

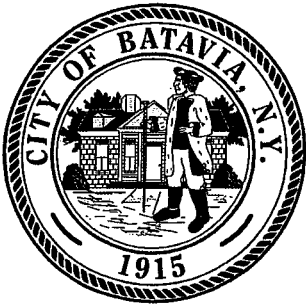
**BATAVIA CITY COUNCIL  
SPECIAL CONFERENCE MEETING**

**City Hall - Council Board Room  
One Batavia City Centre  
Monday, January 9<sup>th</sup>, 2023  
7:00 PM**

**AGENDA**

- I. Call To Order
- II. Invocation – Councilmember Jankowski
- III. Pledge Of Allegiance
- IV. Swearing In Of New Police Chaplin (Zack Dawson)
- V. Proclamations – Pastor Shirk & Wade Schwab
- VI. BDC Presentation
- VII. PBA Contract Agreement \*\*\*
- VIII. Sale Of Equipment To CAN USA \*\*\*
- IX. Use Of VLT Funds For Police Equipment \*\*\*
- X. Adjournment

\*\*\*Move to Tonight's Business Agenda



# City of Batavia

To: Honorable City Council  
From: Dawn Fairbanks, Human Resources Director  
Date: January 4, 2023  
Subject: PBA Tentative Agreement

The current collective bargaining agreement negotiated with the PBA union expires on March 31, 2023. Over the past several months, the City and union representatives have been negotiating terms for a new agreement. On December 7, 2022, a Tentative Agreement was reached with the PBA Union which union membership ratified on December 19, 2022.

The PBA tentative 3-year agreement includes changes to the collective bargaining agreement as follows:

- One-time salary adjustment
- Salary Increase of 3% for the first year, and 2.5% for the second and third year
- Increased healthcare premiums of 15%-30%
- Call In Pay for Certified Drug Recognition Experts
- Added Holiday (Juneteenth)
- \$1,500 American Rescue Plan Act (ARPA) payment
- Other miscellaneous language changes

**Total Budget Impact:** the cost of the three-year contract is approximately \$296,220

**Recommended Action:** It is recommended that City Council approve the Tentative Agreement with the PBA Union.

**Supporting Documents:**

1. Draft Resolution

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#XX-2023

**A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT  
WITH THE POLICE BENEVOLANT ASSOCIATION (PBA)**

**Motion of Councilperson**

**WHEREAS**, the City of Batavia and the PBA have had collective bargaining sessions; and

**WHEREAS**, the parties have since been able to negotiate a tentative collective bargaining agreement; and

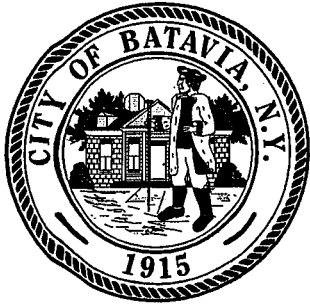
**WHEREAS**, City Council is of the opinion that it is in the best interest of the City of Batavia to approve the tentative collective bargaining agreement as negotiated; and

**WHEREAS**, on December 19, 2022 the PBA Union secured the necessary votes to ratify the tentative agreement; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council President be and is hereby authorized and directed to execute said collective bargaining agreement.

**Seconded by Councilperson  
and on roll call**

**DRAFT**



# City of Batavia

## *Memorandum*

To: Honorable Council Members

From: Rachael J. Tabelski, City Manager

Date: December 27, 2022

Subject: Sale of Equipment to Can-USA Sports LLC.

The City of Batavia purchased the following equipment for use and operations at Dwyer Stadium by the New York Penn League. The equipment is still in use at Dwyer stadium, but the City would like to sell the equipment to Can-USA Sports LLC.

1. 2015 John Deere 4X2 Gator (Gator)
2. 2009 Jacobson LF 1880 2X4 (Ride on Reel Mower)
3. 2012 John Deere 1200 Hydro (Bunker Rake)
4. 2010 Toro Groundsmaster 1000 (Walk Behind Reel Mower)

Can-USA Sports, LLC. has been operating the field and the Batavia Muckdogs for the last two years. And at a recent City Council presentation Robbie Nichols, owner, touted the success they have had in the Batavia market with the Muckdogs.

