

CITY OF BATAVIA BUSINESS MINUTES FEBRUARY 14, 2022

The regular business meeting of the City Council was held Monday, February 14, 2022 at 7:00 PM in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Jankowski presiding.

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

Council President Jankowski called the meeting to order at 7:00 PM.

The minutes from the January 2022 meetings and the December 2021 financials were approved.

The Council President assigned the regular agenda items.

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Communications

None

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Council President's Report

Council President Jankowski announced the next City Council Conference meeting to be held on Monday, February 28, 2022 at 7:00 p.m. at the City Hall Council Board Room, 2nd Floor, City Centre

Council President Jankowski asked for and received approval from Council to add his name to the letter written by Oneida County Executive Anthony J. Picente, Jr and Perfect Game Collegiate Baseball League President Robert F. Julian, asking Governor Hochul to set aside \$250 million in her state budget for improvements at facilities, which would include Dwyer Stadium in Batavia. He said that the letter to the State Legislature was in response to lawmakers' consideration in appropriating nearly \$1 billion in taxpayer funding to build a new stadium for the Buffalo Bills, and over \$100 million to Lake Placid for the World University Games.

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City Attorney's Report

Mr. Van Nest noted that they continued to work on various matters but there was nothing specific to report.

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City Manager's Report

Rachael Tabelski, City Manager, noted that she had been meeting with the Police Chief, Ray Tourt, and Ashley McGraw reviewing the departments operations and pre design work for the facility. She said that the meetings were approximately for 2-4 hour per week to complete, as the firm gets up and running with the design of the station. She also noted that the Bureau of Maintenance and Fire Department Facility, which has been placed on hold numerous times, was also kicking off the design work for that facility, and bid specs were being prepared to put the project out to bid. She noted she had been meeting with the Engineer, Michael Ficarella, and operators of the Water Plant and Wastewater Treatment Plant on the engineering analysis for the Water Plant, the water system and the head works analysis at the Wastewater Treatment Plant. She also said that they would be bidding out the filter replacement project, to grow more water capacity at the plant. She noted that Bill Davis was continuing the LED bulb conversions, and that she had reached out to NYPA for a buyout price on all of the lights in the City. She also said that the City is looking at an additional 946 lights with a return of investment by cutting energy costs by replacing the current bulbs with LED bulbs. She also noted that maintenance of the bulbs by the City would cut back on lead time for repairs noting concern by City's residents when bulbs were out. She said the Mall million-dollar DRI project was underway with the design firm focusing mainly on the silos. She noted that the Jackson Square DRI project would be rebid, as the cost came in at two times of the original projection. She also noted that the Human Resource Office had been busy with hiring of new staff. She said that one new staff member had been hired for DPW, three Police Department hires to go to the academy, six Fire Department hires to go to the academy, and Fire Department CRS re-certifications were underway.

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Committee Reports

Councilmember Pacino noted that the Batavia Business Improvement District would be hosting the FeBREWary Beer Walk Saturday, February 26, 2022 from 4:00 – 8:00 p.m. at downtown businesses. She noted that the format would be similar to the Wine Walk.

Councilmember Pacino also noted that GO ART had partnered with more than twenty local shops, vendors and artists to give two happy couples the wedding, or vow renewal, of their dreams. She noted that couples needed to submit an entry form and a short video showing the couple. She said the wedding would take place at GO ART's own historical facility. Councilmember Viele asked if the BID hosted events for kids. Councilmember Pacino

noted that the events currently hosted are generally family oriented, but would bring up the request at a future BID meeting.

