

# BATAVIA CITY COUNCIL CONFERENCE MEETING

City Hall - Council Board Room One Batavia City Centre Monday April 25, 2022 at 7:00 p.m.

#### **AGENDA**

T	$\sim$ 11	to Order	
	( 311	to Urder	۰

- II. Invocation Councilmember Richmond
- III. Pledge of Allegiance
- IV. Public Comments
- V. Council Response to Public Comments

#### VI. Communications

- a. Brighton Securities Shred Day 5/27/22
- b. Memorial Day Parade -5/30/22
- c. GLOW OUT 5K Run and Celebration 6/9/22
- d. GLOW OUT Parade and Festival 6/11/22
- e. Eli Fish Carnival 6/11/22
- f. GO ART Music and Art Festival 7/2/22

## VII. Council President Report

- a. Announcement of the next City Council Meeting to be held on Monday, May 9, 2022 at 7:00 p.m. at the City Hall Council Board Room, 2<sup>nd</sup> Floor, City Centre
- b. Retirement Proclamations
  - i. Ray Tourt- Superintendent of Bureau of Maintenance
  - ii. Bill Davis- Superintendent of Water and Waste Water
  - iii. Marty Heinz-Fire Department Capitan
  - iv. Ciro Matarazzo- Bureau of Maintenance Heavy Equipment Operator
- c. Swearing In Ceremony-Batavia Police Department Detective
- VIII. Jackson Square Bids Award
  - IX. GO ART! RLF Grant Extension
  - X. Richmond/Harvester Bid Award

XI. Jackson Street Water Project CBDG Grant Administration

XII. Jackson Street Water Project Certifying Officer

XIII. Bank Street Water Project NBRC Grant Administration

XIV. Youth Board Appointment

XV. Purchasing Policy

XVI. Community Garden

XVII. Adjournment





### **MEMORANDUM**

To:

Rachael Tabelski, City Manager

From:

Heidi J. Parker, Clerk-Treasurer

Date:

4/20/22

Subject:

**Event Summary** 

Below please find the summary for the events to be reviewed by City Council on April 25, 2022:

## Brighton Securities Shred Day – 5/27/22

There are no costs from the departments for this event.

### Memorial Day Parade – 5/30/22

Estimated costs from the departments are \$2,571.17 (\$922 – PD, \$1649.17 – BOM)

### GLOW OUT 5K Run and Celebration – 6/9/22

Estimated cost from the police department is \$538.00. There were no other costs from the other departments.

#### GLOW OUT Parade and Festival – 6/11/22

Estimated cost from the police department is \$538.00. There were no other costs from the other departments.

#### Eli Fish Carnival – 6/11/22

There are no costs from the departments for this event.

#### GO ART Music and Art Festival – 7/2/22

Estimated cost from the police department is \$538.00 and from Bureau of Maintenance is \$919.29. There were no other costs from the other departments.

\*\*NOTE – Event sponsors are responsible for any costs that may be incurred because of their event and have been made aware of estimate costs, if any.

Bureau of Clerk/Treasurer One Batavia City Centre Batavia, New York 14020

Phone: 585-345-6305 Fax: 585-343-9221

www.batavianewyork.com





APR 1 1 2022

CITY OF BATAVIA CLERK-TREASURER

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

Event Sponsor Brighton Sec	witi	<u> </u>				
Type of Event Shred Day						
Day and Date of Event	E	'n	da	y		
Time of Event (don't include set up time here ju	st actua	i eve	nt tim	0 12-2 pm		
Location of Event 217 E. Mayn St,	Bal	jav	أنكد	NY 14020		
Details of Event (be as specific as possible!)	14 A	NW.	ماخ	thee downert destration		
and dosposal day where.	He p	برول	ر ز	5 free to consulters y drap		
off and dispase of old						
Contact Information: Primary contact:				dary contact:		
Name Christner Gregory  Phone # 985, 3+0.7704  Mailing address 212 Enginetr, Fatering NV 1900  E-mail address Cavegory Qhrishty Secrits.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: <u>www.lock/PonseccAm.com</u>						
Will there be alcohol at your event? Yes	۵		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	<b>d</b>		
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	perm	nit to s	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.

<sup>\*\*</sup> 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: 5/27/27 Set up time: 11:00 AM
Tear down date: 5/27/27 Tear down time: 2:30 PM
PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:
Date: 5/2//7Z Start time: 12:00 PM End time: 2:00 PM
Estimated crowd size: 100 throughout # of Vendors/Displays
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 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
2.0000
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  V
What will you be providing electric to?
Will generators be used? Yes Description No  with the Special Events Inspection Its for compliance*
If yes, INCLUDE SITE DRAWING INDICATING PLACEMENT/LOCATION OF GENERATOR
SIZE OF GENERATOR(S) FUEL SOURCE - GAS - 🗆 - DIESEL - 🛄 - PROPANE - 🚨

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City of Batavia Event Application

TENTS/CANOPIES/POP-UPS: See appendices for compliance checklist – all tents will be inspec	ted **		,	
Will Tents/Canopies or other membrane structures be erected at event? Will a bounce house or other air supported structures be erected at event?	Yes Yes		No No	
NOTE – Appropriate anchoring is required for all tents, canopies, and popup structures				
Please list size(s) of Tents/Canopies or other temporary structures erected* one 10 x	0	pop	מט י	
ANCHORING INTO PAVEMENT IS PROHIBITED!			<u>-</u> -	
If anchoring in grass, soil areas please contact the NYS Dig Safe # at: 1-800-962-796	32 or	811		
STREET CLOSURE(S):	·			
ANY EVENT REQUIRING A STREET CLOSURE REQUIRES 90 DAY ADVANCE NOT	ICE			
Will street(s) need to be closed for the event? Yes   No   Reason:		<u>-</u>		
List Street(s) and Cross Street(s) that will be affected:				
Street to be closed Cross Streets				_
Sireel 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)	<i></i>			
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 m	ay be a	addition	al costs,	)
				<del>-</del>
POLICE	=-	<del></del>	<del></del>	
Will City Police Officers be requested for the event? Yes ☐ No ☑				
FINAL DETERMINATION FOR NUMBER OF POLICE OFFICERS and UTILIZATION WILL BE AT THE DISCRETION OF THE CITY.				

- 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. 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
not limited to, attorney's fees, court costs, a agents may pay or become obligated to pay any claim founded thereon, arising or allegapplication and sanctioned by the permi	/sponsor, shall indemnify, hold harmless, assume liability for and defendent agents from any and all damages, costs and expenses including but and all other sums which the City of Batavia its employees, officers and y on account of any and every demand, claim or assertion of liability, or ged to have arisen out of the activities described in this special event t issued by the City of Batavia or by any act or omission of the onsor), its members, agents, employees, volunteers, officers, or directors ication and sanctioned by the issuance of a special event permit.
4/11/22	Brighten Seendes Name of Event Sponsor:
· Dale:	Christing Green Sponsor:  Christing Green
	Neade - Panled or Typed
The rules and information contained within t	his application have been read and will be adhered to.
Date:	Signature of Applicant:
Please forward this application to:	City Clerk's Office Attention: Events Applications Department One Batavia City Centre

Batavia, New York 14020

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City of Batavia Event Application

# SPECIAL EVENT APPLICATION DEPARTMENT APPROVAL SUMMARY

### FOR OFFICIAL CITY USE ONLY

Department Recommendal	lions:	<u>L.USE ONLY</u> Denied Additional C	ists: *** Départment Initials
DPW (if applicable) Fire Dept. (if applicable)			
Pólice Dept. (if applicable)	The transfer of the transfer o		
	frecommendation is degled	please attacii a briti sypiana	loi.
	<b>OFFICIA</b>	<u>L'USE ONLY</u>	en e
77 Date Rebain	od - protest and the second second	Dound Ac	tion: (Approved (Disapproved)
Date of Council	Action:	(nsura	ce Received (# applicable)
Event Application #:			
Department:	List Department Name Here		
Department Approval			
DPW	YES	NO	
Fire			
Police		Q	
Department Cost Estimate	e:		
Estimate based on: Fillable table			
- made alle	, – type your response nere.		
If Application not Approve	d, Provide Reason Here: /	- 	
			(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)
Submitted By:			
	Nam	ne / Title	Date Submitted

Appendices

	SPECIAL EVEN		
YES	Item to verify	NO	Corrective action
	Extension cords plugged into approved electrical		Do not use unless cords plugged direct
	boxes?		
	Generator in use 20 feet from any structure?		Do not use generator unless moved to safe area
7-7.	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
<del></del>	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

L		TEMPORARY STRUCTURE SETUP AN	ND 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 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
Is structure within 20 feet of another structure?	minimum of 20 feet from any building.  Evaluate all structures within 20 feet of each other as a single structure.
is shawing within 20 foot of another 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 fee 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	Do not occupy or use structure unless fireworks and all unapproved
and outside the structure?	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	Do not use or occupy the structure unless trash containers have been
removed from the premises.	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:



### **CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY) 4/4/2022

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). CONTACT NAME: Kristen Meeker Haylor, Freyer & Coon, Inc. PHONE (A/C, No. Ext): 315-453-2187 FAX (A/C, No): 315-362-5747 P.O. Box 4743 Syracuse NY 13221 ADDRESS: certificates@haylor.com INSURER(S) AFFORDING COVERAGE NAIC# INSURER A: Ohio Security Insurance Co. 24082 BRIGHTONSE INSURED INSURER B: Westchester Surplus Line 10172 **Brighton Securities Corp** INSURER C : 1703 Monroe Ave Rochester NY 14618 INSURER D INSURER E INSURER F COVERAGES **CERTIFICATE NUMBER: 719682280 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. ADDLISUBR POLICY EFF POLICY EXP (MM/DD/YYYY) (MM/DD/YYYY TYPE OF INSURANCE POLICY NUMBER LIMITS INSD: WVD X COMMERCIAL GENERAL LIABILITY BZS2158084540 6/30/2021 6/30/2022 EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) \$2,000,000 CLAIMS-MADE | X | OCCUR \$ 2,000,000 MED EXP (Any one person) \$15,000 PERSONAL & ADV INJURY \$ 2,000,000 GEN'L AGGREGATE LIMIT APPLIES PER-GENERAL AGGREGATE \$4,000,000 POLICY PRO-PRODUCTS - COMP/OP AGG \$4,000,000 OTHER: COMBINED SINGLE LIMIT (Ea accident) AUTOMOBILE LIABILITY BZS2158084540 6/30/2021 6/30/2022 \$ 1,000,000 ANY AUTO BODILY INJURY (Per person) \$ SCHEDULED AUTOS NON-OWNED OWNED AUTOS ONLY BODILY INJURY (Per accident) s HIRED AUTOS ONLY PROPERTY DAMAGE S **AUTOS ONLY** \$ X UMBRELLA LIAB USO58084540 6/30/2021 6/30/2022 OCCUR EACH OCCURRENCE \$1,000,000 EXCESS LIAB CLAIMS-MADE AGGREGATE \$1,000,000 DED X RETENTION\$ 10,000 WORKERS COMPENSATION STATUTE AND EMPLOYERS' LIABILITY ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBEREXCLUDED? E.L. EACH ACCIDENT \$ (Mandatory in NH) E.L. DISEASE - EA EMPLOYEE If yes, describe under DESCRIPTION OF OPERATIONS below E.L. DISEASE - POLICY LIMIT | \$ Each Claim limit Aggregate limit \$1,000,000 \$1,000,000 Professional Liability G71117881004 4/11/2021 4/11/2022 DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) General Liability Additional Insured & Waiver of Subrogation form# BP7996 07/10 Umbrella policy follows General Liability form Proof of insurance

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



#### Official Use Only:

2022-11

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

**Event Application Fee - \$25.00 (non-refundable)** (A separate permit must be issued for each item requested) tav va **Event Sponsor** Type of Event Day and Date of Event Time of Event (don't include set up time here - just actual event time) Location of Event Details of Event (be as specific as possible!) **Contact Information:** Primary contact: Secondary contact: Phone # 1 Centre 14000 Mailing address Pne City Centre E-mail address Boia \* 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: WWW. batavianewyork com Will there be alcohol at your event? Yes প্ৰ If yes, complete the following: Type of alcoholic beverage to be served: Liquor 🔲 Wine Beer Will you be providing alcohol to your group? No M Yes Will you be selling alcohol to your group? Insurance certificate WILL BE required Yes No with Liquor Legal. Will people be allowed to bring alcohol to Yes No X the event? 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.

