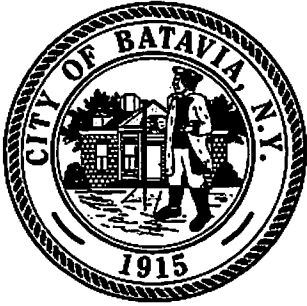


BATAVIA CITY COUNCIL CONFERENCE MEETING

**City Hall - Council Board Room
One Batavia City Centre
June 28, 2021 at 7:00 p.m.**

AGENDA

- I. Call to Order
- II. Invocation – Councilmember Viele
- III. Pledge of Allegiance
- IV. Public Comments
- V. Council Response to Public Comments
- VI. Communications
 - a. Royals Barber Shop Kickball Tournament – July 18th
- VII. Council President Report
 - a. Announcement of the next City Council Business and Conference Meeting to be held on Monday, July 12, 2021 at 7:00 p.m. at the City Hall Council Board Room, 2nd Floor, City Centre
 - b. Thank you to Fire Chief Stefano Napolitano
- VIII. Bail Reform Letter
- IX. Support Consolidated Funding Application through Community Development Block Grant – Jackson Street Water
- X. Schedule a Public Hearing for CDBG Application – Jackson Street Water
- XI. Adjournment



City of Batavia

MEMORANDUM

To: Rachael Tabelski, City Manager
From: Heidi J. Parker, Clerk-Treasurer
Date: 6/23/21
Subject: **Event Summary**

Below please find the summary for the events to be reviewed by City Council on June 28, 2021:

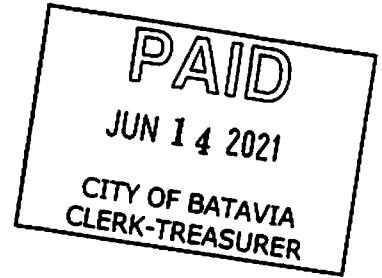
Royals Barber Shop Kickball Tournament – 7/18/21

There were no costs from the departments.

****NOTE** – Event sponsors are responsible for any costs that may be incurred because of their event and have been made aware of this change until further notice.



City of Batavia
Batavia, New York 14020
(585) 343-6300



Official Use Only:

2021-20
Event Application #:

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

Event Sponsor Royals Barber Shop

Type of Event Kickball Tournament

Date of Event 7/18/21

Time of Event (don't include set up time here - just actual event time) 9am - 8pm

Location of Event 101 Pearl St. Williams Park

Details of Event (be as specific as possible!) Kickball tournament between local businesses in Batavia. There will be a concession stand selling hot dogs, burgers, drinks, chips and candy to raise money for Just Kings back to school event.

Contact Information:

Primary contact:

Secondary contact:

Name Brandon Armstrong

Phone # 585-993-2750

E-mail address RoyalBarber585@yahoo.com

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

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

Type of alcoholic beverage to be served: Liquor Wine Beer

Will you be providing alcohol to your group? Yes No

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

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

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

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

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

EVENT INFORMATION (required):

Set up date: 7/18/21

Set up time: 8am

Tear down date: 7/18/21

Tear down time: 8pm

PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:

Date: 7/18/21

Start time: 9am

End time: 8pm

Estimated crowd size: 100

of Vendors/Displays 1

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

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

Address, Street _____ City _____ Zip Code _____

CITY SERVICES SUPPORT:

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

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

ELECTRIC:

Will electric be needed for the event? Yes No

What will you be providing electric to? Bluetooth Speaker for music.

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

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

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

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

Will Tents/Canopies or other membrane structures be erected at event?
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 pop-up structures

Please list size(s) of Tents/Canopies or other temporary structures erected* 10 X 10

ANCHORING INTO PAVEMENT IS PROHIBITED!

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

STREET CLOSURE(S):

ANY EVENT REQUIRING A STREET CLOSURE REQUIRES 90 DAY ADVANCE NOTICE

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

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

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

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

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

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

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

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.

PLEASE NOTE:

1. Be as specific as possible in the description so we have the best understanding of your event. Also, be clear as to what you would like provided by the City. **Applications should be submitted at least 30 days in advance.**
2. Fire hydrants, Cross Streets/Alleys and Store Fronts **Shall Not Be Blocked** by any Vehicle or Concession at any time.
3. An Emergency Vehicle Safety Lane Must be Maintained at All times at All Locations
4. Fuel Containers Must be of an Approved type and Must be Properly Secured
5. Deep Fryers Must Be Approved. Commercial Types Require a Type "K" Portable Fire Extinguisher
6. All Food Vendors Must Have a Type ABC Fire Extinguisher. All Fire Extinguishers Must Be Inspected Within The Last Year. **A Valid Health Department Permit Must Be Displayed.**
7. No grease or substance of any kind may be discharged upon the streets, sidewalks, or into the storm drains and/or sewers
8. City Sign Ordinances Shall Be Complied With At All Times And In All Regards
9. No paint or other markings may be placed on the street surface.
10. Any overtime and/or material costs in excess of \$500, as determined by City Departments, must be paid by the event sponsor or other party. The application fee is due at time of submission of the application 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

Royals Barber Shop, 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 Royals Barber Shop (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.