After execution of the Bill of Sale Can-USA will own and be responsible for the equipment.

I recommend that the City Council, of the City of Batavia move this item for approval at tonight's business meeting.

**#XX-2023**

**A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE A BILL OF SALE ON BEHALF OF THE CITY OF BATAVIA WITH CAN-USA SPORTS, LLC.**

**Motion of Councilmember**

**WHEREAS**, the City of Batavia purchased several pieces of equipment for use at Dwyer Stadium by the Penn League; and

**WHEREAS**, The New York Penn League has been disbanded and a new operator, CAN-USA Sports, LLC. is operating at Dwyer Stadium and running the Batavia Muckdogs in the Perfect Game Collegiate Baseball; and

**WHEREAS**, CAN-USA Sports, LLC. is willing to purchase a 2015 John Deere 4X2 Gator (Gator), a 2009 Jacobson LF 1880 2X4 (Ride on Reel Mower), a 2012 John Deere 1200 Hydro (Bunker Rake), and a 2010 Toro Groundsmaster 1000 (Walk Behind Reel Mower) for use at the field; and

**WHEREAS**, The City of Batavia is willing to sell these items to the operator.

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the City of Batavia, that it authorizes the City Manager to sign a Bill of Sale to sell this equipment.

**Seconded by Councilmember  
and on roll call**

**DRAFT**

## BILL OF SALE

CITY OF BATAVIA, a municipal corporation duly organized and existing under the laws of the State of New York, having its principal office at 1 Batavia City Centre, Batavia, New York 14020 (the "City"), for and in consideration of the sum of Six Thousand Dollars (\$6,000), the receipt of which is hereby acknowledged, for itself, conveys, transfers, sets over and assigns lien free, on January \_\_, 2023, to Can-USA Sports LLC, a limited liability company duly organized and validly existing under the laws of the State of New York, having a mailing address of 299 Bank Street, Batavia, New York 14020 (the "Company"), and its successors and assigns, all of the City's right, title and interest, of whatever kind, in and to the equipment (more particularly described in Exhibit A hereto). This Bill of Sale shall become effective as to each items of equipment as and when it is delivered to the site of the Facility.

To have and to hold the same to the Company, its successors and assigns forever. The City covenants and agrees to and with the Company, its successors and assigns that the City is the owner of said equipment set forth on Exhibit A and has good right and full title to sell the same, and the City will defend the sale hereby made onto the Company, its successors and assigns, against all and every person or persons, whomsoever lawfully claiming or to claim the same.

(Remainder of Page Intentionally left Blank – Signature Page Follows)

IN WITNESS WHEREOF, the Company has caused this Bill of Sale to be signed by its duly authorized representative as of the date first above written.

CITY OF BATAVIA

By: \_\_\_\_\_  
Name: Rachael Tabelski  
Title: City Manager

STATE OF NEW YORK    )  
  ) ss:  
COUNTY OF GENESEE    )

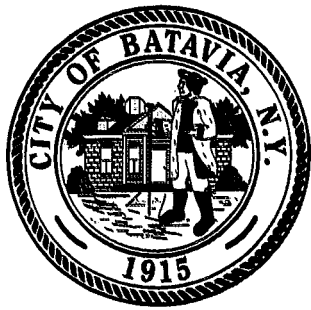
On the \_\_\_\_ day of December in the year 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Rachael Tabelski, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her capacity, and that by her signature on the within instrument, the individual, or the person or entity on behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

## **EXHIBIT A**

1. 2015 John Deere 4X2 Gator vin# 1m04X2XDHFM101357 (Gator)
2. 2009 Jacobson LF 1880 2X4 vin# 6795501725 (Ride on Reel Mower)
3. 2012 John Deere 1200 Hydro vin# 1TC1200HJCT050097 (Bunker Rake)
4. 2010 Toro Groundsmaster 1000 vin# EX130DRN7129319 (Walk Behind Reel Mower)





# City of Batavia

## *Memorandum*

To: Rachael Tabelski, City Manager

From: Shawn Heubusch, Police Chief

Date: January 4, 2023

Subject: End of Year Purchase Requests

The following is a list of items we discussed for year-end purchases that were not able to be included in the 2023-24 budget. I submit them for your consideration and review, please let me know if you have any questions.