<sup>\*\*</sup> 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: May 31,3032 Set up time: 9:00Am
Tear down date: N/A Tear down time: N/A
PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:
Date: May 31, 2832 Start time: 9:00 Am End time: 10:45 Am
Estimated crowd size: 3000 # of Vendors/Displays NA
WILL THE EVENT INCLUDE:
Parade: Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED) Run or Walk: Yes No No (MAP OF DESIRED ROUTE MUST BE ATTACHED) Music: Yes No 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 No
Name of Company Providing Above: Company Contact/Representative Phone #
Address, Street City Zip Code
Music: Live Group (☑ Recorded/DJ □
Some Parade Participants
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  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 ins	pected **	•		
Will Tents/Canopies or other membrane structures be erected at event? Will a bounce house or other air supported structures be erected at event?	Yes Yes		No No	N N
NOTE – Appropriate anchoring is required for all tents, canopies, and popup structures				
Please list size(s) of Tents/Canopies or other temporary structures erected*				
ANCHORING INTO PAVEMENT IS PROHIBITED!			- <u></u>	
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ANY EVENT REQUIRING A STREET CLOSURE REQUIRES 90 DAY ADVANCE I	IOTICE			
Will street(s) need to be closed for the event? Yes   ✓ No   ☐ Reason: Para	de			
Street to be closed Cross Streets	nk S	dr.		
Street to be closed Cross Streets				_
Street to be closed Cross Streets	<del></del> .			
Street to be closed Cross Streets		<del></del>		_
Will street barricades be requested from the City? Yes 📜 No 🗖 How Many? 🛫	As Re	gv i	rece	
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: (the	e may be a	additiona	ıl costs)	
)				_ _
POLICE				
Will City Police Officers be requested for the event? Yes ☆ No □				
FINAL DETERMINATION FOR NUMBER OF POLICE OFFICERS and UTILIZATION WILL BE AT THE DISCRETION OF THE CITY.				
BANK STR WASHINGTON AVE	HETOAL PLAZE	స్ }		
ALVA PL FE. MAIN STR	<u>*</u>	-/	/	
Page 3 of 7 City of Batavia Event Application				

- Be as specific as possible in the description so we have the best understanding of your event. Also, be clear
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	Hold Harmless Agreement
	/sponsor, shall indemnify, hold harmless, assume liability for and defend
	and agents from any and all damages, costs and expenses including but
	and all other sums which the City of Batavia its employees, officers and y on account of any and every demand, claim or assertion of liability, or
	ged to have arisen out of the activities described in this special event
application and sanctioned by the permit	it issued by the City of Batavia or by any act or omission of the consor), its members, agents, employees, volunteers, officers, or directors
	ication and sanctioned by the issuance of a special event permit.
4/4/22	City of Botavia
• I • Date:	Rachael J. Pabetski
	Authorized Signature, Title
	Rachael 7. Tabelski
	Name – Printed or Typed
The rules and information contained within the	this application have been read and will be adhered to.
4(4/22	Rochael J. TabelSLi
Date:	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>OFF</u>	ICIAL USE ONLY		
Department Recommendations	s:		_	
<b>DD14</b>	Approved	Denied	Additional Costs	Department Initials
DPW (if applicable)				
Fire Dept. (if applicable)				
Police Dept. (if applicable)				
If rec	commendation is de	nied, please attacl	n a brief explanation	
	OFF	ICIAL USE ONLY	,	
Date Received			Council Action: (Appro	oved / Disaggmyed)
			( ) pp. (	, con a supplication,
Date of Council Action	<i>y</i>		Insurance Receive	d (if applicable) 📆
Event Application #:				
Department:				•
	List Department Name	Here		
Department Approval				
ээрагинэн гэргэга.	YES	NO		
DPW				
Fire		, _		
Police		ā		
Department Cost Estimate:				
If applicable			_	
atimata based on				
stimate based on: Fillable table – type	e your response here:	<u> </u>		
Application not Approved, P	rovide Resson He	FA' Eillahla tahla tuna yay		
Application flot Applicacu, P	TOTILE NEASON HE	• • rillable (able – type you	r response nere:	
Submitted By:				
		Name / Title		Date Submitted
				Date Gublimae

Appendices



Official Use Only:

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

(A separate permit ii	idat be is	33uc	3 101 6	aciii	tem req	uesteu	,		
Event Sponsor GLOW OUT!									,
Type of Event 5K run and celel	oratio	<u>) (</u>	&	Uo	ga	WII	I an	db	elly clance
Day and Date of Event Thursday					22				<u> </u>
Time of Event (don't include set up time here – ju Location of Event Centennial Tark		l eve	nt tim	e)					
Location of Event Cerrie Man									
Details of Event (be as specific as possible!) 5	<u>Crur</u>	) ઇ	tart	<u>5a</u>	<u>nde</u>	<u>nds</u>	at Cer	ntenr	rial Park.
At the end of the run there	will	Ь	e a	D	Jan	d be	elly do	ince	troupe
performing for an hour. There ( V. Spruce Street and North	<u> 11 ju</u>								. Corner of
Primary contact:		<u>s</u>	econ	dary	contact	<u>.</u>			
Name Gregory Hallock Phone #	ndar. If i	there	Say CAN Say is a vebs	A Vo	ite you	3 gm	e Bata all con ike to inclu	<u>a</u>	people
Will there be alcohol at your event? Yes			No	X		If yes,	complete t	the follo	owing:
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			nce ce <b>iquor L</b>	rtificate <u>WI</u> _egal.	LL BE	required
Will people be allowed to bring alcohol to the event?	Yes		No						
Who will be applying to the NYS Liquor Authority	for the	perm	nit to s	ell?					
It is the Applicant's responsibility to police the area	during t	the g	atheri	ng to	make s	ure all .	Alcohol Be	verage	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. \*\*

Page 1 of 7 City of Batavia Event Application

APR - 6 2022

CITY OF BATAVIA **CLERK-TREASURER** 

EVENT INFORMATION (required):
Set up date: 06092027 Set up time: 5 pm
Tear down date: 04 09 2027 Tear down time: 8:30pm
PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:
Date: 06 09 2022 Start time: 5pm End time: 9pm
Estimated crowd size: 50 # 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 Phone #
Address, Street City Zip Code  Music: Live Group  Recorded/DJ
GIOUS OUT!
Name of Company Providing Above: Company Contact/Representative Phone #
Address, Street City Zip Code
CITY SERVICES SUPPORT:
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? DT + 50und 5ytem
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 - 🗎

Page 2 of 7
City of Batavia Event Application

TENTS/CANOPIES/POP-UPS: See appendices for compliance checklist – all tents will be inspec	ted **	•			
Will Tents/Canopies or other membrane structures be erected at event? Will a bounce house or other air supported structures be erected at event?	Yes Yes		No No	X) X	
NOTE – Appropriate anchoring is required for all tents, canopies, and popup structures					
Please list size(s) of Tents/Canopies or other temporary structures erected*				<del>.,</del>	
` ANCHORING INTO PAVEMENT IS PROHIBITED!					
If anchoring in grass, soil areas please contact the NYS Dig Safe # at: 1-800-962-796	2 or 8	311	`	•	
STREET CLOSURE(S):				=	
ANY EVENT REQUIRING A STREET CLOSURE REQUIRES 90 DAY ADVANCE NOTI	CE				
Will street(s) need to be closed for the event? Yes ☑ No ☐ Reason: Tace.					
We will but up barriers and take them down 5 min before	-e (	end	aft.	er fu	nali
List Street(s) and Cross Street(s) that will be affected:				<b>-</b>	
Kichmond Avenue Ellicott Ave & Kank	<del>3</del> .				
Bank Street to be closed  Richmond  Cross Streets  Vinu	<u> </u>				
Vine Street Bank St. & Free	gre	en	<u>Dr.</u>	<b>-</b> ,	
Everage of Prive N. Spruce St. Cross Streets	U_			_	
N. Spruce St. East. East.	/\	<b>L</b> .			
Will street barricades be requested from the City? Yes 🖾 No 🗋 How Many? 46					
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)	<del></del>				
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 ad	ditional	costs)	<b></b> -	
				-	
POLICE	5.4			<b>=</b> ,	
Will City Police Officers be requested for the event? Yes ☐ No ☑					
·					
FINAL DETERMINATION FOR NUMBER OF POLICE OFFICERS and UTILIZATION WILL BE AT THE DISCRETION OF THE CITY.					
East Ave.  Ross St. Ave.  Washington Ave.  Ellicott Ave.  Washington Ave. & Richm	St.	n Av Au	1L.	=	

Page 3 of 7 City of Batavia Event Application

- 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. 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
GLOW OUT!, 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 (Organizer/Sponsor), its members, agents, employees, volunteers, officers, or directors
(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.
In relation to activities described in this application and sanctioned by the issuance of a special event permit.
04/05/2012 GWOUT!
They A. Halling Event Sponsor: Board President
Authorized Signature, Title
Creabry A. Hallock
Name – Printed or Typed
The rules and information contained within this applydation have been read and will be adhered to.
04/05/207.2 X/Negry A. Hallove
Date: Signature of Applicant:

City Clerk's Office

One Batavia City Centre Batavia, New York 14020

Attention: Events Applications Department

Page 4 of 7
City of Batavia Event Application

Please forward this application to:

TENTS/CANOPIES/POP-UPS: See appea	ndices for compliance	checklist – all te	nts will be insp	ected **	•		
Will Tents/Canopies or other membrane				Yes		No	
Will a bounce house or other air support	ed structures be erec	ted at event?		Yes		No	
NOTE – Appropriate anchoring is require up structures	ed for all tents, canop	ies, and pop-					
Please list size(s) of Tents/Canopies or o	other temporary struc	tures erected*					
,		***	7				
							—
ANCHORI	NG INTO PAVEME	NT IS PROHIE	BYTED!				
If anchoring in grass, soil areas	s please contact the N	NYS Dig Safe # a	at: 1-800-962-7	7962 or	811		
STREET CLOSURE(S):							<del></del>
ANY EVENT REQUIRING A	A STREET CLOSURE I	REQUIRES 90 DA	Y ADVANCE N	OTICE			
Will street(s) need to be closed for the ev	vent? Yes 🔲 N	lo 🗖 Reaso	n:				
List Street(s) and Cross Street(s) that w	vill be affected:		&				
Street to be closed		Cros	s Streets				
Street to be closed		Cros	s Streets				_
Street to be closed		Cros	s Streets			<del>,</del>	
Street to be closed		Cros	s Streets				_
Will street barricades be requested from	the City? Yes	No 🔲 H	ow Many?				
Will traffic cones be requested from the C	City? Yes d of requested items must t		ow Many? ite drawing)				
BANNERS SIG TO STREET BARRICADE	ONS OR OTHER DECORATION OS, TRAFFIC CONES, LIGHT P	S ARE NOT TO BE ATT OLES, OR ANY OTHER	ACHED CITY PROPERTY				
Are there any other city materials or pers	onnel requested for t	he event? Ident	ify below: (there	may be a	addition	al costs,	)
				···			_
POLICE					•		
Will City Police Officers be requested for	the event? Yes	□ No □					
	NATION FOR NUMB N WILL BE AT THE L						

## SPECIAL EVENT APPLICATION DEPARTMENT APPROVAL SUMMARY

## FOR OFFICIAL CITY USE ONLY

	<u>OF</u>	FICIAL USE ONLY		
Department Recommendations:		Denied	Additional Casts	Denoutes and Initial
DPW (if applicable)	Approved	Denied	Additional Costs	Department Initials
Fire Dept. (if applicable)	ā			
Police Dept. (if applicable)				
If recor	nmandation is d	enied, please attach	a brief evolunation	
ii i i i i i i i i i i i i i i i i i i	iniendadon is d	emed, piease attacii	a brief explanation	
	<u>OF</u>	FICIAL USE ONLY		•
Date Received		_	Council Action: (Appro	oved / Disapproved)
Date of Council Action:		<del>-</del>	Insurance Receive	d (if applicable)
Event Application #:				
Department:				
	List Department Nam	e Here		
Department Approval				
Department Approval	YES	NO		
DPW	. 🗖			
Fire				
Police				
Department Cost Estimate:  If applicable				
Estimate based on: Fillable table – type you	Ir response here:			
f Application not Approved, Prov	ide Reason He	<b>Pre:</b> Fillable table – type your r	response here:	
Submitted By:		Name / Title		Date Submitted
		***		

