

CITY OF BATAVIA BUSINESS MINUTES MARCH 14, 2022

The regular business meeting of the City Council was held Monday, March 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, Pacino, Canale (arrived at 7:05pm), McGinnis, Briggs, Schmidt, Richmond and Bialkowski. In attendance from the City of Batavia were Jill Wiedrick, Chief Heubusch, Chief Herberger, Lisa Neary, Dawn Fairbanks, and Angela Dickson.

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

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

The Council President assigned the regular agenda items.

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Communications

Batavia Concert Band submitted their application for the summer concert series on Wednesdays in Centennial Park from June 22 to August 3 at 7:00pm. Council approved.

Living Waters submitted an application for a community outreach in Austin Park on Sunday, July 17 from 10:30am – 5:00pm. There will be games, music, prayer and food for the community.

O’Lacy’s submitted a liquor license application. There was no objection from the police department.

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Council President’s Report

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

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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, allowed Chief Heubusch to speak first. He thanked all of the departments, especially fire, for help finding the missing person who was found deceased and he offered his condolences to the family.

Mrs. Tabelski wanted to welcome two new hires in management positions and that was Brett Frank as Director of Public Works and Scott Allen as Superintendent of Bureau of Maintenance. She noted that they had, in the capital plan, the replacement of Engine 12. She noted that they were looking to get a USDA grant for this new engine which has an estimated cost of \$700,000. Chief Herberger noted that the engine to be replaced is 20 years old and looking to replace with a fire engine with rescue capabilities similar to their current Engine 11. He noted that they were in the design phase to see what best fit the fire department's needs. Council President Jankowski asked how much we would be asking for in the grant. Mrs. Tabelski was hopeful to get \$200,000 from the grant. Councilmember Viele asked if we could get anything for a trade-in. Chief Herberger noted that there wasn't much of a market for that old of a vehicle so the amount would be negligible. Councilmember Bialkowski asked if the \$700,000 was the cost of the vehicle fully outfitted and Chief Herberger said it should be close to that.

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Committee Reports

Councilmember Bialkowski noted that several City representatives attended the Chamber awards banquet and it was a really nice event. He noted that he spoke with Robbie Nichols about the Muckdogs and he was excited for the next season and the plans he had for it.

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Public Comments

Jan Goodenbery, 6597 Albion Rd, Oakfield, spoke on behalf of the Genesee Country Farmer's Market, and noted that she was a city resident for 17 years. She noted that she submitted the application for the farmer's market and it should be on the agenda for March 28. She noted that the market was valuable to the community, the best food comes from people you know, and it helped the local economy. She explained that it was accessible to many and they would have a double up bucks program in July and August to help people get even more fresh produce.

Christine Zinni, 31 Pringle Ave, noted that she has been the recipient of some of the food at the market and teaches about healthy eating at SUNY Brockport. She encouraged more investment in the market noting that Clarence has one where people come together and LeRoy has one that includes music. She felt this could be a destination for bicyclists and others if there was more to the market than just the food and flowers.

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Council Responses to Public Comments

Councilmember Canale noted that he liked the idea of bringing more activities to the market and suggested maybe partnering with GoArt. Councilmember Pacino stated that they do know how important the farmer's market is to the City. Council President Jankowski understood that the market brings people downtown and noted that he was sorry they had to move the market but needed that parking lot for the new police station.

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Unfinished Business

None.

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New Business

#18-2022

A RESOLUTION TO ADOPT 2022-2023 BUDGET ORDINANCE

Motion of Councilmember McGinnis

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, the City Council has reviewed and amended the City Manager's proposed budget.

WHEREAS, said proposed budget estimated revenues and expenditures for all operating funds of the City of Batavia are \$29,700,792 including the General Fund at \$17,853,892; and

WHEREAS, said proposed budget includes revenues to be received through the property tax levy of \$5,986,000; and

WHEREAS, the City Council of the City of Batavia wishes to grant wage adjustments to its non-union City employees at a salary increase of 2.65%, effective April 1, 2022; and

WHEREAS, the City Council of the City of Batavia wishes to grant a salary adjustment due to the minimum wage increase for all seasonal and part-time employees; and

WHEREAS, the City Council held 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

WHEREAS, the City Clerk published a public notice in the official newspaper of the City of said public hearing at least five (5) days prior thereto.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia hereby adopts the 2022-2023 Budget Ordinance pursuant to Section 16.6 of the City Charter.

