an elevated susceptibility to contamination for this source of drinking water.

The amount of agricultural land in the assessment area results in elevated potential for microbials, phosphorus, DBP precursors, and pesticides contamination. In addition, the moderate density of CAFOs (Concentration Animal Feeding Operations) in the assessment may add to the potential for contamination. While some facilities are present, based on their density in the assessment area, permitted discharges are unlikely to pose a significant threat to source water quality. However, it appears that the total amount of wastewater discharged in surface water in this assessment area is high enough to increase the risk of contamination (particularly for protozoa). There is also notable contamination susceptibility associated with other discrete contaminant resources, such as mines. Finally, it should be noted that relatively high flow velocities make river drinking water supplies highly sensitive to existing and new sources of microbial contamination. While the source water assessment indicates that our wells and the Tonawanda Creek are susceptible to microbials, please keep in mind that the City of Batavia's water is filtered and disinfected to ensure that the finished water delivered to your home meets New York State's drinking water standards for microbial contamination. A copy of the assessment, including a map of the assessment area, can be obtained by contacting the Genesee County Health Department at (585) 344-2580 or Scott Allen at the City of Batavia Bureau of Maintenance at (585) 345-6315.

Over the last year, hundreds of water samples have been collected over the last year to determine the presence of any radioactive, biological, inorganic, volatile organic, or synthetic organic contaminants. The tables below only show the contaminants that were detected in the water. Because the concentrations of certain substances do not change frequently, the State requires us to monitor for them less frequently than once a year. In these cases, the most recent sample data are included, as well as the year the sample was collected.



Source of Substances in Water

- **1,4 Dioxane:** Released from industrial or commercial sources and is associated with hazardous waste sites. Alkalinity: Natural minerals, Lime softening.
- **Barium:** Discharge of drilling wastes; Discharge from metal refineries; Erosion of natural deposits.
- **Calcium:** Mineral deposits.
- **Chloride:** Naturally occurring or indicative of road salt contamination. Chlorine Residual: Water additive used to control microbes.
- **Chromium:** A trace element that is naturally present in many foods.
- **Copper:** Corrosion of household plumbing systems; Erosion of natural deposits; leaching from wood preservatives.
- **Cyanide:** Can be produced in nature from certain bacteria, fungi, and algae.
- **Fluoride:** Erosion of natural deposits; Water additive that promotes strong teeth; Discharge from fertilizer Haloacetic Acids (HAAs): By-product of drinking water disinfection needed to kill harmful organisms.
- **Lead:** Corrosion of household plumbing systems; Erosion of natural deposits. Magnesium: Dissolution on nickel in well water.
- **Manganese:** Naturally occurring; Indicative of landfill contamination. Nickel: Runoff from fertilizer use; Erosion of natural deposits.
- **Nitrate:** Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits. Sodium: Naturally occurring; Road salt; Water softeners; Animal waste.
- **Sulfate:** Naturally occurring.
- **Total Organic Carbon:** Naturally present in the environment.
- **Total Trihalomethanes (TTHMs):** By-product of drinking water chlorination needed to kill harmful organisms. TTHMs are formed when source water contains large amounts of organic matter.
- **Turbidity:** Soil Runoff.



ANNUAL WATER QUALITY REPORT 2022

Key Terms and Abbreviations

- **90th Percentile:** The levels reported for lead and copper represent the 90th percentile of the total number of sites tested. A percentile is a value on a scale of 100 that indicates the percent of a distribution that is equal to or below it. The 90th percentile is equal to or greater than 90% of the lead and copper values detected at your water system.
- **AL (*Action Level*):** The concentration of a contaminant which, if exceeded, triggers treatment or other requirements that a water system must follow.
- **MCL (*Maximum Contaminant Level*):** The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLG as possible.
- **MCLG (*Maximum Contaminant Level Goal*):** The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow MRDL (*Maximum Residual Disinfectant Level*) – The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.
- **MRDLG (*Maximum Residual Disinfectant Level Goal*):** The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.
- **NA:** Not applicable
- **ND (*Not Detected*):** Indicates that the substance was not found by laboratory analysis.
- **NTU (*Nephelometric Turbidity Unit*)** – Measurement of the clarity, or turbidity, of water. Turbidity in excess of 5 NTU is just noticeable to the average person.
- **ppb (*parts per billion*):** One part substance per billion parts water (or micrograms per liter).
- **ppm (*parts per million*):** One part substance per million parts water (or milligrams per liter).
- **TT (*Treatment Technique*):** A required process intended to reduce the level of a contaminant in drinking water