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Public Comments

None

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Snow Removal and Sidewalk Plowing

Councilmember Bialkowski noted that the City's crews had done a good job with the snow removal from the recent storms. He said that he had received complaints from residents, and passed along photos to Council showing a few examples of people plowing snow into the streets or just piling it up on City sidewalks, making the walk inaccessible. He said that the public needed to be re-educated on their responsibilities to maintain City sidewalks, and that independent plowing services and business owners needed to clear snow in a proper manner. City Manager, Rachael Tabelski said that there's a lot of snow this year compared to the last few years, and a lot of clearing of sidewalks, roads, and driveways that needs to be done. She noted that in the past neighbors have figured out where they're going to place their snow and other times, people move in and don't really know where to place the snow. She thanked the DPW crew for the tremendous job they have done. Councilmember Pacino asked if residents could be informed of what snow services the City provides. DPW Superintendent, Raymond Tourt said the priority route is the main arterials, Main and Oak Streets, and school (walking) routes, which are designated by the school district. He noted that the arterials and side streets were done first, and then crews do sidewalks. He noted that sidewalk routes have two distinct routes, one for the north side and one for the south side, with crews working their way through the City. Council President Jankowski said that Councilmembers and Administration should handle future snow issues on a case-by-case basis with follow-up.

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Unfinished Business

None.

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New Business

#10-2022

A RESOLUTION ESTABLISHING THE CITY OF BATAVIA AS LEAD AGENCY UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (“SEQR”) FOR AN AMENDMENT TO THE ZONING MAP FOR RE-ZONING 145 AND 147 PEARL STREET FROM A P-1 PLANNED DEVELOPMENT DISTRICT TO A R-2 RESIDENTIAL DISTRICT AND DETERMINING SIGNIFICANCE UNDER SEQR

Motion of Councilmember Bialkowski

WHEREAS, the City of Batavia has proposed to amend the zoning map to rezone land located at 145 and 147 Pearl Street from P-1 Planned Development District to R-2 Residential District; and

WHEREAS, the amendment of the City’s zoning map with respect to the foregoing parcels is an Unlisted Action under SEQR; and

WHEREAS, in accordance with SEQR the City Council of the City of Batavia has declared its intent to act as lead agency for the Action; and

WHEREAS, a Environmental Assessment Form has been completed for the Action, a copy of which is attached hereto as Schedule A; and

WHEREAS, the City Council has carefully reviewed the potential environmental impacts of the proposed action against the criteria set forth in 6 NYCRR 617.7(c) and has taken a hard look at the potential environmental impacts required by SEQR.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia in accordance with SEQR and 6 NYCRR 617.6 hereby establishes itself as Lead Agency for the purpose of completing SEQR review of the amendment to the City’s zoning map; and

BE IT FURTHER RESOLVED, that the City Council having reviewed a completed Environmental Assessment Form and accompanying narrative which is part of the record of this Action and having considered the environmental impacts of the proposed action against the criteria in 6 NYCRR 617.7(c), finds that the proposed action will not result in any significant adverse environmental impact; and

BE IT FUTHER RESOLVED, the City Council does hereby authorize and direct the City Clerk to duly file this Negative Declaration.

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

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#11-2022

**A RESOLUTION TO ADOPT AN ORDINANCE AMENDING CHAPTER 190
ENTITLED “ZONING” OF THE CITY OF BATAVIA MUNICIPAL CODE TO AMEND
THE ZONING MAP OF CITY OF BATAVIA**

Motion of Councilmember McGinnis

BE IT RESOLVED that a proposed Ordinance entitled “**AN ORDINANCE AMENDING CHAPTER 190 ENTITLED “ZONING” OF THE CITY OF BATAVIA MUNICIPAL CODE TO AMEND ZONING MAP OF THE CITY OF BATAVIA**” is introduced before the City Council of the City of Batavia, New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Ordinance be laid upon the desk of each member of the City Council; and

BE IT FURTHER RESOLVED that the City Council held a public hearing on said proposed Ordinance at the City Hall, One Batavia City Centre, Batavia, New York, at 7:00 P.M. on Monday, January 24, 2022; and

BE IT FURTHER RESOLVED that the City Clerk published a public notice in the official newspaper of the City of said public hearing at least five days prior thereto; and

BE IT FURTHER RESOLVED that the City Council Adopts Ordinance #XX-2022 entitled an Ordinance Amending Chapter 190 Entitled “Zoning” of the City of Batavia Municipal Code to amend the zoning map of the City of Batavia.