Appendices

	SPECIAL EVER	NTS IN	SPECTION
YES	Item to verify	NO	Corrective action
	Extension cords plugged into approved electrical		Do not use unless cords plugged direct
	boxes?	ĺ	,
	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

Γ	w		
Ĺ		TEMPORARY STRUCTURE SETUP AN	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 relocate 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 relocate 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 from structure.
	Are "No Smoking" signs posted inside and outside?	Do not occupy or use structure unless no smoking signs are posted enforced.
	Are fireworks and unapproved open flames prohibited inside and outside the structure?	Do not occupy or use structure unless fireworks and all unappro open flames are prohibited in the structure and within 20 feet of exte of structure.
	Are all points in the structure within 100 feet of an exit?	Do not occupy or use structure unless sufficient nearby exits provided.
	Ensure "Exit" signs are posted and clearly visible.	Do not occupy or use structure unless required "Exit" signs provided.
	Ensure "Exit" signs are illuminated.	Do not use or occupy structure unless illuminated exits are provide
	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 circuit sources of power are provided as required. Typically this accomplished through the use of AC Powered Exit signs with intebattery backup.
	Are exits open and uncovered?	Do not occupy or use structure unless all required exits are functio
	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 maintained.
	Is the Occupant Load posted appropriately?	Do not occupy or use structure unless the correct occupant loa posted appropriately.
	Ensure emergency lighting is provided.	Do not use or occupy structure unless emergency lighting is provide
	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, 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 extinguishers are provided as described in Temporary Memberstructures, 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 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 wast removed or stored in proper containers.
	Such waste shall be stored in approved containers until	Do not use or occupy the structure unless trash containers have b
	removed from the premises.	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





(585) 345-6300

#### Official Use Only:

2012 - 13

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

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. \*\*

APR - 6 2022

CITY OF BATAVIA CLERK-TREASURER

EVENT INFORMATION (required):
Set up date: 06/11/2022 Set up time: 10:30 am
Tear down date: 00 11 2022 Tear down time: 8 pm
PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:
Date: 00 11 2022 Start time: 10:30am End time: 8:30 pm
Estimated crowd size: 600 # of Vendors/Displays 15
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 Phone #
Address, Street City Zip Code
Address, Street Zip Code  Music: Live Group ☑ Recorded/DJ □
GLOW OUT!
Name of Company Providing Above: Company Contact/Representative Phone #
Address, Street City Zip Code
CITY SERVICES SUPPORT:
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 insp	ected **			
Will Tents/Canopies or other membrane structures be erected at event? Will a bounce house or other air supported structures be erected at event?	Yes Yes	<b>X</b>	No No	
<b>NOTE</b> – Appropriate anchoring is required for all tents, canopies, and popup structures				
Please list size(s) of Tents/Canopies or other temporary structures erected* $\frac{10'-12}{20! \times 40! + en+}$	Pop	щ	terr	<u>5</u> ,
ANCHORING INTO PAVEMENT IS PROHIBITED!				_
If anchoring in grass, soil areas please contact the NYS Dig Safe # at: 1-800-962-	7962 or 8	811		
STREET CLOSURE(S):			···	
ANY EVENT REQUIRING A STREET CLOSURE REQUIRES 90 DAY ADVANCE N	OTICE			
Will street(s) need to be closed for the event? Yes ☑ No ☐ Reason: parad	et fe	stiva	<u>ul</u>	
We will put up barriers + toke them down 5 min before	and	at te	eru	<u>mikek</u>
Bank St. Street to be closed Main St. Cross Streets Ric	nk St hmono licott hmo k St 18	I /Na Ave and .	Ave	  
POLICE  Will City Police Officers be requested for the event? Yes  No 🙇				
FINAL DETERMINATION FOR NUMBER OF POLICE OFFICERS and UTILIZATION WILL BE AT THE DISCRETION OF THE CITY.				

- 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
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- 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. 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.

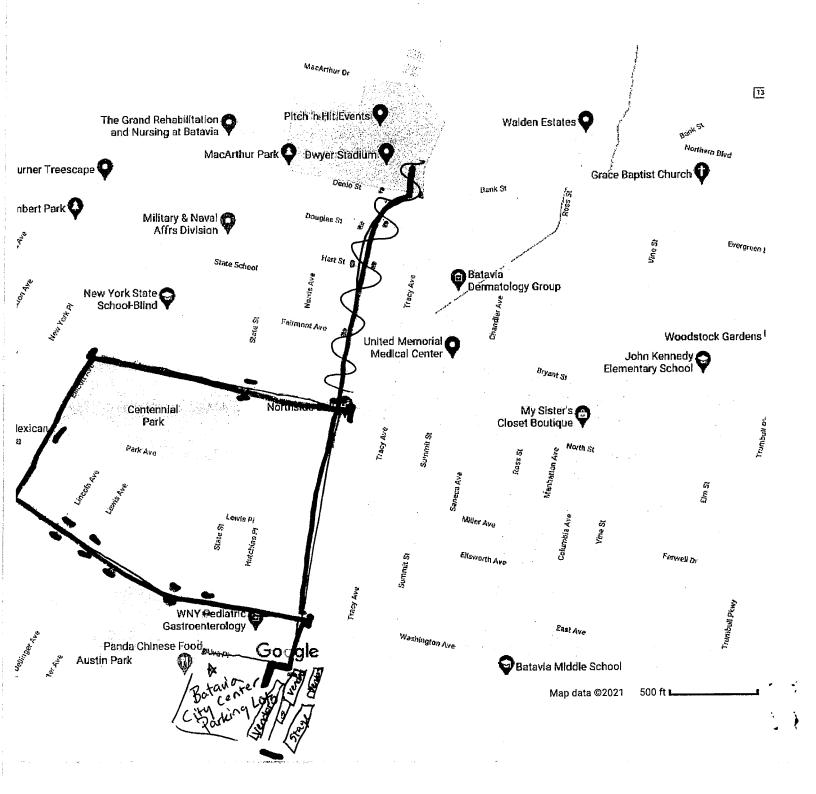
Hold Harmless Agreement
the City of Batavia, its employees, officers and agents from any and all damages, costs and expenses including but not limited to, attorney's fees, court costs, and all other sums which the City of Batavia its employees, officers and agents may pay or become obligated to pay on 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 CLOU OUT! (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.
64 05 2022 GLOW OUT!  Sugary A. Hallock  Gregory A. Hallock
The rules and information contained within this application have been read any will be adhered to.
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

Department Recommendations:	<u>OF</u> F	ICIAL USE ON	<u> Y</u>	
그 사용하게 하지 않아 그 이 이번 때 있다.	Approved	Denied	Additional Costs_	Department Initials
DPW (if applicable)				
Fire Dept. (if applicable) Police Dept. (if applicable)				
r once pept (ii applicable)				
If recon	nmendation is de	nied, please atta	ch a brief explanation	
	<u>OFF</u>	ICIAL USE ONL	<b>Y</b>	
Date Received			Council Action: (Appro	ved / Disapproved)
Dale of Council Action:		i parting a list of feet for design But the property	Insurance Receive	d (if applicable)
	_ 🛋			
	The state of the s	1		
Event Application #:	enter of a 10 sector			
		-		
Department:	List Department Name	Her		
Department Ap∳ro∨al				
DPW •	YES	N	_	
Fire		<u></u>	<u>.</u> 1	
Police		<u></u>	]	
	<b></b>	<u> </u>	1	
Department Cost Estimate:		•		
	· Control			
timate based on: Fillable table – type your	response here:			
	<u>a e la Maria de Santo de La Afri</u>		<u>antono di ancastrato di Maraja</u> T	<u>. Persely than 100 gam</u>
•				
Application not Approved, Provi	de Reason Her	'C' Fillable table two w	our rasponse hare:	
-pp.1-2cdon not Approved, [104]	ao i Casoni Hei	<ul> <li>□ гинарів (арів — турв ус</li> </ul>	our response nere:	
<u>anna en la constitución de la c</u>	<u> </u>	<u> </u>	<u> 18. j. – 18. j. – 18. j. štorija († 18. č.)</u>	<u> </u>
ubmitted By:				
-		Name / Title		Date Submitted





## Official Use Only:

Bataria. New York 14020 (585) 345-6300

(A separate permit n							
Event Sponsor Eli Fish Brewing	Co	mŢ	<u>Ln</u>	4	/Ba	tavia B	rewing Company
Type of Event Carnival	<u>)                                    </u>	·	<del>.,</del> ,	(	<del></del>	_	<u> </u>
Day and Date of Event Saturday	, J.	201	211	,2	012_	*****	
Time of Event (don't include set up time here – ju	st actua	l ever	nt tim	e)	1Pm.	10Pm	·
Location of Event Jackson Sg	hore	2	<del></del>	<del></del>			
Details of Event (be as specific as possible!)	Sma	ll	Cas	ni	al h	sith Eli	Fish foodand
beer Cornival games de vendor booths	unk	toi	rK	,11	ve ev	ntertains	nent and
Contact Information: Primary contact:		<u>s</u>	econ	dary	contact	<u>:</u>	
Name Sudne Casti Phone # 585-813-7005 Mailing address 520 Clinton St Rd Apt 3.F E-mail address Syd @ellfshbrew.no.C		2	Ma 919 - UCI Mat	889 int	on $57$	1 Batavia A Shbewia	
* Events will be posted on the City's website caler can visit for more information or registration, if ap							
Will there be alcohol at your event? Yes	A		No			If yes, comp	lete the following:
Type of alcoholic beverage to be served:	Liquor				Wine		Beer 💆
Will you be providing alcohol to your group?	Yes		No	₽ <b>3</b>			
Will you be selling alcohol to your group?	Yes	Ø	No			nce certificat iquor Legal.	e <u>WILL BE</u> required
Will people be allowed to bring alcohol to the event?	Yes		No	æ			
Who will be applying to the NYS Liquor Authority	for the	perm	it to	sell?	Baton	via Brew.	no Company, D/B/A Eli
It is the Applicant's responsibility to police the area rules are followed. Also, after the event Applicant is							
** If you are contracting with a group to sell alcohol from them with Liquor Legal in addition to your ins			event	on c	ity prope	erty, separate	insurance is reculified

Page 1 of 7 City of Batavia Event Application

APR - 6 2022

CITY OF BATAVIA CLERK-TREASURER

EVENT INFORMATION (required):
Set up date: 04/1/22 Set up time: 9 AVM
Tear down date: 06/12/22 Tear down time: 9 AM
PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:
Date: 6/11/22 Start time: 4PM End time: 10 PM
Estimated crowd size: 200 # of Vendors/Displays9
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 Phone #
Address, Street City Zip Code
Music: Live Group & Recorded/DJ   Corey Hastrom ()  Name of Company Providing Nove: Company Contest/Representative Phone #
Address, Street City Zip Code
CITY SERVICES SUPPORT:
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? Lights Stage entertainment
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	r compliance checklist – all tents wi	II be inspected **
Will Tents/Canopies or other membrane structure Will a bounce house or other air supported structu		Yes ∭ No □ Yes ∭ No □
NOTE – Appropriate anchoring is required for all tup structures	tents, canopies, and pop-	
Please list size(s) of Tents/Canopies or other tem	porary structures erected* 20 x	(20, 10×10
ANCHORING INTO	PAVEMENT IS PROHIBITED	)!
If anchoring in grass, soil areas please of	contact the NYS Dig Safe # at: 1-8	00-962-7962 or 811
STREET CLOSURE(S):		
ANY EVENT REQUIRING A STREET	CLOSURE REQUIRES 90 DAY ADV	ANCE NOTICE
Will street(s) need to be closed for the event? Yes	es 🔲 No 🔯 Reason: _	
List Street(s) and Cross Street(s) that will be aff	ected:	
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 ھ How Ma	iny? <u>2</u>
Will traffic cones be requested from the City?  (Drop off locations of requeste	Yes D No 🛭 How Ma	<u> </u>
BANNERS : SIGNS OR OTHE TO STREET BARRICADES TRAFFIC C	R DECORATIONS ARE NOT TO BE ATTACHED CONES, LIGHT POLES, OR ANY OTHER CITY PRO	OPERTY
Are there any other city materials or personnel req	uested for the event? Identify belo	
POLICE		
Will City Police Officers be requested for the event	? Yes ロ No do	
	FOR NUMBER OF POLICE OFFICE E AT THE DISCRETION OF THE	

- 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
- 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. 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 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 EF/Ratovia Brewing Co (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.

