



**BATAVIA CITY COUNCIL
BUSINESS MEETING**

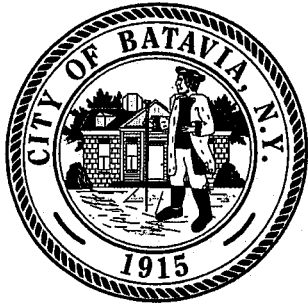
**City Hall - Council Board Room
One Batavia City Centre
Monday, May 10, 2021
7:00 PM**

AGENDA

- I. Call to Order
- II. Approval of March 2021 Financials
- III. Approval of April 2021 Minutes
- IV. Assignment of Agenda Items
- V. Communications
 - a. All Babies Cherished – Saturday, May 22, 2021 – Event in City Centre Concourse
- VI. Council President Report
 - a. Announcement of the City Council Conference Meeting to be held on Monday May 24, 2021 at 7:00 p.m. at the City Hall Council Board Room, 2nd Floor, City Centre.
- VII. City Attorney's Report
- VIII. City Manager's Report
- IX. Committee Reports
- X. Public Comments
- XI. Council Responses to Public Comments
- XII. Unfinished Business
- XIII. New Business
 - #37-2021 A Resolution To Enter Into An Agreement With Grove Roofing Services Inc. For Batavia City Centre Phase II Roof Replacement Project
 - #38-2021 A Resolution To Enter Into An Agreement With AJ's Tree Service For The Trimming And Removal Of City Trees Contract #2021-05
 - #39-2021 A Resolution Referring The Petition To Rezone 211 East Main Street To The Planning And Development Committee

#40-2021 A Resolution Closing the Mall Fund – A Governmental Special Revenue
Fund Effective May 10, 2021

XIV. Adjournment



City of Batavia

MEMORANDUM

To: Rachael Tabela, City Manager
From: Heidi J. Parker, Clerk-Treasurer
Date: 4/30/2021
Subject: Event Summary

Below please find the summary for the events to be reviewed by City Council on May 10, 2021:

All Babies Cherished Vendor Event – 5/22/21
Public Works OT cost estimate was \$40.59
There were no other 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) 345-6300

PAID
APR 20 2021
CITY OF BATAVIA
CLERK-TREASURER

Official Use Only:

2021-7
Event Application #:

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

Event Sponsor All Babies Cherished
Type of Event Vendor Event
Date of Event May 22nd, 2021 - Saturday
Time of Event (don't include set up time here - just actual event time) 10-4:00 or 10-2:00 pm
Location of Event Mall Concourse
Details of Event (be as specific as possible!) 35 vendors set-up in concourse (6 feet apart); Crafters, direct sales, artists, artisans.

Contact Information:

Primary contact:

Secondary contact:

Name Lucille Di Santo All Babies Cherished - (Sue + Mona)
Phone # 585-409-1237 585-344-5660
E-mail address Ldisanto@rochester.rr.com allbabiescherished.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: 5/22/21

Set up time: 8:00 am

Tear down date: 5/22/21

Tear down time: at end of event

PLEASE LIST ALL DATES / TIMES AND CROWD INFORMATION BELOW:

Date: 5/22/21

Start time: 10:00

End time: 4:00

Estimated crowd size: 100

of Vendors/Displays 35

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? lighting in hallway

Will generators be used? Yes No

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

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

TENTS/CANOPIES/POP-UPS:

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. _____

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:

_____	&	_____
<i>Street to be closed</i>	<i>Cross Streets</i>	
_____	&	_____
<i>Street to be closed</i>	<i>Cross Streets</i>	
_____	&	_____
<i>Street to be closed</i>	<i>Cross Streets</i>	
_____	&	_____
<i>Street to be closed</i>	<i>Cross Streets</i>	

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
11. The application fee is due at time of submission of the application and is non-refundable.
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

All Babies Cherished 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 in relation to activities described in this application and sanctioned by the issuance of a special event permit.

4/20/21
Date

All Babies Cherished
Name of Event Sponsor

Lucille DiSanto - Fundraiser
Authorized Signature, Title

Lucille DiSanto - Fundraiser
Name - Printed or Typed

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

4/20/21
Date

Lucille DiSanto
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	Approval

OFFICIAL USE ONLY	
Department	Approval

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

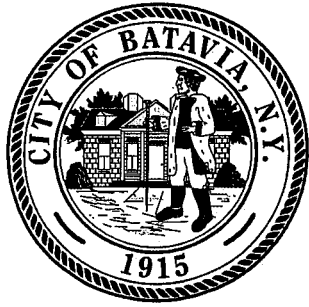
Estimate based on: *Fillable table - type your responses here:*

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

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



City of Batavia

Memorandum

To: Rachael Tabelski – City Manager

From: Ray Tourt Supt. of Maintenance

Date: May 3, 2021

Subject: City Centre Phase II – Roof Replacement

Please be advised that City Centre Phase II – Roof Replacement Project was bid on April 29, 2021 at 10 AM. We received bids from a single bidder. The lone bidder is Grove Roofing Services, Inc. of Buffalo, NY. Grove performed the first phase of City Centre roof repairs and the City was pleased with their work. The project bid is for \$161,890, this is \$1,890 higher than budgeted. Due to the erratic rise in construction material costs, could be reflection in slightly higher project cost. It is staff's recommendation for City Council to award the City Centre Phase II – Roof Replacement to Grove Roofing Services, Inc.