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

**AN ORDINANCE AMENDING CHAPTER 190 ENTITLED “ZONING” OF THE CITY
OF BATAVIA MUNICIPAL CODE TO AMEND THE ZONING MAP OF THE CITY OF
BATAVIA**

**SECTION 1. AMENDMENT OF THE ZONING MAP OF THE CITY OF BATAVIA TO
REZONE PREMISES AT 145 PEARL STREET FROM A P-1 DISTRICT TO A R-2
DISTRICT.**

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Batavia, County of Genesee, and State of New York, and distinguished by being part of Village Lot #62, bounded as follows:

BEGINNING at the intersection of the south bounds of Pearl Street with the northwesterly bounds of a road laid out by N.K. Cone, Surveyor for Harry Wilber; being the northeast corner of land conveyed October 10, 1925 by deed recorded in Liber 257 of Deeds at page 563; thence southwesterly along the southerly bounds of Pearl Street 159 feet to the northeast corner of land conveyed to Theodore Yasses and wife by deed recorded in Liber 305 of Deeds at page 356; thence southerly on the easterly bounds of the land so conveyed to Yasses 118.1 feet to the northerly

bounds of the Conhocton Grade so called; thence southeasterly on the northerly bounds of said Grade 34.4 feet to the northwesterly bounds of said road laid out by N.K. Cone, Surveyor, thence northeasterly on said bounds 180.1 feet plus or minus to the place of beginning. Containing land, more or less.

SECTION 2. AMENDMENT OF THE ZONING MAP OF THE CITY OF BATAVIA TO REZONE PREMISES AT 147 PEARL STREET FROM A P-1 DISTRICT TO A R-2 DISTRICT.

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Batavia, County of Genesee and State of New York, bounded and described as follows:

BEGINNING at a point located on the southerly bounds of Pearl Street, a distance of 159.0 feet from the west line of an 8' Right of Way along the westerly line of lands now or formerly owned by Wilber and Carrie Van De Bogart, as conveyed in Genesee County Clerk's Office in Liber 259 of Deeds at page 546;

Thence South 12° 38' East a distance of 118.10 feet to a point being located on the north line of Cohocton Grade;

Thence North 85° 19' West, a distance of 94.30 feet to a point, said point being located on the east line of lands now or formerly owned by Theodore and Josephine Yasses as conveyed in Genesee County Clerk's Office in Liber 300 of Deeds at page 421;

Thence North 12° 38' West along the easterly line of Yasses lands, a distance of 90.03 feet to a point, said point also being located on the southerly line of Pearl Street;

Thence North 77° 22' East along the southerly line of Pearl Street, a distance of 90.03 feet to a point, said point being the point or place of beginning.

SECTION 3. EFFECTIVE DATE

This Ordinance shall take effect immediately after the date of passage and in accordance with law.

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#12-2022

A RESOLUTION TO INCREASE THE COST OF BULK WASTE DISCHARGE

Motion of Councilmember Canale

WHEREAS, The City of Batavia currently accepts waste from bulk haulers at the rate of \$35.00 per 1000 gallons; and

WHEREAS, This is higher concentrated waste this fee does not cover the treatment cost; and

WHEREAS, The City bases its charge on the word of the hauler how many gallons are being discharged; and

WHEREAS, The rate should be increased to \$40 per 1000 gallons and charged on full tank capacity of vehicle discharging was;

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 increase the rate of bulk waste hauled to the Wastewater treatment Plant to \$40 per 1000 gallons and charge on the basis of full capacity of the tank delivering the waste.

