

CITY OF BATAVIA BUSINESS MINUTES OCTOBER 12, 2021

The regular business meeting of the City Council was held Monday, October 12, 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, Viele, Canale, Christian, and Karas, McGinnis, and Bialkowski.

In attendance from the City were Jill Wiedrick, Dan Herberger, Dawn Fairbanks, Ray Tourt, and Shawn Heubusch.

Council President Jankowski called the meeting to order at 7:00 PM. Councilmember Karas led the Invocation and the Pledge of Allegiance.

The minutes from the September 2021 meeting and the August 2021 financials were approved.

The Council President assigned the regular agenda items.

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Communications

The Batavia Business Improvement District submitted an application for Christmas in the City and parade on Saturday, December 4th from 2:00 – 6:00pm on Jackson, School, and Center streets. The parade would be held from 6:00 – 6:45pm on Main Street from Jefferson to Summit. There will be treats and activities in the downtown shops, horse and buggy rides, and train rides.

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Council President's Report

Council President Jankowski announced that the next City Council Conference Meeting would be held on Monday, October 25th at 7:00 p.m. at City Hall, Council Board Room, 2nd Floor.

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City Attorney's Report

George Van Nest, City Attorney, noted that they continued to work on a variety of matters

but there was nothing specific to report.

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Committee Reports

Councilmember Pacino noted that there were now four car charging stations downtown, there was a ribbon cutting, and they are in use. She noted there were 41 scarecrows around town and asked everyone to vote for their favorite. She stated that the holiday lights and banners have come in and Go Art is blooming again and doing a golf ball drop fundraiser at Terry Hills.

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Public Comments

John Roach, 116 Grandview Ter, asked what the current status was of the deer hunting in the City now that the kids are in school and if there was any new information about the disc golf and if that was still a go.

John Gould, 10965 South St Rd, Pavilion, noted that he was representing Upstate Niagara, O-At-Ka and was the Chairman of the Board. He noted that they are experts in handling wastewater and committed to sustainable wastewater handling. He proposed sitting down with the City and DEC to come to a collaborative solution to the problem of O-At-Ka not being able to discharge into the City wastewater. He stated that they were committed to the City and assumed the City was committed to them. He noted they have been on a restricted level of discharge and it cost a lot each day to haul the waste away. He stated they can't withstand those kinds of costs and need to figure this out.

Ronald Yantz, 15 Otis St, noted that things had gotten quieter in his neighborhood since the last time he spoke, he appreciated the City's help and hoped things stayed that way.

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Council Responses to Public Comments

Mrs. Tabelaiki noted that there was no new information on the disc golf and the City hadn't been able to enlist any landowners to allow hunting on their property. She noted that the City did obtain additional permits and will continue to work on the deer situation. Council President Jankowski suggested starting to hunt on City-owned property, as identified, and show others how it can work and maybe others would participate later.

Mr. Van Nest gave a brief history of the air header project and noted that the City asked O-At-Ka to cease discharge for a couple of weeks and come back in slowly. However, the slow re-entry didn't seem to happen based on the data showing the BOD and TSS discharge levels were well in excess of permitted levels. He noted that the ponds didn't recover as fast as

hoped and the City, consequently, received a violation notice from DEC. He noted there has been numerous conversations about the steps and processes and potential penalties could be up to \$30,000 per day per violation if it gets to that point. He noted the ponds still haven't fully recovered and they have been in close communication with the DEC Region 8 representative to show what the City has been doing to address the issue. Mr. Van Nest noted that O-At-Ka has offered suggestions to help resolve the issue but one of the suggestions, portable pumps, are not available anywhere timely. He acknowledged it is a very difficult situation for O-At-Ka and very costly but ultimately it is the City's plant and the City's violations with DEC and the City is responsible to their residents to comply with DEC's requirements. Councilmember Canale asked if once the ponds were back up to normal operating status if O-At-Ka would be permitted to start discharging again. Mr. Van Nest noted that they would as long as they didn't exceed their permitted levels and the completion of the pre-treatment plant, which was expected in December, was important. Councilmember Christian noted that she didn't want to see people lose their jobs but that we had a responsibility to the taxpayers. Mr. Van Nest reiterated that the City has rules and regulations set forth by DEC that the City has to abide by. Council President Jankowski asked if the central pump station was where the odor was coming from. Mrs. Tabelski noted that their hadn't been as much strong waste going through the pump because O-At-Ka had been keeping within 100 of their permitted level so the smell was less. She thanked them for their efforts they are making in this very difficult time to get closer to their permitted levels.

