

CITY OF BATAVIA BUSINESS MINUTES AUGUST 9, 2021

The regular business meeting of the City Council was held Monday, August 9, 2021 in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Jankowski presiding.

Present were Council President Jankowski and Councilmembers Pacino, Briggs, Canale, Christian, McGinnis, Bialkowski, and Karas. Councilmember Viele was absent.

Council President Jankowski called the meeting to order at 7:33 PM immediately following the conference meeting.

The minutes from the July 2021 meetings and the June 2021 financials were approved.

The Council President assigned the regular agenda items.

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City Attorney's Report

Mr. Van Nest noted that they continued to work on a variety of matters but there was nothing specific to report. He did note that there was one item for executive session and the court system was starting to open back up with regards to code violations.

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City Manager's Report

Mrs. Tabelski thanked Ray Tourt and Bill Davis for their work on the wastewater treatment plant project that was now back up and running and hoped to be completed by Labor Day. She noted that there had been some minor repairs to the ice rink, Robbie Nichols from the Muckdogs wanted to give Council an update on his first season at Dwyer Stadium, and she has been working with Lisa Neary on use of the ARPA funds. She reported that the audit committee would meet in a couple of weeks, sales tax would be watched because of COVID concerns, and the mall roof work was continuing. Mrs. Tabelski noted that an RFP for the police station was going out in September and the software project continued with utility management and code/inspection conversions still underway and the new Assistant City Manager was heading that project. She noted that she may come back to Council with a fee schedule update to make the software work to the best of its ability. Council President Jankowski thanked her for the update on the sewer ponds and noted that it was very helpful for everyone to understand the situation and the progress.

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Committee Reports

None.

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Unfinished Business

Councilmember Christian thanked Council President Jankowski and the police for walking the wards with her and let the people see them out and about. Council President Jankowski suggested looking at Sumer St sidewalks as there were some where you had to really watch your step.

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#59-2021

A RESOLUTION ESTABLISHING THE CITY OF BATAVIA AS LEAD AGENCY UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR) FOR THE DOWNTOWN REVITALIZATION INITIATIVE PROJECT TO ENHANCE JACKSON SQUARE

Motion of Councilmember Bialkowski

WHEREAS, that in accordance with the New York State Environmental Quality Review (SEQR) regulations, the City Council of the City of Batavia hereby announces its intent to serve as Lead Agency to conduct an environmental review of State's Downtown Revitalization Initiative program to enhance Jackson Square and make it a year-round event venue.

WHEREAS, the project is located in the Jackson alley between Jackson and Center Streets in Downtown Batavia. Project components include decorative pavement, interpretive signage, a new permanent stage, catenary lighting and upgraded stormwater infrastructure.

NOW, THEREFORE BE IT RESOLVED, the City Council has determined that the proposed action is an Unlisted Action as defined under SEQR; and, be it

BE IT FURTHER RESOLVED, the City Council has commissioned LaBella Associates, D.P.C. to prepare Part 1 of the Environmental Assessment Form regarding the project.

BE IT FURTHER RESOLVED, the City Council will notify the Involved and Interested Agencies of its intention to act as Lead Agency for this project and will provide them with a copy of the completed Part 1 of the short Environmental Assessment Form for review during the 30-day comment period.

Seconded by Councilmember McGinnis and on roll call approved 8-0.

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Increase revenue accounts:

Increase revenue accounts:	
A.00.0000.0000 3389-211198	\$3,000.00

Increase expense accounts:	
A.05.3410.3410 299-211198	\$1,400.00
A.05.3410.3410 499-211198	\$1,600.00

Seconded by Councilmember Karas and on roll call approved 8-0.

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#62-2021

A RESOLUTION TO SUPPORT THE SUBMISSION OF A 2021 TRANSPORTATION ALTERNATIVES PROGRAM GRANT

Motion to Councilmember Pacino

WHEREAS, the New York State Department of Transportation announced the availability Transportation Alternatives Program (TAP) grant funding; and

WHEREAS, the TAP grant program provides up to \$5 million in grant funding for communities to implement alternative transportation projects; and

WHEREAS, the TAP grant program provides up to 80 percent of total project costs; and

WHEREAS, the City of Batavia desires to implement the Bank Street project;

NOW THEREFORE, BE IT RESOLVED, that the City of Batavia does hereby enthusiastically authorize submission of the Transportation Alternatives Program grant application;

BE IT FURTHER RESOLVED, that the City hereby commits to providing the share of the project equal to 20 percent of total project costs.

Seconded by Councilmember Bialkowski and on roll call approved 8-0.

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MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilmember Pacino

WHEREAS, Article 7, Section 105(1)(h), of the Public Officer’s Law permits the legislative body of a municipality to enter into Executive Session to discuss “...the proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value

thereof...”and;

WHEREAS, Article 7, Section 105(1)(f), of the Public Officer’s Law permits the legislative body of a municipality to enter into Executive Session to discuss “...the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation...”and;

WHEREAS, Article 7, Section 105(1)(d), of the Public Officer’s Law permits the legislative body of a municipality to enter into Executive Session to discuss “...proposed, pending or current litigation...” and;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia, that upon approval of this Motion, the City Council does hereby enter into Executive Session.

Seconded by Councilmember Briggs and on roll call approved 8-0. Council entered executive session at 7:47 PM and ended at 8:19 PM.

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Meeting adjourned at 8:20 PM.

Respectfully submitted,

**Heidi J Parker
Clerk-Treasurer**