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

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#13-2022

A RESOLUTION INTRODUCING 2022-2023 BUDGET ORDINANCE AND SCHEDULING A PUBLIC HEARING

Motion of Councilmember Pacino

WHEREAS, the City Manager prepared and submitted to the City Council a Proposed Budget for the 2022-2023 fiscal year on January 10, 2022 pursuant to Section 16.3 of the City Charter, copies of which were received by all members of the City Council and a copy placed on file in the City Clerk's Office; and

WHEREAS, a Public Hearing is required for compliance with the City Charter and the public hearing will be held on February 28, 2022 at 7:00 PM in the Council Board Room of City Hall.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the 2022-2023 Budget Ordinance is hereby introduced pursuant to Section 3.13 of the City Charter.

BE IT FURTHER RESOLVED, that the City Council hold a public hearing on said Budget Ordinance in the Council Board Room, Second Floor, One Batavia City Centre, Batavia, New York, at 7:00 PM on Monday, February 28, 2022; and

BE IT FURTHER RESOLVED, that the City Clerk publish or cause to be published a public notice in the official newspaper of the City of said public hearing at least five (5) days prior thereto.

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

ORDINANCE #001-2022
AN ORDINANCE ADOPTING THE 2022-2023 BUDGET AND DETERMINING THE
AMOUNT OF TAX TO BE LEVIED ON ALL REAL PROPERTY FOR THE 2022-2023
FISCAL YEAR

BE IT ENACTED, by the Council of the City of Batavia, New York:

SECTION 1. The proposed Budget for 2022-2023, submitted by the City Manager pursuant to Sections 16.3, 16.4, and 16.5 of the City Charter on January 10, 2022, setting forth the estimates of revenues and expenditures for the fiscal year 2022-2023, including all wage adjustments and salary schedules for all employees covered under collective bargaining agreements, and non-union, part-time and seasonal employees (due to minimum wage increases), of the various funds of the City of Batavia, namely, General Fund, Water Fund, Sewer Fund, City Centre Fund, Workers' Compensation Fund, and Health Insurance Fund is hereby approved and that the several amounts allowed as estimated expenditures be and are hereby appropriated to the use of the several departments of the City of Batavia for the purpose set forth in each estimate in the proposed budgets for the fiscal year 2022-2023.

SECTION 2. The City Council does hereby finally ascertain, fix, and determine that the entire amount necessary, proper, and legal be raised by tax to defray the expenditures of the City of Batavia for the fiscal year of 2022-2023 is \$5,986,000.

SECTION 3. The sum of \$5,986,000 the entire amounts heretofore ascertained, fixed, and determined as necessary, proper, and legal be raised by tax to defray the expenditures of the City of Batavia for the fiscal year 2022-2023, be and the same is hereby levied on all the real property subject to taxation by the City of Batavia according to valuation upon the assessment roll for the fiscal year 2022-2023.

SECTION 4. The amounts to be raised by taxation as hereby stated for City purposes is hereby a warrant upon the Clerk-Treasurer to spread and extend such levies upon the current assessment tax roll and to collect the same.

SECTION 5. The budget summaries, as filed in the Clerk-Treasurer's Office of the various funds of the City of Batavia, are made a part hereof and are hereby declared to be part of the Ordinance.

SECTION 6. This Ordinance shall become effective April 1, 2022.

Budget Summaries

General Fund

General Fund – Reserves	\$	314,352.00
City Council	\$	62,799.00
City Manager	\$	186,150.00
Finance	\$	120,086.00
Administrative Services	\$	307,716.00
Clerk/Treasurer	\$	146,975.00
City Assessment	\$	139,480.00
Legal Services	\$	238,250.00
Personnel	\$	277,983.00
Engineering	\$	12,500.00
Elections	\$	29,195.00
Public Works Administration	\$	67,723.00
City Facilities	\$	321,410.00
Information Systems	\$	112,287.00
General Fund - Contingency	\$	242,657.00
Police	\$	4,157,023.00
Fire	\$	3,958,742.00
Control of Dogs	\$	1,390.00
Inspection	\$	385,835.00
Vital Statistics	\$	20,060.00
Maintenance Administration	\$	133,790.00
Street Maintenance	\$	844,510.00
Public Works Garage	\$	486,800.00
Snow Removal	\$	480,830.00
Street Lights & Traffic Signals	\$	264,760.00
Sidewalk Repairs	\$	0.00
Parking Lots	\$	41,000.00
Community Development	\$	6,000.00
Economic Development	\$	95,000.00
Council on Arts	\$	2,250.00
Parks	\$	529,370.00
Summer Recreation	\$	75,091.00
Youth Services	\$	124,967.00
Historic Preservation	\$	900.00
Community Celebrations	\$	13,060.00
Planning & Zoning Boards	\$	1,300.00
Storm Sewer	\$	188,820.00
Refuse & Recycling	\$	101,490.00
Street Cleaning	\$	125,040.00
General Fund - Debt Service/Bonds	\$	358,084.00