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Unfinished Business

Councilmember Canale noted that vehicles were parking around Van Detta stadium even though there are No Parking signs and felt that we either need to start enforcing the restriction or just take the signs down. He noted that it was very dangerous trying to get out of the parking lot and was concerned there would be an accident there. He also noted that he received a phone call from a concerned resident because her kids were playing in the street (one of the side streets off of State – Lewis or Hutchins) and the cars coming through there were doing so very quickly. She wondered if there was anything that could be done to slow down the cars like putting in speed bumps or something like that. Mrs. Tabelski noted that she would look into that situation.

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#68-2021

A RESOLUTION TRANSFERRING FUNDS FROM ASSIGNED FUND BALANCE TO VARIOUS RESERVE FUNDS

Motion of Councilmember Canale

WHEREAS, pursuant to General Municipal Law 6-c and 6-j the City of Batavia has established various reserve funds; and

WHEREAS, the City of Batavia, for the fiscal year ending March 31, 2021, has assigned General Fund balance for funding various reserves; and

WHEREAS, the City has made significant strides in improving their equipment, infrastructure and buildings, by using capital improvement plans and vehicle replacement schedules; and

WHEREAS, the City is desirous to replace vehicles and equipment in each department based on replacement schedules; and

WHEREAS, the City has multiple facility projects, infrastructure and building projects that need to be addressed in the future; and

WHEREAS, the City wishes to continue to fund parking lot improvements; and

WHEREAS, the City will reserve funds for compensated absences, health care, and worker's compensation.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia does hereby transfer, consistent with the City's Strategic Plan, the following amounts into the following reserves from the General Fund's assigned fund balance:

Police Equipment Reserve	\$ 50,000
DPW Equipment Reserve	\$100,000
Facility Reserve	\$136,000
Parking Lot Reserve	\$100,000
Compensated Absence Reserve	\$ 75,000
Health Care Reserve	\$250,000

BE IT FURTHER RESOLVED, that the City Council of the City of Batavia does hereby transfer the following amount from Workers Compensation assigned fund balance into the following reserves:

Worker's Compensation Reserve	\$ 50,000
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Seconded by Councilmember Viele and on roll call approved 9-0.

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#69-2021

A RESOLUTION TO ESTABLISH AND UPDATE CURRENT CAPITAL PROJECTS AND TRANSFER FUNDS FOR CAPITAL PROJECT BUDGETS

Motion of Councilmember McGinnis

WHEREAS, the City of Batavia has included funds in its budget for capital projects, and after reviewing uses for ARPA funds, is desirous in amending the Capital Projects Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the following capital projects be established and budget be adjusted as follows; and

BE IT FURTHER RESOLVED, the following projects are authorized to be completed for no more than the said estimated amount and may extend no later than March 31, 2023.

PROJECT PROJECT COST FUNDING SOURCE FISCAL YEAR

General Fund

Highway PM-Transportation Improvement Program (TIP) Richmond/Harvester	\$ 2,040,370 \$ 382,569 \$ 127,523	Federal Grant Marchiselli CHIPs	18/19/20/21
Facilities Capital Plan – Bureau of Maintenance /Fire Department	\$ 1,100,000	Facilities Reserve \$440,000 ARPA \$100,000 FEMA Grant	18/19/20/21/22
ERP Software Conversion Project	\$ 45,000 \$ 750,000	Admin. Reserves Finance	19/20/21/22
IT Capital Improvement Phase I	\$ 190,000	Administrative Reserves	19/21/22
IT Capital Improvement Phase II	\$ 200,000	Administrative Reserves	19/21/22
Richmond & Harvester	\$1,633,000 \$ 408,000	TIP Grant CHIPs/Marchiselli	20/21/22/23
Jackson Square Capital Project DRI	\$750,000	DOS Grant	21/22
LED NYPA Street Light Conversion	\$549,033	Finance	21/22
Playground at Austin Park	\$800,000	ARPA \$400,000 Grants \$400,000	21/22/23
Police Station	\$10,800,000	Finance/Grants	21/22/23