ANNUAL WATER QUALITY REPORT 2022

Water Quality Table 2022

Detected Substances (Unit of measure)	Date Sampled	MCL (MRDL)*	MCLG (MRDLG)	Amount Detected	Range Low-High	Violation
1,4 Dioxane (ppb)	12/5/2022	1	NA	0.047	0.047	No
Nickel (ug/l)	8/2/2022	NA	NA	0.69	NA	No
Chloride (ppm)	8/2/2022	250	NA	104	NA	No
Barium (ppm)	8/2/2022	2	2	0.014	NA	No
Chlorine Residual (ppm)	Hourly	4*	1.3*	1.06-Avrg.	0.21/1.51	No
Fluoride (ppm)	8/2/2022	2.2	NA	0.52	NA	No
Fluoride (ppm)	Daily	2.2	NA	Yearly Ave. 0.80	0.42-1.00	No
Nitrate as N (ppm)	8/2/2022	10	10	0.58	NA	No
Total Organic Carbon (TOCs) (ppm)	Monthly	TT	NA	0.83 (Average)	ND-1.6	No
Sodium (ppm)	8/2/2022	TT	NA	53.9	NA	No
Alkalinity as CaCO ₃ (ppm)	8/2/2022	NA	NA	36.5	NA	No
Calcium (ppm)	8/2/2022	NA	NA	14.6	NA	No
Magnesium (ppm)	8/2/2022	NA	15	16.6	NA	No
Haloacetic Acids (ppb)	Quarterly	60	60	15.4 ¹	5.1-15.7	No
Total Trihalomethanes (TTHM) (ppb)	Quarterly	80	80	46.0 ¹	20.4-59.3	No
Turbidity (NTU)	Daily	TT<1.0	NA	0.01	0.01-0.05	No
Turbidity (lowest monthly percent of samples meeting limits (NTU)	Daily	TT<0.3NTU	NA	100%	NA	No
Turbidity (Distribution System) (NTU)	Weekly	<5	NA	0.064	0.01-1.8	No

Detected Substances

Substance (Unit of measure)	Date Sampled	AL	MCLG	Amount Detected 90%(percentile)	Range Low-High	Sites Above AL Total Sites	Violation
Copper (ppm)	7/21/2022	1.3	1.3	0.0245	.0029-.037	0-30	No
Lead (ppm)	7/21/2022	0.15	0	0.0026	ND-0.0130	0-30	No



ANNUAL WATER QUALITY REPORT 2022

Some Additional Detected Notes

¹ Disinfection Byproducts: This level represents the highest locational running annual average (LRAA) calculated from data collected.

Turbidity: A measure of the cloudiness of the water. It is tested because it is a good indicator of the effectiveness of the filtration system. Our highest single turbidity measurement for the year occurred as indicated in the table. State regulations require that turbidity must always be below 1 NTU. The regulations require that 95% of the turbidity samples collected have measurements below 0.3 NTU (*note that TT is dependent upon filtration method: conventional, 0.3 NTU; slow sand, 1.0 NTU; or diatomaceous earth filtration, 1.0 NTU*). Although the month as indicated in the date column was the month when we had the fewest measurements meeting the treatment technique for turbidity, the levels recorded were within the acceptable range allowed and did not constitute a treatment technique violation. The highest measurement of the monthly average distribution results for the year occurred as indicated in the table.

Lead and Copper: The level presented represents the 90th percentile of the 30 sites tested. A percentile is a value on a scale of 100 that indicates the percent of a distribution that is equal or below it. The 90th percentile is equal to or greater than 90% of the lead and copper values detected in Batavia. Thirty samples were collected in 2022. The Action Level of 0.015 ppm for lead and 1.3 ppm for copper was not exceeded at any of the 30 sites tested. The level listed represents the 90th percentile of the 30 samples collected in 2022.

Non-detected Substances

The following is a complete list of all the substances that we tested for in 2022 but did not detect in our water supply

Inorganics: Antimony, Arsenic, Beryllium, Cadmium, Lead (at system entry point), Selenium, Silver, Thallium, Iron, Manganese, Zinc, Nitrite, Copper, Chromium, Sulfate, Cyanide Mercury

SOCs: Alachlor, Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Heptachlor epoxide, Hexachlorobenzene, Hexachlorocyclopentadiene, Lindane, Methoxychlor, Total PCBs (Arochlor), Toxaphene, 2,4,5-TP (Silvex), 2,4-D, Dalapon, Dicamba, Dinoseb, Pentachlorophenol, Picloram, Atrazine, Benzo(a)pyrene (PAH), bis(2-Ethylhexyl)adipate, Bis(2-ethylhexyl)phthalate, Butachlor, Metolachlor, Metribuzin, Propachlor, Simazine, 3-Hydroxycarbofuran, Aldicarb, Aldicarb sulfone, Aldicarb sulfoxide, Carbaryl, Carbofuran, Methomyl, Oxamyl, PFOS-PFOA, Diquat, Endothal, Glyphosate

POCs: Benzene, Bromobenzene, Bromochloromethane, Carbon tetrachloride, Chlorobenzene, Chloroethane, cis-1,2-Dichloroethene, cis-1,3-Dichloropropene, 1,1,1,2-Tetrachloroethane, 1,1,1-Trichloroethane, 1,1,2,2-Tetrachloroethane, 1,1,2-Trichloroethane, 1,1-Dichloroethane, 1,1-Dichloroethene, 1,1-Dichloropropene, 1,2,3-Trichlorobenzene, 1,2,3-Trichloropropane, 1,2,4-Trichlorobenzene, 1,2,4-Trimethylbenzene, 1,2-Dichlorobenzene, 1,2-Dichloroethane, 1,2-Dichloropropane, 1,3,5-Trimethylbenzene, 1,3-Dichlorobenzene, 1,3-Dichloropropane, 1,4-Dichlorobenzene, 2,2-Dichloropropane, 2/4-Chlorotoluene, 4-Isopropyltoluene, Dibromomethane, Dichlorodifluoromethane, Ethylbenzene, Hexachlorobutadiene, Isopropylbenzene, m,p,-Xylene, Methyl tert-butyl ether (MTBE), Methylene chloride, n-Butylbenzene, n-Propylbenzene, o-Xylene, sec-Butylbenzene, Styrene, tert-Butylbenzene, Tetrachloroethene, Toluene, trans-1,2-Dichloroethene, trans-1,3-Dichloropropene, Trichloroethene, Trichlorofluoromethane, Vinyl chloride, Propylene Glycol.