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

ORDINANCE #002-2022

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
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TOTAL WASTEWATER	\$ 3,161,635.00
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Workers' Compensation	\$ 242,750.00
Transfer to Reserves	\$.00
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TOTAL WORKER'S COMP	\$ 242,750.00
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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
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TOTAL CITY CENTRE	\$ 226,266.00
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Medical Insurance	\$ 2,905,690.00
Transfer to Reserves	\$ 0.00
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TOTAL HEALTH INSURANCE	\$ 2,905,690.00
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TOTAL CITY CENTRE & HEALTH INSURANCE	\$ 3,131,956.00
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TOTAL ALL FUNDS \$ 29,700,792

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#19-2022

A RESOLUTION ADOPTING A LOCAL LAW NO. 1 OF THE YEAR 2022 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

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” was introduced before the City Council of Batavia, New York; and

WHEREAS, copies of the aforesaid proposed Local Law were laid upon the desk of each member of the City Council by the City Clerk; and

WHEREAS, the City Council held 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

WHEREAS, the City Clerk published or caused to be published a public notice in the official newspaper of the City of said public hearing at least three (5) days prior thereto.

BE IT RESOLVED, the City Council of the City of Batavia hereby adopts Local Law No. 1 of the year 2022, entitled a “Local Law No. 1 of 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”

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

**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 1/2	\$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	3/4	\$10.10 [\$10.25]
Disc	1	\$10.63 [\$10.79]
Disc	1 1/2	\$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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#20-2022
A RESOLUTION ADOPTING THE CITY OF BATAVIA STRATEGIC PLAN FOR
FISCAL YEARS 22/23

Motion of Councilmember Bialkowski

WHEREAS, the City Council has been engaged in the development of a City of Batavia Strategic Plan in recognition of the changing needs and challenges of the City of Batavia; and

WHEREAS, the intent of developing a Strategic Plan is to allocate our available resources to best meet the needs of our residents, while balancing the fiscal, infrastructure and environmental factors that may affect the community in the future; and

WHEREAS, on January 24, 2022 the City Council was presented with the proposed City of Batavia Strategic Plan for 2022-2027 that contained ongoing and new initiatives for the upcoming and future fiscal years; and

WHEREAS, the Strategic Plan for Fiscal Year 22/23 has been updated and amended by the City Manager, reviewed by Department Heads, presented to City Council, and included in Budget Book.

NOW, THEREFORE BE IT FURTHER RESOLVED, by the City Council of the City of Batavia:

1. The Strategic Plan identifies initiatives and projects that allocate staff resources to ensure alignment with the adopted strategic priorities of City Council; and
2. The Strategic Plan is a working document, it is non-binding, but is the first of many steps toward improving rational, long-range planning for the City of Batavia.

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Batavia hereby adopts the Strategic Plan for Fiscal Year 22/23.

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

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#21-2022
A RESOLUTION AUTHORIZING THE ADOPTION OF AN INVESTMENT POLICY
FOR THE CITY OF BATAVIA, NEW YORK

Motion of Councilmember Briggs

WHEREAS, the City of Batavia is the custodian of moneys and is authorized to invest such money; and

WHEREAS, the City's independent auditor has recommended an investment policy be updated and reviewed annually by Council; and

WHEREAS, the Council of the City of Batavia originally adopted the Investment Policy April 11, 2011 and has subsequently revised and adopted it each year thereafter; and

WHEREAS, such policy is in compliance with the current legal requirements under New York State General Municipal Law Sections 10 and 11 and is in the required format mandated by the State Comptroller; and

WHEREAS, said policy has been reviewed and approved by both the City's Fiscal Advisor and the City's Independent Auditor;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia, New York hereby authorizes the adoption of the attached Investment Policy effective immediately.

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

City of Batavia Investment Policy

I. Scope

This investment policy applies to all money and other financial resources available to the City of Batavia for deposit and/or investment on its own behalf or on behalf of any other entity or individual.

II. Objective

The primary objectives of the local government's investment activities are, in priority order:

1. To conform with all applicable federal, State and other legal requirements (legality)
2. To adequately safeguard principal (safety)
3. To provide sufficient liquidity to meet all operating requirements (liquidity)
4. To obtain a reasonable rate of return (yield)

III. Delegation of Authority

The governing board's responsibility for administration of the investment program is delegated to the City Manager who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

IV. Prudence

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the City of Batavia to govern effectively.