General Fund – BAN	\$	0.00
Install Pur Debt - Install Purch Debt	\$	28,587.00
Gen. Fund – Debt Srvc-Energy Lease	\$.00
Gen. Fund – Transfer for Cap Proj	\$	170,000.00
General Fund - Transfer/Other Funds	\$	2,679,630.00
TOTAL GENERAL FUND	\$	17,853,892.00

Water, Wastewater & Workers Comp Funds

**PROPOSED
2022/23**

Water Administration	\$	2,577,399.00
Pump Station & Filtration	\$	1,384,420.00
Water Distribution	\$	418,280.00
Water Fund Contingency	\$	20,000.00
Water Fund - Debt Service/Bonds	\$	244,785.00
Install Pur Debt – Install Purch Debt	\$.00
Water Fund– Debt Srvc-Energy Lease	\$.00
Water Fund - Transfer to Other Funds	\$	587,160.00
Water Fund - Reserve	\$	78,515.00
Water Fund – Debt Service - BAN	\$	0.00
TOTAL WATER	\$	5,310,559.00

Wastewater Administration	\$	436,873.00
Sanitary Sewers	\$	703,690.00
Wastewater Treatment	\$	1,025,380.00
WW Fund Contingency	\$	20,000.00
WW Fund - Debt Service/Bonds	\$	386,788.00
WW Fund - Debt Srvc-Energy Lease	\$.00
Install Pur Debt – Install Purch Debt	\$.00
WW Fund – Interfund Transfer	\$	273,740.00
WW Fund - Reserve	\$	315,164.00
TOTAL WASTEWATER	\$	3,161,635.00

Workers' Compensation	\$	242,750.00
Transfer to Reserves	\$.00
TOTAL WORKER'S COMP	\$	242,750.00

TOTAL WATER, WASTEWATER, WORKERS' COMP	\$	8,714,944.00
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**CITY CENTRE & HEALTH
INSURANCE FUNDS**

Administration	\$ 185,848.00
Contingency	\$ 7,508.00
City Centre Fund-Transfer to Other Funds	\$ 32,910.00
TOTAL CITY CENTRE	\$ 226,266.00
Medical Insurance	\$ 2,905,690.00
Transfer to Reserves	\$ 0.00
TOTAL HEALTH INSURANCE	\$ 2,905,690.00
TOTAL CITY CENTRE & HEALTH INSURANCE	\$ 3,131,956.00
TOTAL ALL FUNDS	\$ 29,700,792

#14-2022

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

Motion of Councilmember Viele

WHEREAS, the City of Batavia has included funds in its budget for capital projects and uses grant and reserve funds to complete projects.

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, 2024 and that this resolution should take effect immediately upon passage.