#37-2021

**A RESOLUTION TO ENTER INTO AN AGREEMENT WITH
GROVE ROOFING SERVICES INC. FOR BATAVIA CITY CENTRE PHASE II
ROOF REPLACEMENT PROJECT**

Motion of Councilmember

WHEREAS, the City of Batavia has solicited bids for the replacement of sections of concourse roof for the Batavia City Centre; and

WHEREAS, One bid were received on April 29, 2021 and Grove Roofing Services Inc. from Buffalo, NY was the lowest responsible bidder in the amount of \$161,890.00 for Batavia City Centre Phase II Roof Replacement Project; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the City Council President is hereby authorized on behalf of the City to execute the agreement "Phase II Roof Replacement Project" with Grove Roofing Services Inc.

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

#38-2021

**A RESOLUTION TO ENTER INTO AN AGREEMENT WITH AJ'S TREE SERVICE
FOR THE TRIMMING AND REMOVAL OF CITY TREES CONTRACT**

Motion of Councilmember

WHEREAS, services funded in fiscal year 2021/2022 City Budget; and

WHEREAS, a competitive bid was made by AJ's Tree Service of East Amherst, NY to provide services as specified in the contract document titled Trimming & Removal of City Tree #2021-05; and

WHEREAS, AJ's Tree Service is the lowest responsible bidder and has provided a per unit price bid included below; and

Tree Removal 12.0"-15.0" = \$350
Tree Removal 15.1"-18.5" = \$625
Tree Removal 18.6"-24.5" = \$825
Tree Removal 24.6"-30.5" = \$1000
Tree Removal 30.6"-36.5" = \$1150
Tree Removal 36.6" -42.5" = \$1950
Tree Removal 42.6" -48.5" = \$2000
Tree Removal Over 48.5" = \$ 2750
Tree Trimming = \$275

WHEREAS, The City will not exceed the budgeted amount of \$29,412 for the fiscal year 2021-22 and upon mutual agreement this bid may be extend for two consecutive.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the City Council President is hereby authorized on behalf of the City to execute an agreement with AJ's Tree Service for the annual service of Trimming & Removal of City Trees and two one-year extensions upon mutual agreement.

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

#39-2021

A RESOLUTION REFERRING THE PETITION TO REZONE 211 EAST MAIN STREET TO THE PLANNING AND DEVELOPMENT COMMITTEE

Motion of Councilmember

WHEREAS, the City Council is desirous of reviewing the Batavia Municipal Code, Section §190, in response to a petition from United Memorial Medical Center (UMMC), requesting a parcel, 211 East Main Street, to be re-zoned; and

WHEREAS, under the City Charter § 13-3 the City Planning and Development Committee shall have such powers and duties to serve in an advisory capacity and provide such advice as to assist the City Council in developing a strategy that interprets, plans and leads in the implementation of land use matters relating to public and private development within the City of Batavia; and

WHEREAS, General City Law - GCT § 27 provides City Council with the authority to refer matters to the Planning and Development Committee requesting reviews and recommendations regarding planning and development within the City of Batavia.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia hereby request that the City Planning and Development Committee review a Petition to Re-Zone 211 East Main Street, and make a recommendation to the City Council for consideration.

**Seconded by Councilmember
and on roll call**

#40-2021

**A RESOLUTION CLOSING THE MALL FUND – A GOVERNMENTAL SPECIAL
REVENUE FUND EFFECTIVE MAY 10, 2021**

Motion of Councilmember

WHEREAS, the City of Batavia financial records contain a Governmental – Special Revenue Fund called the Mall Fund (CM); and

WHEREAS, pursuant to the City of Batavia's settlement agreement with the Batavia City Centre Merchants Association, Inc., dated October 24, 2017, the Mall fund balance was turned over to the Merchants Association; and

WHEREAS, the payment of the Mall Fund Balance has cleared the City's financial institution effective April 19, 2021, leaving no cash or future transactions to be recorded in that fund.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the City Manager is hereby authorized to close the Mall Fund (CM) effective May 10, 2021.

**Seconded by Councilmember
and on roll call**