6/14/21
Date:


Royals Barber Shop
Name of Event Sponsor:


Authorized Signature, Title

Brandon Armstrong
Name - Printed or Typed

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

6/14/21
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

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

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

Event Application #: _____

Department: _____
List Department Name Here

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

Department Cost Estimate: _____
if applicable

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

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

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

Appendices

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

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

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

Inspection performed by: _____

Date: _____



City of Batavia

June 28, 2021

Hon. Carl E. Heastie
Speaker
New York State Assembly
LOB 932
Albany, NY 12248

Hon. Andrea Stewart-Cousins
President Pro Tempore and Majority Leader
New York State Senate
172 State Street
Capitol Building, Room 330
Albany, NY 12247

Hon. Crystal Peoples Stokes
Majority Leader
New York State Assembly
425 Michigan Avenue
Buffalo, NY 14203

Dear New York State Senate and Assembly Leaders:

On behalf of the City of Batavia, we are very concerned about the recent impacts of bail reforms passed by the New York State Legislature. While well intentioned, these reforms are having serious consequences regarding public safety across New York State, including smaller urban areas such as Batavia. In fact, criminal elements from both Rochester and Buffalo have an even more visible presence in Batavia.

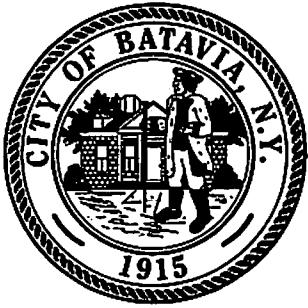
If criminals know there are no consequences for their actions because they will be right back out on the street, then it is only logical that crime is going to increase. That is what is occurring across New York, including Batavia.

We commend the Legislature's efforts to roll back some of the original reforms that were passed last year, such as allowing judges to set bail for more criminal charges that had eliminated bail. We respectfully request that the Legislature consider adding more crimes in which judges have the discretion to set bail, including restoring bail for any crime involving a gun.

At the end of the day, judges should be able to determine whether a violent criminal poses a dangerous threat to the community and can be held without bail.

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

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



City of Batavia

As representatives of the residents and taxpayers of the City of Batavia, we respectfully request that in your significant role in leadership in the New York State Assembly, that bail reform be revisited by the New York State Legislature in due haste.

Sincerely,

Eugene Jankowski Jr.
City Council President

Paul L. Viele
First Ward/Pres. Pro Tem.

Jeremy W. Karas
Councilmember-At-Large

F. Robert Bialkowski
Councilmember-At-Large

Patti A. Pacino
Second Ward

John L. Canale
Third Ward

Alfred L. McGinnis
Fourth Ward

Kathleen Briggs
Fifth Ward

RoseMary Christian
Sixth Ward

cc: New York State Assemblyman Stephen Hawley
New York State Senator Edward Rath
New York State Minority Assembly Leader William Barclay
New York State Minority Senate Leader Robert Ort



City of Batavia

Memorandum

To: Honorable City Council

From: Rachael J. Tabelski, City Manager

Date: June 21, 2021

Subject: 2021 Funding NYS Community Development Block Grant (CDBG) Application

The City has successfully applied for and received funding through the CDBG program.

- 2009 Bank Street waterline \$411,000
- 2014 Housing Rehab grant \$400,000
- 2017 Storm Water Capital Plan \$50,000
- 2017 Brooklyn Water \$330,000

Attached is a resolution authorizing the submission of the City's CDBG application for the Replacement of the 4" and 6" lines on Jackson St. and replace with 8" water main. The project has an estimated cost of \$1.36 Million

Currently there is a 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. A 6" runs from Central to Ellicott St. The commercial section of Jackson, North of Ellicott St., will be a separate project.

The project will include the design, bid and construction of a water system improvement project that includes the replacement of the two existing lines. The City will eliminate a 4" water main that was original to the street, and eliminate a circa. 1960's - 6" water main to transfer all services over to an 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



City of Batavia

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 FY21/22. I recommend that City Council advance the resolution to submit the CBDG grant application to the next business meeting, and approve for submission.

#-2021

**A RESOLUTION TO SUPPORT THE SUBMISSION A COMMUNITY
DEVELOPMENT BLOCK GRANT – CONSOLIDATED FUNDING APPLICATION
FOR JACKSON STREET**

Motion of Councilmembers

WHEREAS, the Community Development Block Grant (CDBG) in partnership with the New York State Department of State, is offering funding for economic development and infrastructure projects; and

WHEREAS, the City of Batavia is eligible to apply for CDBG grants; and

WHEREAS, the City of Batavia would like to apply for an infrastructure grant to upgrade water lines on Jackson Street; and

WHEREAS, the estimated cost of the project is \$1.36 million; and

NOW THEREFORE, BE IT RESOLVED, that the City Manager of the City of Batavia, New York, is hereby authorized as the official representative of the City to execute and submit a Consolidated Funding Application for Community Development Block Grant funding to the administrative agency for the Fiscal Year 2021 program, all understandings and assurances contained therein, and is hereby directed and authorized to act in connection with the submission of the application and to provide such additional information as may be required.

**Seconded by Councilmember
and on roll call**

#-2021

**A RESOLUTION TO SCHEDULE A PUBLIC HEARING TO PROVIDE
INFORMATION TO THE PUBLIC ON THE COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) PROGRAM**

Motion of Councilmembers

WHEREAS, it is the desire of the City of Batavia to submit a funding application for the Program Year 2021 New York State Community Development Block Grant (CDBG) program; and

WHEREAS, the process for CDBG applications involves holding one public hearing prior to submission of any CDBG grant applications to provide residents with information about the CDBG program and to discuss community development needs and priorities; and

WHEREAS, residents are invited to attend the hearing to assist the City in defining community development priorities.

NOW THEREFORE, BE IT RESOLVED, that the City of Batavia will hold a Public Hearing on the CDBG program at City Hall, One Batavia City Centre, Batavia, NY at 7:00 p.m. on July 12, 2021; and

BE IT FURTHER RESOLVED, that the City Clerk publish or cause to be published a Public Hearing notice in the official newspaper of the City of said Public Hearing.

**Seconded by Councilmember
and on roll call**