

CITY OF BATAVIA

BUSINESS MEETING MINUTES

DECEMBER 12, 2022

The business meeting of the City Council was held Monday, December 12, 2022 at 7:40 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, Canale, McGinnis, Briggs, Schmidt, Richmond and Bialkowski. Councilmember Pacino was absent.

Council President Jankowski called the meeting to order at 7:40 PM immediately following the conference meeting.

The minutes from the November 2022 meetings and the October 2022 financials were approved.

The Council President assigned the regular agenda items.

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City Attorney's Report

Mr. Van Nest noted that he had nothing specific to report at this time.

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City Manager's Report

Rachael Tabelski asked Council to review proposed dates for budget work sessions so those could be scheduled. She noted that the wastewater ponds have remained well above 2 and have been very healthy for the last several months. She noted that she finished budget reviews with departments and will deliver it to Council by the required date. She also noted that there are a variety of projects the City continues to work on.

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Committee Reports

Councilmember Bialkowski noted that he and others attending the DWI workshop.

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Unfinished Business

None.

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New Business

#105-2022

RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR THE ROUND 7 RESTORE NY COMMUNITIES INITIATIVE MUNICIPAL GRANT PROGRAM

Motion of Councilmember Canale

WHEREAS, the Empire State Development Corporation is requesting funding proposals for the sixth round of the Restore NY Municipal Grant program; and

WHEREAS, grant funds are available for projects to demolish/deconstruct and/or rehabilitate/reconstruct vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed-use buildings; and

WHEREAS, an important goal of Restore NY is to revitalize urban centers, rural areas, and disadvantaged communities. It is anticipated that upon completion, the projects funded by Restore NY grants will attract individuals, families, and industry and commercial enterprises to the municipality. It is further anticipated that the improved community and business climate will result in an increased tax base thereby improving municipal finances and the wherewithal to further grow the municipality’s tax and resource base, lessening its dependence on state aid; and

WHEREAS, cities with populations less than 40,000 can apply for up to \$2,000,000 in grant funding;

WHEREAS, a public hearing on the application and properties involved in the application is required prior to submission,

NOW THEREFORE, LET IT BE RESOLVED by the City of Batavia Council that it hereby schedules a public hearing for the Round 7 Restore NY application for January 9, 2023 at 7 p.m. at City Hall, One Batavia City Centre, Batavia, NY, 14020.

BE IT FURTHER RESOLVED, that a Notice of said hearing will be published for three consecutive days in the Batavia Daily News.

BE IT FURTHER RESOLVED, that it will include the following property assessment list:

<i>Site</i>	<i>Size (sq. ft)</i>	<i>Building Type</i>	<i>Project Type</i>	<i>Building Category</i>
101-103 Main Street	7,500	Comm./Res.	Rehabilitation	Vacant
105-107 Main Street	12,000	Comm./Res.	Rehabilitation	Vacant

5-7 Jackson Street 7,500 Comm./Res. Rehabilitation Vacant

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

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#106-2022

**A RESOLUTION SCHEDULING REGULAR COUNCIL MEETINGS THROUGH
DECEMBER 31, 2023**

Motion of Councilmember Richmond

WHEREAS, the Batavia City Council, pursuant to the City Charter, is required to schedule regular Council meetings through the standard resolution process; and

WHEREAS, City Council historically meets on the second and fourth Monday of each month except during the months of July, August and December where the Council meets only on the second Monday; and

WHEREAS, City Council must designate the specific location and time of meetings on an annual basis.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia hereby designates the Council Board Room located at City Hall, One Batavia City Centre, as the regular meeting place for the scheduled Council meetings through December 31, 2023; and

BE IT FURTHER RESOLVED, that the City Council shall meet at 7:00 p.m. at the City Council Board Room on the designated dates as outlined on Attachment “A” through December 31, 2023.

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

Attachment A

2023 City of Batavia Council Meetings

- January 9, 2023 (Business)
- January 23, 2023 (Conference)
- February 13, 2023 (Business)
- February 27, 2023 (Conference)
- March 13, 2023 (Business)
- March 27, 2023 (Conference)

April 10, 2023 (Business)
April 24, 2023 (Conference)
May 8, 2023 (Business)
May 22, 2023 (Conference)
June 12, 2023 (Business)
June 26, 2023 (Conference)
July 10, 2023 (Business and Conference)
August 14, 2023 (Business and Conference)
September 11, 2023 (Business)
September 25, 2023 (Conference)
Tuesday, October 10, 2023 (Business)
October 23, 2023 (Conference)
November 13, 2023 (Business)
November 27, 2023 (Conference)
December 11, 2023 (Business and Conference)