ANNUAL WATER QUALITY REPORT 2022

Facility Modifications and Improvements for 2022

In 2022, the City of Batavia water plant team refurbished three of our large sand water filters, removing all of the old media and sand, cleaning and inspecting the filter box, sanitizing it, and replacing it with new media and sand. While it was open, we emptied both of our large softeners for cleaning, inspection, and repair, as well as replacing some of the internal piping that was over 50 years old. In collaboration with Genesee County, the City drilled an additional well on Cedar Street (Well-C) to supplement our raw water supply when the creek is turbid or experiencing extended dry spells. We successfully completed it and are now using it as an additional source of water for the plant.

Facts and Figures for 2022

During 2022, the City of Batavia Water Filtration Plant processed a total of 1.24 billion gallons of water, treating an average of 3.4 million gallons per day. We serve a population of 15,600 people and supply water to roughly 5,600 service connections. In 2022, we sold 1.20 billion gallons of water. 455 million gallons were sold through Genesee County meters to the Town of Batavia, Elba, Oakfield, and Darien. In addition, 64.3 million gallons were used in the water plant for testing and processing. A total of 228 million gallons, or 19%, were not metered and are unaccounted for. Water for fire hydrants, city maintenance, parks, the spray park at Austin Park, and water lost due to leaks or water breaks comprise the unaccounted amount. In 2022, the average charge for water billed was \$5.97 per thousand gallons. All of your 2022 tap water met all State drinking water regulations and Health Department standards, as it has in previous years. The City of Batavia Water Department is pleased to report that there were no system, microbiological, or reporting violations throughout the year.

Water Conservation Tips

You can help to conserve water and save money by becoming aware of how much water your household uses and looking for ways to use less whenever possible. It is not difficult to conserve water. Here are few tips:

- Load your dishwasher to full capacity. Dishwashers use 15 gallons for every cycle, regardless of how many dishes are loaded.
- Turn off the tap when brushing your teeth.
- Check every faucet in your home for leaks. Just a slow drip can waste 15 to 20 gallons a day. Fix it and you can save almost 6,000 gallons per year.
- Check your toilets for leaks by putting a few drops of food coloring in the tank. Wait a few minutes to see if the color appears in the bowl. It is common to lose up to 100 gallons a day from an invisible toilet leak. Fix it and you save more than 30,000 gallons a year.
- Check your water meter for hidden leaks. Simply turn off all water-using faucets and appliances. After 15 minutes, recheck the meter. If it moved, you have a leak.



ANNUAL WATER QUALITY REPORT 2022

Water Main Flushing

Water is delivered to homes, businesses, and fire hydrants in your neighborhood via distribution mains (pipes). Although the water entering the pipes is of very high quality, the quality of the water can deteriorate in certain areas of the system over time. Water main flushing is the process of cleaning the inside of water mains with a rapid flow of water.

Flushing maintains water quality in many ways. For example, flushing removes sediments like iron and manganese. Although these do not pose a health risk, they can affect the taste and clarity of the water. Additionally, the sediment can shield microorganisms from the disinfecting power of chlorine, contributing to the growth of microorganisms within the distribution system. Flushing helps remove stale water and ensure the supply of fresh water with sufficient levels of disinfectant and acceptable taste and smell.

Though uncommon, some short-term deterioration of water quality may occur in your neighborhood during flushing operations. At that time, you should avoid using tap water for household purposes. Allow the cold water to run for a few minutes at full stream before using it, and avoid washing clothes or using hot water to prevent sediment from entering your hot water tank.

Please contact us if you have any questions or want further information regarding flushing.

MCWA Source Water Assessment

MCWA's primary water source is Lake Ontario which is treated at the Shoremont Plant in Greece and the Webster Plant. They also operate the Corfu Plant, which is a small well supply in the Village of Corfu, and purchase water from the City of Rochester and the Erie County Water Authority (ECWA). The New York State Department of Health has evaluated the susceptibility of water supplies statewide to potential contamination under the Source Water Assessment Program (SWAP). In general, the Great Lakes sources used by Shoremont and ECWA are not very susceptible because of the size and quality of the Great Lakes. Hemlock and Canadice Lakes, used by the Hemlock Plant, are also not very susceptible because of their size and controlled watersheds. The well water used by the Corfu Plant is more susceptible, but the confined nature of the aquifer provides protection against the few nearby potential contaminant sources. Because storm and wastewater contamination are potential threats to any source water, the water provided to MCWA's customers undergoes rigorous treatment and testing prior to its delivery. The Shoremont Plant and the purchased water producers all use a similar treatment process: coagulation, filtration, and disinfection. Coagulants are added to clump together suspended particles, enhancing their removal during filtration. Chlorine is used to disinfect the water and to provide the residual disinfectant that preserves the sanitary quality of the water as it travels from each plant to your home. Fluoride is also added to help prevent tooth decay. The treatment process at the Corfu Water Plant consists of filtration, softening, and disinfection with chlorine. These plants are in full compliance with all New York State and U.S. EPA operational and monitoring requirements. For more information on the State's Source Water Assessment plan and how you can help protect the source of your drinking water, contact MCWA Customer Service at (585) 442-7200 or visit their website at www.MCWA.com.