Water Fund

Lead Services	\$ 554,112	DOH Grant	20/21/22
Richmond Ave water main abandonment	\$ 340,400	Reserves	21/22/23

Cohocton Water Line/ NMROW	\$800,000	Reserves \$400,000 ARPA \$400,000	21/22
Well House Electric System Improvements	\$87,750	Reimbursed	21/22
Refurbish Water Treatment Plant Filters	\$360,000	Reimbursed	21/22
Bank Street 8” Water Project	\$418,000	NBRC Grant \$334,000 Water Fund Reserves \$84,000	21/22/23

Sewer Fund

WWTP air system blower, motor and VFD	\$1,000,000	Reserves	21/22/23
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City Centre Fund

Mall Roof II	\$160,000	Facility Reserve	21/22
City Centre DRI	\$1,000,000	DRI Grant – Empire State Development	21/22/23

Second by Councilmember Karas and on roll call approved 9-0.

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#70-2021

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BATAVIA
AUTHORIZING WASTEWATER SYSTEM HEADWORKS AND CAPACITY ANALYSIS
AND FINANCIAL PLANNING ENGINEERING SERVICES AGREEMENT AND USE OF
AMERICAN RESCUE PLAN ACT (ARPA) FUNDS**

Motion of Councilmember McGinnis

WHEREAS, the City Council of the City of Batavia has determined it necessary to undertake a headworks, capacity analysis, and financial planning through professional engineering services for the Wastewater Treatment Plant (WWTP) and wastewater system; and

WHEREAS, it is desired by the City to authorize the expenditure of \$247,000 for the costs of professional engineering services to provide technical engineering services in multiple phases; and

WHEREAS, GHD engineering firm has worked on behalf of the City on numerous water and wastewater projects in a professional capacity and is pre-qualified via resolution #66-2017; and

WHEREAS, wastewater projects and engineering are an allowable use of American Rescue Plan Act (ARPA) funds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia authorize the City Council President to execute a headworks, capacity analysis, and financial planning engineering agreement with GHD and authorizes the City Manager to use ARPA funds for the expense; and

BE IT FURTHER RESOLVED, that the City Council of the City of Batavia does hereby authorize the City Manager to amend the budget for the 21/22 fiscal year to transfer the ARPA funds to the Wastewater Fund for the above referenced project as follows:

Increase expense:		
A.01.9901 900-211199	General Fund Transfers out	\$247,000.00
ES.03.1710 430-211199	Sewer Fund Admin Contract Srvcs	\$247,000.00
Increase revenue:		
A.00.0000.0000 4089-211199	General Fund Federal Aid, Other	\$247,000.00
ES.00.0000.0000 5031-211199	Sewer Fund Transfers in	\$247,000.00

Seconded by Councilmember Briggs and on roll call approved 9-0.

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#71-2021

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BATAVIA
AUTHORIZING A PROFESSIONAL ENGINEERING SERVICES PROPOSAL FOR
WATER SYSTEM PLANNING ASSISTANCE AND USE OF AMERICAN RESCUE PLAN
ACT (ARPA) FUNDS**

Motion of Councilmember Bialkowski

WHEREAS, the City Council of the City of Batavia has determined it necessary to contract with a professional engineering firm to preform water system planning assistance; and

WHEREAS, GHD engineering firm has worked on behalf of the City on numerous water and wastewater projects in a professional capacity and is pre-qualified via resolution #66-2017; and

WHEREAS, GHD will conduct a water system analysis, update the water system capital plan and water rate analysis; and

WHEREAS, GHD will assist the City in developing and mapping a lead services line inventory, develop a lead services line replacement plan, assist with general lead and copper rules compliance, and assist in analyzing longer term opportunities for the water system; and

WHEREAS, it is desired by the City to authorize the expenditure of \$245,700 for the costs of GHD to provide technical engineering services in multiple phases; and