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#107-2022

**A RESOLUTION AUTHORIZING AGREEMENT WITH T.Y. LIN FOR
ENGINEERING SERVICES FOR THE BANK STREET WATER SYSTEM
IMPROVEMENT PROJECT**

Motion of Councilmember McGinnis

WHEREAS, The City of Batavia has been awarded a \$334,000 Northern Border Regional Commission (NBRC) for public infrastructure. The grant funds will be used for the installation of an 8" NPS water main; and

WHEREAS, T.Y. Lin, an engineering firm, will provide the City with the following scope of services: survey and design, bid phase services, construction administration phase services, and resident inspection phase services; and

WHEREAS, a request for proposals was issued, and a committee of City personnel selected T.Y. Lin to perform the work out of six (6) proposals that were received; and

WHEREAS, the cost of the contract is not to exceed \$71,790.16.

NOW, THEREFORE, BE IT RESOLVED, that City Council approves the award of a

contract for engineering services for the Bank Street water system improvement project to T.Y. Lin in the amount of not to exceed \$71,790.16.

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

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**#108-2022
RESOLUTION TO APPOINT MEMBERS TO VARIOUS CITY COMMITTEES/
BOARDS**

Motion of Councilmember Briggs

WHEREAS, certain vacancies exist on various City Committees/Boards.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the following appointments be made:

Historic Preservation Commission

Caroline Hosek

December 31, 2025

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

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**#109-2022
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BATAVIA
AUTHORIZING THE CITY MANAGER TO AMEND THE FY22/23 BUDGET FOR
APPRAISAL SERVICES OF CITY OWNED CITY CENTRE PROPERTIES**

Motion of Councilmember Viele

WHEREAS, the City Council of the City of Batavia has acquired properties in City Centre through foreclosure; and

WHEREAS, there have been several businesses looking at City owned property in City Centre for potential sale/lease opportunities; and

WHEREAS, the City will need to determine the market value of the property, through appraisal, according to §66-9 Sale of City Owned Property, prior to sale or lease; and

WHEREAS, Video Lottery Terminal (VLT) funds (\$440,789) were received by the City of Batavia after being reinstated by the State Legislature into the New York State final budget; and

WHEREAS, these funds are considered a windfall to the City as they were not budgeted for and should only be used on one-time purchases and to cover end-of year overruns; and

WHEREAS, \$5,400 of VLT funds will be used to cover appraisal costs of City owned parcels (2 Batavia City Centre, 11 Batavia City Centre, and 17-20 Batavia City Centre).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia authorize the City Manager to recognize VLT revenue and amend the FY22/23 budget as follows:

Increase Revenue:

A.00.0000.0000 3014	State Aid, VLT/Tribal Compact Monies	\$5,400
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Increase Expense:

A.01.6460.423	Community Development	\$5,400
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Seconded by Councilmember Bialkowski and on roll call approved 8-0.

Discussion – Councilmember Canale asked how long the appraisal would be good for. Mr. Van Nest noted that there was no fine line for how long they are valid and it really depended on market value fluctuations.

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#110-2022

A RESOLUTION TO USE POLICE DEPARTMENT RESERVE FUNDS TO PURCHASE POLICE DEPARTMENT VEHICLES AND AMEND THE 22/23 BUDGET

Motion of Councilmember Bialkowski

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

WHEREAS, the Police Department Reserve Fund has a current balance of approximately \$207,705; and

WHEREAS, the Police Department is in need of purchasing new police vehicles; and

WHEREAS, due to market conditions the Police Department must purchase them prior to the next fiscal year; and

WHEREAS, these were not budgeted items for this fiscal year. It is requested that the funds come from the Police Department Reserve account.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the City Manager is hereby authorized the utilize Police Department Reserves of \$125,000 and to amend the FY 22/23 budget by increasing the accounts as follows:

Revenue			
A.00.0000.0000	511-2100	Police Department Reserves Appropriation	\$125,000
Expense			
A.04.3120.3120	200-2100	Police Department Equipment Reserves	\$125,000

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

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MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilmember Viele

WHEREAS, Article 7, Section 105(1)(e), of the Public Officer’s Law permits the legislative body of a municipality to enter into Executive Session to discuss “...collective negotiations pursuant to article fourteen of the civil service law...” 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 Canale and on roll call approved 8-0. Council entered executive session at 7:54pm and exited at 8:14pm.

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Meeting adjourned at 8:15 PM.

Respectfully submitted,

**Heidi J Parker
Clerk-Treasurer**