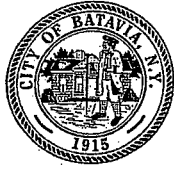


ANNUAL WATER QUALITY REPORT 2022

MCWA Water Quality Summary Table 2022 Calendar Year Results

Detected Substances:	Supply Source -			MCWA Production Water:		MCWA Purchased Water:		Likely Sources in Drinking Water:	Water Quality Violation: Yes or No	
	Source -			SWTP & WWTP	CWTP	Rochester	ECWA			
	Source Type			Lake Ontario (Surface Water)	Well Field (Groundwater)	Hemlock Lake (Surface Water)	Lake Erie (Surface Water)			
	Units	MCLG	MCL	Range of detected values:						
Barium	mg/L	2	2	0.019 - 0.023	0.09 - 0.2	0.014	0.02	Erosion of natural deposits	No	
Chloride	mg/L	NA	250	25 - 29	49 - 93	27 - 36	19 - 24	Naturally occurring	No	
Fluoride	mg/L	NA	2.2	0.42 - 1.15	0.12 - 0.13	0.09 - 0.85	0.11 - 0.71	Naturally occurring & additive for dental health	No	
Manganese	µg/L	NA	300	ND	2.9 - 8.5	ND	ND	Naturally occurring	No	
Nitrate	mg/L	10	10	ND - 0.4	ND	ND	0.35	Erosion of natural deposits	No	
Perfluorooctanesulfonic acid (PFOS)	ng/L	NS	10	ND - 2.1	ND	ND	ND	Environmental releases from textile sources	No	
Perfluorobutanoic acid (PFBA)	ng/L	NS	10	ND - 2.8	ND	ND	ND - 2.7	Environmental releases from textile sources	No	
Sodium	mg/L	NA	NS	15 - 17	36 - 87*	16 - 21*	12 - 15	Naturally occurring	No	
Sulfate	mg/L	NA	250	25 - 27	44 - 48	10 - 26	19 - 22	Naturally occurring	No	
<p>Turbidity - Turbidity is a measure of cloudiness or clarity of the water. Turbidity has no health effects. MCWA monitors turbidity because it is a good indicator of the effectiveness of our filtration systems and water quality. State regulations require that turbidity must always be below 1 NTU in the combined filter effluent. The regulations also require that 95% of samples collected from the entry point have measurements below 0.3 NTU and the highest monthly average for distribution system samples be below 5 NTU. Averages, annual ranges and lowest monthly percentages are listed.</p>										
Turbidity - Entry Point	NTU	NA	TT	0.04 (0.02 - 0.11) 100% < 0.3 NTU	NR	0.06 (ND - 0.15) 100% < 0.3 NTU	0.07 (0.01 - 0.26) 100% < 0.3 NTU	Soil Runoff	No	
Turbidity - Distribution	NTU	NA	5	4.22 - 3/24/2022	0.97 - 2/22/2022	4.22 - 3/24/2022	0.97 - 2/22/2022	Soil Runoff	No	
<p>Microbial Parameters - No more than 5% of monthly samples can be positive. The highest monthly % positive and number of samples is listed.</p>										
Total Coliform Bacteria	NA	0	TT	1.9% - August 7 samples	2.9% - October 1 sample	1.9% - August 7 samples	2.9% - October 1 sample	Naturally present in the environment	No	
<p>Source Water Microbial Pathogens - The highest positive month and number of samples is listed. In our treatment processes, Cryptosporidium is removed/inactivated through a combination of filtration and disinfection or by disinfection alone.</p>										
Cryptosporidium	Oocysts/L	0	TT	SWTP - 1 (Feb. & Nov.) 2 Samples	NR	ND	ND (2017)	Naturally occurring	No	
<p>Disinfectant and Disinfectant By-products (DBPs) - Chlorine has a MRDL (Maximum Residual Disinfectant Level) and MRDLG (MRDL Goal) rather than a MCL and MCLG (Averages and ranges are listed). For the DBPs (Total Trihalomethanes and Haloacetic Acids) the annual system averages, ranges for all locations, and highest locational running annual averages for all locations are listed.</p>										
Chlorine Residual - Entry Point	mg/L	NA	MRDL = 4	1.14 (0.71 - 1.44) 0.83 (0.35 - 1.26)	1.11 (0.5 - 1.69)	0.83 (0.69 - 1.85)	1.54 (1.33 - 1.74)	Additive for control of microbes	No	
Chlorine Residual - Distribution	mg/L	NA	MRDL = 4	0.59 (ND - 1.85)	0.6 (ND - 1.55)	0.59 (ND - 1.85)	0.6 (ND - 1.55)	Additive for control of microbes	No	
Total Trihalomethanes (THMs)	µg/L	NA	80	38.6 (13 - 73) Max. LRAA = 55.8	41.5 (20 - 55) Max. LRAA = 46.5	38.6 (13 - 73) Max. LRAA = 55.8	41.5 (20 - 55) Max. LRAA = 46.5	Byproduct of water chlorination	No	
Haloacetic Acids (HAAs)	µg/L	NA	60	11.3 (ND - 30) Max. LRAA = 18.8	7.4 (ND - 32) Max. LRAA = 11.8	11.3 (ND - 30) Max. LRAA = 18.8	7.4 (ND - 32) Max. LRAA = 11.8	Byproduct of water chlorination	No	
<p>Lead and Copper - 90% of samples must be less than the Action Level (AL). The 90th Percentile, the number of samples exceeding the AL, and the range of results are listed. (2021 monitoring period)</p>										
Copper - Customer Tap Samples	mg/L	1.3	AL = 1.3	0.130 (None) 0.008 - 0.47	0.142 (None) 0.004 - 0.29	0.130 (None) 0.008 - 0.47	0.142 (None) 0.004 - 0.29	Corrosion of household plumbing	No	
Lead - Customer Tap Samples	µg/L	0	AL = 15	3.2 (Two) ND - 130	0.63 (None) ND - 2.8	3.2 (Two) ND - 130	0.63 (None) ND - 2.8	Corrosion of household plumbing	No	
<p>* There is no MCL set for sodium in water. However, EPA recommends that water containing more than 20 mg/L of sodium should not be used for drinking by people on severely restricted sodium diets. Water containing more than 270 mg/L of sodium should not be used for drinking by people on moderately restricted sodium diets.</p>										
<p>Unregulated Contaminant Monitoring (UCMR4) - The EPA issues a new list of no more than 30 unregulated contaminants to be monitored by public water systems. This provides baseline occurrence data that the EPA combines with toxicological research to make decisions about future drinking water regulations. UCMR4 was published in 2016 and required public water systems to participate in monitoring between 2018 - 2020. MCWA performed UCMR4 monitoring in 2018, 2019, and 2020.</p>										
Alcohols, Indicators, Metals, Pesticides, SVOCs, and Cyanotoxins:	Entry Points:			Lake Ontario Supplies -		Purchased Water Supplies -		Groundwater Supply -	Water Quality Violation: Yes or No	
	Units	MCL		SWTP	WWTP	Rochester	ECWA			
Manganese	µg/L	NA		ND	ND	ND	3.5 (0.77 - 6.9)		NA	
Bromide	µg/L	NA		36.3 (36 - 37)	36 (34 - 37)	ND - 22	NR		NA	
Total Organic Carbon	mg/L	NA		2.3 (2 - 2.4)	2.2 (1.9 - 2.3)	2.48 - 2.68	NR		NA	
HAA Groups:		Distribution System:			Combined System Summary:					
Total HAA (5)	µg/L	60					14.1 (0.74 - 31)		No	
Total HAA (6) Br	µg/L	NA					7.4 (ND - 12)		NA	
Total HAA (9)	µg/L	NA					21 (7.4 - 42)		NA	
Bromochloroacetic acid	µg/L	NA					2.2 (ND - 4.4)		NA	
Bromodichloroacetic acid	µg/L	NA					3.1 (ND - 5.9)		NA	
Chlorodibromoacetic acid	µg/L	NA					1 (ND - 1.6)		NA	
Dibromoacetic acid	µg/L	NA					0.5 (ND - 1.4)		NA	
Dichloroacetic acid	µg/L	NA					6 (0.74 - 15)		NA	
Trichloroacetic acid	µg/L	NA					7.5 (ND - 15)		NA	