WHEREAS, water projects and engineering are an allowable use of American Rescue Plan Act (ARPA) funds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia authorize the City Council President to execute a professional engineering services agreement for water system planning assistance and authorizes the City Manager to use ARPA funds for the expense; and

BE IT FURTHER RESOLVED, that the City Council of the City of Batavia does hereby authorize the City Manager to amend the budget for the 21/22 fiscal year to transfer the ARPA funds to the Water Fund for the above referenced project as follows:

Increase expense:		
A.01.9901 900-211199	General Fund Transfers out	\$245,700.00
EW.03.8310 430-211199	Water Fund Admin Contract Srves	\$245,700.00
Increase revenue:		
A.00.0000.0000 4089-211199	General Fund Federal Aid, Other	\$245,700.00
EW.00.0000.0000 5031-211199	Water Fund Transfers in	\$245,700.00

Seconded by Councilmember Viele and on roll call approved 9-0.

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#72-2021
A RESOLUTION TO PURCHASE A MAIN LINE SEWER CAMERA AND USE WASTEWATER RESERVES

Motion of Councilmember Viele

WHEREAS, the City is desirous to purchase a new main line sewer camera, Envirosight Rover X as supplied and serviced by Joe Johnson Equipment of Rochester, N.Y; and

WHEREAS, the sewer camera equipment is an allowable use under the American Rescue Plan Act (ARPA) program; and

WHEREAS, the total estimated cost of the equipment is \$100,000 and The City will use \$50,000 in ARPA funds; and

WHEREAS, the remainder of the equipment funded by Wastewater Equipment Reserves in an amount not to exceed \$50,000; and

WHEREAS, pricing was obtained utilizing HGAC- Buy cooperative purchasing program; and

WHEREAS, the City of Batavia is an authorized member of HGAC-Buy.

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 authorize the Department of Public Works to purchase a main line sewer camera system not to exceed \$100,000; and

BE IT FURTHER RESOLVED, that the City Council of the City of Batavia does hereby authorize the City Manager to amend the budget for the 21/22 fiscal year to transfer the ARPA funds to the Wastewater Fund and use Wastewater Equipment Reserves for the above referenced purchase as follows:

Increase expense:		
A.01.9901 900-211199	General Fund Transfers out	\$50,000.00
ES.03.8120 200-211199	Sewer Fund Sanitary Sewers Equip.	\$50,000.00
ES.03.8120 200-2132	Sewer Fund Sanitary Sewers Equip Reserves	\$50,000.00
Increase revenue:		
A.00.0000.0000 4089-211199	General Fund Federal Aid, Other	\$50,000.00
ES.00.0000.0000 5031-211199	Sewer Fund Transfers in	\$50,000.00
ES.00.0000.0000 0511-2132	Sewer Fund Appropriated Reserves	\$50,000.00

Seconded by Councilmember Pacino and on roll call approved 9-0.

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#73-2021
A RESOLUTION TO PURCHASE NEW WATER METER READING EQUIPMENT AND SOFTWARE

Motion of Councilmember Pacino

WHEREAS, the City of Batavia’s water meter reading equipment and software is obsolete and needs to be upgraded; and

WHEREAS, water meter reading equipment and software is an allowable use of funds under ARPA (American Rescue Plan Act); and

WHEREAS, the City will use funds in the amount of \$26,764.79 from ARPA; and

WHEREAS, the remainder of the equipment and software will be funded with Water Fund Equipment Reserves not to exceed \$1,718.79; and

WHEREAS, the pricing was obtained through Ti-Sales Inc, the sole source for the City Water Meter Reading equipment.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the Department of Water and Wastewater is authorized to purchase meter reading equipment and software and the City Manager is authorized to use ARPA and Water Fund Equipment Reserve funds for the expense; and

BE IT FURTHER RESOLVED, that the City Council of the City of Batavia does hereby authorize the City Manager to amend the budget for the 21/22 fiscal year to transfer the ARPA funds

to the Water Fund and use Water Fund Equipment Reserves for the above referenced purchase as follows:

Increase expense:		
A.01.9901 900-211199	General Fund Transfers out	\$26,764.79
EW.03.8310 200-211199	Water Fund Admin Equipment	\$26,764.79
EW.03.8310 200-2121	Water Fund Admin Equip Reserves	\$ 1,718.79

Increase revenue:		
A.00.0000.0000 4089-211199	General Fund Federal Aid, Other	\$26,764.79
EW.00.0000.0000 5031-211199	Water Fund Transfers in	\$26,764.79
EW.00.0000.0000 0511-2121	Water Fd Appropriated Equip Reserves	\$ 1,718.79

Seconded by Councilmember McGinnis and on roll call approved 9-0.