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

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

Department Initials
***************************************
(Approved / Disapproved)
leceived (if applicable)

Appendices

	SPECIAL EVEN	NTS IN	SPECTION
YES	Item to verify	NO	Corrective action
	Extension cords plugged into approved electrical		Do not use unless cords plugged direct
	boxes?		
	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

1		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 minimum of 20 feet from any property lines.
Is structure within 20 feet of any bui	ilding?	Do not occupy or use structure. Structure needs to be relocated
		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 structumeeting 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 inte	rnal combustion engines?	Do not use internal combustion engine until relocated at least 20 fe from structure.
Are "No Smoking" signs posted insi-	de and outside?	Do not occupy or use structure unless no smoking signs are posted at enforced.
Are fireworks and unapproved open and outside the structure?	flames prohibited inside	Do not occupy or use structure unless fireworks and all unapprove 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 a provided.
Ensure "Exit" signs are posted and cl	learly visible.	Do not occupy or use structure unless required "Exit" signs a provided.
Ensure "Exit" signs are illuminated.		Do not use or occupy structure unless illuminated exits are provided.
Ensure that exit signs have either two sources of power depending on occup		Do not use or occupy structure until a minimum of two circuits of sources of power are provided as required. Typically this accomplished through the use of AC Powered Exit signs with international battery backup.
Are exits open and uncovered?		Do not occupy or use structure unless all required exits are functiona
Are all aisles at least 44 inches wid width where required?	e? Do aisles increase in	Do not occupy or use structure unless proper aisle widths a maintained.
Is the Occupant Load posted appropr	iately?	Do not occupy or use structure unless the correct occupant load posted appropriately.
Ensure emergency lighting is provide	ed.	Do not use or occupy structure unless emergency lighting is provided
Is a label permanently affixed to the identification of size and material type	<b>–</b> 1	Do not use or occupy structure unless label is present.
2A:10BC Fire extinguishers are propacket for minimum number required	1).	Do not use or occupy structure until sufficient, properly sized, finextinguishers are provided.
At least one 4OBC rated fire exting		Do not use or operate any of these hazards unless appropriate fir
for each kitchen, mess hall, power g and at locations where flammable or used, stored, or dispensed.	1	extinguishers are provided as described in Temporary Membrar Structures, Tents and Canopies document and applicable codes.
Weeds and other combustible veget from within 30 feet of the structure at		Do not use or occupy the structure unless combustible vegetation has been removed from the specified area.
The floor surface inside, including the within 30 feet outside of temporar membrane structures, shall be kept from the structures of the structure of the structures of the structure of	ry tents, canopies, and	Do not use or occupy the structure unless combustible waste removed or stored in proper containers.
Such waste shall be stored in app	proved containers until	Do not use or occupy the structure unless trash containers have bee
removed from the premises.		emptied from the previous day.
Outdoor cooking that produces sparks Must be outside tent.	s or grease-laden vapors.	Do not use cooking source under tent
priusi de duiside teni.		



Official Use Only:

2022-8

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

MAR 2 4 2022

CITY OF BATAVIA CLERK-TREASURER

	Event Application (A separate permit n	n Fee nust be i	- \$2 issue	5.00 d for	(non each	-refun item red	dable) <sub>(uested)</sub>				
	Event Sponsor Genesee - Orleans T	Region	<u>ral</u>	Ar	<u>ts</u>	Coun	al, C	00 A	RT!		
	Type of Event Music + Art Festi	val									
	Day and Date of Event July 2, 202	2 (	Sa	turc	lay	7					
	Time of Event (don't include set up time here – ju	st actua	ıl eve	ent tim	ie)	100	<u>ım -</u>	9 PN	<u> </u>		
	Location of Event Tackson Street	4	Sc	noo	1 3	otree	<u>+                                    </u>				
	Details of Event (be as specific as possible!) 1	uo m	usi	CS	ag	es h	1 20-	30 bo	inds,	atisan	!
	alley w artist creating work (	about	10-	150	rti	515),	arts c	rcraf	t veno	<u>loo (ak</u>	w
-5	tood frucks, I folkart stage (	danu	2 +	oth	erj	Derfor	mers),	childr	ens ci	aft are	a,
Th	e event will be taking place	10 J				V		onJo	uckso	1 and S	χĮ
	Primary contact:		2	Secon	dary	contact	_			as wel	راا
	Name <u>Oregory</u> Hallock Phone # <u>565-343-9313</u>			585	iry	43-93	Whitn 313	nan		<u>trong</u>	ot cu
	Mailing address 201 E. Mairfet. Batavia, N E-mail address and lock of good forg	<u> </u>	<b>)</b>	201 Mil	ubit	Mair man (	31 160 290ac	itavia Liocox	, אץ .	4020 G	Pa
	* Events will be posted on the City's website caler	ndar. If	there	U e is a	webs	ite vou	() would like	to inclu	de that p	eople	
	can visit for more information or registration, if ap	olicable	, note	e web	site h	nere: _\	NWW.c	oart.	org		
	Will there be alcohol at your event? Yes	X		No	<b>_</b>		If yes, co	mplete t	he follow	ving:	
	Type of alcoholic beverage to be served:	Liquor				Wine		Beer	×		
	Will you be providing alcohol to your group?	Yes	M	No						•	
	Will you be selling alcohol to your group?	Yes	Ø	No			ince certifi iquor Leg		L <b>L BE</b> re	equired	
	Will people be allowed to bring alcohol to the event?	Yes		No	K					o (1.)	
	Who will be applying to the NYS Liquor Authority	for the	pern	nit to s	sell?	Ver	ndor/sp	20/SON	- (h	opefully 11 Fish	

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: 07 02 2022 Set up time: 7am - 10 am							
Tear down date: 07 07 2022 Tear down time: 9 pm - 10 pm							
PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:							
Date: 07 02 2022 Start time: 10 am End time: 9 pm							
Estimated crowd size: 1,000 # of Vendors/Displays 40							
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: Vendors Yes No (MAP OF DESIRED ROUTE MUST BE ATTACHED)  (Food Arts + Croft) Fireworks or Hazardous Materials? Yes No Carnival or Amusement Rides? Yes No Mame of Company Providing Above:    Name of Company Providing Above: Company Contact/Representative Phone #							
Music: Live Group Macorded/DJ							
Genesee-Orleans Regional Arts Council Gregory Hallock 585,343-931							
201 East Main St.  Address, Street  Company Contact/Ripresentative  Phone #  Datavia 14020  Zip Code							
CITY SERVICES SUPPORT:							
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? Musicians + 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) 4/100 - 1/10 W FUEL SOURCE - GAS - 🗷 - DIESEL - 🗆 - PROPANE - 🗆							

TENTS/CANOPIES/POP-UPS: See appendices for compliance checklist – all tents	s will be inspected **
Will Tents/Canopies or other membrane structures be erected at event? Will a bounce house or other air supported structures be erected at event?	Yes 💢 No 🗖 Yes 🔲 No 🛝
NOTE – Appropriate anchoring is required for all tents, canopies, and popup structures	
Please list size(s) of Tents/Canopies or other temporary structures erected*	
ANCHORING INTO PAVEMENT IS PROHIBIT	"ED!
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 A	ADVANCE NOTICE
Will street(s) need to be closed for the event? Yes № No □ Reason:  ON The Street	event is happening
List Street(s) and Cross Street(s) that will be affected:  Tackson Street  School Street  Street to be closed  Tackson Street  Cross St.  Cross St.	& Center Street
Street to be closed Cross Str	&
Street to be closed Cross Str.  Will street harrisedes he requested from the City? Yes 7 No. 7 How	0
Will street barricades be requested from the City? Yes X No  How	Many?
Will traffic cones be requested from the City? Yes 🔲 No 🔯 How (Drop off locations of requested items must be identified on the site of	Many? drawing)
BANNERS / SIGNS OR OTHER DECORATIONS ARE NOT TO BE ATTACK TO STREET BARRICADES, TRAFFIC CONES, LIGHT POLES, OR ANY OTHER CIT	
Are there any other city materials or personnel requested for the event? Identify Picnic Tables, garbage cans	below: (there may be additional costs)
POLICE	
Will City Police Officers be requested for the event? Yes 🔲 No 🔼	
FINAL DETERMINATION FOR NUMBER OF POLICE OF AND UTILIZATION WILL BE AT THE DISCRETION OF T	

### **PLEASE NOTE:**

- 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. 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 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 CO 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.
Genesee-Orleans Regional Arts Council, 60 ART.  Mayory 1. Hallock  Althorized Signature, Title  Gregory A-Hallock  Name - Printed or Typed
The rules and information contained within this application have been read and with be adhered to.    1

Batavia, New York 14020

# SPECIAL EVENT APPLICATION DEPARTMENT APPROVAL SUMMARY

# FOR OFFICIAL CITY USE ONLY

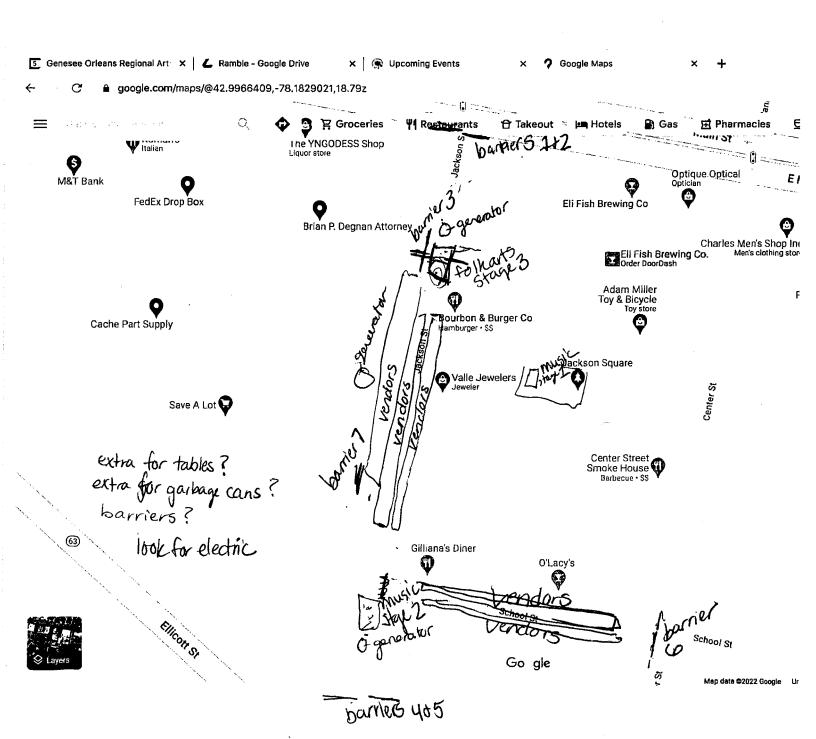
		OFFICIAL USE ONLY		
Department Recommendations:			A statute and O	Ď
DPW (if applicable)	Approved	Denied	Additional Costs	Department Initials
Fire Dept. (if applicable)	Ö			
Police Dept. (if applicable)				
	_			
If recon	nmendation i	s denied, please attach a	a brief explanation	
	9	OFFICIAL USE ONLY		
Date Received		-	Council Action: (Appro	oved / Disapproved)
Date of Council Action:		_	Insurance Receive	d (if annicable)
Bale of Gournal Action.			maurance Neceive	о (п аррплавін)
				•
Event Application #:				
Danastaanta				
Department:	List Department	Name Here		
Department Approval		,		
z-opariment, ipp. ova.	YES	NO		
DPW				
Fire				
Police				
Department Cost Estimate:				
If applicable				
Estimate based on				
Estimate based on: Fillable table – type you	ir response here:			
f Application not Approved, Prov	ide Reason	Here: Fillable table – type your re	esponse here:	
Submitted By:		Name / Title	<del></del>	Data Sub-will-d
		Nume / Tale		Date Submitted

Appendices

	SPECIAL EVEN		
YES	Item to verify	NO	Corrective action
	Extension cords plugged into approved electrical		Do not use unless cords plugged direct
	boxes?		
	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