Investments shall be made with prudence, diligence, skill, judgment, and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety and liquidity of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict or appear to conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. Diversification

It is the policy of the City of Batavia to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

The governing board shall establish appropriate limits for the amount of investments which can be made with each financial institution or dealer, and shall evaluate this listing at least annually.

VI. Internal Controls

It is the policy of the City of Batavia for all moneys collected by any officer or employee of the government to transfer those funds to the Clerk-Treasurer within one (1) day of receipt, or within the time period specified by law, whichever is shorter.

The City Manager is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management’s authorization, properly recorded, and managed in compliance with applicable laws and regulations.

VII. Designation of Depositories

The banks and trust companies that are authorized for the deposit of funds:

<u>Depository Name</u>	<u>Officer</u>
Bank of Castile	Jaime Sallome
Bank of America	Timothy Clark
JP Morgan Chase	Pamela Thompson
Key Bank	Julie Holman
Manufacturers & Traders Trust Company	Joe Cosimeno
Five Star Bank	Jane Scott
Edward Jones Investments	
BankonBuffalo	David Paul

**Per a December 14, 2020 resolution passed by The City of Batavia City Council, this policy allows the City Manager, in consultation with the City Clerk-Treasurer and Deputy Director of Finance, to authorize the deposit of funds into established financial institutions so the City can make investments in a timely manner to ensure maximum return of the taxpayer's money. Furthermore, to ensure full accountability and transparency, the City Manager must advise Council of the new financial institution added, if any, to the list of designated depositories at the next council meeting during the City Manager's report.*

VIII. Securing Deposits and Investments:

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, "deposits") made by officers of the City of Batavia that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by:

1. A pledge of "eligible securities" with an aggregate "market value" (as provided in GML Section 10) that is at least equal to the aggregate amount of deposits by the officers. See Attachment A of this policy for a listing of "eligible securities."
2. A pledge of a pro rata portion of a pool of eligible securities, having in the aggregate a market value at least equal to the aggregate amount of deposits from all such officers within the State at the bank or trust company
3. An "eligible surety bond" payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims – paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The governing board shall approve the terms and conditions of the surety bond.
4. An "irrevocable letter of credit" issued in favor of the City of Batavia by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100% of the aggregate amount of deposits and the agreed-upon interest, if any.

IX. Collateralization and Safekeeping

Eligible securities used for collateralizing deposits made by officers of the City of Batavia shall be held by (the depository or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities (or the pro rata portion of a pool of eligible securities) are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities (or pro rata portion of a pool of eligible securities) may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities.

In the event that the pledged securities are not registered or inscribed in the name of the City of Batavia, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the City of Batavia or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest

of the government in the securities (or the pro rata portion of a pool of eligible securities) as set forth in the security agreement.

The custodial agreement shall provide that pledged securities (or the pro rata portion of a pool of eligible securities) will be held by the bank or trust company as agent of, and custodian for, the City of Batavia, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt, substitution, or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the City of Batavia with a perfected security interest in the eligible securities and to otherwise secure the local government's interest in the collateral, and may contain other provisions that the governing board deems necessary.

X. Permitted investments

As provided by General Municipal Law Section 11, the City of Batavia authorizes the City Manager to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in the State of New York
- Through a deposit placement that meets the conditions set forth in General Municipal Law Section 10(2)(a)(ii)
- Obligations of the United States of America
- Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America
- Obligations of the State of New York
- Obligations of the City of Batavia, but only with moneys in a reserve fund established pursuant to General Municipal Law Section 6-c, 6-d, 6-e, 6-f, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the City of Batavia within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the City of Batavia within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Sections VIII and IX herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the City of Batavia authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the City of Batavia within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

XI. Authorized financial institutions and dealers

All financial institutions and dealers with which the City of Batavia transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size, and other factors that make the financial institution or the dealer capable and qualified to transact business with the City of Batavia. The City Manager shall evaluate the financial position and maintain a listing of proposed depositaries, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers.

The City of Batavia shall maintain a list of financial institutions and dealers approved for investment purposes, and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealers.

XII. Purchase of investments

The City Manager is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner
2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold, or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the City of Batavia by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the City of Batavia, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government's perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the City of Batavia with a perfected interest in the securities.