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#74-2021

A RESOLUTION TO AUTHORIZE USE OF RESERVES TO FUND REPAIRS OF COMPRESSOR AT CITY ICE RINK

Motion of Councilmember Briggs

WHEREAS, the City Ice Rink had a compressor fail for the ice making equipment; and

WHEREAS, the cost of repairs will be \$38,800.00; and

WHEREAS, this was not a budgeted expense.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Batavia does hereby authorize the City Manager to utilize Ice Rink Reserve funds in the amount of \$38,800 as shown below; and

BE IT FURTHER RESOLVED, by the Council of the City of Batavia that the City Manager be and hereby is authorized to make the following budget amendments to the 2021-2022 budget and transfers effective October 12, 2021 as follows:

By increasing expenditure account:

A.03.1620.1621.200.2103	Facilities- Ice Rink Large Equipment	\$38,800.00
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By increasing reserve account:

A.00.0000.0000.0511.2103	Facility Ice Rink Reserves	\$38,800.00
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Seconded by Councilmember Viele and on roll call approved 9-0.

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#75-2021

**A RESOLUTION TO AUTHORIZE THE CITY MANAGER THE TO MAKE
STREETLIGHT CHANGES WITH NATIONAL GRID**

Motion of Councilmember Karas

WHEREAS, The City from time to time needs to add streetlights to aid in public safety;
and

WHEREAS, National Grid requires a written request and a resolution from a municipal
body to aid the City in adding streetlights; and

WHEREAS, The City Council wishes to allow the City Manager to have the authority,
under this resolution, to request changes and additions of streetlights through general operational
duties; and

WHEREAS, the Manager will report to Council at Council meetings of all changes and
updates made to streetlights.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the
City Manager has the authority to order changes to street lights, the addition of streetlights and the
modification of streetlights for reasons of public safety.

Seconded by Councilmember Christian and on roll call approved 9-0.

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#76-2021

**RESOLUTION AUTHORIZING THE ADOPTION OF A FUND BALANCE POLICY FOR
THE CITY OF BATAVIA, NEW YORK**

Motion of Councilmember Bialkowski

WHEREAS, a fund balance policy is a key element of ensuring long-term economic and
financial stability; and

WHEREAS, the objective of the Governmental Accounting Standards Board (GASB) Statement
No. 54 "*Fund Balance Reporting and Governmental Fund Type Definitions*" is to enhance the
usefulness of fund balance information by providing clearer fund balance classifications and by
clarifying governmental fund type definitions; and

WHEREAS, the City Council last adopted its Fund Balance Policy in June of 2020; and

WHEREAS, it is necessary for the City's Fund Balance Policy to be consistent to ensure that
procedures are current and appropriate to meet the changing needs of the City of Batavia; and

NOW THEREFORE, BE IT RESOLVED, that the Batavia City Council of the City of Batavia,

New York hereby authorizes the adoption of the attached Fund Balance Policy effective immediately; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the adoption of the attached Fund Balance Policy is consistent with the City’s Strategic Plan in achieving Key Intended Outcome’s identified under the Financial Health strategic priority.

Seconded by Councilmember Canale and on roll call approved 9-0.

City of Batavia Fund Balance Policy

I. Purpose

The City of Batavia recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the City, is fiscally responsible, helps mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures) and assists in ensuring stable tax rates. This policy establishes goals and provides guidance concerning the desired level of year-end fund balance to be maintained by the City of Batavia.

II. Background

The Governmental Accounting Standards Board (GASB) issued GASB Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions. Statement 54 abandons the reserved and unreserved classifications of fund balance and replaces them with five new classifications for Governmental Funds: non-spendable, restricted, committed, assigned and unassigned.