For more information on MCWA's water quality monitoring program call Customer Service at 585-442-7200 or visit our website at: www.mcwa.com.



ANNUAL WATER QUALITY REPORT 2022

Cryptosporidium.

Cryptosporidium is a microbial pathogen present in varying concentrations in many surface waters and groundwater under the direct influence of surface water. Cryptosporidium is removed / inactivated through a combination of filtration and disinfection or by disinfection.

In 2022, the MCWA analyzed a total of four source water samples for Cryptosporidium taken from Lake Ontario at the Shoremont and Webster water treatment plants. Cryptosporidium was detected in two raw water samples, one collected in February and one collected in November, at the Shoremont water treatment plant. In our treatment processes at this plant, Cryptosporidium is removed / inactivated by a combination of filtration and disinfection.

The MCWA encourages individuals with weakened immune systems to consult their health care provider regarding appropriate precautions to avoid infection. Ingestion of Cryptosporidium may cause cryptosporidiosis, an intestinal illness, and may spread through means other than drinking water. Person to person transmission may also occur in day care centers or other settings where handwashing practices are inadequate. Please contact your local health department for more information on cryptosporidiosis

Compounds Tested For But Not Detected:

Benzene	Trichlorofluoromethane	Glyphosate	Monochloroacetic acid
Bromobenzene	1,2,3-Trichloropropane	Hexachlorobenzene	Tribromoacetic acid
Bromochloromethane	1,2,4-Trimethylbenzene	Hexachlorocyclopentadiene	Gross Alpha Particles
Bromomethane	1,3,5-Trimethylbenzene	3-Hydroxycarbofuran	Radium 226
n-Butylbenzene	Vinyl Chloride	3,5-Dichlorobenzoic Acid	Radium 228
sec-Butylbenzene	o-Xylene	Methomyl	Combined Radium 226/228
tert-Butylbenzene	m, p-Xylene	Metolachlor	Uranium
Carbon Tetrachloride	Total Xylene	Metribuzin	11-chloroheptafluoro-3-oxaundecane-1-sulfonic acid (11Cl-PF3OUdS)
Chlorobenzene	Acifluorfen	Oxamyl (vydate)	1H,1H, 2H, 2H-perfluorodecane sulfonic acid (8:2FTS)
Chloroethane	Alachlor	Paraquat	1H,1H, 2H, 2H-perfluorohexane sulfonic acid (4:2FTS)
Chloromethane	Aldicarb	Perchlorate	1H,1H, 2H, 2H-perfluorooctane sulfonic acid (6:2FTS)
2-Chlorotoluene	Aldicarb sulfoxide	Picloram	4,8-dioxa-3H-perfluorononanoic acid (ADONA)
4-Chlorotoluene	Aldicarb sulfone	Propachlor	9-chlorohexadecafluoro-3-oxanonane-1-sulfonic acid (9Cl-PF3ONS)
Dibromomethane	Atrazine	Simazine	Hexafluoropropylene oxide dimer acid (HFPO-DA)(GenX)
1,2-Dichlorobenzene	Baygon	2, 3, 7, 8-TCDD (Dioxin)	N-ethyl Perfluorooctanesulfonamidoacetic acid (NEFOSAA)
1,3-Dichlorobenzene	Bentazon	Antimony	N-methyl Perfluorooctanesulfonamidoacetic acid (NMeFOSAA)
1,4-Dichlorobenzene	Carbofuran	Beryllium	Nonafluoro-3,6-dioxaheptanoic acid (NFDHA)
Dichlorodifluoromethane	Chlordane	Chromium	Perfluoro (2-ethoxyethane) sulfonic acid (PFEESA)
1,1 Dichloroethane	Dibromochloropropane	Cyanide	Perfluoro-3-methoxypropanoic acid (PFMPA)
1,2-Dichloroethane	2, 4-D	Mercury	Perfluoro-4-methoxybutanoic acid (PFMBA)
1,1-Dichloroethene	Endrin	Nickel	Perfluorobutanesulfonic acid (PFBS)
cis-1,2-Dichloroethene	Ethylene Dibromide	Nitrite	Perfluorodecanoic acid (PFDA)
trans-1,2-Dichloroethene	Heptachlor	Selenium	Perfluorododecanoic acid (PHDoA)
1,2-Dichloropropane	Heptachlor Epoxide	Silver	Perfluoroheptanesulfonic acid (PFHpS)
1,3-Dichloropropane	Lindane (gamma-BHC)	Thallium	Perfluoroheptanoic acid (PFHpA)