Inspection performed by:	Date:
Must be outside tent.  Is tent secure	20 lbs per leg or tent stakes
Outdoor cooking that produces sparks or grease-laden vapors.	Do not use cooking source under tent
removed from the premises.	emptied from the previous day.
Such waste shall be stored in approved containers until	Do not use or occupy the structure unless trash containers have by
within 30 feet outside of temporary tents, canopies, and membrane structures, shall be kept free of combustible waste.	removed or stored in proper containers.
The floor surface inside, including the grounds adjacent to or	Do not use or occupy the structure unless combustible wast
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 been removed from the specified area.
used, stored, or dispensed.	Structures, Tents and Canopies document and applicable codes.
and at locations where flammable or combustible liquids are	extinguishers are provided as described in Temporary Memb
At least one 4OBC rated fire extinguisher shall be provided for each kitchen, mess hall, power generator, or transformer	Do not use or operate any of these hazards unless appropriate
2A:10BC Fire extinguishers are provided (see information packet for minimum number required).	Do not use or occupy structure until sufficient, properly sized, extinguishers are provided.
identification of size and material type?	
Ensure emergency lighting is provided.  Is a label permanently affixed to the structure bearing the	Do not use or occupy structure unless emergency lighting is provi Do not use or occupy structure unless label is present.
Is the Occupant Load posted appropriately?	Do not occupy or use structure unless the correct occupant looposted appropriately.
width where required?	maintained.
Are all aisles at least 44 inches wide? Do aisles increase in	Do not occupy or use structure unless proper aisle widths
Are exits open and uncovered?	battery backup.  Do not occupy or use structure unless all required exits are functions.
sources of power depending on occupant load.	sources of power are provided as required. Typically the accomplished through the use of AC Powered Exit signs with int
Ensure "Exit" signs are illuminated.  Ensure that exit signs have either two separate circuits or two	Do not use or occupy structure unless illuminated exits are provided to not use or occupy structure until a minimum of two circuits.
Ensure "Exit" signs are posted and clearly visible.	Do not occupy or use structure unless required "Exit" signs provided.
Are all points in the structure within 100 feet of an exit?	Do not occupy or use structure unless sufficient nearby exit provided.
and outside the structure?	open flames are prohibited in the structure and within 20 feet of exof structure.
Are fireworks and unapproved open flames prohibited inside	enforced.  Do not occupy or use structure unless fireworks and all unappr
Are "No Smoking" signs posted inside and outside?	Do not occupy or use structure unless no smoking signs are poste
Is structure within 20 feet of any internal combustion engines?	Do not use internal combustion engine until relocated at least 26 from structure.
Is structure within 20 feet of parking?	Restrict parking or relocate structure at least 20 feet from parking
	meeting all applicable requirements.
Is structure within 20 feet of another structure?	minimum of 20 feet from any building.  Evaluate all structures within 20 feet of each other as a single structure.
Is structure within 20 feet of any building?	Do not occupy or use structure. Structure needs to be relocated
	minimum of 20 feet from any property lines.





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# Memorandum

To:

Honorable City Council Members

From:

Rachael J. Tabelski, MPA, City Manager

Date:

April 7, 2022

Subject:

Jackson Square Construction Bid Award

Part of the City of Batavia Capital Project Plan and the Downtown Revitalization Initiative (DRI) is the "Enhance Jackson Square Project". The project elements include decorative pavements, new stage with canopy, lighting and signage.

The project has been designed and was bid in the fall of 2021, however bids came in too high and were rejected. The architectural firm Architectural Resources, with the help of LaBella, re-engineered elements of the project (including the material for the stage canopy, reduction in signage and some lighting elements) to attempt to bring the construction cost down.

The project is fully reimbursable through the DRI and a Batavia Development Urban Corridor grant from National Grid.

Bids were re-released in the first week of April and are due back to the City on Friday April 22, 2022. Construction is anticipated to occur in late summer/fall.

With the bids just coming in the Friday prior to the Council Meeting the lowest bid was now know at the time of writing this memo. An email will be sent to Council as soon as bids are open, and Architectural Resources makes a recommendation.

I recommend the City Council move the Enhance Jackson Square Project Bid Resolution forward to the next Business Meeting May 9, 2022 for contract award.

## #-2022

# A RESOLUTION TO ENTER INTO AN AGREEMENT WITH XXXXX FOR CONSTRUCTION SERVICES FOR THE DRI ENHANCE JACKSON SQUARE PROJECT

# Motion by Councilmember

WHEREAS, a Project for the enhancement of Jackson Square was approved for the Downtown Revitalization Initiative (DRI) in the City of Batavia; and

WHEREAS, a request for construction bids were released for a contractor to construct the project as specified in the project construction documents. The lowest responsible bidder is XXXX of XXXX.

**NOW, THEREFORE, BE IT RESOLVED,** that City Council approves the award of a contract for construction for the enhancement of Jackson Square to XXXXX of XXXX in the amount of \$XXX,XXX.

Motion Seconded by Councilmember And on roll call



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# Memorandum

To:

Honorable City Council Members

From:

Rachael J. Tabelski, MPA, City Manager

Date:

April 20, 2022

Subject:

GO ART! RLF Grant Extension

In January of 2020 The Batavia City Council approved a \$20,000 grant from the City of Batavia Revolving Loan Fund Grant Program to GO ART!.

The grant was awarded to support GO ART!'s building renovations including the foundation, roof, drainage, chimney, windows, fence, exterior painting, and repair of the elevator and HVAC. As the project was approved just weeks before COVID-19 broke out in New York, and it caused delay in material and labor deliver of the project.

The Batavia Development Corporation (BDC) has reviewed the request for an extension on March 24, 2022 and recommend a two-year extension to allow GO ART! to complete the project. The total project cost is estimated at \$218,300 and is be funded by many sources:

- 1. \$20,000- Community Foundation for Greater Buffalo
- 2. \$2,000- Community Foundation for Greater Rochester
- 3. \$10,000- Western New York Foundation
- 4. \$4,000- NYS Preservation League
- 5. \$72,500- ARTS ACFIP
- 6. \$50,000- Main Street Grant
- 7. \$15,000- Palma Foundation
- 8. \$15,000- Private Donation
- 9. Volunteer labor

The \$20,000 RLF Grant Funds will help ensure that the project can proceed to protect this historical building. Despite other funding, the RLF Funds will be used in compliance with the grant policy. The project scope remains in accord with the City goal of improving and repairing façades and preservations to historical buildings in our downtown area and in the BID/DRI boundary.



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I recommend the City Council moving the GO ART! RLF grant extension resolution forward to the next Business Meeting May 9, 2022.

## #-2022

# A RESOLUTION AUTHORIZING THE EXTENSION OF A BATAVIA REVOLVING LOAN FUND GRANT AWARD AND AUTHORIZING EXECUTION OF A PARTICIPATION AGREEMENT

# **Seconded by Councilmember**

**WHEREAS,** the City Council of the City of Batavia approved a Revolving Loan Fund Grant for GO ART!, resolution #3-2020; and

WHEREAS, due to COVID-19 supply chain issues GO ART! has requested an extension of their project to complete repairs and improvements of their historic building located at 201 East Main St. Batavia, NY 14020; and

WHEREAS, after review, the Batavia Development Corporation recommends the extension of the grant.

NOW, THEREFORE, BE IT RESOLVED that the City of Batavia City Council approves granting \$20,000 to the project; and

**BE IT FURTHER RESOLVED** that the City of Batavia City Council authorize the City Council President to execute the Grant Agreement.

Seconded by Councilmember and on roll call

### #3-2020

# A RESOLUTION AUTHORIZING THE BATAVIA REVOLVING LOAN FUND GRANT AWARD AND AUTHORIZING EXECUTION OF A PARTICIPATION AGREEMENT

# Seconded by Councilperson

WHEREAS, the City Council for the City of Batavia amended the Revolving Loan Fund Agreement on April 8, 2019; and

WHEREAS, according to the amendment, notwithstanding any other provisions of the Revolving Loan Fund Agreement, the Loan Fund may also, on a project specific basis and with City Council approval, make a grant for an eligible project or funding purpose within the City; and

WHEREAS, the City Council for the City of Batavia enacted a policy to allow for grant funds to be accessed for specific purposes including Downtown Revitalization Initiative Area (DRI) advancement, City Priority Economic Development, and Building Improvements; and

WHEREAS, GO-ART!, ("Owner") has submitted a completed application for grant funds to the Batavia Development Corporation, the Batavia Development Corporation has acknowledged receipt of the application and application fee, received the deed to the property, the project financials, reviewed and scored the project, and advanced the project to the City Council of the City of Batavia to review; and

WHEREAS, the Owner intends to complete repairs and improvements of the property located at 201 East Main St. Batavia, NY 14020 using funds to be provided through the Program; and

WHEREAS, The City of Batavia will distribute grant funds to the Owner for the project in accordance with the terms and conditions of the City of Batavia Revolving Loan Fund Grant Policy dated June 14, 2019 and the Grant Agreement; and

WHEREAS, after evaluation of the application, based on the Grant Policy, the City of Batavia City Council finds that the award of the grant to be consistent with the policy and in the interest of the City of Batavia;

NOW, THEREFORE, BE IT RESOLVED that the City of Batavia City Council approves granting \$20,000 to the project; and

NOW, THEREFORE, BE IT RESOLVED that the City of Batavia City Council authorizes the City Council President to execute the Grant Agreement with the Owner.

Seconded by Councilperson and on roll call

# BATAVIA REVOLVING LOAN FUND GRANT PARTICIPANT AGREEMENT

This Agreement is made effective as of the 15 day of day o

# 1. Term.

The period of performance for all activities assisted pursuant to this Agreement shall be 24 months, commencing on the effective date of this Agreement and ending on long 15, 2022 ("Term"), unless sooner terminated as provided for herein. The Owner is required to engage a contractor and begin construction within thirty (30) calendar days of execution of this agreement.

# 2. Owner's Representations.

The Owner hereby expressly represents that he/she is the owner of the premises designated herein for improvement and rehabilitation and that, as the Owner, he/she has all lawful authority required to execute this Grant Agreement, which shall be binding upon the Owner and/or its successors and assigns.

# 3. Regulatory Requirements and Repayment Provisions.

a. All assistance is in the form of a reimbursable grant with a five (5)-year compliance period. Property owners will be required to execute a Declaration document committing to this compliance period. Should the property owner sell the property within the five (5)-year timeframe, they will be responsible for repaying a portion of the grant funding received. Repayments will be retained by the City of Batavia and used for eligible economic development activities. Required repayment of grant funds will be calculated in accordance with the following schedule:

i.	Months 0-12:	100% repayment due.
ii.	Months 13-24:	80% repayment due.
iii.	Months 25-36:	60% repayment due.
iv.	Months 37-48:	40% repayment due.
v.	Months 49-60:	20% repayment due.
vi.	Months 60 and beyond:	0% repayment due

- b. It is essential that Owners ensure that their properties remain free of lead hazards after compliance has been documented. The Owner agrees to maintain paint in all residential spaces using lead-safe work practices for the five-year Regulatory Period. The Owner or a representative should visually assess the property on a routine basis, and whenever the occupant reports loose, peeling or damaged paint. The property owner may elect to hire a lead inspector to perform this assessment.
- c. The Owner of a property improved will be required to execute a Declaration, in the form attached as Attachment D, which shall be filed in the Genesee County Clerk's Office. The Owner agrees to maintain the Assisted Property in

compliance with the terms of this Grant Agreement, throughout the Regulatory Period. The Owner shall further declare that in the event of any non-compliance or sale of the property, the amount of grant funds distributed shall be subject to repayment.

# 4. Reimbursement.

- a. Project reimbursements are made when the project is complete. The City of Batavia Revolving Loan Fund Grant operates fully as a reimbursement grant program and the owner is responsible for paying for all agreed upon repairs. Payment of grant funds will be made only upon satisfactory completion of building projects and payment of renovation expenses.
- b. No reimbursement shall be paid to the owner until final inspections and Certificate of Compliance/Occupancy has been issued by the City of Batavia.
- c. All completed work shall comply with all applicable building codes and standards.
- d. Cash payments/cash receipts are not permitted and will not be reimbursed.
- e. The payment of any amount(s) due and payable by the City of Batavia to a project owner, as a reimbursement pursuant to a grant agreement for work completed shall be payable within ninety (90) calendar days after all work is satisfactorily completed and sufficient supporting documentation is provided to the City of Batavia.
- f. Sales tax should not be included on the invoice as the City is exempt from sales tax and will not reimburse for sales tax.
- g. To substantiate work costs, Owners must provide the following: (i)written contracts; (ii) bank documents; (iii) copies of invoices for materials and labor; (iv) cancelled checks; (v) lien releases; (vi) and any other documents deemed reasonably necessary by the City of Batavia to maintain effective internal controls.