The City Manager can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for their deposit with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

XIII. Courier service

The City Manager may, subject to the approval of the governing board by resolution, enter into a contract with a courier service for the purpose of causing the deposit of public funds with a bank or trust company. The courier service shall be required to obtain a surety bond for the full amount entrusted to the courier, payable to the City of Batavia and executed by an insurance company authorized to do business in the State of New York, with a claims-paying ability that is rated in the highest rating category by at least two nationally recognized statistical rating organizations, to insure against any loss of public deposits entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier service.

The City of Batavia may agree with the depository bank or trust company that the bank or trust company will reimburse all or part of, but not more than, the actual cost incurred by the City of Batavia in transporting items for deposit through a courier service. Any such reimbursement agreement shall apply only to a specified deposit transaction, and may be subject to such terms, conditions and limitations as the bank or trust company deems necessary to ensure sound banking practices, including, but not limited to, any terms, conditions or limitations that may be required by the banking department or other federal or State authority.

XIV. Annual review and amendments

The City of Batavia shall review this investment policy annually, and it shall have the power to amend this policy at any time.

XV. Definitions

The terms “public funds”, “public deposits”, “bank”, “trust company”, “eligible securities”, “eligible surety bond”, and “eligible letter of credit” shall have the same meanings as set forth in General Municipal Law Section 10.

XVI. Reference(s)

- City of Batavia Charter
- New York State General Municipal Code

Original Author: Lisa Neary, Deputy Director of Finance
Heidi Parker, Clerk/Treasurer

Date Revised/ Adopted		4/11/11	2/27/12	3/11/13	2/19/14	3/9/15	3/14/16	3/13/17	3/12/18
Revised by			L Neary	L Neary	L Neary	L Neary	H Parker	H Parker	H Parker
Date Adopted		3/9/2020	12/14/2020						
Revised by		H Parker	H Parker						

Attachment A

Schedule of Eligible Securities

(i) Obligations issued by the United States of America, an agency thereof or a United States government sponsored corporation or obligations fully insured or guaranteed as to the payment of

principal and interest by the United States of America, an agency thereof or a United States sponsored corporation.

(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.

(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.

(iv) Obligations issued or fully insured or guaranteed by this state, obligations issued by a municipal corporation, school district or district corporation of this state or obligations of any public benefit corporation which under specific state statute may be accepted as security for deposit of public moneys.

(v) Obligations issued by states (other than this state) of the United States rated in one of the three highest categories at least one nationally recognized statistical rating organization.

(vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

(ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.

(x) Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of no longer than sixty days from the date they are being pledged.

(xi) Zero-coupon obligations of the United States government marketed as "Treasury STRIPS".

* * *

#22-2022
**A RESOLUTION TRANSFERRING \$4,175 TO THE PARKING LOT CAPITAL
RESERVE FUND**

Motion of Councilmember Pacino

WHEREAS, pursuant to General Municipal Law 6-c the City of Batavia has an established Parking Lot Reserve Fund; and

WHEREAS, the City of Batavia, through December 31, 2021, received parking and dumpster permit revenue in the amount of \$4,175 and is desirous of transferring said \$4,175 to the Parking Lot Capital Reserve Fund to assist with future replacement and improvements of City parking lots.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia does hereby authorize the transfer \$4,175 of parking and dumpster permit revenue to the Parking Lot Capital Reserve Fund.

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

* * *

#23-2022
**A RESOLUTION TRANSFERRING FROM THE EMPLOYEE BENEFIT ACCRUED
LIABILITY RESERVE AND TO AMEND THE BUDGET**

Motion of Councilmember Schmidt

WHEREAS, pursuant to General Municipal Law 6-p, the City of Batavia has an established Employee Benefit Accrued Liability Reserve fund for payment of accrued benefits due to employees upon termination of the employees' service; and

WHEREAS, the City of Batavia for the fiscal year ending March 31, 2022 has approximately \$225,923 of Employee Benefit Accrued Liability Reserve; and

WHEREAS, the City of Batavia for the fiscal year ending March 31, 2022 will have had seven employees retire/terminate from General Fund employment with payable accrued employee benefits totaling approximately \$70,372.59.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the City Manager is hereby authorized to use approximately \$70,372.59 of Employee Benefit Accrued Liability Reserve to make the following budget transfers:

Effective March 31, 2022, the following transfers are hereby approved:

Increasing expenditure accounts:

Fire Department	A.05.3410.3410 100	\$ 59,365.19
Fire Department	A.05.3410.3410 101	\$ 3,183.12
Fire Department	A.05.3410.3410 102	\$ 1,061.04
Fire Department	A.05.3410.3410 103	\$ 623.30
Fire Department	A.05.3410.3410 105	\$ 24.21
Bureau of Maintenance	A.03.5010.5110 100	\$ 5,376.00
Bureau of Maintenance	A.03.5010.5110 103	\$ 739.73

Increasing revenue account:

Appropriated Employee Benefit Accrued Liability Reserve	A.00.0000.0000 0511.2109	\$ 70,372.59
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Seconded by Councilmember Viele and on roll call approved 9-0.

* * *

#24-2022

RESOLUTION AWARDING PURCHASE CONTRACTS FOR CHEMICALS

Motion of Councilmember McGinnis

WHEREAS, the City has advertised for competitive, sealed bids for the purchase of various chemicals used for the operation of the Water and Wastewater Treatment facilities; and

WHEREAS, Eight (8) companies submitted bids, and six (6) low bidders were identified for the six (6) chemicals.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that one (1) year purchase contracts for various chemicals be awarded to the lowest responsible bidder hereinafter identified.

Company Name	Chemical	Bid Amount
Carmeuse Lime	Quicklime	\$ 199.00/Ton
CDI	Ferric Sulfate	\$ 1,282.38/Ton
Slack Chemical	Fluosilicic Acid	\$ 998.32/Ton
Irish Welding	Carbon Dioxide	\$ 355.80/Ton
Chem Trade	Liquid Alum	\$ 421.00/Ton
Slack Chemical	Liquid Phosphate	\$636.76/Drum

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

* * *

#25-2022

**RESOLUTION AWARDING THE CONTRACT FOR HARVESTING FAT HEAD
MNNOWS**

Motion of Councilmember Bialkowski

WHEREAS, the City has advertised for competitive, sealed bids for the harvesting of Fat Head Minnows at the Wastewater Treatment facility located at 5 Treadeasy Avenue; and

WHEREAS, a competitive bid was submitted by Ron Hutcheson for the harvesting of Fat Head Minnows;

WHEREAS, Ron Hutcheson is the highest responsible bidder with a bid paying the City \$27,000.00 with the option of two additional years paying the City; year two at \$28,000 and year three at \$29,000;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that a purchase contract for harvesting Fat Head Minnows be awarded to Ron Hutcheson the highest responsible bidder.

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

* * *

#26-2022

**A RESOLUTION TO ENTER INTO AN AGREEMENT WITH HUNT ENGINEERS
FOR ARCHITECTURE AND ENGINEERING SERVICES FOR THE DOWNTOWN
REVITALIZATION INITIATIVE (DRI) CITY CENTRE MALL**

Motion by Councilmember Viele

WHEREAS, a Project for the enhancement of the Batavia City Centre/Mall was approved for the Downtown Revitalization Initiative (DRI) in the City of Batavia; and

WHEREAS, three proposals were received for a consultant to perform the Engineering Services, and a committee of City personnel and stakeholders selected Hunt Engineers of Rochester, New York to perform the work.

NOW, THEREFORE, BE IT RESOLVED, that City Council approves the award of a contract for Engineering Services for the enhancement of the City Centre/Mall to Hunt Engineers in the amount of \$99,317 plus reimbursable expenses.

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

* * *

#27-2022

**A RESOLUTION TO ACCEPT THE COMMUNITY DEVELOPMENT BLOCK GRANT,
TO AUTHORIZE THE COUNCIL PRESIDENT TO EXECUTE THE GRANT
AGREEMENT AND AUTHORIZE THE CITY MANAGER TO UTILIZE WATER
RESERVE FUNDS AS A LOCAL MATCH TO THE GRANT**

Motion of Councilmember Schmidt

WHEREAS the City received a \$1,000,000 Community Development Block Grant to install 2,250 linear feet of 8-inch diameter water main along Jackson Street; and

WHEREAS, the project will replace 60+ year old pipe, improve reliability, increase firefighting flows, and address any lead service line issued on Jackson Street; and

WHEREAS, the City commits to a local match of \$414,017 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 CDBG Jackson Street grant.