2,2-Dichloropropane	Methoxychlor	Zinc	Perfluorohexanesulfonic acid (PFHxS)
1,1-Dichloropropene	p,p' DDD	Surfactants (Foaming Agents)	Perfluorohexanoic acid (PFHxA)
1,3-Dichloropropene(cis)	p,p' DDE	Giardia Lamblia	Perfluorononanoic acid (PFNA)
1,3-Dichloropropene(trans)	p,p' DDT	Germanium	Perfluorooctanoic acid (PFOA)
Ethylbenzene	PCB's Total	alpha-Hexachlorocyclohexane	Perfluoropentanesulfonic acid (PFPeS)
Hexachlorobutadiene	Pentachlorophenol	Chlorpyrifos	Perfluoropentanoic acid (PFPeA)
p-Isopropyltoluene	Toxaphene	Dimethylpin	Perfluorotetradecanoic acid (PFTA)
Methyl Tert-butyl ether (MTBE)	2, 4, 5-TP (Silvex)	Ethoprop	Perfluorotridecanoic acid (PFTA)
Methylene Chloride (Dichloromethane)	Aldrin	Oxyfluoren	Perfluoroundecanoic acid (PFUnA)
n-Propylbenzene	Benzo(a)pyrene	Profenofos	Total Microcystin
Styrene	Butachlor	Tebuconazole	Microcystin-LA
1,1,1,2-Tetrachloroethane	Carbaryl	Permethrin, cis & trans	Microcystin-LF
1,1,2,2-Tetrachloroethane	Dalapon	Tribufos	Microcystin-LR
Tetrachloroethene	Di(2-Ethylhexyl) Adipate	Butylated hydroxyanisole	Microcystin-LY
Toluene	Di(2-Ethylhexyl) phthalate (DEHP)	o-Toluidene	Microcystin-RR
1,2,3-Trichlorobenzene	Dicamba	Quinoline	Microcystin-YR
1,2,4-Trichlorobenzene	Dieldrin	1-Butanol	Nodularin
1,1,1-Trichloroethane	Dinoseb	2-Methoxyethanol	Anatoxin-A
1,1,2-Trichloroethane	Diquat	2-Propen-1-ol	Cylindrospermopsin
Trichloroethene	Endothal	Monobromoacetic acid	

SCAN CODE FOR AWQR REPORT:





**ANNUAL
WATER QUALITY REPORT
2022**

Community Participation

Major decisions concerning your drinking water are made by the Batavia City Council. Meetings are held at 7 p.m. on the second and fourth Mondays of each month in the Council Chambers of City Hall, One Batavia City Centre. You are invited to attend these meetings in order to become more informed or to voice your opinion in the decision-making process affecting your water.



City of Batavia

Memorandum

To: Honorable City Council

From: Brett Frank, Director of Public Works

Date: February 13, 2024

Subject: Water Treatment Plant Equipment Repair & Replacement

The City of Batavia and Genesee County entered into an inter-municipal agreement in November 2021 to jointly apply for Water Infrastructure Improvement Agency (WIIA) Grant. The grant was awarded and the City of Batavia and Genesee County are currently underway with projects to improve the Batavia Water Plant as defined within the scope of the grant.

As the process of paying contractors has begun, the City and County have agreed to three additional businesses terms to clarify the roles of each municipality in the process.

1. The City will be contracting directly with vendors and will submit an invoice to the County for payment. The County will pay vendors upon confirmation of City's review and approval of vendor's invoices.
2. The City will claim and receive reimbursement from WIIA and the City will forward payment to the County within thirty (30) days of receipt of the funds.
3. For items that are considered "brick and mortar" repairs such as brick repointing, other masonry work and needed roof repairs the City of Batavia will pay for 50% of said repairs.

The cost to the City of Batavia for paying for the above mentioned "brick and mortar" repairs would be roughly \$51,500 which is 50% of the \$103,000 total cost of needed "brick and mortar" repairs. I recommend that the attached resolution authorizing the City Council President to execute the addendum be advanced to the March 11th City Council Business Meeting.