<u>PROJECT</u>	<u>PROJECT COST</u>	<u>FUNDING SOURCE</u>	<u>FISCAL YEAR</u>
<u>General Fund</u>			
Facilities Capital Plan – Bureau of Maintenance /Fire Department	\$ 1,255,000	Facilities Reserve \$1,100,000 ARPA \$100,000 FEMA Grant \$55,000	21/22/23
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 Highway PM- Transportation Improvement Program (TIP)	\$3,600,000	TIP Grant CHIPs/Marchiselli	20/21/22/23
Jackson Square Capital Project DRI	\$950,000	DOS Grant National Grid Grant	21/22
LED NYPA Street Light Conversion	\$800,000	Finance	21/22
Playground at Austin Park	\$800,000	ARPA \$400,000 Grants \$400,000	21/22/23
Police Facility	\$10,800,000	Finance	21/22/23/24
Walnut Street	\$300,000	State Aid	22/23/24
Ice Rink Project	\$170,000	Facility Reserves	22/23/24

Water Fund

Lead Services	\$ 554,112	DOH Grant	20/21
Richmond Ave Water Main Abandonment	\$ 400,00	Capital Reserves	21/22/23
Cohocton Water Line/ NMROW	\$800,000	Capital Reserves \$400,000 ARPA \$400,000	21/22

Refurbish Water Treatment Plant Filters	\$900,000	County WIIA Grant	21/22
Bank Street 8" Water Project	\$418,000	NBRC Grant \$334,000 Capital Reserves \$84,000	21/22/23/24
Jackson Street Water Project	\$1,414,017	CDBG Grant \$1,000,000 Capital Reserves \$414,017	22/23/24
Precipitator – Water Plant	\$1,500,000	County WIIA Grant	22/23/24
Lime and Ferric Feeders- Water Plant	\$775,000	County WIIA Grant	22/23/24
Backwash Pump Improvements- Water Plant	\$186,300	County WIIA Grant	22/23/24
Water Plant Heating, Ventilation, Roof, Tunnel and Electrical	\$283,000	County WIIA Grant	22/23/24

Sewer Fund

WWTP Air System Blower, Motor and VFD	\$1,000,000	Reserves	21/22
Bypass System Repairs	\$500,000	Reserves	22/23/24
Maple and Mill Street Sanitary	\$460,000	Finance	22/23/24
Sewer Lining Improvements	\$270,000	Finance	22/23/24

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 McGinnis and on roll call approved 6-0.

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#15-2022

A RESOLUTION TO AUTHORIZE THE COUNCIL PRESIDENT TO SIGN A NAMING RIGHTS AGREEMENT FOR THE BATAVIA ICE ARENA

Motion of Councilmember Viele

WHEREAS, the City of Batavia advertised for and sent out Request for Sponsorships to area businesses and organizations for an opportunity to submit proposals for the Naming Rights to the Batavia Ice Arena; and

WHEREAS, Pellegrino Auto Sales and the David M. McCarthy Memorial Foundation submitted the most competitive proposal of \$3,100 annually for ten years; and

WHEREAS, the City Attorney has prepared a Naming Rights Agreement outlining the rights and responsibilities of Pellegrino Auto Sales, the David M. McCarthy Memorial Foundation, and the City regarding said Naming Rights; and

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia, that it authorizes the City Council President to sign the Naming Rights Agreement, with Pellegrino Auto Sales and the David M. McCarthy Memorial Foundation; and

BE IT FURTHER RESOLVED, that the Batavia Ice Arena will be renamed “The David McCarthy Memorial Ice Arena” during the ten year term of the Agreement and any renewals thereafter.

Seconded by Councilmember Canale and on roll call approved 6-0

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#16-2022

RESOLUTION INTRODUCING A LOCAL LAW AMENDING SECTION 184-41 (A), (B), (C), AND (O) OF THE BATAVIA MUNICIPAL CODE TO ESTABLISH NEW WATER RATES, METER FEES AND A CAPITAL IMPROVEMENT FEE AND PROVIDING FOR PUBLIC NOTICE AND HEARING

Motion of Councilmember Viele

BE IT RESOLVED, that Local Law No. 1 of the Year 2022 entitled “**LOCAL LAW NO. 1 OF THE YEAR 2022 CITY OF BATAVIA TO AMEND §184-41 (A), (B), (C), AND (O) OF THE CODE OF THE CITY OF BATAVIA TO ESTABLISH NEW WATER RATES, METER FEES AND A CAPITAL IMPROVEMENT FEE**” be introduced before the City Council of Batavia, New York; and