## 5. Inspection of Work: Unsatisfactory Work.

The Owner agrees that the City of Batavia and their representative or agent shall at all times have access to the job site and premises for the purpose of inspecting and reviewing the renovation work. In the event that the Owner or the City of Batavia shall determine at any time that there exists unsatisfactory work, the Owner shall notify the contractor in writing of the existence of such (sending copies to the City of Batavia and any other interested parties), and the contractor shall correct such work within twenty (20) calendar days after receipt of said notice. In the event that the contractor fails or refuses to complete such corrections in the work within said period of time the City of Batavia shall have the right to cancel this Grant Agreement and, upon such cancellation, shall have no obligation to provide any reimbursement for the work completed.

# 6. Reports and Access to Records.

During the Term and the Regulatory Period, the City of Batavia can perform an annual inspection. The Owner further agrees to provide the City of Batavia with reports or records in such form, content and frequency as requested.

# 7. Termination.

In the event the Program shall for any reason cease to exist or terminate prior to the completion of the work to be performed as specified in this Agreement, or in the event the Owner shall die, or the ownership of the building changes prior to the completion of such work, the City of Batavia may terminate its obligation(s) hereunder to the Owner by reimbursing the Owner (or its heirs or successors) for the work satisfactorily completed prior to the date of any such termination, death, or change in ownership. Upon such payment to the Owner, the City of Batavia shall be released and discharged from any further claim on behalf of the Owner pursuant to this Grant Agreement.

# 8. Compliance with Local Laws and Codes.

Any contract or agreement to be executed relative to the work contemplated by this Grant Agreement shall require that the Owner give all notices required by, and comply with, all applicable laws, ordinances, regulations and codes of the City of Batavia, the State of New York, and the United States, and shall at its own expense, secure and pay the fees or charges for all permits required for the performance of the work.

# 9. Notice of Investigation or Default.

The Owner shall notify the City of Batavia within five (5) calendar days after obtaining knowledge of: (i) the commencement of any investigation or audit of his/her activities by any governmental agency; or (ii) the alleged default by the Owner under any mortgage, deed of trust, security agreement, loan agreement or credit instrument executed in connection with the project; or (iii) allegation of ineligible or prohibited activities. Upon receipt of such notification, the City of Batavia may, in its discretion, withhold or suspend payment of Program funds for a reasonable period of time while a review of activities and expenditures is conducted.

# 10. Default.

- a. If an Event of Default as defined below shall occur, all obligations on the part of the City of Batavia to make any further payment of Program funds shall, if the City of Batavia so elects, terminate and the City of Batavia may, in its discretion, exercise any of the remedies set forth herein; provided, however, that the City of Batavia may make any payments after the happening of an Event of Default without thereby waiving the right to exercise such remedies, and without becoming liable to make any further payment.
- b. The following shall constitute an Event of Default hereunder: (i) if the Owner fails, in the opinion of the City of Batavia, to comply with or perform any provision, condition or covenant contained in this Agreement, any applicable State or federal law or regulation, or the Program policies and procedures established by City of Batavia; (ii) if at any time any representation or warranty made by the Owner shall be incorrect or materially misleading; (iii) if the Owner has failed to commence the improvements as specified in Attachment A- Batavia Development Corporation (BDC) Project Memo and Rendering/Site Plan in a timely fashion or has failed to complete such improvements within the Term.
- c. Upon the happening of an Event of Default, the City of Batavia may, in its discretion, exercise any one or more of the following remedies, either concurrently or consecutively, and the pursuit of any one of such remedies shall not preclude the City of Batavia from pursuing any other remedies contained herein or otherwise provided at law or in equity: (i) Terminate this Agreement, provided that the Owner is given at least ten (10) business days prior written notice; (ii) Withhold or suspend payment of

Program funds; (iii) Recapture any Program funds disbursed to the Owner on a pro rata basis over the Regulatory Period. The amount to be recaptured shall be determined by reducing the original amount of Program funds disbursed to the Owner by one fifth (1/5th) for each year of the Regulatory Period the Owner was in compliance with this Agreement; (iv) Exercise any corrective or remedial action, to include, but not be limited to, advising the Owner to suspend, discontinue or refrain from incurring costs for any activities in question or requiring the Owner to reimburse the City of Batavia for the amount of Program funds expended or used in an unauthorized manner or for an unauthorized purpose.

d. In the event this Agreement is terminated by the City of Batavia for any reason, or upon the closeout of the Program, the City of Batavia shall have no further liability or obligation under this Agreement; provided, however, that nothing herein is intended to relieve the City of Batavia of its obligation to pay for services properly performed by the Owner prior to such termination. Notwithstanding any such termination or closeout, the Owner shall remain liable to the City of Batavia for any unspent Program funds, the expenditure or use of Program funds in a manner or for a purpose not authorized by this Agreement, or damages as a result of any breach of this Agreement by the Owner. The City of Batavia shall have the right, at any time prior or subsequent to any such termination or closeout, to pursue any and all available remedies, including seeking injunctive or other equitable relief, to enforce the provisions of this Agreement and to recover Program funds which are unspent, expended or used in an unauthorized manner or for an unauthorized purpose.

# 11. Indemnification.

Any contract or agreement to be executed in furtherance of this Grant Agreement shall require the contractor to defend, indemnify and hold harmless the Owner, the City of Batavia from liability for any claim for injury or damages to persons including the contractor and his/her employees, subcontractors and agents, or property, resulting from any work performed under this Agreement.

## 12. Assignment.

The Owner shall not assign this Grant Agreement without the prior written consent of the City of Batavia and any such request for assignment of said Grant Agreement must be addressed to the City of Batavia.

# 13. Waiver of Liability.

Nothing in this Agreement nor any act of the City of Batavia, or its agent, including but not limited to, an inspection of work, approvals given, permits issued or payments made, shall be construed as a warranty for the work performed under this Grant Agreement, and the Owner hereby expressly waives any such claim.

## 14. Property Release.

The Owner agrees to complete a written consent, in the form attached as Attachment E to permit the City of Batavia to publish photographs of assisted properties for promotional or public relations purposes.

# 15. Modification and Amendment.

This Agreement shall be construed under the laws of the State of New York, and may be modified or amended only by a written instrument executed by both the Owner and the City of Batavia.

# 16. Attachments:

The following attachments are hereby incorporated into this agreement and the Owner shall adhere to the provisions contained therein.

- a. Attachment A BDC Project Memo and Rendering/Site Plan
- b. Attachment B Copy of Owner's Application for Assistance
- c. Attachment C Program Rules and Design Guidelines
- d. Attachment D Draft Property Maintenance Declaration
- e. Attachment E Property Release Form

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year set forth above.

City of Batavia Signature → Curve State  Sign	Executive Director - Go Art!   -
Printed Name: Eugene Jankowski Jr.	Printed Name: Gregory A. Hallock
Title: City of Batavia City Council President	Title: Executive Director
Date:	Date: 01/15/2020



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# Memorandum

To:

Honorable City Council Members

From:

Rachael J. Tabelski, MPA, City Manager

Date:

April 11, 2022

Subject:

Richmond Harvester Construction Bid Award

Resolution #39-2020 authorized the City of Batavia to undertake a project for the preventive maintenance of two streets Harvester Avenue from NYS Routes 5/33 to NYS Route 63, and Richmond Avenue from Oak Street to State Street, City of Batavia, Genesee County, P.I.N. 4761.01. The project is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds.

Subsequently, the City Council authorized bond funding (resolution #95-2021) of \$3.6 M to undertake the rehabilitation and repair and replacement of certain city street improvements on Richmond Avenue and Harvester Avenue. The rehabilitation, replacement and repair will consist of the removal of the existing street surfaces, repair to the pavement base, repair/replacement of defective curbing, corrections to the drainage systems, corrective measures to comply with the current ADA requirements for sidewalks and new roadway surfaces and pavement markings.

T.Y. Lin International was selected from an RFP process (resolution #45-2020) as the project engineer, has designed the project, and will be assisting the City to bid the project and oversee construction. The project is reimbursable through a Highway PM-Transportation Improvement Program (TIP) grant, CHIPS and Marchiselli funding.

The project received DOT approval on April 11<sup>th</sup> and will be bid April 18<sup>th</sup>. The bids are due May 9<sup>th</sup>. To allow the City to continue to advance the project I recommend the City Council move the Richmond Harvester Bid Resolution to a future business meeting (Special Business Meeting on May 23<sup>rd</sup>) for contract award.

## #-2022

# A RESOLUTION TO ENTER INTO AN AGREEMENT WITH XXXXX FOR CONSTRUCTION SERVICES FOR THE RICHMOND HARVESTER HIGHWAY PM-TRANSPORTATION IMPROVEMENT PROGRAM (TIP) GRANT P.I.N. 4761.01 PROJECT

# Motion by Councilmember

WHEREAS, The Council of the City of Batavia authorized a project for the preventive maintenance of two streets Harvester Avenue from NYS Routes 5/33 to NYS Route 63, and Richmond Avenue from Oak Street to State Street, City of Batavia, Genesee County, P.I.N. 4761.01; and

WHEREAS, the project is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, a request for construction bids was released for a contractor to construct the project as specified in the project construction documents. The lowest responsible bidder is XXXX of XXXX.

**NOW, THEREFORE**, be it resolved that City Council approves the award of a contract for construction for the Richmond Harvester Project to XXXXX of XXXX in the amount of \$XXX,XXX.

Motion Seconded by Councilmember And on roll call





# Memorandum

To:

Honorable City Council Members

From:

Rachael J. Tabelski, MPA, City Manager

Date:

April 20, 2022

Subject: CDBG Jackson Street Water Project Administrative Services, authorization to conduct an environmental review of the Jackson Street Water Project, and designate the City Council President as the Certifying Officer

The City has successfully applied for and received funding through the CDBG program for the Jackson Street Water Main Project. The project will replace 4" and 6" lines on Jackson St. with a new 8" water main. The project has an estimated cost of \$1.414 Million.

The project will include the design, bid and construction of a water system improvement project that includes the replacement of the two existing lines 4" line from Ellicott to South Jackson on the western side of Jackson St. There is also a 6" line under the sidewalk between Watson and South Jackson on the Western side of the road.

The City will eliminate the 4" water main that was original to the street, and eliminate a circa. 1960's - 6" water main and transfer all services over to a new 8" water main. The replacement of the line will meet all standards of or fire protection, tie all services and fire hydrants to meet current 10 State Standard (GLUMR).

The project will encompass approximately 2,250 linear feet of water line replacement. 58 service connections, 10 inter-connections, installations of 6 fire hydrants and new valves at each interconnection plus two 8" line valves. The project will also address elimination of lead water services if encountered and a TAP grant for road rehabilitation will be pursued as well.

This initiative is included in the City's Capital Infrastructure Plan (CIP) for the FY22/23 and the remaining expenses will be funded through Water Fund Reserves (\$414,017).

The City has issued an RFP for consulting administrative services related to the grant. The individual or firm selected will undertake the following administration and program delivery services:

1. Initial program organization and project implementation plans;

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- 2. Environmental reviews and other activities required to satisfy grant conditions;
- 3. Program management and oversight;
- 4. Advise on the establishment of required books, records and accounts for financial record keeping;
- 5. Program and project record keeping;
- 6. Assistance with labor standards, fair housing, MWBE and Section 3 requirements;
- 7. Assistance with procurement, selection and award of contracts for construction and professional services;
- 8. Develop program guidelines and eligibility for assistance depending on the nature of the programs;
- 9. Provide advisory assistance on program regulations and project implementation;
- 10. Prepare semi-annual reports and annual performance reports;
- 11. Provide and/or arrange for program delivery services as appropriate;
- 12. Provide guidance on lead-based paint regulations;
- 13. Other planning and community development activities and documents as may be required to implement the City programs.

RFP's will be received to the City on May 5<sup>th</sup> 2022 and the management staff will be ready to make a recommendation by the next meeting.

I recommend the City Council move the resolution for consulting administrative services related to the CDBG Jackson Street Water Project for award, and as an administrative step in the project, I recommend the City Council also move the resolution to conduct an environmental review of the Jackson Street Water Project and designate the City Council President as the Certifying Officer forward to the next Business Meeting May 9, 2022.