III. Definitions

Fund balance is a measurement of available financial resources and represents the difference between total assets and total liabilities in each fund.

GASB Statement No. 54 distinguishes fund balance classifications based on the relative strength of the constraints that control the purposes for which specific amounts can be spent. Beginning with the most binding constraints, fund balance amounts will be reported by the following classifications:

Non-spendable – Consists of assets that are inherently nonspendable in the current period either because of their form or because they are legally or contractually required to be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, financial assets held for resale, and principal of endowments.(e.g., principal of a permanent fund).

Restricted – Consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation (e.g. grants, donations and established reserve funds).

Committed – Consists of amounts that are subject to a purpose constraint imposed by a formal action of the City’s highest level of decision-making authority before the end of the fiscal year, and the same level of formal action is required to remove the constraint.

Assigned – Consists of amounts that are intended to be used for a specific purpose

established by the government's highest decision-making authority, or by the City Manager. Amounts cannot be assigned to a specific purpose if it would cause a deficit in the unassigned fund balance.

Unassigned – Represents the residual classification for the government's general fund, and could report a surplus or a deficit. In funds other than the general fund, the unassigned classification should be used only to report a deficit balance resulting from overspending for the specific purposes for which amounts had been restricted, committed or assigned.

IV. Guidelines

The fund balance of the City's General Fund provides stability and flexibility and to respond to unexpected adversity and/or opportunities.

The City shall strive to attain and maintain an adequate fund balance in its general fund to provide flexibility and to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures), to ensure stable tax rates, to provide for one-time opportunities and to retain favorable credit ratings. The City will endeavor to maintain unassigned fund balances in its general fund of fifteen to twenty-five percent (15 - 25%) of regular general fund operating expenditures. This amount provides the liquidity necessary to accommodate the City's uneven cash flow, which is inherent in its periodic tax collection schedule, and to respond to contingent liabilities.

If the unassigned fund balance falls below the 15 - 25% minimum fund balance percentage, the Audit Advisory Committee will evaluate current fund balance classifications in order to recommend the final distribution of fund balance in any fiscal year in consideration of estimated liabilities of the City and sound financial planning.

The actual level of fund balance in the City's general fund is determined in its annual financial statement, several months after the end of the fiscal year. The City's budgeting process, which culminates both in the establishment of the following year's tax rate and the use of any appropriated fund balance, begins approximately two years in advance of the financial statement that will show the budget's results. Because of this time lag and because of the uncertainties of the budgeting process (such as the amounts of appropriated fund balance actually used each year), it is not possible to guarantee in advance a specific level of fund balance at the close of any fiscal year. Therefore, the City will use the following procedures to adjust the levels of fund balance, as necessary.

1. Once the external auditor has audited the City's financial statements for the prior year and has confirmed the fund balances of the general fund, the City Manager will recommend to the Audit Advisory Committee the amounts and types of assignments for the fund balance to be included in the financial statement.
2. The Audit Advisory Committee will review these assignments, discuss them with the external auditor as necessary and accept or modify the assignments prior to the presentation of the statement to the City Council.
3. The City Manager, as the Chief Executive and Administrative Officer, shall make recommendations regarding the use of fund balance to be appropriated in the following year's budget based on this policy; specifically, he/she shall recommend an amount that will, in his/her estimation, retain the requisite/appropriate level of fund balances established in this policy based on current budgetary constraints and opportunities.

V. Disbursement Policy for Fund Balances

The City Manager will assess the current financial condition of the City and then recommend to the City Council the order of application of expenditures to which fund balance classification will be charged related to restricted or unrestricted amounts spent when an expenditure is incurred for purposes for which both restricted and unrestricted amounts are available.

The City considers that committed amounts will be reduced first, followed by assigned amounts, and then unassigned amounts when expenditures are incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used.

