

**CITY OF BATAVIA
SPECIAL BUSINESS MINUTES
NOVEMBER 22, 2021**

The special business meeting of the City Council was held Monday, November 22, 2021 at 7:50 PM in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Jankowski presiding. The meeting was held immediately following the conference meeting.

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

Council President Jankowski called the meeting to order at 7:50 PM.

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New Business

**#90-2021
A RESOLUTION TO ENTER INTO AN AGREEMENT
WITH WM SCHUTT FOR LAND SURVEY SERVICES FOR BANK AND ALVA**

Motion by Councilmember Viele

WHEREAS, proposals were received for a consultant to perform land survey work on the Bank and Alva site (Tax Map Parcel 84.011-1-54) for the purposes of advancing the police facility project; and

WHEREAS, the survey area includes the City's public parking lot and specifically the southeast corner of the lot immediately adjacent to Bank Street and Alva Place. The survey will provide boundary lines, a legal description, zoning, right-of-way's, elevations, location size and depth of water, sewer, gas and other utilities on the site.

WHEREAS, WM Schutt of Lancaster New York submitted the lowest bid of \$3,250 for the survey work.

NOW, THEREFORE, be it resolved that City Council authorizes the City Council President accept a survey proposal from Wm Schutt in the amount of \$3,250, and execute documents.

Seconded by Councilmember Karas and on roll call approved 6-0.

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#91-2021

**A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT
WITH THE CIVIL SERVICE EMPLOYEES ASSOCIATION (CSEA)**

Motion of Councilperson Viele

WHEREAS, the City of Batavia and the CSEA 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 November 15, 2021 the CSEA Union secured the necessary votes to ratify
the tentative agreement;

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 Karas and on roll call approved 6-0.

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#92-2021

**A RESOLUTION REFERRING THE PETITION TO REZONE 145 AND 147 PEARL
STREET TO THE PLANNING AND DEVELOPMENT COMMITTEE**

Motion of Councilmember Briggs

WHEREAS, the City Council is desirous of reviewing amendments to a zoning district
classification pursuant to the Batavia Municipal Code (BMC) §190-51, in response to a petition
from the City Manager's Office requesting two parcels, 145 and 147 Pearl Street, to be re-zoned
from P-1 (Planned Development District) to R-2 (Residential District); 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 – (GCL) § 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; and

WHEREAS, BMC § 190-51 provides that City Council may make zoning district classification changes pursuant to GCL § 83 after review and report on the proposed amendment by the Planning and Development Committee.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia hereby requests that the City Planning and Development Committee review a Petition to Re-Zone 145 and 147 Pearl Street to R-2 (Residential District), and make a recommendation to the City Council for consideration within thirty days of referral.

Seconded by Councilmember Bialkowski and on roll call approved 6-0.

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MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilperson Viele

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...".

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 Briggs and on roll call approved 6-0.

Council entered executive session at 7:53 PM and ended at 8:02 PM.

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Meeting adjourned at 8:03 PM.

Respectfully submitted,

**Heidi J Parker
Clerk-Treasurer**