### **Firearms Program**

At the recommendation of the Department's firearms unit, I am requesting funding to transition our current department -issued duty weapon from the Glock 22, 40 caliber to the Glock 17, 9mm. The detailed justification is outlined in the attached MEMO from former Sergeant Marc Lawrence based on research by the entire firearms unit.

The Department will need to replace each member's issued sidearm as well as holsters, further we are recommending purchasing a Red Dot Sight to enhance the marksmanship of each member.

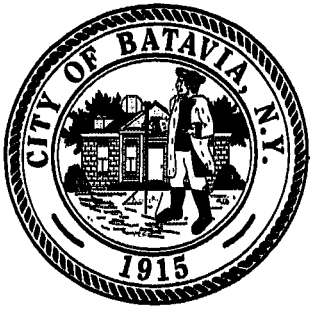
Also, the Department currently deploys an AR-15 rifle for use by patrol, but we have seen a gap insomuch as the members of the Detective Bureau do not have rifles assigned to them. In an active shooter situation, the AR-15 rifle is the preferred armament to address the situation. It would be a hindrance in that situation for all of our members not to be able to deploy a rifle for response, therefore we are requesting to purchase 5 rifles to ensure each member of the Department will have access to one during this type of incident.

Total cost of replacement plan is approximately \$62,292.

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



**Phone: 585-345-6350  
Fax: 585-344-1878  
Records: 585-345-6303  
Detective Bureau: 585-345-6370  
[www.batavianewyork.com](http://www.batavianewyork.com)**



## Community Speed Display Signs

Over the last few years that have been a few requests made from residents across the City to have some sort of static speed display sign in their neighborhood to encourage people to slow down and have a visual reminder of the City speed limit.

Currently the Department owns a single speed display sign that is mounted on a trailer and is deployed to various areas based upon complaints from the community as well as setting it up proactively during certain times of the year. Other communities across our region do have some static speed display signs posted in various areas in their communities, usually found along the more heavily traveled State Touring Routes to remind motorists that may not be familiar with the posted speed limit. The signs are electronic and generally have an LED display that shows the motorists speed and will blink or have a warning message displayed when the limit is exceeded. These are great visual reminders and reinforce the speed limits in appropriate areas.

I am recommending the purchase of four of these signs that will be permanently mounted in designated areas throughout the City to encourage motorists to obey the speed limit.

Attached is an estimate for this purchase (single unit estimate). Total cost is approximately \$20,908.

## Street Surveillance Camera Replacements

Currently the street surveillance camera systems we have in place are starting to show their age and are breaking down a significant amount of time, therefore the Department needs to invest in replacing them and/or upgrading them to meet current specs. As you are aware these cameras have been instrumental in solving cases across the spectrum for the Department.

I am requesting we purchase a new camera system at a cost of approximately \$6500 and upgrade the other cameras at a cost of approximately \$2500 each for a total upgrade/replacement cost of \$16,500.

Total spending request for the Department is \$99,700.

Thank you.

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



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#-2023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BATAVIA  
AUTHORIZING THE CITY MANAGER TO AMEND THE FY2/23 BUDGET FOR THE  
ACQUISITION OF EQUIPMENT FOR THE POLICE DEPARTMENT**

**Motion of Councilmember**

**WHEREAS**, the City Council of the City of Batavia has determined that operational equipment for the Police Department needs to be purchased and replaced; and

**WHEREAS**, Video Lottery Terminal (VLT) funds (\$440,789) were received by the City of Batavia after being reinstated by the State Legislature into the New York State final budget; and

**WHEREAS**, these funds are considered a windfall to the City as they were not budgeted for and should only be used on one-time purchases and to cover end-of year overruns; and

**WHEREAS**, \$100,000 of VLT funds will be used to purchase essential equipment including department-issued firearms, patrol rifles, community speed display signs and street surveillance cameras.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Batavia authorize the City Manager to recognize VLT revenue and amend the FY22/23 budget as follows:

**Increase Revenue:**

A.00.0000.0000 3014	State Aid, VLT/Tribal Compact Monies	\$100,000
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**Increase Expense:**

A.04.3120.3120 201	Police Small Equipment	\$100,000
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**Seconded by Councilmember  
and on the roll call**