VI. Fund Balance Classifications – Governmental Funds:

The following is a listing of the classifications for the City’s General Fund current reserves and designations:

Non-spending Fund Balance:

None

Restricted Fund Balance:

- Retirement contribution reserve (GML §6-r) – used for payment of “retirement contributions,” which are defined as all or any portion of the amount payable to either the New York State and Local Employees’ Retirement System or the New York State and Local Police and Fire Retirement System, pursuant to Sections 17 or 317 of the Retirement and Social Security Law.
- Reserve for employee benefits accrued liability (GML §6-p) – established for payment of accrued employee benefits due to an employee upon termination of the employee’s service. This includes payments for accrued leave time and benefits due to termination or separation from service and payments for professional services rendered in connection with the investigation or settlements of claims or judgments relating to accrued employee benefits. This reserve is evaluated based on the Compensated Absence liability audited annually by the City’s external auditors.
- Insurance reserve (GML §6-n) – used for payment of health benefit claims and for the payment of costs for judgments, actions and claims against the City being the result of a self-assumed or uninsured occurrence, casualty or event of the type insurable by the City.
- Workers Comp reserve (GML 6-j) - used to pay compensation and benefits, medical, hospital or other expenses authorized by Workers Compensation Law and to pay the expenses of administering a self-insurance program.
- Capital projects reserve (GML §6-c) – used to pay the cost of construction, reconstruction or acquisition of a type of capital improvement or equipment.

Capital reserves are evaluated based on the status of capital projects, capital improvement plans and equipment replacement plans.

- Reserve for repairs (GML §6-d) – a Dwyer Stadium Repair Reserve Fund was established for the purpose of replacing or making major repairs to capital improvements and equipment for Dwyer Stadium, or supplement other available moneys, by gift, grant from the State of New York, or from any other source, for replacing or making major repairs to capital improvements and equipment for Dwyer Stadium.
- Designated for special projects – restricted by the State of New York – represents accumulated profits earned as a result of Emergency Medical Service training, provided by the City’s fire department, whose use is restricted for the purposes of purchasing supplies, materials and equipment that will benefit future Emergency Medical training sessions.

Committed Fund Balance:

Represents amounts committed by City Council for funding of specific projects or grants.

Assigned Fund Balance:

Assigned for Encumbrances – represents the amount of outstanding encumbrances at the end of the fiscal year.

Unassigned Fund Balance:

Undesignated fund balance – remaining fund balance that has not been designated or reserved.

VII. Reference(s)

- Governmental Accounting Standards Board (GASB) Statement No. 54
- New York State General Municipal Law
- Office of the New York State Comptroller, Local Government Management Guide, Reserve Funds
- Office of the New York State Comptroller, November 2010 memo – Fund Balance Reporting and Governmental Fund Type Definitions

Original Author: Lisa Neary, Deputy Director of Finance

Date Revised/ Adopted	2/22/12	6/8/20	9/16/21					
Revised by	L Neary	L Neary	L Neary					

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#77-2021

A RESOLUTION TO ACCEPT THE NORTHERN BORDER REGIONAL COMMISSION (NBRC) GRANT, TO AUTHORIZE THE COUNCIL PRESIDENT TO EXECUTE THE GRANT AGREEMENT AND THE CITY MANAGER TO UTILIZE WATER RESERVE FUNDS AS A LOCAL MATCH TO THE GRANT

Motion of Councilmember Viele

WHEREAS the City received a \$334,000 Northern Border Regional Commission (NBRC) economic development and infrastructure grant to install 950 linear feet of 8-inch diameter water main along Bank Street; and

WHEREAS, the project will replace 90+ year old pipe, improve reliability, increase firefighting flows, and supply water needed for redevelopment projects including the new police facility on Alva and Bank; and

WHEREAS, the City commits to a local match of \$84,000 and will utilize the Water Reserves to fund the match.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia accepts the grant award and authorizes the Council President to execute all necessary documents to receive the grant; and

BE IT FURTHER RESOLVED, that the City Council authorizes the City Manager to utilize Water Reserves as a local match to the NBRC grant.

Seconded by Councilmember Karas and on roll call approved 9-0.

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MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilperson Pacino

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 Councilperson Viele and on roll call approved 9-0. Council entered executive session at 7:46pm and exited at 8:40pm.

* * *

Meeting adjourned at 8:41 PM.

Respectfully submitted,

**Heidi J Parker
Clerk-Treasurer**