# #-2021

# A RESOLUTION TO ENTER INTO AN AGREEMENT WITH XXXXX FOR ADMINISTRATIVE SERVICES FOR THE CDBG JACKSON STREET WATER PROJECT

# **Motion by Councilmember**

WHEREAS, the City of Batavia is undertaking a CDBG project No. 82PW9421-01 (Batavia Jackson Street Improvements Project) and needs assistance with various administrative tasks related to the grant to include the creation of project implementation plan, environmental review activities, program management and oversite, advise on the establishment of required books, records and accounts for financial record keeping among other activities; and

WHEREAS, a request for proposals (RFP) was released for a professional firm to provide administrative services and XXXX of XXXX was selected after management review of the RFP responses.

NOW, THEREFORE, BE IT RESOLVED, that City Council approves the award of a contract for Administrative Services in relation to the Jackson Street Water Project to XXXXX of XXXX in the amount of \$XX,XXX

Motion Seconded by Councilmember And on roll call

## #-2022

# A RESOLUTION TO CONDUCT AN ENVIRONMENTAL REVIEW OF THE JACKSON STREET WATER PROJECT AND DESIGNATE THE CITY COUNCIL PRESIDENT AS THE CERTIFYING OFFICER

# **Motion of Councilmember**

WHEREAS, the City of Batavia is undertaking a CDBG Project No. 82PW9421-01 (Batavia Jackson Street Improvements Project) and needs to pass a Certifying Officer Resolution; and

WHEREAS, that in accordance with the National Environmental Policy Act of 1069 (NEPA) and the related authorities listed at 24 CFP Part 58, the City Council of the City of Batavia announces its intent to conduct an environmental review of a project to replace 2,400 LF of existing waterlines and 3 existing fire hydrants and install 4 additional fire hydrants along Jackson Street from Chestnut street to Ellicott Street.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia will conduct an environmental review of the Jackson Street Water Project; and

**BE IT FURTHER RESOLVED**, that the City Council designates Eugene Jankowski, Jr., City Council President, as the Certifying Officer, responsible for all activities associated with the environmental review process to be completed in conjunction with the NYS CDBG project number 82PW9421-01.

Second by Councilmember and on roll call

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# DESIGNATION OF CERTIFYING OFFICER AND ENVIRONMENTAL RESPONSIBILITY CERTIFICATION

	/20/2022				
B	m Mattison				
(Nat	scot003 CamessassBeeson's Descript Hos of Community Renewal	•			
H	muton Plaza				
	40 State Street, 4th Floor				
Al	bany, New York 12207				
RE	: CDBG.Project Number: _SSPW9421-01				
De	Mr. Mattison				
I,	Eugene Jankowski, Jr.	, the	authorized	eignatory	for
Ci	(Name of their (Sens) Others) by of Batavia	do attest th	at:		
	CHarsa of CHAMA Reciptants				
•	I understand that any projects that include COR National Environmental Policy Act of 1969 (NER 58.				
•	I understand that, except for actions involving act and MXS Office of Community Renewal procedu occur nor can funds for those activities be conven- clearance letter from the Housing Trust Fund Corp- sites, site-specific reviews are completed for which unanticipated impacts nor impacts not adequately environmental clearance letter and said Officer cert	rez), no physic med or expend oration and, for the Certifying y addressed in	pal alteration to led writil receipt is any subsequer g Officer determ the program t	individual site of an environm thy identified spaines that there	recific recific recific
•	I understand that should any part of a project site is sepended prior to receiving the appropriate eligible for CDEG funding and the City of Batav may be responsible for any costs incurred except Exampt activities, concurrence from the DEG Officis Exampt prior to any physical alterations unless it in which case concurrence must be obtained no latt an event.	nvironmental is ia under the fol se of Communiat action is tal	clearances, that lowing circums ity Renewal that cen to address as	the site will n tance: in the c: t the particular n emergency sit	sse of ection uation
•	I also notify you that Eugene Jankowski, Jr.		e	ity Causait Manidasi	íe
	(Name of Capifying		~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	(thre)	
,	designated as the Certifying Officer responsible is review process to be completed in company SSPW9421-01 awarded to City of Bat (1990-1994) awarded to City	unction with	NYS. COB		
	(Manages, 118, e.g.)	INTERNAL COMMAN	reditall		
Sin	cerely,				
Sig	nature of Chief Elected Official				
	agene Jankowski, Jr., City Council President sed Name and Title				
OM	ce of Community Renewal Form 2-1 Designation of	Certifying Offices	,		ı





# Memorandum

To:

Honorable City Council Members

From:

Rachael J. Tabelski, MPA, City Manager

Date:

April 20, 2022

Subject:

NBRC Bank Street Water Project Administrative Services

In April 2021, The City of Batavia applied for the Northern Border Regional Commission (NBRC) economic development and infrastructure grant. The NBRC program is administered in partnership with the New York State Department of State.

The City of Batavia was selected as a grant recipient in August of 2021 to install 950 linear feet of 8-inch diameter water main along Bank Street. This will replace 90+ year old pipe. The project will improve reliability, increase firefighting flows, and supply water needed for redevelopment projects including the new police facility on Alva and Bank.

The project is within the City's Brownfield Opportunity Area and the federally designated Opportunity Zone, as well as consistent with the City Downtown Revitalization Initiative (DRI). This project was a finalist for DRI funding but was not selected in the final round.

The total project amount is \$418,000. The NBRC grant award is \$334,000 and the City is utilizing \$84,000 of Water Reserves as the local match for the project.

The City has issued an RFP for consulting administrative services related to the grant. The individual or firm selected will undertake the following administration and program delivery services:

- 1. Initial program organization and project implementation plans;
- 2. Environmental reviews and other activities required to satisfy grant conditions;
- 3. Program management and oversight;
- 4. Advise on the establishment of required books, records and accounts for financial record keeping;
- 5. Program and project record keeping;
- 6. Assistance with labor standards, fair housing, MWBE and Section 3 requirements;
- 7. Assistance with procurement, selection and award of contracts for construction and professional services;

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- 8. Develop program guidelines and eligibility for assistance depending on the nature of the programs;
- 9. Provide advisory assistance on program regulations and project implementation;
- 10. Prepare semi-annual reports and annual performance reports;
- 11. Provide and/or arrange for program delivery services as appropriate;
- 12. Provide guidance on lead-based paint regulations;
- 13. Other planning and community development activities and documents as may be required to implement the City programs.

RFP's will be received to the City on May  $5^{th}$  2022 and the management staff will be ready to make a recommendation by the next meeting.

I recommend the City Council move the resolution for consulting administrative services related to the NBRC Bank Street Water Project forward to the next Business Meeting May 9, 2022 for award.

# #-2021

# A RESOLUTION TO ENTER INTO AN AGREEMENT WITH XXXXX FOR ADMINISTRATIVE SERVICES FOR THE NBRC BANK STREET WATER PROJECT

# **Motion by Councilmember**

WHEREAS, the City of Batavia is undertaking a NBRC grant funded Bank Street Water Improvements Project and needs assistance with various administrative tasks related to the grant to include the creation of project implementation plan, environmental review activities, program management and oversite, advise on the establishment of required books, records and accounts for financial record keeping among other activities; and

WHEREAS, a request for proposals (RFP) was released for a professional firm to provide administrative services and XXXX of XXXX was selected after management review of the RFP responses.

NOW, THEREFORE, BE IT RESOLVED, that City Council approves the award of a contract for Administrative Services in relation to the Bank Street Water Project to XXXXX of XXXX in the amount of \$XX,XXX

Motion Seconded by Councilmember And on roll call



Phone: 585-345-6305

www.batavianewyork.com

Fax: 585-343-9221



# Memorandum

To:

Rachael Tabelski, City Manager

From:

Heidi J. Parker, Clerk-Treasurer

Date:

April 1, 2022

Subject:

Appointment to Youth Board

There are several vacant positions on the Youth Board. An applications was received from Sonya Alwardt for appointment to that board. Ms. Alwardt lives in the City of Batavia on Vine St. Councilmembers Brigs and Pacino have reviewed and approved her appointment to be considered at the next conference agenda.

It is recommended that Council approve the appointment of Sonya Alwardt to the Youth Board until December 31, 2024.

# #-2022 RESOLUTION TO APPOINT MEMBERS TO VARIOUS CITY COMMITTEES/ BOARDS

# **Motion of Councilmember**

WHEREAS, certain vacancies exist on various City Committees/Boards.

**NOW, THEREFORE, BE IT RESOLVED,** by the Council of the City of Batavia that the following appointments be made:

# Youth Board

Sonya Alwardt

December 31, 2024

**Motion Seconded by Councilmember And on roll call** 



Phone: 585-345-6313 Fax: 585-343-9221

www.batavianewyork.com



# Memorandum

To:

Rachael Tabelski, City Manager

From:

Lisa Neary, Deputy Director of Finance

Date:

April 13, 2022

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.

The threshold for the requirement of a purchase order is being changed from \$1,000 to \$5,000. Each place within the Procurement Manual, where this threshold is noted has been updated and is included in the list below. In addition, the list of Individuals Responsible for Purchasing has been updated.

I am attaching the City's Purchasing Manual changes:

- 1. Appendix B Individuals Responsible for Purchasing
- 2. III. General Purchasing Procedure
- 3. VII. Purchasing Flow Chart
- 4. Appendix A Threshold Grid
- 5. Appendix C Purchasing Approval Chart (is being removed from the manual because this is now an electronic workflow within the City's New World software system).

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

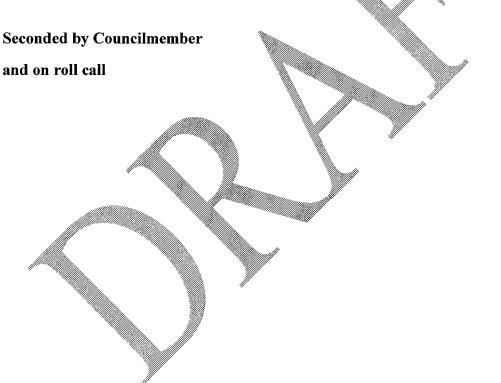
# **Motion of Councilmember**

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 8, 2021; 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 immédiately.



# III. General Purchasing Procedure

The acquisition of services, equipment and supplies in the City of Batavia is decentralized whereby each individual responsible for purchasing (as listed in Appendix B) is responsible for complying with this policy and the procedures set forth therein. The City will not be liable for any purchases made not in compliance with this policy and the person responsible for said purchase may be held personally accountable for the purchase. Those responsible individuals listed in Appendix B shall procure the necessary items of material, equipment, supplies and services as needed, at the best possible prices and maintain adequate records as verification of such.

The first step in procurement is to determine the type of service or good needed. A "purchase contract" is for the purchase of goods. A "public works contract" applies to those items or projects involving primarily labor or both material and labor where labor is the major portion of the purchase. A professional service is a service that requires special skill, expertise and/or creativity.

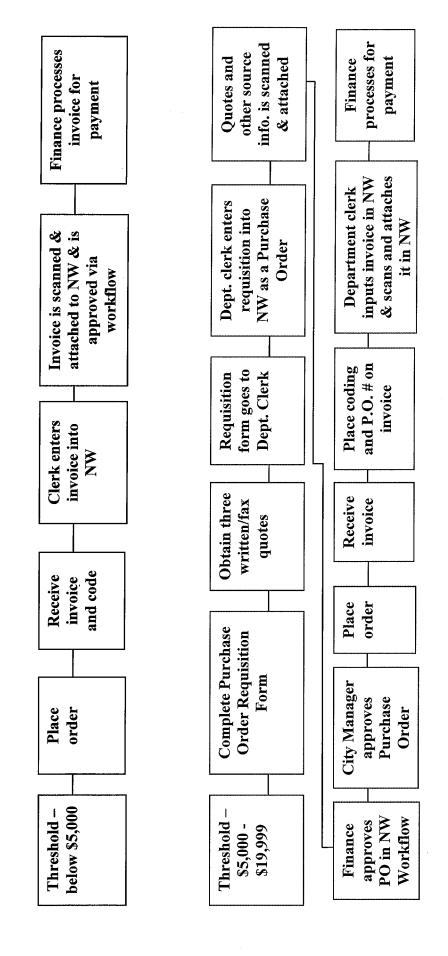
The next step in the procurement process is to determine the dollar threshold of the item being purchased. This will dictate the appropriate method of procurement as shown in Appendix A. That dollar threshold is the aggregate amount planned to be spent on the same or similar commodities or services, and technology within 12 months. "Like" commodities are those items of a similar nature, which are generally handled by one vendor (ie. cleaning supplies, office supplies) and should be grouped together for the purpose of determining whether you will exceed the \$20,000 limit. A series of transactions, each under the threshold, is subject to competitive bidding if it can be reasonably anticipated that the aggregate amount will exceed the threshold. If the actual cost of any purchases or projects are uncertain but suspected to exceed the limit, discretion will be used and the bidding procedure will take effect. Thresholds may not be avoided by artificially splitting contracts or purchases.