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

* * *

#28-2022

**A RESOLUTION TO CONDUCT A MAXIMUM ALLOWABLE HEADWORK'S
LOADING (MAHL) STUDY AND USE WASTE WATER RESERVES TO FINANCE
THE NECESSARY WASTE WATER TREATMENT PLANT SAMPLING**

Motion of Councilmember McGinnis

WHEREAS, the City Council of the City of Batavia has undertaken a Headwork's, capacity analysis, and financial planning study through professional engineering services firm, GHD, for the Wastewater Treatment Plant (WWTP); and

WHEREAS, to conduct the Waste Water Treatment Plant Maximum Allowable Headwork's Loading (MAHL) Study the City must create and execute a sampling plan; and

WHEREAS, GHD has worked with the City and the Chief Operator of the WWTP to create a sampling plan and ensure proper lab analysis; and

WHEREAS, the total estimated cost of the sampling is \$60,000 and The City will use \$60,000 in Sludge Reserves that currently has a balance of \$2.29M.

NOW, THEREFORE, BE IT 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 Reserves for the above referenced purchase as follows:

Increase expense:

ES.03.1710 423-2131	Sewer Fund Administration Contract Services	\$60,000
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Increase revenue:

ES.00.0000.0000 0511-2131	Sewer Fund Appropriated Reserves	\$60,000
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Seconded by Councilmember Canale and on roll call approved 9-0.

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#29-2022

A RESOLUTION TO AMEND THE 2022-2023 YOUTH BUREAU BUDGET TO REFLECT THE RECEIPT OF A GENESEE ORLEANS REGIONAL ARTS COUNCIL STATEWIDE COMMUNITY REGRANT PROGRAM GRANT

Motion of Councilmember Pacino

WHEREAS, the City of Batavia Community Garden has received a grant in the amount of \$5,000 from the Genesee Orleans Regional Arts Council for their project “Community Garden in Bloom”. The project will result in creation of multiple painted panels that will highlight the spirit of the community garden that will be mounted on the existing 8’ chain-link fence; and

WHEREAS, to properly account for the expenditure of this money, a budget amendment needs to be made.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the City Manager be and hereby is authorized to make the following budget amendment to the 2022-2023:

Increase expenditure accounts:

A.02.7140.7140 499 221200	Youth Bureau grant expense	\$5,000.00
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Increase revenue accounts:

A.00.0000.0000 3889 221200	State Aid, Other Culture & Rec	\$5,000.00
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Seconded by Councilmember Briggs and on roll call approved 9-0.

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#30-2022
A RESOLUTION TO CLOSE OUT CAPITAL PROJECTS

Motion of Councilmember Briggs

WHEREAS, The City of Batavia should periodically close capital projects which are completed; and

WHEREAS, projects completed at this time that require official closing are listed as follows:

#161604	TIP Resurfacing Project
#171702	Pedestrian Way TAP Sidewalk Project
#191903	IT Capital Project Phase I
#191905	IT Capital Project Phase II
#200007	2020 Sidewalk Project
#210001	Sewer Air System Blower, Motor & VFD

WHEREAS, in order to close the TIP Resurfacing Project, the residual balance of approximately \$3,130.08 will be transferred to the 2020 Sidewalk Project; and

WHEREAS, in order to close the Pedestrian Way TAP Sidewalk Project, the residual balance of approximately \$169,306.91 will be transferred from the Capital Projects Fund to the Sidewalk Reserves; and

WHEREAS, in order to close the 2020 Sidewalk Project, \$111,000 of Sidewalk Reserves will be transferred into the capital project as previously approved and a budget amendment for approximately \$48,750.00 of sidewalk reserves is requested in order to close the project; and

WHEREAS, the City Council authorizes the City Manager to make the recommended transfers, budget amendments and close out the specified capital projects effective March 31, 2022.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the above referenced transfers, budget amendments and capital projects be closed effective March 31, 2022.

Increase the following revenue account:

A.00.0000.0000 0511-2107 Appropriated Reserves \$48,750.00

Increase the following expense account:

A.01.9950 200-2107 Transfer to Capital Projects \$48,750.00

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

* * *

MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilmember 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;

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 Schmidt and on roll call approved 9-0.

Council entered executive session at 7:40 PM and ended at 8:21 PM.

* * *

Meeting adjourned at 8:22 PM.

Respectfully submitted,

**Heidi J Parker
Clerk-Treasurer**