#XX-2024

**A RESOLUTION TO UPDATE AND USE RESERVES FOR CURRENT WATER
PLANT IMPROVEMENT CAPITAL PROJECT**

Motion of Councilmember

WHEREAS, Genesee County is required by agreement to fund the repair and replacement of water production equipment within the City of Batavia Water Treatment Plant; and

WHEREAS, the City of Batavia is making these improvements on behalf of Genesee County; and

WHEREAS, the City of Batavia has secured a Water Infrastructure Improvement Act (WIIA) grant in the amount of \$2,207,580 from the New York State Environmental Facilities Corporation to aid in the funding of these improvements; and

WHEREAS, by Inter-municipal Agreement, the County has committed to fund the remaining share of the capital improvement; and

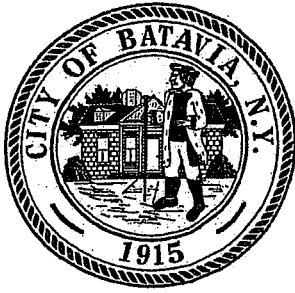
WHEREAS, pursuant to General Municipal Law 6-e, the City of Batavia has an established Water Capital Improvement Reserve aid in funding capital improvements for the Water Fund; and

WHEREAS, the City of Batavia for the fiscal year ending March 31, 2024 has approximately \$3,245,106 of Water Capital Improvement Reserves; and

WHEREAS, the City has agreed to fund 50% of the necessary brick and mortar expenses using Water Capital Improvement Reserves at a cost of \$51,500.

NOW, THEREFORE, BE IT RESOLVED, the City of Batavia will assist the County of Genesee by funding 50% (\$51,500) of the necessary brick and mortar repairs at the Water Treatment Plant and will utilize the Water Capital Improvement Reserves to do so.

**Seconded by Councilmember
and on roll call**



City of Batavia

Memorandum

To: Rachael Tabela, City Manager

From: Scott Allen, Superintendent of Maintenance

Date: February 13, 2024

Subject: Surplus equipment disposal/trade-in

The City of Batavia requires a surplus declaration of property to be made prior to disposal or sale of equipment and vehicles.

We are requesting permission to dispose/surplus the following equipment by auction as identified:

2019 GEHL Track Loader RT 105	GHLRT105K0D701399
2019 GEHL Track Loader RT 165	GHLRT165B0D302151

Supporting Document
Surplus Resolution

#-2024

**RESOLUTION TO DECLARE BUREAU OF MAINTENANCE EQUIPMENT SURPLUS FOR
THE PURPOSE OF DISPOSAL**

Motion of Councilmember

WHEREAS, The Bureau of Maintenance has declared the equipment listed below surplus; and

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

WHEREAS, the Bureau of Maintenance desires to use the proceeds from selling the equipment listed below in order to offset the purchase of future equipment.

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

2019 GEHL Track Loader RT 105	GHLRT105K0D701399
2019 GEHL Track Loader RT 165	GHLRT165B0D302151

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia does hereby authorize the transfer of the proceeds from the sale of said equipment to the Bureau of Maintenance Equipment.

**Seconded by Councilmember
and on roll call**



City of Batavia

Memorandum

To: Honorable Council Members

From: Erik Fix, Assistant City Manager

Date: February 15, 2024

Subject: Austin Park Grant

The City of Batavia has been named a recipient of an Environmental Protection Fund Grant of \$500,000 for the 2024 program year. The New York State Office of Parks, Recreation and Historic Preservation assistance grant will be implemented to help complete phase one of the Austin Park Master Plan renovations.

As a result of receiving the award, the City would use the funds to replace the existing playground equipment with a new universally inclusive playground. If funds remain, the City will make needed renovations to the splash pad. There is a 25% match required for the grant. The City intends to utilize DPW reserves of \$225,000 from DPW reserves to account for the match and contingencies for the project.

I recommend council accept the EPF grant and move the accompanied resolution to the next Business meeting on March 11th.

#XX- 2024

A RESOLUTION TO ACCEPT A GRANT AWARD AND ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION AND AMEND THE 2023-2024 CITY OF BATAVIA BUDGET

Motion by Councilmember

WHEREAS, The City of Batavia applied for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) under the Environmental Protection Fund Grant Program for the purpose of funding the Revitalization of Austin Park;

WHEREAS, that The City of Batavia is authorized and directed to accept these grant funds in an amount not to exceed \$500,000 for the project described in the grant application;

WHEREAS, that The City of Batavia is authorized and directed to agree to the terms and conditions of the Master Contract with OPRHP for the Revitalization of Austin Park, City Project # 240001;

WHEREAS, pursuant to General Municipal Law § 6-c, the City of Batavia has an established DPW reserve fund for payment of the acquisition of equipment for the Department of Public Works; and

WHEREAS, the City of Batavia has approximately \$960,822 of DPW reserves; and

WHEREAS, the above mentioned grant requires a match of 25% of the total grant award, a budget amendment is required to approve the use of DPW reserves for this match.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the City Manager be and hereby is authorized as the signing authority to execute the Master Contract and any amendments thereto, any required deed of easement, and any other certifications to the individual who holds the following position: City Manager; and

BE IT FURTHER RESOLVED, by the Council of the City of Batavia that the City Manager is hereby authorized to use approximately \$225,000 of DPW reserves and to make the following budget amendment effective March 11, 2024:

Increase expenditure account:

A.01.9950 900-2102 Transfer to Capital Projects DPW reserve \$225,000.00

Increase revenue account:

A.00.0000.0000 0511-2102 Appropriated DPW Reserve \$225,000.00

**Seconded by Councilmember
And on roll call**



City of Batavia

Memorandum

To: Honorable City Council

From: Rachael J. Tabelski, City Manager

Date: February 15, 2024

Subject: Authorization to Borrow for the LED Street Light Project

The City of Batavia partnered with the New York Power Authority to convert our entire street lighting system to LED street lights. All city owned lights (676) and National Grid Lights (now City owned 952) were converted. The project has been significantly completed as of February, 2024 and needs to be permanently financed.