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the City Council by the City Clerk; and

BE IT FURTHER RESOLVED, that the City Council hold a public hearing on said proposed Local Law in the Council Board Room, Second Floor, One Batavia City Centre, Batavia, New York, at 7:00 p.m. on Monday, February 28, 2022; and

BE IT FURTHER RESOLVED, that the City Clerk publish or caused to be published a public notice in the official newspaper of the City of said public hearing at least three (3) days prior thereto.

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

**LOCAL LAW NO. 1 OF THE YEAR 2022
CITY OF BATAVIA**

**A LOCAL LAW TO AMEND §184-41(A), (B), (C), AND (O) OF THE CODE OF THE
CITY OF BATAVIA TO ESTABLISH NEW WATER RATES, METER FEES AND A
CAPITAL IMPROVEMENT FEE**

Be It Enacted by the City Council of the City of Batavia, New York as follows:

Section 1. § 184-41. Water rates.

A. Water Rates

City – Water – Quarterly Schedule

~~\$5.88~~ [\$5.97] per 1,000 gallons

Town Served Directly by the City – Building and Hydrants

~~\$7.54~~ [\$7.65] per 1,000 gallons

~~B. Bulk rate at water plant fill station: \$7.61 [\$7.88] per 1,000 gallons; cards: \$12.50 each.~~

Section 3. Effective Date

The foregoing amendment shall become effective with the water consumed ~~April 1, 2021~~
~~as billed on and after June 1, 2021~~ [April 1, 2022 billed on and after June 1, 2022]

C. Quarterly meter service and availability charge for meters:

Type	Size in Inches	Quarterly Fee
Disc	5/8	\$11.45 [\$11.62]
Disc	3/4	\$14.49 [\$14.71]
Disc	1	\$15.27 [\$15.50]
Disc	1 ½	\$25.94 [\$26.33]
Disc	2	\$36.02 [\$36.56]
Compound	2	\$30.51 [\$30.97]
Compound	3	\$116.04 [\$117.78]
Compound	4	\$184.71 [\$187.48]
Compound	6	\$279.02 [\$283.21]

Turbo	3	\$68.66 [\$69.69]
Turbo	4	\$116.04 [\$117.78]
Fireline	4	\$116.04 [\$117.78]
Fireline	6	\$184.71 [\$187.48]
Fireline	8	\$257.48 [\$261.34]
Fireline	10	\$336.24 [\$341.28]

All of the above meter service charges include the required remote reading encoder systems.

O. Quarterly Capital Improvement fee for meters:

Type	Size in Inches	Quarterly Fee
Disc	5/8	\$7.97 [\$8.09]
Disc	¾	\$10.10 [\$10.25]
Disc	1	\$10.63 [\$10.79]
Disc	1 ½	\$18.07 [\$18.34]
Disc	2	\$25.09 [\$25.47]
Compound	2	\$21.26 [\$21.58]
Compound	3	\$80.84 [\$82.05]
Compound	4	\$128.67 [\$130.60]
Compound	6	\$194.38 [\$197.30]
Turbo	3	\$47.83 [\$48.55]
Turbo	4	\$80.84 [\$82.05]
Fireline	4	\$80.84 [\$82.05]
Fireline	6	\$128.67 [\$130.60]
Fireline	8	\$179.37 [\$182.06]
Fireline	10	\$234.24 [\$237.75]

Deletions designated by ~~strikeout~~
Additions designated as [brackets]

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MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilmembers 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;

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 Bialkowski and on roll call approved 6-0.

Council entered executive session at 7:45 PM and ended at 8:05 PM.

* * *

Meeting adjourned at 8:06 PM.

Respectfully submitted,

**Aimslee M. Cassidy
Deputy Clerk-Treasurer**