After the necessary due diligence in finding an appropriate vendor, a purchase shall be initiated via requisition within the City's financial software if the purchase is \$1,000-5,000 or more. Any documentation supporting the required due diligence shall be scanned and attached to the requisition. See the "Requisition Forms and Input" section of this policy for instructions to complete this process.

All requisitions shall be reviewed by the Bureau of Finance to ensure compliance with this purchasing policy and procedure. Requisitions shall not be submitted for processing until it is assured that all required information is attached and made available. After Finance approval that all steps in the procurement process have been followed appropriately, the requisition shall become a purchase order which will be forwarded to the City Manager or Department Head (see Appendix A) for final approval. Approvals will be sought in accordance with the City's Purchasing Approval Chart found in Appendix C. Only after the City Manager or Department Head has approved the Purchase Order can an order be placed or a contract for service signed.

At fiscal year end, no requisition will be approved unless the goods are to be ordered, or the contract for services to be provided is signed, prior to the end of the fiscal year. Requisitions may not be created on March 31<sup>st</sup> for the sole purpose of carrying an encumbrance forward into the next fiscal year.

VII. <u>Purchasing Flow Chart</u> Purchase Contracts



# Appendix A – mresnoja Oria

The following charts constitute a minimum requirement for the acquisition of goods and services. When appropriate you may choose a greater level of competition. Threshold amounts are determined based on the aggregate amount reasonably expected to be spent on the same or similar goods/services within a 12 month period. See the "General Purchasing Procedure" section for more aggregate information.

# Purchase Contract

Requirement Approximat		ľ	VVC Com and Attach
Department Head		Use qu	Use quote tab
written/fax quotes City Manager Use qu		Use qu	Use quote tab and sean & attach Requisition, quotes and any
docum	docum	docum	documentation to support due diligence
competitive bid — City Council Refere		Refere	Reference contract # and scan & attach bid or contract
Requis	Requis	Requis	Requisition, bid, bid results, council resolution and any
docum	docum	docum	locumentation that supports or is required to prove due diligence

# Exceptions:

- that purchase order may be amended up to a total of \$5,000 10,000 for actual repairs upon provision of a written estimate by the Where City owned equipment has been sent to an authorized shop for an estimate for necessary repairs under a purchase order, shop without additional quotes required. The written estimate must be signed by the Department Head before authorization may be given to vendor to complete the work of the original purchase order.
- For insurance recoverable expenses, a purchase order can be issued after two (2) three quotes/vendor prepared estimates are Every attempt will be made to receive the number of quotes required. In the event a vendor is unable to quote, make an attempt received and one is accepted by the City's insurance adjuster. ж. ri
  - to get a letter stating the vendor was unable to quote and the reason is to be scanned and attached to the requisition.
    - Any requisition that is over budget and any emergency purchase will require City Manager approval. 4.

# Public Works Contract

KVS Scan and Attach	Use quote tab	Use quote tab and sean & attach Requisitions, quotes and any	documentation to support due diligence	Reference contract # and scan & attach bid or contract Requisition,	bid, bid results, council resolution and any documentation that	supports or is required to prove due diligence
Approval-	Department Head Use quote tab	City Manager		City Council		
Requirement	2 verbal quotes	3 written/fax quotes		Competitive bid		
Threshold	\$1,000 - \$4,999   2 verbal quotes	\$ 5,000-\$34,999		\$35,000 and over		

# Appendix B

Individuals Responsible for Purchasing

Last Name	First Name	Title
Allen	Scott	Superintendent of Maintenance
Betters	Kelly	Human Resource Clerk
Bolles	Eric	Police Sergeant
Call	James	Fire Captain
Camp	Chris	Assistant Police Chief
Cassidy	Amy	Deputy Clerk/Treasurer
Chilano	Meg	Administrative Assistant
Coffey	Dan	Police Sergeant
Cowen	Mitchel	Police Sergeant
Dean	Teri	Financial Clerk/Typist
Dickson	Angela	Confidential Secretary
Downey	McKenna	Secretary
Fairbanks	Dawn	Director of Human Resources
Ficarella	Michael	Superintendent of Water and Wastewater
Fix	Bob	Fire Captain
Frank	Brett	Director of Public Works
Green	Dave	Fire Lieutenant
Herberger	Dan	Fire Captain/Interim Fire Chief
Heubusch	Shawn	Police Chief
Hinz	Marty	Fire Captain
Houseknecht	Doug	Water & Wastewater Maint. Supervisor
Ireland	Gregory	Fire Captain
Klein	Vickie	Assessment Clerk
Lawrence	Marc	Police Sergeant
Lutey	Matthew	Police Detective Sergeant
Metz	Brian	Supervisor, Public Works
Morris	Michael	Fire Lieutenant
Neary	Lisa	Deputy Director of Finance
Palmer	Patty	Senior Clerk Typist
Parker	Heidi	Clerk/Treasurer
Patterson	Rebecca	Secretary
Saulsbury	Rhonda	Assessor
Stevenson	Brett	Supervisor, Public Works
Tabelski	Rachael	City Manager
Tedford	Robert	Fire Lieutenant
Tourt	Ray	Director of Public Works
Volk	Kevin	Chief WW Treatment Plant Operator
Weibel	Nelson	Chief Water Treatment Plant Operator
Whitcombe	Jeff	Fire Lieutenant





# Memorandum

To:

Honorable City Council Members

From:

Jill M. Wiedrick, AICP, Assistant City Manager

Date:

March 25, 2022

Subject:

Resolution to enter into a Memorandum of Understanding between the City and Cornell

Cooperative Extension for Operation of the Community Garden.

The Batavia Community Garden was formed in 2011 by a group of volunteers with a mission to address food insecurity in the community. Through partnership with the City of Batavia and other local civic groups, the former City public pool was transformed into an active community garden. Over the years, the Batavia Community Garden has continued to increase in size—from four raised beds in 2011 to 42 raised beds in 2020. The Batavia Community Garden has been successful in engaging young families, retirees, and people with disabilities in the activity of gardening.

To continue these efforts and to continue to grow the Batavia Community Garden, the City of Batavia and Cornell Cooperative Extension of Genesee County are desirous to transfer operation of the Batavia Community Garden to Cornell Cooperative Extension of Genesee County.

This agreement will transfer operation of the Community Garden to Cornell Cooperative Extension of Genesee County, including use of City land, all funds received for the 2022 season thus far, and use of the stone house onsite for storage. In addition, the City of Batavia will contribute \$1,000 initially (FY 22/23) and then \$2,500 annually (beginning in FY 23/24) to Cornell Cooperative Extension of Genesee County to be dedicated specifically to the operation and maintenance of the Batavia Community Garden.

Cornell Cooperative Extension of Genesee County will assist the Community Garden Committee in operations, including technical and administrative supports, as well as offer education programing to all participants of the Community Garden.

This agreement will be for a term of 5 years and may be renewed for another five year term on mutual agreement.

I am requesting that this item be reviewed at the April 25<sup>th</sup> Conference Meeting and that action be taken on the item at the May 9<sup>th</sup> Business Meeting.

Office of the City Manager One Batavia City Centre Batavia, New York 14020 Phone: 585-345-6330 Fax: 585-343-8182

www.batavianewyork.com

# **#XX-2022**

# A RESOLUTION AUTHORIZING THE CITY COUNCIL PRESIDENT TO SIGN A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CORNELL COOPERATIVE EXTENSION OF GENESEE COUNTY AND THE CITY OF BATAVIA FOR THE OPERATION OF THE COMMUNITY GARDEN

# **Motion of Councilmember**

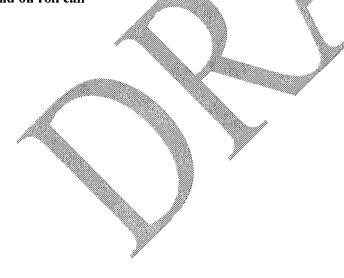
WHEREAS, the City of Batavia is desirous of entering into a Memorandum of Understanding with Cornell Cooperative Extension of Genesee County, for the operation of the Community Garden; and

WHEREAS, the City of Batavia and Cornell Cooperative Extension of Genesee County are desirous to see the Community Garden to continue to grow; and

WHEREAS, the City of Batavia acknowledges the experience and ability that Cornell Cooperative Extension of Genesee County possesses in gardening and community leadership; and

**NOW THEREFORE, BE IT RESOLVED**, that the City Council President for the City of Batavia is hereby authorized to sign a Memorandum of Understanding with Cornell Cooperative Extension of Genesee County as attached hereto.

Seconded by Councilmember and on roll call





Red line represents boundary of Community Garden (4/2022)

# Memorandum of Understanding

# City of Batavia

### And

# Cornell Cooperative Extension of Genesee County

The Batavia Community Garden was formed in 2011 by a group of volunteers with a mission to address food insecurity in the community. Through partnership with the City of Batavia and other local civic groups, the former City public pool was transformed into an active community garden. Over the years, the Batavia Community Garden has continued to increase in size—from four raised beds in 2011 to 42 raised beds in 2020. The Batavia Community Garden has been successful in engaging young families, retirees and people with disabilities in the activity of gardening.

To continue these efforts and to continue to grow the Batavia Community Garden, the City of Batavia and Cornell Cooperative Extension of Genesee County are desirous to transfer operation of the Batavia Community Garden to Cornell Cooperative Extension of Genesee County.

# The City of Batavia will:

- Continue to allow for the use of City land for the Batavia Community Garden (map attached)
- Provide all current registration forms to include Release and Indemnification form, registration history, brochures in electronic format to CCE Genesee
- Transfer any fund previously received for the 2022 season to CCE Genesee
- Provide a link to the CE Genesee website under Community Garden on the City's website
- The Bureau of Water and Wastewater will turn on the water at the beginning of the garden season and turn it off at the end of the garden season. The specific dates shall be mutually agreed upon.
- Allow for use of the stone house onsite for storage.
- Contribute \$1,000 initially (FY 22/23) and then \$2500 annually (beginning in FY 23/24) to Cornell Cooperative Extension of Genesee County to be dedicated specifically to the operation and maintenance of the Batavia Community Garden

# Cornell Cooperative Extension of Genesee County will:

- Offer educational programming to all participants of the Community Garden
- Collect all Batavia Community Garden applications and fees
- Require an executed Release and Indemnification from each participant naming the City of Batavia prior to participation in the Community Garden
- Assist the Batavia Community Garden Committee in operations, including technical and administrative support
- Purchase all of equipment and supplies
- Store all Equipment and supplies that exceeds the storage structures located onsite at Cornell Cooperative Extension of Genesee County location
- Provide maintenance as needed to

- keep the site clean and free of trash and debris
- o ensure that all fencing is not in disrepair and secures the site
- Provide the City with a certificate of insurance naming the City of Batavia as named insured in the amount
  of \$1 million per occurrence and \$2 million per aggregate

The City of Batavia agrees to defend, indemnify and hold Cornell Cooperative Extension of Genesee County harmless for claims, costs, expenses and damages incurred by Cornell Cooperative Extension of Genesee County as a result of negligence by the City of Batavia arising under this agreement.

Cornell Cooperative Extension of Genesee County agrees to defend, indemnify and hold the City of Batavia harmless for claims, costs, expenses and damages incurred by the City of Batavia as a result of any of the services provided by the Cornell Cooperative Extension of Genesee County as a result of this agreement.

This agreement is effective April 1, 2022 – March 31, 2027 and will be reviewed by both parties and may be renewed for another five year term on mutual written approval. The City of Batavia and/or Cornell Cooperative Extension of Genesee County may terminate this agreement upon 60 days notice to other party. In the event of such a termination, all obligations would cease upon the termination date.

Executive Director, Cornell Cooperative Extension of Genesee County	 Date
President, Batavia City Council	Date