The project was completed in two phases.

- Phase 1: consisting of 676 Service Classification 3 (SC-3) streetlights; 641 of which were to be converted to LEDs, while the remaining 34 streetlights which were already LEDs were to be left as is.
- Phase 2: Consisting of 952 Service Classification 2 (SC-2) streetlights purchased pursuant to the National Grid Purchase prior to the Conversion, 950 of which were to be converted to LEDs.

The conversion of the LED lights and the construction related to the project is estimated to cost \$1,700,000.

I recommend that the City Council of the City of Batavia approve the bond resolution for the LED street lighting system.

BOND RESOLUTION
CITY COUNCIL OF THE CITY OF BATAVIA
RESOLUTION NO. ___ 2024
March ____, 2024

A RESOLUTION AUTHORIZING GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BATAVIA, GENESEE COUNTY, NEW YORK, TO FINANCE THE CONVERSION TO AND ACQUISITION OF A LED STREET LIGHTING SYSTEM, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the **CITY OF BATAVIA** (the “**City**”), in the County of Genesee, by its City Council, by resolution No. 13-2023, adopted February 13, 2023 (“**Resolution 13-2023**”), determined it necessary for the City, to convert its street lighting system to an LED Street Lighting System (the “**System**”) for efficient illumination of City Streets, and authorized the acquisition of existing lighting facilities, the conversion thereof to LED Lighting and the construction related thereto at an estimated cost of \$1,700,000.00 (the “**Project**”); and

WHEREAS, the plan for the completion of the Project consisted of the City acquiring, by purchase, certain existing lighting facilities and related real property interests from the Niagara Mohawk Power Corporation d/b/a National Grid at a cost of \$220,952.00 (the “**National Grid Purchase**”) as well as the City’s conversion/replacement and installation of 1,591 LED streetlights (the “**Conversion**”), for a total project cost of \$1,700,00.00; and

WHEREAS, in furtherance of the Project the City elected to participate in the New York Power Authority’s (“**NYPA**”) Energy Efficiency Program for the completion of the Conversion, and on or about December 29, 2022, entered into an Amended Customer Project Commitment (the “**ACPC**”) whereby NYPA agreed to complete the Conversion and the City agreed to repay NYPA the costs of the Conversion upon its completion; and

WHEREAS, the ACPC provided that the conversion was to be completed in two separate phases as follows:

Phase 1: Consisting of 676 Service Classification 3 (SC-3) streetlights; 641 of which were to be converted to LEDS, while the remaining 34 streetlights which were already LEDS were to be left as is;

Phase 2: Consisting of 952 Service Classification 2 (SC-2) streetlights purchased pursuant to the National Grid Purchase prior to the Conversion, 950 of which were to Be converted to LEDS and the remaining 2 fixtures while the remaining 2 streetlights which were already LEDS were to be left as is; and

WHEREAS, the Project has been completed by NYPA and, pursuant to the ACPC the City is fully obligated to repay NYPA the costs of the Project.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the City Council of the City of Batavia, Genesee County, New York, as follows:

Section 1. The authorization of the Project is hereby reaffirmed in an aggregate principal amount of \$1,700,000.00.

Section 2. The Project is an object and/or purpose described in Subdivision 5 of Paragraph (a) of Section 11 of the LFL.

Section 3. The plan for the financing of such maximum estimated cost is by the issuance of general obligation serial bonds or Bond Anticipation Notes of the City in an aggregate principal amount not exceeding the amount of \$1,700,00.00 which are hereby authorized to be issued therefor pursuant to the LFL.

Section 4. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five (5) years.

Section 5. It is hereby determined that the period of probable usefulness of the System is thirty (30) years, pursuant to Subdivision 5 of Paragraph (a) of Section 11.00 of the LFL. It is hereby further determined that the maximum maturity of the bonds herein authorized will not be in excess of thirty (30) years.

Section 6. The faith and credit of the City of Batavia, Genesee County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in every year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the LFL and pursuant to the provisions of LFL Sections 21.00, 50.00, 56.00 to 60.00, 62.00 and 63.00, the powers and duties of the City Council pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized are hereby delegated to the City Manager, the chief fiscal officer of the City.

Section 8. All other matters except as provided herein relating to the bonds or notes herein authorized including the date, denominations, maturities and interest payment dates, within

the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the City Manager, as the chief fiscal officer of the City. Such bonds shall contain substantially the recital of validity clause provided for in LFL Section 52.00 and shall otherwise be in such form and contain such recitals, in addition to those required by LFL Section 51.00, as the City Manager shall determine, consistent with all applicable LFL provisions.

Section 9. The City Manager is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 10. The City Manager is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c12-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

Section 11. The validity of such bonds may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 12. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the LFL for the purpose or purposes described in Section 1 of this

resolution. The City then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 1 of this resolution. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2 and any other provision of the Internal Revenue Code or Internal Revenue Service Regulations relating to the qualification for reimbursement of costs related to the Project. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 13. This resolution shall take effect immediately.

Section 14. This resolution or a summary hereof shall be published in full in the official legal newspaper of the City for such purposes, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the LFL.

* * * * *

DRAFT

MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilmember

WHEREAS, Article 7, Section 105(1)(f), of the Public Officer's Law permits the legislative body of a municipality to enter into Executive Session to discuss "...the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation...".

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 Councilmember
and on roll call**

